

Oscar Leeser  
Mayor

Tommy Gonzalez  
City Manager



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

**\*\*\* REVISED \*\*\***  
**AGENDA FOR THE REGULAR COUNCIL MEETING**

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**January 03, 2023**  
**COUNCIL CHAMBERS, CITY HALL, 300 N. CAMPBELL AND VIRTUALLY**  
**9:00 AM**  
**THE LOCAL HEALTH AUTHORITY STRONGLY RECOMMENDS THE USE OF**  
**MASKS IN ALL CITY FACILITIES AND INDOOR SPACES**

**Teleconference phone number: 1-915-213-4096**  
**Toll free number: 1-833-664-9267**  
**Conference ID: 538-535-254#**

Notice is hereby given a Regular Meeting of the City Council of the City of El Paso will be conducted on January 3, 2023 at 9:00 A.M. Members of the public may view the meeting via the following means:

Via the City's website. <http://www.elpasotexas.gov/videos>  
Via television on City15,  
YouTube: <https://www.youtube.com/user/cityofelpasotx/videos>

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

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

**At the prompt please enter Conference ID: 538-535-254#**

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

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

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

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

**Representatives Alexsandra Annello and Henry Rivera**

**A quorum of City Council must participate in the meeting.**

## **ROLL CALL**

## **INVOCATION BY EL PASO POLICE CHAPLAIN JOSEPH MARATTA**

## **PLEDGE OF ALLEGIANCE**

## **MAYOR'S PROCLAMATIONS**

### **Massing of the Colors Day**

## **REGULAR AGENDA - OTHER BUSINESS:**

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

1. Discussion and action on the election of Mayor Pro Tempore and Alternate Mayor Pro Tempore. [23-29](#)

#### **All Districts**

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

2. Discussion and action on a Resolution adopting the Rules of Order for City Council meetings. [23-31](#)

#### **All Districts**

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

## **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**

3. Approval of the Minutes of the Regular City Council Meeting of December 13, 2022, the Agenda Review Meeting of December 12, 2022, and the Work Session of December 12, 2022. [23-26](#)



**All Districts**

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

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

4. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS [23-25](#)

**CONSENT AGENDA - RESOLUTIONS:**

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

5. That the Planning & Inspection liens on the attachment posted with this agenda be approved. (See Attachment A). [22-1613](#)

**Districts 1, 2, 3, 7, 8**

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

6. That the Solid Waste liens on the attachment posted with this agenda be approved. (See Attachment B). [23-01](#)

**All Districts**

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

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

7. That the City Manager, or designee, be authorized to sign the second amendment to the Professional Services Agreement between the City of El Paso and Lloyd Gosselink Rochelle & Townsend, P.C. on behalf of attorney Sarah Glaser for the provision of on-call fact finding investigations for an amount not to exceed \$150,000. [23-21](#)

**All Districts**

Human Resources, Araceli Guerra, (915) 212-1401

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

8. That the City Council approve a change order in the amount of \$181,778.57 to J.A.R. Concrete, Inc. DBA J.A.R. Construction Inc. for the "Trowbridge Drive Improvements Contract 2022-0377", increasing the contract price from \$891,196.90 to \$1,122,889.30. The increase is for the cost associated with additional scope including the construction of the mid-blocks (bulb-outs) and additional irrigation and landscaping. [23-20](#)

**District 2**

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

**CONSENT AGENDA - BOARD APPOINTMENTS:**

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

9. Marco A. Covarrubias to the Ethics Review Commission by Representative  
Alexsandra Annello, District 2.

[23-27](#)

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

### **CONSENT AGENDA - APPLICATIONS FOR TAX REFUNDS:**

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

10. That the tax refunds listed on the attachment posted with this agenda be approved. This action would allow us to comply with state law which requires approval by the legislative body of refunds of tax overpayments greater than \$2,500.00. (See Attachment C).

[23-19](#)

### **All Districts**

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

### **CONSENT AGENDA - NOTICE OF CAMPAIGN CONTRIBUTIONS:**

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

11. For notation pursuant to Section 2.92.080 of the City Code, receipt of campaign contribution by Representative Joe Molinar in the amount of \$1,000.00 from JP & Mary Jon Bryan.

[23-04](#)

Members of the City Council, Representative Joe Molinar, (915) 212-0004

### **CONSENT AGENDA - BIDS:**

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

12. The linkage to the Strategic Plan is subsection: 2.3 - Increase public safety operational efficiency.

[23-34](#)

### **Award Summary:**

Request that the City Manager be authorized to sign a Professional Service Agreement for Psychological Examination and Services No. 2022-0545R for the Fire Department by and between the City of El Paso and Integrity Employee Assistance, Inc., dba WellConnect, a Texas Corporation for a term of 36 months from the effective date of the Agreement and an option to extend for an additional 24 months, which may be exercised by the City Manager administratively, to be compensated on a per examination basis, for an

estimated contract amount of \$99,225.00 for the initial term and an estimated additional \$66,150.00 if the option to extend is exercised.

**Contract Variance:**

The difference based in comparison to the previous contract is as follows: An increase of \$24,225.00 for the initial term, which represents a 32.30% increase due to additional services required under this contract.

Department:	Fire
Vendor:	Integrity Employee Assistance, Inc., dba WellConnect El Paso, TX
Item(s):	All
Initial Term:	3 Years
Option to Extend:	One (1), two (2) years
Annual Estimated Award:	\$33,075.00
Initial Term Estimated Award:	\$99,225.00 (3 years)
Total Estimated Award:	\$165,375.00 (5 years)
Account No:	322 - 521120 - 1000 - 22010 - P2202
Funding Source:	General Funds
District(s):	All

This is a Request for Qualifications, requirements contract.

**All Districts**

Purchasing and Strategic Sourcing, K. Nicole Cote (915) 212-1092  
Fire, Chief Jonathan P. Killings (915) 493-5609

**REGULAR AGENDA - MEMBERS OF THE CITY COUNCIL**

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

13. Discussion and action that the City of El Paso re-evaluate and repurpose as appropriate the now-insufficient funds for constructing a new Multipurpose Performing Arts and Entertainment Center, any sports facility or other building within the area bounded by West Overland Avenue to the north, South Santa Fe Street to the east, West Paisano Drive to the south, and Leon Street to the west and that no buildings within this area be condemned or demolished; and to begin examining the use of these funds specific to what the voters approved within existing City facilities that may be renovated or upgraded to honor the will of the voters.

[23-39](#)

**All Districts**

Members of the City Council, Representative Joe Molinar, (915) 212-0004  
Members of the City Council, Representative Aleksandra, Annello, (915) 212-0002

**REGULAR AGENDA - OPERATIONAL FOCUS UPDATES**

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

14. Discussion and action on the presentation providing prefinal results of the Multipurpose Arts and Performance Center Programming and Feasibility Study. [23-40](#)

### **All Districts**

Capital Improvement Department, Sam Rodriguez, (915) 212-1845  
Capital Improvement Department, Yvette Hernandez, (915) 212-1860

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

15. 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. [23-11](#)

### **All Districts**

City Manager's Office, Chief Mario D'Agostino, (915) 212-5605  
Fire, Chief Jonathan P. Killings, (915) 493-5609

## **Goal 8: Nurture and Promote a Healthy, Sustainable Community**

16. Presentation and discussion by the COVID-19 Response and Recovery Cross-Functional Team providing information on key activities, efforts, and processes [23-10](#)

1. Overview (Tommy Gonzalez)
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
3. Team Lead Report:
  - a) Health Focus (Hector Ocaranza, M.D.)
    - i. COVID-19 update
    - ii. Influenza Update
    - iii. RSV Update
4. City Manager Wrap-up (Tommy Gonzalez)

### **All Districts**

City Manager's Office, Chief Mario D'Agostino, (915) 212-5605

17. Presentation and discussion on Community Cats. [23-38](#)

### **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: 538-535-254#

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 - EMERGENCY ORDINANCES:**

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

18. Discussion and action on 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. [23-24](#)

**All Districts**

City Manager's Office, Chief Mario D'Agostino, (915) 212-5605

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

19. Discussion and action on an Emergency Ordinance re-enacting Emergency Ordinance No. 019035 extending a Disaster Declaration due to a Public Health Emergency. [23-22](#)

**All Districts**

City Manager's Office, Chief Mario D'Agostino, (915) 212-5605

20. Discussion and action on 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. [23-23](#)

**All Districts**

City Manager's Office, Chief Mario D'Agostino, (915) 212-5605

21. Discussion and action on 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 [23-32](#)

Section 6.

**All Districts**

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

**REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS:**

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

- 22.** The linkage to the Strategic Plan is subsection 7.5 - Set One Standard for Infrastructure Across the City.

[23-13](#)

**Award Summary:**

Discussion and action on the award of Solicitation 2023-0024 Motor Oil, Antifreeze, Lubricants, Transmission and Hydraulic Oils & Fluids to MJ Mader Enterprises, Inc. dba Bio-Dyne Chemical Company for an initial one (1) year term for an estimated amount of \$800,429.20. The award also includes a one (1) year option for an estimated amount of \$800,429.20. The total value of the contract is, including the initial term plus the option, for a total of two (2) years, for an estimated amount of \$1,600,858.40. This contract will allow for the purchase of lubricants for the Fleet Division.

Department:	Streets and Maintenance
Vendor	MJ Mader Enterprises, Inc. dba Bio-Dyne Chemical Company El Paso, TX
Item(s):	All
Initial Term:	1 year
Option to Extend:	1 year
Annual Estimated Award:	\$800,429.20
Initial Term Estimated Award:	\$800,429.20 (1 year)
Total Estimated Award:	\$1,600,858.40 (2 years)
Account No.:	532 - 3600 - 531240 - 37020 - P3701
Funding Source:	Internal Service Fund
District(s):	All

**Contract Variance:**

The difference based in comparison to the previous contract is as follows: An increase of \$127,632.70 for the initial term, which represents a 18.97% increase due to increased prices.

This is a Low Bid, Unit Price contract.

The Purchasing & Strategic Sourcing and Streets and Maintenance Departments recommend award as indicated to MJ Mader Enterprises, Inc. dba Bio-Dyne Chemical Company, the bidder offering the lowest prices. In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

**All Districts**

Purchasing and Strategic Sourcing, K. Nicole Cote, (915) 212-1092  
Streets and Maintenance, Richard J. Bristol, (915) 212-7000

**REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES:****Goal 2: Set the Standard for a Safe and Secure City**

23. An Ordinance granting a Franchise for STAR Inc., d/b/a Revive Mobile Health, [22-1595](#)  
to operate a non-emergency ambulance transfer service.

**All Districts**

Fire, Chief Jonathan Killings, (915) 495-5609

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

24. An Ordinance vacating a portion of Oregon Street located between Block 5 and [22-1584](#)  
Block 6, Mills Addition, City of El Paso, El Paso County, Texas.

Applicant: Kress Tunnel, LLC, SURW22-00009

**District 8**

Planning and Inspections, Philip F. Etiwe, (915) 212-1553  
Planning and Inspections, David Samaniego, (915) 212-1608

**EXECUTIVE SESSION**

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

**Representatives Alexsandra Annello and Henry Rivera**

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

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

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

### **Discussion and action on the following:**

- EX1.** Application of El Paso Electric Company to Change Rates for Rate Schedule No. 11, Time-of-Day Municipal Pumping Service, to Correct an Error, Public Utility Commission of Texas Docket No. 54476. Matter No. 21-1008-203 (551.071) [23-16](#)  
City Attorney's Office, Matthew Marquez, (915) 212-0033
- EX2.** Application of El Paso Electric Company for Approval of Limited Code of Conduct Waivers and Associated Amendments to its Code of Conduct and Compliance Plan, Public Utility Commission of Texas Docket No. 54383. Matter No. 21-1008-204 (551.071) [23-17](#)  
City Attorney's Office, Ayana Estrada, (915) 212-0033
- EX3.** Application of El Paso Electric Company for a 10MW Community Solar Expansion and Authority to Modify Schedule No. CS Community Solar Rate, Public Utility Commission of Texas Docket No. 54403. Matter No. 21-1008-205 (551.071) [23-18](#)  
City Attorney's Office, Donald Davie, (915) 212-0033

### **ADJOURN**

### **NOTICE TO THE PUBLIC:**

Sign Language interpreters are provided for regular City Council meetings. If you need Spanish Interpreter Services, you must email [CityClerk@elpasotexas.gov](mailto: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

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**File #: 23-29, Version: 1**

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**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.*

Discussion and action on the election of Mayor Pro Tempore and Alternate Mayor Pro Tempore.

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

**DEPARTMENT:** Members of the City Council

**AGENDA DATE:** January 3, 2023

**PUBLIC HEARING DATE:**

**CONTACT PERSON NAME AND PHONE NUMBER:** Laura D. Prine, (915) 212-0049

**DISTRICT(S) AFFECTED:** All

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

**SUBGOAL:** 6.8: Support transparent and inclusive government

**SUBJECT:**

Discussion and action on the election of Mayor Pro Tempore and Alternate Mayor Pro Tempore.

**BACKGROUND / DISCUSSION:**

Section 4.3 of the Chapter of the City of El Paso requires the City Council, at the first meeting upon the start of new terms of office following each general election, to elect a Mayor Pro Tempore, who shall hold that office for a two-year term. In addition, in the event of the absence of both the Mayor and Mayor Pro Tempore, the Council shall elect an alternate Mayor Pro Tempore to serve until the return of the Mayor or Mayor Pro Tempore.

**PRIOR COUNCIL ACTION:**

**AMOUNT AND SOURCE OF FUNDING:**

N/A

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

*Laura D. Prine*

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(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

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**File #: 23-31, Version: 1**

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**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.*

Discussion and action on a Resolution adopting the Rules of Order for City Council meetings.

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

**DEPARTMENT:** Members of the City Council

**AGENDA DATE:** January 3, 2023

**PUBLIC HEARING DATE:**

**CONTACT PERSON NAME AND PHONE NUMBER:** Laura D. Prine, (915) 212-0049

**DISTRICT(S) AFFECTED:** All

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

**SUBGOAL:** 6.8: Support transparent and inclusive government

**SUBJECT:**

Discussion and action on a Resolution adopting the Rules of Order for City Council meetings.

**BACKGROUND / DISCUSSION:**

Section 3.5B of the Charter of the City of El Paso requires the City Council at the beginning of each term to adopt rules of order, and should the Council fail to do this, then Roberts Rules of Order, Revised, shall control until such time as the Council adopts some other rules of order.

**PRIOR COUNCIL ACTION:**

On August 31, 2021, the City Council approved a resolution amending the Rules of Order for the El Paso City Council Revised, as effective August 31, 2021.

**AMOUNT AND SOURCE OF FUNDING:**

NA

**BOARD / COMMISSION ACTION:**

NA

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

Laura D. Prine

**RESOLUTION ADOPTING THE  
RULES OF ORDER FOR THE EL PASO CITY COUNCIL  
REVISED, AS EFFECTIVE JANUARY 3, 2023**

**SECTION 1. PURPOSE OF RESOLUTION**

This Resolution is adopted pursuant to Section 3.5.B of the Charter of the City of El Paso as a procedural guide for the benefit of the City Council and for the general information of the public. These rules shall apply to regular, special and work session meetings at which action is to be taken, but shall not apply to meetings for committees of the City Council or to informational gatherings of the Council.

**SECTION 2. RULES OF ORDER**

Robert's Rules of Order Revised shall govern the procedures of Council unless they are in conflict with these rules.

**SECTION 3. EFFECT OF FAILURE TO FOLLOW THESE RULES**

No action of the Council that is otherwise legal shall be invalidated merely by reason of the failure of the Council or City staff to follow these Rules of Order, unless the majority of the Council agrees that such action shall be invalidated.

**SECTION 4. STANDING**

No one other than a member of the City Council shall have standing to assert before the Council that any action taken by the Council is invalid by reason of the Council's failure to comply with these Rules of Order.

**SECTION 5. SUSPENSION OF RULES**

These rules may be suspended temporarily by a majority of the Council members present and voting, except as they pertain to a quorum, or to the majority required for any motion, or to other matters pre-empted by laws other than those Rules of Order.

**SECTION 6. PRESIDING OFFICER**

The Mayor shall preside at all meetings of the City Council, but if for any reason he is absent from the City, sick or unable to act, then the Mayor Pro Tempore shall preside at such meetings and at such times shall exercise all of the powers and discharge the duties of the Mayor, except that the Mayor Pro Tempore shall vote as a Representative. In the absence or inability of both the Mayor and the Mayor Pro Tempore, the Alternate Mayor Pro Tempore shall preside and shall vote as a Representative. Upon the arrival of the Mayor, the Mayor Pro Tempore or the Alternate Mayor Pro Tempore, the acting chairman shall immediately relinquish the chair upon the conclusion of the business immediately pending before the Council.

The presiding officer shall preserve strict order and decorum at all regular and special meetings of the Council, and shall state questions coming before the Council as necessary for clarity, and shall announce the decision of the Council on all subjects. The Presiding Officer shall disable the microphone at the podium when he determines that the speaker has violated council rules of order.

## **SECTION 7. QUESTIONS OF ORDER**

All questions of order shall be decided by the presiding officer with the right of appeal from his or her decision to the Council that is present, the majority of whom, present and voting, may override the decision.

## **SECTION 8. VOTING**

The electronic voting system shall be utilized for the casting of the roll call votes of the Council in Council Chambers except as otherwise provided herein. The City Clerk shall call for an electronic vote and each Representative shall, without undue delay, cast his or her vote on the electronic voting system. When all votes have been cast, the City Clerk will review, announce and display the results of the voting, and staff will capture the display on the digital recording of the meeting or fully read the results into the record. In the event of a tie vote, the City Clerk will announce the results and call for the Mayor's vote before displaying the results. Any error in voting or any discrepancy between the display of the votes and the City Clerk's announcement of the results shall be corrected prior to the time that the Council proceeds to consider the next agenda item.

The requirements under this section for the use of the electronic voting system shall be automatically suspended under the following circumstances and for the duration as announced by the City Clerk: (a) upon the announcement of the City Clerk that the electronic voting system is not working properly; (b) for votes on procedural matters including motions to recess and to take an agenda item out of order, and votes by acclamation; (c) when the Council is voting on more than one agenda item simultaneously; and (d) when more than one vote will be taken pertaining to an agenda item and in such instance, the City Clerk shall announce which vote shall be taken by use of the electronic voting system and which vote(s) shall be taken only by voice vote.

In the event that the use of the electronic voting system is suspended or the system is otherwise not available, the City Clerk shall call the roll beginning with the Representative seated furthest to the Mayor's right and continuing in that order. Each Representative shall audibly indicate his or her vote.

Records of all roll call votes shall be incorporated in the Minutes of the meeting.

## **SECTION 9. RECORDED DEBATE**

A Representative may request, through the presiding officer, to have an abstract of his or her statement on any subject under consideration by the Council entered in the Minutes or to attach any document referenced during a Council meeting to the Minutes. The recording secretary may be directed by the presiding officer to enter in the Minutes a synopsis of the discussion on any question coming before the Council.

## **SECTION 10. ORDER OF PRECEDENCE OF MOTIONS**

The order of procedure of motions is set forth in Exhibit “A” attached hereto and fully incorporated by reference.

## **SECTION 11. MOTION TO RECONSIDER**

A motion to reconsider any action taken by the Council may be made at any time prior to adjournment of the same meeting at which such action was taken. The motion can only be made by a member who voted with the prevailing side and can be seconded by any member.

## **SECTION 12. OBTAINING THE FLOOR**

Every person desiring to speak shall address the presiding officer, and when recognized by the presiding officer, shall address only the item under consideration.

For Regular City Council Meetings, in the debate, each member of Council has the right to speak twice on the same item on the same day, but cannot make a second speech on the same item as long as any member who has not spoken on that question desires the floor. No one can speak longer than ten minutes at a time without permission of a majority of Council. The City Clerk will keep time and will notify the Mayor if a Representative reaches the allotted time.

During Work Sessions, Special meetings, or Agenda Review meetings, there will not be a limit to the time allowed for each Representative to have the floor, and the Presiding officer has discretion to end discussion on an item, or to give the floor to another representative.

## **SECTION 13. RIGHT OF CITIZENS TO BE HEARD**

Public Hearings/Agenda Items:

Any member of the public shall have a reasonable opportunity to be heard at all public hearings of the City Council in regard to any and all matters to be considered at such hearings that are germane and relative to any subject matter of City affairs or business which is within the scope of the authority and legislative functions of the City Council. Provided, however, that the time allowed for each citizen's appearance before City Council will be limited to a fixed number of minutes at the discretion of the presiding officer. Members of the public will usually be granted three (3) minutes to present their position on issues. If a member of the public addresses City Council through a translator into English, he or she will be granted six (6) minutes to present. Time will be kept by the City Clerk. The presiding officer may grant a speaker additional time at his or her discretion.

Public Comment/Non Agenda Items:

A maximum of sixty (60) minutes will be allotted for a public comment portion of each regular City Council meeting. The City Council will designate time to allow members of the public to have a reasonable opportunity to provide comment on items not already posted on the agenda, except that no person shall engage in political advertising contrary to state law. Persons wishing to provide comment during the public comment portion of the City Council agenda must sign up prior to 9:00 a.m. on the day of the City Council meeting either online or by using the sign-in sheet for the public outside of Council Chambers on the day of the Council meeting up until 9:00 a.m. Any person signing

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A document camera and projection system ("Overhead Projector") is available for use for public comment on posted items and call to the public. Members of the public shall submit any document they wish to present on the Overhead Projector to the City Clerk no later than close of business on the previous City business day before the meeting date. Any document that contains insulting, profane, threatening or abusive language, nudity, or campaign material will be rejected. City Staff will assist members of the public in using the Overhead Projector during the meeting. In order to ensure cyber security, members of the public are prohibited from sending or utilizing presentations in any electronic format, including but not limited to email, and from using a Universal Serial Bus (USB) compact disk (CD) or digital versatile disk (DVD) for public comment and call to the public. A member of the public who wishes to make an electronic presentation may bring printed documents to the City Clerk's office no later than close of business on the previous City business day before the meeting date to be scanned for presentation during the meeting.

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The time allotted for the public comment portion of the agenda shall be uniformly divided among those who have signed up to obtain a time slot and participate and except as provided below, no speaker will have more than three (3) minutes to speak or otherwise make a presentation, regardless of the number of topics a speaker wishes to address within his or her time slot. At the beginning of the public comment portion of the agenda, the City Clerk will make one announcement as to the amount of time that each person has to provide comment. The City Clerk will call each person signed up to make comment to the podium in the order that they signed up to speak and will keep time. Each topic brought forward will be for comment from the speaker and may not be deliberated by the members of Council nor rebutted or debated by members of the public. Any member of the City Council may propose that the topic commented on be posted by staff on a future Council meeting agenda for the Council's discussion and action.

The presiding officer at his or her discretion may grant a speaker one (1) additional minute to wrap up his or her comments regardless of whether the allotted sixty (60) minutes will otherwise be taken up by the others making comment.



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Executive Session will be scheduled at the end of the meeting or other such time as determined by the Council. The Invocation and Pledge of Allegiance will take place no sooner than 9:00 a.m. Thereafter, the proceedings will take place as specified on the Attached **Exhibit “B”**.

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The City Clerk and the Assistant City Clerk are confirmed to serve as Parliamentarian and Alternate Parliamentarian, respectively.

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**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2023.

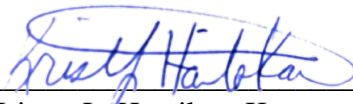
**CITY OF EL PASO:**

\_\_\_\_\_  
Oscar Leeser  
Mayor

**ATTEST:**

\_\_\_\_\_  
Laura D. Prine  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Kristen L. Hamilton-Karam  
Senior Assistant City Attorney

## EXHIBIT “A”

### ROBERTS RULES CHEAT SHEET

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Adjourn	"I move that we adjourn"	No	Yes	No	No	Majority
Recess	"I move that we recess until..."	No	Yes	No	Yes	Majority
Complain about noise, room temp., etc.	"Point of privilege"	Yes	No	No	No	Chair Decides
Suspend further consideration of something	"I move that we table it"	No	Yes	No	No	Majority
End debate	"I move the previous question"	No	Yes	No	No	2/3
Postpone consideration of something	"I move we postpone this matter until..."	No	Yes	Yes	Yes	Majority
Amend a motion	"I move that this motion be amended by..."	No	Yes	Yes	Yes	Majority
Introduce business (a primary motion)	"I move that..."	No	Yes	Yes	Yes	Majority

The above listed motions and points are listed in established order of precedence. When any one of them is pending, you may not introduce another that is listed below, but you may introduce another that is listed above it.

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Object to procedure or personal affront	"Point of order"	Yes	No	No	No	Chair decides
Request information	"Point of information"	Yes	No	No	No	None
Ask for vote by actual count to verify voice vote	"I call for a division of the house"	Must be done before new motion	No	No	No	None unless someone objects
Object to considering some undiplomatic or improper matter	"I object to consideration of this question"	Yes	No	No	No	2/3
Take up matter previously tabled	"I move we take from the table..."	Yes	Yes	No	No	Majority
Reconsider something already disposed of	"I move we now (or later) reconsider our action relative to..."	Yes	Yes	Only if original motion was debatable	No	Majority
Consider something out of its scheduled order	"I move we suspend the rules and consider..."	No	Yes	No	No	2/3
Vote on a ruling by the Chair	"I appeal the Chair's decision"	Yes	Yes	Yes	No	Majority

The motions, points and proposals listed above have no established order of preference; any of them may be introduced at any time except when meeting is considering one of the top three matters listed from the first chart (Motion to Adjourn, Recess or Point of Privilege).

## **EXHIBIT “B”**

**The El Paso City Council Agenda items will be posted in the following order for all meetings of the El Paso City Council at which items of the listed categories will be discussed. If there are no items regarding a listed category, that category will be skipped.**

1. Roll Call
2. Invocation and Pledge of Allegiance
3. Ceremonial items: Proclamations and Recognitions \*
4. Consent Agenda
5. Council Member Requested Items
6. Operational Focus Updates
7. Regular Agenda
8. Executive Session

**Recess:**

**City Council will recess at 11:30 for lunch, and will resume at noon.**

**Call to the Public/Public Comment/Non-Agenda Items:**

- **Will take place at 12:00 noon during every regularly scheduled Tuesday City Council Meeting.**
- **Call to the Public is for items not posted on the agenda for the City Council meeting.**
- **If necessary, Council will interrupt the Meeting or delay consideration of Executive Session items posted on its City Council agenda, to hear Call to the Public at 12noon.**

**Public Comment/Agenda Items is allowed on any posted item at any meeting of the El Paso City Council in accordance with Section 13 of these Rules of Order.**

- \* Ceremonial items will consist of the reading of a proclamation, an introduction to the Mayor and Council and a photograph. Members of the public and individuals and organizations receiving proclamations and recognitions are not expected to address council.

**RESOLUTION ADOPTING THE  
RULES OF ORDER FOR THE EL PASO CITY COUNCIL  
REVISED, AS EFFECTIVE JANUARY 3, 2023**

**SECTION 1. PURPOSE OF RESOLUTION**

This Resolution is adopted pursuant to Section 3.5.B of the Charter of the City of El Paso as a procedural guide for the benefit of the City Council and for the general information of the public. These rules shall apply to regular, special and work session meetings at which action is to be taken, but shall not apply to meetings for committees of the City Council or to informational gatherings of the Council.

**SECTION 2. RULES OF ORDER**

Robert's Rules of Order Revised shall govern the procedures of Council unless they are in conflict with these rules.

**SECTION 3. EFFECT OF FAILURE TO FOLLOW THESE RULES**

No action of the Council that is otherwise legal shall be invalidated merely by reason of the failure of the Council or City staff to follow these Rules of Order, unless the majority of the Council agrees that such action shall be invalidated.

**SECTION 4. STANDING**

No one other than a member of the City Council shall have standing to assert before the Council that any action taken by the Council is invalid by reason of the Council's failure to comply with these Rules of Order.

**SECTION 5. SUSPENSION OF RULES**

These rules may be suspended temporarily by a majority of the Council members present and voting, except as they pertain to a quorum, or to the majority required for any motion, or to other matters pre-empted by laws other than those Rules of Order.

**SECTION 6. PRESIDING OFFICER**

The Mayor shall preside at all meetings of the City Council, but if for any reason he is absent from the City, sick or unable to act, then the Mayor Pro Tempore shall preside at such meetings and at such times shall exercise all of the powers and discharge the duties of the Mayor, except that the Mayor Pro Tempore shall vote as a Representative. In the absence or inability of both the Mayor and the Mayor Pro Tempore, the Alternate Mayor Pro Tempore shall preside and shall vote as a Representative. Upon the arrival of the Mayor, the Mayor Pro Tempore or the Alternate Mayor Pro Tempore, the acting chairman shall immediately relinquish the chair upon the conclusion of the business immediately pending before the Council.

The presiding officer shall preserve strict order and decorum at all regular and special meetings of the Council, and shall state questions coming before the Council as necessary for clarity, and shall announce the decision of the Council on all subjects. The Presiding Officer shall disable the microphone at the podium when he determines that the speaker has violated council rules of order.

## **SECTION 7. QUESTIONS OF ORDER**

All questions of order shall be decided by the presiding officer with the right of appeal from his or her decision to the Council that is present, the majority of whom, present and voting, may override the decision.

## **SECTION 8. VOTING**

The electronic voting system shall be utilized for the casting of the roll call votes of the Council in Council Chambers except as otherwise provided herein. The City Clerk shall call for an electronic vote and each Representative shall, without undue delay, cast his or her vote on the electronic voting system. When all votes have been cast, the City Clerk will review, announce and display the results of the voting, and staff will capture the display on the digital recording of the meeting or fully read the results into the record. In the event of a tie vote, the City Clerk will announce the results and call for the Mayor's vote before displaying the results. Any error in voting or any discrepancy between the display of the votes and the City Clerk's announcement of the results shall be corrected prior to the time that the Council proceeds to consider the next agenda item.

The requirements under this section for the use of the electronic voting system shall be automatically suspended under the following circumstances and for the duration as announced by the City Clerk: (a) upon the announcement of the City Clerk that the electronic voting system is not working properly; (b) for votes on procedural matters including motions to recess and to take an agenda item out of order, and votes by acclamation; (c) when the Council is voting on more than one agenda item simultaneously; and (d) when more than one vote will be taken pertaining to an agenda item and in such instance, the City Clerk shall announce which vote shall be taken by use of the electronic voting system and which vote(s) shall be taken only by voice vote.

In the event that the use of the electronic voting system is suspended or the system is otherwise not available, the City Clerk shall call the roll beginning with the Representative seated furthest to the Mayor's right and continuing in that order. Each Representative shall audibly indicate his or her vote.

Records of all roll call votes shall be incorporated in the Minutes of the meeting.

## **SECTION 9. RECORDED DEBATE**

A Representative may request, through the presiding officer, to have an abstract of his or her statement on any subject under consideration by the Council entered in the Minutes or to attach any document referenced during a Council meeting to the Minutes. The recording secretary may be directed by the presiding officer to enter in the Minutes a synopsis of the discussion on any question coming before the Council.

## **SECTION 10. ORDER OF PRECEDENCE OF MOTIONS**

The order of procedure of motions is set forth in Exhibit “A” attached hereto and fully incorporated by reference.

## **SECTION 11. MOTION TO RECONSIDER**

A motion to reconsider any action taken by the Council may be made at any time prior to adjournment of the same meeting at which such action was taken. The motion can only be made by a member who voted with the prevailing side and can be seconded by any member.

## **SECTION 12. OBTAINING THE FLOOR**

Every person desiring to speak shall address the presiding officer, and when recognized by the presiding officer, shall address only the item under consideration.

For Regular City Council Meetings, in the debate, each member of Council has the right to speak twice on the same item on the same day, but cannot make a second speech on the same item as long as any member who has not spoken on that question desires the floor. No one can speak longer than ten minutes at a time without permission of a majority of Council. The City Clerk will keep time and will notify the Mayor if a Representative reaches the allotted time.

During Work Sessions, Special meetings, or Agenda Review meetings, there will not be a limit to the time allowed for each Representative to have the floor, and the Presiding officer has discretion to end discussion on an item, or to give the floor to another representative.

## **SECTION 13. RIGHT OF CITIZENS TO BE HEARD**

Public Hearings/Agenda Items:

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**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2021.

**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

## EXHIBIT “A”

### ROBERTS RULES CHEAT SHEET

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Adjourn	"I move that we adjourn"	No	Yes	No	No	Majority
Recess	"I move that we recess until..."	No	Yes	No	Yes	Majority
Complain about noise, room temp., etc.	"Point of privilege"	Yes	No	No	No	Chair Decides
Suspend further consideration of something	"I move that we table it"	No	Yes	No	No	Majority
End debate	"I move the previous question"	No	Yes	No	No	2/3
Postpone consideration of something	"I move we postpone this matter until..."	No	Yes	Yes	Yes	Majority
Amend a motion	"I move that this motion be amended by..."	No	Yes	Yes	Yes	Majority
Introduce business (a primary motion)	"I move that..."	No	Yes	Yes	Yes	Majority

The above listed motions and points are listed in established order of precedence. When any one of them is pending, you may not introduce another that is listed below, but you may introduce another that is listed above it.

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Object to procedure or personal affront	"Point of order"	Yes	No	No	No	Chair decides
Request information	"Point of information"	Yes	No	No	No	None
Ask for vote by actual count to verify voice vote	"I call for a division of the house"	Must be done before new motion	No	No	No	None unless someone objects
Object to considering some undiplomatic or improper matter	"I object to consideration of this question"	Yes	No	No	No	2/3
Take up matter previously tabled	"I move we take from the table..."	Yes	Yes	No	No	Majority
Reconsider something already disposed of	"I move we now (or later) reconsider our action relative to..."	Yes	Yes	Only if original motion was debatable	No	Majority
Consider something out of its scheduled order	"I move we suspend the rules and consider..."	No	Yes	No	No	2/3
Vote on a ruling by the Chair	"I appeal the Chair's decision"	Yes	Yes	Yes	No	Majority

The motions, points and proposals listed above have no established order of preference; any of them may be introduced at any time except when meeting is considering one of the top three matters listed from the first chart (Motion to Adjourn, Recess or Point of Privilege).

## **EXHIBIT “B”**

**The El Paso City Council Agenda items will be posted in the following order for all meetings of the El Paso City Council at which items of the listed categories will be discussed. If there are no items regarding a listed category, that category will be skipped.**

1. Roll Call
2. Invocation and Pledge of Allegiance
3. Ceremonial items: Proclamations and Recognitions \*
4. Consent Agenda
5. Council Member Requested Items
6. Operational Focus Updates
7. Regular Agenda
8. Executive Session

**Recess:**

**City Council will recess at 11:30 for lunch, and will resume at noon.**

**Call to the Public/Public Comment/Non-Agenda Items:**

- **Will take place at 12:00 noon during every regularly scheduled Tuesday City Council Meeting.**
- **Call to the Public is for items not posted on the agenda for the City Council meeting.**
- **If necessary, Council will interrupt the Meeting or delay consideration of Executive Session items posted on its City Council agenda, to hear Call to the Public at 12noon.**

**Public Comment/Agenda Items is allowed on any posted item at any meeting of the El Paso City Council in accordance with Section 13 of these Rules of Order.**

- \* Ceremonial items will consist of the reading of a proclamation, an introduction to the Mayor and Council and a photograph. Members of the public and individuals and organizations receiving proclamations and recognitions are not expected to address council.



El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #: 23-26, Version: 1**

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### **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 December 13, 2022, the Agenda Review Meeting of December 12, 2022, and the Work Session of December 12, 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**

**December 13, 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 9:03 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Peter Svarzbein, Alexsandra Annello, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Claudia Rodriguez, and Henry Rivera. Cissy Lizarraga requested to be excused from this meeting. The invocation was given by El Paso Police Senior Chaplain David Mayfield followed by the Pledge of Allegiance to the Flag of the United States of America.

### **INVOCATION BY EL PASO POLICE SENIOR CHAPLAIN DAVID MAYFIELD**

### **PLEDGE OF ALLEGIANCE**

### **MAYOR'S PROCLAMATIONS**

Tony the Tiger Sun Bowl Week

One Grub Community Day

### **RECOGNITIONS BY MAYOR**

Mayor's Distinguished Award

Peter Svarzbein, City Representative, District 1

Cissy I. Lizarraga, City Representative, District 8

### **RECOGNITIONS**

Service Recognitions for Representatives Peter Svarzbein and Cissy Lizarraga presented by City Manager, Mr. Tommy Gonzalez

The Regular City Council Meeting was **RECESSED** at 10:05 a.m. in order to take photos with the honorees and to convene the Downtown Development Corporation Board of Directors meeting.

The Regular City Council Meeting was **RECONVENED** at 11:00 a.m.



.....

**NOTICE TO THE PUBLIC**

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

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

NAYS: None

ABSENT: Representative Lizarraga

.....

**CONSENT AGENDA – APPROVAL OF MINUTES:**

.....

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

.....

1. \*Motion made, seconded, and unanimously carried to **APPROVE** the minutes of the Regular City Council Meeting of December 6, 2022, the Agenda Review Meeting of December 5, 2022, and the Work Session of December 5, 2022.
- .....

**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** Representative Cissy Lizarraga from the Regular City Council Meeting of Tuesday, December 13, 2022.

.....

**CONSENT AGENDA – RESOLUTIONS**

.....

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

.....

3. **\*RESOLUTION**

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

That the City Manager be authorized to sign an Airport Building Lease Agreement by and between the City of El Paso ("Lessor") and Southwest Airlines Co. ("Lessee") for ground service equipment warehouse and maintenance shop at the Airport Building located at 6765 Convair Road, El Paso, Texas.

With an initial term of one year with one (1) year renewal option.

.....

4. **\*RESOLUTION**

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

That the City Manager be authorized to sign an Air Cargo Building Lease Agreement by and between the City of El Paso ("Lessor") and Southwest Airlines Co. ("Lessee") for warehouse and office space at the Air Cargo Building located at 6435 Convair Road, El Paso, Texas. The initial term of said Lease shall be for five years.

.....

5. **\*RESOLUTION**

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

That the City Manager, or designee, be authorized to sign Contract No. 80JSC0 18P0035-NNJ19ZA01P by and between the National Aeronautics and Space Administration ("NASA") and the City of El Paso ("Contractor") for the lease of hangar and office space located at 8101 and 8201 Boeing Drive, El Paso, Texas to incorporate two three (3) month options into that agreement.

6.

**\*RESOLUTION**

**WHEREAS**, the City of El Paso ("City") and the Paso del Norte Community Foundation ("PdN") recognize the importance of federal and state grant opportunities for funding the development and construction of trails, corridor improvements, transportation, civic spaces, and public facilities.

**WHEREAS**, the parties recognize that such grant opportunities benefit both parties, as well as the residents and visitors of the El Paso region.

**WHEREAS**, the City and PdN wish to collaborate to develop a strategy to apply for grant opportunities, to plan and write grant applications, and to develop and implement public outreach.

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

**THAT** the City Manager be authorized to sign a Memorandum of Understanding between the City and PdN to collaborate on securing grant opportunities related to trails, corridor improvements, transportation, civic spaces, and public facilities, wherein PdN will coordinate public outreach, including writing certain grant proposals, and the City will reimburse costs in an amount not to exceed \$260,000.00 over the two-year term of this Memorandum of Understanding.

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

7.

**\*RESOLUTION**

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

That the Mayor be authorized to sign an Amendment to an Interlocal Agreement by and between the City of El Paso ("City") and the El Paso County Hospital District d/b/a University Medical Center ("UMC") to establish timely notification and change the maximum annual staffing fee amount that UMC will allocate to the City for staffing of the Mobile Stroke Unit ("MSU") not to exceed \$70,000.00 annually for the EMT-Paramedic and not to exceed \$60,000.00 annually for EMT-Basic, and in return, the City, through the El Paso Fire Department will provide an adequate pool of EMT-Paramedics and EMT-Basic to staff the MSU throughout the applicable service periods.

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

8.

**\*RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, MARCENA SARAH, 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:

1299 Southwestern Dr, more particularly described as Lot 27 (7700 Sq Ft), Block 2, Scenic Heights Subdivision, City of El Paso, El Paso County, Texas, PID #S171-999-0020-5300

to be \$315.00, 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 November, 2020, 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 FIFTEEN AND 00/100 DOLLARS (\$315.00) 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, SANCHEZ JOSE R O 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:

1521 Cidra Del Sol Dr, more particularly described as Lot 84 (10313.00 Sq Ft), Block 9, Lomas Del Sol #2 Subdivision, City of El Paso, El Paso County, Texas, PID #L626-999-0090-8400

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 1st day of October, 2020, 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, MELENDEZ JESUS 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:

4631 Atlas Ave, more particularly described as Lot 100, Sunrise Acres #2 Subdivision, City of El Paso, El Paso County, Texas, PID #S917-999-002D-5200

to be \$534.50, 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 20th day of October, 2020, 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 THIRTY FOUR AND 50/100 DOLLARS (\$534.50) 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, KOLB ANNA 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:

518 Bataan Circle, more particularly described as Lot 58 (4316 Sq Ft), Block 4, El Valle Subdivision, City of El Paso, El Paso County, Texas, PID #E416-999-0040-2500

to be \$615.00, 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 2<sup>nd</sup> day of October, 2020, 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 FIFTEEN AND 00/100 DOLLARS (\$615.00) 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, OLIVAS EVELIA (CS), 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:

4857 Apollo Ave, more particularly described as W 52.6 Ft Of E 105.2 Ft Of (198 & 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-1955

to be \$343.50, 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 13th day of October, 2020, 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 FORTY THREE AND 50/100 DOLLARS (\$343.50) 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, OLIVAS EVELIA (CS) , 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:

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

to be \$343.50, 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 13th day of October, 2020, 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 FORTY THREE AND 50/100 DOLLARS (\$343.50) 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 FEDERICO P & MARIA G, 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:

206 S Schutz Dr, more particularly described as Tr 8-A (0.1580 Ac), Block 39, Ysleta Subdivision, City of El Paso, El Paso County, Texas, PID #Y805-999-039B-0801

to be \$519.50, 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 October, 2020, 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 NINETEEN AND 50/100 DOLLARS (\$519.50) 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, RAUL S GUTIERREZ, 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 \$431.00, 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 27th day of October, 2020, 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 THIRTY ONE AND 00/100 DOLLARS (\$431.00) 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, VAN PETER, 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:

2929 Alabama St, more particularly described as Lots 20 To 23 (1200 Sq Ft), Block 138, Highland Park Subdivision, City of El Paso, El Paso County, Texas, PID #H453-999-1380-5500

to be \$454.00, 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 21st day of October, 2020, 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 FIFTY FOUR AND 00/100 DOLLARS (\$454.00) 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.

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

9. **\*R E S O L U T I O N**

**WHEREAS**, Goal 4 of the Strategic Plan for the City of El Paso ("City") is to enhance the City's quality of life through recreational, cultural, and educational environments:

**WHEREAS**, Goal 3 of the Strategic Plan for the City is to promote the City's visual image;

**WHEREAS**, Mary Frances Keisling Park has been identified as a targeted City park for improvements, based on criteria related to population growth and expansion, amenities, and service gaps related to the quality of life;

**WHEREAS**, the City conducted a public outreach and engagement campaign consisting of both in-person and virtual activities for the Mary Frances Keisling Park community, including virtual focus group meetings, virtual work sessions with an application-based steering committee for the park, in-person information meetings including interactive surveys and activities at the park, an online interactive public comment mapping tool, and a project website;

**WHEREAS**, the City Representative for District 1 has been briefed and has provided input and feedback to inform the final documents.

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

1. That the “Mary Frances Keisling Park Master Plan Report”, as attached hereto, be adopted;
2. That the City Manager, or his designee, be authorized to begin implementation of the “Mary Frances Keisling Park Master Plan Report” in a manner generally consistent with the recommended strategies and policies contained therein and generally consistent with the recommended implementation phases;
3. That the adoption of the “Mary Frances Keisling Master Plan Report” shall not commit the City of El Paso to specific funding levels or implementation strategies, but shall provide guidance for the City’s vision for the enhancement of the park.

Mr. Ben Fyffe, Managing Director for Cultural Affairs and Recreation, and Ms. Apolonia Roldan, Urban Design Manager, presented a PowerPoint presentation.

Mayor Leeser and Mayor Pro Tempore Svarzbein commented.

Mr. Tommy Gonzalez, City Manager, commented.

**1<sup>ST</sup> MOTION**

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

**2<sup>ND</sup> AND FINAL MOTION**

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

ABSENT: Representative Lizarraga

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

**10.**

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

**WHEREAS**, the federal off-system bridge program is administered by the Texas Department of Transportation (the State) to replace or rehabilitate structurally deficient and functionally obsolete (collectively referred to as deficient) bridges located on public roads and streets off the designated state highway system; and

**WHEREAS**, City of El Paso, hereinafter referred to as the Local Government owns the bridge: Located at **Alps Drive over Tobin Drainage Ditch**, National Bridge Inventory (NBI) Structure Number **240720B0236001**, State Control-Section-Job (CSJ) Number **0924-06-655**; and

**WHEREAS**, a project to remedy the bridge is included in the currently approved program of projects as authorized by Texas Transportation Commission Minute Order Number **116073**, Dated **August 31, 2021**; and

**WHEREAS**, the usual fund participation ratio for projects on such program is 80 percent federal, 10 percent state and 10 percent Local Government, unless reduced by participation in the Economically Disadvantaged County Program; and

**WHEREAS**, the estimated local match fund participation requirement on the approved federal off-system bridge project is **\$31,500.00** and

**WHEREAS**, the estimated local match fund participation requirement will be paid by the Local Government; and

**NOW, THEREFORE, BE IT RESOLVED** that the Local Government approves the execution of an Advance Funding Agreement with the State. The City Manager is authorized to execute the agreement on behalf of the Local Government.

11.

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

**WHEREAS**, the federal off-system bridge program is administered by the Texas Department of Transportation (the State) to replace or rehabilitate structurally deficient and functionally obsolete (collectively referred to as “deficient”) bridges located on public roads and streets off the designated state highway system; and

**WHEREAS**, City of El Paso, hereinafter referred to as the “Local Government” owns a bridge: Located at **Concepcion St. over Franklin Canal**, National Bridge Inventory (NBI) Structure Number **240720B15843001**, State Control-Section-Job (CSJ) Number **0924-06-656**; and

**WHEREAS**, a project to remedy the bridge is included in the currently approved program of projects as authorized by Texas Transportation Commission Minute Order Number **116073**, Dated **August 31, 2021**; and

**WHEREAS**, the usual fund participation ratio for projects on such program is 80 percent federal, 10 percent state and 10 percent Local Government, unless reduced by participation in the Economically Disadvantaged County Program; and

**WHEREAS**, the estimated local match fund participation requirement on the approved federal off-system bridge project is **\$56,250.00**; and

**WHEREAS**, the estimated local match fund participation requirement will be paid by the Local Government; and

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

**THAT** the Local Government approves the execution of an Advance Funding Agreement with the State. The City Manager is authorized to execute the agreement on behalf of the Local Government.

12.

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

**WHEREAS**, the federal off-system bridge program is administered by the Texas Department of Transportation (the State) to replace or rehabilitate structurally deficient and functionally obsolete (collectively referred to as “deficient”) bridges located on public roads and streets off the designated state highway system; and

**WHEREAS**, City of El Paso, hereinafter referred to as the “Local Government” owns the bridge: Located at **N El Paso St. over Union Pacific RR** National Bridge Inventory (NBI) Structure Number **240720B23340001**, State Control-Section-Job (CSJ) Number **0924-06-658**; and

**WHEREAS**, a project to remedy the bridge is included in the currently approved program of projects as authorized by Texas Transportation Commission Minute Order Number **116073**, Dated **August 31, 2021**; and

**WHEREAS**, the usual fund participation ratio for projects on such program is 80 percent federal, 10 percent state and 10 percent Local Government, unless reduced by participation in the Economically Disadvantaged County Program; and

**WHEREAS**, the estimated local match fund participation requirement on the approved federal off-system bridge project is **\$74,250.00** and

**WHEREAS**, the estimated local match fund participation requirement will be paid by the Local Government; and

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

**THAT** the Local Government approves the execution of an Advance Funding Agreement with the State. The City Manager is authorized to execute the agreement on behalf of the Local Government.

13.

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

**WHEREAS**, the federal off-system bridge program is administered by the Texas Department of Transportation (the State) to replace or rehabilitate structurally deficient and functionally obsolete (collectively referred to as deficient) bridges located on public roads and streets off the designated state highway system; and

**WHEREAS**, City of El Paso, hereinafter referred to as the Local Government owns the bridge: Located at **Hollings St SB over Tobin Drainage Ditch**, National Bridge Inventory (NBI) Structure Number **240720B33040001**, State Control-Section-Job (CSJ) Number **0924-06-657**; and

**WHEREAS**, a project to remedy the bridge is included in the currently approved program of projects as authorized by Texas Transportation Commission Minute Order Number **116073**, Dated **August 31, 2021**; and

**WHEREAS**, the usual fund participation ratio for projects on such program is 80 percent federal, 10 percent state and 10 percent Local Government, unless reduced by participation in the Economically Disadvantaged County Program; and

**WHEREAS**, the estimated local match fund participation requirement on the approved federal off-system bridge project is **\$36,000.00** and

**WHEREAS**, the estimated local match fund participation requirement will be paid by the Local Government; and

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

**THAT** the Local Government approves the execution of an Advance Funding Agreement with the State. The City Manager is authorized to execute the agreement on behalf of the Local Government

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

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

**14. \*R E S O L U T I O N**

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

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

**WHEREAS**, taxpayer, RAE S CHANG (“Taxpayer”) has applied for a refund with the tax assessor for their 2017 property taxes that were overpaid on January 30, 2018 in the amount of \$1,250.00 for all taxing entities; and

**WHEREAS**, City Council may extend the deadline for the Taxpayer’s application for the overpayment of the 2017 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City finds that Rae S Chang showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2017 taxes and the tax refund in the amount of \$1,250.00 is approved.

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

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

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

**WHEREAS**, taxpayer, Bobcat of El Paso c/o Total Equipment & Rental of El Paso (“Taxpayer”) has applied for a refund with the tax assessor for their 2019 property taxes that were overpaid on January 29, 2019 in the amount of \$410.71 for all taxing entities; and

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

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

THAT THE City finds that Bobcat of El Paso c/o Total Equipment & Rental of El Paso showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2019 taxes and the tax refund in the amount of \$410.71 is approved.

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

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

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

**WHEREAS**, taxpayer, Sylvia Tellez ("Taxpayer") has applied for a refund with the tax assessor for their 2019 property taxes that were overpaid on March 11, 2019 in the amount of \$125.12 for all taxing entities; and

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

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

THAT THE City finds that Sylvia Tellez showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2019 taxes and the tax refund in the amount of \$125.12 is approved.

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

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

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

**WHEREAS**, taxpayer, Flexy Bags & Packaging c/o Bags & Packaging Corp ("Taxpayer") has applied for a refund with the tax assessor for their 2017 property taxes that were overpaid on March 06, 2018 in the amount of \$151.45 for all taxing entities; and

**WHEREAS**, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2017 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City finds that Flexy Bags & Packaging c/o Bags & Packaging Corp showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2017 taxes and the tax refund in the amount of \$151.45 is approved.

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

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

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

**WHEREAS**, taxpayer, Nationstar Mortgage LLC dba Champion Mortgage Co through Texas Title ("Taxpayer") has applied for a refund with the tax assessor for their 2018 property taxes that were overpaid on December 19, 2018 in the amount of \$945.63 for all taxing entities; and

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

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

THAT THE City finds that Nationstar Mortgage LLC dba Champion Mortgage Co through Texas Title showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2018 taxes and the tax refund in the amount of \$945.63 is approved.

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

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

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

**WHEREAS**, taxpayer, Esther M Rossini through Jose R Fernandez ("Taxpayer") has applied for a refund with the tax assessor for their 2018 property taxes that were overpaid on March 07, 2019 in the amount of \$10.01 for all taxing entities; and

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

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

THAT THE City finds that Esther M Rossini through Jose R Fernandez showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2018 taxes and the tax refund in the amount of \$10.01 is approved.

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

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

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

**WHEREAS**, taxpayer, Stewart Title through Stewart Title Company ("Taxpayer") has applied for a refund with the tax assessor for their 2017 property taxes that were overpaid on April 30, 2018 in the amount of \$1,865.07 for all taxing entities; and

**WHEREAS**, City Council may extend the deadline for the Taxpayer's application for the overpayment of the 2017 taxes for a period not to exceed two years on a showing of good cause by the taxpayer; and

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

THAT THE City finds that Stewart Title Company showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2017 taxes and the tax refund in the amount of \$1,865.07 is approved.

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

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

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

**WHEREAS**, taxpayer, Autos Y Camiones Liberty LLC ("Taxpayer") has applied for a refund with the tax assessor for their 2018 property taxes that were overpaid on January 07, 2019 in the amount of \$616.40 for all taxing entities; and

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

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

THAT, THE City finds that Autos Y Camiones Liberty LLC showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2018 taxes and the tax refund in the amount of \$616.40 is approved.

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

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



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

**WHEREAS**, taxpayer, Janice A Torres through Laura E & Oswaldo Melchor ("Taxpayer") has applied for a refund with the tax assessor for their 2018 property taxes that were overpaid on January 15, 2019 in the amount of \$223.35 for all taxing entities; and

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

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

THAT THE City finds that Janice A Torres through Laura E & Oswaldo Melchor showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2018 taxes and the tax refund in the amount of \$223.35 is approved.

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

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

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

**WHEREAS**, taxpayer, Janice Schmidtke ("Taxpayer") has applied for a refund with the tax assessor for their 2018 property taxes that were overpaid on March 15, 2019 in the amount of \$4,395.95 for all taxing entities; and

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

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

THAT THE City finds that Janice Schmidtke showed a good cause to extend the deadline to apply for a refund of the overpayment of the 2018 taxes and the tax refund in the amount of \$4,395.95 is approved.

- .....
- 15.** \*Motion made, seconded, and unanimously carried to **APPROVE** a refund to Denar Joyner, in the amount of \$3,566.33 for an overpayment made on November 21, 2022 of 2022 taxes. (Geo. # T820-999-0100-1400). 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.
- .....

#### **CONSENT AGENDA – NOTICE OF CAMPAIGN CONTRIBUTIONS:**

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

16. \*Motion made, seconded, and unanimously carried to **NOTE** pursuant to Section 2.92.080 of the City Code, receipt of the following campaign contributions by City Representative Claudia L. Rodriguez, District 6 : \$2,500.00 from Stanley Jobe; \$200.00 from Garrett J. Yancey; \$10,000.00 from Woody & Gale Hunt; \$1,000.00 from E.C. Houghton, Jr.; \$500.00 from William Correa; \$10,000.00 from Paul L. Foster; \$1,000.00 from Donald & Adair Margo; \$2,500.00 from Anthony Maldonado; \$1,000.00 from Pam Agullo.
17. \*Motion made, seconded, and unanimously carried to **NOTE** pursuant to Section 2.92.080 of the City Code, receipt of campaign contributions by City Representative Alexsandra Annello: JP & Mary Jon Bryan \$1,000.

**CONSENT AGENDA – REQUESTS TO ISSUE PURCHASE ORDERS:**

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

18. \*Motion made, seconded, and unanimously carried to **AWARD** Solicitation 2023-0234 On Call Plumbing Services to RP of EPT, Inc., for a term of three (3) years for an estimated amount of \$360,000.00. This contract will allow for the on-call maintenance of plumbing services at various City locations.

Contract Variance:  
N/A

Department:	Streets and Maintenance
Award to:	RP of EPT, Inc. El Paso, TX
Initial Term:	3 years
Annual Estimated Award:	\$120,000.00 (1 year)
Total Estimated Award:	\$360,000.00 (3 years)
Account No:	532 - 1000 - 522260 - 31040 - P3120
Funding Source:	General Fund
District(s):	All

This is a Non-Competitive, service contract.

The Purchasing & Strategic Sourcing and Streets and Maintenance Departments recommend award as indicated to RP of EPT, Inc.

**CONSENT AGENDA – BIDS:**

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

19. **1<sup>ST</sup> MOTION:**  
\*Motion made, seconded, and unanimously carried to **MOVE** the item to the **REGULAR AGENDA**.

**2<sup>ND</sup> AND FINAL MOTION:**

Motion made by Representative Annello, seconded by Representative Svarzbein, and unanimously carried to **AWARD** Solicitation 2023-0097 Tom Lea Lower Dog Park to Keystone

GC, LLC. for an estimated total award of \$245,882.17. The project consists of the construction of a fenced in dog park to be located on the northwest site of Tom Lea Lower Park located at 1203 Schuster Ave. The scope of work includes but not limited to the furnish and install park benches, chain link fence with maintenance gates, concrete plaza, irrigation modifications, water fountains, waste disposal stations and mutty paw dispenser.

Department: Capital Improvement  
Award to: Keystone GC, LLC.  
El Paso, TX  
Item(s): Base Bid I  
Initial Term: 150 Consecutive Calendar Days  
Base Bid I: \$245,882.17  
Total Estimated Award: \$245,882.17  
Funding Source: Community Development Block Grant  
Accounts: 471-2400-71240-580270- G7147CD62  
District(s): 8

This is a Low Bid procurement, unit price contract.

The Purchasing & Strategic Sourcing and Capital Improvement Departments recommend award as indicated to Keystone GC, LLC., the lowest responsive and responsible bidder.

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

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total of unit prices at the end of the contract term.

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

Representative Svarzbein commented.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

ABSENT: Representative Lizarraga

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## **REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL**

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

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- 20.** Discussion and action to Adopt Section 510 Emergency Responder Communication Coverage as originally stated in the 2021 International Fire Code to Title 9 (Health and Safety), Chapter 9.52.070.10 (Fire Preventing Code) of the El Paso City Code.

Representatives Svarzbein, Anello, Hernandez, Salcido, and Rivera commented.

The following City staff members commented:

- Fire Chief Jonathan Killings
- Retired Fire Chief Mario D'Agostino, Deputy City Manager of Public Safety
- Mr. Tommy Gonzalez, City Manager

Mr. Scott Adkins, citizen, commented.

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Annello, and unanimously carried to **DIRECT** staff to continue communications and outreach and engagement with relevant stakeholders, community partners, and relevant departments towards discussions relating to Section 510 Emergency Responder Communication Coverage for the upcoming El Paso City Code.

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

NAYS: None

ABSENT: Representative Lizarraga

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### **Goal 3: Promote the Visual Image of El Paso**

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#### **21. Discuss updates on Sister Cities International initiatives for El Paso.**

Mayor Leeser and Representative Svarzbein commented.

**NO ACTION** was taken on this item.

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

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#### **22. RESOLUTION IN RECOGNITION OF SERGEANT MICHAEL SHORT**

**WHEREAS**, Sergeant Michael Short #1293 entered the El Paso Police Academy in December of 1988 and was assigned to patrol at Central Regional Command until 1993; and

**WHEREAS**, Sergeant Short was transferred to the Freeway Patrol Unit in 1993 at the El Paso Police Headquarters and Mission Valley Regional Command Center and was promoted to the Air Support Unit in 2004, where Sergeant Short became a Helicopter pilot for patrol operations and the Alpha HIDTA Task Force; and

**WHEREAS**, Sergeant Short was transferred to Pebble Hills Regional Command in 2009 and in 2013, was promoted to the rank of Sergeant and supervised at the Northeast Regional Command Center and Criminalistics Unit; and

**WHEREAS**, Sergeant Short supported and developed the Mental Health Response Division for the EPPD under the direction of Police Chief Allen which included the Crisis Intervention Team that began in October of 2018 and served in that unit until May of 2019, when he was transferred temporarily to Human Resources; and

**WHEREAS**, Sergeant Short was elected and currently serves as the President of the El Paso Municipal Police Officers' Association in 2019, representing more than 1,100 EPPD officers; and

**WHEREAS**, Sergeant Short worked with insurance professionals to develop and improve a retiree health plan that is now named the “1293 Retiree Health Plan,” after Sergeant Short; and

**WHEREAS**, Sergeant Short is only El Paso Police Officer to have been invited to the National Crisis Negotiations Center in Quantico at the FBI Academy to train with negotiators from the FBI; and

**WHEREAS**, Sergeant Short served 34 years of service with the El Paso Police Department to include: 29 years as a Hostage / Crisis Negotiator, 2 ½ years on the Combined Search and Rescue Team, 30 years as a board member of the EPMPOA (3 years as President), Certified Accident Reconstructionist, and an adjunct instructor at the Academy.

**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 significant contributions of Sergeant Michael Short throughout many decades of public service to our community, and December 13, 2022 shall be known as, **"MICHAEL SHORT DAY."**

Representative Hernandez commented and read the resolution into the record.

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

**1<sup>ST</sup> MOTION**

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

**2<sup>ND</sup> AND FINAL MOTION**

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

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

NAYS: None

ABSENT: Representative Lizarraga

23.

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

**WHEREAS**, we are here today to recognize and honor the Barbed Wire Open Mic Series, its founders (Verónica Guajardo, Trent Hudley, Amit Ghosh, Roberto A. Santos, and Ricardo Marrufo), and all of the community members and organizations that have contributed to more than fifteen years of providing performance spaces for people to freely express their artistic voices and connect with one another through the performing arts; and

**WHEREAS**, the Barbed Wire Open Mic Series was founded in 2007 and sponsored by BorderSenses (a literary arts organization) with the goal of nurturing local poets, songwriters, musicians, comedians, dancers, and artists from all walks of life by providing them a safe space to explore and develop their artistry before a live audience; and

**WHEREAS**, the Barbed Wire Open Mic Series, in the last fifteen years, has organized over 300 open mic events supporting over 10 local establishments and online platforms,

showcasing more than 7,500 performers and holding space for thousands of art appreciating community members; and

**WHEREAS**, the Barbed Wire Open Mic Series enriches our city by providing a creative hub that incubates and amplifies the voices, narratives, experiences, and creativity of our diverse population leading to the communal creation of culture; and

**WHEREAS**, City Council wishes to recognize the contributions of the Barbed Wire Open Mic Series in their generous and continued service to the community and the arts.

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

That December 13, 2022 shall be known as, "Barbed Wire Open Mic Series Day"

Representative Svarzbein commented and read the resolution into the record.

The following members of the public commented:

- Mr. Ricardo Marrufo
- Mr. Roberto Santos
- Mr. Amir Ghosh

**1<sup>ST</sup> MOTION**

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

**2<sup>ND</sup> AND FINAL MOTION**

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

ABSENT: Representative Lizarraga

24.

**RESOLUTION**

**WHEREAS**, Dave "Grave" Herrera founded what is known as the "Border Youth Mural Collective; an all-volunteer organization in the City of El Paso to help keep the city clean by giving local artists the opportunity to promote public art and keep them productive since 1995; and

**WHEREAS**, Jose "Match" Fernandez, Francisco "Kid Ice" Camacho, Mario "Durock " Alvarado, Luie "Skew" Martinez, Myk Yorrobali. These artists and community builders help shape, mentored, and inspired youth in El Paso in positive ways for over 30 years throughout many border walls with community beautification mural works; and

**WHEREAS**, artists were provided with curated, public art wall space, mentoring and re-purposed paint supplies. The organization raised needed, dry good donations to assist local homeless shelters every year as "Border Youth" accomplish the mission of promoting the City of El Paso's culture, local talent, and uniqueness; and

**WHEREAS**, in 2009 it became known as “The Borderland Jam” and artists from all over the world were invited every year to the City of El Paso to express themselves by creating a mural in selected buildings of our community; and

**WHEREAS**, young local artists were mentored through this project and transformed prior vandalism into public art helping small local businesses to flourish in our community; and

**WHEREAS**, on February 2022 “The Borderland Jam” hosted one of the most successful events in El Paso, over one hundred artists from all over the world participated by leaving murals in South Central El Paso, at the corners of South Cotton Street and E 3rd Avenue;

**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 significant contributions of “The Borderland Jam” and Dave “Grave” Herrera throughout many years of service to our community and December 13, 2022, shall be known as, “Borderland Jam and Border Youth Out Beautifying Day.”

Representative Svarzbein commented and read the resolution into the record.

The following members of the public commented:

- Mr. Jose Fernandez
- Mr. Frank Camacho

**1<sup>ST</sup> MOTION**

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

**2<sup>ND</sup> AND FINAL MOTION**

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

ABSENT: Representative Lizarraga

25.

**RESOLUTION**

**WHEREAS**, Maynard Joseph Haddad Sr. served as a leader, mentor, friend and small business owner of H & H Car Wash, who gave of his time and selfless service for the betterment of the El Paso community; and

**WHEREAS**, Maynard Joseph Haddad Sr. served as a proud son of a Syrian descendant, served his country in the military, helped build the family business H & H Car Wash, and supported local businesses whilst helping to pave the way for future generations of Syrian Americans in this community; and

**WHEREAS**, Maynard Joseph Haddad Sr. served with distinction as an exemplary first generation Syrian American, who supported and served as a member of the St.

Clements Church congregation and as a supporter and advocate for the University of Texas at El Paso for over 60 years; and

**WHEREAS**, for decades, Maynard Joseph Haddad Sr. served, donated and supported the University of Texas at El Paso's athletics programs, served as President for the Touchdown Club, and built lifetime relationships reflecting our diverse community; and

**WHEREAS**, Maynard Haddad Sr. has been the counselor, the mentor, and the friend to hundreds of citizens of El Paso who were researching their historic connection to them Syrian ancestors, or were researching their connection to El Paso; and

**WHEREAS**, Maynard Joseph Haddad Sr. and H & H Car Wash has brought thousands upon thousands of El Pasoans and visitors together for good food and great conversation; and

**WHEREAS**, H & H Car Wash will forever live on in our history as an iconic El Paso destination and small business.

**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 significant contributions of Maynard Joseph Haddad Sr. throughout many decades of service to our community, and December 13, 2022 shall be known as, "Maynard Joseph Haddad Sr. H & H Car Wash Day."

Representative Svarzbein read the resolution into the record.

Mayor Leeser and Representative and Molinar commented.

The following members of the public commented:

- Mr. Bernie Olivas
- Ms. Laura Haddad
- Ms. Julie Haddad

**1<sup>ST</sup> MOTION**

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

**2<sup>ND</sup> AND FINAL MOTION**

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

ABSENT: Representative Lizarraga

.....  
The Regular City Council Meeting was **RECESSED** at 12:19 p.m. for lunch

The Regular City Council Meeting was **RECONVENED** at 1:01 p.m.

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



26. Motion made by Representative Salcido, seconded by Representative Rivera, and unanimously carried to **DIRECT** the City Manager to work with the Metropolitan Planning Organization (MPO), Texas Department of Transportation (TXDOT), the County of El Paso and other applicable regional partners to study congestion in East El Paso to identify an appropriate study area and transportation analysis zone and develop a plan to identify strategies and potential capital projects to mitigate congestion and accommodate future growth in the East El Paso Planning area.

Representative Salcido commented.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

ABSENT: Representative Lizarraga

27. \*Motion made, seconded, and unanimously carried to **DELETE** the discussion and action to direct the City Manager to ask and advocate EP Water and any other relevant parties towards property acquisition to support efforts to establish a community shelter of last resort.

#### **REGULAR AGENDA – OPERATIONAL FOCUS UPDATES**

#### **Goal 8: Nurture and Promote a Healthy, Sustainable Community**

28. Presentation and discussion on El Paso Animal Services Animal Care Attendants

Mr. Adan Parra, Operations Manager for Animal Services, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Leeser and Representative Molinar commented.

The following members of the public commented:

- Mr. Ron Cameau
- Ms. Barbara Valencia

**NO ACTION** was taken on this item.

#### **CALL TO THE PUBLIC – PUBLIC COMMENT:**

Ms. Rita Gallup, citizen, commented.

#### **REGULAR AGENDA – FIRST READING OF ORDINANCES:**

#### **1<sup>ST</sup> MOTION**

Motion made, seconded, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow for public comment.

Representative Rodriguez commented.

Mr. Carlos Alarcon, citizen, commented.

## 2<sup>ND</sup> MOTION

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Svarzbein

ABSENT: Representative Lizarraga

## 3<sup>RD</sup> MOTION

Motion made by Representation Rivera, seconded by Representative Annello, and unanimously carried to **RECONSIDER** the item.

## 4<sup>TH</sup> AND FINAL MOTION

Motion made by Representative Annello, seconded by Representative Svarzbein, 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 Svarzbein, Annello, Hernandez, Molinar, Salcido, and Rivera

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

ABSENT: Representative Lizarraga

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

29. An Ordinance granting a Franchise for STAR Inc., d/b/a Revive Mobile Health, to operate a non-emergency ambulance transfer service.

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

30. An Ordinance vacating a portion of Oregon Street located between Block 5 and Block 6, Mills Addition, City of El Paso, El Paso County, Texas.

Applicant: Kress Tunnel, LLC, SURW22-00009

### PUBLIC HEARING WILL BE HELD ON JANUARY 3, 2023 FOR ITEMS 29-30

31. \*Motion made, seconded, and unanimously carried to **DELETE** the introduction of an Ordinance amending the following provisions of El Paso City Code Title 20 (Zoning): Chapter 20.02 (General Provisions and Definitions), Article II (Definitions) to add definitions for Type 1 and Type 2 Short Term Rentals and amend the definition for Bed and Breakfast Establishment; Chapter 20.08 (Permissible Uses), Section 20.08.030.C (Permissible Uses) Appendix A (Table of Permissible Uses) to add Type 1 and Type 2 Short Term Rentals; Chapter 20.10 (Supplemental Use Regulations) to add supplemental use regulations for Type 1 and Type 2 Short Term Rentals; and Title 20 (Zoning) Chapter 20.14 (Off-street Parking, Loading and Storage Standards), Section 20.14.050 (Parking Requirements and Standards), Subsection C, Table of Parking Requirements and Standards: Appendix C (Table of Parking Requirements and Standards) to add parking requirements for Type 1 and Type 2 Short Term Rentals. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.
32. \*Motion made, seconded, and unanimously carried to **DELETE** the introduction of an Ordinance amending Title 5 (Business License and Permit Regulations), to create Chapter 5.19 (Short Term Rentals) and subsections thereafter in the El Paso City Code relating to the

permitting and registration requirement for short term rentals within the City of El Paso; the penalty as provided in 5.19.110 of the El Paso City Code.

.....  
**REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS:**  
.....

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

**33. RESOLUTION**

**WHEREAS**, on September 28, 2021, the City of El Paso formally advertised for Officials and Assigners for Sports, Solicitation No. 2022-0153 and received no bids; and

**WHEREAS**, on April 26, 2022, the City of El Paso formally advertised for Officials and Assigners for Sports (Re-Bid), Solicitation No. 2022-0669, which resulted with no bidder achieving the minimum evaluation points required to be eligible for award; and

**WHEREAS**, in accordance with the City of El Paso Procurement and Sourcing Policy the requirements of these procurements will be fulfilled by a non-competitive award.

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

1. That the City Council ratify the award of Sports Officials and Assigners, Solicitation No. 2023-0245 in the amount of \$621,700.00 to Daniel Padilla and that the City Council award Sports Officials and Assigners, Solicitation 2023-0245 for a one (1) year period, in the estimated amount of \$621,700.00.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

ABSENT: Representative Lizarraga

.....  
**REGULAR AGENDA – INTRODUCTION AND PUBLIC HEARING:**  
.....

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

**34. ORDINANCE 019415**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF EL PASO, TEXAS, GENERAL OBLIGATION BONDS, SERIES 2023, IN ONE OR MORE SERIES, IN AN AGGREGATE AMOUNT NOT TO EXCEED \$46,100,000; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SUCH BONDS; AND RESOLVING OTHER MATTERS WHICH ARE NECESSARY TO EFFECTUATE SUCH ISSUANCE, INCLUDING THE DELEGATION OF MATTERS RELATING TO THE SALE AND ISSUANCE OF SUCH BONDS TO AN AUTHORIZED CITY OFFICIAL WITHIN CERTAIN SPECIFIED PARAMETERS.**

Mayor Leeser and Representative Annello commented.

The following staff members commented and/or responded to questions:

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

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

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

ABSENT: Representative Lizarraga

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

.....  
**REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES:**  
 .....

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

**35. ORDINANCE 019416**  
 .....

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST21-00013, TO ALLOW FOR PARKING SPACES SERVING ANOTHER PROPERTY AND REDUCTION OF LOT SIZE ON THE PROPERTY DESCRIBED AS A PORTION OF TRACT 1-B-3-A-2, AND A PORTION OF TRACT 1-U-1, BLOCK 5, ASCARATE GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.320 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.**

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

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

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

NAYS: None

ABSENT: Representative Lizarraga

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

.....  
**36. ORDINANCE 019417**  
 .....

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOT 2, BLOCK 1, JEFF'S SUBDIVISION, 8835 NEPTUNE STREET, CITY OF EL PASO,**

**EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO A-2 (APARTMENT). 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.**

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

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Svarzbein

ABSENT: Representative Lizarraga

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

37.

**ORDINANCE 019418**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACTS 1, 7A, 19A, AND PORTIONS OF TRACTS 11,12,13,14,15,16, AND 17, BLOCK 53, YSLETA GRANT AND PORTIONS OF TRACTS 12A, 13A, 14B, AND 15A, SOCORRO GRANT BLOCK 24, 10001 SOUTHSIDE ROAD, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO M-2 (HEAVY MANUFACTURING). 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.**

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

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

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

NAYS: None

ABSENT: Representative Lizarraga

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

38.

**ORDINANCE 019419**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE SOUTH 60 FEET OF TRACT 187 AND THE SOUTH 60 FEET OF THE EAST 90 FEET OF TRACT 188, MAP OF SUNRISE ACRES, CITY OF EL PASO, EL PASO**

**COUNTY, TEXAS FROM R-4 (RESIDENTIAL) AND C-2 (COMMERCIAL) TO C-3 (COMMERCIAL) 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.**

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

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Svarzbein

ABSENT: Representative Lizarraga

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

- .....
- 39.** \*Motion made, seconded, and unanimously carried to **POSTPONE NINE WEEKS** a public hearing of an Ordinance changing the zoning for the property described as Lot 135, Sunrise Acres #2, 4645 Vulcan Avenue, City of El Paso, El Paso County, Texas from R-4 (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: 4645 Vulcan Avenue

Applicant: Aguilar Pedro M. & Morales Francisca, PZRZ22-00023

.....

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

.....

**40. ORDINANCE 019420**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.64 (CITY EMPLOYEES' PENSION FUND), SECTION 2.64.190 (CONTRIBUTIONS), SUBSECTION (A) OF THE EL PASO CITY CODE, TO ALLOW THE CITY TO MAKE THE REQUIRED EMPLOYEE PARTICIPANT CONTRIBUTIONS ON BEHALF OF THE CITY MANAGER AS AGREED TO BY CONTRACT.**

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

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

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

NAYS: None

ABSENT: Representative Lizarraga

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

.....  
**REGULAR AGENDA – OTHER BUSINESS:**  
.....

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

**41. 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 ("Agreement") by and between CITY OF EL PASO ("City") and MIGUEL VILLANUEVA and JULIO VILLANUEVA ("Applicant") in support of the renovation of a mixed-use building located at 301 S. El Paso Street in downtown El Paso. The Agreement requires the Applicant to make a minimum investment of \$413,392.

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

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

NAYS: None

ABSENT: Representative Lizarraga

.....  
**42. RESOLUTION**

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

That the Director of Aviation be authorized to sign and submit a grant application and related documentation to the Federal Aviation Administration (FAA) and be designated the official representative of the City of El Paso to act in connection with the application process for the Airport Terminals Program (ATP) Project.

That upon approval and issuance of such grant by the FAA, the City Manager be authorized to accept and sign the grant agreement, any related grant modifications, and other necessary documents when those documents have been reviewed and approved by the City Attorney's Office, and that such authorization will include the ability to accept and sign multiple agreements and documents, as the FAA grant may be issued in various disbursements.

That the City Manager be authorized to approve and sign any budget transfers needed to establish appropriations in connection with this grant.

Further, that the total grant amount shall include a federal estimated share of \$5,000,000 and an estimated match of \$6,000,000 to be paid for with Airport Enterprise Funds, for an estimated total project cost of \$11,000,000 for the following project:

- Rehabilitate Terminal Building (Ceiling, Lighting, Seating, & Wayfinding)

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

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, Salcido, Rodriguez, and Rivera  
NAYS: None  
ABSENT: Representative Lizarraga

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

43. \*Motion made, seconded, and unanimously carried to **REVISE AND POSTPONE FIVE WEEKS** the discussion and action on a Resolution approving capital improvements totaling approximately \$7,930,335.00, updating the document known as the "Five Year Capital Maintenance Improvement Plan for the Ballpark" for FY2023 through FY2027 and approving the use of 5-year ballpark revenues and proceeds from the sale of capital assets as funding sources for the Plan and authorizing the City Manager to make all necessary budget transfers to complete the improvements. Funding sources are from 5 Year Ballpark Revenue \$5,851,983 and Proceeds from the Sale of Capital Assets \$2,078,352.

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

44. **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. One ("M.U.D. No. 1") requested review and approval of the issuance of the Unlimited Tax Bonds, Series 2023 Bonds by M.U.D. No. 1 (the "Series 2023 Bonds"); and

**WHEREAS**, the City reviewed the proposed issuance of Series 2023 Bonds by M.U.D. No. 1 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 2023 Bonds in the estimated amount of \$2,015,000, by Paseo Del Este Municipal Utility District No. 1, with the acknowledgment that the issuance of such bonds does not constitute debt issuance by the City of El Paso.

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

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



NAYS: None  
ABSENT: Representative Lizarraga

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

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**45.** Discussion and action on funding source for Frontera Rd. closures and traffic study.

Mr. Joaquin Rodriguez, Project Manager for Capital Improvement Department, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Svarzbein, Anello, Hernandez, Molinar, Salcido, Rodriguez, and Rivera commented.

The following City staff members commented:

- Ms. Karla Nieman, City Attorney
- Mr. Tommy Gonzalez, City Manager

The following members of the public commented:

1. Ms. Deliris Montanez Berrios
2. Ms. Rita Paton
3. Ms. Susan Martinez

**1<sup>ST</sup> MOTION:**

\*Motion made, seconded, and unanimously carried to **MOVE** the item to the **FOREFRONT** of the Regular Agenda after item #26.

**2<sup>ND</sup> MOTION:**

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Molinar, to **INSTRUCT** the City Manager to allocate up to \$200,000 from non-departmental contingency funds for traffic study and subsequent design and construction of necessary infrastructure to close Frontera Road and other roads at the TX-NM border that may be impacted by additional traffic generated by the proposed Sun River Estates Subdivision. City Manager is further instructed to present results of study to council before moving forward with design and construction as contemplated in this Motion. City Manager is authorized to undertake any budget transfers and sign any documents required to effectuate the intent of this Motion.

AYES: Representatives Svarzbein and Molinar

NAYS: Representatives Anello, Hernandez, Salcido, Rodriguez, and Rivera

ABSENT: Representative Lizarraga

**THE MOTION FAILED.**

**3<sup>RD</sup> MOTION:**

Motion made by Representative Hernandez, seconded by Representative Rodriguez, and carried to **RECONSIDER** the item.

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

NAYS: Representative Svarzbein

ABSENT: Representative Lizarraga

**4<sup>TH</sup> MOTION:**

Motion made, seconded, and carried to **SUSPEND THE RULES OF ORDER** to allow a member of the public to speak a second time.

Ms. Deliris Montanez Berrios, citizen, commented.

**5<sup>TH</sup> AND FINAL MOTION:**

Motion made by Representative Hernandez, seconded by Representative Salcido, and carried to **INSTRUCT** the City Manager to allocate up to \$80,000 from non-departmental contingency funds for traffic study to analyze the impact of the additional traffic generated by the proposed Sun River Estates Subdivision on Frontera Road and other roads on the Texas-New Mexico border. City Manager is further instructed to present results of study, once available to council. City Manager is authorized to undertake any budget transfers and sign any documents required to effectuate the intent of this Motion.

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

NAYS: Representative Svarzbein

ABSENT: Representative Lizarraga

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

46.

**RESOLUTION**

**WHEREAS**, El Paso Electric Company, a vertically-integrated utility, distributes electric power within the City Limits of the City of El Paso pursuant to a franchise granted to El Paso Electric Company dated as of July 15, 2005, as amended, and is an electric utility; and

**WHEREAS**, on September 26, 2022, El Paso Electric Company ("EPE" or the "Company"), filed with the City of El Paso its Request for Approval of new Rate No. PEVC-A, Public Electric Vehicle Charging Rate, as a pilot program ("Application"); and

**WHEREAS**, pursuant to applicable law, the City of El Paso maintains original jurisdiction over rates of EPE for rates charged within the City limits of the City of El Paso and the Application specifies that the rate change within the City's jurisdiction should be effective on upon approval of City Council; and

**WHEREAS**, EPE has agreed that it will bear all costs associated with the Application program, provided however, that EPE may recover its costs of providing EV charging services at EPE-owned charging stations only via the rate schedule proposed in the Application; and

**WHEREAS**, the Public Utility Commission of Texas ("PUCT") is currently considering, in a utility's base rate case Docket No. 53719, whether it is appropriate for an electric utility in a vertically integrated area to own EV-charging facilities or other transportation electrification and charging infrastructure or whether the ownership of such facilities be left to competitive providers ("Entergy Case"); and

**WHEREAS**, EPE and the City have agreed that in the event the PUCT rules either in the Entergy Case, a rulemaking proceeding, or a rate case of another utility, that a vertically integrated utility or a transmission and distribution utility area may not own EV-charging facilities or other transportation electrification and charging infrastructure then all investments made by EPE relating to the Application shall be divested by EPE at their sole and exclusive cost and at no cost to City of El Paso ratepayers; and

**WHEREAS**, EPE has agreed that it will only recover the costs of establishing this program from participating customers, including but not limited to the costs of: purchasing any

equipment, meters, other infrastructure, administrative and general expense or vendor fees; and

**WHEREAS**, Rate Schedule PEVC-A attached to this resolution as Attachment “A” provides a reasonable rate structure to implement a pilot program for 20 installations, and

**WHEREAS**, EPE has proposed to limit participation in this pilot program to twenty (20) locations within the City of El Paso, and that any expansion of the pilot program will be subject to approval by the City Council and without waiving any rights; and

**WHEREAS**, the City Council has determined that it is in the best interest of the citizens and ratepayers to approve the Application under the terms and conditions set forth herein; and

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

1. That recitals set forth above are incorporated herein by this reference.
2. That Rate Schedule PEVC-A attached to this resolution as Attachment “A” is approved as a pilot program for service at no more than 20 installations within the City of El Paso effective December 15, 2022
3. That EPE is directed to file an Annual Report with the City by April 1 of each year, beginning in 2024, during which the pilot program is in effect summarizing the pilot program's installations, participation, revenues, and costs. The Annual Report should include but not be limited to (1) identification of hosts and host locations; (2) annual total revenue collected at each charging station; and (3) available billing data by charging station. The Annual Report will also summarize public engagement efforts, and any upcoming changes to the program proposed by EPE.
4. That the costs for establishing this pilot program, including but not limited to: purchasing any equipment, meters, other infrastructure, administrative and general expense or vendor fees will be recovered from only the participating customers charging electric vehicles at any of these installations.
5. That EPE is ordered to reimburse the City of El Paso for its expenses in reviewing this proposed rate within 30 days of being invoiced by the City.
6. That the City Manager and City Attorney or his/her designee is granted broad authority to take all action necessary to address these matters and effectuate the intent of this Resolution.

Mr. Ian Voglewede, Strategic Partnerships Officer, presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

Mayor Leeser and Representatives Svarzbein, Annello, Hernandez, Molinar, Salcido, Rodriguez and Rivera commented.

Mr. James Pleasant II, Engineering Associate for El Paso Electric, commented and responded to questions.

The following City staff members commented:

- Ms. Karla Nieman, City Attorney
- Mr. Sam Rodriguez, Chief Operations Officer
- Ms. Tracey Jerome, Senior Deputy City Manager

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Annello, and carried to **APPROVE** the Resolution.

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

NAYS: Representative Rodriguez

ABSENT: Representative Lizarraga

.....  
**ADJOURN**  
.....

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Annello and unanimously carried to **ADJOURN** this meeting at 3:21 p.m.

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

NAYS: None

ABSENT: Representative Lizarraga

.....  
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  
December 12, 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: Peter Svarzbein, Alexsandra Annello, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Claudia Rodriguez, and Henry Rivera. Cissy Lizarraga requested to be excused.

The agenda items for the December 13, 2022, Regular City Council and Downtown Development Corporation meetings were reviewed.

.....  
**ITEMS 22 TO 25 WERE REVIEWED TOGETHER**

**22. REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL**

Discussion and action to proudly honor and recognize the significant contributions of Sergeant Michael Short throughout many decades of public service to our community and to the El Paso Police Department.

**23. REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL**

Discussion and action to recognize The Barbed Wire Open Mic Series (BWOMS), the founders, and all of the community members and organizations that have contributed to more than fifteen years of providing performance spaces for people to freely express their artistic voices and connect with one another through the performing arts.

**24. REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL**

Discussion and action to recognize “The Borderland Jam” and its founder Dave “Grave” Herrera that gives local artists the opportunity to promote public art and help keep the city clean.

**25. REGULAR AGENDA – MEMBERS OF THE CITY COUNCIL**

Discussion and action to recognize Maynard Joseph Haddad Sr. served as a leader, mentor, friend and small business owner of H & H Car Wash, who gave of his time and selfless service for the betterment of the El Paso community.

Mayor Pro Tempore Svarzbein commented.

.....  
**ITEMS 31 AND 32 WERE REVIEWED TOGETHER**

**31. REGULAR AGENDA - FIRST READING OF ORDINANCES**

An Ordinance amending the following provisions of El Paso City Code Title 20 (Zoning): Chapter 20.02 (General Provisions and Definitions), Article II (Definitions) to add definitions for Type 1 and Type 2 Short Term Rentals and amend the definition for Bed and Breakfast Establishment; Chapter 20.08 (Permissible Uses), Section 20.08.030.C (Permissible Uses) Appendix A (Table of Permissible Uses) to add Type 1 and Type 2 Short Term Rentals; Chapter 20.10 (Supplemental Use Regulations) to add supplemental use regulations for Type 1 and Type 2 Short Term Rentals; and Title 20 (Zoning) Chapter 20.14 (Off-street Parking, Loading and Storage Standards), Section 20.14.050 (Parking Requirements and Standards), Subsection C, Table of Parking Requirements and Standards: Appendix C (Table of Parking Requirements and Standards) to add parking requirements for Type 1 and Type 2 Short Term Rentals. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

**32. REGULAR AGENDA - FIRST READING OF ORDINANCES**

An Ordinance amending Title 5 (Business License and Permit Regulations), to create Chapter 5.19 (Short Term Rentals) and subsections thereafter in the El Paso City Code relating to the permitting and registration requirement for short term rentals within the City of El Paso; the penalty as provided in 5.19.110 of the El Paso City Code.

Representatives Svarzbein and Annello commented.

Mr. Kevin Smith, Assistant Director for Planning and Inspections, commented.

**38. REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES**

An Ordinance changing the zoning of the south 60 feet of tract 187 and the south 60 feet of the east 90 feet of tract 188, map of Sunrise Acres, City of El Paso, El Paso County, Texas from R-4 (Residential) and C-2 (Commercial) to C-3 (Commercial) 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: 8641 Gateway South Boulevard  
Applicant: R-Avilo, LLC PZRZ22-00019

Representative Annello commented.

Mr. Raul Garcia, City Development Program Manager for Planning and Inspections, commented.

**39. REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES**

An Ordinance changing the zoning for the property described as Lot 135, Sunrise Acres #2, 4645 Vulcan Avenue, City of El Paso, El Paso County, Texas from R-4 (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: 4645 Vulcan Avenue  
Applicant: Aguilar Pedro M. & Morales Francisca, PZRZ22-00023

Mr. Raul Garcia, City Development Program Manager for Planning and Inspections, commented.

Representative Annello commented.

.....  
**43. REGULAR AGENDA - OTHER BUSINESS**

Discussion and action on a Resolution approving capital improvements totaling approximately \$7,930,335.00, updating the document known as the “Five Year Capital Maintenance Improvement Plan for the Ballpark” for FY2023 through FY2027 and approving the use of 5-year ballpark revenues and proceeds from the sale of capital assets as funding sources for the Plan and authorizing the City Manager to make all necessary budget transfers to complete the improvements.

Mayor Leeser and Representatives Annello, Hernandez, Molinar, Salcido, and Rivera commented.

Mr. Sam Rodriguez, Chief Operations Officer, commented.

.....  
**45. REGULAR AGENDA - OTHER BUSINESS**

Discussion and action on funding source for Frontera Rd. closures and traffic study.

Representative Svarzbein commented.

.....  
**46. REGULAR AGENDA - OTHER BUSINESS**

Discussion and action of a Resolution approving the proposed Rate Schedule No. PEVC-A, Public Electric Vehicle Charging Rate, as a pilot program.

Representatives Svarzbein and Annello commented.

The following City staff members commented:

- Mr. Tommy Gonzalez, City Manager
- Ms. Tracy Jerome, Senior Deputy City Manager
- Ms. Ellen Smyth, Director, Chief Transit and Field Operations Officer
- Mr. Ian Voglewede, Strategic Partnerships Officer

.....  
Motion made by Representative Rivera, seconded by Representative Hernandez, and unanimously carried to **ADJOURN** this meeting at 9:50 a.m.

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

NAYS: None

ABSENT: Representative Lizarraga

.....  
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  
DECEMBER 12, 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 9:50 a.m. Mayor Oscar Leeser was present and presiding and the following Council Members answered roll call: Peter Svarzbein, Alessandra Annello, Cassandra Hernandez, Joe Molinar, Isabel Salcido, and Henry Rivera. Late arrival (s): Claudia Rodriguez at 9:57 a.m. Cissy Lizarraga requested to be excused. Early departure: Claudia Rodriguez at 11:15 a.m. and Oscar Leeser at 11:20 a.m.  
.....

**AGENDA**

- .....  
1. 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.

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

- Assistant Fire Chief Jorge Rodriguez
- Retired Fire Chief Mario D'Agostino, Deputy City Manager of Public Safety
- Ms. Karla Nieman, City Attorney
- Mr. Tommy Gonzalez, City Manager

Some of the highlights in the presentation included statistics related to migrant crossings from April to December with 800 to 1,100 daily migrant crossings currently occurring. Also included was information related to \$5.13 million in pending reimbursements from 3<sup>rd</sup> Quarter expenditures and ongoing efforts and collaboration happening in anticipation of the December 21<sup>st</sup> lifting of Title 42. A proposal to request advanced funding for 2023 1<sup>st</sup> quarter expenditures was presented indicating it would cost an estimated \$4,704,623 to serve 600 migrants each month.

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

**NO ACTION** was taken on this item.

- .....  
2. Quarter presentation to the City Council on the financial status of the water, wastewater and stormwater utilities.



Ms. Marcela Navarrete, Vice President of Strategic Financial and Management Services, El Paso Water, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

The following staff members commented:

- Ms. Karla Nieman, City Attorney
- Ms. Elizabeth Triggs, Economic Development Director
- Mr. Rene Leon, Legislative Liaison, El Paso Water

Representatives Svarzbein and Annello commented.

**NO ACTION** was taken on this item.

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### **EXECUTIVE SESSION**

Motion made by Representative Rivera, seconded by Representative Salcido, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 11:07 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

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

ABSENT: Representative Lizarraga

Motion made by Representative Rivera, seconded by Representative Molinar, and unanimously carried to **ADJOURN** the Executive Session at 1:33 p.m. and **RECONVENE** the meeting of the City Council at which time motions were made:

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, and Rivera

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Salcido and Rodriguez

ABSENT: Representative Lizarraga

---

**EX1.** Quarterly Litigation Report. Matter No. 19-1021-1210 (551.071)

**NO ACTION** was taken on this item.

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**EX2.** Brazoria County request to Attorney General on utilizing "Trap, Neuter, Release" programs in compliance with Texas Penal Code §42.092 Animal Cruelty Laws. Matter #22-1018-450 (551.071)

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Annello, and carried that the Director of the Animal Services Department be authorized to sign a support brief prepared by Best Friends Animal Support Society, stemming from Brazoria County District Attorney question to the Attorney General, of whether a municipality or local

government may engage in a Trap, Neuter, Release (TNR) program in compliance with Texas Penal Code §42.092 regarding abandonment of animals, to support the position that TNR programs do not conflict with the above referenced Penal Code section.

AYES: Representatives Svarzbein, Annello, Hernandez, and Rivera

NAYS: Representative Molinar

NOT PRESENT FOR THE VOTE: Representatives Salcido and Rodriguez

ABSENT: Representative Lizarraga

.....  
**EX3.** Decision of Civil Service Commission regarding Mark Avalos. Matter No. 22-1043-906 (551.071)

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Hernandez, and carried that the El Paso City Council directs:

1. That City Manager and City Attorney bring recommended amendments to Article 6 of the City Charter to clarify the role of the Civil Service Commission to align with the City of El Paso's form of government for the May 6, 2023 election;
2. That decisions made by the Civil Service Commission that are outside of their authority are void.

AYES: Representatives Svarzbein, Hernandez, and Rivera

NAYS: Representatives Annello and Molinar

NOT PRESENT FOR THE VOTE: Representatives Salcido and Rodriguez

ABSENT: Representative Lizarraga

.....  
**EX4.** Application of El Paso Electric Company to Change Rates to Open Access Transmission Tariff, Federal Energy Regulatory Commission (FERC); Docket No. ER22-282-000. Matter No. 21-1008-183 (551.071)

**NO ACTION** was taken on this item.

.....  
**EX5.** Purchase, lease, exchange or value of real property located in El Paso, Texas. Matter No. 22-1004-1462 (551.071).

**NO ACTION** was taken on this item.

.....  
**EX6.** Economic Incentives for an Infill Development located in West El Paso. Matter No. 22-1007-3008 (551.087)

**NO ACTION** was taken on this item.

.....  
**ADJOURN**

Motion made by Representative Rivera, seconded by Representative Molinar, and unanimously carried to **ADJOURN** the meeting at 1:37 p.m.

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, and Rivera

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Salcido and Rodriguez

ABSENT: Representative Lizarraga

.....  
APPROVED AS TO CONTENT:

\_\_\_\_\_  
Laura D. Prine, City Clerk



El Paso, TX

300 N. Campbell  
El Paso, TX

Legislation Text

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**File #: 23-25, 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.*

**REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS**



Legislation Text

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**File #: 22-1613, Version: 1**

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**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.*

**Districts 1, 2, 3, 7, 8**

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

**AGENDA LANGUAGE:**

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

That the Planning & Inspection liens on the attachment posted with this agenda be approved. (See Attachment A).

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

**AGENDA DATE:** JANUARY 3, 2023  
**PUBLIC HEARING DATE:** N/A

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** Tony De La Cruz, (915) 212-1589

**DISTRICT(S) AFFECTED:** 1, 2, 3, 4, 7, 8

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

**SUBGOAL:**

**SUBJECT:**

That the Planning & Inspection liens on the attachment posted with this agenda be approved (See Attachment A)

**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:**

**SECONDARY DEPARTMENT:**

---

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:** Philip F. Etiwe



---

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

Revised 04/09/2021

**ATTACHMENT A**

**PLANNING AND INSPECTION LIENS**

**JANUARY 3, 2023**

<b>Address</b>	<b>Owner of Record</b>	<b>Amount</b>	<b>District</b>
<b>7801 Chinook Ln.</b>	<b>Manuel Pina</b>	<b>\$4,210.00</b>	<b>1</b>
<b>3506 Hueco Ave. Rear</b>	<b>Victor M. Anguiano</b>	<b>\$3,822.75</b>	<b>2</b>
<b>3900 La Luz Ave.</b>	<b>Socorro M. Castaneda (LE),  James A. Henning,  Serena D. Henning</b>	<b>\$585.00</b>	<b>2</b>
<b>4100 Flory Ave.</b>	<b>Fernando Moreno, Cathy Moreno</b>	<b>\$4,717.25</b>	<b>2</b>
<b>4105 Sunrise Ave.</b>	<b>Albert Robinson</b>	<b>\$1,810.93</b>	<b>2</b>
<b>5621 Dailey Ave.</b>	<b>Maria Hernandez</b>	<b>\$4,307.75</b>	<b>2</b>
<b>8255 Whitus Dr.</b>	<b>Mountain View Real Properties LLC</b>	<b>\$2,262.50</b>	<b>3</b>
<b>5225 Ballinger Dr.</b>	<b>Chellis Thomas W</b>	<b>\$3,285.75</b>	<b>4</b>
<b>149 Davis Dr.</b>	<b>Felix M. Torres</b>	<b>\$3,571.25</b>	<b>7</b>
<b>7764 Wenda Way</b>	<b>MTD Rentals LLC, C/O Davis T. Mark</b>	<b>\$1,357.50</b>	<b>7</b>
<b>14 Bronze Crest</b>	<b>Jose Fong</b>	<b>\$1,620.00</b>	<b>8</b>
<b>6713 Paseo Redondo Ave.</b>	<b>Rosa Gomez</b>	<b>\$1,357.50</b>	<b>8</b>

## RESOLUTION

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

**WHEREAS**, the Director of Planning and Inspections 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:

2 THREE HILLS LOT 1, more particularly described as **7801 CHINOOK LN**, City of El Paso, El Paso County, Texas, PID # T25199900200100

to be \$4,210. 00, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 20 TH day of JUNE, 2022, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount FOUR THOUSAND TWO HUNDRED TEN AND 00/100 DOLLARS (\$4,210. 00) to be a lien on the above described property, said amount being

22-1007-2883.006| 1214266  
7801 Chinook LN. Resolution  
WNV



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 \_\_\_\_\_, 2023.

CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leeser  
Mayor

ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:



\_\_\_\_\_  
Wendi N. Vineyard  
Assistant City Attorney

APPROVED AS TO CONTENT:



\_\_\_\_\_  
Javier A. De La Cruz  
Building and Inspections  
Assistant Director

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)

ACKNOWLEDGEMENT

STATE OF TEXAS       )  
                                  )  
COUNTY OF EL PASO    )

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2023,  
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:**

**FOR PAY-OFF INFORMATION PLEASE CONTACT:**

**El Paso Office of the Comptroller**  
300 N. Campbell  
El Paso, Texas 79901  
(915)212-0040

**FOR INFORMATION ON THE WORK OR ORDERS ENTERED PLEASE CONTACT:**

**Property & Inspection**  
801 Texas Ave.  
El Paso, Texas 79901  
(915) 212-0104

## RESOLUTION

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

**WHEREAS**, the Director of the Planning and Inspections 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:

112 EAST EL PASO S 30' OF 29 & S 30' OF E 1/2 OF 30 (1125 SQ FT), more particularly described as **3506 HUECO AVE REAR**, City of El Paso, El Paso County, Texas, PID # E01499911209100

to be \$3,822. 75, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 23 RD day of MAY, 2022, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount THREE THOUSAND EIGHT HUNDRED TWENTY TWO AND 75/100 DOLLARS (\$3,822. 75) to be a lien on the above described property, said

22-1007-2883.006 | 1214241  
PI 3506 Hueco Ave.  
WNV

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 \_\_\_\_\_, 2023.

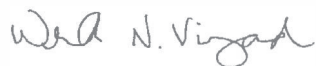
CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leaser  
Mayor

ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:



\_\_\_\_\_  
Wendi N. Vineyard  
Assistant City Attorney

APPROVED AS TO CONTENT:



\_\_\_\_\_  
Javier A. De La Cruz  
Building and Inspections  
Assistant Director

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)

ACKNOWLEDGEMENT

STATE OF TEXAS       )  
                                  )  
COUNTY OF EL PASO    )

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2023,  
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:**

**El Paso Office of the Comptroller**  
300 N. Campbell  
El Paso, Texas 79901  
(915)212-0040

**FOR INFORMATION ON THE WORK OR ORDERS ENTERED PLEASE CONTACT:**

**Property & Inspection**  
801 Texas Ave.  
El Paso, Texas 79901  
(915) 212-0104

## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 2.38 of the El Paso City Code, CASTANEDA, SOCORRO M. (LE), HENNING, JAMES A., HENNING, SERENA D. in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, after due notice and hearing, the City Council of the City of El Paso ordered the owner of the hereinafter described property to vacate the building, and relocate the tenants on said property and clear the property of all rubbish and debris, and the owner having failed after due notice to comply with such ORDER, the Planning and Inspections Department, under the Building Official instructions, proceeded to vacate the Building, relocate the tenants, secure and maintain the Building until repaired or demolished, and clean the property of all rubbish and debris; and

**WHEREAS**, the Director of Planning and Inspections 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:

22 GOVERNMENT HILL 32 & W 15 FT OF 31 (5600 SQ FT), more particularly described as 3900 LA LUZ AVENUE, City of El Paso, El Paso County, Texas, PID #G56999902209100

to be \$585. 00, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 10 day of APRIL, 2021, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso

City Code, declares the above total amount FIVE HUNDRED AND EIGHTY FIVE AND 00/100

22-1007-2883.006 | 1214247  
PI 3900 La Luz Ave. Resolution  
WNV

DOLLARS (\$585. 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.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

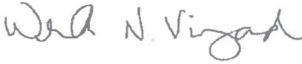
CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leeser  
Mayor


ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. Vineyard  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Javier A. De La Cruz  
Building and Inspections  
Assistant Director

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)

ACKNOWLEDGEMENT

STATE OF TEXAS       )  
                                  )  
COUNTY OF EL PASO    )

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2023,  
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:**

**El Paso Office of the Comptroller**  
300 N. Campbell  
El Paso, Texas 79901  
(915)212-0040

**FOR INFORMATION ON THE WORK OR ORDERS ENTERED PLEASE CONTACT:**

**Property & Inspection**  
801 Texas Ave.  
El Paso, Texas 79901  
(915) 212-0104

22-1007-2883.006 | 1214247  
PI 3900 La Luz Ave. Resolution  
WNV





## **RESOLUTION**

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

**WHEREAS**, the Director of Planning and Inspections 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:

29 LOGAN HEIGHTS 31 & 32 (6000 SQ FT), more particularly  
described as 4100 FLORY AVE, City of El Paso, El Paso County,  
Texas, PID #L44799902909900

to be \$4,717. 25, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 5 day of MAY, 2021, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount FOUR THOUSAND SEVEN HUNDRED

22-1007-2883.006 | 1214249  
PI 4100 Flory Ave. Resolution  
WNV

SEVENTEEN AND 25/100 DOLLARS (\$4,717.25) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

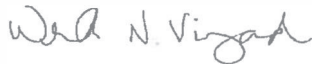
CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leaser  
Mayor

ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:



\_\_\_\_\_  
Assistant City Attorney

APPROVED AS TO CONTENT:



\_\_\_\_\_  
Javier A. De La Cruz  
Building and Inspections  
Assistant Director

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)

ACKNOWLEDGEMENT

STATE OF TEXAS       )  
                                  )  
COUNTY OF EL PASO    )

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2023,  
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:**

**El Paso Office of the Comptroller**  
300 N. Campbell  
El Paso, Texas 79901  
(915)212-0040

**FOR INFORMATION ON THE WORK OR ORDERS ENTERED PLEASE CONTACT:**

**Property & Inspection**  
801 Texas Ave.  
El Paso, Texas 79901  
(915) 212-0104

## RESOLUTION

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

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

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

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

5 DESERT HILLS LOT 7 (6000 SQ FT), more particularly described as **4105 SUNRISE AVE**, City of El Paso, El Paso County, Texas, PID # D44499900503100

to be \$1,810. 93, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 22 ND day of FEBRUARY, 2022, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount ONE THOUSAND EIGHT HUNDRED TEN AND 93/100 DOLLARS (\$1,810. 93) to be a lien on the above described property, said amount being

22-1007-2883.006 | 1214251  
PI 4105 Sunrise Ave. Resolution  
WNV

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 \_\_\_\_\_, 2023.

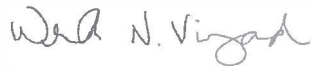
CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leoser  
Mayor

ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:



\_\_\_\_\_  
Wendi N. Vineyard  
Assistant City Attorney

APPROVED AS TO CONTENT:



\_\_\_\_\_  
Javier A. De La Cruz  
Building and Inspections  
Assistant Director

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)

ACKNOWLEDGEMENT

STATE OF TEXAS       )  
                                  )  
COUNTY OF EL PASO    )

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2023,  
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:**

**El Paso Office of the Comptroller**  
300 N. Campbell  
El Paso, Texas 79901  
(915)212-0040

**FOR INFORMATION ON THE WORK OR ORDERS ENTERED PLEASE CONTACT:**

**Property & Inspection**  
801 Texas Ave.  
El Paso, Texas 79901  
(915) 212-0104

## RESOLUTION

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

**WHEREAS**, the Director of Planning and Inspections 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:

5621 DAILEY AVE., EL PASO, TX 79905, more particularly described as **8 BRENTWOOD HEIGHTS 6 & 7 & E 1 FT OF 8 (6120 SQ FT)**, City of El Paso, El Paso County, Texas, PID #B72499900801600

to be \$4,307. 75, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 30TH day of JUNE, 2021, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount FOUR THOUSAND THREE HUNDRED-SEVEN



AND 75/100 DOLLARS (\$4,307. 75) to be a lien on the above described property, said amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

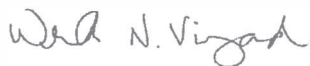
CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leaser  
Mayor

ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:



\_\_\_\_\_  
Wendi N. Vineyard  
Assistant City Attorney

APPROVED AS TO CONTENT:



\_\_\_\_\_  
Javier A. De La Cruz  
Building and Inspections  
Assistant Director

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)

ACKNOWLEDGEMENT

STATE OF TEXAS       )  
                                  )  
COUNTY OF EL PASO    )

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2023,  
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:**

**El Paso Office of the Comptroller**  
300 N. Campbell  
El Paso, Texas 79901  
(915)212-0040

**FOR INFORMATION ON THE WORK OR ORDERS ENTERED PLEASE CONTACT:**

**Property & Inspection**  
801 Texas Ave.  
El Paso, Texas 79901  
(915) 212-0104

## RESOLUTION

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

**WHEREAS**, the Director of Planning and Inspections 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:

8255 WHITUS DR., EL PASO, TX 79925, more particularly described as **59 CIELO VISTA PARK #F 13 & 14 (24196 SQ FT)**, City of El Paso, El Paso County, Texas, PID #C51899905903700

to be \$2,262. 50, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 29TH day of MARCH, 2022, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount TWO THOUSAND TWO HUNDRED SIXTY-TWO

22-1007-2883.006 | 1214268  
PI 8255 Whitus Dr. Resolution  
WNV

AND 50/100 DOLLARS (\$2,262. 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 \_\_\_\_\_, 2023.

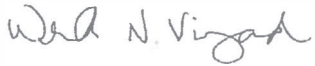
CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leeser  
Mayor

ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:



\_\_\_\_\_  
Wendi N. Vineyard  
Assistant City Attorney

APPROVED AS TO CONTENT:



\_\_\_\_\_  
Javier A. De La Cruz  
Building and Inspections  
Assistant Director

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)

ACKNOWLEDGEMENT

STATE OF TEXAS       )  
                                  )  
COUNTY OF EL PASO    )

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2023,  
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:**

**El Paso Office of the Comptroller**  
300 N. Campbell  
El Paso, Texas 79901  
(915)212-0040

**FOR INFORMATION ON THE WORK OR ORDERS ENTERED PLEASE CONTACT:**

**Property & Inspection**  
801 Texas Ave.  
El Paso, Texas 79901  
(915) 212-0104

## RESOLUTION

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

**WHEREAS**, the Director of the Planning and Inspections 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 and boarding and securing located on the property known as:

4 SARAH ANNE PARK #2 LOT 19 (7651.11 SQ FT), more particularly described as **5225 BALLINGER DR** Lot 19, City of El Paso, El Paso County, Texas, PID #S16299900403700

to be \$3,285. 75, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 3RD day of AUGUST, 2022, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount THREE THOUSAND TWO HUNDRED EIGHTY FIVE AND 75/100 DOLLARS (\$3,285. 75) to be a lien on the above described property, said

amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.


CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leeser  
Mayor

ATTEST:


\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:



\_\_\_\_\_  
Wendi N. Vineyard  
Assistant City Attorney

APPROVED AS TO CONTENT:



\_\_\_\_\_  
Javier A. De La Cruz  
Building and Inspections  
Assistant Director

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)

ACKNOWLEDGEMENT

STATE OF TEXAS            )  
  )  
COUNTY OF EL PASO        )

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2023,  
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:**

Planning & Inspections  
Javier A. De La Cruz  
El Paso, Texas 79901  
(915) 212-1589



## RESOLUTION

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

**WHEREAS**, the Director of the Planning and Inspections 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:

16 WEST YSLETA 3 & E 10.4 FT OF 2, more particularly  
described as **149 DAVIS DR., EL PASO, TX 79907**, City of El Paso, El  
Paso County, Texas, PID #W14299901604600

to be \$3,571. 25, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 13TH day of JUNE, 2022, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount THREE THOUSAND FIVE HUNDRED SEVENTY ONE AND 25/100 DOLLARS (\$3,571. 25) to be a lien on the above described property, said

amount being due and payable within ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leoser  
Mayor

ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:



\_\_\_\_\_  
Wendi N. Vineyard  
Assistant City Attorney

APPROVED AS TO CONTENT:



\_\_\_\_\_  
Javier A. De La Cruz  
Building and Inspections  
Assistant Director

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)

ACKNOWLEDGEMENT

STATE OF TEXAS       )  
                                  )  
COUNTY OF EL PASO    )

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2023,  
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:**

**FOR PAY-OFF INFORMATION PLEASE CONTACT:**

**El Paso Office of the Comptroller**  
300 N. Campbell  
El Paso, Texas 79901  
(915)212-0040

**FOR INFORMATION ON THE WORK OR ORDERS ENTERED PLEASE CONTACT:**

**Property & Inspection**  
801 Texas Ave.  
El Paso, Texas 79901  
(915) 212-0104

## **RESOLUTION**

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

**WHEREAS**, the Director of Planning and Inspections 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:

17 YSLETA TR 10-B-1 (0.211 AC), more particularly described as  
7764 WENDA WAY EL PASO, TX 79935, City of El Paso, El  
Paso County, Texas, PID #Y805999017B1029

to be \$1,357. 50, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 14TH day of FEBRUARY, 2022, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount ONE THOUSAND THREE HUNDRED FIFTY-

22-1007-2883.006 | 1214263  
PI 7764 Wenda Way Resolution  
WNV

SEVEN AND 50/100 DOLLARS (\$1,357. 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 \_\_\_\_\_, 2023.

CITY OF EL PASO:

---

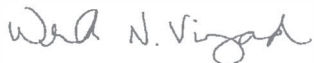
Oscar Leeser  
Mayor

ATTEST:

---

Laura D. Prine  
City Clerk

APPROVED AS TO FORM:



---

Wendi N. Vineyard  
Assistant City Attorney

APPROVED AS TO CONTENT:



---

Javier A. De La Cruz  
Building and Inspections  
Assistant Director

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)

ACKNOWLEDGEMENT

STATE OF TEXAS       )  
                                  )  
COUNTY OF EL PASO    )

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2023,  
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:**

**El Paso Office of the Comptroller**  
300 N. Campbell  
El Paso, Texas 79901  
(915)212-0040

**FOR INFORMATION ON THE WORK OR ORDERS ENTERED PLEASE CONTACT:**

**Property & Inspection**  
801 Texas Ave.  
El Paso, Texas 79901  
(915) 212-0104

22-1007-2883.006 | 1214263  
PI 7764 Wenda Way Resolution  
WNV

## RESOLUTION

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

**WHEREAS**, the Director of the Planning and Inspections 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:

3 SIERRA CREST REPLAT E (12314.0 SQ FT), more particularly described as **14 BRONZE CREST** Lot 3, City of El Paso, El Paso County, Texas, PID #S36599900300500

to be \$1,620. 00, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 14TH day of AUGUST, 2021, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount ONE THOUSAND SIX HUNDRED TWENTY AND 00/100 DOLLARS (\$1,620. 00) to be a lien on the above described property, said amount being

22-1007-2883.006 | 1214219  
PI 14 Bronze Resolution  
WNV

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 \_\_\_\_\_, 2023.

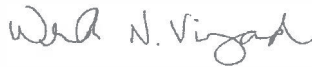
CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leoser  
Mayor

ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:



\_\_\_\_\_  
Wendi N. Vineyard  
Assistant City Attorney

APPROVED AS TO CONTENT:



\_\_\_\_\_  
Javier A. De La Cruz  
Building and Inspections  
Assistant Director

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)



ACKNOWLEDGEMENT

STATE OF TEXAS       )  
                                  )  
COUNTY OF EL PASO    )

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2023,  
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:**

**FOR PAY-OFF INFORMATION PLEASE CONTACT:**

**El Paso Office of the Comptroller**  
300 N. Campbell  
El Paso, Texas 79901  
(915)212-0040

**FOR INFORMATION ON THE WORK OR ORDERS ENTERED PLEASE CONTACT:**

**Property & Inspection**  
801 Texas Ave.  
El Paso, Texas 79901  
(915) 212-0104

22-1007-2883.006 | 1214219  
PI 14 Bronze Resolution  
WNV

## RESOLUTION

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

**WHEREAS**, the Director of Planning and Inspections 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:

6713 PASEO REDONDO AVE., EL PASO, TX 79912, more particularly described as **9 CHAPARRAL PARK #3 LOT 35 (7999 SQ FT)**, City of El Paso, El Paso County, Texas, PID #C34099900906900

to be \$1,357. 50, in accordance with the El Paso City Code Section 2.38.070 and 2.38.080 and the Texas Health & Safety Code Section 342.007. The City Council finds that the work was completed on the 29TH day of MARCH, 2022, and approves the costs described herein.

2. The City Council, in accordance with Chapter 2.38.070 and 2.38.080 of the El Paso City Code, declares the above total amount ONE THOUSAND THREE HUNDRED FIFTY-

SEVEN AND 50/100 DOLLARS (\$1,357. 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 \_\_\_\_\_, 2023.

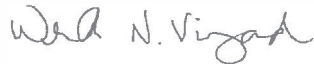
CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leeser  
Mayor

ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:



\_\_\_\_\_  
Wendi N. Vineyard  
Assistant City Attorney

APPROVED AS TO CONTENT:



\_\_\_\_\_  
Javier A. De La Cruz  
Building and Inspections  
Assistant Director

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)

ACKNOWLEDGEMENT

STATE OF TEXAS       )  
                                  )  
COUNTY OF EL PASO    )

This instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2023,  
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:**

**El Paso Office of the Comptroller**  
300 N. Campbell  
El Paso, Texas 79901  
(915)212-0040

**FOR INFORMATION ON THE WORK OR ORDERS ENTERED PLEASE CONTACT:**

**Property & Inspection**  
801 Texas Ave.  
El Paso, Texas 79901  
(915) 212-0104



El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #: 23-01, Version: 2**

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### **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.*

That the Solid Waste liens on the attachment posted with this agenda be approved. (See Attachment B).

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

**AGENDA DATE:** January 3, 2023

**PUBLIC HEARING DATE:** N/A

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

**DISTRICT(S) AFFECTED:** All

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

**SUBGOAL:**

**SUBJECT:**

That the Solid Waste liens on the attachment posted with this agenda be approved (See Attachment A).

**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)

# ATTACHMENT A

## SOLID WASTE LIENS

January 3, 2023

Address	Owner of Record	Amount	District
6808 MARBLE CANYON DR	NGUYEN TRAN T N	\$354.93	1
121 TANGIER PL	PEREZ MACEDONIA	\$463.72	2
178 S COLLINGSWORTH ST	WOO MUN S & CONSUELO C/O AUTRY VICTOR & DALILA	\$27,063.46	2
370 S GLENWOOD ST	GUZMAN PAUL M	\$482.13	2
374 S GLENWOOD ST	CARRASCO CANDELARIO & LUZ B	\$471.84	2
3404 CLEARVIEW LN	PURSEL LYNN M	\$358.18	2
2700 LEBANON AVE	VEGA HECTOR & 5	\$433.96	2
3662 DOUGLAS AVE	JURADO ALFREDO JR	\$343.03	2
3500 THOMASON AVE	DOSCH ANDREW J	\$419.88	2
3525 MC KINLEY AVE	DESAI VINU	\$488.19	2
136 CORONADO RD	PACHECO BELINDA J	\$573.06	3
428 JENSEN AVE	GALVAN EVANGELINA	\$363.05	3
469 MYRA ST	GOMEZ MARIA S	\$347.90	3
10648 BIRTHSTONE DR	TOUSIGNANT-NOMELAND LUCAS M	\$358.18	3
5118 BEALS DR	ALCAZAR DEVELOPMENT CORPORATION	\$346.27	4
12688 TIERRA ZULEMA CT	RAMIREZ ELIZABETH	\$324.62	5
1940 ESTRADA DR	CORTEZ RICHARD E JR	\$327.87	6
341 MARICELA DR	BELTRAN ALTAGRACIA & ENNIO & 1	\$355.47	7
112 CERES PL	RAMIREZ BALTAZAR G & MENA GIOVANNA L G	\$369.01	7
880 N ZARAGOZA RD	UNITED STATES POSTAL SERVICE	\$475.63	7

401 RIVERSIDE DR	SULLIVAN E J & CELIA	\$715.95	7
1895 GEORGE DIETER DR	MALBER LLC	\$343.03	7
8123 SAN JOSE RD	BUCIO OLGA L M	\$347.90	7
9731 GALILEE DR	CASTRO CESAR M	\$329.00	7
619 ALETHEA PARK DR	PORTILLO ESPERANZA M	\$424.21	8
301 MARDI GRAS DR	CAMPAS LEONEL E & SANDRA M	\$357.10	8
2219 BASSETT AVE	MAGANA MARIO R	\$353.85	8
3030 E SAN ANTONIO AVE	TELLEZ RAUL A	\$358.18	8



## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, NGUYEN TRAN T N, 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:

6808 Marble Canyon Dr, more particularly described as Lot 1  
(8277.72 Sq Ft), Block 12, The Highlands #3 Subdivision, City of  
El Paso, El Paso County, Texas, PID #T213-999-0120-0100

to be \$354.93, 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 May, 2020, 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 FOUR AND 93/100 DOLLARS (\$354.93) 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 \_\_\_\_\_, 20\_\_.


CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leaser  
Mayor

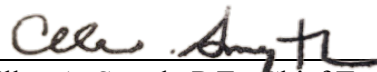
ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
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

## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, PEREZ MACEDONIA, 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:

121 Tangier Pl, more particularly described as Lot 32, Block 16,  
Sambrano Subdivision, City of El Paso, El Paso County, Texas, PID  
#S052-999-0160-7600

to be \$463.72, 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 June, 2020, 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 THREE AND 72/100 DOLLARS (\$463.72) 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 \_\_\_\_\_, 20\_\_.


CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leeson  
Mayor


ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
by Oscar Leeser, 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

## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, WOO MUN S & CONSUELO C/O AUTRY VICTOR & DALILA, 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:

178 S Collingsworth St, more particularly described as N 50 Ft Of  
9, Block E, Collingsworth Subdivision, City of El Paso, El Paso  
County, Texas, PID #C730-999-000E-4600

to be \$27,063.46, 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 18th day of December, 2018, 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 TWENTY SEVEN THOUSAND SIXTY THREE AND 46/100 DOLLARS (\$27,063.46) 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 \_\_\_\_\_, 20\_\_\_\_.


CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leeson  
Mayor


ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
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

## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, GUZMAN PAUL 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:

370 S Glenwood St, more particularly described as S 55 Ft Of Lot 27 (Excw 10 Ft On St) (20185 Sq Ft), Block 6, Alameda Acres Subdivision, City of El Paso, El Paso County, Texas, PID #A438-999-0060-5101

to be \$482.13, 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 21st day of May, 2020, 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 EIGHTY TWO AND 13/100 DOLLARS (\$482.13) 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 \_\_\_\_\_, 20\_\_.


CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leeson  
Mayor


ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
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

## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, CARRASCO CANDELARIO & LUZ 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:

374 S Glenwood St, more particularly described as Nly 65.2 Ft Of  
Lot 28 (Exc W 10 Ft) 23964.00 Sq Ft), Block 6, Alameda Acres  
Subdivision, City of El Paso, El Paso County, Texas, PID #A438-  
999-0060-5201

to be \$471.84, 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 21st day of May, 2020, 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 SEVENTY ONE AND 84/100 DOLLARS (\$471.84) 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 \_\_\_\_\_, 20\_\_.


CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leaser  
Mayor

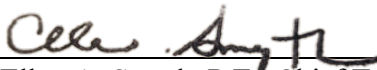
ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
by Oscar Leeser, 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

## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, PURSEL LYNN 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:

3404 Clearview Ln, more particularly described as Lot 13, Block 5,  
Monterrey Park Replat Subdivision, City of El Paso, El Paso  
County, Texas, PID #M757-999-0050-4900

to be \$358.18, 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 19th day of May, 2020, 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 EIGHT AND 18/100 DOLLARS (\$358.18) 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 \_\_\_\_\_, 20\_\_.


CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leaser  
Mayor

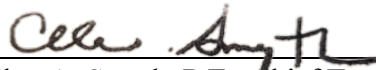
ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
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

## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, VEGA HECTOR & 5, 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:

2700 Lebanon Ave, more particularly described as Lot 1 & W 24 Ft  
Of 2 (5880 Sq Ft), Block 6, Manhattan Heights Subdivision, City of  
El Paso, El Paso County, Texas, PID #M056-999-0060-0100

to be \$433.96, 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 29th day of April, 2020, 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 THIRTY THREE AND 96/100 DOLLARS (\$433.96) 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 \_\_\_\_\_, 20\_\_.


CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leaser  
Mayor


ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
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

## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, JURADO ALFREDO JR, 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:

3662 Douglas Ave, more particularly described as Lots 10 & 11 Exc  
Tria In Nec (44.33 Ft On St 19.48 Ft On E 39.82 Ft On S)  
(6568.2258 Sq Ft), Block 127, East El Paso Subdivision, City of El  
Paso, El Paso County, Texas, PID #E014-999-1270-3300

to be \$343.03, 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 March, 2020, 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 FORTY THREE AND 03/100 DOLLARS (\$343.03) to be a lien on the above described property, said amount being due and payable within ten

(10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.


CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leaser  
Mayor


ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
by Oscar Leeser, 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



## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, DOSCH ANDREW 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:

3500 Thomason Ave, more particularly described as Lot 17 To 18  
(6000.00 Sq Ft), Block 86-B, Logan Heights Subdivision, City of El  
Paso, El Paso County, Texas, PID #L447-999-086B-5700

to be \$419.88, 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 5th day of May, 2020, 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 NINETEEN AND 88/100 DOLLARS (\$419.88) 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 \_\_\_\_\_, 20\_\_.


CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leaser  
Mayor


ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
by Oscar Leeser, 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

## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, DESAI VINU, 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:

3525 Mc Kinley Ave, more particularly described as Lots 1 To 3  
(9600 Sq Ft), Block 5, Morningside Heights Subdivision, City of El  
Paso, El Paso County, Texas, PID #M794-999-0050-0100

to be \$488.19, 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 March, 2020, 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 EIGHTY EIGHT AND 19/100 DOLLARS (\$488.19) 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 \_\_\_\_\_, 20\_\_.


CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leeson  
Mayor


ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
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

## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, PACHECO BELINDA 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:

136 Coronado Rd, more particularly described as S 74 Ft Of Tr 3  
(0.4856 Acre), Coronado Place Subdivision, City of El Paso, El Paso  
County, Texas, PID #C835-999-0010-1700

to be \$573.06, 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 1st day of May, 2020, 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 THREE AND 06/100 DOLLARS (\$573.06) 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 \_\_\_\_\_, 20\_\_\_\_.


CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leaser  
Mayor


ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
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

## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, GALVAN EVANGELINA, 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:

428 Jensen Ave, more particularly described as Lot 8, Block D,  
Thomason Manor Subdivision, City of El Paso, El Paso County,  
Texas, PID #T240-999-000D-2900

to be \$363.05, 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 29th day of April, 2020, 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 SIXTY THREE AND 05/100 DOLLARS (\$363.05) 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 \_\_\_\_\_, 20\_\_


CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leeson  
Mayor


ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
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

## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, GOMEZ MARIA 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:

469 Myra St, more particularly described as S 100 Ft Of N 200 Ft  
Of 43 (Exc Wly Pt) (8500.00 Sq Ft), Linda Vista Subdivision, City  
of El Paso, El Paso County, Texas, PID #L356-999-0010-6100

to be \$347.90, 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 4th day of May, 2020, 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 FORTY SEVEN AND 90/100 DOLLARS (\$347.90) 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 \_\_\_\_\_, 20\_\_.


CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leeson  
Mayor


ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
by Oscar Leeser, 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

## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, TOUSIGNANT-NOMELAND LUCAS 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:

10648 Birthstone Dr, more particularly described as Lot 3, Block  
13, Pebble Hills #2 Subdivision, City of El Paso, El Paso County,  
Texas, PID #P654-999-0130-0500

to be \$358.18, 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 27th day of April, 2020, 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 EIGHT AND 18/100 DOLLARS (\$358.18) 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 \_\_\_\_\_, 20\_\_.


CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leeson  
Mayor

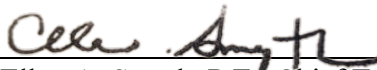
ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
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

## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, ALCAZAR DEVELOPMENT CORPORATION, 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:

5118 Beals Dr, more particularly described as Lot 10 (6500 Sq Ft),  
Block 3, Milagro Hills #1 Subdivision, City of El Paso, El Paso  
County, Texas, PID #M425-999-0030-3700

to be \$346.27, 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 June, 2020, 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 FORTY SIX AND 27/100 DOLLARS (\$346.27) 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 \_\_\_\_\_, 20\_\_.


CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leeson  
Mayor

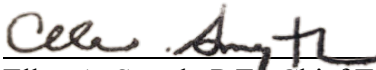
ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
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

## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, RAMIREZ ELIZABETH, 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:

12688 Tierra Zulema Ct, more particularly described as Lot 78  
(8407.20 Sq Ft), Block 137, Tierra Del Este #40 Subdivision, City  
of El Paso, El Paso County, Texas, PID #T287-999-1370-7800

to be \$324.62, 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 19th day of March, 2020, 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 TWENTY FOUR AND 62/100 DOLLARS (\$324.62) 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 \_\_\_\_\_, 20\_\_.

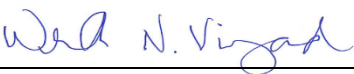
CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leeson  
Mayor

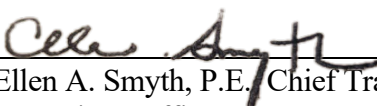
ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
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



## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, CORTEZ RICHARD E JR, 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:

1940 Estrada Dr, more particularly described as Lot 11 6405 Sq Ft,  
Block 446, Vista Del Sol #86 Subdivision, City of El Paso, El Paso  
County, Texas, PID #V893-999-4460-1100

to be \$327.87, 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 18th day of March, 2020, 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 TWENTY SEVEN AND 87/100 DOLLARS (\$327.87) 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 \_\_\_\_\_, 20\_\_\_\_.


CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leeson  
Mayor


ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
by Oscar Leeser, 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

## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, BELTRAN ALTAGRACIA & ENNIO & 1, 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:

341 Maricela Dr, more particularly described as Lot 11, Block 26,  
Thomas Manor #10 Subdivision, City of El Paso, El Paso County,  
Texas, PID #T240-999-026A-2100

to be \$355.47, 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 18th day of March, 2020, 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 47/100 DOLLARS (\$355.47) 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 \_\_\_\_\_, 20\_\_.


CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leeson  
Mayor

ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
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

## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, RAMIREZ BALTAZAR G & MENA GIOVANNA L G, 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:

112 Ceres Pl, more particularly described as Lot 53 (21050 Sq Ft),  
North Valumbrosa Subdivision, City of El Paso, El Paso County,  
Texas, PID #N515-999-0010-5900

to be \$369.01, 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 January, 2020, 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 SIXTY NINE AND 01/100 DOLLARS (\$369.01) 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 \_\_\_\_\_, 20\_\_\_\_.


CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leeson  
Mayor


ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
by Oscar Leeser, 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

## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, UNITED STATES POSTAL SERVICE, 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:

880 N Zaragoza Rd, more particularly described as Exc Swc) & Wly  
Pt Of 2 (39.43 Ft On Nely 454.69 Ft On Sely-42.09 Ft On Swly-  
38.18 Ft Onn Wly) (162620.02 Sq Ft), Block 9, Pecan Grove  
Subdivision, City of El Paso, El Paso County, Texas, PID #P656-  
999-0090-2500

to be \$475.63, 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 27th day of April, 2020, 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 SEVENTY FIVE AND 63/100 DOLLARS (\$475.63) to be a lien on the above described property, said amount being due and

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 \_\_\_\_\_, 20\_\_.


CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leaser  
Mayor


ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
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

## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, SULLIVAN E J & CELIA, 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:

401 Riverside Dr, more particularly described as E 192.5 Ft Of N  
185.18 Ft & W 68.99 Ft Of N 105 Ft Of Tr 1 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

to be \$715.95, 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 30th day of April, 2020, 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 FIFTEEN AND 95/100 DOLLARS (\$715.95) 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 \_\_\_\_\_, 20\_\_.


CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leeson  
Mayor

ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
by Oscar Leeser, 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

## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, MALBER 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:

1895 George Dieter Dr, more particularly described as Nec Of E Pt Of 17(180.30 Ft On N 180.30 Ft On E 200.23 Ft On S 200.23 Ft On 2)(40006.65 Sq Ft), Block 179-A, Vista Del Sol #52 Subdivision, City of El Paso, El Paso County, Texas, PID #V893-999-179A-3500

to be \$343.03, 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 27th day of February, 2020, 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 FORTY THREE AND 03/100 DOLLARS (\$343.03) to be a lien on the above described property, said amount being due and payable within



ten (10) days from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

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

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

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.


CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leeson  
Mayor

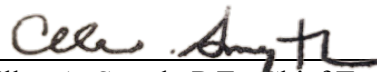
ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
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

## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, BUCIO OLGA L 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:

8123 San Jose Rd, more particularly described as Tr 6 (0.2481 Ac),  
Block 13, Ystela Subdivision, City of El Paso, El Paso County,  
Texas, PID #Y805-999-0130-0601

to be \$347.90, 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 28th day of May, 2020, 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 FORTY SEVEN AND 90/100 DOLLARS (\$347.90) 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 \_\_\_\_\_, 20\_\_.


CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leeson  
Mayor


ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
by Oscar Leeser, 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

## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, CASTRO CESAR 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:

9731 Galilee Dr, more particularly described as Lot 17 (12794 Sq Ft), Block 14, Vista Del Prado #3 Subdivision, City of El Paso, El Paso County, Texas, PID #V887-999-0140-3300

to be \$329.00, 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 31st day of January, 2020, 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 TWENTY NINE AND 00/100 DOLLARS (\$329.00) 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.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.


CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leeson  
Mayor


ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
by Oscar Leeser, 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



## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, PORTILLO ESPERANZA 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:

619 Alethea Park Dr, more particularly described as Sly Pt Of 12 &  
13 (51.09 Ft On Alethea 84.05 Ft On W 86.70 Ft On 91.13 Ft On  
E), Block 57, Kern Place Subdivision, City of El Paso, El Paso  
County, Texas, PID #K216-999-0570-6100

to be \$424.21, 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 6th day of May, 2020, 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 FOUR AND 21/100 DOLLARS (\$424.21) 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 \_\_\_\_\_, 20\_\_\_\_.

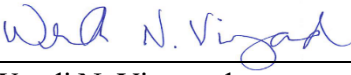
CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leaser  
Mayor


ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
by Oscar Leeser, 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

## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, CAMPAS LEONEL E & SANDRA 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:

301 Mardi Gras Dr, more particularly described as Lot 15, Block 11,  
Fiesta Hills Replat Subdivision, City of El Paso, El Paso County,  
Texas, PID #F315-999-0110-2900

to be \$357.10, 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 May, 2020, 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 SEVEN AND 10/100 DOLLARS (\$357.10) 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 \_\_\_\_\_, 20\_\_\_\_.


CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leaser  
Mayor


ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
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

## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, MAGANA MARIO 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:

2219 Bassett Ave, more particularly described as Lot 26 (3000 Sq Ft), Block 39, Bassett Subdivision, City of El Paso, El Paso County, Texas, PID #B202-999-0390-8100

to be \$353.85, 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 5th day of March, 2020, 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 THREE AND 85/100 DOLLARS (\$353.85) 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 \_\_\_\_\_, 20\_\_.


CITY OF EL PASO

\_\_\_\_\_  
Oscar Leeson  
Mayor


ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
by Oscar Leeser, 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

## **RESOLUTION**

**WHEREAS**, in accordance with Chapter 9.04 of the El Paso City Code, TELLEZ RAUL A, 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:

3030 E San Antonio Ave, more particularly described as Lots 17 &  
18, Block O, Moeller Subdivision, City of El Paso, El Paso County,  
Texas, PID #M627-999-0020-4100

to be \$358.18, 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 26th day of February, 2020, 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 EIGHT AND 18/100 DOLLARS (\$358.18) 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 \_\_\_\_\_, 20\_\_.


CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leeson  
Mayor

ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wendi N. 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 \_\_\_\_\_, 20\_\_,  
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

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**File #: 23-21, Version: 1**

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**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**

Human Resources, Araceli Guerra, (915) 212-1401

**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 the second amendment to the Professional Services Agreement between the City of El Paso and Lloyd Gosselink Rochelle & Townsend, P.C. on behalf of attorney Sarah Glaser for the provision of on-call fact finding investigations for an amount not to exceed \$150,000.

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

**DEPARTMENT:** Human Resources

**AGENDA DATE:** January 3, 2023

**PUBLIC HEARING DATE:**

**CONTACT PERSON NAME AND PHONE NUMBER:** Araceli Guerra, Managing Director, 915-212-1241

**DISTRICT(S) AFFECTED:** All

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

**SUBGOAL:**

**SUBJECT:**

That the City Manager, or designee, be authorized to sign the second amendment to the Professional Services Agreement between the City of El Paso and Lloyd Gosselink Rochelle & Townsend, P.C. on behalf of attorney Sarah Glaser for the provision of on-call fact finding investigations for an amount not to exceed \$150,000

**BACKGROUND / DISCUSSION:**

Executed Amendment to Professional Service Agreement on November 30, 2022

**PRIOR COUNCIL ACTION:**

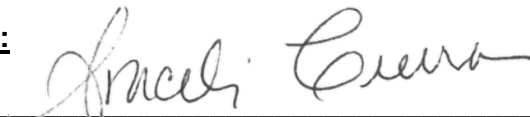
**AMOUNT AND SOURCE OF FUNDING:**

522150-209-1000-14015-P1410

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\*\*\*\*\*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 Manager, or designee, be authorized to sign the second amendment to the Professional Services Agreement between the City of El Paso and Lloyd Gosselink Rochelle & Townsend, P.C. on behalf of attorney Sarah Glaser for the provision of on-call fact finding investigations for an amount not to exceed \$150,000. In addition, the City Manager is authorized to establish the funding sources and make any necessary budget transfers and execute any and all documents necessary for execution of each investigation. Further, that the City Manager, or designee, is authorized to execute any amendments to the agreements provided such amendments do not increase the contract amounts

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2023.

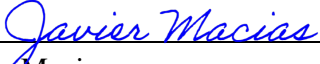
### CITY OF EL PASO

\_\_\_\_\_  
Oscar Leaser  
Mayor

### ATTEST:

\_\_\_\_\_  
Laura D. Prine  
City Clerk

### APPROVED AS TO FORM:

  
\_\_\_\_\_  
Javier Macias  
Assistant City Attorney

STATE OF TEXAS

COUNTY OF EL PASO

**SECOND AMENDMENT TO  
PROFESSIONAL SERVICES AGREEMENT**

This Second Amendment to Professional Services Agreement ("Second Amendment") is entered into by and between the **CITY OF EL PASO** ("City"), a home rule municipal corporation, and **LLOYD GOSSELINK ROCHELLE & TOWNSEND, P.C.**, on behalf of its employee, attorney Sarah Glaser, Principal ("Contractor").

**WHEREAS**, effective September 13, 2022, the City, on behalf of the Human Resources Department, entered into a Professional Services Agreement ("Agreement") with Contractor, wherein Contractor was engaged to perform and provide internal personnel investigation services on fact finding investigations.

**WHEREAS**, effective November 30, 2022, the parties entered into an Amendment to Professional Services Agreement ("Amendment") to adjust Contractor's scope to perform and provide internal personnel investigation services on additional fact finding investigations as requested by the Human Resources Director or her designee, not to exceed the budget restrictions as stated in the Agreement.

**WHEREAS**, the parties desire to amend the Agreement to increase the budget restrictions as stated therein.

**NOW, THEREFORE**, the parties hereto mutually agree as follows:

1. The second paragraph of Section 3. COMPENSATION AND GUARANTEE of the Agreement is hereby amended as follows:

In no event shall the total amount paid to Contractor by the City for investigative services exceed \$150,000 per fiscal year.

2. Except as amended herein, all other terms and conditions of the Agreement and the Amendment remain the same.

**IN WITNESS WHEREOF**, the parties have executed this Second Amendment to Professional Services Agreement in El Paso, Texas this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**CITY OF EL PASO**

\_\_\_\_\_  
Tomas Gonzalez, City Manager  
City of El Paso

**LLOYD GOSSELINK ROCHELLE &  
TOWNSEND, P.C.**

\_\_\_\_\_  
Sarah Glaser, Principal  
Lloyd Gosselink Rochelle & Townsend, P.C.

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Araceli Guerra, Managing Director  
Human Resources Department

APPROVED AS TO FORM:

\_\_\_\_\_  
Javier Macias  
Assistant City Attorney





Legislation Text

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File #: 23-20, Version: 1

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**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) 212-0065

**AGENDA LANGUAGE:**

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

That the City Council approve a change order in the amount of \$181,778.57 to J.A.R. Concrete, Inc. DBA J.A.R. Construction Inc. for the "Trowbridge Drive Improvements Contract 2022-0377", increasing the contract price from \$891,196.90 to \$1,122,889.30. The increase is for the cost associated with additional scope including the construction of the mid-blocks (bulb-outs) and additional irrigation and landscaping.

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

**AGENDA DATE:** January 3, 2023  
**PUBLIC HEARING DATE:** N/A

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** Yvette Hernandez, P.E., City Engineer, (915) 212-0065  
Claudia A. Garcia, Assistant Director of Purchasing & Strategic Sourcing (915) 212-1218

**DISTRICT(S) AFFECTED:** 2

**STRATEGIC GOAL:** No.7: Enhance and Sustain El Paso's Infrastructure Network

**SUBGOAL:** 7.2 - Improve competitiveness through infrastructure impacting the quality of life

**SUBJECT:**

That the City Council approve a change order in the amount of \$181,778.57 to J.A.R. Concrete, Inc. DBA J.A.R. Construction Inc. for the "Trowbridge Drive Improvements Contract 2022-0377", increasing the contract price from \$891,196.90 to \$1,122,889.30. The increase is for the cost associated with additional scope including the construction of the mid-blocks (bulb-outs) and additional irrigation and landscaping.

**BACKGROUND / DISCUSSION:**

The project consists of street improvements on Trowbridge Drive between Pershing Drive and 50 lineal feet from Gateway US-54. The scope of work includes but not limited to the demolition of existing sidewalk, driveways and appurtenances curb and gutter, milling existing 2" thick asphalt pavement. Roadway improvements shall consist of new pavement structures consisting of Hot Mix Asphaltic Concrete (HMAC), striping. Improvements will also include new ADA/TAS compliant sidewalks and ramps, landscape and irrigation and installation of traffic signs.

**PRIOR COUNCIL ACTION:**

February 15, 2022 City Council approved award of contract to J.A.R. Concrete, Inc. DBA J.A.R. Construction, Inc.

**AMOUNT AND SOURCE OF FUNDING:**

Amount: \$891,196.90

Funding Source: Community Development Block Grant & Street Resurfacing

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?**  X  YES   NO

**PRIMARY DEPARTMENT:** Capital Improvement

**SECONDARY DEPARTMENT:** Purchasing & Strategic Sourcing

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

*Yvette Hernandez*

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

## RESOLUTION

**WHEREAS**, on February 15, 2022, the City of El Paso (“Owner”) entered into a Contract Agreement between Owner and J.A.R. CONCRETE, INC. DBA J.A.R. CONSTRUCTION INC., (“Contractor”) for a project known as the Trowbridge Drive Improvement Contract 2022-0377 (“Project”); and

**WHEREAS**, the Owner and the Contractor entered into the Contract Agreement for the construction of the Project for an amount of \$891,196.90 (“Contract Amount”); and

**WHEREAS**, the Project Contract Amount is subject to additions and deductions by change order as provided in the Contract Agreement; and

**WHEREAS**, the City desires to approve a change order to increase the Contract Amount by \$181,778.57 for additional scope including the construction of the mid-blocks (bulb-outs) and additional irrigation and landscaping, thereby increasing the Contract Amount to a total of \$1,122,889.30.

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

That the City Engineer is authorized to sign a change order to increase the Contract Amount for the TROWBRIDGE DRIVE IMPROVEMENTS CONTRACT by \$181,778.57, for a total amount of \$1,122,889.30, for the additional costs associated with the construction of the mid-blocks (bulb-outs) and installation of additional irrigation and landscaping, and that the City Manager is authorized to establish the funding sources and make any necessary budget transfers.

**APPROVED** on this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

THE CITY OF EL PASO

\_\_\_\_\_  
Oscar Leeser, Mayor

ATTEST:

\_\_\_\_\_  
Laura D Prine, City Clerk

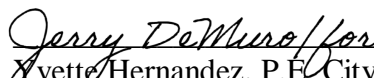
APPROVED AS TO FORM:



\_\_\_\_\_  
Roberta Brito  
Assistant City Attorney

APPROVED AS TO CONTENT:

Assistant Director Capital Improvement

  
\_\_\_\_\_  
Javette Hernandez, P.E. City Engineer  
Capital Improvement Department



# Trowbridge Drive Improvements

Solicitation No: 2022-0377



## Strategic Plan Goal:

**No. 7 - Enhance and sustain El Paso's Infrastructure Network**

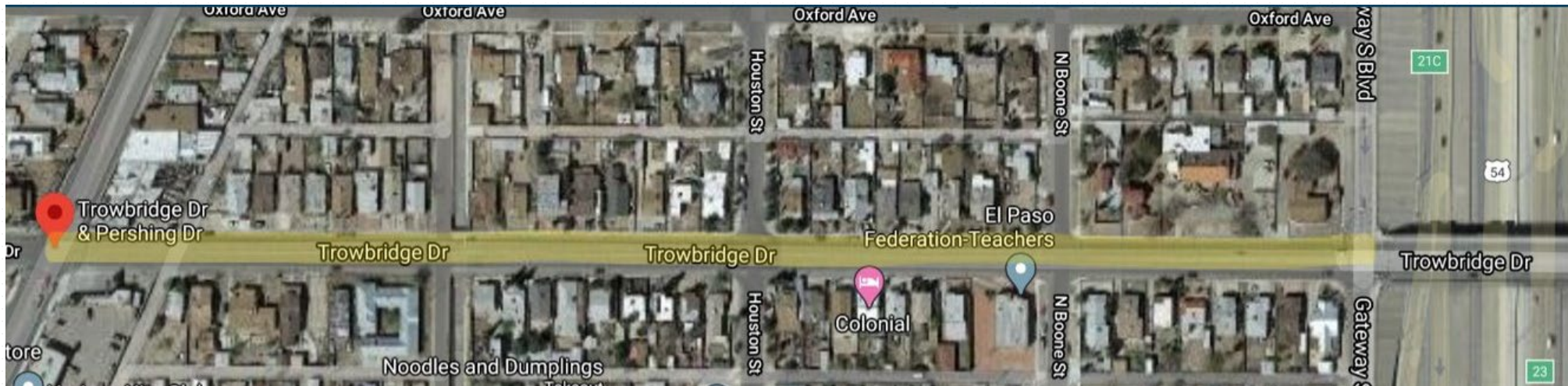
**7.2 - Improve competitiveness through infrastructure improvements impacting the quality of life**

## Project Details

<b>Location:</b>	<b>Trowbridge Drive (from Pershing Drive to approx. 50 lineal feet from Gateway 54)</b>
<b>District(s):</b>	<b>District 2</b>
<b>Total Budget:</b>	<b>\$ 1,005,050.00 (CDBG) \$439,198.90 (SaM Resurfacing)</b>
<b>Funding Source:</b>	<b>CDBG (Community Development Block Grant) SaM (Street and Maintenance Resurfacing Program)</b>

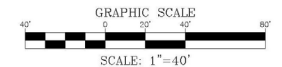
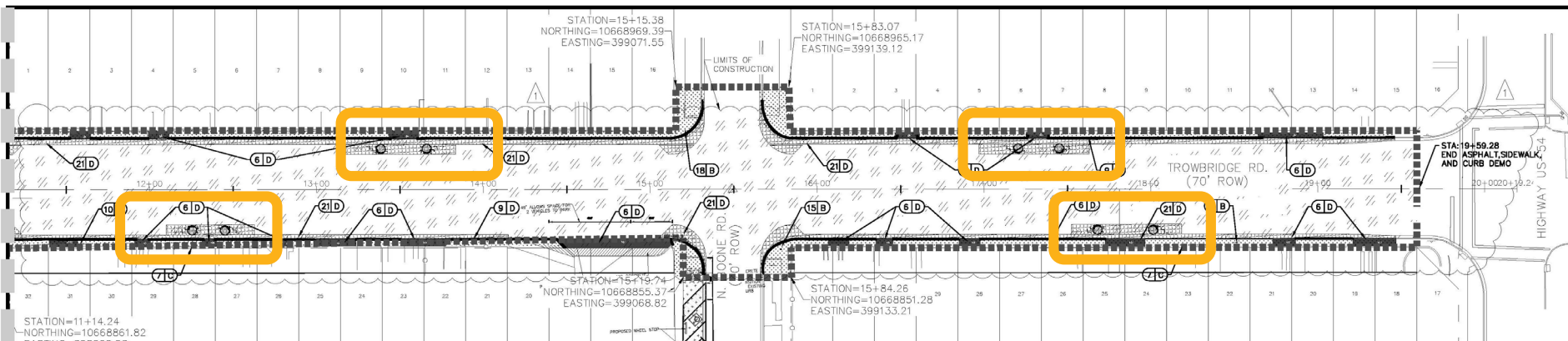
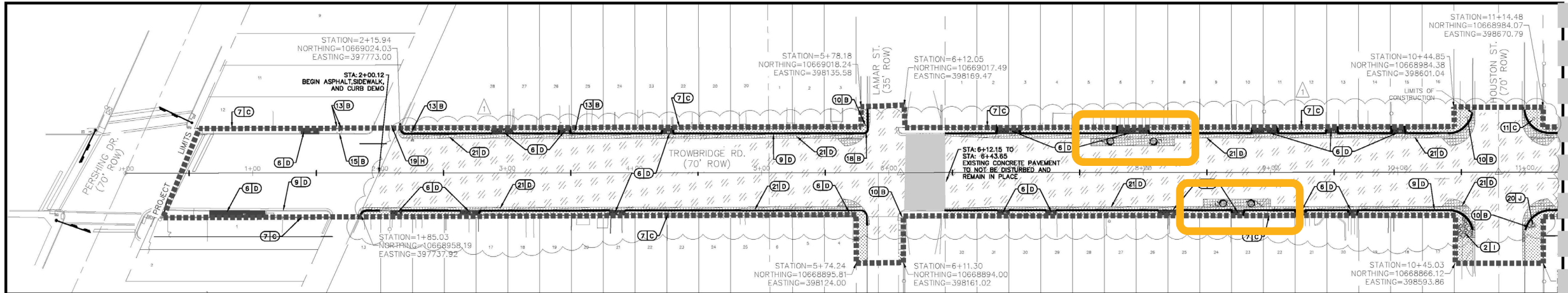


# Project Location



- Project Limits (Trowbridge Drive from Pershing to Gateway 54)

# Mid-block (bulb-outs) Scope of Work



## LEGEND

EXISTING CURB	_____
LOT LINE	_____
RIGHT-OF-WAY	_____
CENTERLINE OF RIGHT-OF-WAY	_____
OVERHEAD ELECTRIC LINE	_____
WATER LINE	_____

MATCH LINE SEE DEMO PLAN — B





## Mid-Block (bulb-outs) Scope of Work



# Recommended Actions



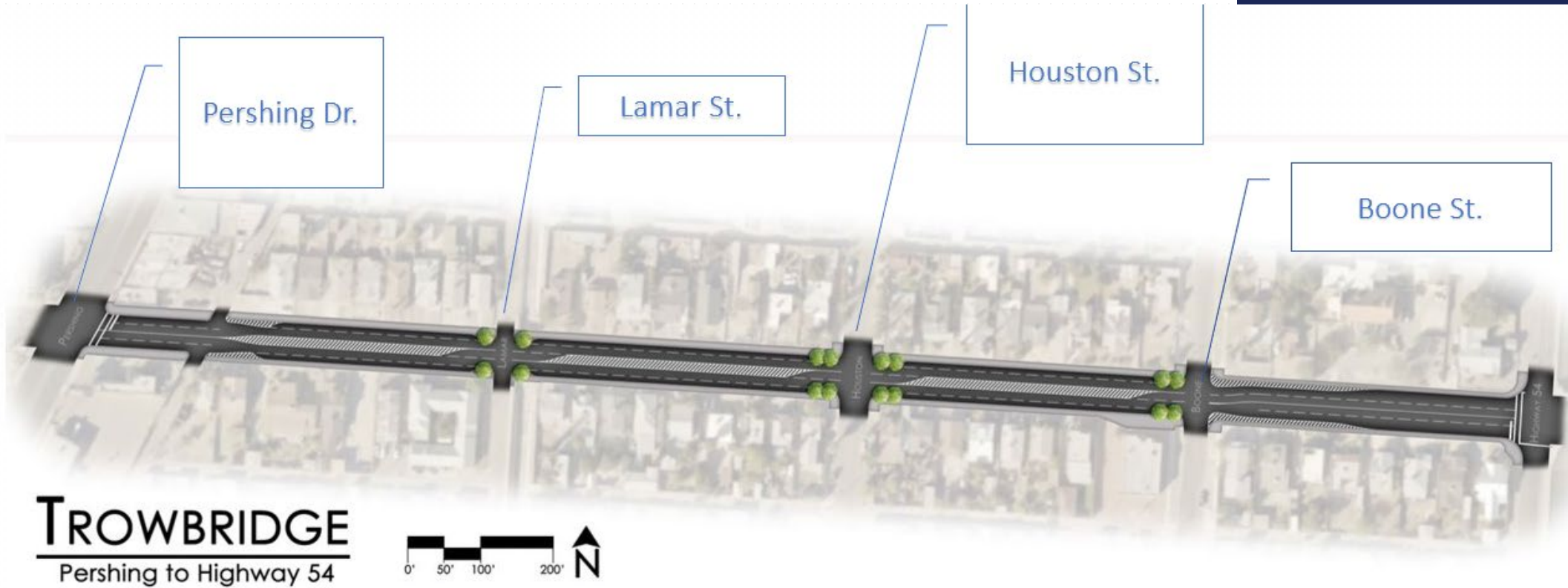
**For City Council to resolve that the City Engineer is authorized to sign a Change Order for the construction of the mid-blocks (bulb-outs) for the Trowbridge Drive Improvements Project in the amount of \$181,778.57 between the City of El Paso and J.A.R. Construction Inc.**

# Change Order Summary

- **City Council Awarded Contract Amount: \$ 891,196.90**
  - **Increase due to Approved Change Orders - \$21,102.42**
- **Cost of Constructing Mid-Blocks: \$ 181,778.57**
- **Revised Contract Amount: \$1,094,077.89**



# Original Scope of Work



# Original Scope of Work

## Base Bid I

- Demolition of existing curb & gutter, sidewalks, driveways, miscellaneous concrete, landscape and any type of decoration on parkways, wooden bollards and traffic signs
- Furnish and install 4 inches mountable curb all throughout on both sides of the street
- Installation of 4" reinforced sidewalks
- Installation of 24 ADA ramps
- Installation of Landscaped islands at the intersections of Lamar, Houston and Boone Street
- On street parking lane 8 feet wide
- Reduction of drive lanes from 4 to 3 between Lamar, Houston and Boone St.

## Base Bid II

- Milling and Resurfacing
- Striping including, driving lanes, bike lanes and signage

## Alternative 1

- Milling, resurfacing and striping remaining 150 LF from Alley to Pershing
- Furnish and Install Video Image Vehicle Detection System.
- Furnish and install remaining driveways and sidewalks and associated items



## Mission

Deliver exceptional services to support a high quality of life and place for our community

## Values

Integrity, **R**espect, **E**xcellence,  
**A**ccountability, **P**eople



## Vision

Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government

## Misión

Brindar servicios excepcionales para respaldar una vida y un lugar de alta calidad para nuestra comunidad

## Valores

Integridad, **R**espeto, **E**xcelencia,  
**R**esponsabilidad, **P**ersonas



## Visión

Desarrollar una economía regional vibrante, vecindarios seguros y hermosos y oportunidades recreativas, culturales y educativas excepcionales impulsadas por un gobierno de alto desempeño



El Paso, TX

300 N. Campbell  
El Paso, TX

Legislation Text

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**File #: 23-27, Version: 2**

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**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, Alexsandra Annello, (915) 212-0002

**AGENDA LANGUAGE:**

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

Marco A. Covarrubias to the Ethics Review Commission by Representative Alexsandra Annello, District 2.



# Board Appointment Form

Submitted On: Dec 7, 2022, 01:47PM MST

City Clerk

Appointing Office	Representative District 2
Type of Agenda	Consent
Date of Council Meeting	Tuesday, January 3, 2023
Agenda Posting Language	Appointment of Marco Covarrubias to the Ethics Review Commission by City Representative Alessandra Annello, District 2.
Name of Board/Committee/Commission	Ethics Review Commission
Appointment Type	Regular
List the nominee's qualifications to serve on this Board	Background in political science and education.
Nominated By	Representative Alessandra Annello
Nominee Name	Marco A. Covarrubias
Nominee Email Address	
Nominee Residential Address	
City / State / Zip Code	
Nominee Primary Phone Number	
Which District does the nominee reside in?	District 2
Does the proposed appointee have a relative working for the city?	NO
Has appointee been a member of other city boards / commissions / committees?	YES
If so, please provide names and dates.	Served with the Memorial Park Master Plan Steering Committee during Summer 2022.
List all real estate owned by appointee in El Paso County (by address, if none, enter 'N/A')	3209 Savannah Ave, El Paso, Texas 79930
Who was the last person to have held the position before it became vacant?	Adriano Perez
Incumbent Expiration Date	February 20, 2023
Reason person is no longer in office	Resigned
Date of Appointment	January 03, 2023
Term begins on	January 4, 2023
Expiration Date of New Appointee	February 20, 2023
Term	Unexpired Term
Upload File(s)	MarcoA._Covarrubias_Resume.pdf




2016-01 - 2018-04

Store Manager

One Stop Postal Shop, El Paso, TX

- Reviewed and monitored scheduling, purchases and other expenses to maintain quarterly budget.
- Maintained proper product levels and inventory controls for merchandise and organized backroom to facilitate effective ordering and stock rotation.
- Managed store employees successfully in fast-paced environment through proactive communication and positive feedback.
- Supervised guests at front counter, answering questions regarding products.



Education

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2019-08 - Current

Bachelor of Arts: Political Science And Government

The University of Texas At El Paso - El Paso, TX

2018-01 - 2019-07

Associate of Arts: Interdisciplinary Studies

El Paso Community College - El Paso, TX

2000-08 - 2003-05

High School Diploma

Montwood High School - El Paso, TX



Languages

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Spanish

# Marco A. Covarrubias



Organized and dependable candidate successful at managing multiple priorities with a positive attitude. Willingness to take on added responsibilities to meet team goals. To seek and maintain full-time position that offers professional challenges utilizing interpersonal skills, excellent time management and problem-solving skills.



## Skills

- Relationship building
- Public speaking



## Work History

2022-03 - Current

### Substitute Teacher

*EPISD, El Paso, TX*

- Upheld classroom routines to support student environments and maintain consistent schedules.
- Took over class for regular classroom teacher, managing assignments, student needs and recordkeeping.
- Followed classroom plans left by class teacher to continue student education and reinforce core concepts.
- Kept students on-task with proactive behavior modification and positive reinforcement strategies.

2019-11 - 2020-11

### Migrant Tutor

*EPISD, El Paso, TX*

- Conducted tutorial services for migrant students to provide academic support in their curriculum as needed.
- Primarily responsible for providing supplemental academic support and enrichment opportunities to ensure migrant students meet the same achievement standards that all students are expected to meet and graduate from high school.



Legislation Text

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**File #: 23-19, Version: 1**

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**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.*

That the tax refunds listed on the attachment posted with this agenda be approved. This action would allow us to comply with state law which requires approval by the legislative body of refunds of tax overpayments greater than \$2,500.00. (See Attachment C).

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

**AGENDA DATE:** January 3, 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.

That the tax refunds listed on the attachment posted with this agenda be approved. This action would allow us to comply with state law which requires approval by the legislative body of refunds of tax overpayments greater than \$2,500.00. (See Attachment A).

**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

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:** Maria O. Pasillas

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

TAX REFUNDS  
January 3, 2023

1. Linda Hendry, in the amount of \$4,733.35 made an overpayment on December 1, 2022 of 2022 taxes.  
(Geo. #C340-999-0830-3900)
2. Abraham Ibarra-Segura, in the amount of \$4,908.27 made an overpayment on September 9, 2022 of 2020 taxes.  
(Geo. #P682-999-0050-0500)
3. Prosperus Title & Escrow, in the amount of \$3,116.10 made an overpayment on December 12, 2022 of 2022 taxes.  
(Geo. #T240-999-0020-7000)

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Laura D. Prine  
City Clerk

  
\_\_\_\_\_  
Maria O. Pasillas, RTA  
Tax Assessor Collector



TAX OFFICE  
RECEIVED

DEC 07 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](mailto:taxforms@elpasotexas.gov)

LINDA HENDRY  
6008 EL PEDREGAL  
EL PASO, TX 79912

Geo No. C340-999-0830-3900	Prop ID 104975
Legal Description of the Property 83 CHAPARRAL PARK #19 LOT 20 (10572.01 SQ FT) 6008 EL PEDREGAL WAY 79912  OWNER: HENDRY LINDA	

2022 OVERAGE AMOUNT \$4,733.35

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.

<b>Step 1. Identify the refund recipient.</b> Show information for whomever will be receiving the refund.	Who should the refund be issued to:			
	Name: <u>LINDA HENDRY</u>			
	Address: <u>6008 EL Pedregal</u>			
	City, State, Zip: <u>EL PASO TX 79912</u>			
	Daytime Phone No: <u>(915) 241-6720</u>		E-Mail Address: <u>Lhendry@yahoo.com</u>	
<b>Step 2. Provide payment information.</b> Please attach copy of cancelled check, original receipt, online payment confirmation or bank/credit card statement.	Payment made by: <u>Echeck</u> Check No. <u>4717591</u> Date Paid <u>12/1/22</u> Amount Paid <u>\$4733.35</u>			
	<b>TOTAL AMOUNT PAID (sum of the above amounts)</b>			
<b>Step 3. Provide reason for this refund.</b> Please list any accounts and/or years that you intended to pay with this overage.	Please check one of the following:			
	<input type="checkbox"/> I paid this account in error and I am entitled to the refund.			
	<input checked="" type="checkbox"/> I overpaid this account. Please refund the excess to the address listed in Step 1.			
	<input type="checkbox"/> I want this payment applied to next year's taxes.			
	<input type="checkbox"/> This payment should have been applied to other tax account(s) and/or year(s), escrow (listed below):			
<b>Step 4. Sign the form.</b> 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) <u>Linda Hendry</u>		PRINTED NAME & DATE <u>LINDA HENDRY 12/3/2022</u>	
TAX OFFICE USE ONLY: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied By: <u>N.H</u> Date: <u>12-14-22</u>				



Notes

Go To :

LUZR  
ACT80122 v1.91

12/14/2022 17:15:46  
ACTEP

DEPOSIT Remittance Detail

## Summary Query

Summary

Deposit No.	Account No.	Remit Seq No.	Check No.	Payment Amount	Payment Agreement No.
EC120122	C34099908303900				

Check/Receipt Images	Deposit No.	Receipt Date	Remit Seq No.	Check No.	Payment Type	Payment Amount	Applied Amount	Transaction Type	Account No.	Payer
	EC120122	12/01/2022	51458056	CC004717591	EC	\$4,733.35	\$4,733.35	LG	C34099908303900	31700711-LINDA HENDR
	EC120122	12/01/2022	51458055	CC004717571	EC	\$4,733.35	\$4,733.35	PA	C34099908303900	31700710-LINDA HENDR
	RC221214	12/01/2022	51458056	CC004717591	EC	\$4,733.35	\$4,733.35	TR	C34099908303900	31774187-HENDRY LINDA
	RC221214	12/01/2022	51458056	CC004717591	EC	\$4,733.35	\$4,733.35	TR	C34099908303900	31700711-LINDA HENDR
	RC221214	12/01/2022	51458056	CC004717591	EC	\$4,733.35	\$4,733.35	TR	C34099908303900	31774187-HENDRY LINDA
	RC221214	12/01/2022	51458056	CC004717591	EC	\$4,733.35	\$4,733.35	TR	C34099908303900	HENDRY LINDA
	EC12032021	12/03/2021	48313348	CC003957069	EC	\$4,622.17	\$4,622.17	PA	C34099908303900	30218184-LINDA HENDR
	EC11302098	11/30/2020	45028317	CC003244493	EC	\$4,800.18	\$4,800.18	PA	C34099908303900	28828906-LINDA HENDR
*	X1206191001	12/06/2019	42150645	00203	CH	\$4,802.61	\$4,802.61	PA	C34099908303900	HENDRY LINDA
*	X1113181000	11/13/2018	38910798	00126	CH	\$4,400.48	\$4,400.48	PA	C34099908303900	HENDRY LINDA
	M17RE1800001	12/18/2017	36356004	171215192214	EF	232,569,225.62	\$4,171.58	PA	C34099908303900	800000-CORELOGIC
	M16800000001	12/21/2016	33448420	161219150695	EF	213,062,589.29	\$4,502.27	PA	C34099908303900	800000-CORELOGIC

Applied Total \$101,822.45



TAX OFFICE  
RECEIVED

DEC 16 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

ABRAHAM IBARRA SEGURA  
9626 E SANDPIPER DR  
BLAINE, MN 55434

<b>Geo No.</b> P682-999-0050-0500	<b>Prop ID</b> 305905
<b>Legal Description of the Property</b> 5 PENROSE LOT 3 8738 PLAINS DR	
OWNER: HEYDARIAN RUHIYYIH	
<b>2020 OVERAGE AMOUNT \$4,908.27</b>	

1: CITY OF EL PASO, 5: YSLETA 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.

<b>Step 1. Identify the refund recipient.</b> Show information for whomever will be receiving the refund.	<b>Who should the refund be issued to:</b>																			
	Name: <u>Abraham Ibarra-Segura</u> ✓																			
	Address: <u>9626 E Sandpiper Dr</u> ✓																			
	City, State, Zip: <u>Blaine MN 55434</u>																			
	Daytime Phone No.: <u>612-790-8073</u>		E-Mail Address: <u>abraham.ibarra@hotmail.com</u>																	
<b>Step 2. Provide payment information.</b> Please attach copy of cancelled check, original receipt, online payment confirmation or bank/credit card statement.	<table border="1"> <thead> <tr> <th>Payment made by:</th> <th>Check No.</th> <th>Date Paid</th> <th>Amount Paid</th> </tr> </thead> <tbody> <tr> <td><u>Online Payment</u></td> <td></td> <td><u>09-02-22</u></td> <td><u>\$4,908.27</u></td> </tr> <tr> <td><u>etc</u> ✓</td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="4"><b>TOTAL AMOUNT PAID (sum of the above amounts)</b></td> </tr> </tbody> </table>				Payment made by:	Check No.	Date Paid	Amount Paid	<u>Online Payment</u>		<u>09-02-22</u>	<u>\$4,908.27</u>	<u>etc</u> ✓				<b>TOTAL AMOUNT PAID (sum of the above amounts)</b>			
Payment made by:	Check No.	Date Paid	Amount Paid																	
<u>Online Payment</u>		<u>09-02-22</u>	<u>\$4,908.27</u>																	
<u>etc</u> ✓																				
<b>TOTAL AMOUNT PAID (sum of the above amounts)</b>																				
<b>Step 3. Provide reason for this refund.</b> Please list any accounts and/or years that you intended to pay with this overage.	<b>Please check one of the following:</b> <input checked="" type="checkbox"/> I paid this account in error and I am entitled to the refund. ✓ <input type="checkbox"/> I overpaid this account. Please refund the excess to the address listed in Step 1. <input type="checkbox"/> I want this payment applied to next year's taxes. <input type="checkbox"/> This payment should have been applied to other tax account(s) and/or year(s), escrow (listed below):																			
<b>Step 4. Sign the form.</b> 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) <u>[Signature]</u>		PRINTED NAME & DATE <u>Abraham Ibarra</u> <u>12-10-2022</u>																	
TAX OFFICE USE ONLY: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied By: <u>N.H.</u> Date: <u>12-16-22</u>																				



Notes

Go To:

LUZR  
ACT80122 v1.91**ACCOUNT NO (P68299900500500): VOIDED PAYMENT AGREEMENT #103081. BEGIN DATE:  
06/15/2021, END DATE: 11/15/2022, MONTHLY PAYMENT AMOUNT: \$406.58, YEARS:**12/16/2022 16:48:49  
ACTEP

DEPOSIT Remittance Detail

## Summary Query

Summary

Deposit No.	Account No.	Remit Seq No.	Check No.	Payment Amount	Payment Agreement No.
IP092322	P68299900500500				

Check/Receipt Images	Deposit No.	Receipt Date	Remit Seq No.	Check No.	Payment Type	Payment Amount	Applied Amount	Transaction Type	Account No.	Payer
	IP092322	09/22/2022	50952861	CC004598484	CR	\$460.08	\$4,908.27	PA	P68299900500500	31496302-ABRAHAM IBA
	R031022785	09/22/2022	50952861	CC004598484	CR	\$0.00	\$1,847.63	LG	P68299900500500	31496302-ABRAHAM IBA
	R031022785	09/22/2022	50952861	CC004598484	CR	\$460.08	\$460.08	TR	P68299900500500	31496302-ABRAHAM IBA
	R031022785	09/22/2022	50952861	CC004598484	CR	\$0.00	\$1,847.63	TR	P68299900500500	31496302-ABRAHAM IBA
	R031022785	09/22/2022	50952861	CC004598484	CR	\$0.00	\$460.08	LG	P68299900500500	31496302-ABRAHAM IBA
	R031022865	09/22/2022	50952861	CC004598484	CR	\$0.00	\$313.00	LG	P68299900500500	31496302-ABRAHAM IBA
	R031022865	09/22/2022	50952861	CC004598484	CR	\$0.00	\$1,624.56	LG	P68299900500500	31496302-ABRAHAM IBA
	R031022865	09/22/2022	50952861	CC004598484	CR	\$0.00	\$300.00	LG	P68299900500500	31496302-ABRAHAM IBA
	R031022865	09/22/2022	50952861	CC004598484	CR	\$0.00	\$300.00	TR	P68299900500500	31496302-ABRAHAM IBA
	R031022865	09/22/2022	50952861	CC004598484	CR	\$0.00	\$350.00	TR	P68299900500500	31496302-ABRAHAM IBA
	R031022865	09/22/2022	50952861	CC004598484	CR	\$0.00	\$1,624.56	TR	P68299900500500	31496302-ABRAHAM IBA
	R031022865	09/22/2022	50952861	CC004598484	CR	\$0.00	\$13.00	LG	P68299900500500	31496302-ABRAHAM IBA

Applied Total \$69,453.21

OP  
+2500

TAX OFFICE  
RECEIVED  
DEC 12 2022

THE CITY OF EL PASO CONSOLIDATED TAX OFFICE  
221 N. Kansas, Suite 300  
El Paso, Texas 79901  
Phone (915) 212-0106, Fax (915) 212-0108, Email: taxforms@elpasotexas.gov

### APPLICATION FOR TAX REFUND

The Consolidated Tax Office collects property taxes for all eligible property taxing entities within El Paso County.

APPLICANT MUST PROVIDE THE FOLLOWING INFORMATION:

Refund To:  Prosperus Title & Escrow		Phone: HOME: WORK: 915-792-6071		Property ID# (One application per account)  115419	
Address (mail refund to :)  1300 Airway Blvd Ste 108, EL Paso, Tx 79		Property Address: And/or Legal Description: 221 McCarthy Lot 24 Blk 2 Thomas Manor			
Tax year requested:	Date payment made:	Check No. & Date, if known:		Amount of taxes paid:	Amount of refund requested:
1. 2022	12/09/22	28944 12/09/22		\$3116.10	\$3116.10
2.					
3.					
TOTAL AMOUNT (sum of the above amounts)					

(City Council approval required if over \$2,500)

**REQUIRED:** Copy of original receipt, front & back of negotiated check, OR  
bank statement showing item cleared (both the bank & taxpayer name must appear)

REASON FOR OVERPAYMENT: Payment was sent over by mistake, lender will be sending payment and want to avoid

"I certify that information given to obtain this refund is true and correct."

Requestor signature:

Claudia Carrillo

Printed name:

Date: 12/12/2022

Escrow officer  
Assistant

Title:

Any person knowingly submitting false entries is subject to: (1) Imprisonment of 2 to 10 years, or \$5,000 fine, or both.  
(2) Imprisonment up to one year, or fine not over \$2,000, or both. (Sec 37.10 Penal Code) An application for a refund must be made within 3 years after  
the date of the payment or the taxpayer waives the right to the refund (Sec 31.11 (c)).

TAX OFFICE Entry:

(☒) REFUND APPROVED

Tax Office Approval:

Maria O. Paredas

Date: 12/13/22

JMC 12/13/22

Date:

(Placed on City Council Agenda over \$2,500)

- ( ) DISAPPROVED ( ) Returned to sender ( ) See below/attached
- ( ) Required documentation (Tax receipt, Canceled Check, Bank Statement, or Other) not submitted.
- ( ) Record of overpayment not found on this property.
- ( ) Property not found as identified, resubmit after correction.
- ( ) Other: \_\_\_\_\_



Notes

Go To:

LUZR  
ACT80122 v1.91

ACCOUNT NO (T24099900207000): PAID AGREEMENT #28330 ACCOUNT: T24099900207000.  
BEGIN DATE: 07/22/2007, END DATE: 06/22/2008, MONTHLY PAYMENT AMOUNT: \$155.98 .

12/14/2022 17:21:24  
ACTEP

DEPOSIT Remittance Detail

## Summary Query

Summary

Deposit No.	Account No.	Remit Seq No.	Check No.	Payment Amount	Payment Agreement No.
A12122201	T24099900207000				

Check/Receipt Images	Deposit No.	Receipt Date	Remit Seq No.	Check No.	Payment Type	Payment Amount	Applied Amount	Transaction Type	Account No.	Payer
	A12122201	12/12/2022	51563643	28944	CH	\$3,116.10	\$3,116.10	PA	T24099900207000	27571424-PROSPERUS
	R031222867	12/12/2022	51563643	28944	CH	\$0.00	\$3,116.10	TR	T24099900207000	27571424-PROSPERUS
	R031222867	12/12/2022	51563643	28944	CH	\$0.00	\$3,116.10	TR	T24099900207000	27571424-PROSPERUS
	M21800000001	12/20/2021	48571144	RG2112172054	EF	274,189,766.61	\$2,635.01	PA	T24099900207000	800000-CORELOGIC
	M20800000001	12/15/2020	45278757	201214123540	EF	241,485,823.54	\$2,146.43	PA	T24099900207000	800000-CORELOGIC
	M19800000001	12/16/2019	42270898	191213175283	EF	220,479,351.04	\$2,085.69	PA	T24099900207000	800000-CORELOGIC
	M18800000001	12/14/2018	39295991	181213099087	EF	198,523,744.87	\$2,093.83	PA	T24099900207000	800000-CORELOGIC
	M17RE1800001	12/18/2017	36356004	171215192214	EF	232,569,225.62	\$2,131.08	PA	T24099900207000	800000-CORELOGIC
	M16800000001	12/21/2016	33448420	161219150695	EF	213,062,589.29	\$2,094.76	PA	T24099900207000	800000-CORELOGIC
	M15800000001	12/31/2015	30589755	151231121119	EF	199,122,808.45	\$1,985.25	PA	T24099900207000	800000-CORELOGIC
	M14800000001	12/24/2014	27452431	141224101136	EF	200,035,948.32	\$1,998.21	PA	T24099900207000	800000-CORELOGIC
	M13800000001	12/30/2013	24637732	62075007	CH	133,990,884.95	\$1,962.57	PA	T24099900207000	800000-CORELOGIC

Applied Total \$44,117.27



El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #: 23-04, Version: 1**

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### **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 Joe Molinar, (915) 212-0004

#### **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 contribution by Representative Joe Molinar in the amount of \$1,000.00 from JP & Mary Jon Bryan.



Legislation Text

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**File #: 23-34, 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**

Purchasing and Strategic Sourcing, K. Nicole Cote (915) 212-1092

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

**AGENDA LANGUAGE:**

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

The linkage to the Strategic Plan is subsection: 2.3 - Increase public safety operational efficiency.

**Award Summary:**

Request that the City Manager be authorized to sign a Professional Service Agreement for Psychological Examination and Services No. 2022-0545R for the Fire Department by and between the City of El Paso and Integrity Employee Assistance, Inc., dba WellConnect, a Texas Corporation for a term of 36 months from the effective date of the Agreement and an option to extend for an additional 24 months, which may be exercised by the City Manager administratively, to be compensated on a per examination basis, for an estimated contract amount of \$99,225.00 for the initial term and an estimated additional \$66,150.00 if the option to extend is exercised.

**Contract Variance:**

The difference based in comparison to the previous contract is as follows: An increase of \$24,225.00 for the initial term, which represents a 32.30% increase due to additional services required under this contract.

Department:	Fire
Vendor:	Integrity Employee Assistance, Inc., dba WellConnect El Paso, TX
Item(s):	All
Initial Term:	3 Years
Option to Extend:	One (1), two (2) years
Annual Estimated Award:	\$33,075.00
Initial Term Estimated Award:	\$99,225.00 (3 years)
Total Estimated Award:	\$165,375.00 (5 years)

---

**File #: 23-34, Version: 2**

---

Account No:	322 - 521120 - 1000 - 22010 - P2202
Funding Source:	General Funds
District(s):	All

This is a Request for Qualifications, requirements contract.

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

**AGENDA DATE:** January 3, 2023

**PUBLIC HEARING DATE:** NA

**CONTACT PERSON(S) NAME AND PHONE NUMBER:**

Jonathan P. Killings, Fire Chief, (915) 493-5609  
K. Nicole Cote, Managing Director, Purchasing and Strategic Sourcing, (915) 212-1092

**DISTRICT(S) AFFECTED:** All

**STRATEGIC GOAL:** 2 – Set the Standard for a Safe and Secure City

**SUBGOAL:** 2.3 – Increase public safety operational efficiency.

**SUBJECT:**

Request that the City Manager be authorized to sign a Professional Service Agreement for Psychological Examination and Services No. 2022-0545R for the Fire Department by and between the City of El Paso and Integrity Employee Assistance, Inc., dba WellConnect, a Texas Corporation for a term of 36 months from the effective date of the Agreement and an option to extend for an additional 24 months, which may be exercised by the City Manager administratively, to be compensated on a per examination basis, for an estimated contract amount of \$99,225.00 for the initial term and an estimated additional \$66,150.00 if the option to extend is exercised.

**BACKGROUND / DISCUSSION:**

This contract is to provide psychological examinations to be conducted on all candidates offered a conditional job offer for Fire Communications personnel, individuals being considered for reinstatement, pre-employment examinations, new licensing requirement psychological exam and fitness for duty examination for Fire Communications personnel (as applicable).

**SELECTION SUMMARY:**

Solicitation was advertised on March 15, 2022 and March 22, 2022. The solicitation was posted on City website on March 22, 2022. There were a total of twenty-six (26) viewers online; three (3) proposals were received; two (2) being local vendors.

**CONTRACT VARIANCE:**

The difference based in comparison to the previous contract is as follows: An increase of \$24,225.00 for the initial term, which represents a 32.30% increase due to additional services required under this contract.

**PROTEST**

No protest received for this requirement.

**PRIOR COUNCIL ACTION:**

NA

**AMOUNT AND SOURCE OF FUNDING:**

Amount: \$99,225.00

Funding Source: 322 – 521120 – 1000 – 22010 – P2202

Account: General Funds

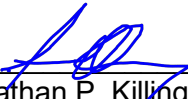
HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?   X   YES        NO

PRIMARY DEPARTMENT: Fire  
SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

---

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

DEPARTMENT HEAD:

  
\_\_\_\_\_  
Fire Chief Jonathan P. Killings, El Paso Fire Department



**COUNCIL PROJECT FORM  
(RFQ)**

\*\*\*\*\***POSTING LANGUAGE BELOW**\*\*\*\*\*

Please place the following item on the **CONSENT** agenda for the Council Meeting of January 3, 2023.

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

The linkage to the Strategic Plan is subsection: 2.3 – Increase public safety operational efficiency.

**Award Summary:**

Request that the City Manager be authorized to sign a Professional Service Agreement for Psychological Examination and Services No. 2022-0545R for the Fire Department by and between the City of El Paso and Integrity Employee Assistance, Inc., dba WellConnect, a Texas Corporation for a term of 36 months from the effective date of the Agreement and an option to extend for an additional 24 months, which may be exercised by the City Manager administratively, to be compensated on a per examination basis, for an estimated contract amount of \$99,225.00 for the initial term and an estimated additional \$66,150.00 if the option to extend is exercised.

**Contract Variance:**

The difference based in comparison to the previous contract is as follows: An increase of \$24,225.00 for the initial term, which represents a 32.30% increase due to additional services required under this contract.

Department:	Fire
Vendor:	Integrity Employee Assistance, Inc., dba WellConnect El Paso, TX
Item(s):	All
Initial Term:	3 Years
Option to Extend:	One (1), two (2) years
Annual Estimated Award:	\$33,075.00
Initial Term Estimated Award:	\$99,225.00 (3 years)
Total Estimated Award:	\$165,375.00 (5 years)
Account No.:	322 – 521120 – 1000 – 22010 – P2202
Funding Source:	General Funds
District(s):	All

This is a Request for Qualifications, requirements contract.

The Purchasing & Strategic Sourcing and Fire Departments recommend award as indicated to Integrity Employee Assistance, Inc., dba WellConnect, the highest ranked proposer for this procurement. In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

			Committee Scoresheet	
CITY OF EL PASO RFQ SCORESHEET				
PROJECT: 2022-0545R Psychological Examinations and Services				
Evaluation of Submittal				
		Integrity Employee Assistance DBA WellConnect	RX Psychological Services	ValoriHR LLC
	MAX POINTS			
Factor A - Staff Experience & Qualifications				
	30	30.00	28.75	28.50
Factor B - Scope of Services				
	20	20.00	20.00	18.75
Factor C - Number of psychologists available to perform examinations				
	15	15.00	15.00	15.00
Factor D - Location and availability of facilities				
	10	1.00	1.00	6.00
Factor E – Experience – Comparable Contracts				
	15	15.00	13.75	0.00
Factor F – References				
	10	10.00	3.33	0.00
TOTAL SCORE	100	91.00	81.83	68.25
Rank		1	2	3



**CITY OF EL PASO**  
**REQUEST FOR QUALIFICATIONS TABULATION FORM**



**Bid Opening Date: April 13, 2022**

**Solicitation #: 2022-0545R**

**Project Name: Psychological Examinations and Services**

**Department: Fire**

<b>BIDDER'S NAME:</b>	<b>LOCATION:</b>	<b>AMENDMENT(S) ACKNOWLEDGED:</b>
Herminia R. Holguin DBA ValoriHR, LLC	El Paso, TX	N/A
Integrity Employee Assistance DBA WellConnect	El Paso, TX	N/A
RX Psychological Services, LLC	McQueeny, TX	N/A
<b>RFQs SOLICITED: 22    LOCAL RFQs SOLICITED: 20    RFQs RECEIVED: 3    LOCAL RFQs RECEIVED: 2    NO RFQs: 0</b>		

**NOTE: The information contained in this RFQ tabulation is for information only and does not constitute actual award/execution of contract.**

Approved: \_\_\_\_\_/s/\_\_\_\_\_

Date: 4/25/2022

2022-0545R Psychological Examinations and Services

**2022-0545R Psychological Examinations and Services**

**Robert Rankin  
230 Thunderbird Dr  
El Paso, TX 79912**

**Dr. Jennifer Darakjy  
Po Box 651  
McQueeney, TX 78123**

**Dr. Marc A Caplan  
637 N Alameda Blvd  
Las Cruces, NM 88005**

**Dr. Ingrid Chowdhury  
6006 N Mesa Suite 404  
El Paso TX 79912**

**Family Services Of El Paso  
6040 Surety Dr.  
El Paso, TX 79905**

**Dr. Elizabeth L Richeson  
600 Sunland Park Drive Bldg  
6 Suite 100  
El Paso, TX 79912**

**Academy Of Behavioral  
Medicine & Health  
Psychology  
230 Thunderbird Drive  
El Paso, TX 79912**

**Allberg Walter  
1605 Beech Street  
El Paso, TX 79925**

**Center For Health  
Psychology  
10450 Brian Mooney Ave.  
El Paso TX 79935**

**Daniv Alexander  
2030 Gateway Boulevard  
North  
El Paso TX 79903**

**Dr. Deborah M. Ontiveros  
Well-Connect  
1600 N. Lee Trevino Dr.  
El Paso, TX. 79936**

**Feldman Garry L Phd  
1733 Curie Drive Suite 204  
El Paso TX 79902**

**Fernandez Peter Phd  
1700 Murchison Drive  
El Paso TX 79902**

**Dr. Richard B Patterson  
1605 Beech St. #B  
El Paso, TX 79925**

**Dr. Laura Weeks  
5571 Shiley St.  
El Paso, TX 79906**

**Dr. Michael Hand  
600 Sunland Park  
El Paso, TX. 79912**

**Dr. Deborah M. Ontiveros  
Well-Connect  
1600 N. Lee Trevino Dr.  
El Paso, TX 79936**

**Pinnacle Social Services  
Att: Lucia Gadney, Lpc  
Joe David Collins, Lpc  
1418 Montana  
El Paso, TX 79902**

**Dr. James W. Schutte  
5959 Gateway West #470  
El Paso, TX 79925**

**Kaim Boris, Md  
2311 N. Mesa Bld F  
El Paso, TX 79902**

**Peter Fernandez  
1700 Murchison Dr.  
El Paso, TX 79902**

**Robert Rankin  
230 Thunderbird Dr  
El Paso, TX 79912**

## RESOLUTION

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

That the City Manager be authorized to sign a Professional Service Agreement for Psychological Examination and Services No. 2022-0545R for the Fire Department by and between the City of El Paso and Integrity Employee Assistance, Inc., dba WellConnect, a Texas Corporation for a term of 36 months from the effective date of the Agreement and an option to extend for an additional 24 months, which may be exercised by the City Manager administratively, to be compensated on a per examination basis, for an estimated contract amount of \$99,225.00 for the initial term and an estimated additional \$66,150.00 if the option to extend is exercised.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_.

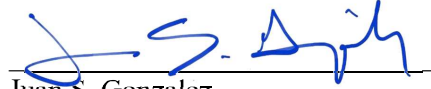
### CITY OF EL PASO:

\_\_\_\_\_  
Oscar Leeser, Mayor

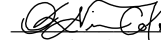
### ATTEST:

\_\_\_\_\_  
Laura D. Prine, City Clerk


### APPROVED AS TO FORM:

  
\_\_\_\_\_  
Juan S. Gonzalez  
Senior Assistant City Attorney

### APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
K. Nicole Cote, Managing Director  
Purchasing & Strategic Sourcing

### APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Jonathan P. Killings, Fire Chief  
Fire Department

STATE OF TEXAS )  
)  
)  
COUNTY OF EL PASO )

**PROFESSIONAL SERVICE AGREEMENT  
FOR PSYCHOLOGICAL EXAMINATION  
SERVICES FOR THE FIRE  
DEPARTMENT**

This psychological examination services agreement (this "**Agreement**") is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ (the "**Effective Date**") by and between the City of El Paso, a home rule municipal corporation (the "**City**"), and Integrity Employee Assistance, Inc., dba WellConnect, a Texas Corporation, (the "**Company**" or "**Contractor**").

**RECITALS**

**WHEREAS**, the City desires to engage the Company to provide professional psychological examination services in accordance with all applicable laws and procedures; and

**WHEREAS**, psychological examination services are considered as professional services pursuant to Chapter 2254 of the Texas Government Code;

**WHEREAS**, the City selected Company to provide the professional services on the basis of Company's demonstrated competence and qualifications to perform the services for a fair and reasonable price through request for qualifications No. 2022-0545R.

**WHEREAS**, Company is willing and able to perform said psychological examination services for the Fire department; and

**IN CONSIDERATION** of the mutual promises set forth in this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

**AGREEMENT**

**SECTION I. TERM.** The effective date of this Agreement is \_\_\_\_\_, 20\_\_\_\_ and will remain in effect thereafter for 36 months from the effective date of this Agreement. The term has an option to extend for an additional 24 months pursuant the same terms and conditions, which may be extended by the City Manager.

**SECTION II. SCOPE OF SERVICES.** The Company hereby agrees to perform the psychological examination services in accordance with the scope of work and attached herein as **Exhibit A** and incorporated herein by reference on an as needed basis. The scope of services shall be referred to collectively as "**Services**." The Services shall include, but are not limited to, pre-employment, reinstatement psychological exams and new relicensing requirement psychological exams for the Fire department.

All services shall be performed with reasonable care, skill, and diligence as would be practiced by the medical and scientific community within the County of El Paso, Texas. The Services shall be conducted by a state licensed doctoral level psychologist or psychiatrist.



**SECTION III. COMPLETION OF SERVICES.** The Service Provider understands that time is of the essence in completing the Services. Results of the psychological examination shall be reported to the Departmental Human Resources Manager, within two (2) business days upon completion of the examination date and shall not be disclosed to the examinee at the time of examination. Provider expressly understands and agrees that all results from the tests to be performed by the Provider under the terms and conditions of this contract shall at all times remain strictly confidential.

**SECTION IV. NON-EXCLUSIVE AGREEMENT.** This Agreement is non-exclusive. The City shall be entitled to enter into other agreements for the Services with other properly selected individuals or businesses that qualify to provide the Services.

**SECTION V. PRE-REQUISITE TO AGREEMENT.** The Service Provider shall comply with applicable state and local licenses, certifications, and other qualification requirements as a prerequisite to entering into this Agreement.

**SECTION VI. LOCATION OF PERFORMANCE.** The Company shall perform the Services in the City and County of El Paso, Texas or such other place(s) as may be necessary to fulfill the terms of this Agreement.

**SECTION VII. REPRESENTATIONS OF THE COMPANY.** The Company represents, warrants, and agrees as follows:

- A. It will comply with all applicable federal, state and local governmental laws, rules, regulations and all provisions of the City of El Paso Charter and the El Paso City Code, now existing or as may be amended, in the performance of its duties under this Agreement.
- B. It shall obtain and pay for all licenses, permits and certificates required by any applicable statute, ordinance, rule or regulation of any regulatory body having jurisdiction over the conduct of its operations hereunder. The Company warrants that it is duly authorized and licensed to perform its duties hereunder in each jurisdiction in which it will act. It further warrants that its employees, agents and subcontractors shall maintain all required profession licenses during the term of this Agreement. If the Company receives notice from a licensing authority of a suspension or revocation of a license of the Company's employee(s), agent(s) or subcontractor(s), the Company shall immediately remove such employee, agent or subcontractor from performing any further services under this Agreement until such license is reinstated and in good standing. If the Company fails to maintain such licenses or fails to remove any employee, agent or subcontractor who performs services under this Agreement whose license has expired or been revoked or suspended, the City shall be entitled, in its sole discretion, to immediately terminate this Agreement upon written notice to the Company.
- C. It warrants that no person or selling agency has been employed or retained to solicit or secure this Agreement upon an agreement or understanding for commission, percentage, brokerage, or contingent fee excepting bona fide employees of bona

from the established commercial or selling agencies maintained by the Company for the purpose of securing business. For breach or violation of this warranty, the City shall have the right in addition to any other right or rights to cancel this Agreement without liability and to deduct from the Agreement price, or otherwise recover the full amount of such commission, percentage, brokerage or contingent fee.

**SECTION VIII. COMPENSATION AND METHOD OF PAYMENT.** The City shall pay the Service Provider for each psychological examination at the rates set forth in the *Proposal Cost* attached hereto as **Exhibit B**. The Service Provider services shall be limited to those services delineated in the Section III of this Agreement.

It is understood and agreed that the City shall not be liable for any costs that exceed the amount of this Agreement without the prior written approval of the City Manager and compliance with applicable competitive bidding laws and City policies. Said approval must be obtained prior to the Service Provider commencing the services that will result in the cost overrun.

The parties acknowledge and agree that the award of this Agreement is dependent upon the availability of funding. In the event that funds do not become available, the Agreement may be terminated, with a 30-day written notice to the Service Provider by the City. In such an event, the City shall incur no penalty or charge.

The Service Provider shall submit a monthly invoice to the Fire Human Resources Division for each month in which Services are performed pursuant to this Agreement. Invoices shall not be submitted more frequently than once per month. All invoices, including late fee interest, shall be paid in accordance to Texas Government Code Chapter 2251. Applicants and employees in receipt of the Services shall not be invoiced for the Services.

**SECTION IX. INDEPENDENT CONTRACTOR RELATIONSHIP.** Nothing herein shall be construed as creating a relationship of employer and employee between the parties hereto. The Service Provider agrees to be responsible for its own acts and omissions and those of its subordinates and employees in the performance of any material services under this Agreement. The Service Provider is an independent Service Provider and nothing contained herein shall constitute or designate the Service Provider or any of his employees as employees of the City. Neither the Service Provider nor his employees shall be entitled to any of the benefits established for City employees, nor be covered by the City's Workers' Compensation Program.

**SECTION X. MEDICAL RECORDS AND CONFIDENTIALITY OF RECORDS** The Service Provider recognizes that all information and materials received in connection with this Agreement shall be kept in the strictest confidence. All examination records shall be City property for the life of this Agreement. The Service Provider shall keep the records for the life of this Agreement and shall follow the regulations according to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and all subsequent amendments. The Service Provider shall follow the Business Associate Agreement which attached hereto and incorporated to this Agreement through **Exhibit C**. Upon termination of this Agreement all records shall be transferred to the City within ten (10) business days of termination at the City's sole expense of such transfer.



**SECTION XI. INSPECTIONS & AUDITS.** The City shall have the right to perform, or cause to be performed: (1) audits of the books and records of the Company; and (2) inspections of all places where work is undertaken in connection with this Agreement. The Company shall be required to keep such books and records available for such purpose for at least five (5) years after its performance under this Agreement ceases. Nothing in this provision shall affect the time for bringing a cause of action nor the applicable statute of limitations.

**SECTION XII. OWNERSHIP.** All files and documents generated by Company as a result of its activity under this Agreement shall remain at all times the property of the City.

**SECTION XIII. INSURANCE REQUIREMENTS.** With no intent to limit the Company's liability or the indemnification provisions set forth hereinafter, the Company shall provide and maintain the following insurance in full force and effect at all times during the term of this Agreement and any extensions thereto. The City shall be provided with certificates of insurance evidencing the required insurance prior to the Effective Date of this Agreement and thereafter with certificates evidencing renewal or replacement of said policies of insurance at least fifteen (15) days prior to the expiration or cancellation of any such policies.

**A. INSURANCES**

**1. Worker's Compensation.** A third-party policy of Workers' Compensation insurance coverage providing Statutory Benefits according to the Workers Compensation Act of the State of Texas and/or any other state or federal law as may be applicable to the work and shall cover all of the persons engaged in the work.

**2. Commercial Liability, Property Damage Liability and Vehicle Liability Insurance.** The Company shall procure and shall maintain during the life of this Agreement such Commercial General Liability, Property Damage Liability and Vehicle Liability Insurance as shall protect the Company and the Company's employees performing work covered by this Agreement from claims for damages for personal injury, including accidental death, as well as from claims for property damages, which may arise from services performed under this Agreement, whether such services be performed by the Company or by anyone directly employed by the Company. The minimum limits of liability and coverage shall be as follows:

a) **Commercial General Liability**

**Personal Injury or Death**

\$1,000,000 for each person

\$1,000,000 in the aggregate

**Property Damage**

\$1,000,000 for each occurrence

\$1,000,000 in the aggregate

b) **Vehicle Liability**

**Combined Single Limit**

\$1,000,000 per accident

**B. ERRORS AND OMISSIONS LIABILITY INSURANCE.** The Company shall procure and maintain, at the Company's sole expense, Professional Liability Insurance (Such as errors and omissions insurance) for the benefit of the City to cover the errors and omissions of the Company, its principals or officers, agents or employees in the performance of this Agreement with a limit of ONE MILLION AND 00/100 DOLLARS (\$1,000,000) on a claims made basis.

**C. FORM OF POLICIES.** The insurance required herein may be in one or more policies of insurance, the form of which must be approved by the City's Risk Manager.

**D. ISSUERS OF POLICIES.** 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. Each issuer shall be subject to approval by the City's Risk Manager in his sole discretion as to conformance with these requirements.

**E. INSURED PARTIES.** Each policy, except those for Workers' Compensation and Employer's Liability, must name the City of El Paso (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.

**F. MATERIAL CHANGE IN POLICY(IES).** Prior to any material change in any policy required herein, the City will be given sixty (60) days advance written notice by registered mail. Further, the City will be immediately notified of any reduction or possible reduction in aggregate limits of any such policy where such reduction, when added to any previous reductions, would exceed twenty-five percent (25%) of the aggregate limits.

**H. CANCELLATION.** Each policy must expressly state that it may not be canceled or non-renewed unless sixty (60) days advance notice of cancellation or intent not to renew is given in writing to the City's Purchasing Director by the insurance company. The Company shall also give written notice to the City's Purchasing Director within fifteen (15) days of the date upon which total claims by any party against the Company reduce the aggregate amount of coverage below the amounts required by this Agreement.

**I. DELIVERY OF POLICIES.** The originals of all policies referred to above, or copies thereof certified by the agent or attorney-in-fact issuing them together with written proof that the premiums have been paid, shall be deposited by the Company with the City's Purchasing Director prior to beginning work under this Agreement, and thereafter before the beginning of each subsequent year of the term of this Agreement. Notices and Certificates required by this clause shall be provided to:

City of El Paso  
Purchasing and Strategic Sourcing Department  
Attn: Purchasing Director  
300 N. Campbell  
El Paso, Texas 79901

Notwithstanding the termination notice provisions in this Agreement, the failure of the Company to provide the City's Purchasing Director with the above proof of insurance prior to beginning work and



thereafter prior to the beginning of each year of the term of this Agreement, shall constitute a default on the part of the Company entitling the City, upon three (3) days written notice to the Company to terminate this Agreement. This default provision shall also apply to the proof of insurance requirements under circumstances where a policy is canceled or expires during a given year of the Agreement. Notwithstanding the proof of insurance requirements set forth above, it is the intention of the parties hereto that the Company, throughout the term of this Agreement, continuously and without interruption, maintain in force the required insurance coverage set forth above. Failure of the Company to comply with this requirement shall constitute a default of the Company allowing the City, at its option, to terminate this Agreement as referenced above.

**SECTION XV. INDEMNIFICATION.** The Company or its insurer shall indemnify, hold harmless, and defend the City, its elected officials, agents, employees, officers, directors and representatives of the City, individually or collective, from and against any and all costs, claims, liens, damages, losses, expenses, fees, fines, penalties, proceedings, actions, demands, causes of action, liability and suits of any kind and nature, including but not limited to, personal injury or death of property damage, made upon the City directly arising out of, resulting from or related to the Company's activities under this Agreement for Third Party Claims Administration and Medical Cost Containment, including any act or omission by the Company, its agents, employees or subcontractors while in the exercise of performance of the rights or duties under this Agreement, all, without however, waiving and governmental immunity available to the City. The provisions of this indemnification are solely for the benefit of the parties hereto and not intended to create or grant any rights, contractual or otherwise, to any person or entity. 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 Company every demand, notice, summons or other process received by the City in any claim or legal proceeding contemplated herein. In addition, the Company shall promptly advise the City in writing of any claim or demand against the City or the Company known to the Company related to or arising out of the Company's activities under this Agreement. The Company 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 Company 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 Company will pay all judgments finally establishing liability of the City in actions defended by the Company 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 Company, 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 without relieving Company of any of its obligations under this paragraph. The City will not be responsible for any loss of or damage to the Company's property from any cause.

**SECTION XIV. TERMINATION OF AGREEMENT.** This Agreement may be terminated under any one of the following circumstances:

**A. TERMINATION FOR CONVENIENCE:** This Agreement may be terminated by City for convenience upon written notice, provided such notice specifies an effective date for cancellation of

not less than thirty (30) calendar days from the date such notice is received. It is also understood and agreed that upon such notice of termination, the Company shall cease all services under this Agreement. Upon such termination, the Company shall provide a final invoice for all work completed prior to the City's notice of termination. The City shall compensate the Company in accordance with this Agreement; however, the City may withhold any payment to the Company for the purpose of set off until such time as the exact amount of damages due the City from the Company is determined. Nothing contained herein, or elsewhere in this Agreement, shall require the City to pay for any work which is unsatisfactory, incomplete or not in compliance with the terms of this Agreement and its attachments.

**B. TERMINATION FOR DEFAULT:** It is further understood and agreed by the Company and the City that either party may terminate this Agreement for cause. Such a 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 shall be made, unless the other party being terminated is granted: a) written notice of intent to terminate after thirty (30) consecutive calendar days, enumerating the failures for which the termination is being sought; b) a minimum of fifteen (15) consecutive calendar days to cure such failures; and c) an opportunity for consultation with the terminating party prior to such termination.

However, the City retains the right to immediately terminate this Agreement for default if the Company fails to maintain its licenses, certifications and other standards required to be a qualified Company pursuant and the laws of the State of Texas or violates any local, state or federal laws. In the event of termination by the City pursuant to this subsection, the City may withhold payments to the Company for the purpose of set off until such time as the exact amount of damages due the City from the Company is determined.

## **SECTION XV. GENERAL PROVISIONS.**

**A. TIME IS OF THE ESSENCE.** The Company understands and agrees that time is of the essence for all services and deliverables requested herein and that all tasks of this Agreement are to be completed as expeditiously as possible.

**B. ADVERTISING.** Neither party will advertise or publish, without the other party's consent, the fact that the City has entered into this contract, except to comply with proper requests for information from an authorized representative of the federal, state, or local government.

**C. SUCCESSOR AND ASSIGNS.** The Company shall not assign or attempt to convey an interest in this Agreement without the prior written consent of the City. This Agreement shall be terminable, at the discretion of the City, without notice to the Company if the Company shall attempt to assign without prior written consent.

**D. VENUE.** For purpose of determining place of Agreement and the law governing the same, this Agreement is entered into in the City and County of El Paso, the State of Texas, and shall be governed by the laws of the State of Texas. Venue shall be in the County of El Paso, Texas.



**E. LEGAL CONSTRUCTION.** Every provision of this Agreement is severable, and 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 this Agreement. Where the context of the Agreement require, the singular shall include the plural and the masculine gender shall include feminine. Any reference to the City Manager in this Agreement shall mean the City Manager of the City of El Paso or his designee.

**F. COMPLIANCE WITH LAW.** The Company shall comply with all Federal, State and local laws and ordinances applicable to the work contemplated herein.

**G. NOTICE.** Any notice, demand, request, consent or approval that either party may or is required to provide to the other party be in writing and either personally delivered or sent via certified mail, return receipt requested, postage prepaid, to the following addresses:

CITY: City of El Paso  
Attn: City Manager  
P.O. Box 1890  
El Paso, Texas 79950-1890

With Copy to: City of El Paso  
Fire Chief  
416 N. Stanton St. #200  
El Paso, TX 79901

COMPANY: Integrity Employee Assistance, Inc., dba WellConnect  
Attn: Deborah Ontiveros  
1600 Lee Trevino Ste C-7  
El Paso, Texas 79936

Changes may be made to the names and addresses noted herein through timely written notice to the other party.

**H. FORCE MAJEURE.** The Company shall not be responsible or liable for any loss, damages or delay caused by force majeure which is beyond the control of the parties to this Agreement, including but not limited to riot, insurrection, embargo, fire or explosion, the elements, acts of nature, epidemic, war, earthquake, flood or the official act of any government.

**I. COMPLETE AGREEMENT.** This Agreement constitutes and expresses the entire agreement between the parties hereto in reference to the services described in this Agreement for the City, and in reference to any of the matters or things herein provided for, or hereinbefore discussed or mentioned in reference to such services, all promises, representations and understanding relative thereto herein being merged.

**IN WITNESS WHEREOF** the parties hereto have executed this Agreement in El Paso, Texas effective as of the first date appearing heretofore.

STATE OF TEXAS           )  
                                      )  
                                      )  
COUNTY OF EL PASO    )

**PROFESSIONAL SERVICE AGREEMENT  
FOR PSYCHOLOGICAL EXAMINATION  
SERVICES FOR THE FIRE  
DEPARTMENT**


*(Signature page)*

IN WITNESS WHEREOF, the parties have hereunto set their hands this \_\_\_\_ day of \_\_\_\_  
\_\_\_\_\_, 20\_\_\_\_.

CITY  
**CITY OF EL PASO**

\_\_\_\_\_  
Tomás González  
City Manager

Contractor  
**Integrity Employee Assistance, Inc.,  
dba WellConnect**

  
\_\_\_\_\_  
Deborah Ontiveros  
President/Director

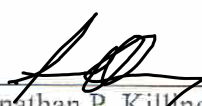
APPROVED AS TO FORM:

  
\_\_\_\_\_  
Juan S. Gonzalez  
Senior Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
K. Nicole Cote, Managing Director  
Purchasing & Strategic Sourcing

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Jonathan P. Killings, Fire Chief  
Fire Department

## EXHIBIT A

### SCOPE OF WORK

#### Scope of Work and Minimum Requirements

#### I. PSYCHOLOGICAL EXAMINATIONS

##### Scope of Services and Method of Compensation

- A. Provider will perform pre-employment psychological examinations (PEPE) on all candidates offered a conditional job offer, individuals being considered for reinstatement (as applicable), and candidates offered a conditional job offer for the Fire Communications Department (as applicable). Requests for exam appointments must be accommodated within fourteen (14) days of original request.
- B. The pre-employment psychological examination for Communications applicants must be sufficient to determine if the individual is in satisfactory psychological and emotional health to perform the duties, accept the responsibilities and meet the qualifications established by the El Paso Fire Department's job description (Attachment A).
- C. All psychological examinations for the El Paso Fire Department shall include:
  - a. In preparation for the clinical interview, review relevant background information which may include (but is not limited to) the duties, powers, working conditions, incidences, indiscretions, as well as other analytic information relevant to current or intended position.
  - b. Administer, supervise, and collect written test battery, which is to include an objective and job-related psychological assessment, consistent with established test administration standards. At least two instruments must be used: one which measures personality traits and one which measures psychopathology (example: MMPI-2 for FFDE, MMPI-2 and PAI for PEPE).
  - c. Retain responsibility to verify and interpret all written psychological test results in accordance with the publisher's recommendations.
  - d. A semi-structured, individual, face-to-face, clinical interview which allows sufficient time (30-minute minimum) to cover appropriate background, test results and clinical assessment.
  - e. Follow-up, referral, and/or collateral interviews with relevant third parties, if deemed necessary by the psychologist, EPFD.

Respondent should specify method and equipment to be used for written test battery and state qualifications of technicians who will administer tests. Additionally, the Respondent must guarantee that the test is administered as recommended by the manufacturer.

- D. Service Provider shall conduct evaluations, as necessary, through a counselor who is Board Certified and licensed by the State of Texas.
- E. The licensed physician conducting the pre-employment examination shall complete a L3 examination form (Attachment B) as provided by the City on each individual who passes for Fire Department, and return this form to the El Paso Fire Department's Departmental Human Resources Manager. For those individuals who do not pass, a written notice shall be submitted to the El Paso Fire Department's Departmental Human Resources Manager.



- F. Provider shall return all results of the psychological evaluation, as specified above, to the Departmental Human Resources Manager within 2 (two) business days upon completion of the examination.
- G. City shall not pay for any additional testing conducted without City's prior authorization.
- H. To uphold ethical standards of practice, the Provider will:
  - 1. Adhere to ethical principles and standards of psychological practice, throughout the totality of services with El Paso Fire Department.
  - 2. Maintain their duty to all parties in being fair, impartial, accurate and objective, along with honoring the parties' respective legal rights and interests.
  - 3. Make provisions for the security and confidentiality of all testing materials including materials that may be presented electronically. Provisions should also be made for the security of, access to psychological reports and raw data, including information stored or transmitted electronically.

Ensure informed consent by providing the examinee with:

- 1. An explanation of the nature and scope of the evaluation,
- 2. The limits of confidentiality, including any information, that may be disclosed to the employer without the examinee's authorization,
- 3. The party or parties who will receive the PEPE or FFDE report, and whether examinee will receive a report,
- 4. Other provisions consistent with legal and ethical standards for mental health evaluations conducted at the request of third parties.

Respondent shall maintain familiarity with employment law impacting the conduct of the PEPE's and FFDE's including but not limited to the American with Disabilities Act (ADA), along with other Federal, State, and Local laws applicable to employment practices.

- I. All results of psychological exams, as specified above, must be returned to the Departmental Human Resources Manager, within two (2) business days upon completion of the examination date and shall not be disclosed to the examinee at the time of examination. Provider expressly understands and agrees that all results from the tests to be performed by the Provider under the terms and conditions of this contract shall at all times remain strictly confidential.

## **II. GENERAL INFORMATION**

- A. Form to be completed and signed by physician include Attachments B as applicable.
- B. Each applicant shall provide Provider with a waiver permitting Provider to disclose to the Departmental Human Resources Manager or her designee the results of such tests as must be as administered to such applicant under the terms and conditions of this contract.
- C. Provider shall perform all duties as specified under this contract with such reasonable care, skill and diligence as would be practiced by the medical and scientific community, as applicable, within the county of El Paso, Texas.



- D. The City will be obligated to honor a demand for payment for services rendered by the Provider under the terms of this contract only if such demand for payment is made by the Provider, and only if such demand for payment conforms to the rates for compensation as per award.
- E. Provider shall ensure applicants and/or employees that undergo physical exams and drug screening are not in advertently billed for said exams.
- F. Provider shall perform services as per specifications and only as specified by the terms and conditions in this contract, for up to and including twenty-five (25) individuals per week upon reasonable notice from the City and send the results to the Departmental Human Resources Manager within two (2) days of the date of examination.
- G. At the termination of the contract, all medical records produced or obtained as a product of the contract will be forwarded to the City or such other place as the City may designate. All records will be forwarded within twenty-four (24) hours of contract termination.

### **III. ADDITIONAL REQUIREMENTS**

- A. The offeror must specify the names and qualifications of all physicians who will be performing the examinations. Any additional doctors must be submitted to the City for approval prior to performing the examinations. The City will not pay for any psychological exams performed by physicians who do not have City approval.
- B. The Provider must be certified by a State, doctoral Level (PhD, PsyD) psychologist or psychiatrist, with expertise in clinical psychological assessment and testing, along with personnel evaluation using measures of normal personality characteristics, skills, and abilities. Relevant experience and training in psychological evaluations for public safety is required. Provider will provide the EPFD a copy of their documented education, training, and experience in the form of a curriculum vitae (CV).
- C. The offeror must specify how psychologists/psychiatrists will be kept fully informed of the City's standards, procedures and requirements and of any subsequent changes. Additionally, specify how doctors, if more than one, will consistently apply and interpret the City's requirements.

Should the offeror need to outsource any portion of the examinations, the bidder must first obtain City approval and ensure there is no additional cost or hardship to the City.

### **IV. INVOICING**

- a. The Provider shall submit monthly invoices, in single copy, on each contract, within 15 days after the end of the billing cycle, to the El Paso Fire Human Resources Division; Attention: Monica Ontiveros. Invoices covering more than one contract will not be accepted.
- b. Invoices shall be itemized and transportation charges, if any, shall be listed separately.
- c. Invoices shall reflect the Contract Number and Purchase Order Number.
- d. Provider shall designate a contact person to address billing issues.
- e. The Contact person will respond to billing issues within twenty-four (24) hours, and shall have the authority to respond by taking corrective action or making necessary adjustments, if needed.
- f. Do not include federal, state, or City sales tax. City shall furnish tax exemption certificate if requested.
- g. Discounts will be taken from the date of receipt of services or date of invoice, whichever is later.

- h. The City's obligation is payable only and solely from funds available for the purpose of this service. Lack of funds shall render this contract null and void to the extent funds are not available and any delivered but unpaid for goods will be returned to the Provider by the City.
- i. Provider shall advise the City of any changes in its remittance addresses.

**EXHIBIT B**  
**COMPENSATION**

ITEM	DESCRIPTION	PRICE
1.	Pre-Employment Exam	\$ <u>245.00</u>
2.	Reinstatement Psychological Exam	\$ <u>245.00</u>
3.	Candidate Offered a Conditional Job Offer	\$ <u>245.00</u>
4.	New Licensing Requirement Psychological Exam	\$ <u>245.00</u>
5.	Fitness for Duty Examination	\$ <u>450.00</u>
Grand Total: Items 1-5		\$ <u>1,430.00</u>

**EXHIBIT C  
BUSINESS ASSOCIATE AGREEMENT**

STATE OF TEXAS       )  
                                  )  
COUNTY OF EL PASO   )

**HIPAA BUSINESS ASSOCIATE AGREEMENT**

**THIS AGREEMENT** is entered into on \_\_\_\_\_, 20\_\_ by and between the CITY OF EL PASO, TEXAS ("CITY"), as the Covered Entity, and Integrity Employee Assistance, Inc., dba WellConnect, a Texas Corporation, ("BUSINESS ASSOCIATE") by and through their duly authorized officials, in order to comply with 45 C.F.R. §164.502(e) and §164.504(e), governing protected health information ("PHI") and business associates under the Health Insurance Portability and Accountability Act of 1996 (P.L. 104-191), 42 U.S.C. Section 1320d, et. seq., and regulations promulgated thereunder, as amended from time to time (statute and regulations hereafter collectively referred to as "HIPAA"). Covered Entity and Business Associate may be referred to herein individually as a "Party" or collectively as the "Parties".

**RECITALS**

**WHEREAS**, CITY has engaged BUSINESS ASSOCIATE to perform psychological examination services for the Fire Department through a Professional Service Agreement;

**WHEREAS**, CITY possesses individually identifiable health information that is defined in and protected under HIPAA, and is permitted to use or disclose such information only in accordance with HIPAA;

**WHEREAS**, BUSINESS ASSOCIATE may receive such information from CITY, or create and receive such information on behalf of CITY, in order to perform certain of the services or provide certain of the goods, or both; and

**WHEREAS**, CITY wishes to ensure that BUSINESS ASSOCIATE will appropriately safeguard individually identifiable health information;

**NOW THEREFORE**, CITY and BUSINESS ASSOCIATE agree as follows:

**A. HIPAA Terms**

1. **Definitions.** The following terms shall have the meaning ascribed to them in this Section. Other capitalized terms shall have the meaning ascribed to them in the context in which they first appear, or as provided in (1)(h) to this Section.
  - a. **Agreement** shall refer to this document.



b. **Business Associate** means Integrity Employee Assistance, Inc., dba WellConnect, a Texas Corporation.

c. **HHS Privacy Regulations** shall mean the Code of Federal Regulations (“C.F.R.”) at Title 45, Sections 160 and 164, in effect, or as amended.

d. **Individual** shall mean the person who is the subject of the Information, and has the same meaning as the term “individual” is defined in 45 C.F.R. 164.501.

e. **Information** shall mean any “health information” provided and/or made available by the CITY to BUSINESS ASSOCIATE, and has the same meaning as the term “health information” as defined by 45 C.F.R. 160.102.

f. **Parties** shall mean the CITY and BUSINESS ASSOCIATE.

g. **Secretary** shall mean the Secretary of the Department of Health and Human Services (“HHS”) and any other officer or employee of HHS to whom the authority involved has been delegated.

h. **Catch-all definition:** The following terms used in this Agreement shall have the same meaning as those terms in the HIPAA Privacy, Security, Breach Notification and Enforcement Rules at 45 C.F.R. Part 160 and 164, in effect, or as amended: breach, data aggregation, designated record set, disclosure, health care operations, protected health information, required by law, subcontractor, and use.

2. **Limits on Use and Disclosure Established by Terms of Agreement.** BUSINESS ASSOCIATE hereby agrees that it shall be prohibited from using or disclosing the Information provided or made available by the CITY for any other purpose other than as expressly permitted or required by this Agreement (ref. 45 C.F.R. 164.504(e)(2)(i).)

3. **Stated Purposes for which BUSINESS ASSOCIATE May Use or Disclose Information.** The Parties hereby agree that BUSINESS ASSOCIATE shall be permitted to use and/or disclose Information provided or made available from CITY for the following stated purposes: To provide public health, research, and related support services (service) to the community of the CITY for the mutual benefit and general welfare of BUSINESS ASSOCIATE and the CITY (ref. 45 C.F.R. 164.504(e)(2)(i); 65 Fed. Reg. 82505.)

4. **Use of Information for Management, Administrative and Legal Responsibilities.** BUSINESS ASSOCIATE is permitted to use Information if necessary for the proper management and administration of BUSINESS

ASSOCIATE or to carry out legal responsibilities of BUSINESS ASSOCIATE. (ref. 45 C.F.R. 164.504(e)(4)(i)(A-B)).

5. **Disclosure of Information for Management, Administration and Legal Responsibilities.** BUSINESS ASSOCIATE is permitted to disclose Information received from CITY for the proper management and administration of BUSINESS ASSOCIATE or to carry out legal responsibilities of BUSINESS ASSOCIATE, provided:

- a. The disclosure is required by law; or

- b. The BUSINESS ASSOCIATE obtains reasonable assurances from the person to whom the information is disclosed that it will be held confidentially and used or further disclosed only as required by law or for the purposes for which it was disclosed to the person, the person will use appropriate safeguards to prevent use or disclosure of the information, and the person immediately notifies the BUSINESS ASSOCIATE of any instance of which it is aware in which the confidentiality of the information has been breached. (ref. 45 C.F.R. 164.504(e)(4)(ii)).

6. **Data Aggregation Services.** BUSINESS ASSOCIATE is also permitted to use or disclose Information to provide data aggregation services, as that term is defined by 45 C.F.R. 164.501, relating to the health care operations of CITY. (ref. 45 C.F.R. 164.504(e)(2)(i)(B)).

7. **BUSINESS ASSOCIATE OBLIGATIONS:**

- a. **Limits on Use and Further Disclosure Established by Agreement and Law.** BUSINESS ASSOCIATE hereby agrees that the Information provided or made available by the CITY shall not be further used or disclosed other than as permitted or required by the Agreement or as required by federal law. (ref. 45 C.F.R. 164.504(e)(2)(ii)(A)).

- b. **Appropriate Safeguards.** BUSINESS ASSOCIATE will establish and maintain appropriate safeguards to prevent any use or disclosure of the Information, other than as provided for by this Agreement. (ref. 45 C.F.R. 164.504(e)(2)(ii)(B)).

- c. **Reports of Improper Use or Disclosure.** BUSINESS ASSOCIATE hereby agrees that it shall report to CITY **within two (2) days of discovery** any use or disclosure of Information not provided for or allowed by this Agreement. (ref. 45 C.F.R. 164.504(e)(2)(ii)(C)).

- d. **Subcontractors and Agents.** BUSINESS ASSOCIATE hereby agrees that any time Information is provided or made available to any subcontractors or agents, BUSINESS ASSOCIATE must enter into a subcontract with the subcontractor or agent that contains the same terms, conditions and restrictions on the use and disclosure of Information as contained in this Agreement. (ref. 45 C.F.R. 164.504(e)(2)(ii)(D)).
- (i) **45 C.F.R. 164.502(e)(1)(ii) and 164.308(b)(2).** In accordance with 45 C.F.R. 164.502(e)(1)(ii) and 164.308(b)(2), if applicable, BUSINESS ASSOCIATE agrees to ensure that any subcontractors that create, receive, maintain, or transmit protected health information on behalf of BUSINESS ASSOCIATE agree in writing to the same restrictions and conditions that apply through this Agreement to BUSINESS ASSOCIATE with respect to such Information.
- e. **Right of Access to Information.** BUSINESS ASSOCIATE hereby agrees to make available and provide a right of access to Information by an Individual. This right of access shall conform with and meet all of the requirements of Section 181.102 of the Texas Health and Safety Code, requiring that not later than the 15th business day after the date of the receipt of a written request from a person for the person's electronic health record, BUSINESS ASSOCIATE shall provide the requested record to the person in electronic form unless the person agrees to accept the record in another form, and with any further requirements of 45 C.F.R. 164.524, including substitution of the words "COVERED ENTITY" with BUSINESS ASSOCIATE where appropriate. (ref. 45 C.F.R. 164.504(e)(2)(ii)(E)).
- f. **Correction of Health Information by Individuals.** BUSINESS ASSOCIATE shall, upon receipt of notice from the CITY, amend or correct protected health information (PHI) in its possession or under its control.
- g. **Amendment and Incorporation of Amendments.** BUSINESS ASSOCIATE agrees to make Information available for amendment and to incorporate any amendments to Information in accordance with 45 C.F.R. 164.504(e)(2)(ii)(F)).
- h. **Provide Accounting.** BUSINESS ASSOCIATE agrees to make Information available as required to provide an accounting of disclosures in accordance with 45 C.F.R. 164.528, including substitution of the words "COVERED ENTITY" with BUSINESS



ASSOCIATE where appropriate. (ref. 45 C.F.R. 164.504(e)(2)(ii)(G)).

- i. **Access to Books and Records.** BUSINESS ASSOCIATE hereby agrees to make its internal practices, books, and records relating to the use or disclosure of Information received from, or created or received by BUSINESS ASSOCIATE on behalf of the CITY, available to the Secretary or the Secretary's designee for purposes of determining compliance with the HHS Privacy Regulations. (ref. 45 C.F.R. 164.504(e)(2)(ii)(H)).
- j. **Return or Destruction of Information.** At the termination of this Agreement, BUSINESS ASSOCIATE hereby agrees to adhere to Section B.3. of this Agreement. (ref. 45 C.F.R. 164.504(e)(2)(ii)(I)).
- k. **Mitigation Procedures.** BUSINESS ASSOCIATE agrees to have procedures in place for mitigating, to the maximum extent practicable, any deleterious effect from the use or disclosure of Information in a manner contrary to this Agreement or the HHS Privacy Regulations. (ref. 45 C.F.R. 164.530(f)).
- l. **Sanction Procedures.** BUSINESS ASSOCIATE agrees and understands that it must develop and implement a system of sanctions for any employee, subcontractor or agent who violates this Agreement of the HHS Privacy Regulations. (ref. 45 C.F.R. 164.530(e)(1)).
- m. **Subpart E of 45 C.F.R. Part 164.** To the extent BUSINESS ASSOCIATE is to carry out one or more of CITY'S obligations under Subpart E of 45 C.F.R. Part 164, BUSINESS ASSOCIATE shall comply with the requirements of Subpart E that apply to CITY in the performance of such obligation(s).
- n. **Prohibition against the Sale of Protected Health Information.** The BUSINESS ASSOCIATE shall comply with the requirements of Texas Health and Safety Code Sec. 181.153, and any amendments of that section.
- o. **Notice and Authorization Required for Electronic Disclosure of PHI.** The BUSINESS ASSOCIATE shall comply with the requirements of Texas Health and Safety Code Sec. 181.154, and any amendments of that section, regarding the requirement of providing notice to an Individual for whom the BUSINESS ASSOCIATE creates or receives protected health information if the Individual's PHI is subject to electronic disclosure.



- p. **State Law on Medical Records Privacy.** The BUSINESS ASSOCIATE shall abide by the requirements set forth in Texas Health and Safety Code Section 181.001 et. seq., and any amendments of that chapter.
- 8. **Property Rights.** The Information shall be and remain the property of the CITY. BUSINESS ASSOCIATE agrees that it acquires no title or rights to the Information, including any de-identified Information, as a result of this Agreement.
- 9. **Modifications.** The CITY and BUSINESS ASSOCIATE agree to modify this Business Associate Agreement, in order to comply with Administrative Simplification requirements of HIPAA, as set forth in Title 45, Parts 160 and 164, (Subparts A and E the "Privacy Rule" and Subparts A and C the "Security Rule") of the Code of Federal Regulations.
- 10. **Automatic Amendment.** Upon the effective date of any amendment to the regulations promulgated by HHS with respect to PHI, this Business Associate Agreement shall automatically amend such that the obligations imposed on BUSINESS ASSOCIATE as a Business Associate remain in compliance with such regulations.

**B. Term and Termination**

- 1. **Term.** The Term of this Agreement shall be effective as of the date this Agreement is executed and shall remain in effect for the same term as the Professional Services Agreement or shall terminate on the date covered entity terminates for cause as authorized in paragraph (B.2.) of this Section, whichever is sooner.
- 2. **Termination for Cause.** Upon the CITY's knowledge of a material breach by BUSINESS ASSOCIATE, the CITY shall:
  - a. Provide an opportunity for BUSINESS ASSOCIATE to cure the breach or end the violation, and terminate if BUSINESS ASSOCIATE does not cure the breach or end the violation within the time specified by the CITY.
  - b. Immediately terminate the Business Associate Agreement if BUSINESS ASSOCIATE has breached a material term of this Business Associate Agreement and cure is not possible.
  - c. Notify the Secretary of HHS if termination is not possible.
- 3. **Obligations of Business Associate Upon Termination.** Upon termination of this Agreement for any reason, BUSINESS ASSOCIATE, with respect

to protected health information received from CITY, or created, maintained, or received by BUSINESS ASSOCIATE on behalf of CITY, shall:

- a. Retain only that protected health information which is necessary for BUSINESS ASSOCIATE to continue its proper management and administration or to carry out its legal responsibilities;
- b. Return to CITY, or, if agreed to by CITY, destroy, the remaining protected health information that the BUSINESS ASSOCIATE still maintains in any form and BUSINESS ASSOCIATE shall certify to the CITY that the Information has been destroyed;
- c. Continue to use appropriate safeguards and comply with Subpart C of 45 CFR Part 164 with respect to electronic protected health information to prevent use or disclosure of the protected health information, other than as provided for in this Section, for as long as BUSINESS ASSOCIATE retains the protected health information;
- d. Not use or disclose the protected health information retained by BUSINESS ASSOCIATE other than for the purposes for which such protected health information was retained and subject to the same conditions set out at Section 1.e and 1.f above, which applied prior to termination; and
- e. Return to CITY or, if agreed to by CITY, destroy, the protected health information retained by BUSINESS ASSOCIATE when it is no longer needed by BUSINESS ASSOCIATE for its proper management and administration or to carry out its legal responsibilities.
- f. Survival. The obligations of BUSINESS ASSOCIATE under this Section shall survive the termination of this Agreement.

**C. Remedies.** If CITY determines that BUSINESS ASSOCIATE has breached or violated a material term of this Agreement, CITY may, at its option, pursue any and all of the following remedies:

1. Exercise any of its rights of access and inspection under Section A.7.e. of this Agreement;
2. Take any other reasonable steps that CITY, in its sole discretion, shall deem necessary to cure such breach or end such violation; and/or
3. Terminate this Agreement immediately.

4. **Injunction.** CITY and BUSINESS ASSOCIATE agree that any violation of the provisions of this Agreement may cause irreparable harm to CITY. Accordingly, in addition to any other remedies available to CITY at law, in equity, or under this Agreement, in the event of any violation by BUSINESS ASSOCIATE of any of the provisions of this Agreement, or any explicit threat thereof, CITY shall be entitled to an injunction or other decree of specific performance with respect to such violation or explicit threat thereof, without any bond or other security being required and without the necessity of demonstrating actual damages. The parties' respective rights and obligations under this Section C.4. shall survive termination of the Agreement.
5. **Indemnification.** To the extent allowed and not otherwise prohibited by Texas law, BUSINESS ASSOCIATE shall indemnify, hold harmless and defend CITY from and against any and all claims, losses, liabilities, costs and other expenses resulting from, or relating to, the acts or omissions of BUSINESS ASSOCIATE in connection with the representations, duties and obligations of BUSINESS ASSOCIATE under this Agreement. The parties' respective rights and obligations under this Section 5 shall survive termination of the Agreement.

**D. Miscellaneous**

1. **Regulatory References.** A reference in this Agreement to a HIPAA section means the section as in effect or as amended.
2. **Amendment.** CITY and BUSINESS ASSOCIATE agree that amendment of this Agreement may be required to ensure that CITY and BUSINESS ASSOCIATE comply with changes in state and federal laws and regulations relating to the privacy, security, and confidentiality of protected health information. CITY may terminate this Agreement upon 60 days written notice in the event that BUSINESS ASSOCIATE does not promptly enter into an amendment that CITY, in its sole discretion, deems sufficient to ensure that CITY will be able to comply with such laws and regulations. This Agreement may not otherwise be amended except by written agreement between the parties and signed by duly authorized representatives of both parties.
3. **Interpretation.** Any ambiguity in this Agreement shall be interpreted to permit compliance with HIPAA.
4. **Notices.** Any notice or demand required under this Agreement will be in writing; will be personally served or sent by certified mail, return receipt requested, postage prepaid, or by a recognized overnight carrier which provides proof of receipt; and will be sent to the addresses below. Either



party may change the address to which notices are sent by sending written notice of such change of address to the other party.

CITY: City of El Paso  
Attn: City Manager  
P. O. Box 1890  
El Paso, Texas 79950-1890

COPY TO: City of El Paso  
Fire Chief  
416 N. Stanton St. #200  
El Paso, TX 79901

BUSINESS Integrity Employee Assistance, Inc., dba WellConnect  
ASSOCIATE: Attn: Deborah Ontiveros  
1600 Lee Trevino Ste C-7  
El Paso, TX 79936

5. **Non-Waiver.** No failure by any Party to insist upon strict compliance with any term or provision of this Agreement, to exercise any option, to enforce any right, or to seek any remedy upon any default of any other Party shall affect, or constitute a waiver of, any Party's right to insist upon such strict compliance, exercise that option, enforce that right, or seek that remedy with respect to that default or any prior, contemporaneous, or subsequent default. No custom or practice of the Parties at variance with any provision of this Agreement shall affect or constitute a waiver of, any Party's right to demand strict compliance with all provisions of this Agreement.
6. **Headings.** The headings of sections and subsections of this Agreement are for reference only and will not affect in any way the meaning or interpretation of this Agreement.
7. **Governing Law, Jurisdiction.** This Agreement will be governed by and construed in accordance with the laws of the State of Texas, without regard to its principles of conflict of laws, with venue in El Paso County, Texas.
8. **Compliance with Laws.** BUSINESS ASSOCIATE agrees that its obligations pursuant to this Agreement shall be performed in compliance with all applicable federal, state, and/or local rules and regulations. In the event that applicable federal, state or local laws and regulations or applicable accrediting body standards are modified, BUSINESS ASSOCIATE reserves the right to notify CITY in writing of any modifications to the Agreement in order to remain in compliance with such law, rule or regulation.

9. **Severability.** In the event that one or more provision(s) of this Agreement is deemed invalid, unlawful and/or unenforceable, then only that provision will be omitted, and will not affect the validity or enforceability of any other provision; the remaining provisions will be deemed to continue in full force and effect.
10. **No Third Party Beneficiaries.** Nothing express or implied in this Agreement is intended or shall be deemed to confer upon any person other than CITY and BUSINESS ASSOCIATE, and their respective successors and assigns, any rights, obligations, remedies or liabilities.
11. **Entire Agreement; Counterparts.** This Agreement constitutes the entire Agreement between CITY and BUSINESS ASSOCIATE regarding the services to be provided hereunder. Any agreements, promises, negotiations, or representations not expressly set forth in this Agreement are of no force or effect. This Agreement may be executed in any number of counterparts, each of which will be deemed to be the original, but all of which shall constitute one and the same document.

*(Signatures follow on next page)*

STATE OF TEXAS       )  
                                  )  
COUNTY OF EL PASO   )

**HIPAA BUSINESS ASSOCIATE AGREEMENT**


*Signature Page*

IN WITNESS WHEREOF, the parties hereto have duly executed this Agreement as of  
the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

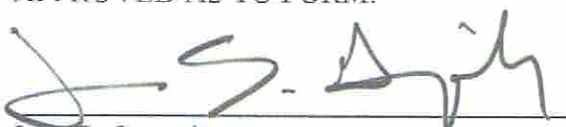
CITY OF EL PASO

\_\_\_\_\_  
Tomás González  
City Manager

BUSINESS ASSOCIATE

  
\_\_\_\_\_  
Deborah Ontiveros  
President/Director

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Juan S. Gonzalez  
Senior Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
K. Nicole Cote, Managing Director  
Purchasing & Strategic Sourcing

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Jonathan P. Killings, Fire Chief  
Fire Department



Legislation Text

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File #: 23-39, Version: 1

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**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 Joe Molinar, (915) 212-0004

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.*

Discussion and action that the City of El Paso re-evaluate and repurpose as appropriate the now-insufficient funds for constructing a new Multipurpose Performing Arts and Entertainment Center, any sports facility or other building within the area bounded by West Overland Avenue to the north, South Santa Fe Street to the east, West Paisano Drive to the south, and Leon Street to the west and that no buildings within this area be condemned or demolished; and to begin examining the use of these funds specific to what the voters approved within existing City facilities that may be renovated or upgraded to honor the will of the voters.

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

**DEPARTMENT:** MAYOR AND COUNCIL

**AGENDA DATE:** January 3, 2023

**CONTACT PERSON NAME AND PHONE NUMBER:**

City Representative Joe Molinar, 915-212-0004  
City Representative Aleksandra Annello, 915-212-0002

**DISTRICT(S) AFFECTED:** All Districts

**STRATEGIC GOAL:** (Goal 1: Strong Sustainable Economic Development)

**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 that the City of El Paso re-evaluate and repurpose as appropriate the now-insufficient funds for constructing a new Multipurpose Performing Arts and Entertainment Center, any sports facility or other building within the area bounded by West Overland Avenue to the north, South Santa Fe Street to the east, West Paisano Drive to the south, and Leon Street to the west and that no buildings within this area be condemned or demolished; and to begin examining the use of these funds specific to what the voters approved within existing City facilities that may be renovated or upgraded to honor the will of the voters.

**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, Item 15 on the January 4, 2022 City Council Meeting: "Discussion and action on a plan to secure Union Plaza area during winter months from winter weather and potential fire damage."

**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

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File #: 23-40, Version: 1

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**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) 212-1845

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 on the presentation providing prefinal results of the Multipurpose Arts and Performance Center Programming and Feasibility Study.

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

**AGENDA DATE:** January 3, 2023

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** 915-212-1840

**DISTRICT(S) AFFECTED:** ALL

**STRATEGIC GOAL:** Cultivate an Environment Conducive to Strong, Economic Development

**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.*

Discussion and action on the presentation providing prefinal results of the Multipurpose Arts and Performance Center Programming and Feasibility Study.

**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?*

The City of El Paso through its consultant Gensler has completed the next milestone of the programming and feasibility study of the MPC. The prefinal results will include results of the public feedback, architectural massing diagrams of the proposed, cost estimates, and financial operating models.

**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?*

2012 Quality of Life

**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)*

Revised 04/09/2021

## No. 4-Enhance El Paso's Quality of Life through recreational, cultural and educational environments

Gensler

## 2 Feasibility and Programming Prefinal Results:

- 89.1% Approve the MPC project, with building restoration that reimagines the use of existing buildings
- **There is a market need for a MODERN facility in the 8,000-12,000 seats**
- **Current Site Plan incorporates 12 structures, SEVEN of which are independently eligible for historic designation as per the EP County survey (this project would pave the way for the rehabilitation of those structures)**
- Cost for one option is within voter-approved budget
- Operating models estimate a yearly profit for the operation
- Contributes to the revitalization of Union Plaza
- Incorporates this area into the Convention Center Campus for additional meeting space



# The Team

Site/Program/Urban Design/Master Plan | Gensler

Market/Economic Assessment | CSL/Legends

Architectural/Structural Assessment | Countryman & Co. Walter P. Moore/Mijares-Mora/Rider Levett Bucknall Ltd.

## Gensler

- Brian Nicodemus
- Barry Hand
- Kim Dresdner
- Bonnie Reese
- Kevin Turner

## LEGENDS

- Michael Delano (LPD)
- Jay Lenhardt (CSL)
- Adam Kerns (CSL)



City of El Paso

- Daniela Quesada
- Daniel Garcia
- Marcella Attolini
- Appolonia Roldan
- Tammy Fonce

# Agenda

- 1 Overview of Study Process and Deliverables
- 2 Steering Committee, Public Engagement and Online Engagement Results
- 3 Market Assessment/Economic Feasibility Report – CSL/Legends
- 4 Site Plan, Building Massing/Typology Analysis - Gensler



## I.I Council Directive

Council approved the study in April 2022 by hiring Gensler and Associates, an architect-led consulting team, to continue a positive step forward in the City's voter-approved signature bond project. The multi-phase study kicked off in May 2022.

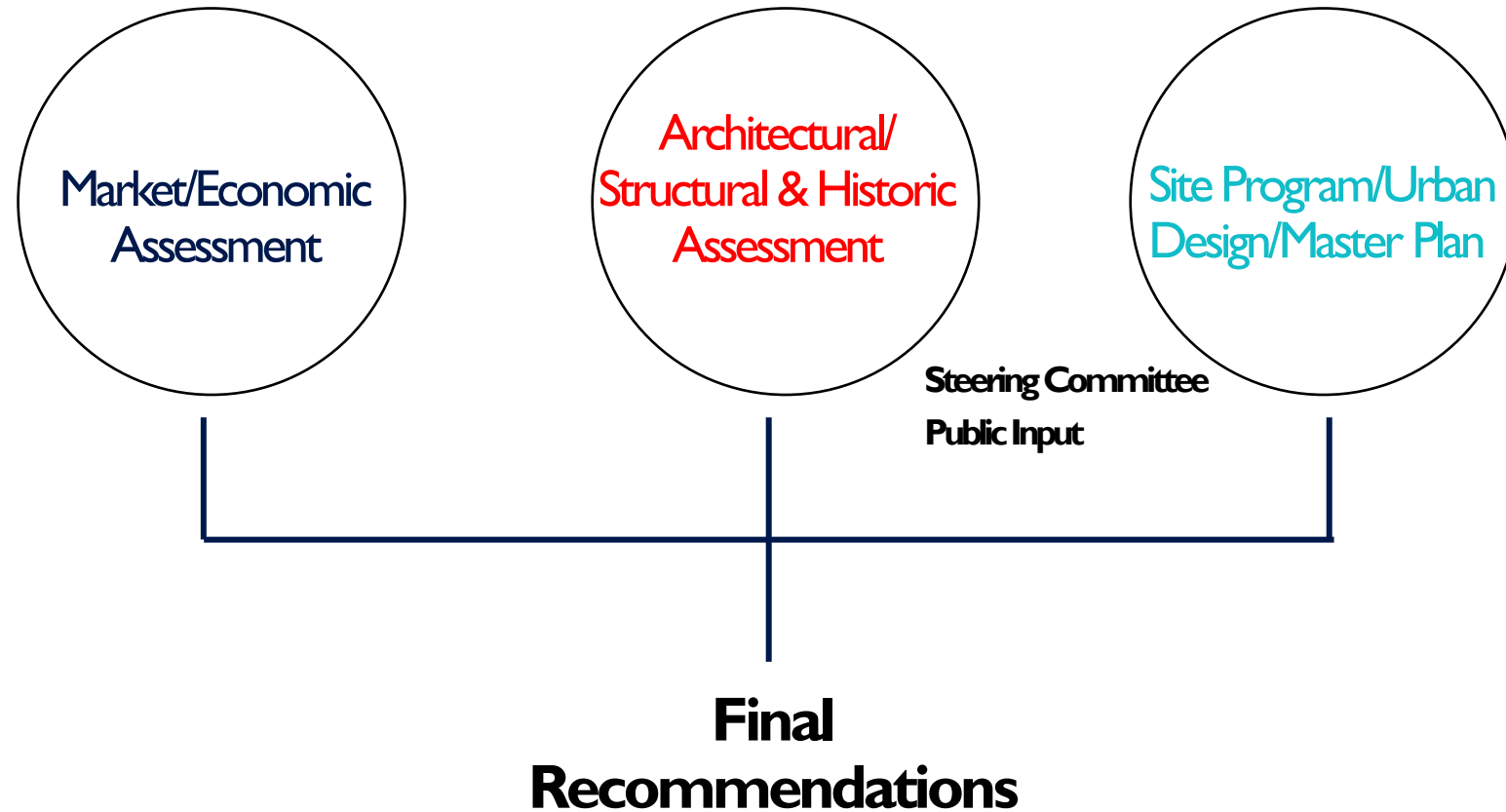
Results are expected to be presented to Council in early 2023.

The professional services and deliverables include:

- Financial models that include estimates of capital and operating costs
- Public-private opportunities
- Opportunities for preservation of existing buildings and the historic character of the neighborhood
- Recommendations on how to safeguard dilapidated buildings, and options for funding sources that align with the current status of the litigation



## 6 I.2 Process and Approach





# Working together to craft a vision

## Steering Committee 1

Our first steering committee meeting brought together a range of community leaders to collaboratively craft inputs to inform the project brief.

The pages that follow are attempts to synthesize these inputs into a cohesive vision.



# 2.1 Steering Committee



# The Vision

This district should **breathe new life into downtown** drawing people from all different walks of life to performances, green spaces and food options in the district. At the heart of the district is a multipurpose venue that acts as a concert venue at night but can **also support local markets, family events and related local businesses** at other times. The venue/site itself should be **porous and integrative**, connecting to the community on all sides with passthroughs for pedestrians and bikes and pocket parks that support community **wellbeing and connection**, while also understanding the story of the area it is sited in.

The district should be viewed as an asset to the community, a place where children can **play and learn**, friends can **share a meal**, local businesses can **incubate** and out-of-towners can **marvel** at El Paso.



# 2.2 Guiding Design Principles



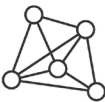
## Authentic

Retain connections to history and enable organic growth.



## Flexible

Draw people from morning till night with spaces that can serve different needs at different times.



## Integrated

Take cues from the existing neighborhood scale and context to be connecting and enhancing.



## Inviting

Welcome people from different walks of life with many ways to access and engage.



## Generative

Provide new community assets and resources and grow new businesses and connections.



## Vibrant

Celebrate El Paso's rich culture and natural beauty.

## 2.3 Design Considerations

### The site should ...

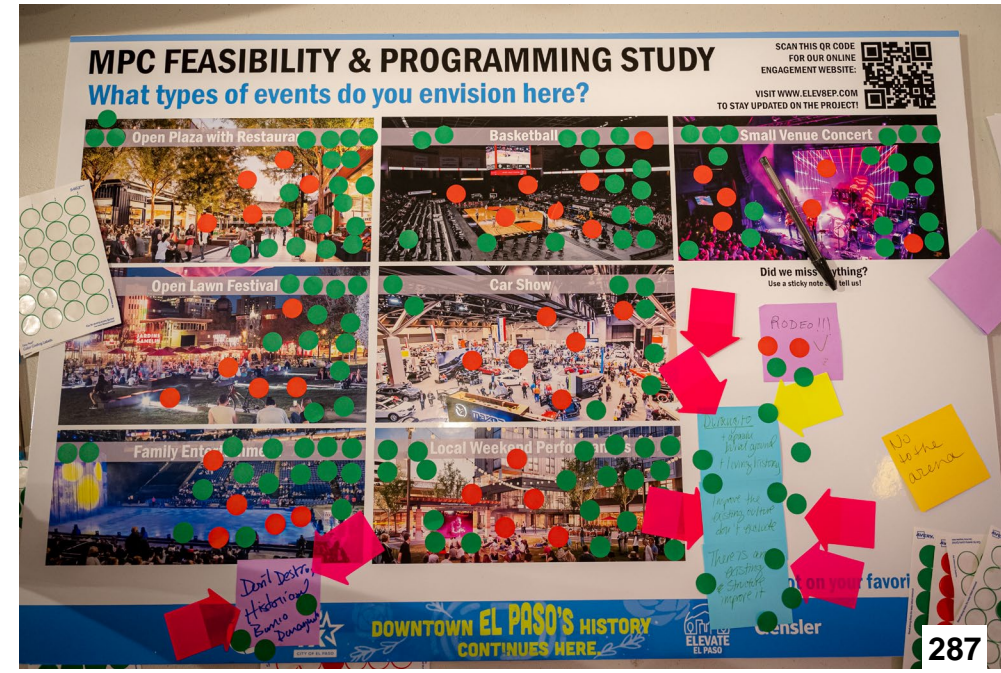
- Respond to the Surrounding Context
- Respect the Neighborhood's Scale
- Take Structures of Cultural Significant into Account
- Generate the Vibrant Street Life that the Area was Known For
- Provides Opportunities for Local Businesses and Organizations to Flourish
- Enable Access for El Pasoans Across the Socio-Economic Spectrum
- Draw Investment and be Financially Viable

### The site should not be ...

- A Monolithic structure disconnected from the context
- An entirely new place that disregards local history
- Flashy or exclusive



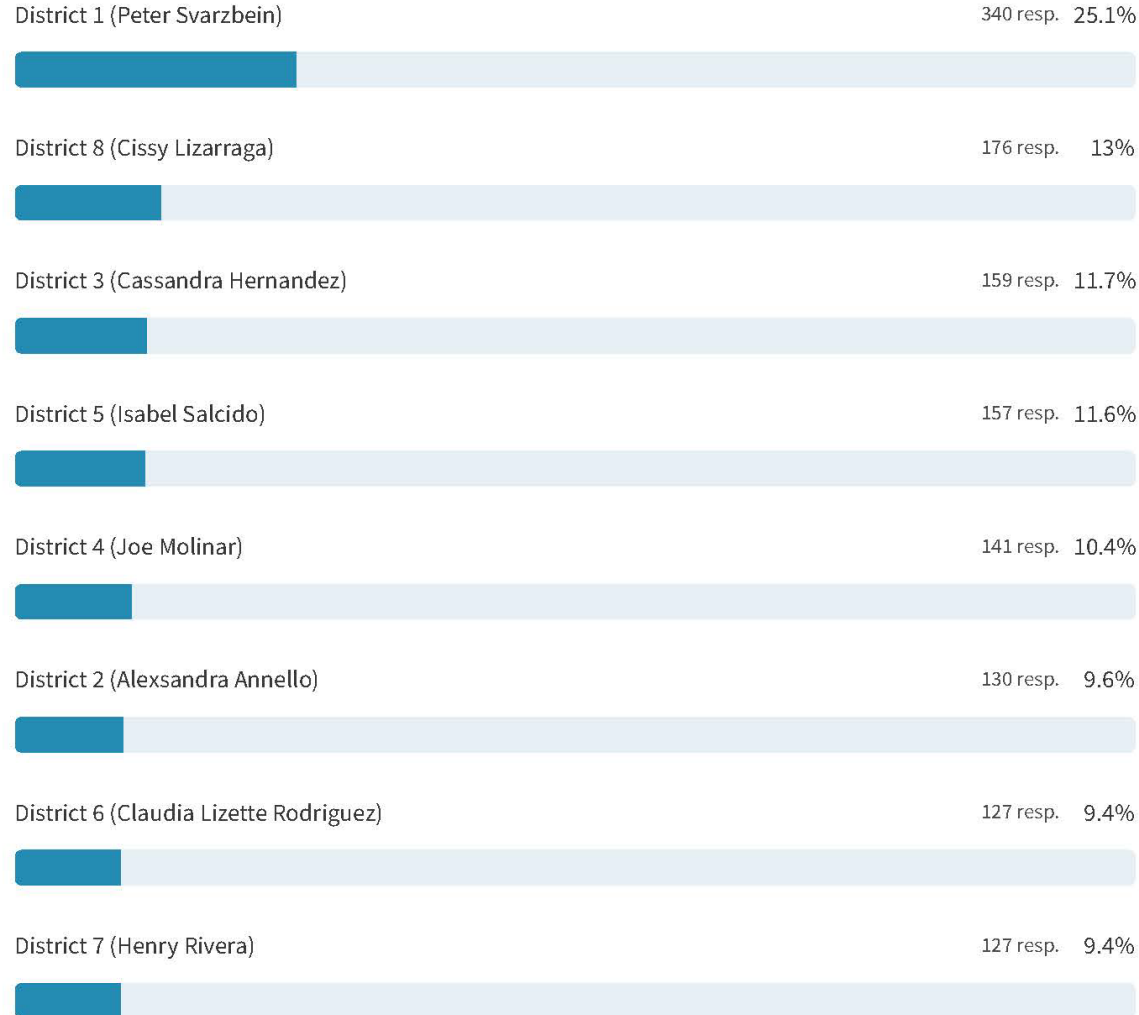
## 2.4 Sept. 15 Public Meeting



# 12 2.5 Online Survey Results

What city council district do you live in?

1357 out of 1466 answered





## 13 2.6 Survey Summary Points

- **61.1% Approve the project**
- 89.1% Approve the MPC project, with building restoration that reimagines the use of existing buildings
- **75.7% Think that it's important to preserve the memories and history in our built environment**
- **Great support (66% to 73%) seen for integrating outdoor events, and existing urban context into the project**
- Over 50% support an indoor facility that can host concerts, family shows, sporting events or open style events.

Details of survey results are included in the end.

# EL PASO MULTI-PURPOSE PERFORMANCE CENTER KEY MARKET RESEARCH FINDINGS

January 3, 2023





## 3.1 Study Methodology



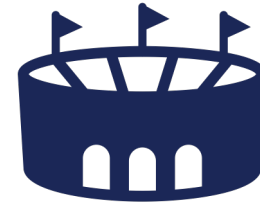
Stakeholder Engagement



Local Market Conditions



Competitive Landscape



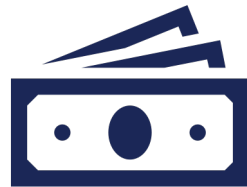
Comparable Benchmarking



Promoter Outreach & Estimated  
Utilization



Building Program Evaluation



Financial  
Projections



Economic & Fiscal Impacts



Partnership  
Opportunities

## 3.2 Stakeholder And Promoter Feedback

### KEY ORGANIZATIONS CONTACTED

Note: Only lists organizations contacted to estimate demand for events and attendance and key building program preferences; does not include other project stakeholders or community leaders.



1. Economic Development
2. Sports Tourism & Events
3. Membership & Events



THE ROAD COMPANY



Strong Market Need for a New Venue



Limited Market Competition



Ideal Tour Routing



Desire for Multi-Purpose / Flexible Venue



Significant Positive Impact from Juarez Market



Potential for Redevelopment of Downtown

### PREFERRED EVENT TYPES



Concerts

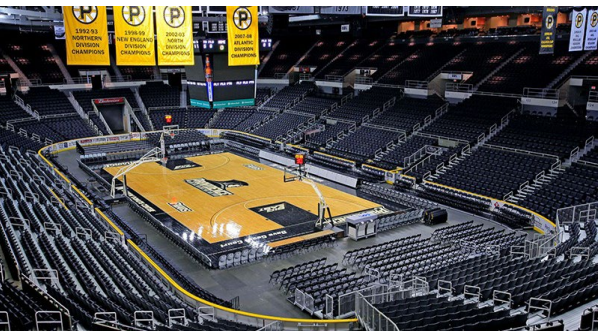


Family Shows



Special Events

## 3.3 Proposed Market Sustainable Venues



### ARENA

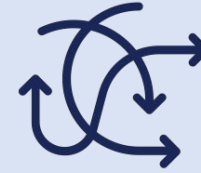


Concerts: 22%  
Other Events: 27%  
Non-Ticketed Events: 51%

Potential for numerous  
sporting events  
Potential for conventions,  
conferences, and trade shows

**SEATING CAPACITY:**  
12,000

### FLEXIBLE HYBRID VENUE



Concerts: 60%  
Other Events: 3%  
Non-Ticketed Events: 37%

Ability to host a variety of  
concert types due to flexibility  
indoor & outdoor capabilities

**SEATING CAPACITY:**  
8,000



# 3.4 Estimated El Paso Venue Utilization

Estimated Utilization						
Utilization Summary	Arena			Flexible Hybrid Venue		
	Events	Average Attendance	Total Attendance	Events	Average Attendance	Total Attendance
<i>Concerts</i>						
Tier 1	4	12,000	48,000	0	--	--
Tier 2A	4	10,000	40,000	7	6,000	42,000
Tier 2B	4	8,000	32,000	15	4,500	67,500
Tier 3	4	7,000	28,000	25	3,000	75,000
Tier 4	4	5,000	20,000	20	1,500	30,000
Other Performances	5	5,000	25,000	5	5,000	25,000
Subtotal	25	7,833	193,000	72	4,000	239,500
<i>Other Events</i>						
Family Shows	15	4,000	60,000	4	2,500	10,000
Other Sporting Events	10	6,000	60,000	0	--	--
High School Sports	6	3,000	18,000	0	--	--
Subtotal	31	4,333	138,000	4	2,500	10,000
<i>Non-Ticketed Events</i>						
Community Events	10	750	7,500	10	750	7,500
Private Rentals	35	150	5,250	35	150	5,250
Special Events	8	7,500	60,000	0	--	--
Trade Shows / Consumer Shows	5	7,500	37,500	0	--	--
Subtotal	58	3,975	110,250	45	450	12,750
Total	114	5,381	441,250	121	2,000	262,000

## 3.5 Recommended Building Program

### Arena



#### SEATING CAPACITY

**12,000**  
total seating capacity



#### PREMIUM SEATING

1,000 total premium seats  
600 club seats  
20 loge boxes (4 seats per box)  
20 luxury suites (16 seats per suite)



#### OTHER AMENITIES

3,000 parking spaces  
40 concessions points-of-sale  
240 WCs & 120 urinals  
4+ locker rooms



### Flexible Hybrid Venue



#### SEATING CAPACITY

**8,000**  
total seating capacity  
(Approximately 50 percent fixed seats)



#### PREMIUM SEATING

350 total premium seats  
250 club seats  
25 VIP boxes (4 seats per box)



#### OTHER AMENITIES

2,000 parking spaces  
27 concessions points-of-sale  
160 WCs & 80 urinals  
2+ star dressing rooms



## 3.6 Financial Projections: Building Program Scenarios

BUILDING PROGRAM SCENARIOS			
Arena			
Seats	Square Feet	Total Estimated Project Cost	Including Existing Bldg. Renovations
8,000	228,000	\$257,572,000	\$287,572,000
0,000	285,000	\$321,965,000	\$351,965,000
12,000	342,000	\$386,357,000	\$416,357,000
15,000	427,500	\$482,947,000	\$512,947,000
Flexible Hybrid Venue			
Covered Seats	Square Feet	Total Estimated Project Cost	Including Existing Bldg. Renovations
4,000	96,000	\$99,840,000	\$129,840,000
4,000	104,000	\$108,160,000	\$138,160,000
4,000	112,000	\$116,480,000	\$146,480,000
4,000	120,000	\$124,800,000	\$154,800,000
6,250	150,000	\$156,000,000	\$186,000,000
6,250	162,500	\$169,000,000	\$199,000,000
6,250	175,000	\$182,000,000	\$212,000,000
6,250	187,500	\$195,000,000	\$225,000,000

Note: Total project cost includes both hard and soft costs.

## 3.6 Financial Projections: 3 Proposed Models

### Key Assumptions

- Owned by the City of El Paso
- Assumes no sports team tenant
- Assumes third-party operator
- Parking revenue is not assumed
- All Costs include 30% soft costs
- Base Management Fee: \$300,000
  - F&B % Fee to Management: 20%
  - Partnerships Commission % Fee to Management: 8%

### 1. Arena

12,000 seat Capacity

**Project Cost: \$386 Million**

Square Feet: 342,000  
 Capital Reserve: (\$1.9 Million)  
 Historic Renovation Costs: \$30 Million  
 Total Cost: \$416 Million

### *City Economic & Fiscal Impact*

(32-Year NPV)

**Total Output: \$570,914,000**

Jobs (FTEs): 595

Sales Tax Revenue: \$3,154,000

Occupancy Tax Revenue: \$2,917,000

### 2. Flexible Hybrid Venue A

8,000 seat Capacity  
 4,000 indoor / 4,000 outdoor

**Project Cost: \$113 Million**

Square Feet: 108,000  
 Capital Reserve: (\$565,000)  
 Historic Renovation Costs: \$30 Million  
 Total Cost: \$143 Million

### *City Economic & Fiscal Impact*

(32-Year NPV)

**Total Output: \$338,202,000**

Jobs (FTEs): 260

Sales Tax Revenue: \$1,973,000

Occupancy Tax Revenue: \$1,687,000

### 3. Flexible Hybrid Venue B

8,000 seat Capacity  
 6,500 indoor / 1,500 outdoor

**Project Cost: \$183 Million**

Square Feet: 175,500  
 Capital Reserve: (\$915,000)  
 Historic Renovation Costs: \$30 Million  
 Total Cost: \$213 Million

### *City Economic & Fiscal Impact*

(32-Year NPV)

**Total Output: \$365,064,000**

Jobs (FTEs): 340

Sales Tax Revenue: \$2,075,000

Occupancy Tax Revenue: \$1,687,000

## 3.6 Financial Projections: Pro Forma

FINANCIAL PRO FORMA			
	1. Arena	2. Hybrid Venue A	3. Hybrid Venue B
Operating Revenues			
Rental Income, Net	\$1,674,000	\$1,637,000	\$1,637,000
Premium Seating	\$1,622,000	\$982,000	\$982,000
Concessions, Net	\$2,352,000	\$1,948,000	\$1,948,000
Catering, Net	\$750,000	\$595,000	\$595,000
Merchandise, Net	\$266,000	\$155,000	\$155,000
Advertising & Sponsorships, Net	\$1,620,000	\$918,000	\$918,000
Ticket Rebates, Net	\$648,000	\$857,000	\$857,000
Facility Fees	\$662,000	\$499,000	\$499,000
<b>TOTAL REVENUE</b>	<b>\$9,594,000</b>	<b>\$7,591,000</b>	<b>\$7,591,000</b>
Operating Expenses			
Staffing	\$2,811,000	\$2,198,000	\$2,198,000
Management Fees	\$1,526,000	\$1,213,000	\$1,213,000
General & Administrative	\$788,000	\$791,000	\$791,000
Repairs & Maintenance	\$75,000	\$300,000	\$300,000
Utilities	\$1,368,000	\$432,000	\$554,000
Insurance	\$342,000	\$108,000	\$138,000
<b>TOTAL EXPENSES</b>	<b>\$6,910,000</b>	<b>\$5,042,000</b>	<b>\$5,194,000</b>
<b>NET OPERATING INCOME</b>	<b>\$2,684,000</b>	<b>\$2,549,000</b>	<b>\$2,397,000</b>

### 1. Arena

12,000 seat Capacity  
**Square Feet: 342,000**

### 2. Flexible Hybrid Venue A

8,000 seat Capacity  
 4,000 indoor / 4,000 outdoor  
**Square Feet: 108,000**

### 3. Flexible Hybrid Venue B

8,000 seat Capacity  
 6,500 indoor / 1,500 outdoor  
**Square Feet: 175,500**



## 3.7 Partnership Opportunities

### Comparable Venue Ownership Structures

	Owner	Operator
Arena		
PPL Center	Public	Private
Stockton Arena	Public	Private
CHI Health Center	Public	Public
Amica Mutual Pavilion	Public	Private
Van Andel Arena	Public	Private
Flexible Hybrid Venue		
Toyota Music Factory	Private	Private
KEMBA Live!	Private	Private
Stage AE	Private	Private

63%  
Publicly  
Owned

88%  
Privately  
Operated



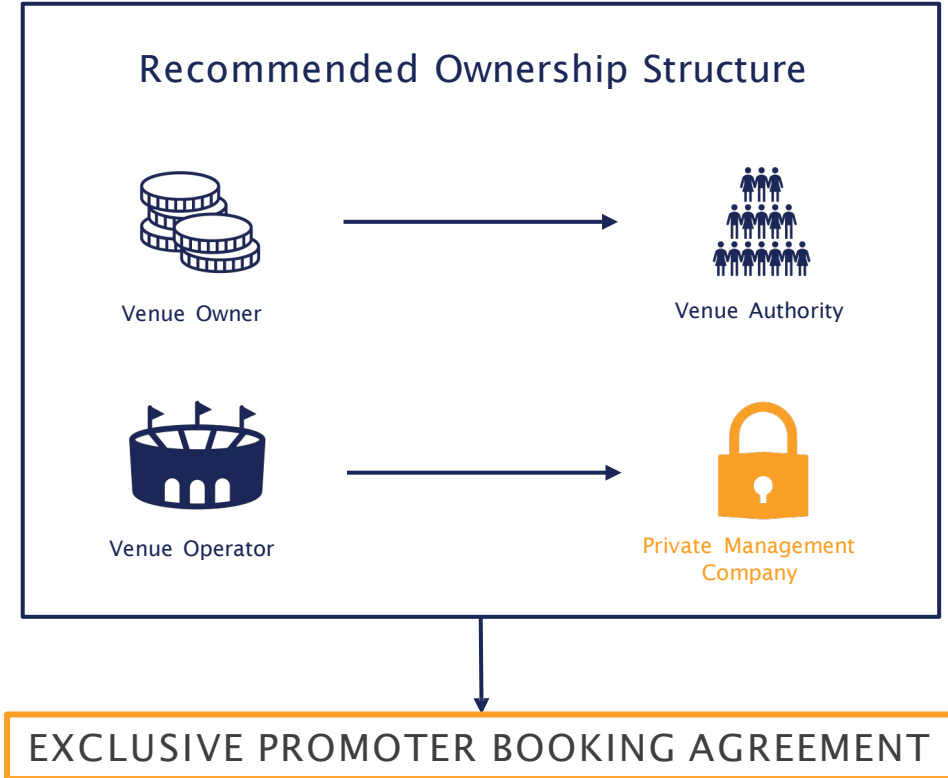
Staff  
Synergies



Maximize  
Venue  
Programming



Property  
Tax  
Exemption



# 4.1 Site Analysis / Existing Structures

## 12 Proposed Structures to remain for Adaptive Re-use:



Owned by the City:



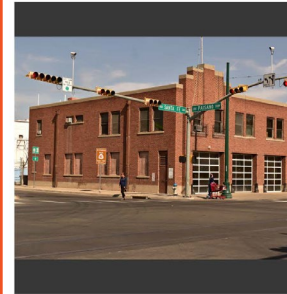
Not Owned by the City:



Significant; Owned by the City:



### 7 Structures Identified as Independently Eligible for Historic Designation by County Survey; Owned by the City:



ID No.  
AKA

PA - 22

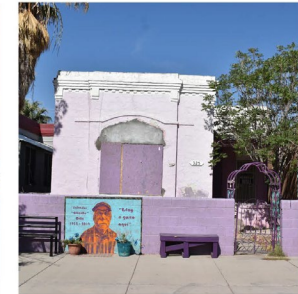
**Fire Station No. 11**  
**A Trost & Trost in the Art Deco Style**  
331 S. Santa Fe  
1930 | Over 50  
City of El Paso  
85437



ID No.  
AKA  
Address  
Year Built  
Owner  
PID

PA - 03

**UK**  
309 Chihuahua St.  
1956 | Over 50  
City of El Paso  
301837



ID No.  
AKA  
Address  
Year Built  
Owner  
PID

PA - 08

**UK**  
325 Chihuahua St.  
1917 | Over 50  
City of El Paso  
93216



ID No. PA - 05  
AKA **UK**  
Address  
Year Built  
Owner  
PID

315 Chihuahua St.  
1917 | Over 50  
City of El Paso  
96941



ID No.  
AKA  
Address  
Year Built  
Owner  
PID

PA - 01

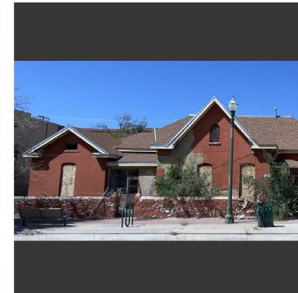
**The Mansion House**  
306 W. Overland  
1904 | Over 50  
City of El Paso  
162938



ID No.  
AKA  
Address  
Year Built  
Owner  
PID

PA - 02A

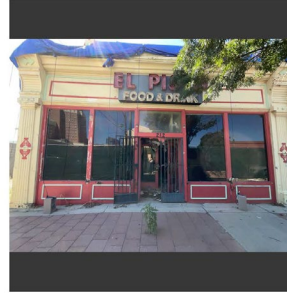
**Flor de Luna**  
**Art Gallery**  
305 Chihuahua St.  
1905 | Over 50  
City of El Paso  
241117



ID No.  
AKA  
Address  
Year Built  
Owner  
PID

PA - 02B

**UK**  
302 Chihuahua St.  
1905 | Over 50  
City of El Paso  
241117



ID No.  
AKA  
Address  
Year Built  
Owner  
PID

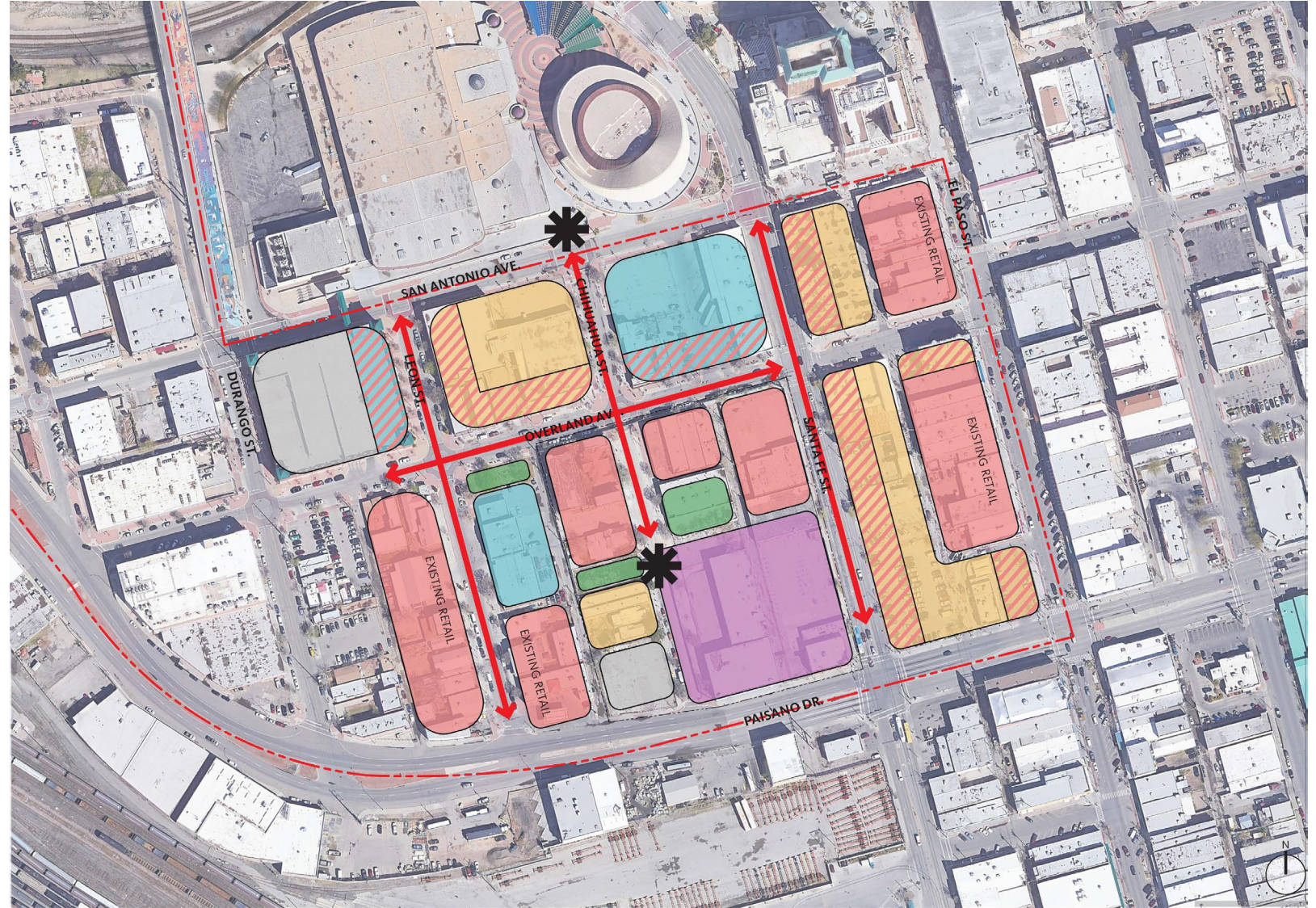
PA - 14

**The Chinese**  
**Laundry**  
212 W. Overland  
1901 | Over 50  
City of El Paso  
8360359



## 4.I Site Analysis / Place Making

Proposed Conceptual Master Site Plan to Support project, Revitalize Union Plaza District, Enhance Connectivity, & Activate Santa Fe Corridor:

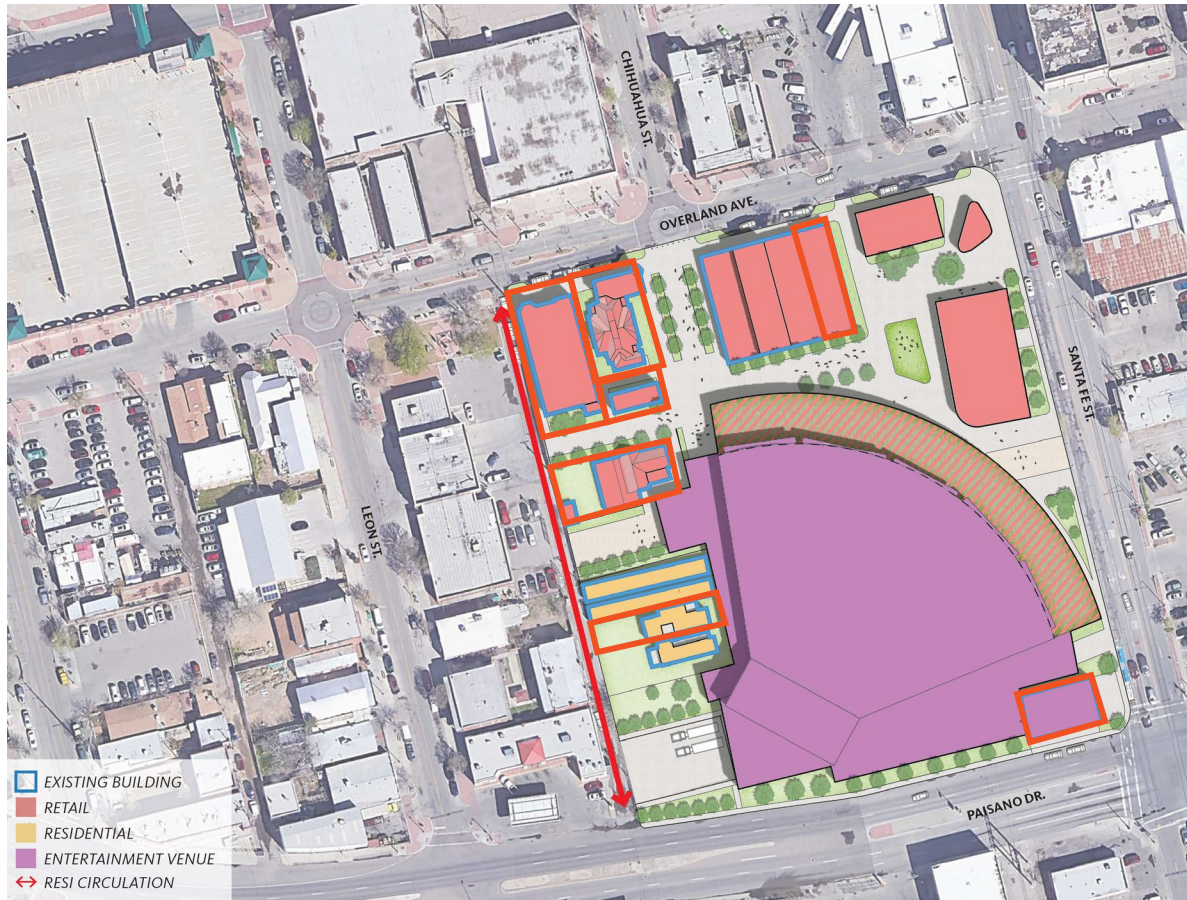




# 4.I Site Analysis / Place Making

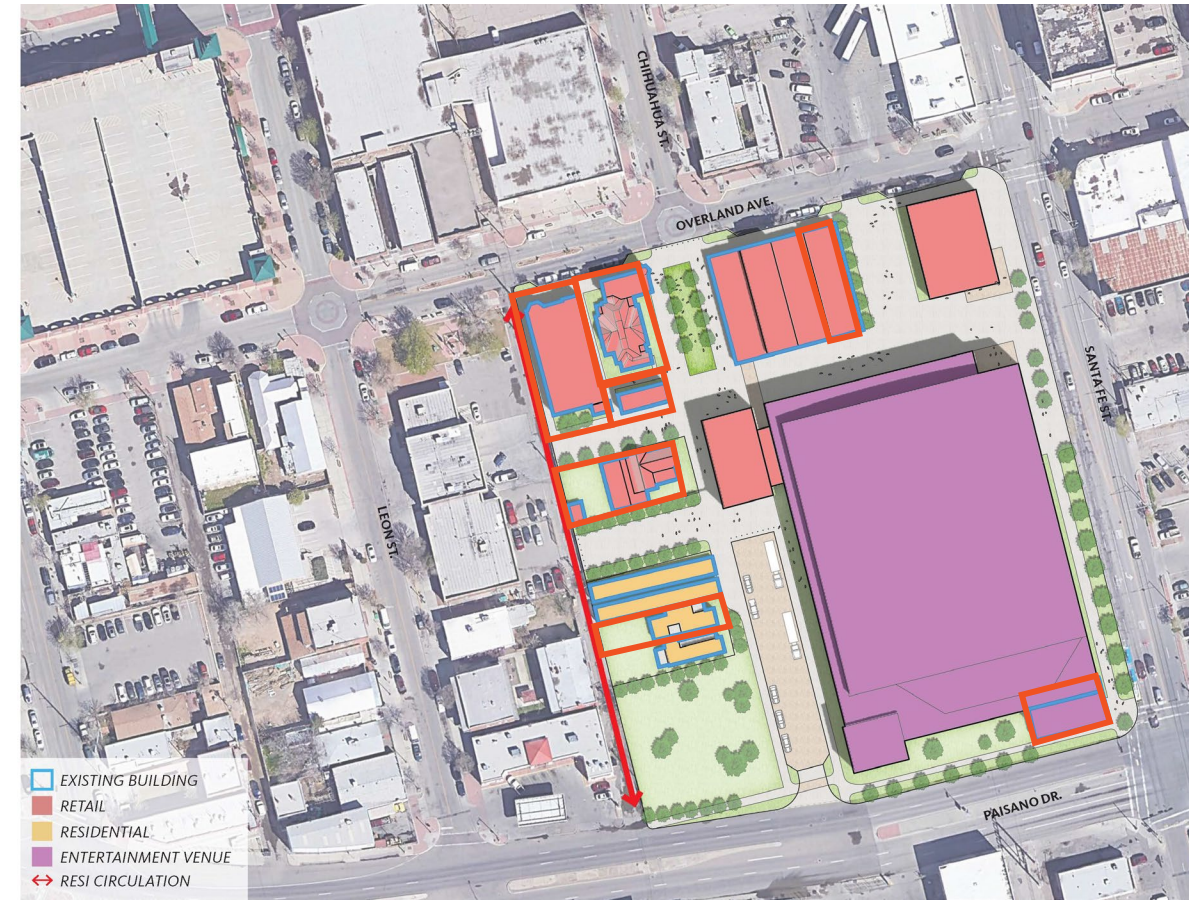
## Site Plans for two proposed models

### \*Flexible Hybrid Venue B:



\*Flexible Hybrid Venue 'A' and Flexible Hybrid Venue 'B' have same facility footprint/site impact

### Arena:



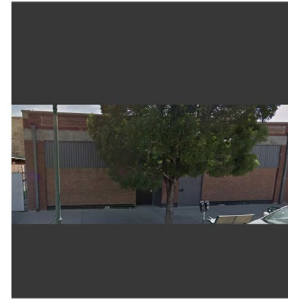
Significant; Owned by the City:





## 4.I Siting Analysis/ Place Making

### Structures/Properties that will be repurposed per Proposed Site Plans warehouses



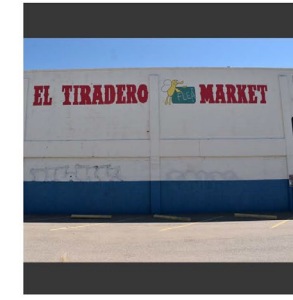
ID No.  
AKA  
Address  
Year Built  
Owner  
PID

**PA - 16**  
**UK**  
**308 Chihuahua St.**  
1950 | Over 50  
City of El Paso  
352702



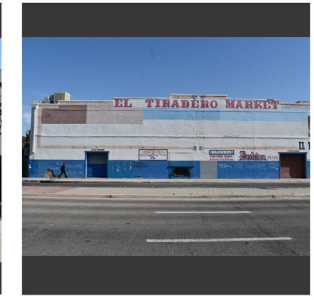
ID No.  
AKA  
Address  
Year Built  
Owner  
PID

**PA - 17**  
**UK**  
**312 Chihuahua St.**  
1963 | Over 50  
City of El Paso  
400913



ID No.  
AKA  
Address  
Year Built  
Owner  
PID

**PA - 18A**  
**El Tiradero Market**  
**215 W. Paisano Dr.**  
1962 | Over 50  
City of El Paso  
195454



ID No.  
AKA  
Address  
Year Built  
Owner  
PID

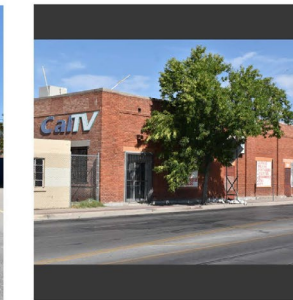
**PA - 18B**  
**El Tiradero Market**  
**215 W. Paisano Dr.**  
Unknown  
City of El Paso  
195454

Structures/lots to be removed/repurposed into project:



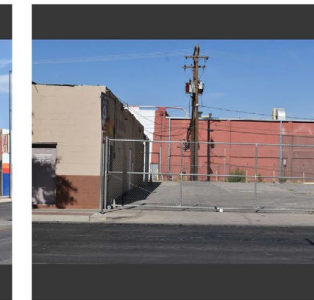
ID No.  
AKA  
Address  
Year Built  
Owner  
PID

**PA - 19**  
**UK**  
**307 S. Santa Fe**  
1975 | Less than 50  
City of El Paso  
394786



ID No.  
AKA  
Address  
Year Built  
Owner  
PID

**PA - 20**  
**UK**  
**309 S. Santa Fe**  
1928 | Over 50  
City of El Paso  
46741



ID No.  
AKA  
Address  
Year Built  
Owner  
PID

**PA - 21**  
**UK**  
**Parking lot with small building.**  
325 S. Santa Fe  
Not Listed | Block Shed  
City of El Paso &  
**Los Paisanos Autobuses**  
47625 & 498575



## 4.2 Hybrid Facility: 4,000 Indoor seats + 4,000 Outdoor seats OR 6,500 Indoor seats + 1,500 Outdoor seats. TOTAL CAPACITY: 8,000 seats.

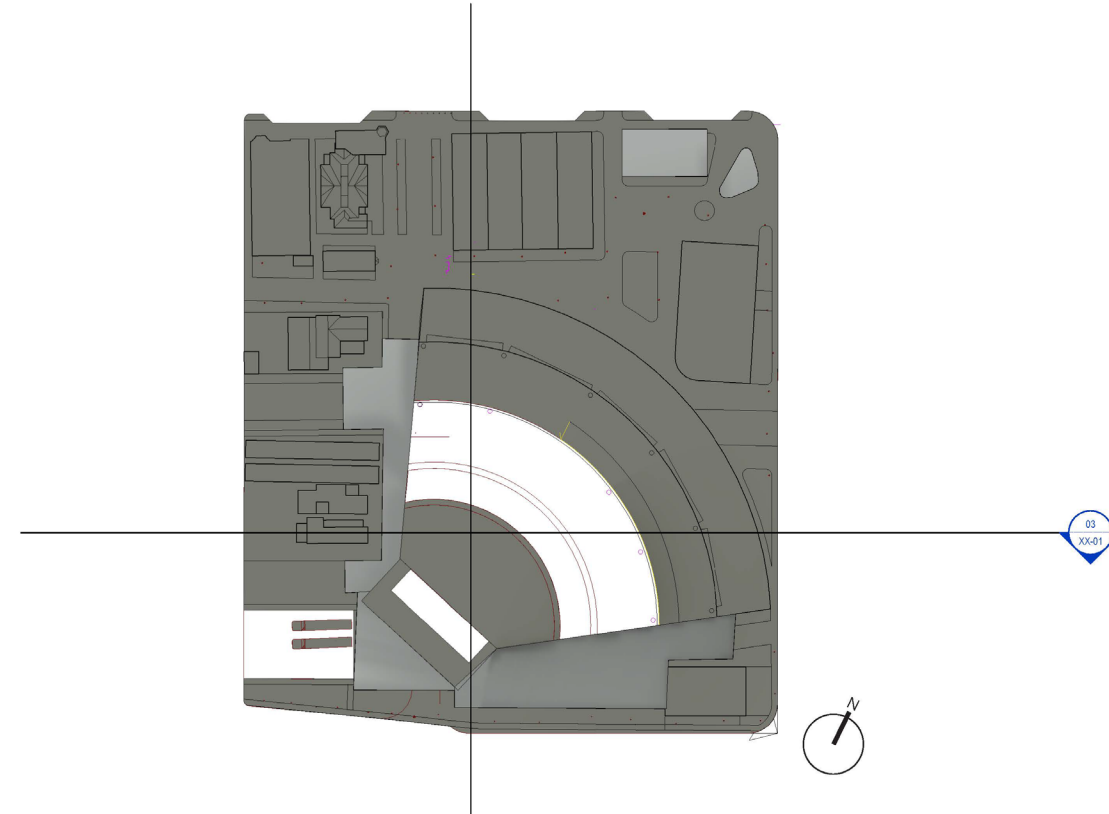


## 4.2 Hybrid Facility: 4,000 Indoor seats + 4,000 Outdoor seats OR 6,500 Indoor seats + 1,500 Outdoor seats. TOTAL CAPACITY: 8,000 seats.

OVERALL FLOOR PLAN LEVEL 01 WIREFRAME

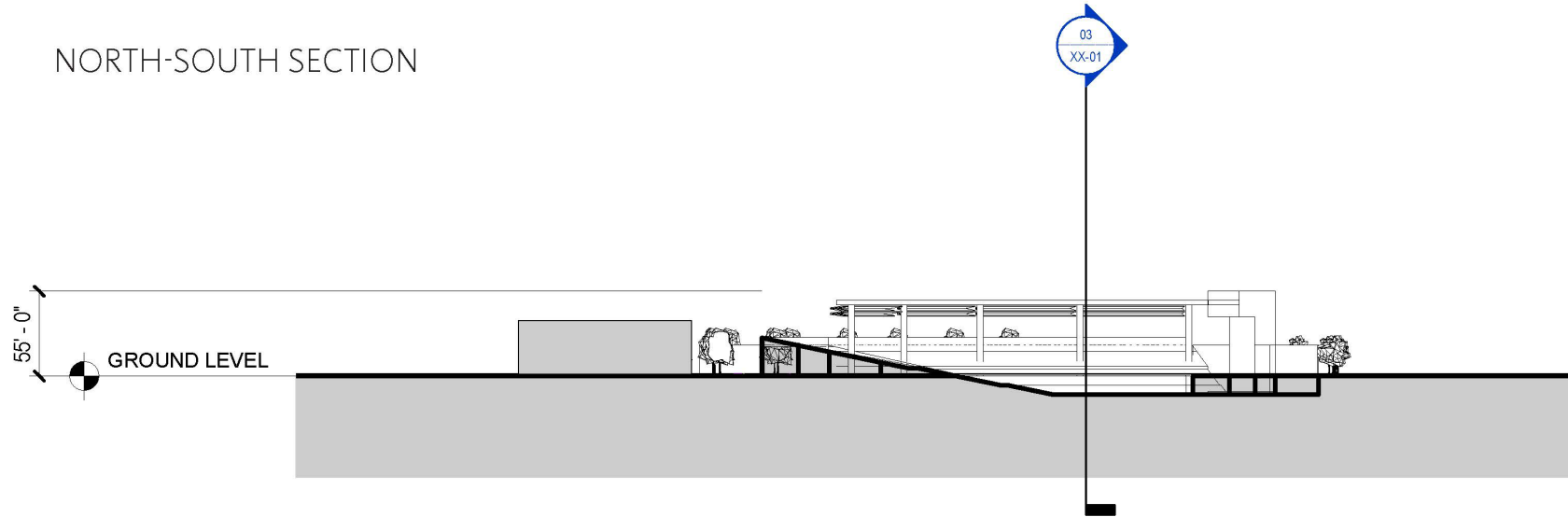


OVERALL FLOOR PLAN LEVEL 01

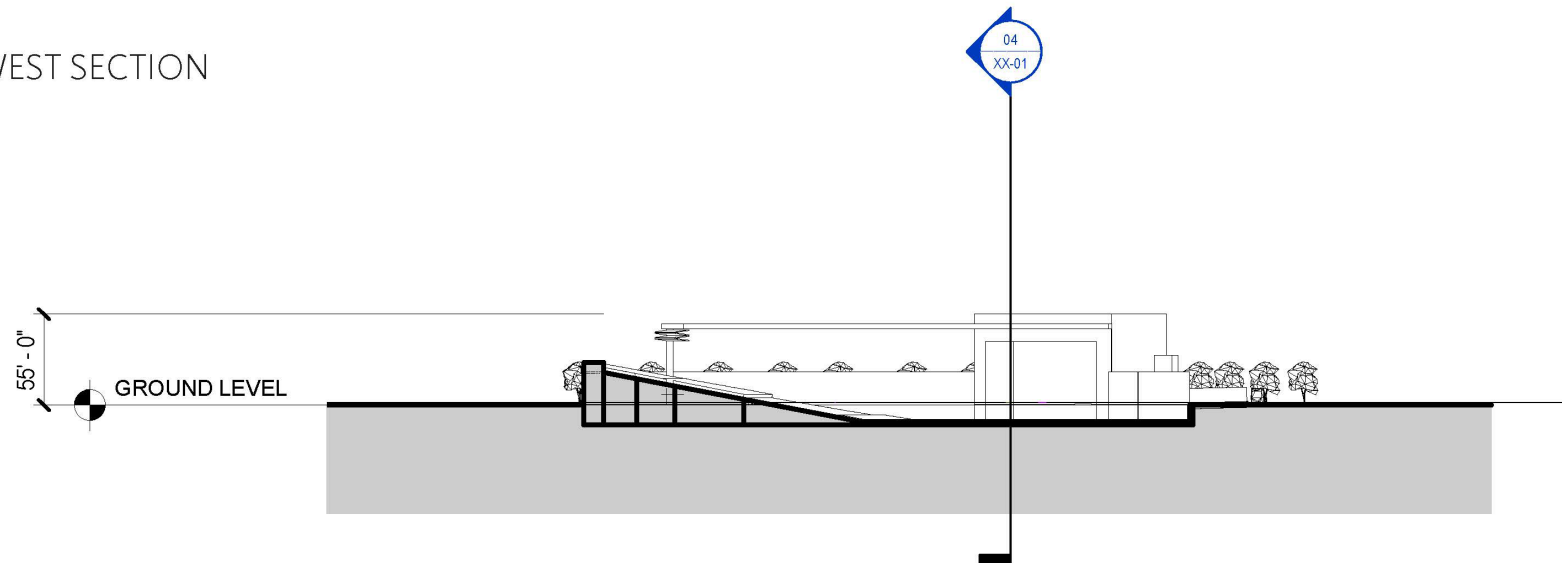


## 4.2 Hybrid Facility: 4,000 Indoor seats + 4,000 Outdoor seats OR 6,500 Indoor seats + 1,500 Outdoor seats. TOTAL CAPACITY: 8,000 seats.

NORTH-SOUTH SECTION



EAST-WEST SECTION





## 4.3 Building Massing/Typology Analysis

View of existing conditions, down Chihuahua St. crossing Overland.



## 4.3 Building Massing/Typology Analysis

View of proposed entrance, down Chihuahua St. crossing Overland.



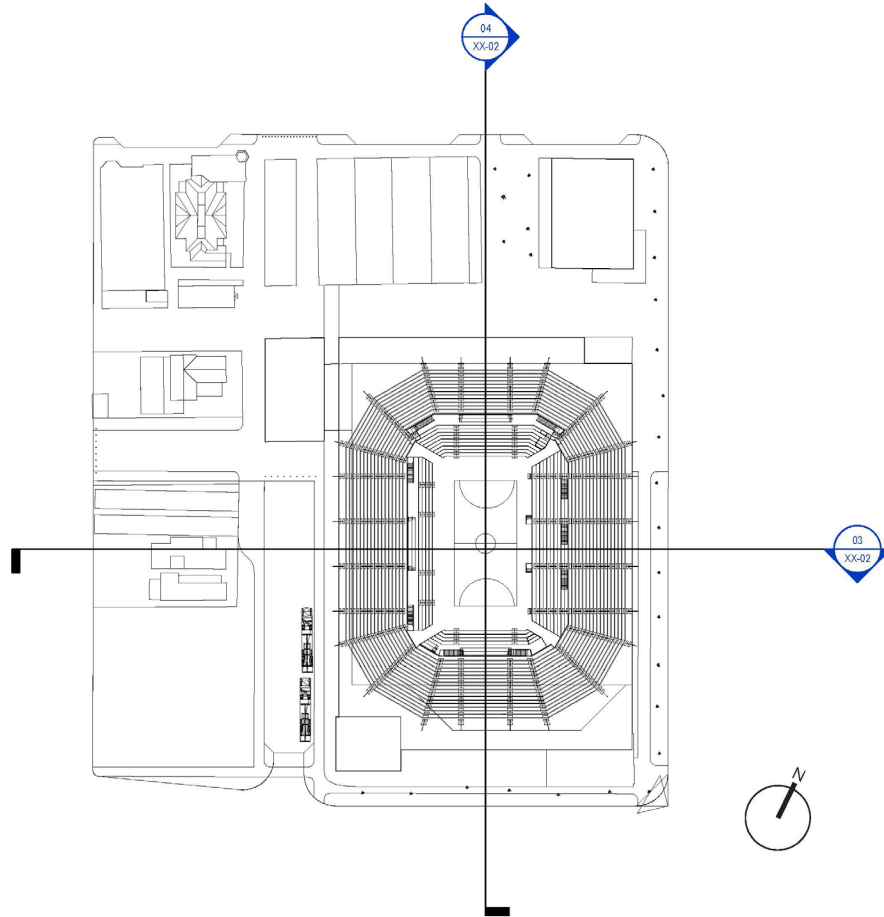


## 4.4 Arena Facility: TOTAL CAPACITY: 12,000 seats

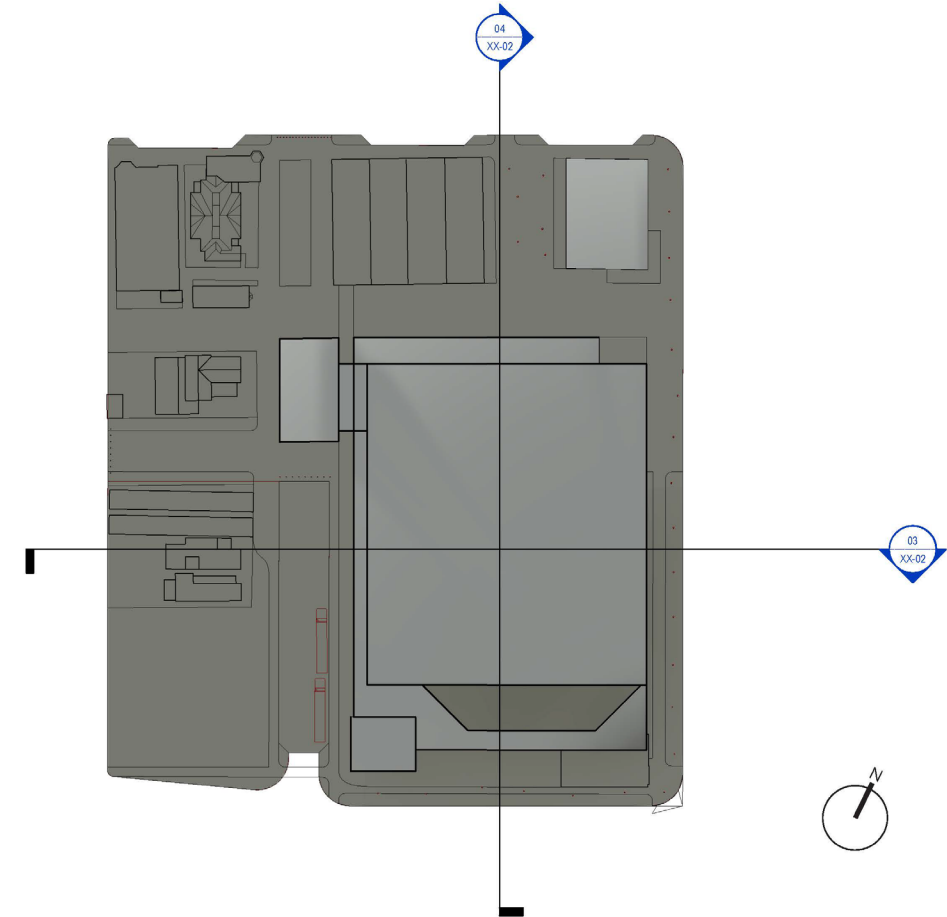


## 4.4 Arena Facility: TOTAL CAPACITY: 12,000 seats

OVERALL FLOOR PLAN LEVEL 01 WIREFRAME

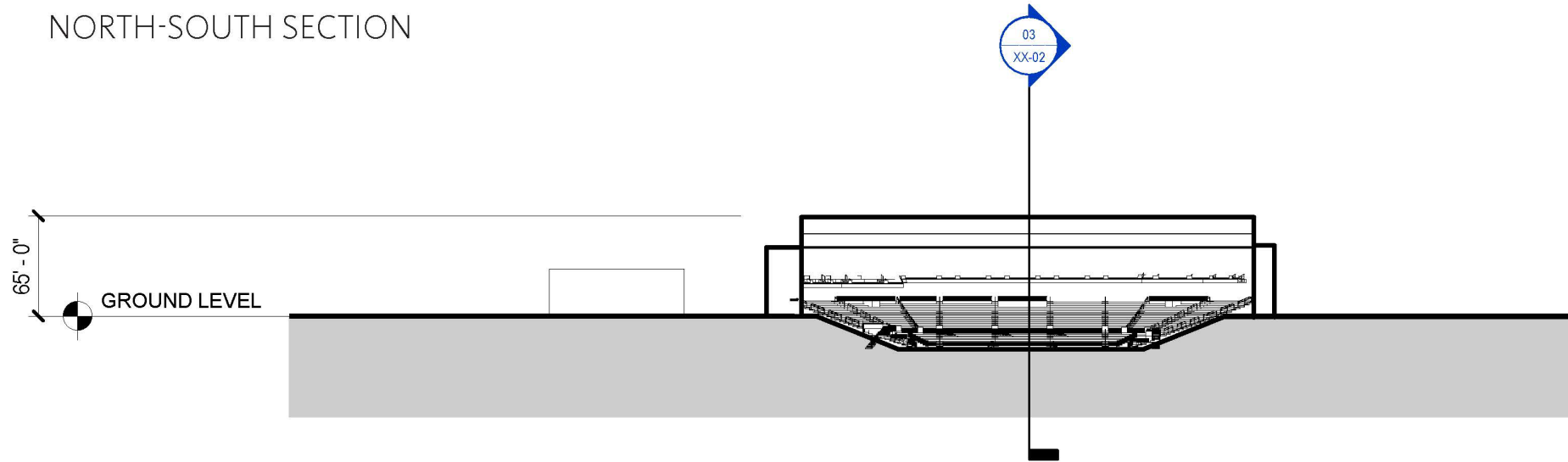


OVERALL FLOOR PLAN LEVEL 01

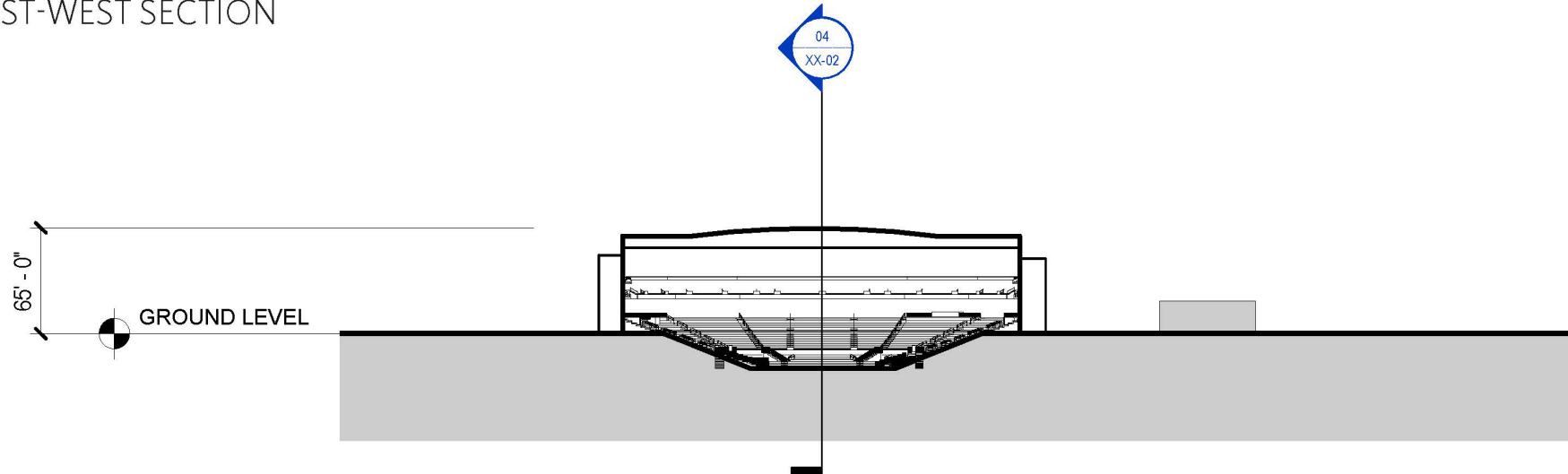


## 4.4 Arena Facility: TOTAL CAPACITY: 12,000 seats

NORTH-SOUTH SECTION



EAST-WEST SECTION





## 4.5 Building Massing/Typology Analysis

View of existing conditions, down Chihuahua St. crossing Overland.



## 4.5 Building Massing/Typology Analysis

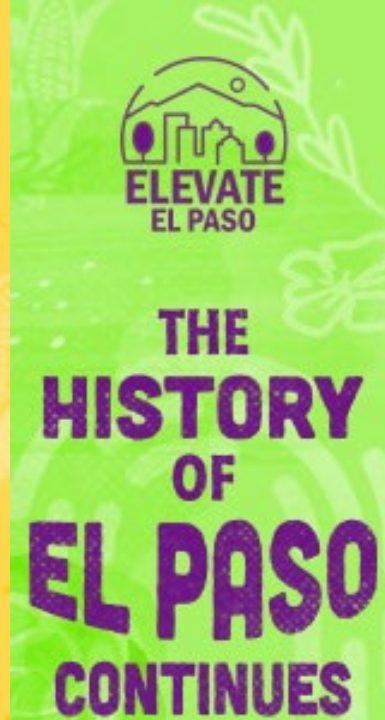
View of proposed entrance, down Chihuahua St. crossing Overland.



## Feasibility and Programming Prefinal Results:

- 89.1% Approve the MPC project, with building restoration that reimagines the use of existing buildings
- **There is a market need for a MODERN facility in the 8,000-12,000 seats**
- **Current Site Plan incorporates 12 structures, SEVEN of which are independently eligible for historic designation as per the EP County survey (this project would pave the way for the rehabilitation of those structures)**
- Project costs are within the current approved budget; All pricing assumes Q1 2024 start
- Operating models estimate a yearly profit for the operation
- Contributes to the revitalization of Union Plaza
- Incorporates this area into the Convention Center Campus for additional meeting space.





# THANK YOU QUESTIONS?

<https://www.elev8ep.com/calendar-events-mpc>





El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #: 23-11, 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, Chief Mario D'Agostino, (915) 212-5605

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

#### **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.

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

**AGENDA DATE:** January 3rd, 2023

**PUBLIC HEARING DATE:** N/A

**CONTACT PERSON(S) NAME AND PHONE NUMBER:**

Mario D'Agostino, Deputy City Manager, (915) 212-5605  
Jonathan P. Killings, Interim Fire Chief, (915) 493-5609

**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.

**BACKGROUND / DISCUSSION:**

Update provided to City Council regarding the current status of migrant influx.

**PRIOR COUNCIL ACTION:** N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?** ☒ YES ☐ NO

**PRIMARY DEPARTMENT:** City Manager's Office & Office of Emergency Management

**SECONDARY DEPARTMENT:** Fire, All City

**BOARD / COMMISSION ACTION:**

Enter appropriate comments or N/A

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

*Mario M. D'Agostino*

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



Legislation Text

---

File #: 23-10, 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**

City Manager's Office, Chief Mario D'Agostino, (915) 212-5605

**AGENDA LANGUAGE:**

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

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)
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
3. Team Lead Report:
  - a) Health Focus (Hector Ocaranza, M.D.)
    - i. COVID-19 update
    - ii. Influenza Update
    - iii. RSV Update
4. City Manager Wrap-up (Tommy Gonzalez)

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

DEPARTMENT: City Manager's Office

AGENDA DATE: January 3, 2023

CONTACT PERSON NAME AND PHONE NUMBER: Deputy City Manager/Chief Mario M. D'Agostino (915) 212-5605

DISTRICT(S) AFFECTED: All Districts

**SUBJECT:**

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)
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
3. Team Lead Report:
  - a) Health Focus (Hector Ocaranza, M.D.)
    - i- Update on respiratory illnesses (COVID-19, Influenza and RSV)
4. City Manager Wrap-up (Tommy Gonzalez)

BACKGROUND / DISCUSSION:

The COVID-19 Response+ Recovery Cross-Functional Team is comprised of multi-disciplinary teams focused on the continued planning, development and implementation of actions supporting key impact areas. Ongoing updates will be provided to share key information and key upcoming items.

PRIOR COUNCIL ACTION: N/A

AMOUNT AND SOURCE OF FUNDING: N/A

---

BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

DEPARTMENT HEAD:

*Mario M. D'Agostino*

---

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

# **COVID-19 Response + Recovery**

***Cross-Functional Team Update***

**1.3.23**

# Table of Contents

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- 1. Overview (Tommy Gonzalez)**
  - 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**
  - 3. Team Lead Report:**
    - a) Health Focus (Hector Ocaranza, M.D.)**
      - i- Update on respiratory illnesses  
(COVID-19, Influenza and RSV)**
  - 4. City Manager Wrap-up (Tommy Gonzalez)**
-



# 1. Overview

Tommy Gonzalez



# 2. City Attorney Overview

January 3, 2023

## Overview

### City Attorney Overview

1. State Disaster Declaration
2. Emergency Ordinances
3. Greg Abbott, in his official capacity as Governor of Texas v. City of El Paso & Statewide Mask Mandate Litigation
4. Additional Updates

# State Disaster Declaration



\* Anticipated date


\*\*Anticipate Governor Abbott will renew his Disaster Declaration January 17-18, 2023.

# Emergency Ordinances

Ordinance	Adoption Date	Most Recent Re-enactment	Expires
<b>Disaster Declaration</b> Ord. No. 019035	3/17/2020	12/5/2022	1/04/2023
<b>Emergency Measures</b> Ord. No. 019036	3/17/2020	12/5/2022	1/04/2023
<b>Public Right of Way</b> Ord. No. 019241	10/11/2021	12/5/2022	1/04/2023

# Greg Abbott, in his official capacity as Governor of Texas v. City of El Paso & Statewide Mask Mandate Litigation

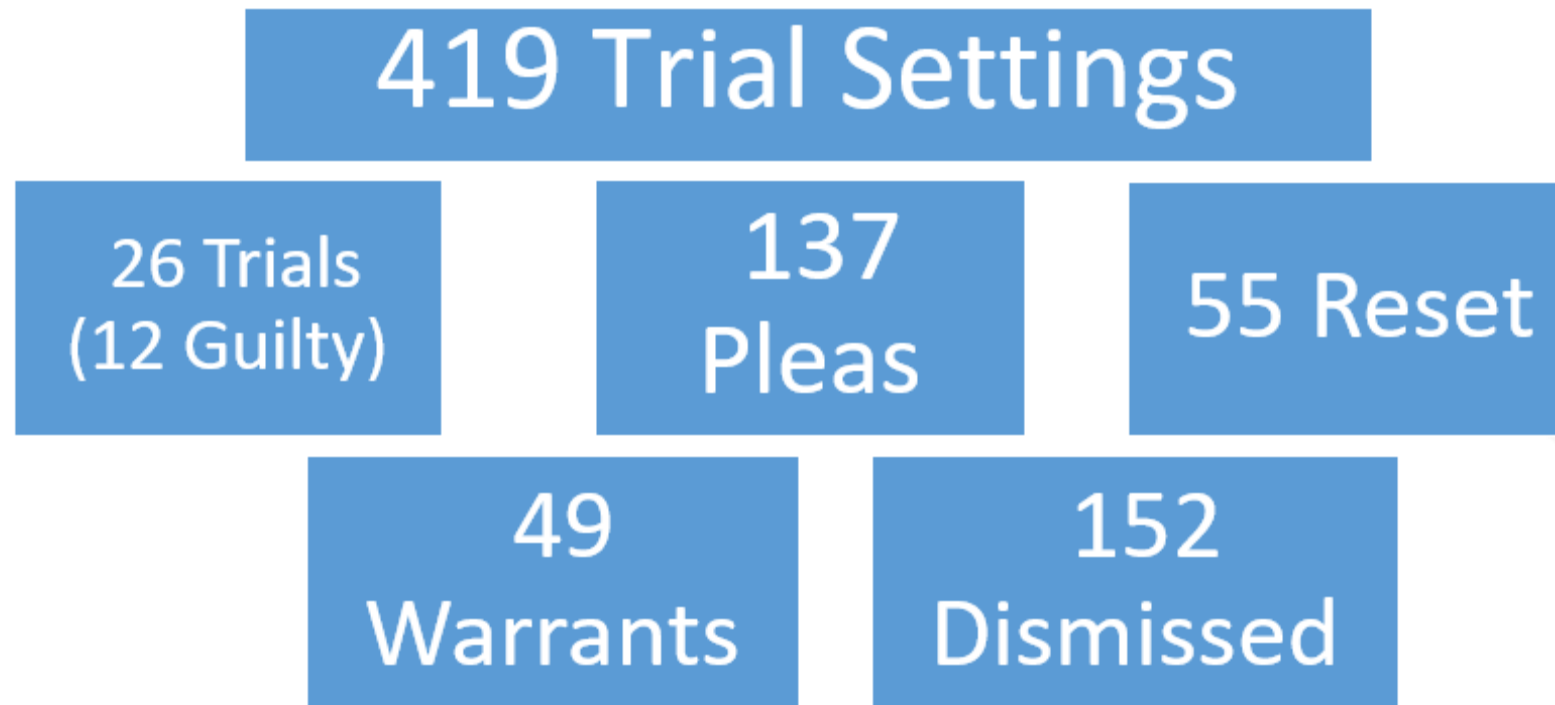
## Texas Courts of Appeal

Three concentric semi-circles on the left side of the table. The outermost semi-circle is orange, the middle one is blue, and the innermost one is orange.

4 <sup>th</sup> Tex. App.	<ul style="list-style-type: none"><li>• Abbott v. City of San Antonio</li></ul>
5 <sup>th</sup> Tex. App.	<ul style="list-style-type: none"><li>• Abbott v. Clay Jenkins</li></ul>
8 <sup>th</sup> Tex. App.	<ul style="list-style-type: none"><li>• Abbott v. City of El Paso</li></ul>

# Additional Updates- COVID-19 Prosecution Update

**Trial Settings on COVID-19 Citations through 12/20/2022 in all 5 Municipal Courts**





# 3. Team Lead Report

# **a. Health Focus**

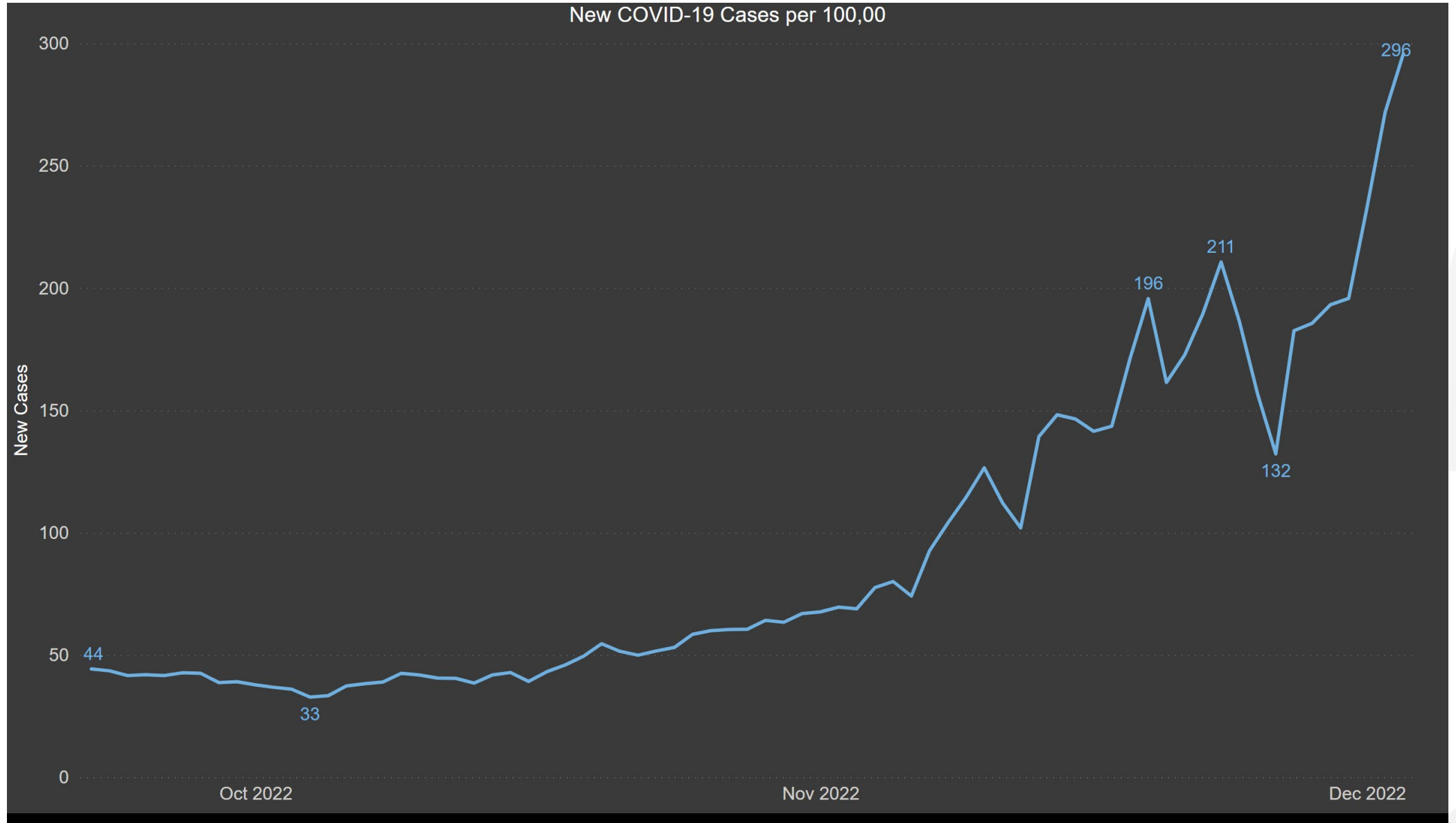
- i- COVID-19 update**
- ii- Influenza Update**
- iii-RSV Update**

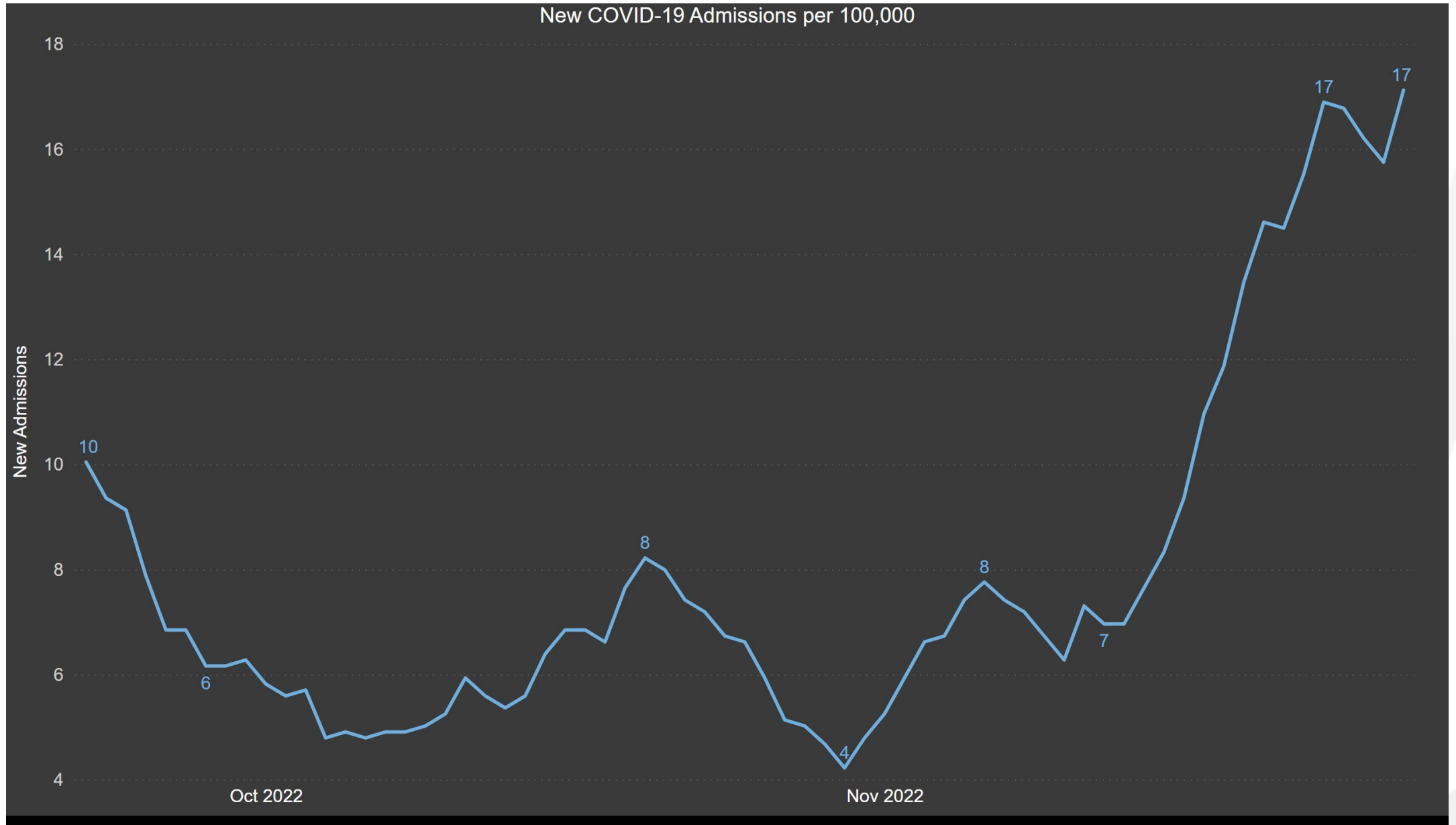
Hector I. Ocaranza, M.D.



# COVID-19 Update

- COVID-19 New Cases continues on a sharp positive trend.
- Hospitalizations have plateaued due to holiday break but expected to increase
- Federal Government providing free COVID-19 testing via mail
- City continues providing free COVID-19 testing through kiosks across the city

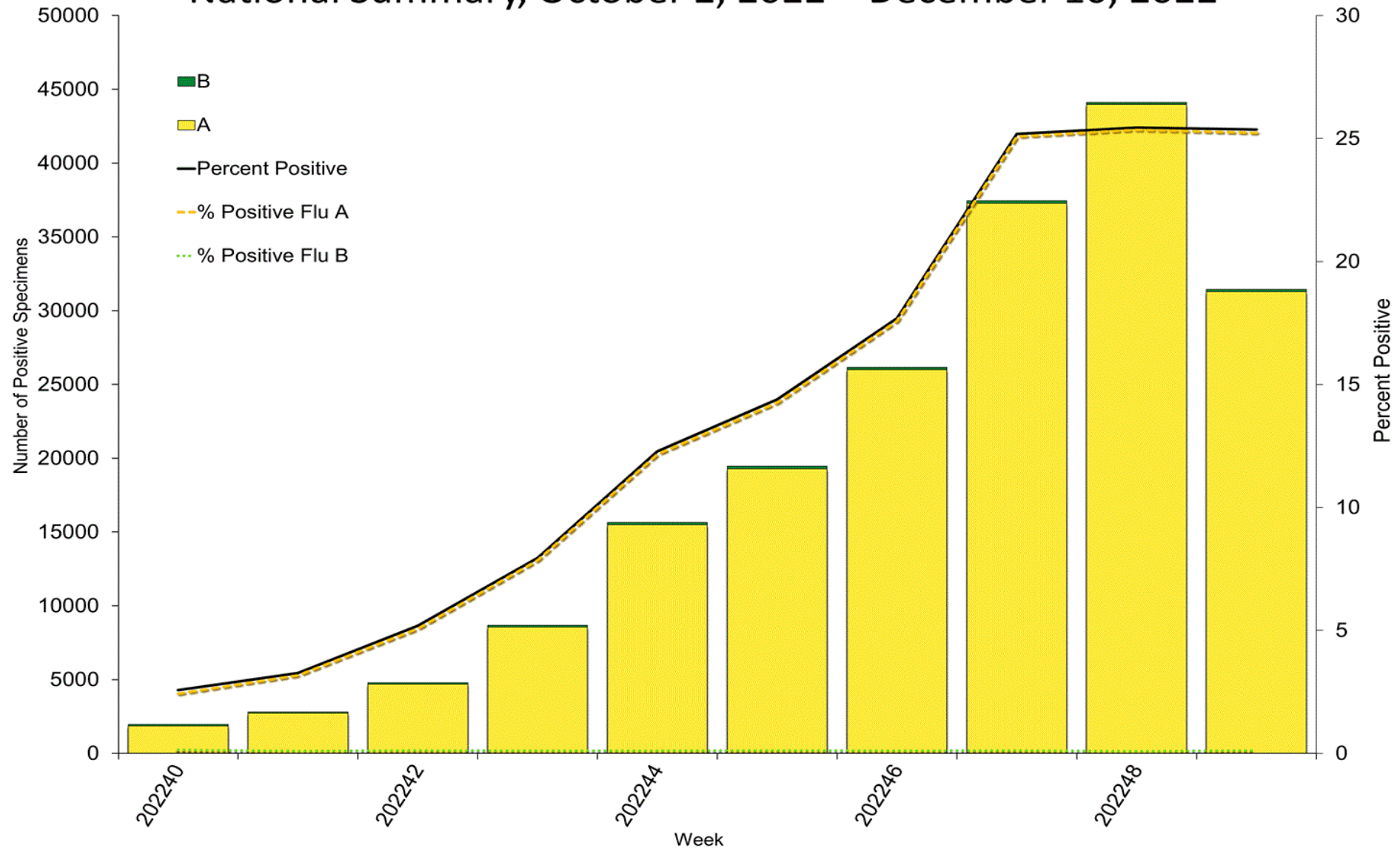




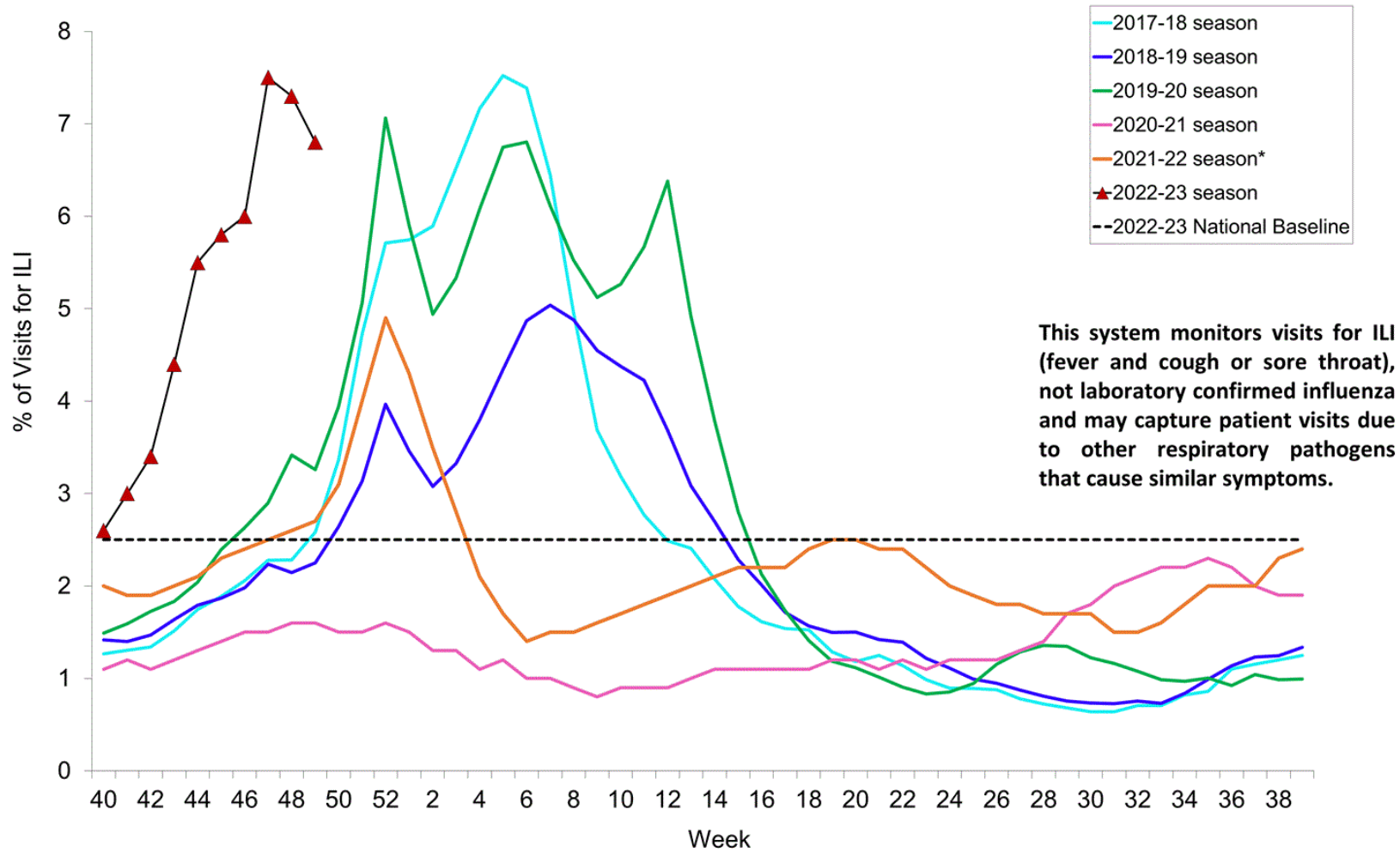
# Influenza

- Continue to see a sharp upward trend of Influenza in our community
- Increase hospitalization due to influenza in those considered high risk
- Vaccination against flu is provides effective protection against hospitalization for population in general but more for those considered high risk
- Short supply of antiviral reported nationwide
- Expect to see larger number of Influenza infections after holidays

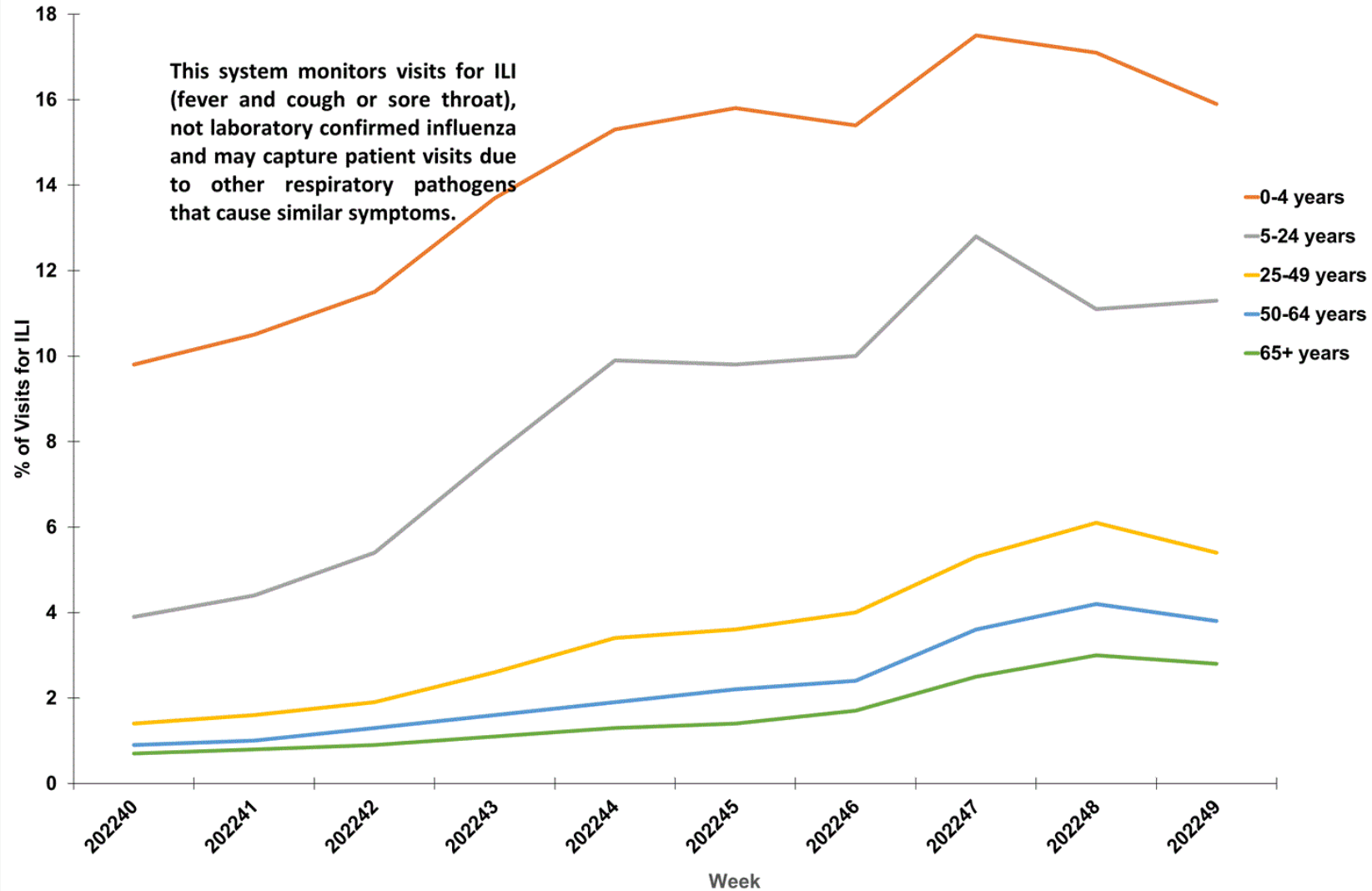
## Influenza Positive Tests Reported to CDC by U.S. Clinical Laboratories, National Summary, October 2, 2022 – December 10, 2022



# Percentage of Outpatient Visits for Respiratory Illness Reported By The U.S. Outpatient Influenza-like Illness Surveillance Network (ILINet), Weekly National Summary, 2022-2023\* and Selected Previous Seasons

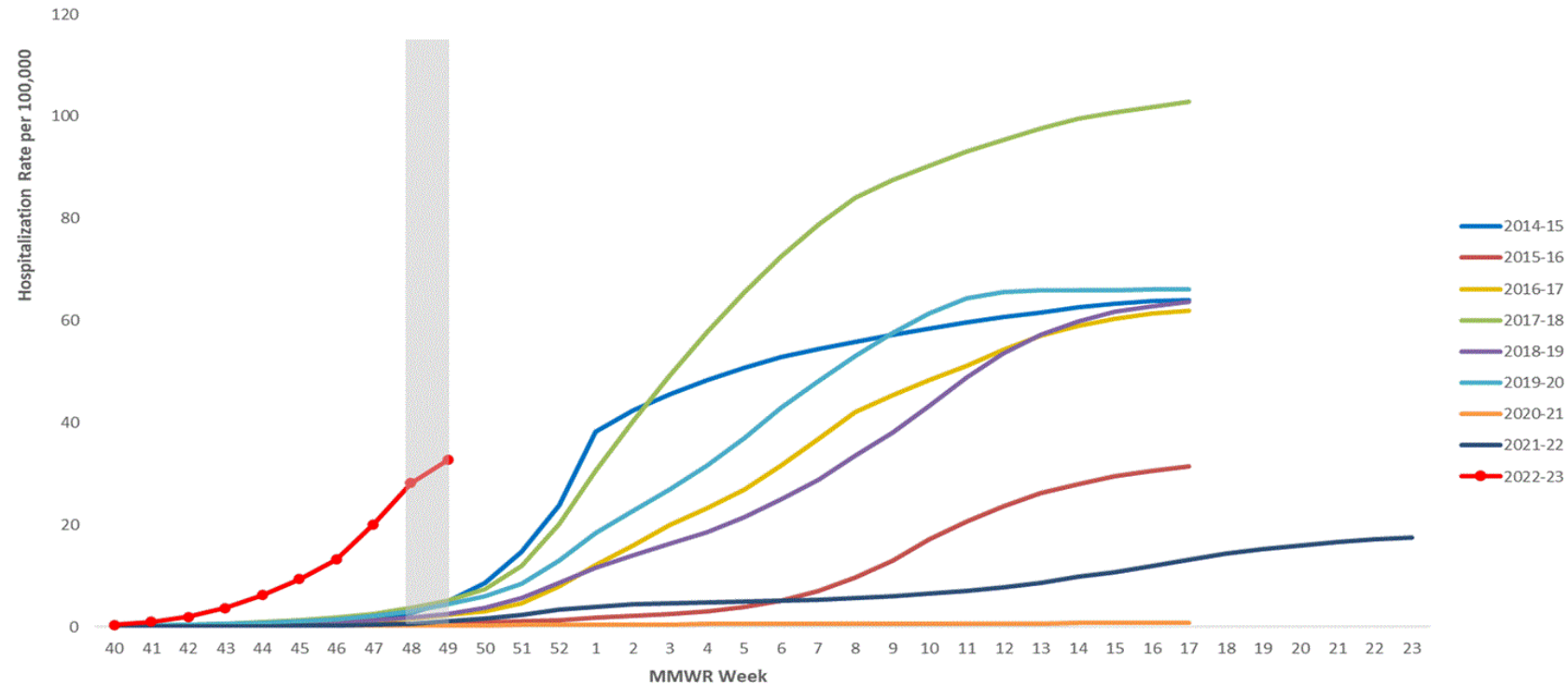


**Percentage of Outpatient Visits for Respiratory Illness by Age Group  
Reported by the U.S. Outpatient Influenza-like Illness Surveillance Network (ILINet),  
Weekly National Summary, October 2, 2022-December 10, 2022\***



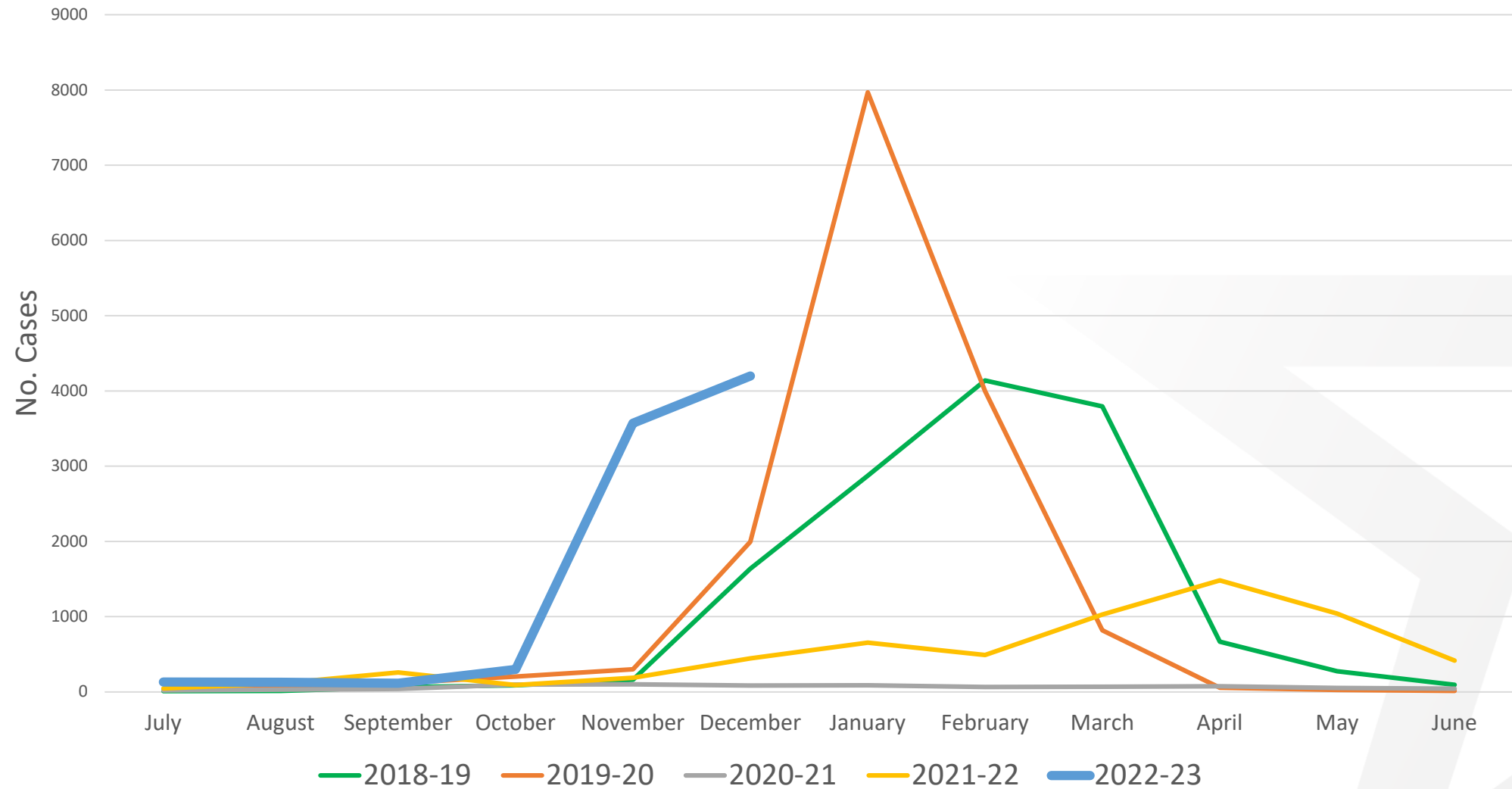


## Cumulative Rate of Laboratory-Confirmed Influenza Hospitalizations among cases of all ages, 2014-15 to 2022-23, MMWR Week 49



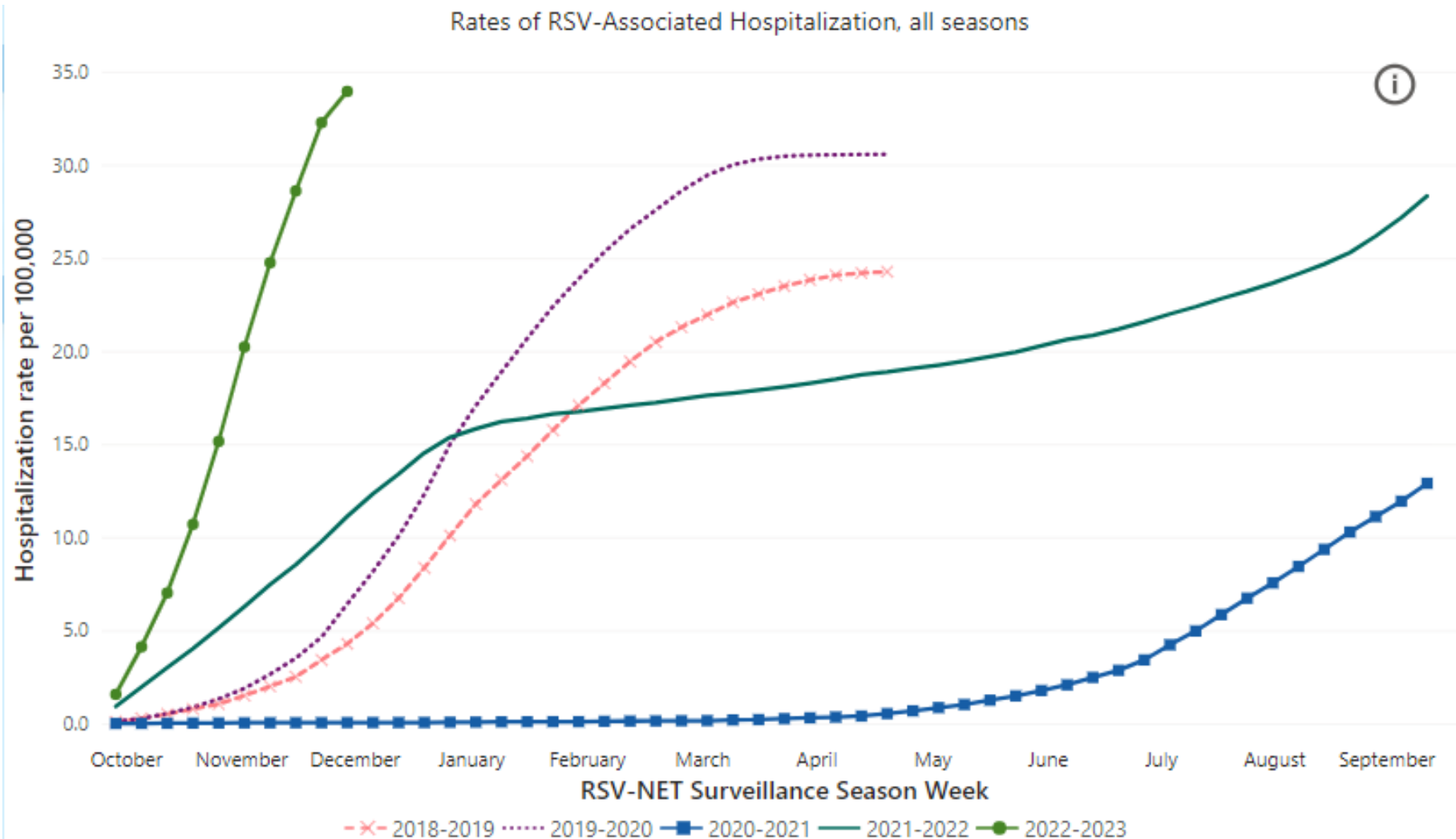
**\*\***In this figure, weekly rates for all seasons prior to the 2022-23 season reflect end-of-season rates. For the 2022-23 season, rates for recent hospital admissions are subject to reporting delays, as shown in the shaded area. As hospitalization data are received each week, prior case counts and rates are updated accordingly.

## Influenza Activity 2018-22 El Paso, TX



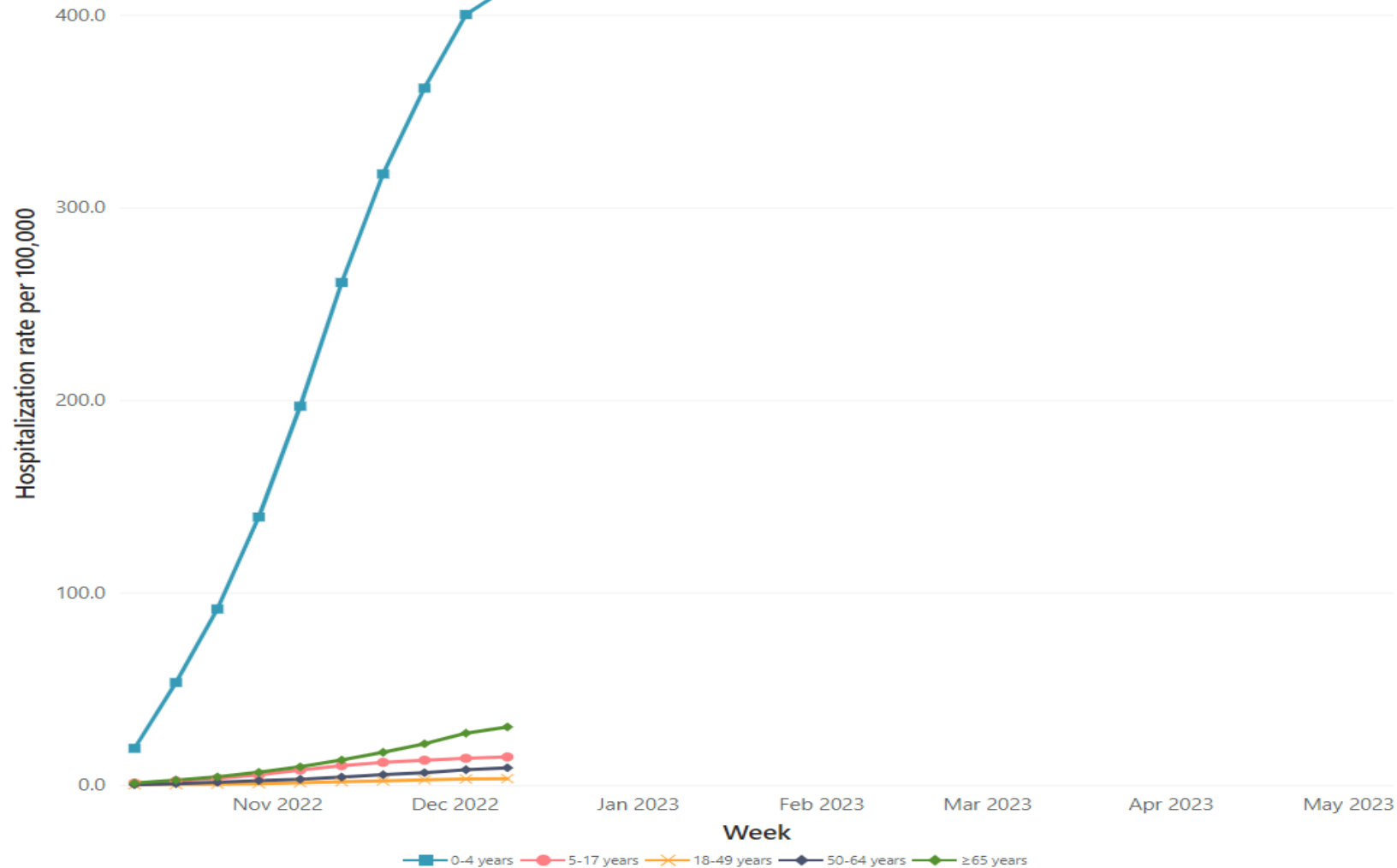
# Respiratory Syncytial Virus (RSV)

- RSV continues spreading throughout our community
- Hospitals caring for pediatric patients continue reporting challenges with staffed beds
- Outpatient visits due to RSV very high
- RSV continues affecting mostly infants, but senior citizens also affected
- Prevention is the best way to prevent infection and hospitalization



**Data last updated:** 12/14/2022 | **Accessibility:** Hover over graph area to display options such as show data as table and copy visual.  
 Note: AI/AN, American Indian or Alaska Native; A/PI, Asian and Pacific Islander.

# RSV Hospitalization by Age Group



# 4. City Manager Wrap-up

Tommy Gonzalez

# Thank you!





El Paso, TX

300 N. Campbell  
El Paso, TX

Legislation Text

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**File #: 23-38, Version: 1**

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**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 Community Cats.

**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:**

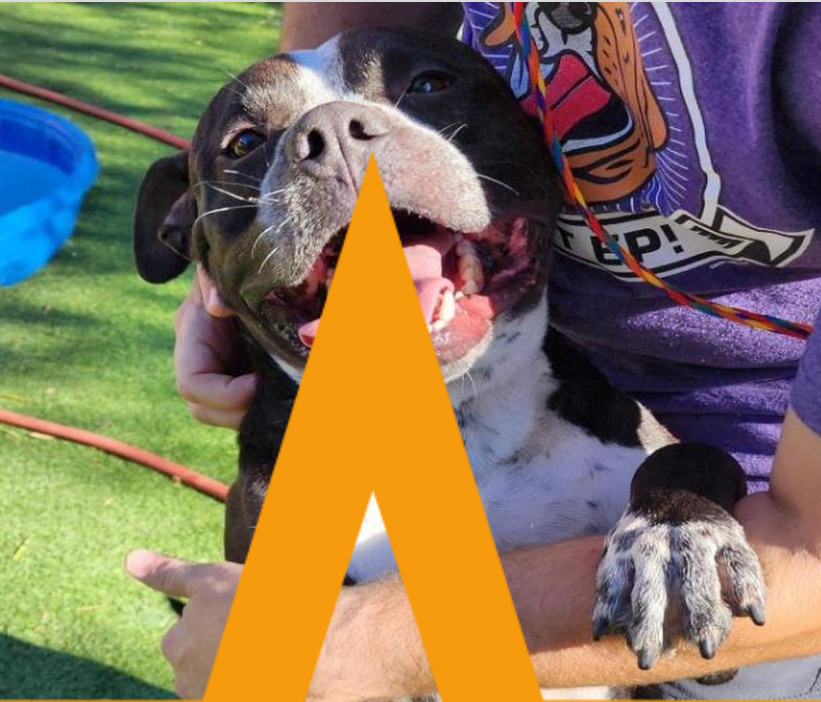
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\*\*\*\*\***REQUIRED AUTHORIZATION**\*\*\*\*\*

**DEPARTMENT HEAD:** 

---

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



# El Paso Animal Services

## Community Cats

Goal 8: Nurture and Promote a Healthy, Sustainable Community







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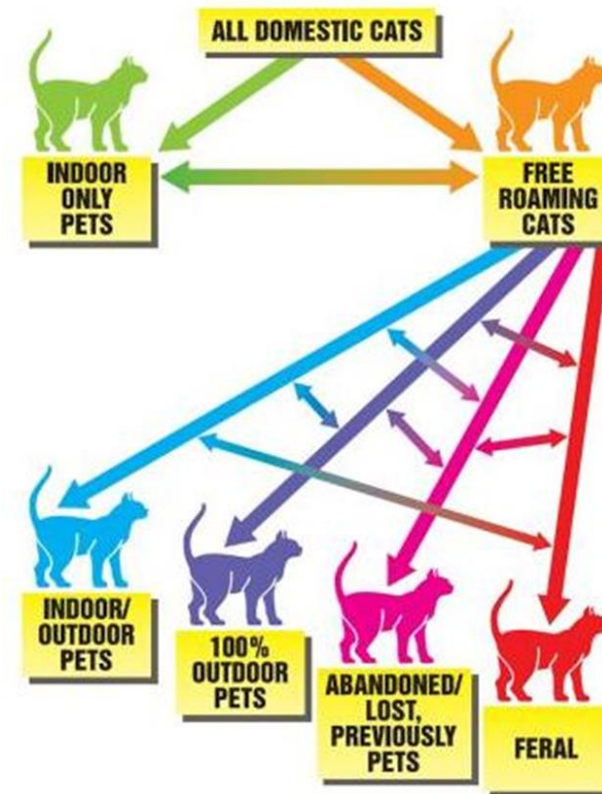
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## Agenda

- Community Cat Program
- Terminology
- Data
- Access to Community Cat Program

# What is the Community Cat Program?

- EPAS promotes and follows the Community Cat Program as a humane and non-lethal approach to long term free-roaming cat population control.
- Community Cats are often semi-friendly or unfriendly cats that wouldn't be suitable for adoption into homes and are already considered free-roaming. Don't worry, Community Cats are already accustomed to living outside and are happier this way!
- Cats that go through the Community Cat Program are humanely **Trapped** are **Spayed/Neutered**, have their ear tip to symbolize they have been through the program, **Vaccinated** and **Returned** to the trapped location.
- This program is free to the community!



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# Trap and Euthanize

- Ineffective
- Fails to curtail population growth
- Costly
- Leads to Compassion Fatigue
  - High turnover in shelters
- Taints public image
- Publicly unpalatable

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interpreter

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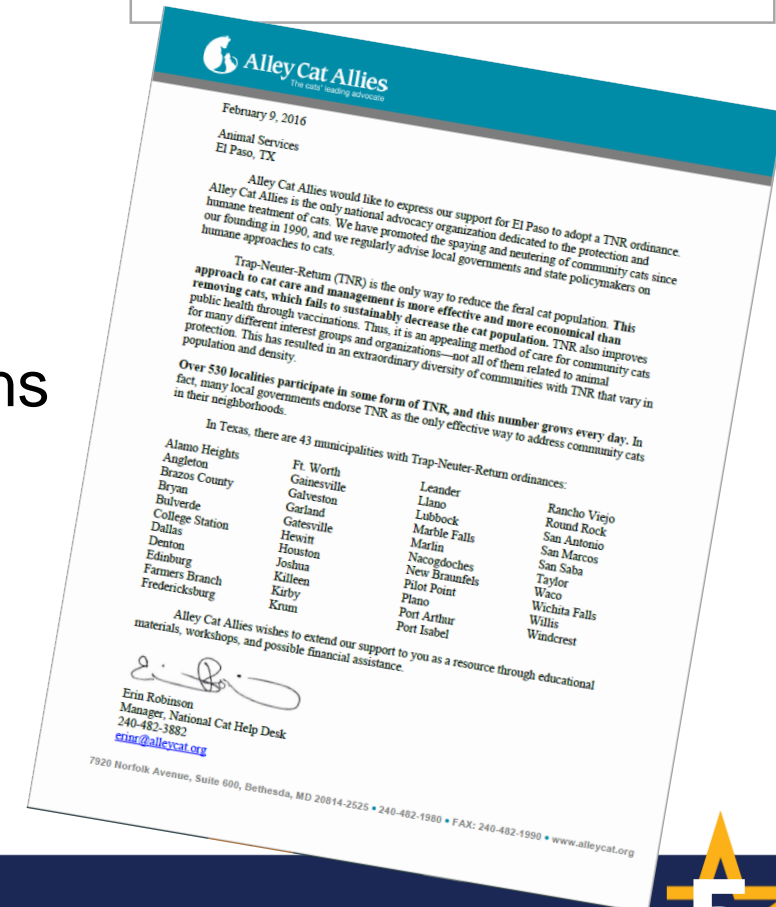


# Community Cat Program

- Decades of euthanizing has proven unsuccessful
- Shelter Reform 2016 Best Practice
- Established March 2016 by City Ordinance
- Provides strategies to humanely manage cat populations
- April 3, 2016 traps not supplied by EPAS
- April 17, 2016 personally owned traps not picked up by EPAS

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# Benefits

- Allows spayed/neutered, vaccinated, ear-tipped cats to be returned to their outdoor area to live out their lives. (Ear-tipping is a universal symbol of a spayed/neutered cat.)
- Evaluated by a Veterinarian.
- Humanely controls the community cat population so there are fewer cats over time.
- Reduces the number of cats killed by keeping these cats out of municipal shelters.
- Minimizes nuisance behaviors like spraying, fighting, howling and roaming.
- Improves the health of cats and neighborhood relations.
- Provides access to grant funding and volunteer participation.



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# Terminology

- Ear-Tipped Cat
  - Title 7 - means a cat upon which a surgical process is performed during neutering as part of the trap-neuter-return protocol overseen by a licensed veterinarian, in which a one-quarter-inch diagonal cut is made to remove the point of a cat's ear, and is preferably, but not exclusively, on the cat's left ear, to identify the cat as being sterilized and lawfully vaccinated for rabies
- Feral
  - Animal that escaped from domestication and become wild.
  - Unsocialized and tend to be fearful of people and keep their distance

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interpreter

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any information on this box.

# Terminology

- Colony
  - Simply a group of free-roaming cats living together.
- Colony Manager/Caregiver
  - Eyes and ears for the colony
  - Cat population
  - Feeding times
  - Monitor for new intact cats

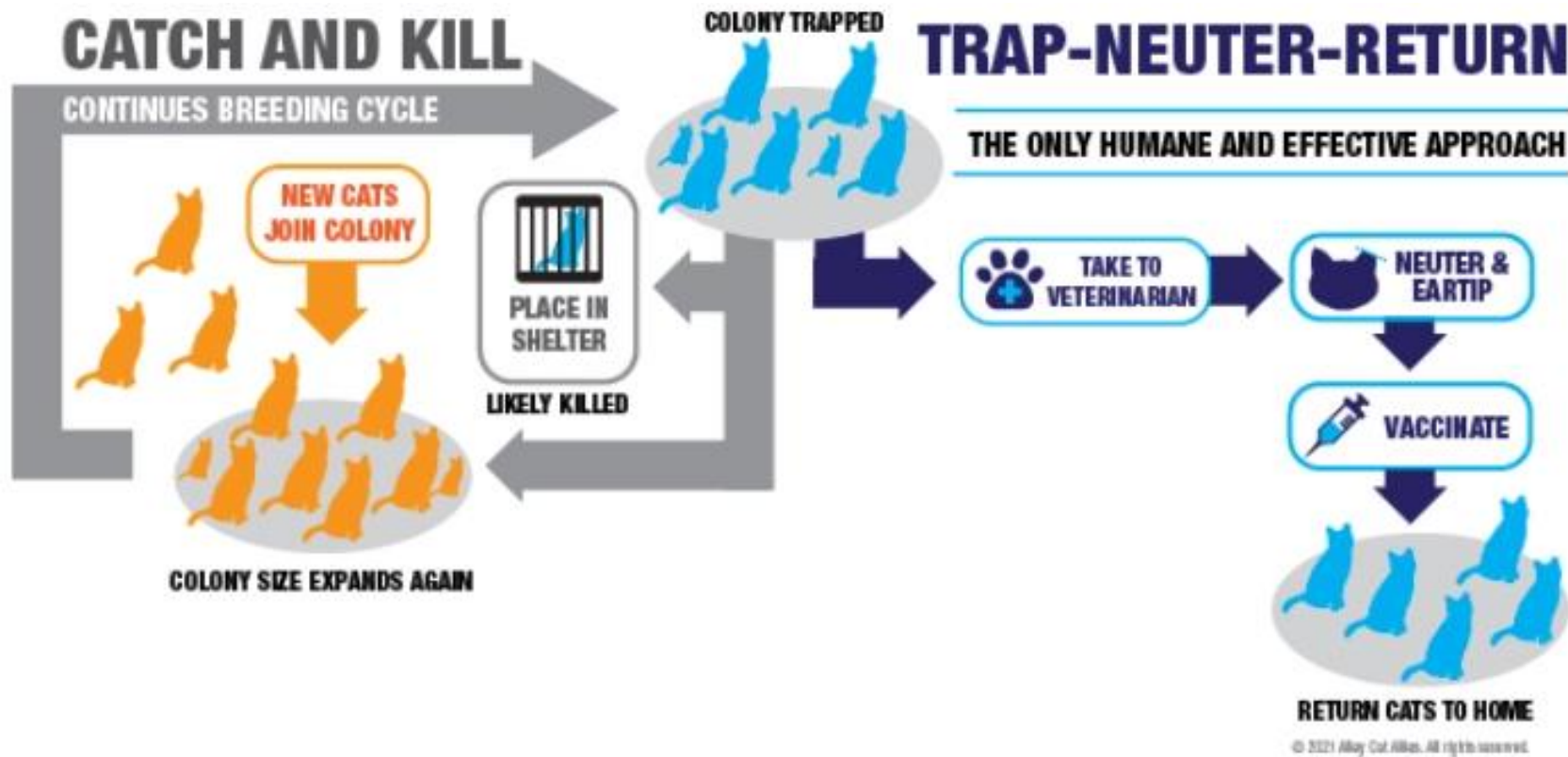
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# Vacuum Effect

- Euthanasia creates voids in territories where new cats take over and the population rebounds



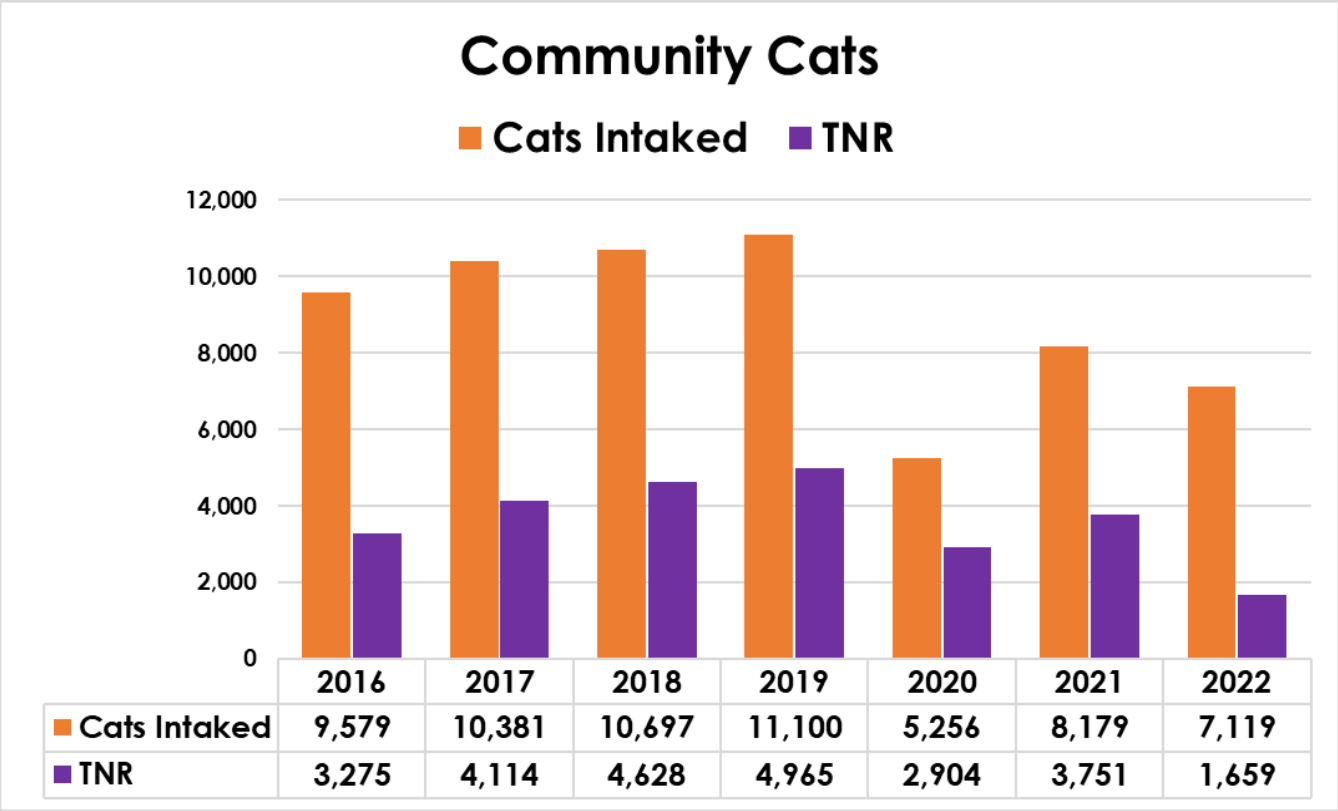
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# Data

- EPAS



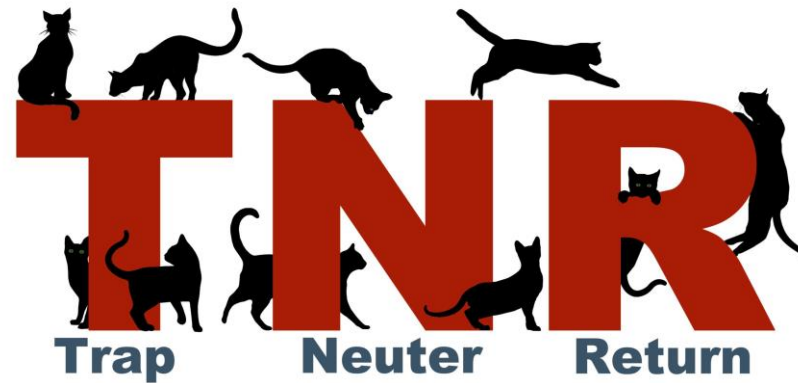
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any information on this box.



# Strategic Partners

- Community
- Sun City Cats
- El Paso TNR
- El Paso Animal Services
- Humane Society of El Paso
- Local Veterinarians



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# Local Community Cat Resources

- **ElPasoAnimalServices.org**

- Community Cat Coordinator  
(915)212-8719

- **SunCityCats.org**

- help@suncitycats.org

- **ElPasoTNR.org**

- info@elpasotnr.org

- **HSEIPaso.org**

- Mary Speer Program  
Coordinator (915)532-6971  
ext. 135



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# National Community Cat Resources

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any information on this box.

- **Alley Cat Allies**

- *AlleyCat.org*



- **Best Friends**

- *resources.BestFriends.org/advocacy/community-cats*



- **Animal Humane Society**

- *AnimalHumaneSociety.org/community-cats*



Emerie Zavala

I am one and I choose to make a difference in our world by helping the voiceless creatures, feral cats. I start by helping one cat at a time. How do I help a feral cat? I start off by feeding them and gaining their trust. We gently trap them, take them to a vet to get them spayed or neutered, bring them home and watch them for 24-hours, and return them back to their community. This is called T.N.R, Trap neuter return.

One cat can start having babies at four months and can have up to six litters a year. By T.N.Ring we are reducing the cat population that suffers in terrible weather conditions, being poisoned by mean humans, facing starvation, and even getting hit by cars. I want to make a difference by educating others on T.N.Ring, as an alternative to euthanasia. I will do that by helping one cat at a time with my friend Cynthia.

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# Thank You



## Mission

Deliver exceptional services to support a high quality of life and place for our community



## Vision

Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government



## Values

Integrity, Respect, Excellence, Accountability, People

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## Misión

Brindar servicios excepcionales para respaldar una vida y un lugar de alta calidad para nuestra comunidad

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## Visión

Desarrollar una economía regional vibrante, vecindarios seguros y hermosos y oportunidades recreativas, culturales y educativas excepcionales impulsadas por un gobierno de alto desempeño



## Valores

Integridad, Respeto, Excelencia, Responsabilidad, Personas



El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #: 23-24, Version: 1**

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### **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, Chief Mario D'Agostino, (915) 212-5605

#### **AGENDA LANGUAGE:**

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

Discussion and action on 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.

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

**AGENDA DATE:** January 3, 2023  
**PUBLIC HEARING DATE:** January 3, 2023

**CONTACT PERSON NAME AND PHONE NUMBER:** Mario M. D'Agostino, DCM (915) 212-5605

**DISTRICT(S) AFFECTED:** All Districts

**STRATEGIC GOAL:** 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:**

Discussion and action on 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.

**BACKGROUND / DISCUSSION:**

Discussion and action on an Emergency Ordinance re-enacting Emergency Ordinance No. 019333 extending the Emergency Ordinance due the Humanitarian and Public Safety Crisis resulting from a Mass Migration through the City of El Paso as related to the removal of Title 42. Title 42 was struck down by a federal court with the parties agreeing that the injunction would end on December 21, 2022. 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;

**PRIOR COUNCIL ACTION:**

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";

**AMOUNT AND SOURCE OF FUNDING:**

None.

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?** ☒ YES ☐ NO

**PRIMARY DEPARTMENT:** Fire Department

**SECONDARY DEPARTMENT:**

---

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**



---

## ORDINANCE NO. \_\_\_\_\_

**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**, 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**, Title 42 was struck down by a federal court with the parties agreeing that the injunction would end on December 21, 2022; and

**WHEREAS**, the Southwest had 230,678 land border encounters in the month of October, 2022; and

**WHEREAS**, the El Paso sector of CBP had 53,284 land border encounters in the month of October, 2022 and a total of 53,284 encounters for federal fiscal year 2022; and

**WHEREAS**, in the month of December 2022, approximately 6000 migrants have been arriving weekly; and **WHEREAS**, when the City faced a migrant surge in March of 2019, the Annunciation House, a local non-governmental organization (“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

ORDINANCE NO. \_\_\_\_\_

22-1006-11694 / PL#1220642v.2

Emergency Ordinance – Jan. 2023 Extension &amp; AMD– Migrant Wave Surge Staff with Resources &amp; Supplies/KMN/JF/CLA

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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 2,708 migrants in close coordination with NGOs since April 2020; and

**ORDINANCE NO.** \_\_\_\_\_

22-1006-11694 / PL#1220642v.2

Emergency Ordinance –Jan. 2023 Extension & AMD– Migrant Wave Surge Staff with Resources & Supplies/KMN/JF/CLA

Page 2 of 5

**WHEREAS**, beginning in late August 2022, the El Paso sector experienced a surge of over 2,000 migrants presenting themselves daily to CBP, primarily made up of unsponsored single adults from Venezuela, resulting in over 1,000 street releases by CBP; and

**WHEREAS**, due to this high volume, the number of refugees and asylum seekers released to the NGO and the City's Migrant Welcome Center, was over 1,000 on a daily basis; and

**WHEREAS**, on September 7, 2022, the City and OEM stood up a migrant Welcome Center to assist with transportation assistance providing services to over 19,300 migrants through October 20, 2022, and

**WHEREAS**, there was over 40,000 community releases to local NGOs and the City during this period; and

**WHEREAS**, the City's Welcome Center has sponsored 294 charter buses with 13,900 unsponsored migrants aboard to New York City and Chicago as final destinations; and

**WHEREAS**, Sun Metro buses have transported upwards of 4,800 migrants to the El Paso International Airport ("EPIA"), bus stations, the Welcome Center, and shelters; and

**WHEREAS**, the City has provided over 39,000 meals to migrants at the local facilities, and for travel aboard the outbound charter buses; 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 Director of Aviation has the authority, as granted by the El Paso City Council, to manage the day-to-day operation of EPIA and to ensure that those operations are

**ORDINANCE NO.** \_\_\_\_\_

22-1006-11694 / PL#1220642v.2

Emergency Ordinance –Jan. 2023 Extension & AMD– Migrant Wave Surge Staff with Resources & Supplies/KMN/JF/CLA

Page 3 of 5

conducted in compliance with the rules and regulations regarding airports under Title 14 of the Code of Federal Regulations, Chapter 22 of the Texas Transportation Code, and Title 14 of the El Paso City Code, as well as federal, state, and local health and safety regulations to ensure the health, safety, and welfare of all occupants and travelers making use of EPIA facilities; and

**WHEREAS**, EPIA has become saturated with migrants awaiting air travel and could need to take measures to preserve the health and safety of its customers, employees and the public, as well as measures to secure its facilities as the demand for air travel increases exponentially; and

**WHEREAS**, CBP has released many migrants onto downtown streets leaving many migrants without shelter; 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, parks and other City property 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:**

**ORDINANCE NO.** \_\_\_\_\_

22-1006-11694 / PL#1220642v.2

Emergency Ordinance –Jan. 2023 Extension & AMD– Migrant Wave Surge Staff with Resources & Supplies/KMN/JF/CLA

Page 4 of 5

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.

**PASSED AND ADOPTED, this \_\_\_\_ day of January, 2023.**

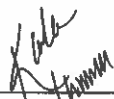
**THE CITY OF EL PASO, TEXAS**

\_\_\_\_\_  
Oscar Leaser  
Mayor

**ATTEST:**

\_\_\_\_\_  
Laura D. Prine  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Karla M. Nieman  
City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Mario M. D'Agostino, Deputy City Manager  
Public Health & Safety

**ORDINANCE NO.** \_\_\_\_\_

22-1006-11694 / PL#1220642v.2

Emergency Ordinance – Jan. 2023 Extension & AMD– Migrant Wave Surge Staff with Resources & Supplies/KMN/JF/CLA

Page 5 of 5



El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #: 23-22, Version: 1**

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### **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, Chief Mario D'Agostino, (915) 212-5605

#### **AGENDA LANGUAGE:**

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

Discussion and action on an Emergency Ordinance re-enacting Emergency Ordinance No. 019035 extending a Disaster Declaration due to a Public Health Emergency.

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

**AGENDA DATE:** January 3, 2023  
**PUBLIC HEARING DATE:** January 3, 2023

**CONTACT PERSON NAME AND PHONE NUMBER:** Mario M. D'Agostino, DCM (915) 212-5605

**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:**

Discussion and action on an Emergency Ordinance re-enacting Emergency Ordinance No. 019035 extending a Disaster Declaration due to a Public Health Emergency.

**BACKGROUND / DISCUSSION:**

Emergency Ordinance No. 019363 which re-enacts Emergency Ordinance No. 019035 is set to expire on January 4, 2023.

**PRIOR COUNCIL ACTION:**

Since March 2020, El Paso City Council has re-enacted Emergency Ordinance No. 019035 monthly, with the most recent re-enactment taking place on December 5, 2022; and

**AMOUNT AND SOURCE OF FUNDING:**

None.

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?** ☒ YES ☐ NO

**PRIMARY DEPARTMENT:** Fire Department

**SECONDARY DEPARTMENT:** Department of Public Health

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:** Mario M. D'Agostino

**ORDINANCE NO. \_\_\_\_\_**

**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 December 5, 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 December 5, 2022, the number of new COVID-19 active cases reported in El Paso is 280 and the cumulative number is 296,082; and

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

**WHEREAS**, Emergency Ordinance No. 019405 which re-enacts Emergency Ordinance No. 019035 is set to expire on January 4, 2023;

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

**ORDINANCE NO. \_\_\_\_\_**



**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.

**PASSED AND ADOPTED, this \_\_\_\_\_ day of January 2023.**

**THE CITY OF EL PASO, TEXAS**

\_\_\_\_\_  
Oscar Leaser  
Mayor


**ATTEST:**

\_\_\_\_\_  
Laura D. Prine  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Karla M. Nieman  
City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Mario M. D'Agostino  
Deputy City Manager  
Public Health & Safety

**ORDINANCE NO.** \_\_\_\_\_



Legislation Text

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**File #: 23-23, Version: 1**

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**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, Chief Mario D'Agostino, (915) 212-5605

**AGENDA LANGUAGE:**

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

Discussion and action on 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.

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

**AGENDA DATE:** January 3, 2023  
**PUBLIC HEARING DATE:** January 3, 2023

**CONTACT PERSON NAME AND PHONE NUMBER:** Mario M. D'Agostino, DCM (915) 212-5605

**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:**

Discussion and action on 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.

**BACKGROUND / DISCUSSION:**

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.

**PRIOR COUNCIL ACTION:**

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 December 5, 2022;

**AMOUNT AND SOURCE OF FUNDING:**

None.

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?** ☒ YES ☐ NO

**PRIMARY DEPARTMENT:** Fire Department

**SECONDARY DEPARTMENT:** Department of Public Health

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

*Mario M. D'Agostino*

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**ORDINANCE NO. \_\_\_\_\_**

**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 December 5, 2022; and

**WHEREAS**, pursuant to City Charter Section 3.10, every emergency ordinance shall stand repealed automatically as of the 31<sup>st</sup> 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.

**Ordinance No. \_\_\_\_\_**

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.

**PASSED AND ADOPTED, this \_\_\_\_ day of January 2023.**

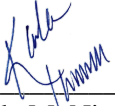
**THE CITY OF EL PASO, TEXAS**

\_\_\_\_\_  
Oscar Leeser  
Mayor

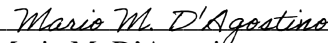
**ATTEST:**

\_\_\_\_\_  
Laura D. Prine  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Karla M. Nieman  
City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Mario M. D'Agostino  
Deputy City Manager  
Public Health & Safety

**Ordinance No. \_\_\_\_\_**



El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #: 23-32, Version: 1**

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### **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.*

Discussion and action on 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.

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

**AGENDA DATE:** January 3, 2023  
**PUBLIC HEARING DATE:** N/A

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** Sam Rodriguez, P.E., 212-0065

**DISTRICT(S) AFFECTED:** All Districts

**STRATEGIC GOAL:** Goal 6. Set the standard for sound governance and fiscal management

**SUBGOAL:** Subgoal 6.5. Deliver services timely and effectively with focus on continual improvement

**SUBJECT:**

Discussion and action on 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.

**BACKGROUND / DISCUSSION:**

This item is 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. To achieve this, this item would re-enact Emergency Ordinance No. 019241 for 30 days to continue the suspension of various sections of the El Paso City Code to facilitate temporary uses on the public right of way and private property and continue the pilot program.

**PRIOR COUNCIL ACTION:**

March 13, 2020, the Mayor declared a local state of disaster for the City of El Paso resulting from a public health emergency.

March 17, 2020, El Paso City Council adopted Emergency Ordinance No. 019035 extending the City's Disaster Declaration due to a Public Health Emergency. Also on, March 17, 2020, El Paso City Council re-enacted its Emergency Ordinance extending the City's Disaster Declaration monthly, with the most recent extension taking place on August 31, 2020.

August 31, 2020, El Paso City Council adopted Emergency Ordinance No. 019091, which suspended various sections of the El Paso City Code to facilitate temporary uses on the public right of way and private property and established a pilot program.

September 28, 2020, El Paso City Council enacted an Emergency Ordinance Re-Enacting Emergency Ordinance No. 019091.

October 27, 2020, El Paso City Council enacted an Emergency Ordinance Re-Enacting Emergency Ordinance No. 019091. Also, City Council approved increasing the fine for all emergency directive violations from \$500 to \$1,000.

November 23, 2020, El Paso City Council enacted an Emergency Ordinance Re-Enacting Emergency Ordinance No. 019091, which included the amendment to increase the fine to \$1,000 (Ordinance No. 019119).



December 14, 2020, January 5, 2021, February 1, 2021, March 1, 2021, March 29, 2021, April 26, 2021, May 24, 2021, June 21, 2021, July 19, 2021, August 16, 2021, El Paso City Council enacted an Emergency Ordinance Re-Enacting Emergency Ordinance No. 019091.

October 11, 2021, El Paso City Council adopted Emergency Ordinance No. 019241, which suspended various sections of the El Paso City Code to facilitate temporary uses on the public right of way and private property and established a pilot program.

November 8, 2021, December 6, 2021, January 4, January 31, February 28, March 28, April 25, May 23, June 21, July 18, August 28, September 12, October 10, and November 7, and December 5, 2022. El Paso City Council enacted an Emergency Ordinance Re-Enacting Emergency Ordinance No. 019241.

**AMOUNT AND SOURCE OF FUNDING:**  
N/A


**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?   X   YES      NO**

**PRIMARY DEPARTMENT: Capital Improvement Department**  
**SECONDARY DEPARTMENT: Streets and Maintenance, Planning and Inspections**

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\*\*\*\*\***REQUIRED AUTHORIZATION**\*\*\*\*\*

**DEPARTMENT HEAD:**

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

**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 November 07, 2022; and

**WHEREAS**, Governor Abbott has similarly renewed the State's COVID- 19 Disaster Declaration, with the most recent extension taking place on December 16, 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 December 5, 2022 (Ord. No.019407) ("**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

**ORDINANCE NO.** \_\_\_\_\_

**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 February 2, 2023 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.

**PASSED AND ADOPTED**, this \_\_\_\_ day of \_\_\_\_\_, 2023.

**THE CITY OF EL PASO, TEXAS:**

\_\_\_\_\_  
Oscar Leeser  
Mayor

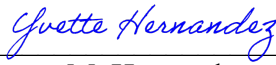
**ATTEST:**

\_\_\_\_\_  
Laura D. Prine  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Karla M. Nieman  
City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Yvette M. Hernandez  
City Engineer

**ORDINANCE NO.** \_\_\_\_\_



Legislation Text

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File #: 23-13, Version: 1

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**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**

Purchasing and Strategic Sourcing, K. Nicole Cote, (915) 212-1092

Streets and Maintenance, Richard J. Bristol, (915) 212-7000

**AGENDA LANGUAGE:**

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

The linkage to the Strategic Plan is subsection 7.5 - Set One Standard for Infrastructure Across the City.

**Award Summary:**

Discussion and action on the award of Solicitation 2023-0024 Motor Oil, Antifreeze, Lubricants, Transmission and Hydraulic Oils & Fluids to MJ Mader Enterprises, Inc. dba Bio-Dyne Chemical Company for an initial one (1) year term for an estimated amount of \$800,429.20. The award also includes a one (1) year option for an estimated amount of \$800,429.20. The total value of the contract is, including the initial term plus the option, for a total of two (2) years, for an estimated amount of \$1,600,858.40. This contract will allow for the purchase of lubricants for the Fleet Division.

Department:	Streets and Maintenance
Vendor	MJ Mader Enterprises, Inc. dba Bio-Dyne Chemical Company El Paso, TX
Item(s):	All
Initial Term:	1 year
Option to Extend:	1 year
Annual Estimated Award:	\$800,429.20
Initial Term Estimated Award:	\$800,429.20 (1 year)
Total Estimated Award:	\$1,600,858.40 (2 years)
Account No.:	532 - 3600 - 531240 - 37020 - P3701
Funding Source:	Internal Service Fund
District(s):	All

Contract Variance:

The difference based in comparison to the previous contract is as follows: An increase of \$127,632.70 for the initial term, which represents a 18.97% increase due to increased prices.

This is a Low Bid, Unit Price contract.

The Purchasing & Strategic Sourcing and Streets and Maintenance Departments recommend award as indicated to MJ Mader Enterprises, Inc. dba Bio-Dyne Chemical Company, the bidder offering the lowest prices. In accordance with this award, the City Manager or designee is authorized to exercise future options if needed.

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

**AGENDA DATE:** January 3, 2023

**PUBLIC HEARING DATE:** Not Applicable

**CONTACT PERSON(S) NAME AND PHONE NUMBER:**

Richard J. Bristol, Streets and Maintenance Director, (915) 212-7000  
K. Nicole Cote, Managing Director, (915) 212-1092

**DISTRICT(S) AFFECTED:** All

**STRATEGIC GOAL:** No. 7- Enhance and Sustain El Paso's Infrastructure Network

**SUBGOAL:** 7.5 – Set One Standard for Infrastructure Across the City

**SUBJECT:**

Discussion and action on the award of solicitation 2023-0024 Motor Oil, Antifreeze, Lubricants, Transmission and Hydraulic Oils & Fluids to MJ Mader Enterprises, Inc. dba Bio-Dyne Chemical Company for an initial one (1) year term for an estimated amount of \$800,429.20. The award also includes a one (1) year option for an estimated amount of \$800,429.20. The total value of the contract is, including the initial term plus the option, for a total of two (2) years, for an estimated amount of \$1,600,858.40.

**BACKGROUND / DISCUSSION:**

This contract will allow the purchase of lubricants for the Fleet Division.

**SELECTION SUMMARY:**

Solicitation was advertised on October 11, 2022 and October 18, 2022. The solicitation was posted on City website on October 11, 2022. There were a total of twelve (12) viewers online; four (4) bids were received; three (3) from local suppliers.

**CONTRACT VARIANCE:**

The difference based in comparison to the previous contract is as follows: An increase of \$127,632.70 for the initial term, which represents a 18.97% increase due to increased prices.

**PROTEST**

No protest received for this requirement.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

Amount: \$800,429.20

Funding Source: Internal Service Fund

Account: 532 – 3600 – 531240 – 37020 – P3701

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ☒ YES ☐ NO

PRIMARY DEPARTMENT: Streets and Maintenance

SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

DEPARTMENT HEAD:

  
Richard J. Bristol – Streets and Maintenance Director



**COUNCIL PROJECT FORM  
(LOW BID)**

\*\*\*\*\***POSTING LANGUAGE BELOW**\*\*\*\*\*

Please place the following item on the **REGULAR** agenda for the Council Meeting of **January 3, 2023**.

**STRATEGIC GOAL: NO. 7 – Enhance and Sustain El Paso's Infrastructure Network**

The linkage to the Strategic Plan is subsection 7.5 – Set One Standard for Infrastructure Across the City.

**Award Summary:**

Discussion and action on the award of solicitation 2023-0024 Motor Oil, Antifreeze, Lubricants, Transmission and Hydraulic Oils & Fluids to MJ Mader Enterprises, Inc. dba Bio-Dyne Chemical Company for an initial one (1) year term for an estimated amount of \$800,429.20. The award also includes a one (1) year option for an estimated amount of \$800,429.20. The total value of the contract is, including the initial term plus the option, for a total of two (2) years, for an estimated amount of \$1,600,858.40. This contract will allow for the purchase of lubricants for the Fleet Division.

Department:	Streets and Maintenance
Vendor	MJ Mader Enterprises, Inc. dba Bio-Dyne Chemical Company
	El Paso, TX
Item(s):	All
Initial Term:	1 year
Option to Extend:	1 year
Annual Estimated Award:	\$800,429.20
Initial Term Estimated Award:	\$800,429.20 (1 year)
Total Estimated Award:	\$1,600,858.40 (2 years)
Account No.:	532 – 3600 – 531240 – 37020 – P3701
Funding Source:	Internal Service Fund
District(s):	All

**Contract Variance:**

The difference based in comparison to the previous contract is as follows: An increase of \$127,632.70 for the initial term, which represents a 18.97% increase due to increased prices.

This is a Low Bid, Unit Price contract.

The Purchasing & Strategic Sourcing and Streets and Maintenance Departments recommend award as indicated to MJ Mader Enterprises, Inc. dba Bio-Dyne Chemical Company, the bidder offering the lowest prices.

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

\*\*\*\*\***ADDITIONAL INFO BELOW**\*\*\*\*\*



# CITY OF EL PASO

## BID TABULATION FORM



BID TITLE: Motor Oil, Antifreeze, Lubricants, Transmission and Hydraulic Oils & Fluids										BID NO: 2023-0024	
BID DATE: November 09, 2022										DEPARTMENT: Streets and Maintenance	
				C&R Distributing El Paso, TX  Bidder 1 of 4		MJ Mader Enterprises Inc. dba Bio Dyne Chemical Co. El Paso, TX Bidder 2 of 4		Safety-Kleen Systems, Inc. El Paso, TX Bidder 3 of 4		Senergy Petroleum LLC Phoenix, AZ Bidder 4 of 4	
Item No.	Description	Unit of Measure	Approximate / Estimate Quantity (A)	Price (B)	Yearly Total C = A X B	Price (B)	Yearly Total C = A X B	Price (B)	Yearly Total C = A X B	Price (B)	Yearly Total C = A X B
Group A - Antifreeze, Motor Oil and Lubricants											
1	Premix 50/50 Antifreeze Yellow	55 gal.	2,200	\$ 5.25	\$ 11,550.00	\$ 8.75	\$ 19,250.00	\$ 5.67	\$ 12,474.00 Contractor's price: \$12,464.40	\$ 4.83	\$ 10,626.00
2	Premix 50/50 Antifreeze Red / Extended Life	55 gal.	2,200	\$ 6.45	\$ 14,190.00	\$ 8.00	\$ 17,600.00	\$ 5.50	\$ 12,100.00 Contractor's price: \$12,094.80	\$ 5.60	\$ 12,320.00
3	15W-40 CK-4 Diesel Conventional Motor Oil	Bulk gal.	15,000	\$ 11.60	\$ 174,000.00	\$ 11.00	\$ 165,000.00	\$ 10.89	\$ 163,350.00	\$ 11.90	\$ 178,500.00
4	15W-40 Low Ash Natural Gas Motor Oil	55 gal.	1,100	\$ 23.90	\$ 26,290.00	\$ 16.00	\$ 17,600.00	\$ 13.35	\$ 14,685.00 Contractor's price: \$14,689.40	\$ 11.30	\$ 12,430.00
5	SAE 5W-20 Conventional Motor Oil	55 gal.	4,300	\$ 9.35	\$ 40,205.00	\$ 10.30	\$ 44,290.00	\$ 10.80	\$ 46,440.00 Contractor's price: \$46,448.60	\$ 10.32	\$ 44,376.00
6	SAE 5W-30 Conventional Motor Oil	55 gal.	4,000	\$ 9.35	\$ 37,400.00	\$ 10.30	\$ 41,200.00	\$ 10.80	\$ 43,200.00 Contractor's price: \$43,208.00	\$ 11.70	\$ 46,800.00
7	SAE 5W-20 Synthetic Blend Motor Oil	55 gal.	4,000	\$ 9.35	\$ 37,400.00	\$ 10.30	\$ 41,200.00	\$ 10.80	\$ 43,200.00 Contractor's price: \$43,208.00	\$ 10.32	\$ 41,280.00
8	SAE 5W-30 Synthetic Blend Motor Oil	55 gal.	4,000	\$ 9.35	\$ 37,400.00	\$ 10.30	\$ 41,200.00	\$ 10.80	\$ 43,200.00 Contractor's price: \$43,208.00	\$ 11.70	\$ 46,800.00
9	SAE 80W-140 Synthetic Gear Oil	55 gal.	1,500	\$ 18.35	\$ 27,525.00	\$ 5.40	\$ 8,100.00	\$ 48.45	\$ 72,675.00	\$ 32.28	\$ 48,420.00
TOTAL					\$ 405,960.00		\$ 395,440.00		\$ 451,324.00 Contractor's price: \$451,346.20		\$ 441,552.00

Approved by X /s/  
11/10/22



# CITY OF EL PASO

## BID TABULATION FORM



**BID TITLE:** Motor Oil, Antifreeze, Lubricants, Transmission and Hydraulic Oils & Fluids **BID NO:** 2023-0024

**BID DATE:** November 09, 2022 **DEPARTMENT:** Streets and Maintenance

				C&R Distributing El Paso, TX  Bidder 1 of 4		MJ Mader Enterprises Inc. dba Bio Dyne Chemical Co. El Paso, TX Bidder 2 of 4		Safety-Kleen Systems, Inc. El Paso, TX Bidder 3 of 4		Senergy Petroleum LLC Phoenix, AZ Bidder 4 of 4	
Item No.	Description	Unit of Measure	Approximate / Estimate Quantity (A)	Price (B)	Yearly Total C = A X B	Price (B)	Yearly Total C = A X B	Price (B)	Yearly Total C = A X B	Price (B)	Yearly Total C = A X B
<b>Group B - Transmission and Hydraulic Oils, Fluids, Grease, DEF and Sample Kits</b>											
1	Transynd Oil - to meet TES 295 & TES 296	55 gal.	1,400	\$ 38.00	\$ 53,200.00	\$ 32.00	\$ 44,800.00	\$ -	\$ -	\$ 32.00	\$ 44,800.00
2	LV Multi-Vehicle Full Synthetic ATF	55 gal.	1,100	\$ 13.05	\$ 14,355.00	\$ 17.50	\$ 19,250.00	\$ -	\$ -	\$ 18.00	\$ 19,800.00
3	Multi-Vehicle Synthetic Blend ATF	55 gal.	1,400	\$ 13.05	\$ 18,270.00	\$ 15.00	\$ 21,000.00	\$ -	\$ -	\$ 17.49	\$ 24,486.00
4	Hydraulic Oil Grade ISO 46	Bulk gal.	12,000	\$ 8.50	\$ 102,000.00	\$ 10.25	\$ 123,000.00	\$ 8.89	\$ 106,680.00	\$ 10.65	\$ 127,800.00
5	CITGO Hytherm Oil 46 Heat Transfer Oil	55 gal.	330	\$ 12.50	\$ 4,125.00	\$ 3.10	\$ 1,023.00	\$ -	\$ -	\$ 14.80	\$ 4,884.00
6	UCON 500 Heat Transfer Oil	55 gal.	440	\$ 59.00	\$ 25,960.00	\$ 6.78	\$ 2,983.20	\$ -	\$ -	\$ 55.00	\$ 24,200.00
7	CP Non-Conductive Hydraulic Fluid ISO-100	55 gal.	220	\$ 9.60	\$ 2,112.00	\$ 3.50	\$ 770.00	\$ -	\$ -	\$ 14.10	\$ 3,102.00
8	Quintolubric 888-46 HFDu Fire Resistant Hydraulic Oil	55 gal.	1,100	\$ 47.00	\$ 51,700.00	\$ 6.78	\$ 7,458.00	\$ -	\$ -	\$ 33.00	\$ 36,300.00
9	Moly Extreme Pressure NL GI Grade 2 Based Grease	55 gal.	8,000	\$ 4.17	\$ 33,360.00	\$ 3.95	\$ 31,600.00	\$ -	\$ -	\$ 33.09	\$ 264,720.00
10	Moly Extreme Pressure NL GI Grade 2 Based Grease	120 lbs.	600	\$ 4.48	\$ 2,688.00	\$ 4.05	\$ 2,430.00	\$ -	\$ -	\$ 4.25	\$ 2,550.00
11	Heavy Duty Degreaser w/ Dispensing System	55 gal.	4,400	\$ 7.65	\$ 33,660.00	\$ 5.75	\$ 25,300.00	\$ -	\$ -	\$ 7.50	\$ 33,000.00
12	Heavy Duty Degreaser w/ Dispensing System	330 gal.	4,900	\$ 7.65	\$ 37,485.00	\$ 5.75	\$ 28,175.00	\$ -	\$ -	\$ 7.50	\$ 36,750.00
13	DEF - Diesel Exhaust Fluid	330 gal.	30,000	\$ 1.75	\$ 52,500.00	\$ 2.85	\$ 85,500.00	\$ -	\$ -	\$ 2.25	\$ 67,500.00
14	Oil Sample Kits & Analysis	1 Unit	900	\$ 8.75	\$ 7,875.00	\$ 13.00	\$ 11,700.00	\$ -	\$ -	\$ 13.00	\$ 11,700.00
<b>TOTAL</b>					\$ 439,290.00		\$ 404,989.20		\$ 106,680.00		\$ 701,592.00

Approved by X            /s/             
 388 11/10/22



# CITY OF EL PASO

## BID TABULATION FORM



BID TITLE: Motor Oil, Antifreeze, Lubricants, Transmission and Hydraulic Oils & Fluids				BID NO: 2023-0024	
BID DATE: November 09, 2022				DEPARTMENT: Streets and Maintenance	
	C&R Distributing El Paso, TX  Bidder 1 of 4	MJ Mader Enterprises Inc. dba Bio Dyne Chemical Co. El Paso, TX Bidder 2 of 4	Safety-Kleen Systems, Inc. El Paso, TX  Bidder 3 of 4	Senergy Petroleum LLC Phoenix, AZ  Bidder 4 of 4	
<p>THE CITY AT ITS SOLE DISCRETION, MAY EXERCISE ANY OPTION TO EXTEND THE TERM OF THE AGREEMENT, BY GIVING THE CONTRACTOR WRITTEN NOTICE WITHIN THE TIME PERIOD NOTED ON THE SELECTED OPTIONS. THE TERM OF THIS CONTRACT SHALL BE BASED ON ONE OF THE SELECTIONS BELOW AND UNDER THE SAME TERMS AND CONDITIONS. THE CITY MANAGER OR DESIGNEE MAY EXTEND THE OPTION TO EXTEND.</p> <p>BIDDER OFFERS THE CITY THE OPTION OF EXTENDING THE TERM OF THE CONTRACT FOR:</p>					
ONE (1) ADDITIONAL YEAR AT THE SAME UNIT PRICE(S), IF THE OPTION IS EXERCISED PRIOR TO THE EXPIRATION OF THE ORIGINAL TERM OF THE CONTRACT.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
NO OPTION OFFERED	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
AMENDMENTS ACKNOWLEDGED:	YES	YES	YES	YES	
<b>BIDS SOLICITED: 94    LOCAL BIDS SOLICITED: 46    BIDS RECEIVED: 4    LOCAL BIDS RECEIVED: 3    NO BID: 1</b>					

NOTE: The information contained in this bid tabulation is for information only and does not constitute actual award/execution of contract.

Approved by X                      /s/                       
 689 11/10/22

2023-0024 Bidder's List

	<u>Participant Name</u>	<u>City</u>	<u>State</u>
1	ABBA CONSTRUCTION, LLC	LAREDO	TX
2	abood wheels	el paso	TX
3	Alon Brands, Inc.	Dallas	TX
4	Amtek USA, Austin	Houston	TX
5	APFELBAUM INDUSTRIAL, INC.	EL PASO	TX
6	Aztec Contractors Inc	EL PASO	TX
7	Bella Luna Engineering and Building Maintenance	El Paso	TX
8	Bio Dyne Chemical Co. (MJ Mader Enterprises Inc.)	El Paso	TX
9	Border International Trucks (RJ Border International)	El Paso	TX
10	Border Tire	El Paso	TX
11	borderland services inc	el paso	TX
12	Burton Enterprises LLC	Chesapeake	VA
13	C&R Distributing	el paso	TX
14	Casa Ford	el paso	TX
15	City of El Paso Strategic Partners	El Paso	TX
16	Colliers (New Mexico Real Estate Advisors Inc)	Albuquerque	NM
17	Colonial Oil Industries, Inc.	Savannah	GA
18	Construction Reporter	Albuquerque	NM
19	Controllix Corporation	Walton Hills	OH
20	Coretech	El Paso	TX
21	Cummins Sales and Service (Cummins Inc)	St. Louis	MO
22	D&H United Fueling Solutions	El Paso	TX
23	Delgado's Repair and Maintenance	El Paso	TX
24	Denoyer-Geppert Science	Skokie	IL
25	DUMMIES UNLIMITED INC.	POMONA	CA
26	Dunn-Edwards Corportation	Vernon	CA
27	EARLE KINLAW AND ASSO., INC. dba EKA	Grayson	GA
28	Efficio Construction Services LLC	El Paso	TX
29	EL PASO CASTERS & MATERIAL HANDLING (CASTERS UNLIMITED)	EL PASO	TX
30	EL PASO METALS & SUPPLY,INC	El Paso	TX
31	el paso trench safety inc	El Paso	TX
32	ERMC Aviation Services	GRAND PRAIRIE	TX
33	FAAC Incorporated	Ann Arbor	MI
34	Ferrellgas, LP	Liberty	MO
35	Fireblast Global	Corona	CA
36	Gearing Up Logistics LLC	El Paso	TX
37	Giant Electrical Services	Canutillo	TX
38	Gladieux Trading & Marketing Company, LP	Fort Wayne	IN
39	GLOBAL SUPPLY & SERVICE INC.	EL PASO	TX
40	Graybar electric	El Paso	TX
41	HITEQ COMPUTER SYSTEMS (PROLEAF CORPORATION)	PLANO	TX
42	Holiday Inn Express & Suites- Sunland Park Area	El Paso	TX
43	Internal Audit Office	El Paso	TX
44	Kimball Midwest (Midwest Motor Supply Co. Inc.)	Columbus	OH
45	LABSOURCE INC	NORTHLAKE	IL
46	Li-Neon Media Group	El Paso	TX
47	Lobo Distribution LLC	El Paso	TX
48	Lower Valley Water District	Clint	TX
49	Mansfield Oil Company of Gainesville	Gainesville	GA
50	Marrs Embroidery and Screen Printing Inc	El Paso	TX
51	Mayfield Pool Supply, LP	El Paso	TX
52	MILESTONE HYDRAULICS (MILESTONE INDUSTRIAL, INC.)	El Paso	TX
53	Mission Linen Supply	El Paso	TX
54	Mohawk Mfg. & Supply Co.	Niles	IL
55	Momar Inc	Atlanta	GA

56	NAPA Auto Parts	Albuquerque	NM
57	NorrisLeal, LLC	Harlingen	TX
58	North America Procurement Council Inc., PBC	Grand Junction	CO
59	Otto Environmental Systems North America, Inc.	Charlotte	NC
60	P&V Distributing	El Paso	TX
61	Petroleum Traders Corporation	Fort Wayne	IN
62	Pollock Investments Inc (Pollock Orora)	Grand Prairie	TX
63	PROCON JCB	Las Cruces	NM
64	Professional Service Industries, Inc.	El Paso	TX
65	Prudential Overall Supply	Irvine	CA
66	RAD Painting (Ricardo DeLucio)	El Paso	TX
67	Reflective Apparel	Marietta	GA
68	RelaDyne	Des Plaines	IL
69	Royal Imaging Solutions (Royal Media Network, Inc.)	Windsor Mill	MD
70	Saenz Material & Handling of El Paso Inc	El Paso	TX
71	Safety-Kleen	el paso	TX
72	Saratoga Rack Marketing LLC	Knoxville	TN
73	SATEC Inc	Union	NJ
74	Scotwood Industries, LLC	Overland Park	KS
75	Senergy Petroleum LLC	PHOENIX	AZ
76	SJI and Associates LLC	El Paso	TX
77	Socorro ISD	El Paso	TX
78	Southern Counties Oil Co., a CA Limited Partnership dba SC Fuels	Orange	CA
79	Southwestern Industrial	El Paso	TX
80	Spartan Construction of TX, Inc.	EL PASO	TX
81	Sunset Brokers LLC	San Antonio	TX
82	SYOXSA, Inc.	El Paso	TX
83	TELSUPPLIERS LLC	PLANO	TX
84	The Culinary Factory	Lockhart	TX
85	The Outsource Connection, Inc	El Paso	TX
86	The PlanIt Room	El Paso	TX
87	Totowa Systems Inc.	Totowa	NJ
88	TruckPro, LLC (TruckPro Holding Corporation)	Cordova	TN
89	UebelKorp industries	El Paso	TX
90	UNIK-TECH LLC	EL PASO	TX
91	VersaTables	Los Angeles	CA
92	wesco distribution	el paso	TX
93	Wood Environment & Infrastrucure Solutions, Inc.	El Paso	TX
94	WW Grainger	El Paso	TX



El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #: 22-1595, Version: 1**

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### **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**

Fire, Chief Jonathan Killings, (915) 495-5609

#### **AGENDA LANGUAGE:**

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

An Ordinance granting a Franchise for STAR Inc., d/b/a Revive Mobile Health, to operate a non-emergency ambulance transfer service.



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

**AGENDA DATE:** December 13, 2022  
**PUBLIC HEARING DATE:** January 3, 2023

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** Jonathan Killings, Fire Chief (915) 493-5609

**DISTRICT(S) AFFECTED:** All Districts

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

**SUBGOAL:** 2.3: Increase Public Safety Operational Efficiency

**SUBJECT:**

Discussion and action on an ordinance granting a Franchise for STAR Inc., d/b/a Revive Mobile Health, to operate a non-emergency ambulance transfer service.

**BACKGROUND / DISCUSSION:**

STAR Inc., d/b/a Revive Mobile Health has applied for a Franchise to provide non-emergency ambulance transfer services under the El Paso City Code Title 9 Health and Safety Chapter 9.85 Emergency and Transfer Ambulance Service.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?** ☒ YES ☐ NO

**PRIMARY DEPARTMENT:** El Paso Fire Department  
**SECONDARY DEPARTMENT:** All City

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

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

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE GRANTING A FRANCHISE FOR STAR Inc, d/b/a Revive Mobile Health, TO  
OPERATE A NON-EMERGENCY AMBULANCE TRANSFER SERVICE**

**WHEREAS**, pursuant to Section 3.18 of the El Paso City Charter the right of control, ownership and use of streets and alleys is declared to be inalienable except as provided by ordinance passed by the Council; and

**WHEREAS**, the City of El Paso is authorized by Section 7.13 of the El Paso City Charter to levy and collect franchise fees in accordance with the laws of the state of Texas; and

**WHEREAS**, in addition to the authority granted by the City Charter, this franchise agreement is a valid exercise of the City's broad police powers and based upon the City's statutory regulatory authority, including but not limited to, Texas Local Government Code Chapters 51 and 52; and

**WHEREAS**, the City of El Paso requires in City Code Section 9.85.050, that all entities engaging in furnishing a transfer ambulance service are required to enter into a franchise agreement with the City; and

**WHEREAS**, STAR Inc, d/b/a Revive Mobile Health("GRANTEE") has applied for a franchise to provide non-emergency ambulance transfer services under the El Paso City Code Title 9 (Health and Safety) Chapter 9.85(Emergency and Transfer Ambulance Services).

**WHEREAS**, on evidence received, City Council finds that public convenience and necessity justify granting a franchise to GRANTEE to operate a non-emergency ambulance transfer service in the City of El Paso, Texas.

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

**ARTICLE I. GRANT OF THE FRANCHISE AND GENERAL PROVISIONS**

**A.     Grant of Non-Exclusive Franchise**

A non-exclusive franchise, subject to the Grantee's compliance with the requirements and limitations set forth herein and by local, state and federal laws, is hereby granted to **STAR Inc, d/b/a Revive Mobile Health**, Grantee, to operate a non-emergency transfer ambulance service within the City and upon the public streets, rights-of-way and alleys of the City of El Paso.

**B.     Definitions**

For the purpose of this franchise the following terms, phrases, words and their derivations shall have the following meaning. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is mandatory and the word "may" is permissive.

1. "City" shall mean the City of El Paso, Texas and any department or board that may be designated by the City Council to administer, oversee or enforce the provisions of this franchise.
2. "City Council" shall mean the council of the City as the governmental, legislative and administrative body of the City.
3. "Customer" shall mean any person who requests or receives the services of the Grantee.
4. "DSHS" shall mean the Texas Department of State Health Services.
5. "Fire Chief" shall mean the Fire Department official responsible for the management of emergency ambulance service for the City of El Paso or his designee.
6. "Franchise Area" shall mean that portion of the City for which a franchise is granted under the authority of this agreement. If not otherwise stated in the franchise, the Franchise Area shall be the corporate limits of the City of El Paso including all territory hereafter annexed to the City.
7. "Grantee" shall mean **STAR Inc, d/b/a Revive Mobile Health**
8. "Net Receipts" shall be defined as all cash, credits and property of any kind or nature received as consideration directly or indirectly by the Grantee, its affiliates, subsidiaries, parent and any person in which Grantee has a financial interest, or from any source whatsoever, arising from or attributable to the transport of patients or services rendered in relation to the transport of a patient by the Grantee or in any way derived from the operation of its franchise. These net receipts shall not be reduced for any purpose and shall be the basis for computing the franchise fee.
9. "Non-emergency ambulance transfer service" shall mean the operation of a service whereby persons are transported by ambulance under the supervision and care of duly licensed and certified emergency medical technicians in non-emergency situations except that a non-emergency ambulance transfer service may transport persons in emergency situations as permitted by the terms of this franchise and other applicable laws.
10. "Person" means any individual, firm, partnership, limited partnership, association, corporation, company, and organizations of any kind, or any other legally recognized entity.
11. "Public Rights-of-Way" shall mean the surface, the air space above the surface, and the area below the surface of any public street, highway, land, path, alley, sidewalk, boulevard, drive, bridge, tunnel, parkways, waterways, utility easements or other public right-of-way now or hereafter held by the City.
12. "Service" shall mean any service which is authorized pursuant to the terms of this Franchise Agreement.

C. Term and Effective Date

Regardless of the date upon which the ordinance granting the franchise is adopted, the term of this franchise shall be commence on 12:01 a.m., January 1, 2023 (the “Effective Date”), with the possibility to renew the franchise as set forth below, with the initial term ending at 11:59 pm on April 30, 2023.

D. Operational Timeframe

This franchise shall automatically expire if Grantee's non-emergency ambulance transfer service is not fully operational, as verified by the Fire Chief, within ninety (90) days of the date the Franchise is approved by City Council.

E. Renewal of Franchise

1. **Renewal Procedure.** If the Grantee wishes that the City renew this franchise, Grantee shall submit a request in writing to the City Clerk’s Office, P.O. Box 1890, El Paso, Texas 79950-1890, by at least three (3) months prior to the expiration date of this franchise, whether it be during the initial term or any renewal period. The City shall consider Grantee’s written request and shall determine whether public convenience and necessity justify renewal of this franchise, including during any renewal period.
2. Should Grantee fail to submit a request for the renewal of this franchise to the City as herein required, this franchise shall expire upon the expiration date and a new franchise shall be required if Grantee desires to operate a non-emergency ambulance franchise within the City of El Paso.
3. Notwithstanding Article I, Sections E.1 and E.2 of this franchise, the City Manager is authorized to grant a thirty (30) day extension of this franchise, under the same terms and conditions in effect at the time that Grantee makes its written renewal request, whether or not Grantee timely submits the renewal request notice prior to the expiration of this franchise during the initial term or any renewal periods.
4. **City's Right to Modify Terms of Franchise and Require Additional Information Reserved.** Grantee understands, agrees, and accepts that the City reserves its rights to require a) that the terms, conditions, and provisions of this franchise be modified upon Grantee's request for renewal of the franchise and b) that Grantee submit additional information and documents as conditions for renewing the grant of this franchise to operate a non-emergency ambulance transfer service.

F. Business Entity

1. **Registered Business Entity and Assumed Name.** Grantee shall, forward to and maintain on file with the Fire Chief a certified copy of its corporate Articles of Incorporation, Partnership Agreement and Bylaws, or a sworn and notarized statement of sole proprietorship for the purpose of identifying Grantee's business entity status and a sworn and notarized statement of any name by which it does business if different than the business entity name within 15 days of the grant of this franchise, unless required to be performed at an earlier time by other legal provisions.

2. Sale of Business. Grantee shall notify the City immediately of the proposed sale or actual sale of the Grantee's business entity. Grantee shall give notice to the City of any actual sale of the Grantee's business entity no less than ten (10) business days prior to the actual sale or transfer.
3. Business Officers, Supervisors and Managers. Grantee shall, within fifteen (15) days of the grant of this franchise, submit to the Fire Chief, the names and business addresses of all owners, officers and supervisory and management personnel of Grantee.
4. Financial Interest. Grantee shall, within 15 days of the grant of this franchise, submit to the Fire Chief the names and business addresses of all persons having a financial interest in the Grantee or any parent, affiliate or subsidiary of Grantee's business entity.
5. Fiscal Year. Grantee shall, within 15 days of the grant of this franchise, submit to the Fire Chief the beginning and ending dates of its fiscal year.
6. Changes. Any additions or changes in the information, which is required to be submitted to the City pursuant to this section, shall be forwarded in written form by the Grantee to the Fire Chief within 15 days of such changes.
7. Non-compliance and Revocation. Failure to comply with this section shall constitute a material breach by Grantee and shall constitute grounds for revocation of this franchise by the City.

G. Indemnification and Public Liability Insurance

1. Indemnification. Grantee shall, at its sole cost, fully indemnify and hold harmless the City, its officers, boards and commissions, and city employees against any and all claims or actions for damages arising out of Grantee's actions or omissions under this franchise, including, but not limited to, expenses for reasonable legal fees and disbursements and liabilities assumed by the City in connection with any such claims or actions.
2. Grantee shall be required to obtain and maintain in effect throughout the term of the Agreement a public liability insurance policy which meets the requirements set forth in this Agreement. This policy shall be for the protection of any person, whether a passenger or patient in Grantee's ambulance or not, whether injured or killed by the negligence of Grantee or its agent or employee and shall not contain a passenger liability exclusion.
  - 2.1 Grantee shall obtain and maintain in effect throughout the term of this Agreement public liability insurance in an amount of not less than \$500,000. Grantee shall immediately advise the Fire Chief of any claim or litigation which affects Grantee's insurance coverage.
  - 2.2 Grantee shall maintain comprehensive general and automobile liability coverage with limits of no less than five hundred thousand dollars (\$500,000) per occurrence and one million dollars (\$1,000,000) annual aggregate. Grantee shall maintain medical professional liability coverage with limits of no less than five hundred thousand dollars (\$500,000) per occurrence and one million dollars (\$1,000,000) annual aggregate. These

amounts are not a limitation upon the Grantee's agreement to indemnify and hold the City harmless. Grantee shall immediately advise the Fire Chief of any claim or litigation which affects Grantee's insurance.

2.3 The policy of public liability insurance shall be written by an insurance company with an A rating, authorized to do business in the State of Texas.

2.4 The policy of public liability insurance shall provide that it cannot be suspended, revoked, canceled or reduced in coverage without sixty (60) days written notice to the City.

2.5 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 Grantee, his officers, agents, servants or employees. The policy shall name the City of El Paso, its officers, agents, servants and employees as additional insureds to the full amount of the policy limits.

2.6 Grantee shall not operate its service during any period for which: 1) its insurance lapses for any reason; 2) its insurance is suspended, revoked or canceled; or 3) the amount of effective coverage of its insurance has been reduced below the minimum coverage amounts required by this Agreement. Failure to keep the policy in full force and effect throughout the term of the special privilege shall be grounds for termination of the Agreement.

2.7 Grantee shall forward to the Fire Chief a copy of each certificate of insurance issued within fifteen (15) days after the execution of this Agreement and as such policy or policies are modified, renewed, suspended or canceled.

2.8 Certificates of insurance that state that 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.

#### H. Compensation and Payment of Franchise Fee

1. Compensation - Franchise Fee. As compensation for the grant of this franchise to use the public rights-of-way of the City of El Paso, Grantee shall pay to the City 2.75% of Grantee's monthly net receipts.

2. Franchise Area For Which Net Receipts Are to Be Reported. The Grantee shall report its net receipts for all transports, treatment or other services rendered to any customer, which commence within the Franchise Area as defined herein.

3. Net Receipts. Net receipts shall include those items of revenue as defined by generally accepted accounting principles and as defined herein for the type of business and accounting method used.

4. Payment Due Date. Grantee's payments shall be paid monthly and shall be postmarked by the 15th day of the month following the month for which net receipts are reported.

5. Interest Charged for Late Payments. In the event that any payment required by this Section is not made when due, interest shall be compounded daily from such date at the annual rate equivalent to the then existing prime rate reported in the Wall Street Journal on the due date plus four percent (+4%).

6. Statement Required Where No Net Receipts Reportable. If Grantee has no net receipts for a given month, Grantee shall provide written verification that it has no net receipts which shall be postmarked no later than the 15th day of the month following the month for which the Grantee has no gross revenues. Failure to provide such notice to the City shall result in commencement of proceedings to terminate the franchise.

7. Payments to City Comptroller. All payments are to be sent to the City Comptroller with copies of all accompanying correspondence sent to the Fire Chief.

I. Ad Valorem Taxes

Grantee will also pay before delinquency all ad valorem taxes lawfully assessed against its property.

J. City Inspection of Grantee's Books and Audits

Grantee agrees that it will keep a true and accurate set of books, accounts and records. The City shall have the right to inspect the books of Grantee during the term of this franchise and shall further have the right to order an independent audit of said books made when, in the opinion of the City, the condition of said books justifies such actions. In the event the audit proves that the Grantee has kept true and accurate records on book accounts, the cost of such audit will be borne by the City. In the event that the audit shows that the Grantee has failed to keep true and accurate records and books of accounts, the cost of said audit will be borne by Grantee.

K. Annual Audited Statement of Net Receipts Required

The Grantee shall submit to the City Comptroller an annual audited statement of net receipts by month for fees derived in the Franchise Area. Such annual audit shall reflect the Grantee's fiscal year and shall be submitted to the City Comptroller within sixty (60) days of the close of Grantee's fiscal year. A copy of this audit shall be sent to the Fire Chief. The annual audit shall be conducted at no expense to the City.

L. Grantee to Keep Separate Records

Grantee shall maintain separate records if other services are provided outside the scope of this franchise.

M. Franchise Not Transferable

This franchise is not for the benefit of any third party and is not transferable.

N. Failure to Enforce Franchise Agreement No Waiver of Terms Thereof



The Grantee or other parties shall not be excused from complying with any of the terms and conditions of this franchise by any failure of the City upon any one or more occasions to insist upon or to seek compliance with any such terms or conditions.

O. Judicial Relief, Costs and Attorneys' Fees

In addition to all remedies provided in this franchise, the City shall have the right to apply to any court of competent jurisdiction to secure judicial relief, as it shall deem proper. The City's costs and attorney's fees for such action shall be paid by the Grantee if the City obtains a judgment or other relief.

P. Contractual Relationship

Nothing contained herein shall be construed as creating the relationship of employer and employee between the City and the Grantee, their employees, or between the City and the Grantee's employees. The Grantee shall be deemed at all times to be an independent franchisee. In carrying out the terms of this franchise, the Grantee shall employ its own personnel, and such employees shall be and act under the exclusive and complete supervision and control of their employer.

Q. Notice

Wherever any notice is required or permitted hereunder such notice shall be in writing. Any notice or document required or permitted to be delivered hereunder shall be deemed to be delivered whether actually received or not when deposited in the United States Mail, postage prepaid, Certified Mail, Return Receipt Requested, addressed to the individuals named herein and to whom copies or notice are required to be provided at the respective addresses as follows:

City of El Paso  
Attn: City Manager  
P.O. Box 1890  
El Paso, Texas 79950-1890

and

Fire Chief  
Fire Department  
416 N. Stanton, Ste. 200  
El Paso, Texas 79901

and

**STAR Inc, d/b/a Revive Mobile Health**  
**Attn: EMS Chief Carlos Alarcon**  
**12285 Pellicano Drive, Suite A2**  
**El Paso, Texas, 79936**

or to such other addresses as the City or Grantee may designate to each other in writing via certified, postage pre-paid, first class mail. It shall be the duty of the Grantee to provide the City with Grantee's most current mailing and business addresses no less than ten (10) business days prior to any change of same.

R. Revocation and Termination

1. **Public Protection and Welfare.** Should the City at any time, for any reason, decide that the public protection or welfare is not being met as contemplated by this franchise, upon thirty (30) days written notice to the Grantee, the City Council may cancel, terminate and revoke this franchise at no cost to the City. Any and all rights of the Grantee in the use of City streets, alleys or public rights-of-way shall then be terminated.
2. **Failure to Use Public Rights-of-Way.** In addition, if Grantee has ceased to use the City streets, alleys, or public rights-of-way for the purposes herein contemplated for a period of thirty (30) days or if Grantee defaults in any of Grantee's obligations under the franchise and fails to correct such default within thirty (30) days after written notice to do so, the City Council may cancel, terminate and revoke this franchise at no cost to the City. Any and all rights of the Grantee under this franchise shall then terminate.
3. **Breach of Franchise Agreement Terms.** After thirty (30) days written notice, the City Council may cancel, terminate and revoke this franchise for breach by the Grantee of any of its obligations hereunder or for failure of the Grantee to pay any final judgment of a court of competent jurisdiction in a suit on any claim in connection with the operation of the ambulance service. If court proceedings are instituted to determine the legality of such revocation, and Grantee does not prevail, the Grantee shall pay the reasonable expenses incurred by the City in connection with such litigation. Article II, Section C.3 of this franchise contains specific terms regarding termination for failure to meet response times. The City may at any time make an inquiry as to whether Grantee is able to comply with each and every term of this franchise.
4. **Convenience.** This non-exclusive franchise for non-emergency ambulance transfer service may be terminated in whole or in part by the City by giving thirty (30) days' written notice of termination to Grantee. Such right of termination is in addition to and not in lieu of rights of the City set forth in Article I, Sections R.1-3 and Article II, Section C.3 of the present franchise.
5. **Annual Review.** The City shall conduct a compliance review regarding all aspects of this franchise ninety (90) days prior to the end of each twelve month period. Should the City determine that compliance is not being met, the City shall proceed under the provisions of Art. I, Sec. R.3 of this franchise.

S. Entire Franchise Agreement

This document contains all of the terms of this franchise and may not be modified, except by an agreement in writing signed by both parties.

T. Severability

The invalidity or illegality of any one or more provisions of this franchise by any court of competent jurisdiction shall not affect the validity of the remaining provisions hereof.

U. Acceptance of Terms by Grantee Required

This franchise shall be null and void unless Grantee, before the grant of this franchise, files with the City Clerk its written acceptance of the franchise. Grantee's failure to accept the terms and conditions of this franchise and file its acceptance thereof with the City Clerk prior to the grant of this franchise shall render the grant of this franchise null and void.

V. Acceptance by Grantee's Authorized Representative

The individual accepting the terms and conditions of this franchise on behalf of the Grantee affirmatively acknowledges that he is authorized to do so and said individual further warrants that he is authorized to commit and bind the Grantee to the terms and conditions of this franchise.

W. Rights of Individuals

1. Service and Rates. The Grantee shall not refuse non-emergency ambulance transport service to any person or customer who requests the service for a lawful purpose and which the Grantee has the ability to render. The Grantee shall not, as to rates, charges, quality of service, or in any other respect, make or grant any unreasonable preference or advantage, nor subject any person to any prejudice or disadvantage. The Grantee shall take affirmative steps to disseminate the information concerning the availability of its service to all persons. The Grantee shall ensure that all services are equally available to all persons. This provision shall not be deemed to prohibit promotional campaigns to stimulate requests for service, nor shall it be deemed to prohibit the establishment of a graduated scale of charges and classified rate schedules to which any customer coming within the classification shall be entitled, provided the schedules have been filed with and approved by the City Council as provided in Article I, Section Y ("Amendments") of this franchise.

2. Personnel and EEOC. The Grantee shall strictly adhere to the equal employment opportunity requirements of Federal and State statutes and local regulations, as amended from time to time. The Grantee shall comply at all times with all other applicable federal, state and local laws and regulations, and all executive and administrative orders relating to nondiscrimination which are incorporated in this franchise by reference.

3. Customer Medical Records and Privacy. The Grantee shall be responsible for protecting the rights of customers as set forth in the Emergency Health Care Act, TEX. HEALTH & SAFETY CODE ANN., CHAPTER 773, (VERNON'S 1997), and other applicable laws, as amended.

X. Time is of the Essence

Whenever this agreement shall set forth any time for an act to be performed by or on behalf of the Grantee, the time shall be deemed of the essence and any failure within the control of the Grantee to perform within the time allotted shall be sufficient ground for the City to invoke an appropriate penalty including possible revocation of the franchise.

Y. Amendments

The City reserves the right to amend the terms of this ordinance and franchise in any manner necessary for the safety or welfare of the public or to protect the public interests.

Z. Police Powers

1. Compliance by Grantee Required. In accepting this franchise, the Grantee acknowledges that its rights under this franchise are subject to the police power of the City to adopt and enforce general ordinances necessary to the safety and welfare of the public and the Grantee agrees to comply with all applicable general laws and ordinances enacted by the City pursuant to this power.

2. Conflict of Laws. Any conflict between the provisions of this franchise and any other present or future lawful exercise of the City's police powers shall be resolved in favor of the City except that any such exercise that is not of general application in the jurisdiction or applies exclusively to the Grantee which contains provisions inconsistent with this franchise shall prevail only if the City finds their exercise necessary to protect the public health, safety, property or general welfare or the exercise is mandated by law. Should the terms of this franchise conflict with any other law or regulation, this franchise shall control where any law or regulation permits the City to impose more stringent standards or requirements upon Grantee.

AA. Compliance with Laws

The Grantee shall comply with all laws and regulations of the United States, the State of Texas and the City of El Paso. Grantee shall comply with all applicable statutes, laws, codes, regulations, and ordinances applicable to Grantee's use of City streets, alleys, and public rights-of-way for the purposes permitted herein. Failure to comply with these laws and regulations shall constitute a material breach by Grantee and shall constitute grounds for cancellation, termination and revocation of this franchise by the City.

BB. Governmental Powers Not Surrendered

The granting of this franchise does not surrender any governmental powers now or hereafter conferred upon the City.

CC. Law Governing

The laws of the State of Texas shall govern the validity, performances and enforcement of this franchise.

## **ARTICLE II. SERVICE OPERATIONS, STANDARDS AND REQUIREMENTS**

A. Availability of Service

The Grantee shall offer service on a twenty-four hour basis to the general public within the Franchise Area.

B. Radio Communications

1. Communications Center. Grantee must provide, at its own expense, a communications center, which will include 24-hour day telephone access for the public and direct radio communication with all company ambulances used under this franchise.

2. Communications with El Paso Fire Department (EPFD). Grantee shall equip each ambulance with a radio capable of maintaining direct radio communication with the EPFD Communications Center through either an 800 Mhz trunked commercial radio system or UHF National EMS Frequency, Channel 2. Grantee shall so equip each ambulance at its sole expense and such radios shall be used to coordinate disaster and emergency relief with EPFD when responding to an incident as directed by the Fire Chief or when an emergency is encountered within the Franchise Area.

C. Response Time Requirements

1. Grantee's Response to Customers' Requests for Service. Grantee shall respond to a customer's request for non-emergency transfer service, at any time of day on any day of the week, no later than eighty minutes for at least ninety percent (90%) of the time after the request for service is received unless pre-arrangements are made.

2. Grantee's Response Per Request of Fire Chief. Grantee shall respond to non-emergency incidents upon the request of the Fire Chief or his designee. Grantee agrees to send the earliest available ambulance to non-emergency incidents as requested by Fire Chief or his designees, but in no case shall response time exceed twenty five minutes for at least ninety percent (90%) of the time for non-emergency calls.

3. Failure to Meet Response Time. In the event that Grantee fails to meet the response times indicated in this Section C, during four consecutive months, the City shall notify Grantee of such failure and that failure to meet the response times during the immediately following month shall be grounds for immediate termination of this franchise.

D. Emergency Aid to City of El Paso

Grantee shall provide emergency aid assistance to the City of El Paso in cases of system overload or multiple patient incidents as requested or directed by the Fire Chief or his designee. Such assistance shall be provided on an emergency basis with immediate priority being given to those requests.

E. Grantee's Costs

The City shall not be responsible for any cost incurred in providing services as described in this franchise.

F. Billing and Collection for Services

The Grantee shall bill and collect charges for services from the patient or responsible party at Grantee's sole expense.

G. Transportation Logs

The Grantee shall be required to submit monthly or more frequently as directed by the Fire Chief, a log showing the following information:

1. list of emergency transports commencing within the Franchise Area for the month, to include date, time, transport commencing address and destination address;
2. the total number of non-emergency transports commencing within the Franchise Area for the month; and
3. the number of transports originating within the Franchise Area for the month.

H. Personnel Requirements

1. Records of Personnel. The Grantee shall be required to submit to the Fire Chief, prior to the commencement of operations, a list identifying all of its employees hired to drive or attend Grantee's customers. The list shall identify each employee by name and shall identify the employee's current DSHS certification status, driver's license status, and Defensive Driving Course Status. The Grantee shall forward written notice of any addition or change in the information required to be submitted within fifteen (15) calendar days of the addition or change.
2. Monthly Report Noting Changes of Personnel or Personnel License Status. Grantee shall submit to the Fire Chief monthly reports to include additions and changes of personnel and personnel records information as required in Article II, Section H(1) of this franchise.
3. DSHS Certification of Grantee's Employees. Each of Grantee's attendants and drivers employed by Grantee must be currently certified as an Emergency Medical Technician-Basic with the Texas Department of State Health Services, Emergency Medical Services Division. Individuals providing a higher level of care to customers must be currently certified with the Texas Department of Health at the level consistent with the type of care for which that ambulance is equipped as identified in this franchise.
4. Driver's License Required. While on duty, each of Grantee's attendants and drivers must possess at all times a license issued by the State of Texas or New Mexico which is valid to operate an emergency vehicle and transfer ambulance.
5. EMT Identification Required. While on duty, each of Grantee's attendants and drivers shall be required to possess proof of EMT certificate issued to the EMT by the Texas Department of State Health Services;
6. Statement from Physician; Reportable Communicable Diseases. Within fifteen (15) days of employment of each attendant and driver, the Grantee must submit to the Fire Chief a written statement from a physician authorized to practice medicine in the State of Texas stating the person is free of the following communicable diseases (Tuberculosis, Measles, Mumps, Rubella, Hepatitis B, and Tetanus) and is physically capable of performing the

required duties. If an individual contracts a communicable disease which is required to be reported to appropriate federal, state or local health authorities, Grantee shall immediately notify the Fire Chief that the individual is unable to perform duties as an EMT and shall, prior to permitting the individual to resume his or her duties as an EMT, submit to the Fire Chief, a physician's statement that the individual has recovered from his or her illness and may resume providing care under the individual's EMT license as permitted by those laws governing emergency medical technicians and communicable diseases.

7. Defensive Driving or Emergency Vehicles Operation Course Certificate. Within ninety (90) days of employment, the Grantee must submit to the Fire Chief, for each of Grantee's employees, evidence showing completion of a National Safety Council Approved Defensive Driving Course or an Emergency Vehicles Operation Course, the latter from the El Paso Fire Department, while operating under this franchise.

#### I. Ambulance Staffing Requirements

1. Basic Ambulance Staffing. Each ambulance being used for basic care must be staffed by no less than an EMT-Basic driver and an EMT-Basic attendant, and any other personnel needed to sustain current level of care for the patient as determined by the attending physician.

2. Advanced Life Support Ambulance Staffing. Each ambulance being used for advanced life support care (ALS) must be staffed by no less than an Advanced EMT and an EMT-Basic, and any other personnel needed to sustain current level of care for the patient as determined by the attending physician.

3. MICU Ambulance Staffing. Each ambulance being used for mobile intensive care (MICU) must be staffed by a minimum of an EMT-Paramedic, an EMT-Basic, and any other personnel needed to sustain current level of care for the patient as determined by the attending physician.

#### J. Vehicle Inspections

1. Inspection of Ambulances Prior to Initial Operation. Prior to the commencement of operations, the Fire Chief or his designee shall inspect all ambulances used by Grantee in operating its transfer service at a reasonable time. An ambulance must pass inspection and have a current valid permit sticker prior to any use for customer transportation or care. Subsequent to the initial inspection, all ambulances which are subject to this franchise shall be inspected by the Fire Chief or designee every two years, except as noted in Article II.J.2.

2. Field Inspections. Ambulances may be inspected in the field at any hour by the Fire Chief or designee, and he may require any ambulance to proceed to a specified location for further inspection. If Grantee has three ambulance field inspection failures within a 12-month period, then the City shall re-inspect Grantee's entire ambulance fleet within 30 days of the last failed field inspection.

3. Non-Compliance. The Fire Chief or designee shall flag the ambulance and remove the permit sticker from an ambulance that fails an inspection. Grantee shall not



operate an ambulance without a valid permit sticker. It shall be an event of default for Grantee to operate a vehicle without a valid permit.

4. Inspection Process. Each inspection shall include:

a. Confirmation that the vehicle has a current motor vehicle registration sticker on the front windshield in compliance with Texas Transportation Code §502.059(c), as amended, with proof of vehicle inspection pursuant to the requirements of Texas Transportation Code Chapter 548, as amended.

b. Confirmation that the Grantee has a current EMS Provider License issued by Texas Department of State Health Services, Emergency Medical Services Division as provided for under 25 T.A.C. §§ 157.2 and 157.11.

c. Visual inspection of the vehicle(s) for the purpose of determining full operation of the following motor vehicle equipment:

(1) headlights, tail-lights, back-up lights, ambulance body clearance lights (if appropriate), brake lights and license plate lights, and appropriate emergency lights and sirens; and

(2) tires.

d. Visual and mechanical inspection of equipment for the purpose of determining compliance with the medical equipment specifications of the franchise.

5. Written Inspection Report. EPFD shall give the Grantee a written report at the time of inspection indicating any deficiencies.

6. Permit Sticker. A vehicle that meets the requirements of this franchise under this ordinance shall be issued a permit sticker indicating its validity for a twenty-four month period from the date of inspection. The sticker's expiration date shall not be deemed to impair or limit the City's ability to conduct field inspections or perform any other function under the terms of this franchise. An ambulance that has met the inspection requirements of this franchise shall display the permit sticker on the vehicle's rear window and said sticker shall be visible from the exterior of the vehicle at all times.

7. Permit Sticker Non-transferable. A permit sticker is not transferable from one vehicle to another.

8. Ambulances Not Passing Inspection. Any ambulance found not to be in compliance with the requirements of this franchise or of any other ordinance of the City regulating the use of ambulances on the streets and alleys of the City of El Paso shall 1) fail inspection, 2) be considered not safe or useable and 3) have any existing permit sticker removed. Thereafter, until the vehicle passes inspection, it shall not be operated for customer transportation or care upon the streets of the City of El Paso.

9. Re-inspection. At the request of the Grantee, EPFD shall re-inspect a vehicle that has failed inspection to determine if the deficiencies have been corrected. EPFD may require review of written documentation, such as equipment repair bills or sales receipts, and may re-inspect the vehicle and equipment visually and mechanically for compliance with this franchise.

10. Specialty Ambulance. The City, upon verification of the licensing of a vehicle as a specialty ambulance by the Texas Department of State Health Services, shall issue a sticker, as described in Article II, Section J.5, for any such vehicle.

K. Vehicle, Equipment and Supply Requirements

1. DSHS Regulations. Vehicles are required to meet all applicable Texas Department of State Health Services Regulations in effect at the time of inspection.

2. DSHS Vehicle Equipment and Supply Requirements. The following equipment and supplies are required for each ambulance operated in the Franchise Area by the Grantee:

a. Each ambulance being used for Basic Life Support Care must comply fully with DSHS requirements for Basic Life Support Ambulances, as amended.

b. Each ambulance being used for Advanced Life Support Care must comply fully with DSHS requirements for Advanced Life Support Ambulances, as amended.

c. Each ambulance being used for Mobile Intensive Care Unit services must comply fully with DSHS requirements for Mobile Intensive Care Ambulances, as amended.

3. Ambulance Markings. Grantee shall mark each ambulance distinctly with its company's name. Grantee's name shall be marked with a minimum one inch wide and five inch tall lettering on at least three sides of the ambulance. The color of Grantee's name must contrast with the color of the ambulance or the wrap. The Texas Department of State Health Service provider's license number shall be displayed on the sides of the ambulance with "TX" appearing prior to said number in the width and height required by the State of Texas. Business phone numbers and logos are permissible; however, the words "Emergency Medical Services" or "EMS" shall not be used in any fashion.

4. Grantee shall submit to the Fire Chief or designee the Grantee's Medical Equipment checklist for approval. Grantor shall conduct the required vehicle inspection with said checklist to ensure that Grantee meets state and local requirements. Changes to Grantee's medical equipment as listed on the checklist shall be submitted to the Fire Chief or designee within fifteen days prior to the change to be in effect.

5. Grantee to Comply with Most Comprehensive Requirements. Grantee shall comply at the time of inspection or re-inspection with the supply and medical equipment list required

in this ordinance or by the Texas Department of State Health Services, whichever is more comprehensive.

L. Operational Requirements

1. Permits. Grantee shall obtain and maintain, at its own expense, all required permits necessary for the operation of Grantee's service under applicable laws and the terms of this franchise.
2. Lights and Sirens. Grantee shall not avail himself of the permission given ambulances to disregard traffic laws except in those instances as expressly permitted under federal, state or local laws and with the permission of the Fire Department as may be granted upon a case-by-case basis.
3. Transportation and Treatment Decisions. Transportation and treatment decisions shall be made in accordance with Grantee's established policies and in accordance with the usual and customary medical practices of the medical community.
4. Treatment Protocols and Transfer Policies. Grantee shall file a copy of its treatment protocols and transfer policies with the Fire Chief and shall forward any changes in such protocols or procedures no less than five (5) working days prior to implementation of same.
5. Dispatcher's Responsibilities. Grantee's Dispatchers shall make reasonable efforts to determine if a request for service is an emergency or non-emergency. Upon receipt of a request for emergency service within the City limits of El Paso, or if Grantee responds to a call within the City limits that in good faith was taken as a non-emergency and then upon arrival it is determined that the call is an emergency, the call shall be immediately relayed by Grantee to EPFD Communications via radio or, if necessary, Grantee shall relay the call via 911 or 915-832-4429. EPFD will either elect to respond to the call or give Grantee permission to handle the incident.
6. Response to Emergency Situations. Unless authorized to do so by the Fire Chief or his designee, Grantee, its agents, or its employees, shall not knowingly go to the scene of an emergency within the City limits of El Paso with the intent to provide emergency service and transportation; provided, however, if Grantee discovers an emergency situation within the City limits of El Paso it shall immediately notify the EPFD Communications via EPFD radio and shall remain to render aid until an EPFD vehicle arrives or may transport if instructed to do so per EPFD Communications via EPFD radio. Such aid must be comprehensive and at the maximum level allowed for those personnel by the Grantee's medical director.
7. Uniforms. Grantee's employees shall be required to wear uniforms while performing duties associated with the transportation and care of a customer. Uniform style and color provided by Grantee shall have the prior written approval of the Fire Chief and shall not resemble the uniform of the Fire Department.
8. Representation as EMT. Neither Grantee nor its employees shall hold out to the public in any manner that they are trained Emergency Medical Technicians or Paramedics

unless they have been so certified by the Texas Department of State Health Services, Emergency Medical Services Division.

9. EMT to Attend Customer. All patient care and transport decisions are the responsibility of the highest medically trained and highest credentialed person on the scene. After a complete patient assessment and if the patient is stable, patient will be attended by the most appropriate certified EMT. In the event of an emergency situation, Grantee shall adhere to Article II.L.6 of this Franchise. .

10. Ambulance for Customer Transport Only. Ambulances shall be used only for the purpose of transporting customers.

### **ARTICLE III. ADMINISTRATION AND REGULATIONS**

#### **A. State-Issued EMS Provider License**

1. State License to Be Filed with City. Before commencing operations under this franchise, Grantee shall file with the City Clerk and the Fire Chief, a copy of its EMS Provider License as issued by the State of Texas, Department of State Health Services.

2. Suspension, Revocation, Non-Renewal of State License. Should Grantee's state-issued EMS Provider License be suspended, revoked or not renewed by the State of Texas, Grantee shall not operate any ambulance upon the streets, alleys or public rights-of-way within the City of El Paso until such time as Grantee's EMS Provider License is reinstated or renewed by the State of Texas. Grantee shall immediately notify the Fire Chief of any suspension, revocation, or non-renewal of its state-issued EMS Provider License.

3. Termination of Franchise Where Grantee Not Licensed by State. The basis set forth by the State of Texas for the suspension, revocation, or non-renewal of Grantee's EMS Provider License shall constitute a reasonable basis for the cancellation, termination or revocation of this franchise by the City of El Paso.

#### **B. Rates**

1. Grantee's Rates. The Mayor and City Council hereby approve the schedule of maximum rates attached hereto as "Exhibit A" and by reference made a part hereof. Any increase to the listed rates under this franchise shall be subject to the prior approval of the Mayor and City Council before being assessed to any patient or client by Grantee. Grantee shall indicate where any discounts to third parties have been given when providing its payment to the City.

2. Rates for EPFD-directed Emergency Response. Whenever the Grantee shall be directed by the Fire Chief to respond to an emergency as permitted by this franchise or other applicable law, the Grantee shall charge the City of El Paso rates established in the City's Budget Resolution or other resolution appropriately adopted by the El Paso City Council for Grantee's services provided to this franchise, instead of the rates listed for emergency response in the attached "Exhibit A". The discounts referenced in Article III, B.1 above are not applicable to EPFD-directed emergency response.

3. Special Segments: The following shall be handled as stated below:
  - a. Long Distance. Long Distance transport fee shall only include the base rate and shall exclude mileage from the computation.
  - b. Airport Transfer. For calls that originate in the City of El Paso and request transfer to the El Paso International Airport the fee shall only include the base rate and shall exclude mileage from the computation.
  - c. Special Events. Special events shall be billed only when an actual transport is required to an El Paso hospital from a special event and shall include both the base rate and the mileage.

C. Grantee's Office and Telephone Number

The Grantee shall, at its own cost, maintain an office within the City, which shall be open during all usual business hours, have a publicly-listed telephone with a locally accessible number and sufficient lines and be operated so that complaints and requests for billing or adjustments shall be received on a twenty-four (24) hour basis.

D. Billing Statements

1. Franchising Authority Identified. Grantee's billing statements shall include the Grantee's proper phone number and street address for its El Paso office and shall identify the City as Grantee's franchising authority as follows: Franchising Authority: City of El Paso, Attn: Fire Department, Community Health Program, 416 N. Stanton, Ste. 200, El Paso, Texas 79901.
2. Complaints May Be Sent to City of El Paso. Grantee shall include in each of its billing statements a notice to its clients and patients that copies of complaints may be forwarded to the Grantee's franchising authority, the City of El Paso.

E. Customer Complaints

1. Complaint Procedure shall, in addition to the requirements mandated elsewhere in this franchise, establish procedures for receiving, acting upon, and resolving complaints. A copy of the most current procedures shall be filed with the Fire Chief. The Grantee shall furnish a notice of such procedures to its patients and clients on each of its billing statements.
2. Complaint Logs. The Grantee shall keep a log, which will indicate the name of the complainant, the name of the customer (if different from the complainant), the nature of each complaint, the date and time it was received, the disposition of said complaint and the time and date thereof. This log shall be made available for periodic inspection by representatives of the City.
3. Retention of Complaint Logs. All complaint entries shall be retained on file for a period of two (2) years from the date the complaint entry was made.

4. Multiple complaints - City-ordered Investigation, Analysis and Report. When similar complaints are filed or when other evidence exists which casts doubt on the reliability or quality of Grantee's service, the City shall have the right to require the Grantee to investigate, analyze, and report on the performance of the transfer service and the personnel involved. Such report shall be delivered to the City no later than fourteen (14) days after the City formally notifies the Grantee and shall include, at a minimum, the following information: the nature of the complaints which precipitated the investigation; the equipment used in rendering services; the procedures employed in rendering services to the complainant or patient; a narrative of the incident and the resulting outcome; and the method by which said complaints were resolved.

5. City May Conduct Own Investigation. The City may conduct its own investigation, analysis and draft reports regarding the Grantee's customer service. The City may also require that an investigation, analysis and report be conducted or supervised by an independent health care professional with demonstrated knowledge and understanding of appropriate EPFD and Medical Transfer procedures and protocols and who is not on the permanent staff of the Grantee.

6. Selection of Independent Health Care Professional. An independent health care professional shall be selected by the Grantee from a list of no less than two persons or firms nominated by the City of El Paso through its Fire Chief. Should Grantee fail to select an independent health care professional from the list of nominees within ten days after receiving the notice identifying the nominees, the City shall be entitled to select the independent health care professional and such selection shall be final. The aforesaid professional shall sign all reports of the investigation and analysis and shall forward the report, including such records as necessary to properly interpret the results of the investigation and analysis, to the City or other designated City representative. The report shall recommend actions to be taken by the Grantee and the City. The reasonable costs of such independent investigation shall be paid by the Grantee, provided, however, in the event such investigation determines that the Grantee is operating in accordance with all performance standards and requirements of this franchise, all costs for such independent investigation shall be paid by the City.

7. Basis for Investigation. The City shall require investigations, analyses, and reports when and under such circumstances as the City has reasonable grounds to believe a) that the health or welfare of the public may be at risk or b) that Grantee's level of service does not meet or comply with the standards of care and service which are customary in the emergency medical profession or which are required by federal, state, or local laws.

F. **HHS PRIVACY REGULATIONS.** The Health Insurance Portability and Accountability Act (HIPAA) *Standards for Privacy of Individually Identifiable Health Information* (Privacy Rule), as amended by the HITECH Act and regulations promulgated thereunder by the U.S. Department of Health and Human Services, and any subsequent amendments or modifications thereto (collectively, "HIPAA"); see 45 CFR Part 160 and Subparts A and E of Part 164, requires that Grantee offer assurances to the City that the Grantee will safeguard any protected health information received or created on behalf of the City. Pursuant to this requirement, the following is set forth:

1. **Definitions.** The following terms shall have the meaning ascribed to them in this Section. Other capitalized terms shall have the meaning ascribed to them in the context in which they first appear, or as provided in (1)(h) to this Section.
  - a. **Agreement** shall refer to this document.
  - b. **Business Associate** means Grantee.
  - c. **HHS Privacy Regulations** shall mean the Code of Federal Regulations (“C.F.R.”) at Title 45, Sections 160 and 164, in effect, or as amended.
  - d. **Individual** shall mean the person who is the subject of the Information, and has the same meaning as the term “individual” is defined in 45 C.F.R. 164.503.
  - e. **Information** shall mean any “health information” provided and/or made available by the CITY to BUSINESS ASSOCIATE, and has the same meaning as the term “health information” as defined by 45 C.F.R. 160.103.
  - f. **Parties** shall mean the CITY and BUSINESS ASSOCIATE.
  - g. **Secretary** shall mean the Secretary of the Department of Health and Human Services (“HHS”) and any other officer or employee of HHS to whom the authority involved has been delegated.
  - h. **Catch-all definition:** The following terms used in this Agreement shall have the same meaning as those terms in the HIPAA Privacy, Security, Breach Notification and Enforcement Rules at 45 C.F.R. Part 160 and 164, in effect, or as amended: breach, data aggregation, designated record set, disclosure, health care operations, protected health information, required by law, subcontractor, and use.
2. **Limits on Use and Disclosure Established by Terms of Agreement.** BUSINESS ASSOCIATE hereby agrees that it shall be prohibited from using or disclosing the Information provided or made available by the CITY for any other purpose other than as expressly permitted or required by this Agreement (ref. 45 C.F.R. 164.504(e)(2).)
3. **Stated Purposes for which BUSINESS ASSOCIATE May Use or Disclose Information.** The Parties hereby agree that BUSINESS ASSOCIATE shall be permitted to use and/or disclose Information provided or made available from CITY for the following stated purposes:  
To provide ambulance, public health, and related support services (service) to the community of the CITY for the mutual benefit and general welfare of BUSINESS ASSOCIATE and the CITY (ref. 45 C.F.R. 164.504(e)(2)(i); 65 Fed. Reg. 82505.)
4. **Use of Information for Management, Administrative and Legal Responsibilities.** BUSINESS ASSOCIATE is permitted to use Information if necessary for the proper management and administration of BUSINESS

ASSOCIATE or to carry out legal responsibilities of BUSINESS ASSOCIATE. (ref. 45 C.F.R. 164.504(e)(4)(i)(A-B)).

5. **Disclosure of Information for Management, Administration and Legal Responsibilities.** BUSINESS ASSOCIATE is permitted to disclose Information received from CITY for the proper management and administration of BUSINESS ASSOCIATE or to carry out legal responsibilities of BUSINESS ASSOCIATE, provided:
  - a. The disclosure is required by law; or
  - b. The BUSINESS ASSOCIATE obtains reasonable assurances from the person to whom the information is disclosed that it will be held confidentially and used or further disclosed only as required by law or for the purposes for which it was disclosed to the person, the person will use appropriate safeguards to prevent use or disclosure of the information, and the person immediately notifies the BUSINESS ASSOCIATE of any instance of which it is aware in which the confidentiality of the information has been breached. (ref. 45 C.F.R. 164.504(e)(4)(ii)).
6. **Data Aggregation Services.** BUSINESS ASSOCIATE is also permitted to use or disclose Information to provide data aggregation services, as that term is defined by 45 C.F.R. 164.501, relating to the health care operations of CITY. (ref. 45 C.F.R. 164.504(e)(2)(i)(B)).
7. **BUSINESS ASSOCIATE OBLIGATIONS:**
  - a. **Limits on Use and Further Disclosure Established by Agreement and Law.** BUSINESS ASSOCIATE hereby agrees that the Information provided or made available by the CITY shall not be further used or disclosed other than as permitted or required by the Agreement or as required by federal law. (ref. 45 C.F.R. 164.504(e)(2)(ii)(A)).
  - b. **Appropriate Safeguards.** BUSINESS ASSOCIATE will establish and maintain appropriate safeguards to prevent any use or disclosure of the Information, other than as provided for by this Agreement. (ref. 45 C.F.R. 164.504(e)(2)(ii)(B)).
  - c. **Reports of Improper Use or Disclosure.** BUSINESS ASSOCIATE hereby agrees that it shall report to CITY **within two (2) days of discovery** any use or disclosure of Information not provided for or allowed by this Agreement. (ref. 45 C.F.R. 164.504(e)(2)(ii)(C)).
  - d. **Subcontractors and Agents.**

In accordance with 45 C.F.R. 164.502(e)(1)(ii) and 164.308(b)(2), if applicable, BUSINESS ASSOCIATE agrees to ensure that any subcontractors that create, receive, maintain, or transmit protected health information on behalf of BUSINESS ASSOCIATE agree in writing to the



same restrictions and conditions that apply through this Agreement to BUSINESS ASSOCIATE with respect to such Information.

- e. **Right of Access to Information.** BUSINESS ASSOCIATE hereby agrees to make available and provide a right of access to Information by an Individual. This right of access shall conform with and meet all of the requirements of Section 181.102 of the Texas Health and Safety Code, requiring that not later than the 15th business day after the date of the receipt of a written request from a person for the person's electronic health record, BUSINESS ASSOCIATE shall provide the requested record to the person in electronic form unless the person agrees to accept the record in another form, and with any further requirements of 45 C.F.R. 164.524, including substitution of the words "COVERED ENTITY" with BUSINESS ASSOCIATE where appropriate. (ref. 45 C.F.R. 164.504(e)(2)(ii)(E)).
- f. **Correction of Health Information by Individuals.** BUSINESS ASSOCIATE shall, upon receipt of notice from the CITY, amend or correct protected health information (PHI) in its possession or under its control.
- g. **Amendment and Incorporation of Amendments.** BUSINESS ASSOCIATE agrees to make Information available for amendment and to incorporate any amendments to Information in accordance with 45 C.F.R. 164.504(e)(2)(ii)(F)).
- h. **Provide Accounting.** BUSINESS ASSOCIATE agrees to make Information available as required to provide an accounting of disclosures in accordance with 45 C.F.R. 164.528, including substitution of the words "COVERED ENTITY" with BUSINESS ASSOCIATE where appropriate. (ref. 45 C.F.R. 164.504(e)(2)(ii)(G)).
- i. **Access to Books and Records.** BUSINESS ASSOCIATE hereby agrees to make its internal practices, books, and records relating to the use or disclosure of Information received from, or created or received by BUSINESS ASSOCIATE on behalf of the CITY, available to the Secretary or the Secretary's designee for purposes of determining compliance with the HHS Privacy Regulations. (ref. 45 C.F.R. 164.504(e)(2)(ii)(H)).
- j. **Return or Destruction of Information.** At the termination of this Agreement, BUSINESS ASSOCIATE hereby agrees to adhere to Sub-section F.3 of Article III of this Agreement. (ref. 45 C.F.R. 164.504(e)(2)(ii)(J)).
- k. **Mitigation Procedures.** BUSINESS ASSOCIATE agrees to have procedures in place for mitigating, to the maximum extent practicable, any deleterious effect from the use or disclosure of Information in a manner

contrary to this Agreement or the HHS Privacy Regulations. (ref. 45 C.F.R. 164.530(f)).

- l. Sanction Procedures.** BUSINESS ASSOCIATE agrees and understands that it must develop and implement a system of sanctions for any employee, subcontractor or agent who violates this Agreement of the HHS Privacy Regulations. (ref. 45 C.F.R. 164.530(e)(1)).
  - m. Subpart E of 45 C.F.R. Part 164, as amended.** To the extent BUSINESS ASSOCIATE is to carry out one or more of CITY'S obligations under Subpart E of 45 C.F.R. Part 164, as amended, BUSINESS ASSOCIATE shall comply with the requirements of Subpart E that apply to CITY in the performance of such obligation(s).
  - n. Prohibition against the Sale of Protected Health Information.** The BUSINESS ASSOCIATE shall comply with the requirements of Texas Health and Safety Code Sec. 181.153, and any amendments of that section.
  - o. Notice and Authorization Required for Electronic Disclosure of PHI.** The BUSINESS ASSOCIATE shall comply with the requirements of Texas Health and Safety Code Sec. 181.154, and any amendments of that section, regarding the requirement of providing notice to an Individual for whom the BUSINESS ASSOCIATE creates or receives protected health information if the Individual's PHI is subject to electronic disclosure.
  - p. State Law on Medical Records Privacy.** The BUSINESS ASSOCIATE shall abide by the requirements set forth in Texas Health and Safety Code Section 181.001 et. seq., and any amendments of that chapter.
- 8. Property Rights.** The Information shall be and remain the property of the CITY. BUSINESS ASSOCIATE agrees that it acquires no title or rights to the Information, including any de-identified Information, as a result of this Agreement.
  - 9. Modifications.** The CITY and BUSINESS ASSOCIATE agree to modify this Business Associate Agreement, in order to comply with Administrative Simplification requirements of HIPAA, as set forth in Title 45, Parts 160 and 164, of the Code of Federal Regulations, as amended.
  - 10. Automatic Amendment.** Upon the effective date of any amendment to the regulations promulgated by HHS with respect to PHI, this Business Associate Agreement shall automatically amend such that the obligations imposed on BUSINESS ASSOCIATE as a Business Associate remain in compliance with such regulations.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**WITNESS THE FOLLOWING SIGNATURES AND SEALS:**

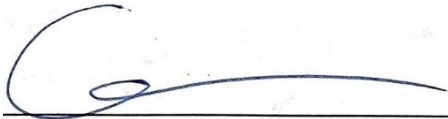
THE CITY OF EL PASO

\_\_\_\_\_  
Oscar Leaser  
Mayor

ATTEST:


\_\_\_\_\_  
Laura D. Prine  
City Clerk

APPROVED AS TO FORM:



\_\_\_\_\_  
Carlos L. Armendariz  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Jonathan P. Killings  
Interim Fire Chief

(ACCEPTANCES AND ACKNOWLEDGMENT ON THE FOLLOWING PAGE)

## ACCEPTANCE AND ACKNOWLEDGMENT

ACCEPTANCE

The above instrument, with all conditions thereof, is hereby accepted this 1<sup>st</sup> day of DECEMBER, 2022.

STAR Inc, d/b/a Revive Mobile Health

By: [Signature]

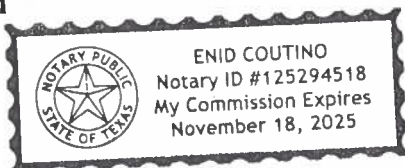
Printed Name: CARLOS ALARCON

Title: EMS CHIEF

ACKNOWLEDGEMENT

THE STATE OF TEXAS     )  
  )  
COUNTY OF EL PASO     )

This instrument was acknowledged before me on this 1<sup>st</sup> day of December, 2022, by CARLOS ALARCON, as PLLC - EMS CHIEF, on behalf of STAR Inc, d/b/a Revive Mobile Health



My Commission Expires:

11-18-25

[Signature]  
Notary Public, State of Texas  
Notary's Printed or Typed Name:  
Enid Coutino

RECEIVED FOR FILING THIS 1 DAY OF December, 2022.

\_\_\_\_\_  
Laura D. Prine, City Clerk

## **EXHIBIT A**

### **STAR Inc, d/b/a Revive Mobile Health**

#### **PUBLIC RATES**

<b>TRANSPORT TYPE:</b>	<b>RATE</b>
BLS NON-EMERGENCY	\$492.50
BLS EMERGENCY	\$587.50
ALS NON-EMERGENCY	\$667.50
ALS-1 EMERGENCY	\$767.50
ALS-2 EMERGENCY	\$825.00
SPECIALITY CARE TRANSPORT (SCT)	\$1285.00
MILEAGE	\$15.00 per mile
Standby Rate	\$120.00 an hour

Special Consideration will be given to financial hardships cases.

\* All mileage shall be billed and paid based on “load miles”, the patient in on board the vehicle.



El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #:** 22-1584, **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, David Samaniego, (915) 212-1608

#### **AGENDA LANGUAGE:**

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

An Ordinance vacating a portion of Oregon Street located between Block 5 and Block 6, Mills Addition, City of El Paso, El Paso County, Texas.

Applicant: Kress Tunnel, LLC, SURW22-00009

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

**AGENDA DATE:** December 13, 2022  
**PUBLIC HEARING DATE:** January 3, 2023

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** Philip F. Etiwe, (915) 212-1553  
David Samaniego, (915) 212-1608

**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 vacating a portion of Oregon Street located between Blocks 5 and Block 6, Mills Addition, City of El Paso, El Paso County, Texas.

Applicant: Kress Tunnel, LLC, SURW22-00009

**BACKGROUND / DISCUSSION:**

The applicant is requesting to vacate a subsurface portion of Oregon Street that is located in downtown between Mills Avenue and Texas Avenue. The portion proposed to be vacated is below the street level, to be used as a pedestrian tunnel, with a full utility easement to be retained. The City of El Paso will retain surface rights, to include access for pedestrians, vehicles, and roadway maintenance activities. The City Plan Commission recommended 5-0 to approve the proposed right-of-way vacation request on August 25, 2022. The applicant has provided funds in the amount of \$14,500.00, the amount of the appraised market value of the right-of-way (R.O.W.) 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*

---

Philip E. Etiwe – Planning and Inspections Director

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE VACATING A PORTION OF OREGON STREET LOCATED BETWEEN BLOCK 5 AND BLOCK 6, MILLS ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

**WHEREAS**, the abutting property owner has requested vacation of a 0.0326 PORTION OF OREGON STREET LOCATED BETWEEN BLOCK 5 AND BLOCK 6, MILLS ADDITION, City of El Paso, El Paso County, Texas; and

**WHEREAS**, after public hearing the City Plan Commission has recommended a vacation of a 0.0326 acre portion of Oregon Street located within a portion of Oregon Street located between Block 5 and Block 6, Mills Addition, City of El Paso, El Paso County, Texas, and the City Council finds that said portion of 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, a 0.0326 acre portion of Oregon Street located within a portion of Oregon Street located between Block 5 and Block 6, Mills Addition, 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, to include access for maintenance to the roadway, and all surface level improvements.

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 Kress Tunnel, LLC.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2023.

**THE CITY OF EL PASO:**

\_\_\_\_\_  
Oscar Leaser  
Mayor

**ATTEST:**

\_\_\_\_\_  
Laura D. Prine  
City Clerk

**APPROVED AS TO FORM:**

*Russell Abeln*  
Russell T. Abeln  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

*Philip F. Efiwe*  
Philip F. Efiwe, Director  
Planning & Inspections Department



**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 Kress Tunnel, LLC (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 OREGON STREET LOCATED BETWEEN BLOCK 5 AND BLOCK 6, MILLS ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, (SUBSURFACE OR SUBTERRANEAN PORTION ONLY)** and the **CITY OF EL PASO** retains its existing surface rights to solely control, operate, and maintain the surface right-of-way for pedestrian and vehicular access, to the subservience of the subsurface property 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.

Except for maintenance of the existing subsurface tunnel as described in the attached Exhibits, Grantee shall not construct any additional improvements, or make any additions or alterations on, above, or below the City right-of-way.

**WITNESS the following signatures and seal this \_\_\_\_ day of \_\_\_\_\_, 2023.**

**CITY OF EL PASO:**

**ATTEST:**

\_\_\_\_\_  
Tomás González, City Manager

\_\_\_\_\_  
Laura D. Prine, City Clerk

**APPROVED AS TO FORM:**

**APPROVED AS TO CONTENT:**

For

\_\_\_\_\_  
Russell T. Abeln

Assistant City Attorney

\_\_\_\_\_  
*Philip F. Etiwe*

Philip F. Etiwe, Director

Planning and Inspections Department

*(Acknowledgement on following page)*

**ORDINANCE NO.** \_\_\_\_\_

ROW Vacation SURW22-00009 – Oregon St. ROW Vacation  
22-1007-2967| 1217047 |RTA

**ROW Vacation SURW22-00009**

## ACKNOWLEDGMENT

[illegible]

This instrument is acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2023,  
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:**

Kress Tunnel, LLC  
123 W. Mills Ave., Suite 600  
El Paso, Texas 79901

**ORDINANCE NO.** \_\_\_\_\_  
ROW Vacation SURW22-00009 – Oregon St. ROW Vacation  
22-1007-2967| 1217047 |RTA

# Exhibit "A"

## METES AND BOUNDS DESCRIPTION

That certain parcel of land, being a portion of Oregon Street located between Block 5 and Block 6, Mills Addition, an addition to the City of El Paso, El Paso County, Texas, more particularly described by metes and bounds as follows:

**COMMENCING** at a found city monument located 10.00 feet south and east of the centerline intersection of Oregon Street and Mills Avenue, **WHENCE**, a found city monument located 10.00 feet south and east of the centerline intersection of Mills and Kansas Street bears N 56°12'17" E, a distance of 934.80 feet (935.00'-Plat); **THENCE**, S 33°47'43" E, along the monument line of Oregon Street, a distance of 25.00 feet to a point; **THENCE**, N 56°12'17" E, a distance of 25.00 feet to a point for the northwest corner of said Block 5, Mills Addition on the easterly right-of-way line of Oregon Street; **THENCE**, S 33°47'43" E, along the easterly right-of-way line of Oregon Street a distance of 112.39 feet to the **POINT OF BEGINNING** of this description;

**THENCE**, S 33°47'43" E, along the east right-of-way line of Oregon Street, a distance of 19.32 feet to a point;

**THENCE**, S 55°28'25" W, a distance of 8.70 feet to a point;

**THENCE**, S 62°42'14" W, a distance of 29.70 feet to a point;

**THENCE**, S 55°28'25" W, a distance of 31.72 feet to a point on the westerly right-of-way line of Oregon Street and the east line of said Block 6, Mills Addition;

**THENCE**, N 33°47'43" W, along said westerly right-of-way line of Oregon Street, a distance of 22.87 feet to a point,

**WHENCE**, the northeast corner of said Block 6 bears N 33°47'43" W, a distance of 105.99 feet;

**THENCE**, N 59°18'50" E, a distance of 10.17 feet to a point;

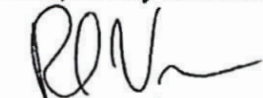
**THENCE**, N 62°42'14" E, a distance of 52.54 feet to a point;

**THENCE**, N 55°28'25" E, a distance of 7.64 feet to the **POINT OF BEGINNING**, containing 0.0326 acres more or less.

### NOTES:

1. This description is accompanied by a survey plat of even date.
2. Bearings recited are referred to Grid North, Texas Coordinate System - NAD 83, Central Zone - and were derived using GPS relative position techniques. Distances are ground distances using a project scale factor of 1.000231.
3. This description was performed without the benefit of a title report. There may be easements affecting this property which are not shown hereon.

Cobb, Fendley & Associates, Inc.



Raul Vaquera Jr.

Texas RPLS No. 6730

April 27, 2021



Job No. 2102-036-01

SHEET NO. 1 of 2

 **CobbFendley**

Texas Engineering Firm No. F-274

Texas Surveying Firm No. 10194619

11427 Rojas Drive, Suite B | El Paso, TX 79936

915.858.1892 | fax 915.858.1896 | www.cobbhendley.com

## METES & BOUNDS DESCRIPTION

BEING ALL OF BLOCK 46,  
MILLS ADDITION,  
AN ADDITION TO THE CITY OF EL PASO,  
EL PASO COUNTY, TEXAS

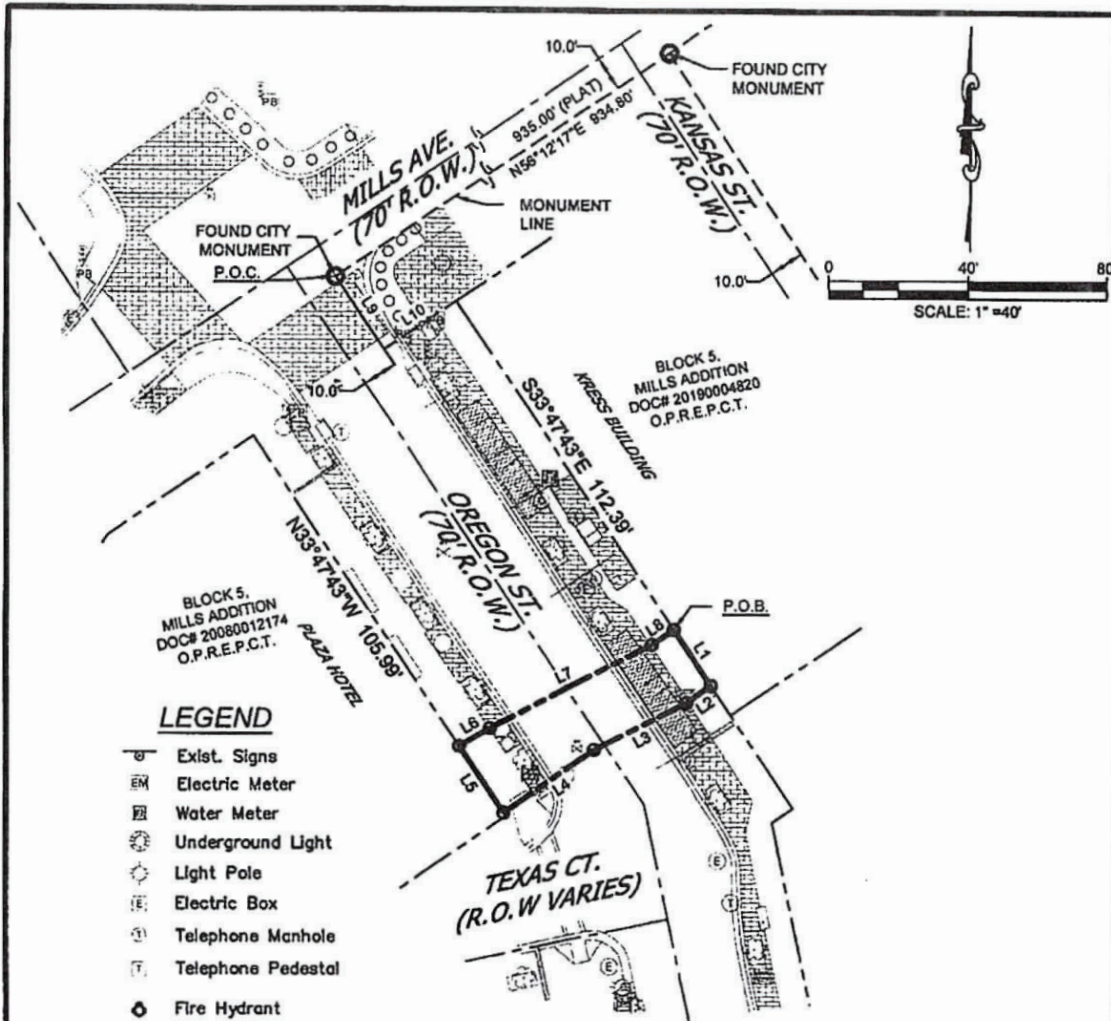
© copyright Cobb, Fendley & Associates, Inc.

САМІЙ ВЕРХАС Drawing File: F:\PROJETS\2021\2102-036-01\115 DI 274 PROPERTIES\01 MDPV DOWNTOWN TUNNEL MAR SURVEY\001 CAD\001 SURVEY\2102-036-01-MDPV TUNNEL DW

ITEM 3 - GENERAL COMMENTS



# Exhibit "B"



## LEGEND

- Exist. Signs
- Electric Meter
- Water Meter
- Underground Light
- Light Pole
- Electric Box
- Telephone Manhole
- Telephone Pedestal
- Fire Hydrant
- Gas Meter
- Fiberoptic Handhole

- Concrete
- Brick Layout
- Found Monument (as noted)
- P.O.B. Point of Beginning
- P.O.C. Point of Commencement
- O.P.R.E.P.C.T. Official Public Records El Paso County, Texas

Line Table		
Line #	Direction	Length
L1	S33° 47' 43"E	19.32'
L2	S55° 28' 25"W	8.70'
L3	S62° 42' 14"W	29.78'
L4	S55° 28' 25"W	31.72'
L5	N33° 47' 43"W	22.87'
L6	N59° 18' 50"E	10.17'
L7	N62° 42' 14"E	52.54'
L8	N55° 28' 25"E	7.64'
L9	S33° 47' 43"E	25.00'



## NOTES:

- Bearings shown are referred to Grid North, Texas Coordinate System - NAD 83, Central Zone - and were derived using GPS relative positioning techniques. Distances are ground distances using a project scale factor of 1.000231.
- Bearings and distances shown are as measured in the field.
- This survey was performed without the benefit of a title report. There may be easements affecting this property which are not shown hereon.
- This survey is accompanied by a written description of even date.
- Field work for this survey was completed on June 25, 2021.

Job No. 2102-036-01

SHEET NO. 2 of 2

**CobbFendley**

Texas Engineering Firm No. F-274  
Texas Surveying Firm No. 10194619  
11427 Rojas Drive, Suite B | El Paso, TX 79936  
915.858.1892 | fax 915.858.1896 | www.cobbhendley.com

© copyright Cobb, Fendley & Associates, Inc.

CANLIP VFNPCAS Drawing File: F:\PROJECTS\2021\02\036 MILLIS PLAZA PROPOSED SURVEY.MXD DWG: 2102-036-01-2.DWG TIT: 2102-036-01-2.DWG

## PLAT OF SURVEY

A PORTION OF OREGON STREET LOCATED  
BETWEEN BLOCK 5 AND BLOCK 6,  
MILLS ADDITION,  
AN ADDITION TO THE CITY OF EL PASO,  
EL PASO COUNTY, TEXAS

ITEM 3 - GENERAL COMMENTS

# Oregon Street R.O.W. Vacation

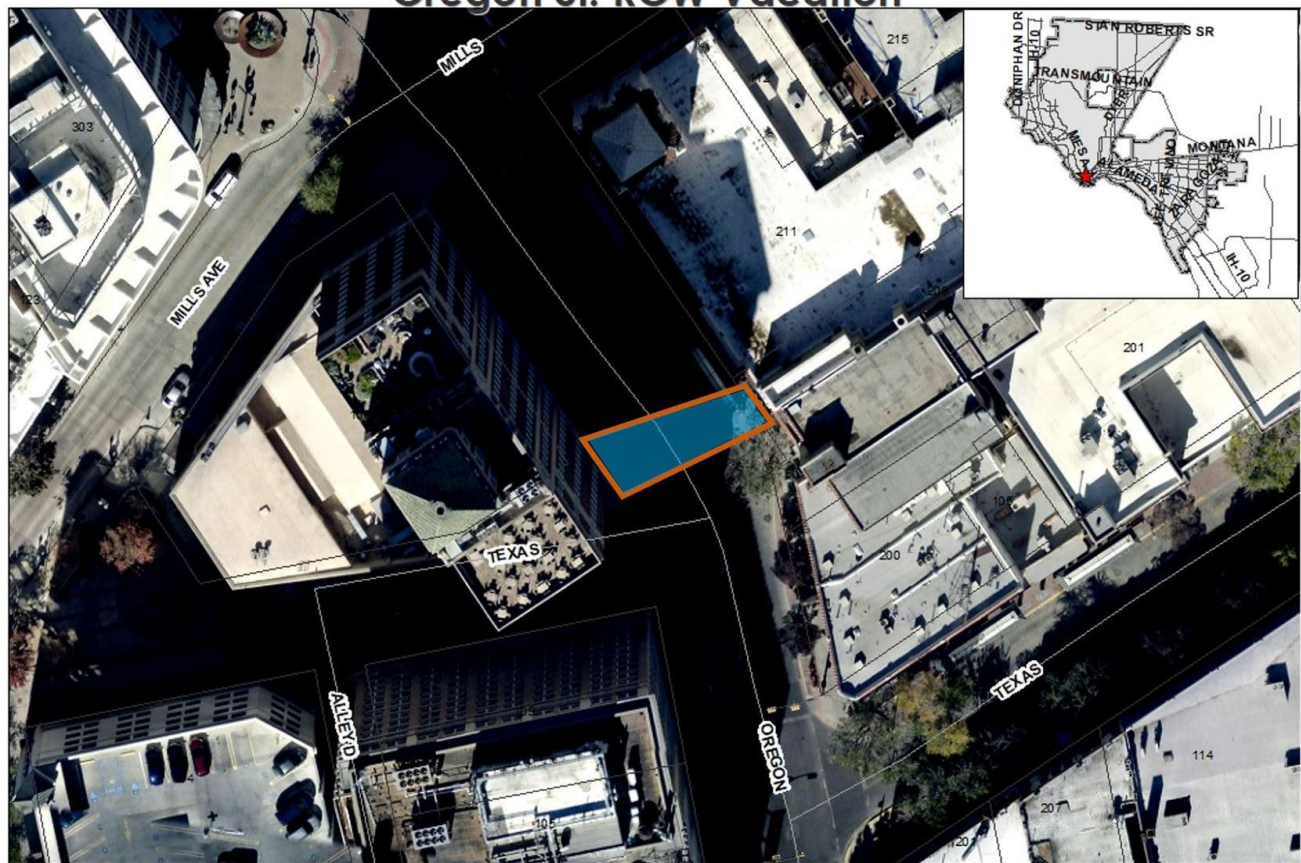
City Plan Commission — August 25, 2022 - **REVISED**



**CASE NUMBER/TYPE:** SURW22-00009 – RIGHT-OF-WAY VACATION  
**CASE MANAGER:** David Samaniego, (915) 212-1608, [SamaniegoDC@elpasotexas.gov](mailto:SamaniegoDC@elpasotexas.gov)  
**PROPERTY OWNER:** Kress Tunnel, LLC  
**REPRESENTATIVE:** Franklin Mountain Management  
**LOCATION:** East of Santa Fe St. and North of San Antonio Ave. (District 8)  
**PROPERTY AREA:** 0.03 acres  
**ZONING DISTRICT(S):** C-5/H (Commercial/Historic)  
**PUBLIC INPUT:** No opposition received as of August 18, 2022

**SUMMARY OF RECOMMENDATION:** Staff recommendation is **APPROVAL** of the Oregon Street right-of-way vacation.

## Oregon St. ROW Vacation



This map is designed for illustrative purposes only. The features depicted here are approximate and more in-depth studies may be required to draw accurate conclusions. Enlargements of this map to scales greater than its original can induce errors and may lead to misinterpretations of the data. The Planning & Inspections Department Planning Division makes no claim for its accuracy or completeness.



**Proposed R.O.W.  
vacation area**

0 20 40 80 120 160 Feet



Figure A: Proposed plat with surrounding area



**DESCRIPTION OF REQUEST:** The applicant seeks to vacate a portion of Oregon Street that is located in downtown El Paso between Mills Avenue and Texas Court. The total area that is proposed to be vacated is approximately 0.03 acres in size. The purpose of the right-of-way (R.O.W.) vacation is to allow for the installation of a private, underground tunnel across the full width of Oregon Street. The surface R.O.W. will be retained by the City of El Paso, to include the continued use for vehicular and pedestrian traffic and roadway maintenance activities. All underground utilities will be relocated and any surface improvements will be restored to their former conditions.

**CASE HISTORY/RELATED APPLICATIONS:** N/A

**NEIGHBORHOOD CHARACTER:** Surrounding neighborhood characteristics are identified in the following table.

Surrounding Zoning and Use	
North	C-5/H (Commercial / Historic) / Vacant
South	C-5/H (Commercial / Historic) / Retail
East	C-5/H (Commercial / Historic) / Retail
West	C-5/H (Commercial / Historic) / Vacant
Nearest Public Facility and Distance	
Park	San Jacinto Plaza (0.05 miles)
School	Triumph High School – Charter (0.30 miles)
Plan El Paso Designation	
G1, Downtown	
Impact Fee Service Area	
N/A	

**PUBLIC COMMENT:** Notices of the proposed right-of-way vacation were sent on August 11, 2022 to all property owners within 300 feet of the subject property. In addition, notice was posted in the El Paso Times newspaper on August 14, 2022. As of August 18, 2022, staff has not received any communications regarding this request.

#### **CITY PLAN COMMISSION OPTIONS:**

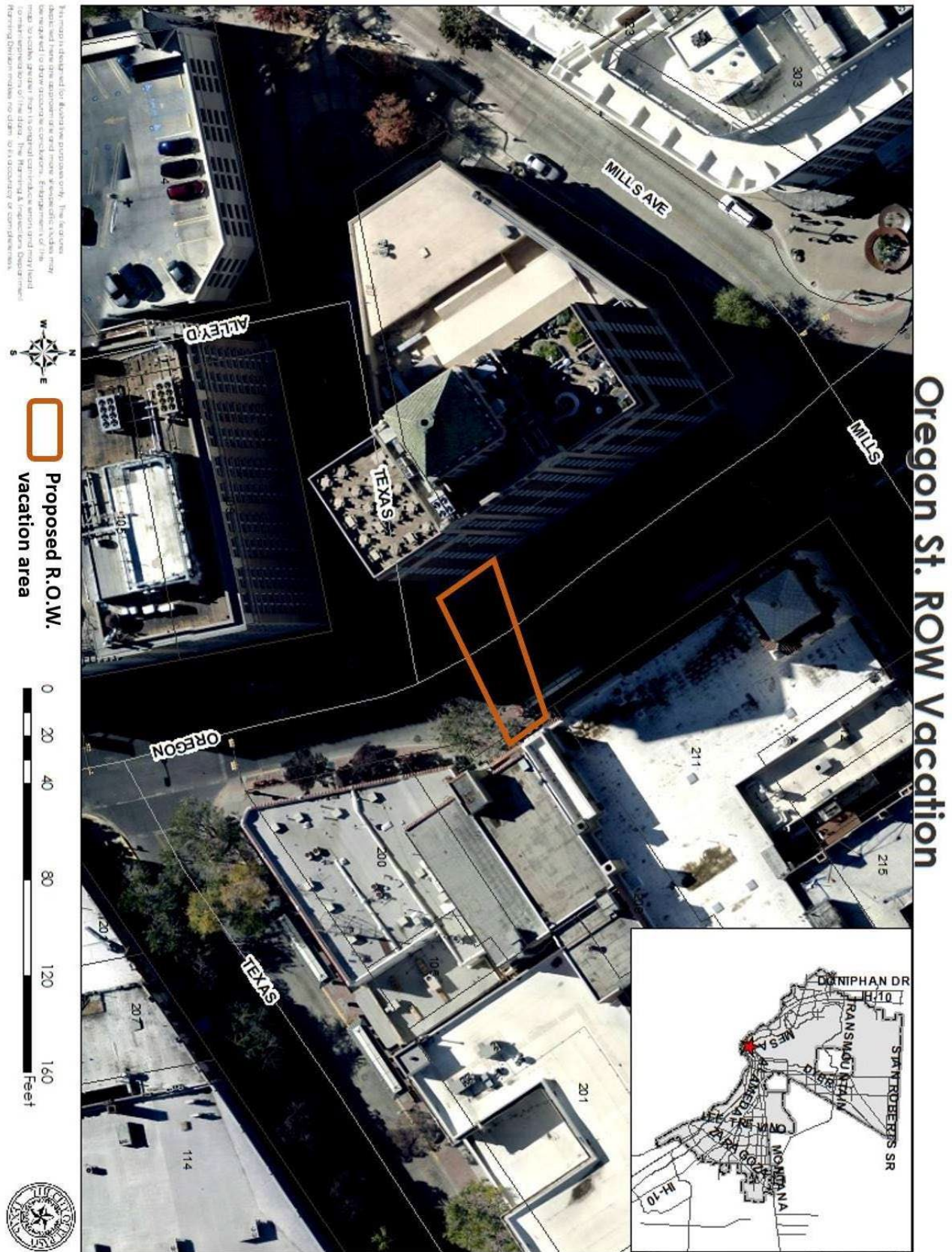
The City Plan Commission has the authority to advise City Council on right-of-way vacation requests. When a request is brought forward to the CPC for review, the Commission may take any of the following actions:

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:**

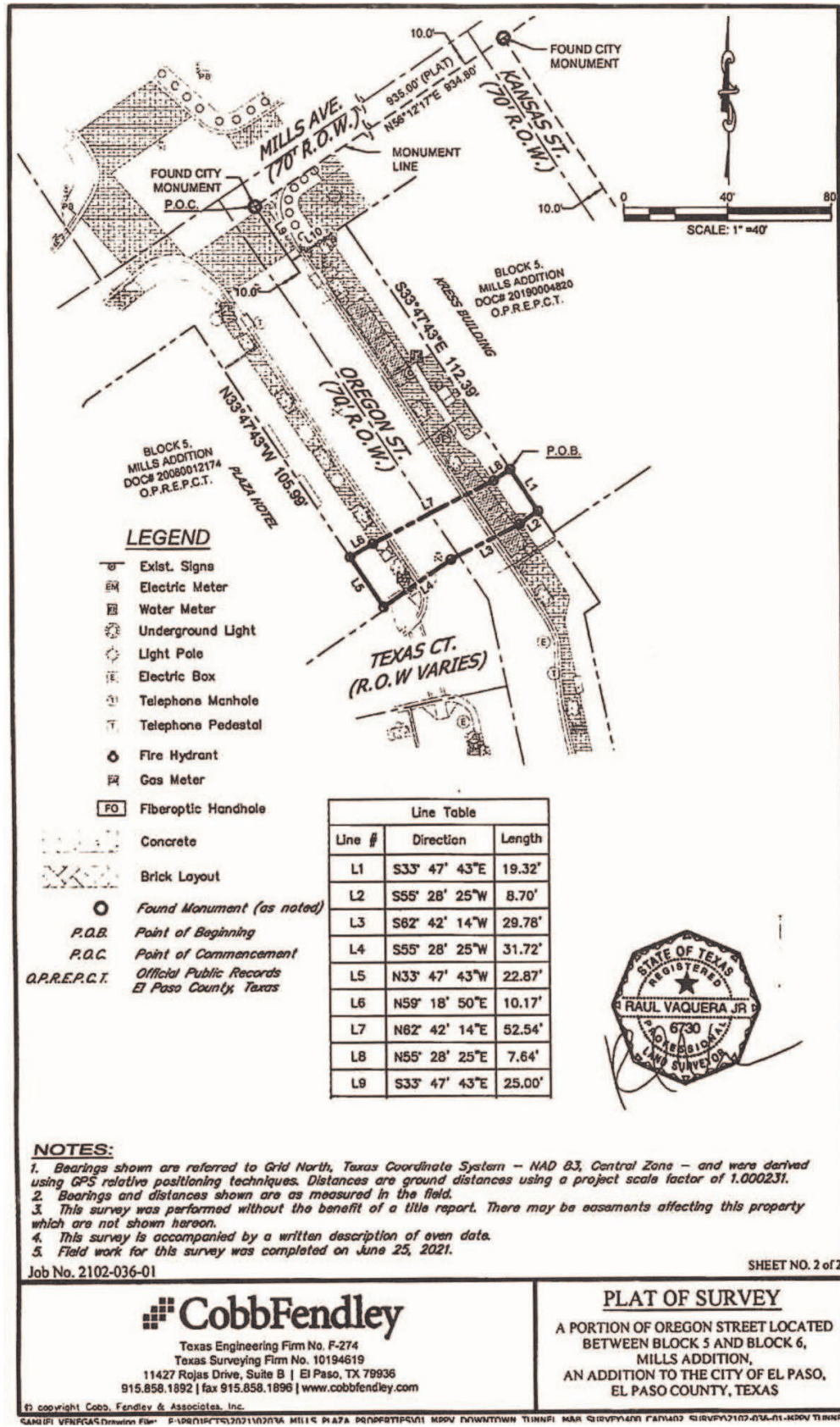
1. Aerial Map
2. Survey
3. Metes and Bounds Description
4. Application
5. Department Comments

# ATTACHMENT 1





# ATTACHMENT 2







# ATTACHMENT 4



## VACATION PUBLIC EASEMENTS AND RIGHTS-OF-WAY APPLICATION

Date: 03/28/2022

File No. SURW22-00009

1. APPLICANTS NAME: Kress Tunnel, LLC  
ADDRESS: 123 W. Mills Ave. Suite 600 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): Oregon Street Subdivision Name: Mills Addition  
Abutting Blocks: Abutting Lots:
3. Reason for vacation request: This is a partial vacation to allow the installation of an underground tunnel in Oregon street. The surface right of way will be retained by the City; but all underground utilities will be relocated to allow the tunnel to cross the full width of the right of way as shown on attached plans. Any removal of surface improvements will be restored to their former conditions.
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 of Land located between block 5 and 6	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) 504-7151

REPRESENTATIVE (E-MAIL): rbransford@fmmep.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**

Staff recommends approval. The surface roadway must be maintained for vehicular and pedestrian traffic. In addition, the City of El Paso must have access for maintenance to the roadway and all other surface level improvements. Note AT&T, El Paso Water, and El Paso Electric comments regarding continued coordination and in retaining access and utility/drainage easements.

## **AT&T**

AT&T has no objection subject to continue coordination and a utility easement is granted for existing structure that would not require relocation.

## **El Paso Water**

EPWater does not object to the vacation subject to continued coordination with the applicant on the final water/sewer/stormwater to address the outstanding comments. \*Utility and drainage easement is to be retained.

## **El Paso Electric**

If EPE existing facilities need to be relocated, then the customer will need to coordinate with our Distribution Engineering Department.

EPE will retain an easement right for any lines we have: "A utility easement along the entire roadway/alleyway will remain in favor of El Paso Electric Company and their successors and assigns for the infrastructure in existence in the roadway/alleyway on the date of this vacating ordinance. The rights granted by this utility easement include rights of access, operation, inspection, repair, replacement with like-kind infrastructure, removal, and maintenance by El Paso Electric Company and their successors and assigns."

## **Planning and Inspections Department- Land Development Division**

We have reviewed subject plats and recommend **Approval**.

The Developer/Engineer shall address the following comments.

1. No objections to proposed right-of-way vacation. All comments made in 5 day review were addressed in Packet Documents.

## **Streets and Maintenance Department**

- Any damaged traffic signal underground utilities shall be restored to their former conditions or better.
- Traffic signal underground utility locates shall be coordinated with the Streets and Maintenance Department.

## **Parks and Recreation Department**

We have reviewed Oregon/Mills Street Right of Way Vacation survey map and on behalf of Parks & Recreation Department we offer "No" objections to this proposed street right of way vacation request.

## **Fire Department**

Recommend approval – no adverse comments.

## **Sun Metro**

No comments received.

## **Capital Improvement Department**

No comments received.

## **Texas Gas**

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.





ITEM 24

# Oregon Street R.O.W Vacation

SURW22-00009



**Strategic Goal 3.**

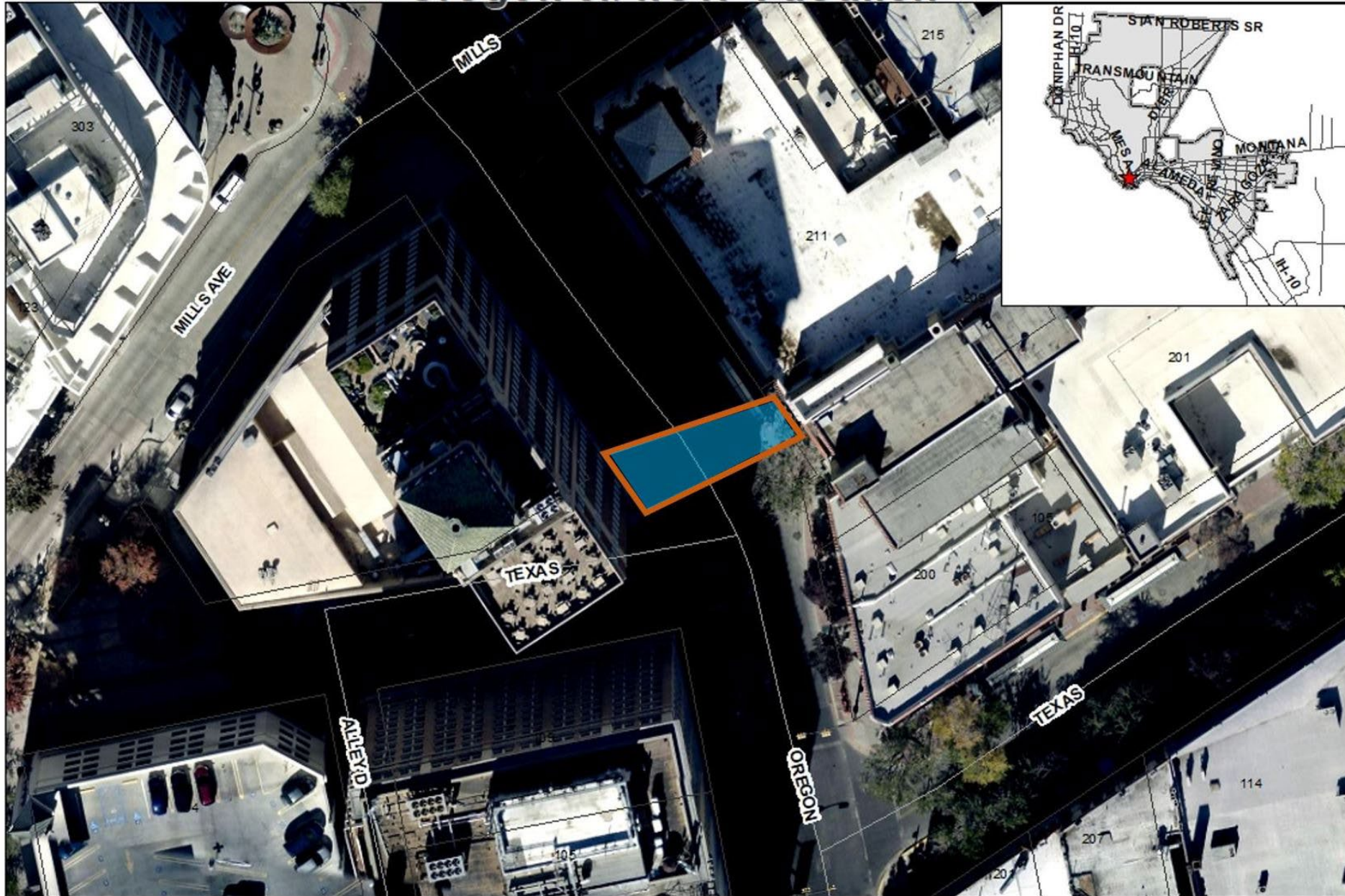
Promote the Visual  
Image of El Paso



# Oregon St. ROW Vacation



## ROW Vacation w/ Existing Development



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. Enlargements of this map to scales greater than its original can induce errors and may lead to misinterpretations of the data. The Planning & Implications Department Planning Division makes no claim to its accuracy or completeness.



**Proposed R.O.W.  
vacation area**

0 20 40 80 120 160 Feet





Photo





# Public Input

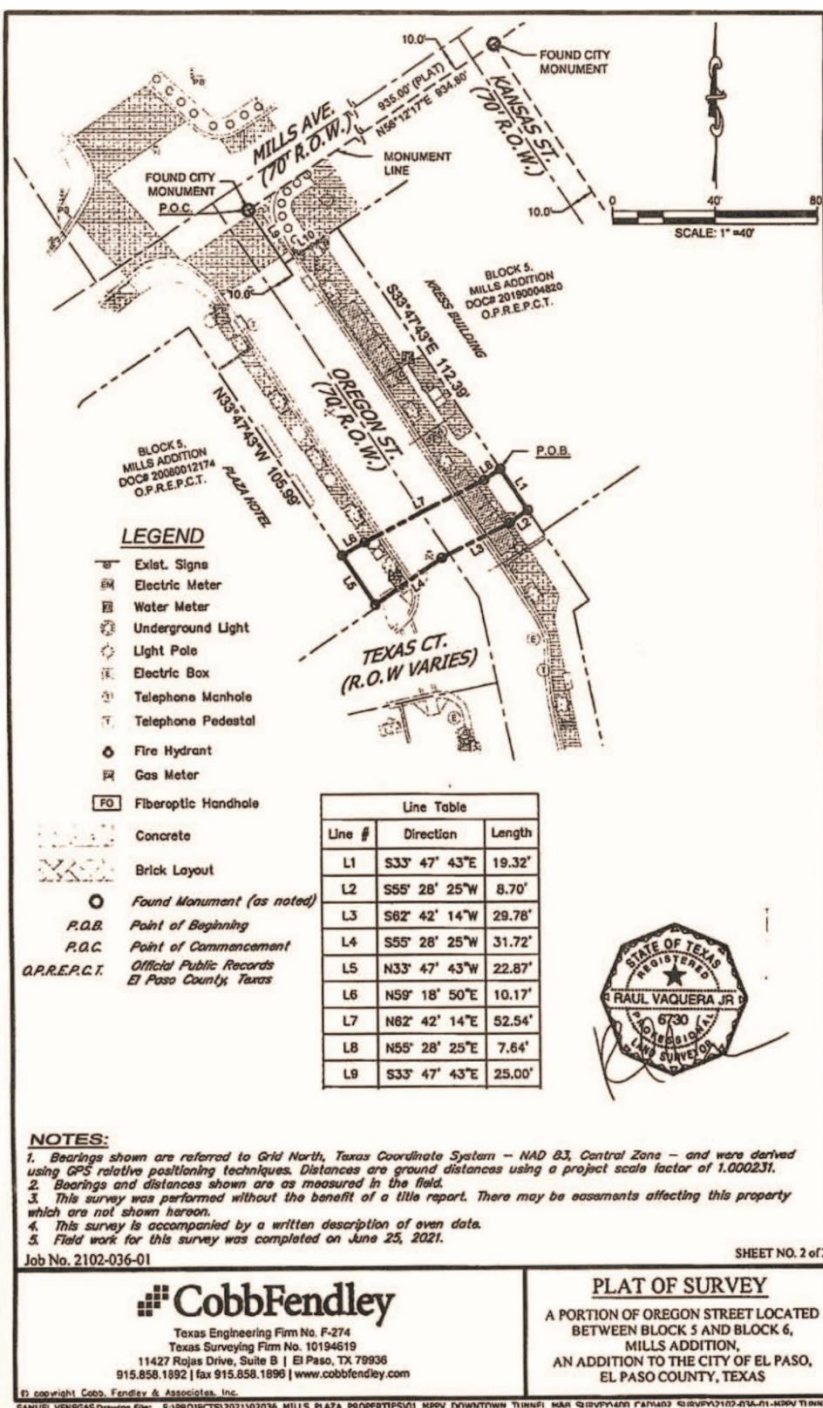
- Notice of public hearing was published in the El Paso Times on August 14, 2022.
- Notices were mailed to property owners within 300 feet on August, 2022.
- As of August 25, 2022 the Planning Division has not received any communications in support nor opposition to the request.



## Recommendation

- The CPC recommended unanimous **Approval** of the Oregon Street ROW Vacation request.







## Mission

Deliver exceptional services to support a high quality of life and place for our community



## Vision

Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government



## Values

Integrity, Respect, Excellence, Accountability, People



El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #: 23-16, Version: 1**

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### **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.*

City Attorney's Office, Matthew Marquez, (915) 212-0033

#### **AGENDA LANGUAGE:**

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

Application of El Paso Electric Company to Change Rates for Rate Schedule No. 11, Time-of-Day Municipal Pumping Service, to Correct an Error, Public Utility Commission of Texas Docket No. 54476. Matter No. 21-1008-203 (551.071)



El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #: 23-17, Version: 1**

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

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City Attorney's Office, Ayana Estrada, (915) 212-0033

#### **AGENDA LANGUAGE:**

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Application of El Paso Electric Company for Approval of Limited Code of Conduct Waivers and Associated Amendments to its Code of Conduct and Compliance Plan, Public Utility Commission of Texas Docket No. 54383. Matter No. 21-1008-204 (551.071)





El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #: 23-18, Version: 1**

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

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

#### **AGENDA LANGUAGE:**

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Application of El Paso Electric Company for a 10MW Community Solar Expansion and Authority to Modify  
Schedule No. CS Community Solar Rate, Public Utility Commission of Texas Docket No. 54403. Matter No. 21  
-1008-205 (551.071)