

Oscar Leeser  
Mayor

Cary Westin  
Interim City Manager



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

## **AGENDA FOR THE REGULAR COUNCIL MEETING**

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**December 12, 2023**  
**COUNCIL CHAMBERS, CITY HALL, 300 N. CAMPBELL AND VIRTUALLY**  
**9:00 AM**

**Teleconference phone number: 1-915-213-4096**  
**Toll free number: 1-833-664-9267**  
**Conference ID: 798-318-559#**

Notice is hereby given that a Regular Meeting of the City Council of the City of El Paso will be conducted on December 12, 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: 798-318-559#**

**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://app.smartsheet.com/b/form/dfad29e838da41fd86052bb264abd397>**

**To Speak on Agenda Items:**

**<https://app.smartsheet.com/b/form/7086be5f4ed44a239290caa6185d0bdb>**

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

## **ROLL CALL**

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

## **PLEDGE OF ALLEGIANCE**

## **MAYOR'S PROCLAMATIONS**

Beacons of Hope Day

Wayne Thornton Community Center at Grandview Day

Armando Rodriguez Day

Tony the Tiger Sun Bowl Week

## **RECOGNITIONS BY MAYOR**

Veterans Patriotic Commemorative Plaque

## **NOTICE TO THE PUBLIC**

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

## **CONSENT AGENDA - APPROVAL OF MINUTES:**

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

1. Approval of the minutes of the Special City Council Meeting of December 4, 2023. [23-1605](#)

#### **All Districts**

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

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

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS [23-137](#)



## **CONSENT AGENDA - RESOLUTIONS:**

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

3. A Resolution that the Director of Aviation, or designee, be authorized to submit a minor boundary modification application and all supporting documents and coordination with taxing entities for letters of support, to the U.S. Foreign Trade Zones Board, which will modify the boundaries of Foreign Trade Zone (FTZ) 68 to include the following parcel: [23-1581](#)

490 A Bill Burnett Drive, El Paso County, Texas 79928 which is Building 1 of the new Constellation Development Industrial Park (approximately 25 acres).

#### **District 6**

Airport, David Panko, (915) 212-0480

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

4. That the period of January 2, 2024, through January 20, 2024, be declared Library Amnesty period for the El Paso Public Library ("the Library") to waive \$1.00 worth of fines for every canned or non-perishable food donation, \$1.00 worth of fines for every can of pet food, and \$2.00 worth of fines for every pound of dry pet food made to the Martin Luther King (MLK) Canned Food Drive and Animal Services at Library locations, provided that all materials are returned to the Library in good condition. [23-1504](#)

#### **All Districts**

Libraries, Norma Martinez, (915) 212-3200

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

5. Approval of a Resolution that upon termination of Transportation Reinvestment Zone Number Two on December 31, 2023 that the City Manager, or designee, be authorized to transfer any funds remaining in the Zone's tax increment account to the General Fund. [23-1596](#)

#### **All Districts**

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

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

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

6. A refund to CoreLogic Refunds Dept., in the amount of \$4,347.00 for an overpayment made on December 29, 2021 of 2021 taxes, Geo. # S380-999-0110-2600. This action would allow us to comply with state law which [23-1580](#)

requires approval by the legislative body of refunds of tax overpayments greater than \$2,500.00.

**All Districts**

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

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

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

7. For notation pursuant to Section 2.92.080 of the City Code, receipt of campaign contributions by City Representative Aleksandra Annello: Robert & Rosario Halpern \$2,000. [23-1618](#)

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

**CONSENT AGENDA - BIDS:**

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

8. The linkage to the Strategic Plan is subsection: 7.3 - Enhance a regional comprehensive transportation system. [23-1579](#)

**Award Summary:**

The award of Solicitation 2024-0019 Bel Air High School HAWK Signal Improvements to EL PASO A.R.C. ELECTRIC, INC. for a total estimated amount of \$198,332.21. This contract will allow for the installation of a HAWK - Pedestrian Hybrid Beacon Signal at the intersection of Yarbrough Drive and Esther Road to serve Bel Air High School.

Department:	Streets and Maintenance
Award to:	EL PASO A.R.C. ELECTRIC, INC.
City & State:	El Paso, TX
Item(s):	Base Bid I
Contract Term:	90 Consecutive Calendar Days
Base Bid I:	\$198,332.21
Total Estimated Award:	\$198,332.21
Account(s):	532 - 4970 - 580270 - 32020 - PCP23ST001
Funding Source(s):	Other Outside Sources Fund - Bel Air HAWK System
Flashers Project	
District(s):	7

This was a Low Bid Procurement - unit price contract.

The Purchasing & Strategic Sourcing Department and Streets and Maintenance Department recommend award as indicated to EL PASO A.R.C. ELECTRIC, INC. the lowest responsive and responsible bidder.

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

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

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

#### **District 7**

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

9. The linkage to the Strategic Plan is subsection: 7.3 - Enhance a regional comprehensive transportation system.

**23-1588**

#### **Award Summary:**

The award of Solicitation 2024-0018 Eastwood High School HAWK Signal Improvements to EL PASO A.R.C. ELECTRIC, INC. for a total estimated amount of \$172,764.89. This contract will allow for the installation of a HAWK - Pedestrian Hybrid Beacon Signal at the intersection of McRae Boulevard and Daugherty Drive to serve Eastwood High School.

Department: Streets and Maintenance  
Award to: EL PASO A.R.C. ELECTRIC, INC.  
City & State: El Paso, TX  
Item(s): Base Bid I  
Contract Term: 90 Consecutive Calendar Days  
Base Bid I: \$172,764.89  
Total Estimated Award: \$172,764.89  
Account(s): 532 - 4970 - 580270 - 32020 - PCP23ST001  
Funding Source(s): Other Outside Sources Fund - Eastwood HAWK  
System Flashers Project  
District(s): 7

This was a Low Bid Procurement - unit price contract.

The Purchasing & Strategic Sourcing Department and Streets and Maintenance Department recommend award as indicated to EL PASO A.R.C. ELECTRIC, INC. the lowest responsive and responsible bidder.

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

Work under this unit price contract is only an estimated value and will be

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

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

**District 7**

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

**REGULAR AGENDA - OPERATIONAL FOCUS UPDATES**

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

10. Presentation on the FY 2023 4th Quarter Financial Report. [23-1590](#)

**All Districts**

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

11. Presentation and discussion providing a preview of the upcoming Strategic Planning Session, including the integration of the Comprehensive Plan Update, and an operations update focused on the Parks System and City Facilities: [23-1587](#)

1. Parks System Update (Ben Fyffe and Emigdio Gonzalez)
2. Facilities Update (Victor Morales)
3. Strategic Planning Session preview and integration of the Comprehensive Plan Update (Juliana Baldwin-Munoz and Alex Hoffman)

**All Districts**

City Manager's Office, Robert Cortinas, (915) 212-1067  
Transformation Office, Juliana Baldwin-Munoz, (915) 212-1204

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

12. Presentation and update on behalf of the Diversity, Equity, Inclusion, and Accessibility Cross Functional Team. [23-1591](#)

**All Districts**

City Manager's Office, Robert Cortinas, (915) 212-1067  
Human Resources, Edward K. McDonald III, (915) 212-1282

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

13. Discussion on City Council-requested action to develop additional Police [23-1592](#)

Department policies with respect to gender-diverse individuals and bias-free policing.

**All Districts**

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

**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: 798-318-559#

A sign-up form is available on line for those who wish to sign up in advance of the meeting at: <https://app.smartsheet.com/b/form/dfad29e838da41fd86052bb264abd397>

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

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

14. The linkage to the Strategic Plan is subsection: 4.2 Create innovative recreational, educational and cultural programs. [23-1583](#)

**Award Summary:**

Discussion and action on the Request that the Managing Director of Purchasing & Strategic Sourcing be authorized to issue Purchase Order(s) for Solicitation 2024-0196 Youth Football Referees to David Baray for an initial term of three (3) years for an estimated amount of \$724,050.00. This contract will allow the procurement of certified football referees to officiate Youth Football tournaments and leagues for the Parks and Recreation Department.

**Contract Variance** The difference based in comparison to the previous contract is as follows: An annual increase of \$51,950.00, which represents a 26.89% due to the "not to exceed cost per game" was increased by Parks and Recreation Department for Youth Football Referees due to the current wage market for this new contract.

Department:	Parks and Recreation
Award to:	David Baray
City & State:	El Paso, TX
Item(s):	All
Initial Term:	3 Years
Option Term:	NA
Total Contract Time:	3 Years

Annual Estimated Award: \$241,350.00  
 Initial Term Estimated Award: \$724,050.00  
 Option Term Estimated Award: NA  
 Total Estimated Award: \$724,050.00  
 Account(s): 451 - 1000 - 51270 - 522110 - P5113  
 Funding Source(s): General Fund  
 District(s): All

Non-competitive unit price contract under Procurement Sourcing Policy Section 9.1.8.1 (2): If a contract cannot be awarded after two competitive procurements/selection process. The requirement can be fulfilled by a non-competitive award.

The Purchasing & Strategic Sourcing Department and Parks and Recreation Department recommend award as indicated to David Baray under the exemption listed above.

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

#### **All Districts**

Purchasing and Strategic Sourcing, K. Nicole Cote, (915) 212-1092  
 Parks and Recreation, Pablo Caballero, (915) 212-8018

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

15. The linkage to the Strategic Plan is subsection: 5.3 Promote a well-balanced customer service philosophy throughout the organization.

[23-1585](#)

#### **Award Summary:**

Discussion and action on the Request that the Managing Director of Purchasing & Strategic Sourcing be authorized to issue Purchase Order(s) for Solicitation 2024-0152 Digital Learning Computers for Kids to AWE Acquisition, Inc. dba AWE Learning the (sole source/sole and/or authorized distributor) for a one-time purchase for an estimated amount of \$77,755.00. This contract will allow the Libraries Department to purchase Bilingual computer stations for kids.

#### **Contract Variance:**

No contract variance, new purchase of equipment of this sort.

Department: Libraries  
 Award to: AWE Acquisition, Inc. dba AWE Learning  
 City & State: Chester, PA  
 Item(s): All  
 Total Contract Time: One-time  
 Total Estimated Award: \$77,755.00  
 Account(s): 533020-453-4930-53000-P22ROLLIBCOMPLAB  
 Funding Source(s): Libraries - Capital Projects - Internal  
 District(s): All

Non-Competitive Procurement under Local Government General Exemption: Section 252.022 -(7) a procurement of items that are available from only one source - (A) items that are available from only one source because of patents, copyrights, secret processes, or natural monopolies; (E) books, papers, and other library materials for a public library that are available only from the persons holding exclusive distribution rights to the materials.

The Purchasing & Strategic Sourcing Department and Libraries recommend award as indicated to AWE Acquisition, Inc. dba AWE Learning under the exemption listed above.

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

**All Districts**

Purchasing and Strategic Sourcing, K. Nicole Cote, (915) 212-1092  
Libraries, Norma Martinez, (915) 212-3200

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

16. The linkage to the Strategic Plan is subsection: 6.1 Recruit and retain a skilled and diverse workforce.

[23-1589](#)

**Award Summary:**

Discussion and action on the award of Solicitation No. 2024-0113R Executive Recruiting Services (Re-Bid) for on-call executive recruitment services. Services will be requested on a task order basis by and between the following two (2) firms:

1. Baker Tilly US, LLP; and
2. Octagon Staffing, LLC

Each consultant will perform the work on a task order basis pursuant to the rates established in Solicitation No. 2024-0113R. Each on-call executive recruitment award for an initial term of three (3) years for an estimated amount of \$540,000.00. The award also includes a two (2) year option for an estimated amount of \$360,000.00. The total amount of the contract, including the initial term plus the option for a total of five (5) years, is for an estimated amount of \$900,000.00.

**Contract Variance:**

The difference based in comparison to the previous contract is as follows: An increase of \$90,000.00 for the initial term, which represents a 20.00% increase due to additional executive positions included under this contract.

This was a Request for Proposals Procurement - service contract.

The Purchasing & Strategic Sourcing Department and Human Resources Department recommend award as indicated to Baker Tilly US, LLP and Octagon Staffing, LLC the highest ranked offerors based on the evaluation

factors established in the evaluation criteria for this procurement and to deem Brightpath Associates, LLC non responsive due not providing a fixed cost but a percentage amount.

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

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

**All Districts**

Purchasing and Strategic Sourcing, K. Nicole Cote, (915) 212-1092  
Human Resources, Mary L. Wiggins, (915) 212-1267

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

17. The linkage to the Strategic Plan is subsection: 8.3 Enhance Animal Services to ensure El Paso's pets are provided a safe and healthy environment.

[23-1582](#)

**Award Summary:**

Discussion and action on the award of Solicitation 2023-0624 Animal Services Janitorial Service to Ace Government Services, LLC for an initial term of three (3) years for an estimated amount of \$458,211.60. The award also includes a two (2) year option for an estimated amount of \$305,474.40 The total contract time is for five (5) years for a total estimated amount of \$763,686.00. This contract will provide daily cleaning for the lobby, restrooms and high traffic areas for three locations around the city.

**Contract Variance:**

The difference based in comparison to the previous contract is as follows: An increase of \$357,152.40 for the initial term, which represents a 353.41% increase due to the addition of a third location as well as an increase in hourly rate.

Department:	Animal Services
Award to:	Ace Government Services, LLC
City & State:	El Paso, TX
Item(s):	All
Initial Term:	3 Years
Option Term:	2 Years
Total Contract Time:	5 Years
Annual Estimated Award:	\$152,737.20
Initial Term Estimated Award:	\$458,211.60
Option Term Estimated Award:	\$305,474.40
Total Estimated Award	\$763,686.00
Account(s)	225 - 2580 - 25110 - 522060
Funding Source(s):	Animal Services Fund
District(s):	All

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



The Purchasing & Strategic Sourcing Department and Animal Services Department recommend award as indicated to Ace Government Services, LLC the highest ranked bidder based on the evaluation factors established in the evaluation criteria for this procurement and to deem Amanda Pauline Nyser dba Axiom Enterprise Solutions, LLC and Vicente Monreal dba Life Landscaping non responsive due to submitting the incorrect bid form.

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

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

**All Districts**

Purchasing and Strategic Sourcing, K. Nicole Cote, (915) 212-1092

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

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

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

18. An Ordinance amending various sections of Title 20 (Zoning), Appendix A (Table of Permissible Uses), and Appendix B (Table of Density and Dimensional Standards) to adopt the Union Plaza Architectural and Design Guidelines and Update References. The penalty is as provided in Chapter 20.24 of the El Paso City Code. [23-1319](#)

**All Districts**

Capital Improvement Department, Daniela Quesada, (915) 212-1826

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

19. An Ordinance vacating a portion of City right-of-way located on the property described as Portion of Tract 18-A, Block 4, Upper Valley. City of El Paso, El Paso County, Texas. [23-1565](#)

Subject Property: 5000 Country Club Place.

Applicant: El Paso Country Club, SURW23-00002

**District 1**

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

Planning and Inspections, JC Naranjo, (915) 212-1604

20. An Ordinance vacating a 0.948 acre portion of Randolph Street and Blacker Avenue Right-Of-Way, located within Alexander Addition, City of El Paso, El Paso County, Texas. [23-1606](#)

Subject Property: Randolph Street and Blacker Avenue

Applicants: University of Texas at El Paso SURW23-00013

### **District 8**

Planning and Inspections, Philip F. Etiwe, (915) 212-1553  
Planning and Inspections, Alex Alejandre, (915) 212-1642

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

21. An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.92 (Ethics), to amend the following: Section 2.92.020 (Definitions) Subsection (10) to update the definition of "Contribution"; Section 2.92.080 (Disclosure of Campaign Contributions) to require additional disclosures regarding contributions or donations from individuals or business entities receiving a benefit from a vote of City Council; Sections 2.92.120 (Jurisdiction), Subsection 2.92.130(A)(5) (Duties) and Subsection 2.92.160(B) (Filing a Complaint) to include Commission jurisdiction over and process for complaints regarding candidates, political committees and individuals or business entities obligated under Section 2.92.080; Section 2.92.160(C) (Filing a Complaint), to clarify process for complaints regarding the Chief Internal Auditor; Section 2.92.170(A) (Complaint Review) to amend the time period for response to an Ethics Complaint; and Section 2.92.200 (Disposition) to include a fine of up to \$500 as a possible sanction for violation of the Ethics Code.

[23-1571](#)

### **All Districts**

City Attorney's Office, Kristen Hamilton-Karam, (915) 212-1131

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

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

22. Discussion and action on a Resolution for the El Paso City Council to adopt the City of El Paso Department of Aviation, Updated Air Service Development Incentive Program.

[23-1584](#)

### **All Districts**

Airport, Sam Rodriguez, (915) 212-7300

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

23. Discussion and action amending the Rules of Order to adjust the notification deadline to appear by videoconference in the event of an emergency in which case the member appearing via videoconference will not appear on the agenda and to clarify that the Rules regarding debate apply to deliberation in executive session and amending the Resolution to attend City Council meetings via videoconference.

[23-1616](#)

### **All Districts**

City Clerk's Office, Laura D. Prine, (915) 212-4900

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

- 24.** Discussion and action to approve policies and procedures for planning and implementation of the Community Development Block Grant (CDBG) Program, Emergency Solutions Grant (ESG) Program, HOME Investment Partnerships (HOME) Program, and Housing Opportunities for Persons with AIDS (HOPWA) Program. [23-1578](#)

**All Districts**

Community and Human Development, Nicole Ferrini, (915) 212-1659

**EXECUTIVE SESSION**

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

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

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

**Discussion and action on the following:**

- EX1.** Jacob Barreras v. El Paso Fire Department; Cause No. 123-00047-CV (551.071) [23-1620](#)  
City Attorney's Office, Carlos Gomez Baca Jr., (915) 212-0033
- EX2.** Compliance Filing of El Paso Electric Company to Revise Certain Meter-Related Charges Pursuant to Docket No. 52040 - PUC No. 55425. HQ#UTILITY-28 (551.071) [23-1621](#)  
City Attorney's Office, Donald C. Davie, (915) 212-0033
- EX3.** Application of El Paso Electric Company to Amend Its Certificate of Convenience and Necessity for a 150 MW Solar Generating Facility Pursuant to - PUC Docket No. 54929. HQ#UTILITY-7 (551.071) [23-1622](#)  
City Attorney's Office, Donald C. Davie, (915) 212-0033

**EX4.** Workplace Complaint submitted to the City by Chief Internal Auditor. HQ#  
23-1372 (551.071)

[23-1623](#)

Outside Counsel, Lea Ream, (210) 349-6484

### **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 #:** 23-1605, **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 Special City Council Meeting of December 4, 2023.

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

**SPECIAL CITY COUNCIL MEETING MINUTES**  
**December 4, 2023**  
**COUNCIL CHAMBERS, CITY HALL AND VIRTUALLY**  
**9:00 A.M.**

.....  
The City Council of the City of El Paso met at the above place and date. Meeting was called to order at 9:01 a.m. Mayor Oscar Leeser was present and presiding and the following Council Members answered roll call: Brian Kennedy, Alessandra Annello, Joe Molinar, and Art Fierro. Late arrivals: Cassandra Hernandez at 9:04 a.m., Chris Canales at 9:07 a.m., and Henry Rivera at 9:09 a.m. Isabel Salcido was absent.  
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**AGENDA**  
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1.

**RESOLUTION**

**WHEREAS**, Worldwide LLC, a Delaware limited liability company ("**Company**") is considering the purchase of approximately 1,038.948 acres of Land (defined herein) owned by the City and located on the northside of Stan Roberts Sr. Avenue, West of U.S. Highway 54 ("**U.S. 54**") in the City. If Company acquires the Land, contingent upon receipt of the grants provided for herein, Company proposes to construct in one or more phases, which may extend over a period of years, one or more Data Center(s) (as defined herein), as well as certain accessory uses or buildings located on the Land and other related or associated uses, buildings or structures such as utility buildings, structures, improvements and appurtenants (collectively, the "**Project**"); and

**WHEREAS**, Company's proposed Project, including its proposed construction of the Project Improvements (defined herein), will benefit the City by developing currently vacant land into a viable commercial operation with significant opportunities for employment and tax base growth. In recognition of the potential economic benefits that will accrue to the City as a result of the proposed Project, the City desires to enter into a Chapter 380 Economic Development Program Agreement ("**Agreement**") to provide economic incentives in return for verifiable commitments from Company with regard to improvements, employment and other benefits to be made or invested in the City; and

**WHEREAS**, the City has an interest in partnering with companies that give back to the local community and Company is a business that has a track record of being a good business partner; and

**WHEREAS**, in accordance with a resolution adopted by the City Council of the City (the "**City Council**") on January 19, 2021, the City has established an economic development program pursuant to which the City may offer economic incentives authorized by Chapter 380 of the Texas Local Government Code that may include grants of public money to projects, businesses and entities that the City Council determines will promote state or local economic

development and stimulate business and commercial activity in the City (the **“380 Program”**); and

**WHEREAS**, the City Council has determined that by entering into this Agreement, the potential economic benefits that will accrue to the City under the terms and conditions of this Agreement are consistent with the City’s economic development objectives and the 380 Program and that Company’s plans for development and use of the Land will further the goals espoused by the 380 Program. In addition, the City Council has determined that the Project as described herein is eligible for the grants provided for in this Agreement pursuant to Section S of the 380 Program and the 380 Program is an appropriate means to facilitate the construction of the Project Improvements. The City Council has determined that the potential economic benefits that will accrue to the City pursuant the terms and conditions of this Agreement are consistent with the City’s economic development objectives as outlined in the 380 Program. The Agreement is authorized by Chapter 380 of the Texas Local Government Code; and

**WHEREAS**, the City has determined that the feasibility of the Project described herein is contingent on Company’s receipt of the Property Tax Grants, as provided in this Agreement. The City believes that the Project will provide economic benefits to the City by stimulating economic growth in the region. The City is entering into this Agreement to recruit the Project to the City by providing certain benefits and assurances to the Company. The City understands that the Company would not develop the Project in the City without such benefits and assurances, which the Company is reasonably and in good faith relying on to independently evaluate the economic feasibility and commercial reasonability of developing the Project in the City; and

**WHEREAS**, in addition to this Agreement, the City is also considering entering into that certain Tax Abatement Agreement between the City and Company under which the City will grant Company abatement on City ad valorem taxes on the Land and any improvements thereon, including the Project Improvements, as further described and set forth in such agreement (the **“Tax Abatement Agreement”**).

**NOW, THEREFORE, 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 the City of El Paso, Texas (**“City”**) and Worldwide, LLC, a Delaware limited liability company, d/b/a Statue LLC (**“Company”**) in support of the construction, in one or more phases which may extend over a period of years, one or more data center(s) and certain accessory uses on approximately 1,039 acres of land on the northside of Stan Roberts Sr. Avenue, west of U.S. Highway 54 within the City of El Paso, Texas (the **“Project”**). Subject to the terms and conditions of the Agreement and provided that Company expends or causes to expend a minimum of **\$800,000,000.00** in construction and personal equipment costs for the Project (**“Initial Investment”**), City agrees to provide Company with annual grants in an amount equal to 80 percent of the aggregate property tax revenue attributable to the Initial Investment over a 15-year period beginning the twelfth calendar year following the year in which the Company provides documentation to the City that it has met its Initial Investment requirements (**“Property Tax Grants”**). Company may develop additional phases, each representing a minimum **\$800,000,000.00** expenditure in construction and personal equipment costs; and if so, subject to the terms and conditions of the Agreement, shall be eligible for separate Property Tax Grants for each phase for up to five phases during the term of the Agreement.

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

Mayor Leeser and Representatives Hernandez and Molinar commented.

The following City staff members commented:

- Mr. John Balliew, President and Chief Executive Officer for El Paso Water
- Mr. Cary Westin, Interim City Manager
- Ms. Karina Brasgalla, Economic and International Development Assistant Director

Ms. Alyssa Stimage, citizen, commented.

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

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

NAYS: None

ABSENT: Representative Salcido

- 
2. **ITEM:** An Ordinance authorizing the City Manager to sign a contract of sale with Worldwide LLC, a Delaware Limited Liability Company for the sale of approximately 1,039 acres of property situated in Section 3, Block 80, Township 1, Texas and Pacific Railroad Survey, Abstract No. 2381 and Section 4, Block 80, Township 1, Texas and Pacific Railroad Survey, Abstract No. 9862, City of El Paso, El Paso County, Texas further being portions of tracts of land described in deeds to City of El Paso recorded in Volume 1176, Page 504, and Volume 1186, Page 178, Deed Records, El Paso County, Texas; known as tax parcels 78427 and 13470.

The public hearing for this item was opened at 10:07 a.m.

Mr. John Justice, citizen, commented.

Motion made by Mayor Pro Tempore Annello, seconded by Representative Molinar, and unanimously carried to **CLOSE** the public hearing at 10:10 a.m.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Fierro

ABSENT: Representative Salcido

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3. **RESOLUTION**

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

That the following Substitute Associate Municipal Judges be appointed in accordance with the El Paso City Code Section 2.44.030, to serve four-year terms beginning on January 1, 2024 and expiring on December 31, 2027.

Appointments:

Courtney Bowie



Melissa Warrick

Ms. Annabelle Casas, Assistant Municipal Court Clerk, introduced the item.

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

The following City staff members commented:

- Ms. Lilia Worrell, Municipal Court Director
- Ms. Karla Nieman, City Attorney
- Mr. Cary Westin, Interim City Manager

Mr. Courtney Bowie and Ms. Melissa Warrick, candidates, introduced themselves and answered questions from Representative Hernandez.

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

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Annello

ABSENT: Representative Salcido

4.

**RESOLUTION**

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

That the following applicant be appointed to fill the vacancy for Municipal Court Judge Court # 4 resulting from the appointment of former Court #4 Judge Enrique Holguin to a federal magistrate position. The appointee will serve until the next general election, November 2024, pursuant to Municipal Code Section 2.44.030.

Appointment:

Lauren Ferris

Ms. Lauren Ferris, appointee, introduced herself.

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

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

NOT PRESENT FOR THE VOTE: Representative Annello

ABSENT: Representative Salcido

**EXECUTIVE SESSION**

Motion made by Representative Canales, seconded by Representative Molinar, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 10:35 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 551.074 PERSONNEL MATTERS

AYES: Representatives Kennedy, Hernandez, Molinar, Fierro, Rivera, and Canales  
NOT PRESENT FOR THE VOTE: Representative Annello  
ABSENT: Representative Salcido

Representative Annello returned to the meeting for Executive Session.

Motion made by Alternate Mayor Pro Tempore Molinar, seconded by Representative Canales, and unanimously carried to **ADJOURN** the Executive Session at 12:22 p.m. and **RECONVENE** the meeting of the City Council at which time a motion was made.

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

.....  
**EX1.** In re: Aqueous Film-Forming Foam Products Multi-District Litigation MDL NO. 2873 (551.071)

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

.....  
**EX2.** Complaint regarding elected City Official - Matter No. HQ # 1453 (551.071) (551.074)

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

.....  
**EX3.** Claim of Carlos Gonzalez; Claim-263; (551.071)

Motion made by Mayor Pro Tempore Annello, seconded by Representative Molinar, and unanimously carried that the City Attorney's Office, in consultation with the City Manager, be authorized to **DENY** the claim of Carlos Gonzales, in Claim No. 263, and to take all steps necessary, including the execution of any required documents, in order to effectuate this authority

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

.....  
**EX4.** United States of America v. City of El Paso, Texas; United Road Towing Inc d/b/a URT Vehicle Management Solutions and Rod Robertson Enterprise, Inc; 3:23-CV-00044 (551.071)

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

.....  
**EX5.** Purchase, exchange, lease, or value of real property located in Downtown El Paso. HQ#23-1582 (551.071) (551.072)

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

**ADJOURN**

Motion made by Mayor Pro Tempore Annello, seconded by Representative Molinar, and unanimously carried to **ADJOURN** the meeting at 12:23 p.m.

AYES: Representatives Annello, Hernandez, Molinar, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Kennedy, Fierro, and Rivera

ABSENT Representative Salcido

.....  
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 #: 23-137, 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.*

**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 #:** 23-1581, **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.*

**District 6**

Airport, David Panko, (915) 212-0480

**AGENDA LANGUAGE:**

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

A Resolution that the Director of Aviation, or designee, be authorized to submit a minor boundary modification application and all supporting documents and coordination with taxing entities for letters of support, to the U.S. Foreign Trade Zones Board, which will modify the boundaries of Foreign Trade Zone (FTZ) 68 to include the following parcel:

490 A Bill Burnett Drive, El Paso County, Texas 79928 which is Building 1 of the new Constellation Development Industrial Park (approximately 25 acres).

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

**DEPARTMENT:** Airport

**AGENDA DATE:** December 12, 2023

**PUBLIC HEARING DATE:**

**CONTACT PERSON NAME AND PHONE NUMBER:** David Panko, 915-212-0480

**DISTRICT(S) AFFECTED:** 6

**STRATEGIC GOAL:** 1

Cultivate an environment conducive to strong, economic development.

**SUBJECT:**

That the Director of Aviation or designee be authorized to submit a minor boundary modification application and all supporting documents and coordination with taxing entities for letters of support, to the U.S. Foreign Trade Zones Board, which will modify the boundaries of Foreign Trade Zone (FTZ) 68 to include the following parcel:

490 A Bill Burnett Road, El Paso County, Texas 79928 which is Building 1 of the new Constellation Development Industrial Park (approximately 25 acres).

**BACKGROUND / DISCUSSION:**

Foreign Trade Zone 68 currently has 3448 acres designated as FTZ authorized land in the City of El Paso. These are parcels of land that are strategically located throughout El Paso covering industrial parks and stand-alone facilities.

The Minor Boundary Modification will add the above listed parcel of land to the FTZ designated boundaries for the City of El Paso. This location is not currently in the FTZ 68 designated boundaries, so we will submit a standard Minor Boundary Modification/Sub Zone Expansion to the Foreign Trade Zones Board, US Department of Commerce, Washington, D.C., for their approval. This parcel is located in El Paso County (Precinct 3), El Paso Community College (District 7), the Socorro Independent School District (District 4), and the El Paseo Municipal Utility District (District 1).

The City of El Paso has a grant authority to establish, operate, and maintain FTZ 68 in the El Paso County. The City of El Paso is known as the Grantee of FTZ 68, which is operated through the Aviation Department's FTZ Administrative office. The zone helps expedite and encourage foreign commerce in the El Paso region and desires to add these parcels into FTZ boundaries through a minor boundary modification process with the US Foreign Trade Zones Board, US Department of Commerce.

Kuehne + Nagel, Inc. is a global freight forwarder who facilitates storage and movement of both raw materials for manufacturing and finished goods for clients in the Juarez/El Paso markets. This facility will serve as our primary trans-border operation in the market. Generally, the raw materials will move into Juarez and the finished goods will come to this facility for routing and distribution across the US. There will be some export from here as well.

The Minor Boundary Modification is a standard process for the City of El Paso and the Foreign Trade Zones Board to keep the FTZ designated boundaries viable for industry, trade, and commerce. We have performed this process multiple times over the past few years.

El Paso City Council approves the minor boundary modification, as the Grantee owner of FTZ 68. Once the El Paso City Council approves moving forward with this resolution, we will secure supporting letters from each of the taxing entities and US Customs and Border Protection. Once coordination with the affected taxing entities, FTZ 68 will submit the MBM application to the Foreign Trade Zones Board in Washington, D.C. for final approval. The taxing entities are the El Paso County, El Paso Community College, the Socorro Independent School District, and the El Paseo Municipal Utility District.

Attachment B shows the location of the parcel in relation to other FTZ 68 boundaries. Attachment C shows the location of the parcel with its associated streets. (No attachment A)

**PRIOR COUNCIL ACTION:**

The Council has approved multiple Minor Boundary Modifications in the past for other companies and locations in the city of El Paso.

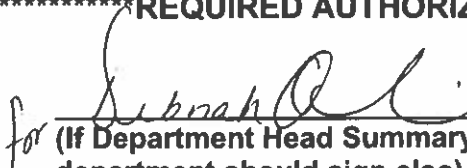
**AMOUNT AND SOURCE OF FUNDING:**

Not applicable.

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

**DEPARTMENT HEAD:**

*for*  \_\_\_\_\_

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

## RESOLUTION

**WHEREAS**, the City of El Paso, as recipient of a grant of authority from the U.S. Foreign Trade Zones Board, is authorized to establish, operate, and maintain Foreign Trade Zone No. 68; and

**WHEREAS**, the City of El Paso, by and through its Department of Aviation, established, owns, operates, and maintains Foreign Trade Zone No. 68 in order to expedite and encourage foreign commerce in the El Paso region; and

**WHEREAS**, the City of El Paso desires to submit a minor boundary modification application to the U. S. Foreign Trade Zone Board to modify the boundaries of Foreign Trade Zone No. 68 to include a new site which will be used primarily for distribution operations and to delete an identified site which is no longer suitable for use in Foreign-Trade Zone No. 68; and

**WHEREAS**, the City of El Paso desires the minor boundary application be subject to the activation limit under the traditional site framework,

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

That the Director of Aviation or designee be authorized to submit a minor boundary modification application, including all supporting documents and coordination with taxing entities for letters of support, to the U.S. Foreign Trade Zone Board, which will modify the boundaries of Foreign Trade Zone No. 68 to include the following parcel:

490 A Bill Burnett, City of El Paso, El Paso County, Texas 79925 which is Building 1 of the new Constellation Development Industrial Park (approximately 25 acres).

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

**THE CITY OF EL PASO:**

**ATTEST:**

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

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

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Leslie Jean-Pierre  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

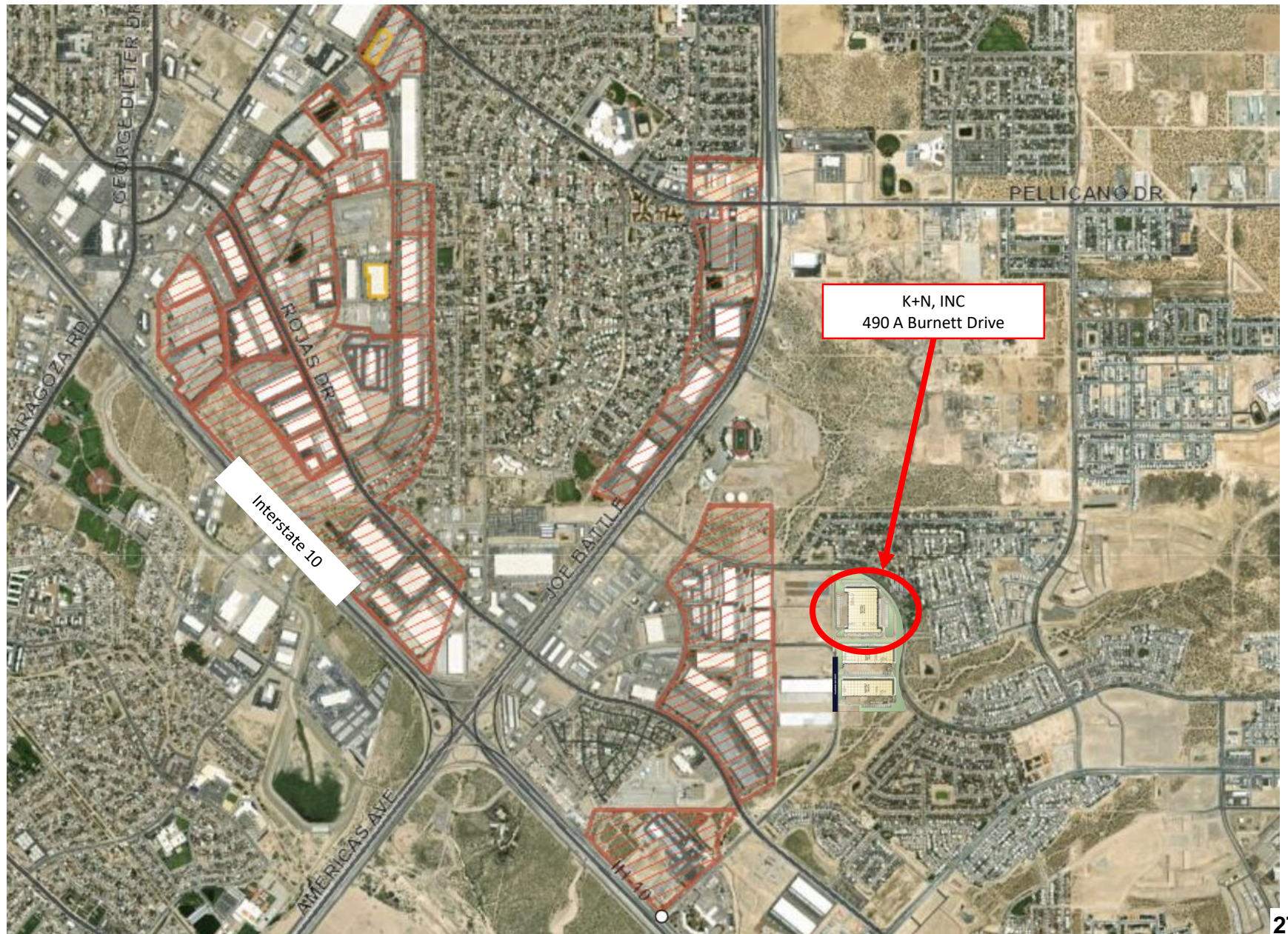
for \_\_\_\_\_  
Samuel Rodriguez, P.E.  
Director of Aviation  
Deborah Olivas

RESOLUTION

23-1895/Aviation/Resolution – FTZ Minor Boundary Modification (Kuehne & Nagel)/LBJ



## Attachment B – Parcel to be added (red lined) 490-A Bill Burnett Drive, 25 Acres





Paseo del Este Drive

K+N Inc  
490 A Bill Burnett Drive

Bill Burnett Drive

BUILDING 1  
728' x 490'  
363,024 SF

BUILDING 2  
833' x 261'  
218,154 SF

17' x 14' OVERHEAD DOOR (TYP 2)

17' x 14' OVERHEAD DOOR (TYP 4)

24 DOCK POSITIONS

29 DOCK POSITIONS

33 TRAILER SPACES

83 PARKING SPACES

74 PARKING SPACES

DOCKAGE  
← INDICATES LOCATION OF DOOR  
(WITH DOCK LEVELER)  
□ INDICATES LOCATION OF DOOR  
(WITHOUT DOCK LEVELER)



Legislation Text

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File #: 23-1504, 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**

Libraries, Norma Martinez, (915) 212-3200

**AGENDA LANGUAGE:**

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

That the period of January 2, 2024, through January 20, 2024, be declared Library Amnesty period for the El Paso Public Library ("the Library") to waive \$1.00 worth of fines for every canned or non-perishable food donation, \$1.00 worth of fines for every can of pet food, and \$2.00 worth of fines for every pound of dry pet food made to the Martin Luther King (MLK) Canned Food Drive and Animal Services at Library locations, provided that all materials are returned to the Library in good condition.

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

**DEPARTMENT:** Libraries

**AGENDA DATE:** 12/12/23

**PUBLIC HEARING DATE:** N/A

**CONTACT PERSON NAME AND PHONE NUMBER:** Norma Martinez, 915-212-3200

**DISTRICT(S) AFFECTED:** All

**STRATEGIC GOAL:** Goal 4: Enhance El Paso's quality of life through recreational, cultural and educational environments

**SUBGOAL:** 4.2: Create innovative recreational, educational and cultural programs

**SUBJECT:**

That the period of January 2, 2024, through January 20, 2024, be declared Library Amnesty period for the El Paso Public Library ("the Library") to waive \$1.00 worth of fines for every canned or non-perishable food donation, \$1.00 worth of fines for every can of pet food, and \$2.00 worth of fines for every pound of dry pet food made to the MLK Canned Food Drive and Animal Services at Library locations, provided that all materials are returned to the Library in good condition.

**BACKGROUND / DISCUSSION:**

The Library has participated in the MLK Canned Food Drive since 2001 and has helped collect more than 300 tons of food to help feed the hungry in El Paso by encouraging donations of canned and non-perishable food items.

**PRIOR COUNCIL ACTION:**

The Library has participated in the MLK Canned Food Drive since 2001.

**AMOUNT AND SOURCE OF FUNDING:**

N/A

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

**DEPARTMENT HEAD:**

*Norma B. Martinez*

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

## RESOLUTION

**WHEREAS**, Ordinance No. 18059, approved by the City Council of the City of El Paso on August 6, 2013, authorizes City Council to declare limited periods of “amnesty” to allow borrowers of items from the El Paso Public Library to return overdue items or items previously considered lost, without payment of the applicable overdue fines or fees for lost items; and

**WHEREAS**, the Library has participated in the annual MLK Canned Food Drive since 2001 and has helped collect more than 300 tons of food to help feed the hungry in El Paso; and

**WHEREAS**, the Library desires to encourage donations of canned and non-perishable food donations to the MLK Canned Food Drive, an initiative of the City of El Paso.

**WHEREAS**, the Library plans on partnering with Animal Services to help collect food for pets to help feed hungry animals and encourage the donation of food for pets to Animal Services.

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

That the period of January 2, 2024, through January 20, 2024, be declared Library Amnesty period for the El Paso Public Library (“the Library”) to waive \$1.00 worth of fines for every canned or non-perishable food donation, \$1.00 worth of fines for every can of pet food, and \$2.00 worth of fines for every pound of dry pet food made to the MLK Canned Food Drive and Animal Services at Library locations, provided that all materials are returned to the Library in good condition.

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

**THE CITY OF EL PASO:**

**ATTEST:**

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

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

**APPROVED AS TO FORM:**

*Karla Saenz*  
\_\_\_\_\_  
Karla A. Saenz  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

*Norma P. Martinez*  
\_\_\_\_\_  
Norma Martinez  
Director of Library Services



Legislation Text

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File #: 23-1596, 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.*

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**All Districts**

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

**AGENDA LANGUAGE:**

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

Approval of a Resolution that upon termination of Transportation Reinvestment Zone Number Two on December 31, 2023 that the City Manager, or designee, be authorized to transfer any funds remaining in the Zone's tax increment account to the General Fund.



## RESOLUTION

**WHEREAS**, the City Council of the City of El Paso (“City”) established Transportation Reinvestment Zone Number Two (“TRZ 2” or “Zone”) pursuant to the provision of Texas Transportation Code Section 222 (“Act”) to promote transportation and transit-related projects, via adoption of Ordinance 017332, on May 25, 2010; and

**WHEREAS**, on or about August 2010; the City pledged the proceeds of TRZ 2 to repay loan number S2010-001-02; K-10-Americas from the State Infrastructure Bank (“SIB”) in the approximate amount of \$30,000,000; and

**WHEREAS**, on or about February 2012; the City pledged the proceeds of TRZ 2 to repay a loan number S2011-001-03; K-12-Zaragoza from the SIB in the approximate amount of \$20,000,000; and

**WHEREAS**, on or about June 2021; the City pledged the proceeds of TRZ 2 to repay a loan number S2020-006-05; K-21-I-10 Widening from the SIB in the approximate amount of \$30,000,000; and

**WHEREAS**, on or about July 31, 2023 the City approved the payment, in full, of the aforementioned SIB loans in advance of their respective amortization schedules in order to allow the City to save approximately \$20.6 million in interest and financing charges; and

**WHEREAS**, on or about October 4, 2023 the City received confirmation from the SIB of payment in full of loan S2010-001-02; K-10-Americas; and

**WHEREAS**, on or about August 7, 2023 the City received confirmation from the SIB of payment in full of loan(s) S2020-006-05; K-21-I-10 Widening and S2011-001-03; K-12-Zaragoza; and

**WHEREAS**, Ordinance 017332 allows for the termination of the Zone in accordance with the termination provisions of the Act; and

**WHEREAS**, subsection 222.106(j) terminates the Zone on December 31<sup>st</sup> of the year in which a municipality completes all contractual requirements that included the pledge or assignment of all or a portion of money deposited to a tax increment account; or the repayment of money owed under an agreement for development, redevelopment, or improvement of the project or projects for which the zone was designated; and

**WHEREAS**, subsection 222.106(l) of the act allows for any surplus remaining in a tax increment account on termination of a zone may be used for other purposes as determined by the municipality.



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

**THAT**, the recitals and findings included in this Resolution are found to be true and correct; and

**THAT**, having met the requirements of subsection 222.106(j) of the Act the Zone will terminate on December 31, 2023; and

**THAT**, upon termination of the Zone; the City Manager, or designee, be authorized to transfer any funds remaining in the Zone's tax increment account to the General Fund.

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

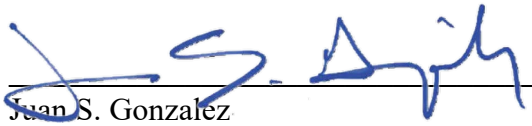
**CITY OF EL PASO:**

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


**ATTEST:**

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

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Juan S. Gonzalez  
Sr. Assistant City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Robert Cortinas  
Chief Financial Officer



Legislation Text

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**File #:** 23-1580, **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.*

A refund to CoreLogic Refunds Dept., in the amount of \$4,347.00 for an overpayment made on December 29, 2021 of 2021 taxes, Geo. # S380-999-0110-2600. This action would allow us to comply with state law which requires approval by the legislative body of refunds of tax overpayments greater than \$2,500.00.

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

**AGENDA DATE:** December 12, 2023  
**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.

A refund to CoreLogic Refunds Dept., in the amount of \$4,347.00 for an overpayment made on December 29, 2021 of 2021 taxes, Geo. # S380-999-0110-2600. This action would allow us to comply with state law which requires approval by the legislative body of refunds of tax overpayments greater than \$2,500.00.

**BACKGROUND / DISCUSSION:**

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

Approve property tax overpayment refunds greater than \$2,500.00, per the Texas Property Tax Code, Sec. 31.11 – Refunds of Overpayments or Erroneous Payments.

**PRIOR COUNCIL ACTION:**

Has the Council previously considered this item or a closely related one?

Council has considered this previously on a routine basis.

**AMOUNT AND SOURCE OF FUNDING:**

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?** ☒ YES ☐ NO

**PRIMARY DEPARTMENT:** Tax Office  
**SECONDARY DEPARTMENT:** N/A

---

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

**DEPARTMENT HEAD:**

*Maria O. Pasillas*

---

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

TAX OFFICE  
RECEIVED

NOV 21 2023

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)

CORELOGIC  
PO BOX 9205  
COPPELL, TX 75019-9214

Geo No. S380-999-0110-2600	Prop ID 236826
Legal Description of the Property 11 SIERRA HILLS #3 LOT 26 (7269.00 SQ FT)  7021 LUZ DE ESPEJO DR  OWNER: QUINONES HEBER G	

2021 OVERAGE AMOUNT \$4,347.00

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: CoreLogic Refunds Dept			
	Address: 3001 Hackberry Road			
	City, State, Zip: Irving, TX 75063			
	Daytime Phone No.: 800-225-4707		E-Mail Address: <a href="mailto:customerproductsupport@corelogic.com">customerproductsupport@corelogic.com</a>	
<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:		Check No.	Date Paid
	TOTAL AMOUNT PAID (sum of the above amounts)			
<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)		PRINTED NAME & DATE	
	 aishwarya prakash corelogic		Aishwarya prakash 11/21/2023	
TAX OFFICE USE ONLY: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied By: <u>N.A.</u> Date: <u>11/21/23</u>				



El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #:** 23-1618, **Version:** 1

---

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

#### **DISTRICT, DEPARTMENT, CONTACT INFORMATION:**

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

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

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

#### **AGENDA LANGUAGE:**

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

For notation pursuant to Section 2.92.080 of the City Code, receipt of campaign contributions by City Representative Alexsandra Annello: Robert & Rosario Halpern \$2,000.



Legislation Text

File #: 23-1579, Version: 1

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

**DISTRICT, DEPARTMENT, CONTACT INFORMATION:**

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

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

**District 7**

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: 7.3 - Enhance a regional comprehensive transportation system.

**Award Summary:**

The award of Solicitation 2024-0019 Bel Air High School HAWK Signal Improvements to EL PASO A.R.C. ELECTRIC, INC. for a total estimated amount of \$198,332.21. This contract will allow for the installation of a HAWK - Pedestrian Hybrid Beacon Signal at the intersection of Yarbrough Drive and Esther Road to serve Bel Air High School.

Department:	Streets and Maintenance
Award to:	EL PASO A.R.C. ELECTRIC, INC.
City & State:	El Paso, TX
Item(s):	Base Bid I
Contract Term:	90 Consecutive Calendar Days
Base Bid I:	\$198,332.21
Total Estimated Award:	\$198,332.21
Account(s):	532 - 4970 - 580270 - 32020 - PCP23ST001
Funding Source(s):	Other Outside Sources Fund - Bel Air HAWK System Flashers Project
District(s):	7

This was a Low Bid Procurement - unit price contract.

The Purchasing & Strategic Sourcing Department and Streets and Maintenance Department recommend award as indicated to EL PASO A.R.C. ELECTRIC, INC. the lowest responsive and responsible bidder.

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

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

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

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

**AGENDA DATE:** December 12, 2023  
**PUBLIC HEARING DATE:** Not Applicable

**CONTACT PERSON(S) NAME AND PHONE NUMBER:**  
Richard J. Bristol, Streets & Maintenance Director, (915) 212-7000  
K. Nicole Cote, Managing Director, (915) 212-1092

**DISTRICT(S) AFFECTED:** 7

**STRATEGIC GOAL:** No. 7 – Enhance and Sustain El Paso's Infrastructure Network

**SUBGOAL:** 7.3 – Enhance a regional comprehensive transportation system

**SUBJECT:**

The award of solicitation 2024-0019 Bel Air High School HAWK Signal Improvements to EL PASO A.R.C. ELECTRIC, INC. for a total estimated amount of \$198,332.21.

**BACKGROUND / DISCUSSION:**

On December 12, 2022, the City of El Paso entered into an agreement with Ysleta Independent School District (YISD) for the design and installation of a HAWK - Pedestrian Hybrid Beacon Signal at the intersection of Yarbrough Dr. and Esther Rd. to serve Bel Air High School located at 731 N Yarbrough Dr. This contract will allow for the construction of a HAWK - Pedestrian Hybrid Beacon Signal, which is funded by Ysleta Independent School District (YISD).

**SELECTION SUMMARY:**

Solicitation was advertised on September 12, 2023 and September 19, 2023. The solicitation was posted on City website on September 12, 2023. There were a total of twenty (20) viewers online; two (2) bids were received, one coming from a local supplier. An Inadequate Competition Survey was conducted.

**CONTRACT VARIANCE:**

N/A

**PROTEST**

No protest received for this requirement.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

Amount: \$198,332.21

Funding Source: Other Outside Sources Fund – Bel Air HAWK System Flashers Project

Account: 532 – 4970 – 580270 – 32020 – PCP23ST001



HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ☒ YES ☐ NO

PRIMARY DEPARTMENT: Streets & Maintenance

SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

---

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

DEPARTMENT HEAD:



---

Richard J. Bristol, Streets & Maintenance Director

Project Form  
Low Bid

\*\*\*\*\*Posting Language Below\*\*\*\*\*

Please place the following item on the Consent Agenda for the City Council Meeting of December 12, 2023.

Strategic Goal 7 - Enhance and Sustain El Paso's Infrastructure Network

The linkage to the Strategic Plan is subsection: 7.3 – Enhance a regional comprehensive transportation system

**Award Summary:**

The award of solicitation 2024-0019 Bel Air High School HAWK Signal Improvements to EL PASO A.R.C. ELECTRIC, INC. for a total estimated amount of \$198,332.21. This contract will allow for the installation of a HAWK - Pedestrian Hybrid Beacon Signal at the intersection of Yarbrough Drive and Esther Road to serve Bel Air High School.

Department:	Streets and Maintenance
Award to:	EL PASO A.R.C. ELECTRIC, INC.
City & State:	El Paso, TX
Item(s):	Base Bid I
Contract Term:	90 Consecutive Calendar Days
Base Bid I:	\$198,332.21
Total Estimated Award:	\$198,332.21
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Funding Source(s):	Other Outside Sources Fund – Bel Air HAWK System Flashers Project
District(s):	7

This was a Low Bid Procurement – unit price contract.

The Purchasing & Strategic Sourcing Department and Streets and Maintenance Department recommend award as indicated to EL PASO A.R.C. ELECTRIC, INC. the lowest responsive and responsible bidder.

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

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

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



# CITY OF EL PASO

## PRICE TABULATION



BID TITLE: Bel Air High School HAWK Signal Improvements

BID NO: 2024-0019

BID DATE: 10/18/2023

DEPARTMENT: Streets & Maintenance

	El Paso A.R.C. Electric, Inc. El Paso, TX Bidder 1 of 2	Tri-State Electric Ltd (Bid Form - Amendment A002 was not used) Bidder 2 of 2	
--	---	---	--

BASE BID: Unit Price Schedule									
NO.	Quantity	Unit of Measure	Description	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)
1	65	LF	REMOVING CONC (CURB OR CURB & GUTTER)	\$ 30.00	\$ 1,950.00	\$ -	\$ -	\$ -	\$ -
2	26	SY	REMOVING CONCRETE (WHEELCHAIR RAMP)	\$ 80.00	\$ 2,080.00	\$ -	\$ -	\$ -	\$ -
3	17	SY	VEGETATION BARRIER	\$ 3.15	\$ 53.55	\$ -	\$ -	\$ -	\$ -
4	6	LF	DRILL SHAFT (TRAFFIC SIGNAL POLE) (24 IN)	\$ 350.00	\$ 2,100.00	\$ -	\$ -	\$ -	\$ -
5	26	LF	DRILL SHAFT (TRAFFIC SIGNAL POLE) (36 IN)	\$ 400.00	\$ 10,400.00	\$ -	\$ -	\$ -	\$ -
6	1	MO	BARRICADES, SIGNS AND TRAFFIC HANDLING	\$ 10,500.00	\$ 10,500.00	\$ -	\$ -	\$ -	\$ -
7	64	LF	CONCRETE CURB & GUTTER (TYPE II)	\$ 75.00	\$ 4,800.00	\$ -	\$ -	\$ -	\$ -
8	12	SY	CONCRETE SIDEWALKS (4")	\$ 110.00	\$ 1,320.00	\$ -	\$ -	\$ -	\$ -
9	25	LF	CONDUIT (PVC) (SCH 40) (2")	\$ 20.00	\$ 500.00	\$ -	\$ -	\$ -	\$ -
10	160	LF	CONDUIT (PVC) (SCH 40) (2") (BORE)	\$ 38.00	\$ 6,080.00	\$ -	\$ -	\$ -	\$ -
11	150	LF	CONDUIT (PVC) (SCH 40) (3") (BORE)	\$ 45.00	\$ 6,750.00	\$ -	\$ -	\$ -	\$ -
12	275	LF	ELECTRICAL CONDUCTOR (NO.6) INSULATED	\$ 2.90	\$ 797.50	\$ -	\$ -	\$ -	\$ -
13	4	EA	GROUND BOX TYPE A (122311)W/APRON	\$ 1,500.00	\$ 6,000.00	\$ -	\$ -	\$ -	\$ -
14	1	EA	ELECTRICAL SERVICES TYPE D 120/240 060(NS)GS(N)GC(O)	\$ 9,500.00	\$ 9,500.00	\$ -	\$ -	\$ -	\$ -
15	3	EA	INSTALL SMALL ROAD SN SUPPORT & AM TY10BWG(1)SA(P)	\$ 1,100.00	\$ 3,300.00	\$ -	\$ -	\$ -	\$ -
16	4	EA	REMOVE SMALL ROAD SN SUPPORT & ASSEMBLY	\$ 150.00	\$ 600.00	\$ -	\$ -	\$ -	\$ -
17	180	LF	REFLECTIVE PAVEMENT MARKING TYPE I (W)8"(SOLID)(090MIL)	\$ 2.50	\$ 450.00	\$ -	\$ -	\$ -	\$ -
18	1,520	LF	REFLECTIVE PAVEMENT MARKING W/RETENTION REQ TYPE I (W)6"(SOLID)(090MIL)	\$ 1.50	\$ 2,280.00	\$ -	\$ -	\$ -	\$ -
19	180	LF	REFLECTIVE PAVEMENT MARKING TYPE II (W) 6" (BROKEN)	\$ 1.30	\$ 234.00	\$ -	\$ -	\$ -	\$ -



# CITY OF EL PASO

## PRICE TABULATION



BID TITLE: Bel Air High School HAWK Signal Improvements					BID NO: 2024-0019				
BID DATE: 10/18/2023					DEPARTMENT: Streets & Maintenance				
				El Paso A.R.C. Electric, Inc. El Paso, TX  Bidder 1 of 2		Tri-State Electric Ltd (Bid Form - Amendment A002 was not used)  Bidder 2 of 2			
BASE BID: Unit Price Schedule									
NO.	Quantity	Unit of Measure	Description	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)
20	1,520	LF	REFLECTIVE PAVEMENT MARKING TYPE II (W) 6" (SOLID)	\$ 1.60	\$ 2,432.00	\$ -	\$ -	\$ -	\$ -
21	216	LF	REFLECTIVE PAVEMENT MARKING TYPE II (W) 24" (SOLID)	\$ 8.60	\$ 1,857.60	\$ -	\$ -	\$ -	\$ -
22	2	EA	REFLECTIVE PAVEMENT MARKING TYPE I (W)(BIKE ARROW)(090MIL)	\$ 190.00	\$ 380.00	\$ -	\$ -	\$ -	\$ -
23	1	EA	REFLECTIVE PAVEMENT MARKING TYPE I(W)(BIKE SYMBOL)(090MIL)	\$ 300.00	\$ 300.00	\$ -	\$ -	\$ -	\$ -
24	2	EA	REFLECTIVE PAVEMENT MARKING TYPE II (W) (BIKE ARROW)	\$ 300.00	\$ 600.00	\$ -	\$ -	\$ -	\$ -
25	1	EA	REFLECTIVE PAVEMENT MARKING TYPE II (W) (BIKE SYMBOL)	\$ 300.00	\$ 300.00	\$ -	\$ -	\$ -	\$ -
26	1,520	LF	ELIMINATING EXISTING PAVEMENT MARKING & MARKS (4")	\$ 1.35	\$ 2,052.00	\$ -	\$ -	\$ -	\$ -
27	246	LF	ELIMINATING EXISTING PAVEMENT MARKING & MARKS (24")	\$ 6.25	\$ 1,537.50	\$ -	\$ -	\$ -	\$ -
29	1	EA	ELIMINATING EXISTING PAVEMENT MARKING & MARKS (BIKE SYMBOL)	\$ 36.00	\$ 36.00	\$ -	\$ -	\$ -	\$ -
30	1,680	LF	PAVEMENT SURFACE PREPARATON FOR MARKS (6")	\$ 0.35	\$ 588.00	\$ -	\$ -	\$ -	\$ -
31	216	LF	PAVEMENT SURFACE PREPARATON FOR MARKS (24")	\$ 2.15	\$ 464.40	\$ -	\$ -	\$ -	\$ -
32	2	EA	PAVEMENT SURFACE PREPARATON FOR MARKS (BIKE ARROW)	\$ 135.00	\$ 270.00	\$ -	\$ -	\$ -	\$ -
33	1	EA	PAVEMENT SURFACE PREPARATON FOR MARKS (BIKE SYMBOL)	\$ 148.00	\$ 148.00	\$ -	\$ -	\$ -	\$ -
34	1	EA	INSTALL HIGHWAY TRAFFIC SIGNAL (SYSTEM)	\$ 40,000.00	\$ 40,000.00	\$ -	\$ -	\$ -	\$ -
35	4	EA	VEHICLE SIGNAL SECTION (12") LED (YELLOW)	\$ 400.00	\$ 1,600.00	\$ -	\$ -	\$ -	\$ -
36	8	EA	VEHICLE SIGNAL SECTION (12" )LED (RED)	\$ 390.00	\$ 3,120.00	\$ -	\$ -	\$ -	\$ -
37	4	EA	BACKPLATE W/REFLECTIVE BRIDGE (3 SECTION)	\$ 320.00	\$ 1,280.00	\$ -	\$ -	\$ -	\$ -
38	15	LF	TRAFFIC SIGNAL CABLE (TYPE A) (12 AWG) (3 CONDUCTOR)	\$ 2.40	\$ 36.00	\$ -	\$ -	\$ -	\$ -



CITY OF EL PASO

PRICE TABULATION



BID TITLE: Bel Air High School HAWK Signal Improvements

BID DATE: 10/18/2023

BID NO: 2024-0019

DEPARTMENT: Streets & Maintenance

				El Paso A.R.C. Electric, Inc. El Paso, TX Bidder 1 of 2		Tri-State Electric Ltd (Bid Form - Amendment A002 was not used) Bidder 2 of 2			
BASE BID: Unit Price Schedule									
NO.	Quantity	Unit of Measure	Description	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)
39	246	LF	TRAFFIC SIGNAL CABLE (TYPE A) (12 AWG) (5 CONDUCTOR)	\$ 6.25	\$ 1,537.50	\$ -	\$ -	\$ -	\$ -
40	110	LF	TRAFFIC SIGNAL CABLE (TYPE A) (12 AWG) (12 CONDUCTOR)	\$ 6.50	\$ 715.00	\$ -	\$ -	\$ -	\$ -
41	205	LF	TRAFFIC SIGNAL CABLE (TYPE A) (12 AWG) (20 CONDUCTOR)	\$ 9.00	\$ 1,845.00	\$ -	\$ -	\$ -	\$ -
42	2	EA	INSTALL TRAFFIC SIGNAL PLATE ASSEMBLY (S) 1 ARM (36")	\$ 18,000.00	\$ 36,000.00	\$ -	\$ -	\$ -	\$ -
43	3	EA	PEDESTRIAN SIGNAL SECTION (LED) (COUNTDOWN)	\$ 1,250.00	\$ 3,750.00	\$ -	\$ -	\$ -	\$ -
44	1	EA	PEDESTRIAN POLE ASSEMBLY	\$ 4,000.00	\$ 4,000.00	\$ -	\$ -	\$ -	\$ -
45	3	EA	PEDESTRIAN DETECT PUSH BUTTON (APS)	\$ 1,450.00	\$ 4,350.00	\$ -	\$ -	\$ -	\$ -
46	1	EA	PEDESTRIAN DETECTOR CONTROLLER UNIT	\$ 4,005.00	\$ 4,005.00	\$ -	\$ -	\$ -	\$ -
47	5	CY	LOOSE AGGREGATE FOR GROUND COVER (TYPE I)	\$ 325.00	\$ 1,625.00	\$ -	\$ -	\$ -	\$ -
48	1	EA	FURNISH AND INSTALL FIELD MONITORING UNIT	\$ 8,500.00	\$ 8,500.00	\$ -	\$ -	\$ -	\$ -
Sum Total – Base Bid (Line Items 1-48)					\$ 193,024.05		\$ -		\$ -
Mobilization Not to Exceed 3%					\$ 5,308.16		\$ -		\$ -
Sum Total Base Bid Plus Mobilization					\$ 198,332.21		\$ -		\$ -
Bid Bond				YES					
Amendments Acknowledged				YES					

NOTE: The information contained in this bid tabulation is for information only and does not constitute actual award/execution of contract.

### Online Views for 2024-0019 Bel Air High School HAWK Signal Improvements

<u>No.</u>	<u>Participant Name</u>	<u>City</u>	<u>State</u>
1	Tri-State Electric Ltd	Vinton	TX
2	El Paso A.R.C. Electric, Inc.	El Paso	TX
3	CSA Constructors (Karlsruher, Inc.)	El Paso	TX
4	DYER CYCLE	El Paso	TX
5	Filterbuy Incorporated	Talladega	AL
6	Amtek USA, Austin	Houston	TX
7	ConstructConnect	Cincinnati	OH
8	Construction Reporter	Albuquerque	NM
9	J Carrizal General Constructio	El Paso	TX
10	MoboTrex, Inc.	Davenport	IA
11	MONEYLINEZ 915 LLC	El Paso	TX
12	North America Procurement Council Inc., PBC	Grand Junction	CO
13	Paradigm Traffic Systems, Inc.	Arlington	TX
14	Sites Southwest, LLC	El Paso	TX
15	Southwest Hazard Control	El Paso	TX
16	Synergy Project Contractors, Inc.	El Paso	TX
17	The PlanIt Room	El Paso	TX
18	TreeD's Landscaping & Ground Maintenance	Socorro	TX
19	Virtual Builders Exchange	San Antonio	TX
20	Yoongli LLC	El Paso	TX

This text box is to remind you about the ASL translator service. Do NOT add any info in this space.

REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.



**2024-0019**

## **Bel Air HAWK Signal Improvements**

Streets and Maintenance Department

December 12, 2023



# Streets and Maintenance Department

2024-0019 Bel Air HAWK Signal Improvements

This text box is to remind you about the ASL translator service. Do NOT add any info in this space.

REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.

Strategic Plan Goal:

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

*7.2: Improve competitiveness through infrastructure improvements impacting the quality of life*



# Streets and Maintenance Department

2024-0019 Bel Air HAWK Signal Improvements

This text box is to remind you about the ASL translator service. Do NOT add any info in this space.

REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.

## Purpose of Procurement

- YISD requested the pedestrian crossing enhancement within existing school zone
- Yarbrough Dr. and Esther Rd. to serve Bel Air High School
- YISD and City of El Paso agreement for installation and maintenance of HAWK System signed December 12, 2022
  - This procurement is to award the construction contract of HAWK Pedestrian Hybrid Beacon Signal including road pavement markings, signage and parkway improvements

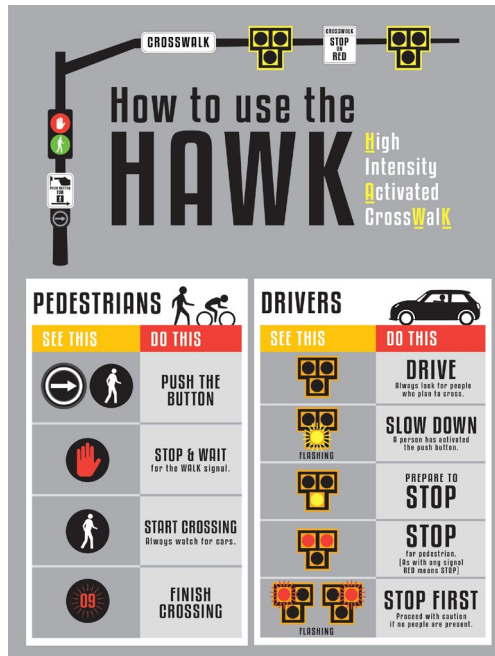
# Streets and Maintenance Department

## 2024-0019 Bel Air HAWK Signal Improvements

This text box is to remind you about the ASL translator service. Do NOT add any info in this space.

REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.

### HAWK System



Improves pedestrian safety and mobility by using a button activated traffic signal which directs the person walking to wait for the signal to change and traffic stop allowing them to cross safely.

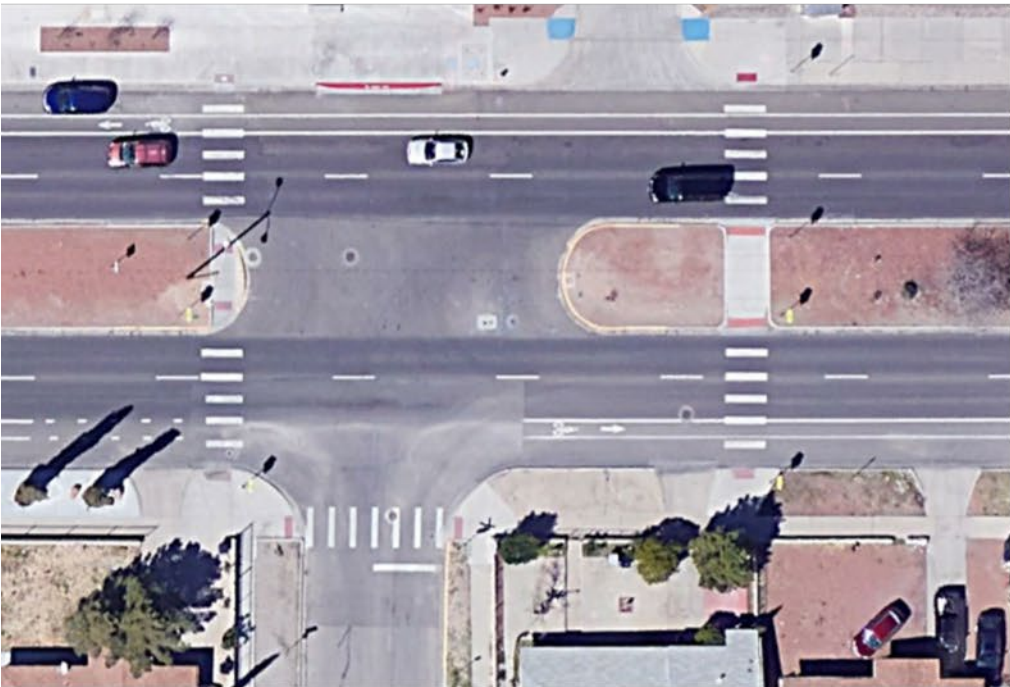
# Streets and Maintenance Department

## 2024-0019 Bel Air HAWK Signal Improvements

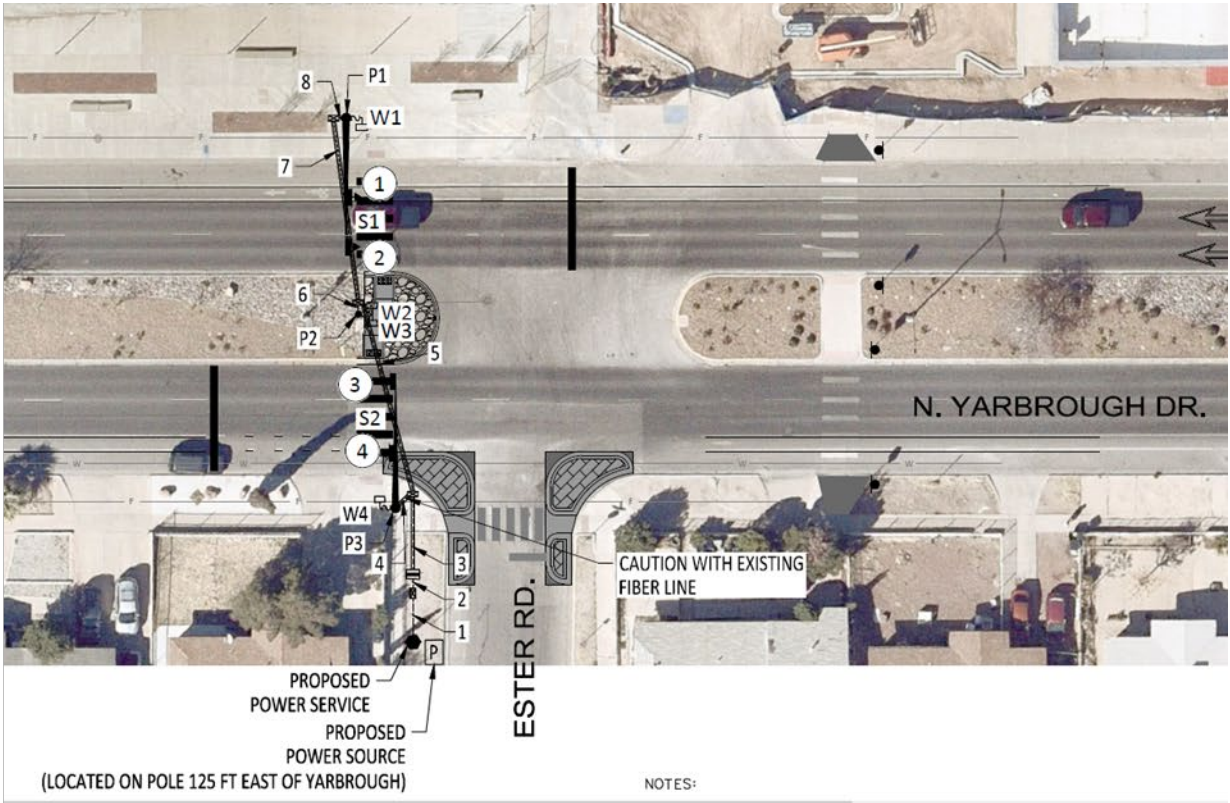
This text box is to remind you about the ASL translator service. Do NOT add any info in this space.

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Existing



Proposed Improvements



# Streets and Maintenance Department

2024-0019 Bel Air HAWK Signal Improvements

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REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.

Contractor	El Paso A.R.C. Electric Inc
------------	-----------------------------

Term & Award	\$198,332.21 – 90 days substantial completion
--------------	---

Funding Source	Other Outside Sources Fund – Bel Air HAWK System Flashers Project
----------------	--

Account No.	532-4970-32020-PCP23ST001
-------------	---------------------------

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REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.



## 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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REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.



## Misión

Brindar servicios excepcionales para respaldar una vida y un lugar de alta calidad para nuestra comunidad



## 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



Legislation Text

File #: 23-1588, Version: 1

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

**DISTRICT, DEPARTMENT, CONTACT INFORMATION:**

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

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

**District 7**

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: 7.3 - Enhance a regional comprehensive transportation system.

**Award Summary:**

The award of Solicitation 2024-0018 Eastwood High School HAWK Signal Improvements to EL PASO A.R.C. ELECTRIC, INC. for a total estimated amount of \$172,764.89. This contract will allow for the installation of a HAWK - Pedestrian Hybrid Beacon Signal at the intersection of McRae Boulevard and Daugherty Drive to serve Eastwood High School.

Department:	Streets and Maintenance
Award to:	EL PASO A.R.C. ELECTRIC, INC.
City & State:	El Paso, TX
Item(s):	Base Bid I
Contract Term:	90 Consecutive Calendar Days
Base Bid I:	\$172,764.89
Total Estimated Award:	\$172,764.89
Account(s):	532 - 4970 - 580270 - 32020 - PCP23ST001
Funding Source(s):	Other Outside Sources Fund - Eastwood HAWK System Flashers Project
District(s):	7

This was a Low Bid Procurement - unit price contract.

The Purchasing & Strategic Sourcing Department and Streets and Maintenance Department recommend award as indicated to EL PASO A.R.C. ELECTRIC, INC. the lowest responsive and responsible bidder.

It is requested that the City Manager be authorized to establish the funding sources and make any necessary

budget transfers and execute any and all documents necessary for execution of this award.

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

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



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

**AGENDA DATE:** December 12, 2023  
**PUBLIC HEARING DATE:** Not Applicable

**CONTACT PERSON(S) NAME AND PHONE NUMBER:**  
Richard J. Bristol, Streets & Maintenance Director, (915) 212-7000  
K. Nicole Cote, Managing Director, (915) 212-1092

**DISTRICT(S) AFFECTED:** 7

**STRATEGIC GOAL:** No. 7 – Enhance and Sustain El Paso's Infrastructure Network

**SUBGOAL:** 7.3 – Enhance a regional comprehensive transportation system

**SUBJECT:**

The award of solicitation 2024-0018 Eastwood High School HAWK Signal Improvements to EL PASO A.R.C. ELECTRIC, INC. for a total estimated amount of \$172,764.89.

**BACKGROUND / DISCUSSION:**

On December 12, 2022 City of El Paso enter into an agreement with Ysleta Independent School District (YISD) for the design and installation of a HAWK - Pedestrian Hybrid Beacon Signal at the intersection of McRae Blvd. and Daugherty Dr. to serve Eastwood High School located at 2430 McRae Blvd. This contract will allow for the constructions of a HAWK - Pedestrian Hybrid Beacon Signal which is funded by Ysleta Independent School District (YISD).

**SELECTION SUMMARY:**

Solicitation was advertised on September 12, 2023 and September 19, 2023. The solicitation was posted on City website on September 12, 2023. There were a total of twenty (20) viewers online; two (2) bids were received, one coming from a local supplier. An Inadequate Competition Survey was conducted.

**CONTRACT VARIANCE:**

N/A

**PROTEST**

No protest received for this requirement.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

Amount: \$172,764.89

Funding Source: Other Outside Sources Fund – Eastwood HAWK System Flashers Project

Account: 532 – 4970 – 580270 – 32020 – PCP23ST001

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ☒ YES ☐ NO

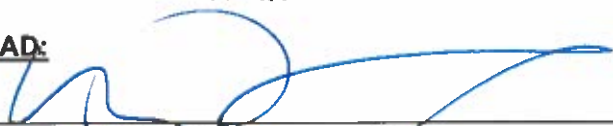
PRIMARY DEPARTMENT: Streets & Maintenance

SECONDARY DEPARTMENT: Purchasing & Strategic Sourcing

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

DEPARTMENT HEAD:



---

Richard J. Bristol, Streets & Maintenance Director

Project Form  
Low Bid

\*\*\*\*\*Posting Language Below\*\*\*\*\*

Please place the following item on the Consent Agenda for the City Council Meeting of December 12, 2023.

Strategic Goal 7 - Enhance and Sustain El Paso's Infrastructure Network

The linkage to the Strategic Plan is subsection: 7.3 – Enhance a regional comprehensive transportation system

**Award Summary:**

The award of solicitation 2024-0018 Eastwood High School HAWK Signal Improvements to EL PASO A.R.C. ELECTRIC, INC. for a total estimated amount of \$172,764.89. This contract will allow for the installation of a HAWK - Pedestrian Hybrid Beacon Signal at the intersection of McRae Boulevard. and Daugherty Drive to serve Eastwood High School.

Department:	Streets and Maintenance
Award to:	EL PASO A.R.C. ELECTRIC, INC.
City & State:	El Paso, TX
Item(s):	Base Bid I
Contract Term:	90 Consecutive Calendar Days
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Total Estimated Award:	\$172,764.89
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District(s):	7

This was a Low Bid Procurement – unit price contract.

The Purchasing & Strategic Sourcing Department and Streets and Maintenance Department recommend award as indicated to EL PASO A.R.C. ELECTRIC, INC. the lowest responsive and responsible bidder.

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

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

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



# CITY OF EL PASO

## PRICE TABULATION



BID TITLE: Eastwood High School HAWK Signal Improvements

BID NO: 2024-0018

BID DATE: October 18, 2023

DEPARTMENT: Streets and Maintenance Department

	El Paso A.R.C. Electric, Inc. El Paso, TX.  Bidder 1 of 1	TRI-STATE ELECTRIC LTD. VINTON, TX.  Bidder 2 of 2	
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BASE BID: Unit Price Schedule

NO.	Quantity	Unit of Measure	Description	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)
1	6	SY	REMOVING CONCRETE (SIDEWALKS)	\$ 110.00	\$ 660.00	\$ 500.00	\$ 3,000.00		
2	6	LF	REMOVING CONCRETE ( CURB OR CURB GUTTER)	\$ 30.00	\$ 180.00	\$ 45.00	\$ 270.00		
3	12	SY	REMOVING CONCRETE (WHEELCHAIR RAMP)	\$ 80.00	\$ 960.00	\$ 35.00	\$ 420.00		
4	6	LF	DRILL SHAFT (TRAFFIC SIGNAL POLE) (24 IN)	\$ 350.00	\$ 2,100.00	\$ 200.00	\$ 1,200.00		
5	11	LF	DRILL SHAFT ((TRAFFIC SIGNAL POLE) (30 IN)	\$ 375.00	\$ 4,125.00	\$ 325.00	\$ 3,575.00		
6	13	LF	DRILL SHAFT ((TRAFFIC SIGNAL POLE) (36 IN)	\$ 400.00	\$ 5,200.00	\$ 375.00	\$ 4,875.00		
7	1	MO	BARRICADES, SIGNS AND TRAFFIC HANDLING	\$ 10,500.00	\$ 10,500.00	\$ 6,000.00	\$ 6,000.00		
8	10	LF	CONCRETE CURB & GUTTER (TYPE II)	\$ 75.00	\$ 750.00	\$ 125.00	\$ 1,250.00		
9	1	EA	CURB RAMPS (TYPE 20)	\$ 4,500.00	\$ 4,500.00	\$ 2,500.00	\$ 2,500.00		
10	35	LF	CONDUIT (PVC) (SCH 40) (2")	\$ 20.00	\$ 700.00	\$ 22.00	\$ 770.00		
11	295	LF	CONDUIT (PVC) (SCH 40) (2") (BORE)	\$ 38.00	\$ 11,210.00	\$ 28.00	\$ 8,260.00		
12	505	LF	ELECTRICAL CONDUCTOR (NO.6) INSULATED	\$ 2.90	\$ 1,464.50	\$ 3.00	\$ 1,515.00		
13	5	EA	GROUND BOX TYPE A (122311) W/APRON	\$ 1,500.00	\$ 7,500.00	\$ 1,450.00	\$ 7,250.00		
14	1	EA	ELECTRICAL SERVICE TYPE D 120/240 060(NS)GS(N)GC(O)	\$ 9,500.00	\$ 9,500.00	\$ 8,500.00	\$ 8,500.00		
15	5	EA	IN SM RD SN SUP&AM TY10BWG(1)SA(P)	\$ 1,100.00	\$ 5,500.00	\$ 950.00	\$ 4,750.00		
16	50	LF	REFLECTIVE PAVEMENT MARKING TYPE I (W) 8" (SOLID) (090MIL)	\$ 2.50	\$ 125.00	\$ 16.00	\$ 800.00		
17	110	LF	RE PM W/RET REQ TY I (W) 6" (BROKEN) (090MIL)	\$ 3.50	\$ 385.00	\$ 18.00	\$ 1,980.00		
18	178	LF	REFLECTIVE PAVEMENT MARKING TYPE I (W) 24" (SOLID) (090MIL)	\$ 10.25	\$ 1,824.50	\$ 20.00	\$ 3,560.00		
19	2	EA	REFLECTIVE PAVEMENT MARKING TYPE I (W) (ARROW) (090MIL)	\$ 285.00	\$ 570.00	\$ 400.00	\$ 800.00		
20	1	EA	REFLECTIVE PAVEMENT MARKING TYPE I (W) (WORD)(090MIL)	\$ 295.00	\$ 295.00	\$ 400.00	\$ 400.00		
21	50	LF	REFLECTIVE PAVEMENT MARKING TYPE II (W) 8" (SOLID)	\$ 1.90	\$ 95.00	\$ 6.75	\$ 337.50		
22	178	LF	REFLECTIVE PAVEMENT MARKING TYPE II (W) 24" (SOLID)	\$ 9.25	\$ 1,646.50	\$ 11.50	\$ 2,047.00		
23	2	EA	REFLECTIVE PAVEMENT MARKING TYPE II (W) (ARROW)	\$ 175.00	\$ 350.00	\$ 300.00	\$ 600.00		
24	1	EA	REFLECTIVE PAVEMENT MARKING TYPE II (W) (WORD)	\$ 160.00	\$ 160.00	\$ 300.00	\$ 300.00		
25	120	LF	ELIMINATING EXISTING PAVEMENT MARKING & MARKS (4")	\$ 1.65	\$ 198.00	\$ 7.00	\$ 840.00		
26	50	LF	ELIMINATING EXISTING PAVEMENT MARKING & MARKS (8")	\$ 2.05	\$ 102.50	\$ 10.00	\$ 500.00		
27	180	LF	ELIMINATING EXISTING PAVEMENT MARKING & MARKS (24")	\$ 7.10	\$ 1,278.00	\$ 15.00	\$ 2,700.00		
28	2	EA	ELIMINATING EXISTING PAVEMENT MARKING & MARKS (ARROW)	\$ 115.00	\$ 230.00	\$ 400.00	\$ 800.00		
29	1	EA	ELIMINATING EXISTING PAVEMENT MARKING & MARKS (WORD)	\$ 105.00	\$ 105.00	\$ 400.00	\$ 400.00		



# CITY OF EL PASO

## PRICE TABULATION



BID TITLE: Eastwood High School HAWK Signal Improvements

BID NO: 2024-0018

BID DATE: October 18, 2023

DEPARTMENT: Streets and Maintenance Department

				El Paso A.R.C. Electric, Inc. El Paso, TX.  Bidder 1 of 1		TRI-STATE ELECTRIC LTD. VINTON, TX.  Bidder 2 of 2			
BASE BID: Unit Price Schedule									
NO.	Quantity	Unit of Measure	Description	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)	Price (ONLY 2 DECIMALS)	Total (DO NOT ROUND)
30	160	LF	PAVEMENT SURFACE PREPARATION FOR MARKS (6")	\$ 0.80	\$ 128.00	\$ 3.25	\$ 520.00		
31	50	LF	PAVEMENT SURFACE PREPARATION FOR MARKS (8")	\$ 0.75	\$ 37.50	\$ 6.00	\$ 300.00		
32	178	LF	PAVEMENT SURFACE PREPARATION FOR MARKS (24")	\$ 2.80	\$ 498.40	\$ 11.00	\$ 1,958.00		
34	1	EA	PAVEMENT SURFACE PREPARATION FOR MARKS (WORD)	\$ 49.00	\$ 49.00	\$ 200.00	\$ 200.00		
35	1	EA	INSTALL HIGHWAY TRAFFIC SIGNALS (SYSTEM)	\$ 30,000.00	\$ 30,000.00	\$ 42,000.00	\$ 42,000.00		
36	4	EA	VEHICLE SIGNAL SECTION (12") LED (YEL)	\$ 400.00	\$ 1,600.00	\$ 375.00	\$ 1,500.00		
37	8	EA	VEHICLE SIGNAL SECTION (12")LED(RED)	\$ 290.00	\$ 2,320.00	\$ 375.00	\$ 3,000.00		
38	4	EA	PEDESTRIAN SIGNAL SECTION (LED) (COUNTDOWN)	\$ 1,250.00	\$ 5,000.00	\$ 760.00	\$ 3,040.00		
39	4	EA	BACKPLATE W/REFLECTIVE BRIDGE (3 SEC)	\$ 320.00	\$ 1,280.00	\$ 350.00	\$ 1,400.00		
40	15	LF	TRAFFIC SIGNAL CABLE (TYPE A) (14 AWG) (3 CONDUCTOR)	\$ 2.40	\$ 36.00	\$ 2.10	\$ 31.50		
41	240	LF	TRAFFIC SIGNAL CABLE (TYPE A) (14 AWG) (5 CONDUCTOR)	\$ 6.25	\$ 1,500.00	\$ 3.00	\$ 720.00		
42	170	LF	TRAFFIC SIGNAL CABLE (TYPE A) (14 AWG) (12 CONDUCTOR)	\$ 6.50	\$ 1,105.00	\$ 4.00	\$ 680.00		
43	190	LF	TRAFFIC SIGNAL CABLE (TYPE A) (14 AWG) (20 CONDUCTOR)	\$ 9.00	\$ 1,710.00	\$ 5.90	\$ 1,121.00		
44	1	EA	INSTALL TRAFFIC SIGNAL PLAT AM (S) 1 ARM (32')	\$ 15,000.00	\$ 15,000.00	\$ 13,200.00	\$ 13,200.00		
45	1	EA	INSTALL TRAFFIC SIGNAL PLAT AM (S) 1 ARM (44')	\$ 18,000.00	\$ 18,000.00	\$ 14,600.00	\$ 14,600.00		
46	1	EA	PEDESTRIAN POLE ASSEMBLY	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00		
47	3	EA	PEDESTRIAN DETECTION PUSH BUTTON (APS)	\$ 1,450.00	\$ 4,350.00	\$ 750.00	\$ 2,250.00		
48	1	EA	PEDESTRIAN DETECTOR CONTROLLER UNIT	\$ 4,005.00	\$ 4,005.00	\$ 2,000.00	\$ 2,000.00		
49	75	LF	FIBER OPTIC CABLE (SINGLE-MODE) (12 FIBER)	\$ 12.00	\$ 900.00	\$ 25.00	\$ 1,875.00		
50	1	EA	FIBER OPTIC SPLICE ENCLOSURE	\$ 2,500.00	\$ 2,500.00	\$ 4,500.00	\$ 4,500.00		
51	1	EA	FIBER OPTIC PATCH PANEL (12 POSITION)	\$ 1,500.00	\$ 1,500.00	\$ 3,200.00	\$ 3,200.00		
Sum Total – Base Bid (Line Items 1-48)				\$167,732.90		\$172,295.00			
Mobilization Not to Exceed 3%				\$5,031.99		\$5,000.00			
Sum Total Base Bid Plus Mobilization				\$172,764.89		\$177,295.00			
Bid Bond				YES		YES			
Amendments Acknowledged				YES		YES			

NOTE: The information contained in this bid tabulation is for information only and does not constitute actual award/execution of contract.

**Online views for 2024-0018 Eastwood High School HAWK Signal Improvements**

<b><u>No.</u></b>	<b><u>Participant Name</u></b>	<b><u>City</u></b>	<b><u>State</u></b>
1	Tri-State Electric Ltd	Vinton	TX
2	El Paso A.R.C. Electric, Inc.	El Paso	TX
3	CSA Constructors (Karlsruher, Inc.)	El Paso	TX
4	DYER CYCLE	El Paso	TX
5	Filterbuy Incorporated	Talladega	AL
6	Amtek USA, Austin	Houston	TX
7	Clowe & Cowan (Clowe and Cowan of El Paso)	El Paso	TX
8	ConstructConnect	Cincinnati	OH
9	Construction Reporter	Albuquerque	NM
10	Fulcrum Contracting Group LLC	El Paso	TX
11	J Carrizal General Constructio	El Paso	TX
12	Keystone GC, LLC	EL PASO	TX
13	Martinez Bros. Contractors, LLC	El Paso	TX
14	MoboTrex, Inc.	Davenport	IA
15	North America Procurement Council Inc., PBC	Grand Junction	CO
16	SecurityZeal LLC	El Paso	TX
17	Sites Southwest, LLC	El Paso	TX
18	Synergy Project Contractors, Inc.	El Paso	TX
19	The PlanIt Room	El Paso	TX
20	Virtual Builders Exchange	San Antonio	TX

This text box is to remind you about the ASL translator service. Do NOT add any info in this space.

REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.



**2024-0018**

## **Eastwood HAWK Signal Improvements**

Streets and Maintenance Department

December 12, 2023



# Streets and Maintenance Department

2024-0018 Eastwood HAWK Signal Improvements

This text box is to remind you about the ASL translator service. Do NOT add any info in this space.

REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.

Strategic Plan Goal:

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

*7.2: Improve competitiveness through infrastructure improvements impacting the quality of life*



# Streets and Maintenance Department

2024-0018 Eastwood HAWK Signal Improvements

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REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.

## Purpose of Procurement

- YISD requested the pedestrian crossing enhancement within existing school zone
- McRae Blvd. and Daugherty Dr. to serve Eastwood High School
- YISD and City of El Paso agreement for installation and maintenance of HAWK System signed December 12, 2022
  - This procurement is to award the construction contract of HAWK Pedestrian Hybrid Beacon Signal including road pavement markings, signage and parkway improvements

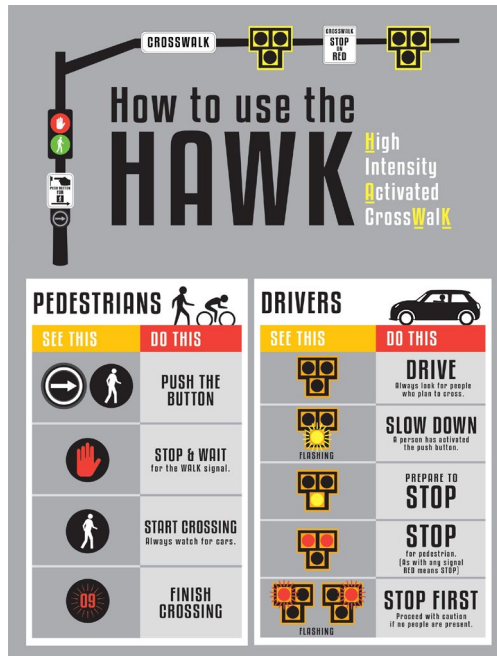
# Streets and Maintenance Department

2024-0018 Eastwood HAWK Signal Improvements

## HAWK System

This text box is to remind you about the ASL translator service. Do NOT add any info in this space.

REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.



Improves pedestrian safety and mobility by using a button activated traffic signal which directs the person walking to wait for the signal to change and traffic stop allowing them to cross safely.

# Streets and Maintenance Department

## 2024-0018 Eastwood HAWK Signal Improvements

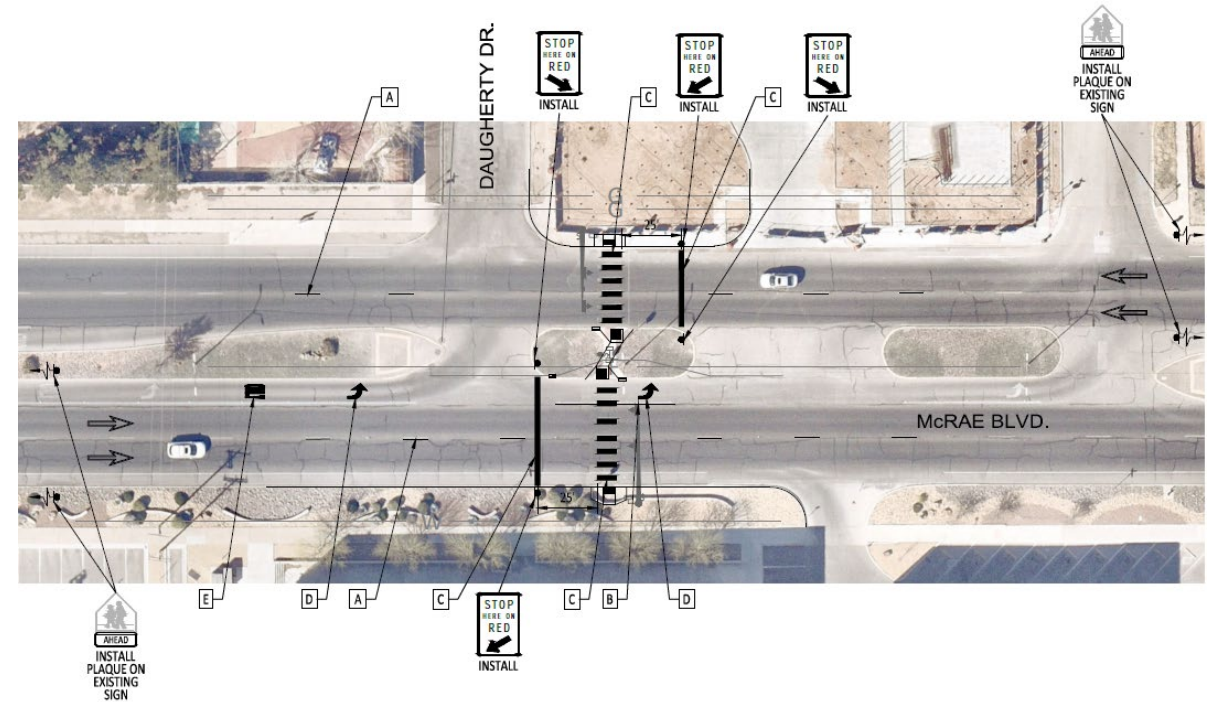
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Existing



Proposed Improvements



# Streets and Maintenance Department

2024-0018 Eastwood HAWK Signal Improvements

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REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.

Contractor	El Paso A.R.C. Electric Inc
Term & Award	\$172,764.89 – 90 days substantial completion
Funding Source	Other Outside Sources Fund – Eastwood HAWK System Flashers Project
Account No.	532-4970-32020-PCP23ST002

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REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.



## 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



## 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 #:** 23-1590, **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, Robert Cortinas, (915) 212-1067

#### **AGENDA LANGUAGE:**

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

Presentation on the FY 2023 4th Quarter Financial Report.

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

**AGENDA DATE:** December 12, 2023

**PUBLIC HEARING DATE:**

**CONTACT PERSON NAME AND PHONE NUMBER:**

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

**DISTRICT(S) AFFECTED:** All Districts

## STRATEGIC GOAL: 6. Set the Standard for Sound Governance and Fiscal Management

**SUBGOAL: N/A**

**SUBJECT:** Presentation on the FY 2023 4<sup>th</sup> Quarter Financial Report

**BACKGROUND / DISCUSSION:**

The FY 2023 Budget Resolution requires that within forty-five (45) working days after the close of each fiscal quarter the City Manager or designee shall provide a quarterly report to City Council regarding the status and year-end projection of the budget.

**PRIOR COUNCIL ACTION:**

The FY 2023 3<sup>rd</sup> Quarter Financial Report was presented to City Council on July 31, 2023.

**AMOUNT AND SOURCE OF FUNDING:**

Source: N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?  X  YES   NO

**PRIMARY DEPARTMENT:** City Manager's Office

**SECONDARY DEPARTMENT:** All City

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

DEPARTMENT HEAD:  DATE: 10/24/2023





CITY OF EL PASO

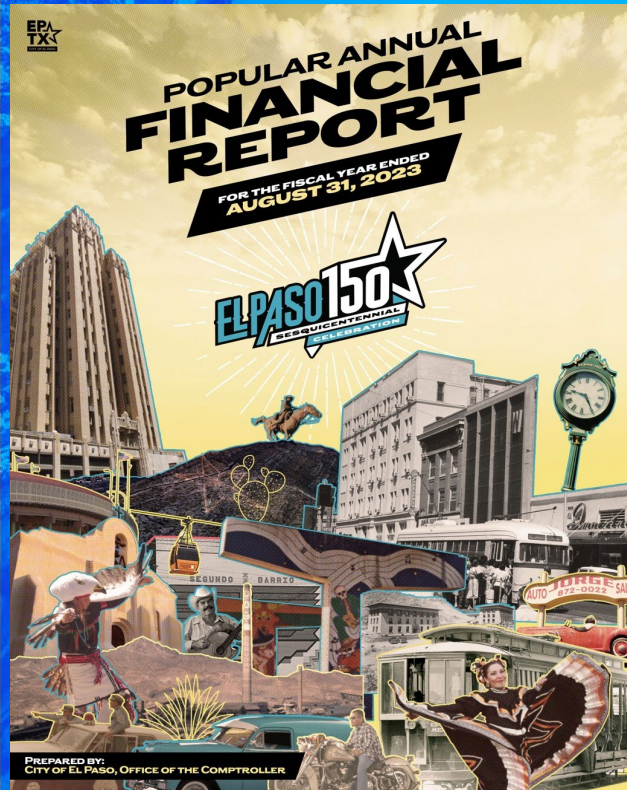
# FY 2023 4<sup>th</sup> Quarter Financial Report

December 12, 2023



# Agenda

- General Fund Summary
- Revenue Highlights
- Expenditure Highlights
- Revenue Summary
- Expenses Summary
- Fund Balance



# General Fund Summary

- All figures being presented are preliminary and unaudited
- **Fund Balance** – overall General Fund reserves increased by 7.1% or \$10.3 million (from \$145.2 million to \$155.5 million)
- **Revenue** – overall revenue exceeded the budget by \$6.1 million, or 1.1%
- **Expenditures** – overall expenditures were below budget by \$4.1 million, or 0.7%

# General Fund Revenue Highlights

- Property tax collections finished on target
- Sales tax collections exceeded projections by \$21.7 million, or 19.7%
- Investment earnings exceeded projections by \$5.1 million
- Mixed beverage (alcohol tax) collections exceeded projections by \$1.4 million, or 60.4%
- Franchise fees exceeded projections by \$4.1 million, or 7.4%
- Parks Dept. revenue exceeded projections by \$1.4 million, or 49.9%

# General Fund Expenditure Highlights

- Larger than anticipated expenses for fixed costs and obligations
  - \$3.1 million over budget in utilities, vehicle maintenance and unleaded fuel
  - \$2.8 million over budget for external legal counsel and damages/settlements
  - \$1.2 million over budget for property insurance
  - \$1.0 million over budget for Tuition Assistance Program
  - \$1.8 million for former City Manager payout and May 2023 Charter election
- \$15 million to Pay for Futures and payoff of TRZ #2 debt obligations

# General Fund Overall Summary

	FY 2023 Budget	FY 2023 Actuals	FY 2023 % of Budget	FY 2022 Actuals	FY 2023/2022 \$ Change	FY 2023/2022 % Change
Revenue	569,729,629	575,856,117	101.1%	\$562,579,663	\$13,276,454	2.36%
Expenses	569,729,629	565,605,816	99.3%	\$509,693,175	\$55,912,640	10.97%
Variance		\$10,250,301				

# General Fund Revenue Summary

Category	FY 2023 Budget	FY 2023 Actuals	FY 2023 % of Budget	FY 2022 Actuals	FY 2023/2022 \$ Change	FY 2023/2022 % Change
Property Taxes	\$251,280,450	\$250,707,381	99.8%	\$237,854,975	\$12,852,405	5.40%
Sales Taxes	112,783,370	135,901,356	120.5%	130,484,427	5,416,929	4.15%
Franchise Fees	56,616,885	60,790,672	107.4%	60,832,015	(41,343)	-0.07%
Charges For Services	27,228,801	32,062,347	117.8%	30,467,659	1,594,687	5.23%
Fines And Forfeitures	7,097,584	7,468,625	105.2%	7,540,483	(71,858)	-0.95%
Licenses And Permits	12,944,114	14,519,303	112.2%	13,753,055	766,249	5.57%
Intergovernmental	1,268,809	657,824	51.8%	1,369,980	(712,156)	-51.98%
Interest	125,000	8,133,352	6506.7%	(2,650,021)	10,783,373	-406.92%
Rents And Other	10,660,554	11,505,646	107.9%	11,025,366	480,280	4.36%
Operating Transfers In	89,724,064	54,109,611	60.3%	71,901,722	(17,792,111)	-24.75%
<b>Total Revenue</b>	<b>\$569,729,629</b>	<b>\$575,856,117</b>	<b>101.1%</b>	<b>\$562,579,663</b>	<b>\$13,276,454</b>	<b>2.36%</b>



# City Sales Tax

MONTH	FY 2022	FY 2023	\$ VARIANCE	% VARIANCE
September	10,620,471	10,978,840	358,369	3.4%
October	9,516,270	9,841,288	325,018	3.4%
November	10,410,936	10,929,250	518,314	5.0%
December	12,918,763	13,746,468	827,705	6.4%
January	9,339,133	9,883,311	544,178	5.8%
February	8,987,021	9,939,568	952,548	10.6%
March	11,589,220	11,926,334	337,114	2.9%
April	10,703,166	10,451,765	(251,400)	-2.3%
May	10,252,620	11,122,552	869,932	8.5%
June	11,530,201	12,140,871	610,670	5.3%
July	10,462,542	10,738,492	275,949	2.6%
August	10,537,038	10,321,726	(215,312)	-2.0%
<b>Total</b>	<b>\$126,867,380</b>	<b>\$132,020,465</b>	<b>\$5,153,085</b>	<b>4.1%</b>

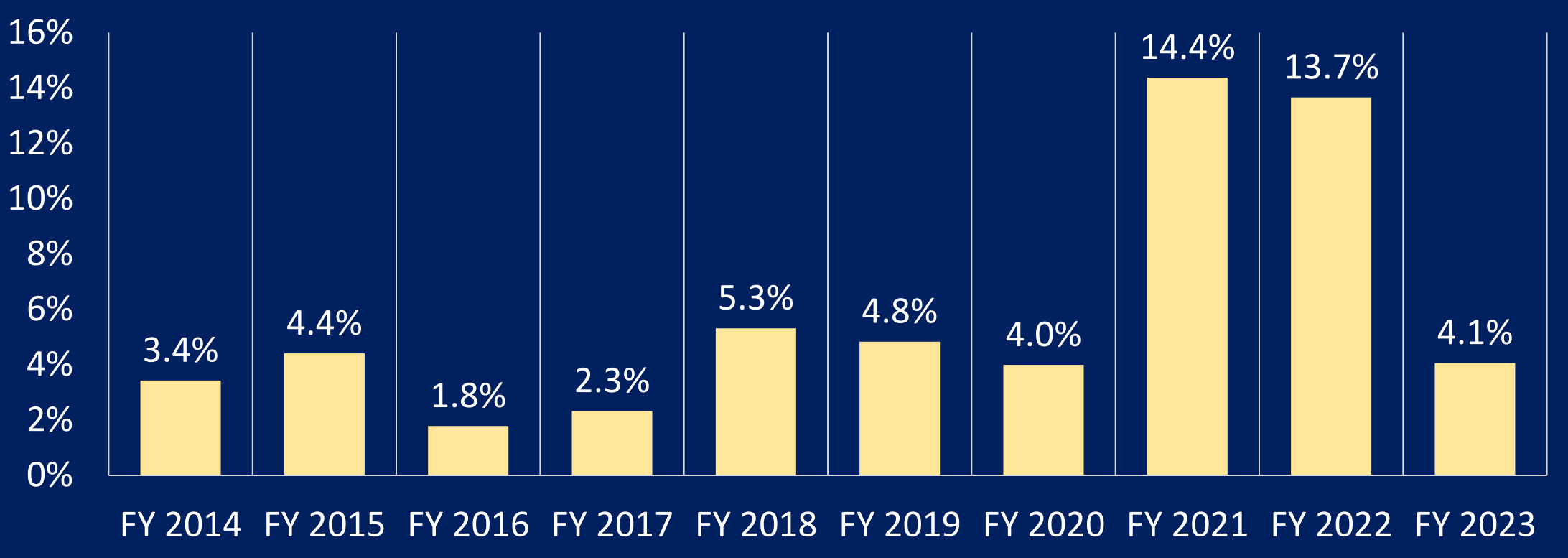
Sep – Feb: avg. growth was 5.8% compared to prior year

Mar – Aug: avg. growth was 2.5% compared to prior year



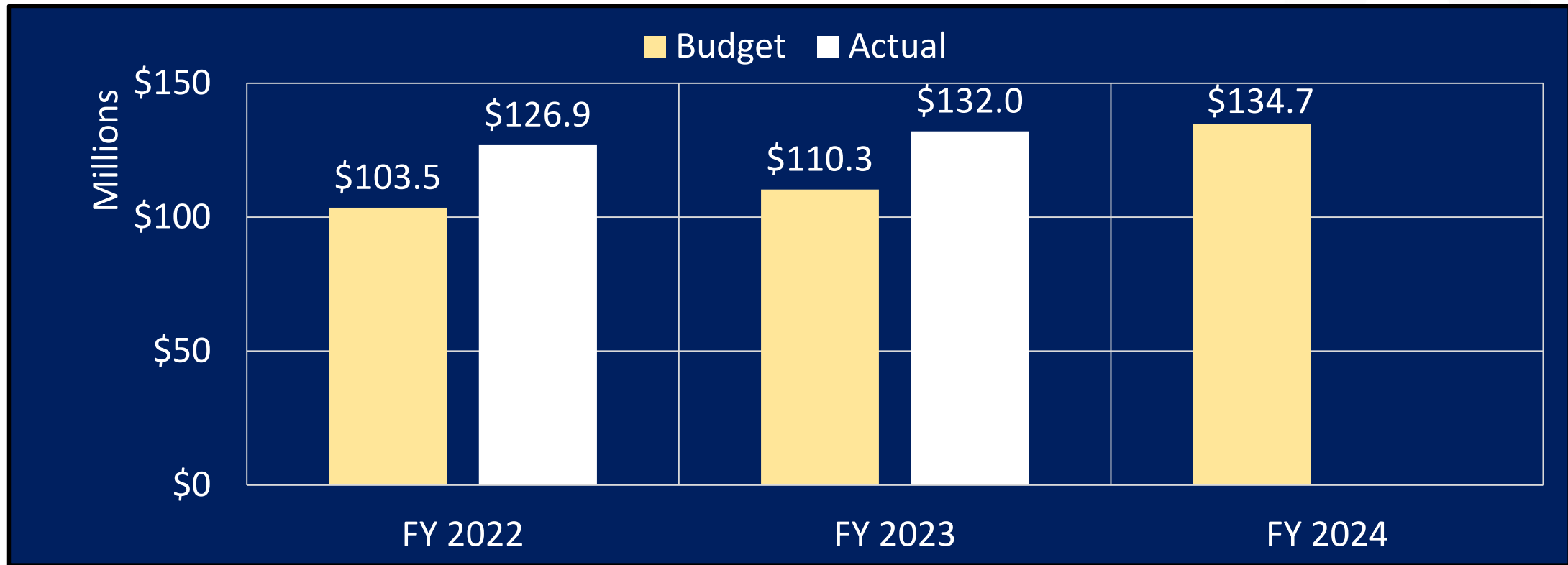
# City Sales Tax

## Year over Year Growth



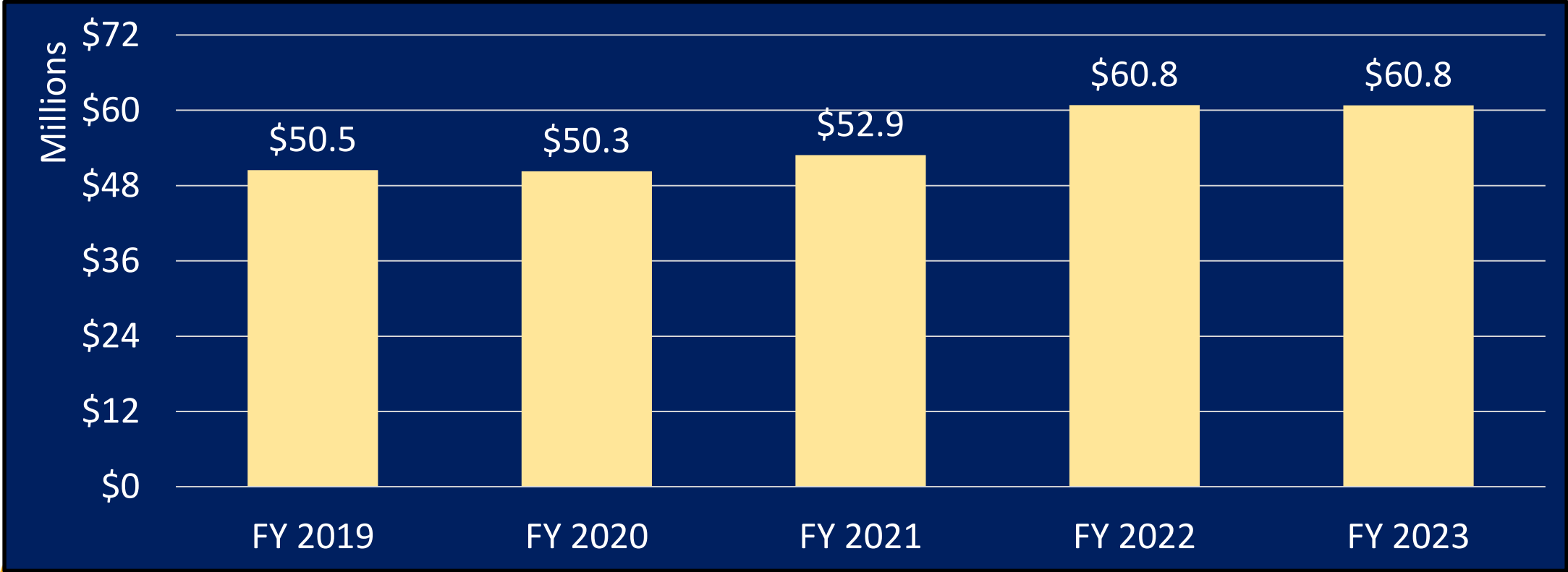
# General Fund Revenue

## City Sales Tax



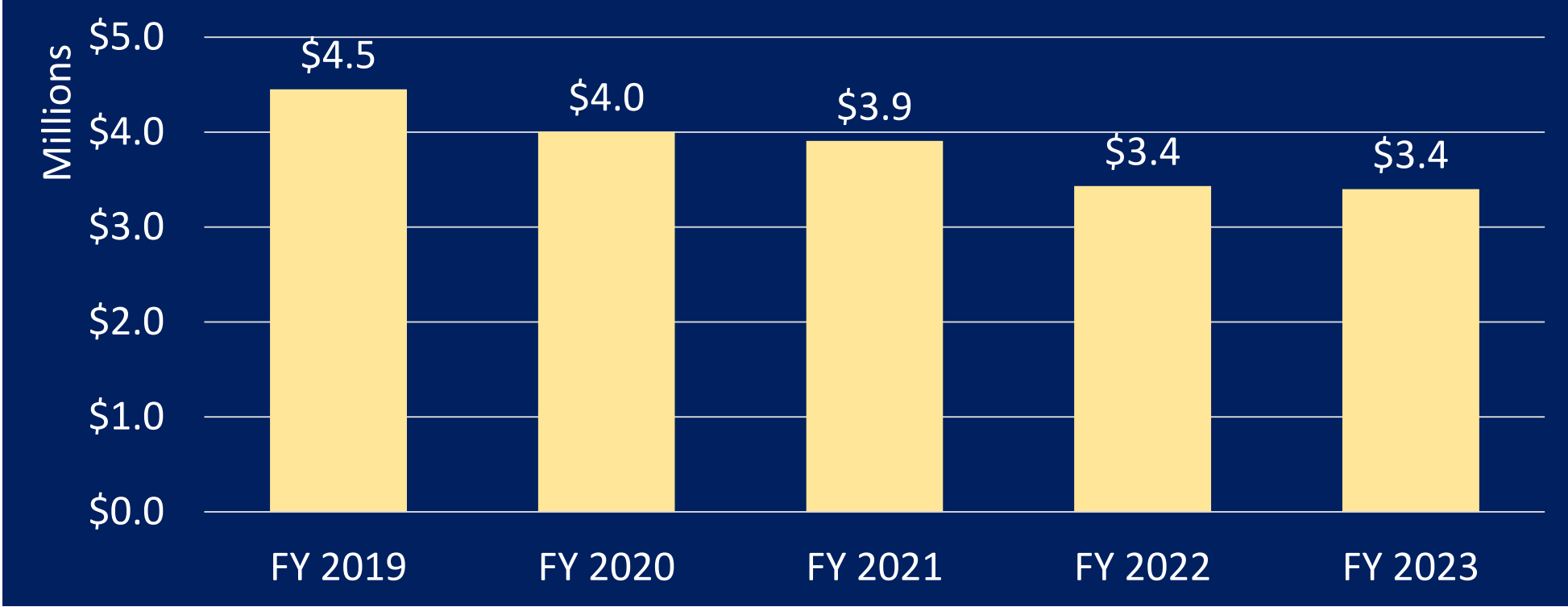
# General Fund Revenue

## Franchise Fees



# General Fund Revenue

## Residential & Commercial Bldg. Permits



# General Fund Expenses (Strategic Goal)

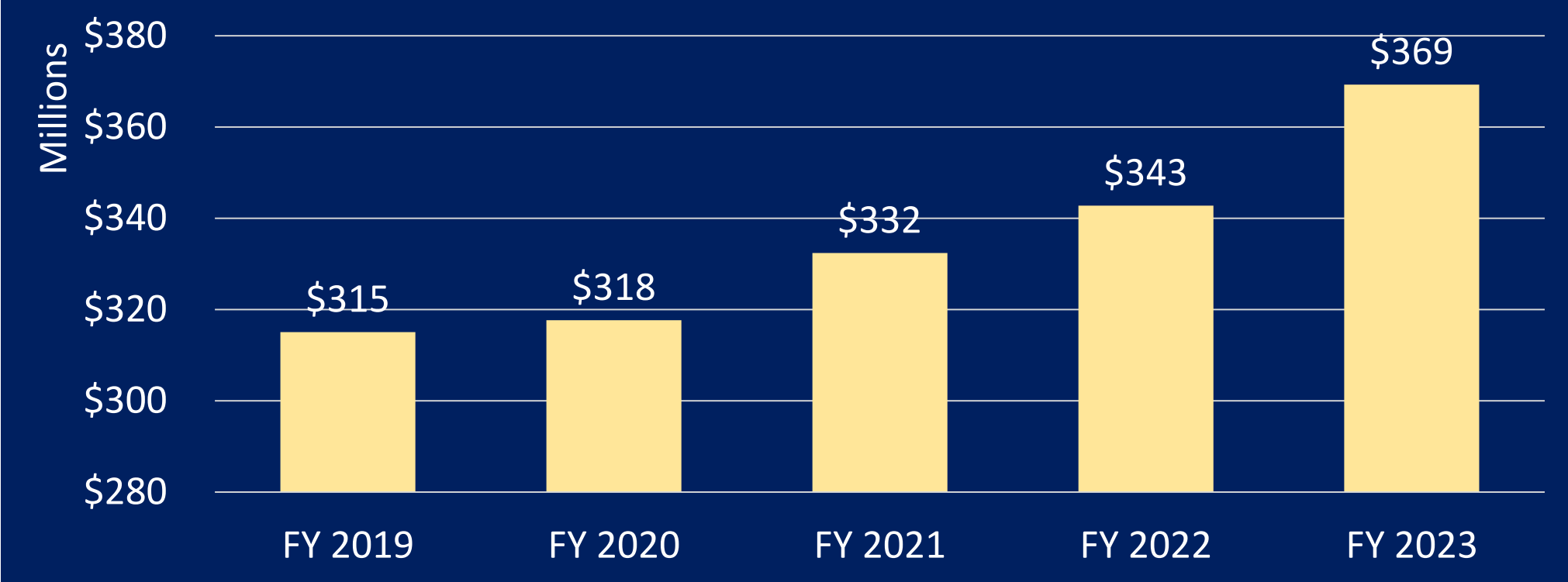
Expenses (Strategic Goal)	FY 2023 Budget	FY 2023 Actuals	FY 2023 % of Budget	FY 2022 Actuals	FY 2023/2022 \$ Change	FY 2023/2022 % Change
Economic Development.....	\$3,201,468	\$3,224,349	100.7%	\$2,075,263	\$1,149,087	55.37%
Public Safety.....	305,654,254	304,516,950	99.6%	286,530,406	17,986,544	6.28%
Visual Image.....	8,362,486	7,909,457	94.6%	6,979,209	930,248	13.33%
Quality of Life.....	63,461,514	56,872,668	89.6%	46,409,892	10,462,775	22.54%
Communication (IT Dept).....	22,916,444	22,478,893	98.1%	21,082,373	1,396,520	6.62%
Sound Governance.....	102,877,738	106,964,343	104.0%	87,477,811	19,486,533	22.28%
Infrastructure.....	54,739,372	55,426,523	101.3%	52,444,761	2,981,762	5.69%
Healthy Community.....	8,516,353	8,212,632	96.4%	6,693,460	1,519,172	22.70%
<b>Total Expenditures.....</b>	<b>\$569,729,629</b>	<b>\$565,605,816</b>	<b>99.3%</b>	<b>\$509,693,175</b>	<b>\$55,912,640</b>	<b>10.97%</b>

# General Fund Expenses (Summary)

Expenses (Category)	FY 2023 Budget	FY 2023 Actuals	FY 2023 % of Budget	FY 2022 Actuals	FY 2023/2022 \$ Change	FY 2023/2022 % Change
Personal Services .....	\$370,322,592	\$369,328,997	99.7%	\$342,783,359	\$26,545,638	7.74%
Contractual Services.....	48,842,875	48,023,679	98.3%	39,460,358	8,563,321	21.70%
Materials & Supplies.....	29,493,132	27,668,076	93.8%	20,551,951	7,116,125	34.63%
Operating.....	30,011,928	30,383,985	101.2%	28,219,320	2,164,665	7.67%
Non-Operating.....	1,734,026	2,338,918	134.9%	2,468,308	(129,390)	-5.24%
Intergovernmental.....	1,293,544	752,645	58.2%	944,508	(191,863)	-20.31%
Transfers.....	85,774,256	85,733,945	100.0%	74,524,495	11,209,450	15.04%
Capital.....	2,257,276	1,375,571	60.9%	740,877	634,693	85.67%
<b>Total Expenditures.....</b>	<b>\$569,729,629</b>	<b>\$565,605,816</b>	<b>99.3%</b>	<b>\$509,693,175</b>	<b>\$55,912,640</b>	<b>10.97%</b>

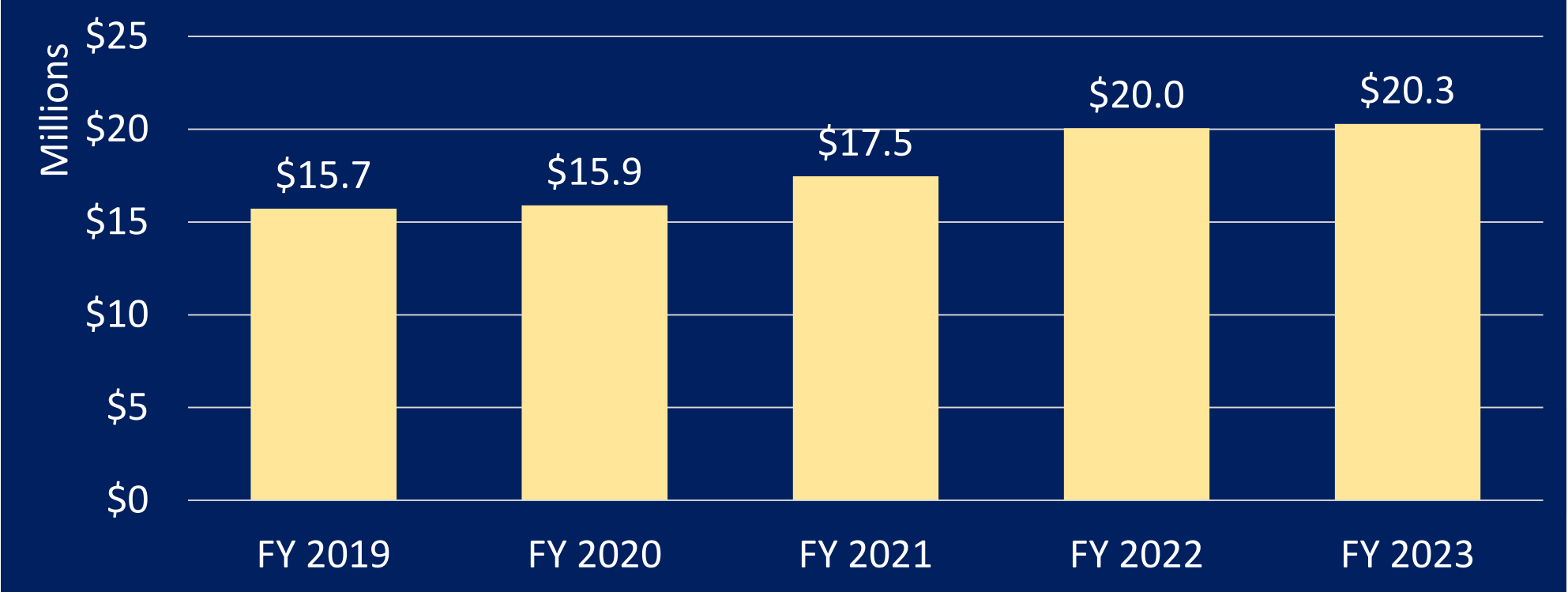
# General Fund Expenses

## Salaries, Benefits, Taxes



# General Fund Expenses

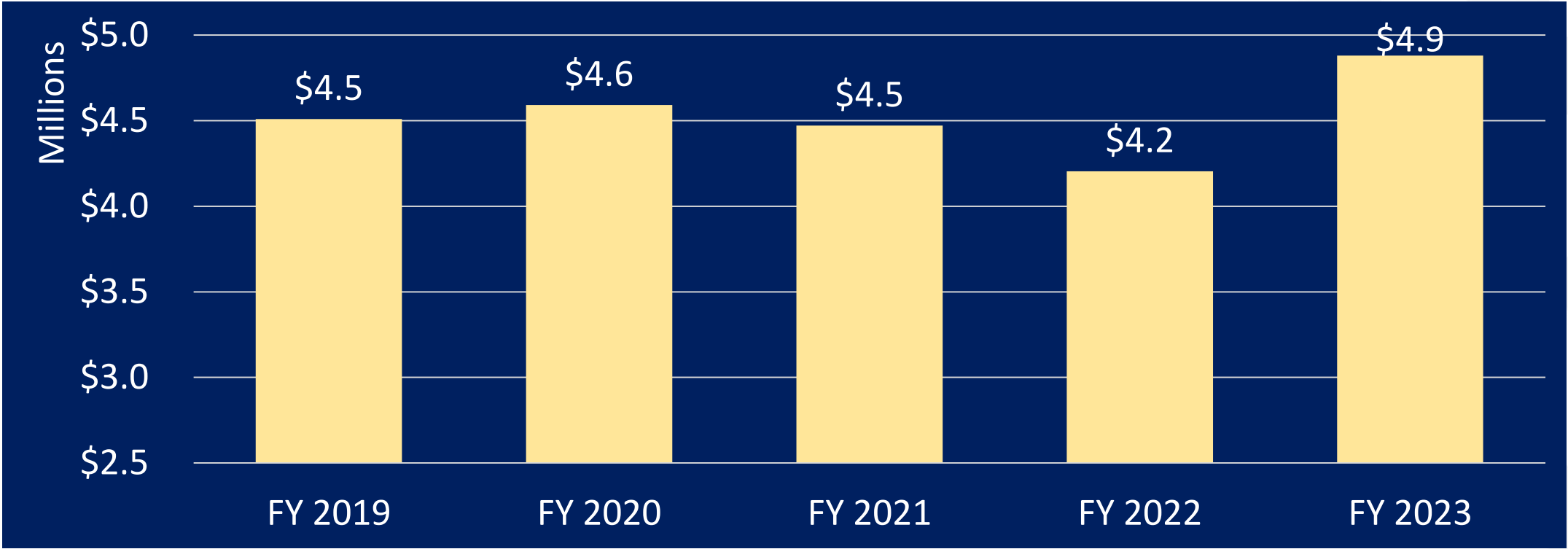
## Utilities





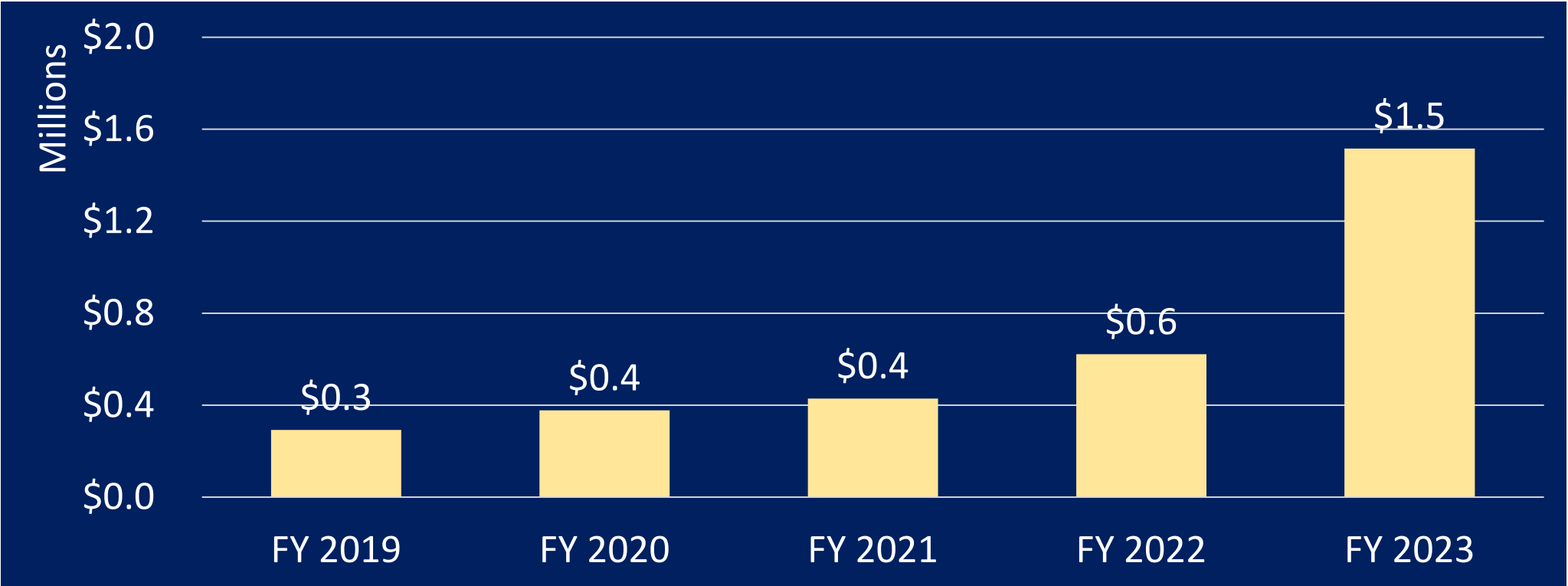
# General Fund Expenses

## Vehicle Maintenance



# General Fund Expenses

## Tuition Assistance Program



# General Fund Reserves

	FY 2022	FY 2023	Variance
<b>Restricted</b>	22,099,714	23,277,778	1,178,064
<b>Unassigned</b>	50,780,166	44,318,190	(6,461,976)
<b>Committed</b>			-
Budget Stabilization	50,186,630	51,553,158	1,366,528
Pension Stabilization	22,190,294	21,692,454	(497,840)
Pay For Futures		14,663,474	14,663,474
<b>Total General Fund Balance</b>	<b>\$145,256,804</b>	<b>\$155,505,055</b>	<b>\$10,248,250</b>
 <b>Unrealized Gain/(Loss)</b>	 ((\$3,496,391)	 \$367,757	
 # Operating Days w/ unrealized gain/(loss)*	 88	 84	
# Operating Days w/o unrealized gain/(loss)*	90	84	

\*Unassigned plus committed balances

## 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, **R**espect, **E**xcellence,  
**A**ccountability, **P**eople



## MISIÓN



Brindar servicios excepcionales para respaldar una vida y un lugar de alta calidad para nuestra comunidad

## 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

Expenses (Category)	FY 2023 Budget	FY 2023 Actuals	FY 2023 % of Budget
SALARIES & WAGES.....	\$265,086,145	\$265,422,461	100.1%
EMPLOYEE BENEFITS.....	105,236,447	103,906,536	98.7%
CONTRACTUAL SERVICES.....	1,573,806	1,544,200	98.1%
PROFESSIONAL SERVICES.....	8,501,823	9,100,729	107.0%
OUTSIDE CONTRACTS.....	32,389,332	30,472,521	94.1%
INTERFUND SERVICES.....	4,418,503	5,092,723	115.3%
OPERATING LEASES.....	1,959,411	1,813,506	92.6%
FUEL & LUBRICANTS.....	3,823,581	4,376,936	114.5%
MATERIALS & SUPPLIES.....	15,501,067	14,195,275	91.6%
MAINTENANCE & REPAIRS.....	8,229,994	7,595,509	92.3%
MINOR EQUIP/FURNITURE.....	1,938,490	1,500,356	77.4%
COMMUNICATIONS.....	2,419,267	2,310,118	95.5%
UTILITIES.....	18,565,042	20,285,066	109.3%
TRAVEL.....	588,127	456,991	77.7%
OTHER OPERATING .....	8,439,493	7,331,810	86.9%
COMMUNITY SERVICE PROJECTS....	118,304	63,913	54.0%
OTHER NON-OPERATING .....	1,615,722	2,275,005	140.8%
GRANT MATCH.....	1,293,544	752,645	58.2%
OPERATING TRANSFERS OUT.....	85,774,256	85,733,945	100.0%
CAPITAL EXPENDITURES.....	2,257,276	1,375,571	60.9%
<b>Total Expenditures.....</b>	<b>\$569,729,629</b>	<b>\$565,605,816</b>	<b>99.3%</b>

# General Fund Expense Category



Legislation Text

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**File #: 23-1587, 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, Robert Cortinas, (915) 212-1067

Transformation Office, Juliana Baldwin-Munoz, (915) 212-1204

**AGENDA LANGUAGE:**

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

Presentation and discussion providing a preview of the upcoming Strategic Planning Session, including the integration of the Comprehensive Plan Update, and an operations update focused on the Parks System and City Facilities:

1. Parks System Update (Ben Fyffe and Emigdio Gonzalez)
2. Facilities Update (Victor Morales)
3. Strategic Planning Session preview and integration of the Comprehensive Plan Update (Juliana Baldwin-Munoz and Alex Hoffman)

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

**DEPARTMENT:** City Manager's Department

**AGENDA DATE:** December 12, 2023

**PUBLIC HEARING DATE:** N/A

**CONTACT PERSON NAME AND PHONE NUMBER:**

Robert Cortinas, Chief Financial Officer/ Deputy City Manager, (915) 212-1067

Ellen Smyth, Chief Transit and Field Operations Officer, (915) 212-6060

Juliana Baldwin-Munoz, Transformation (Performance) Office, (915) 212-1204

**DISTRICT(S) AFFECTED:** All

**STRATEGIC GOAL:**

Goal 6 Set the Standard for Sound Governance and Fiscal Management

Goal 7 Enhance & Sustain El Paso's Infrastructure Network

**SUBGOAL:**

***6.4-Implement leading-edge practices for achieving quality and performance excellence.***

***6.5-Deliver services timely and effectively with focus on continual improvement.***

**SUBJECT:**

Presentation and discussion providing a preview of the upcoming Strategic Planning Session, including the integration of the Comprehensive Plan Update, and an operations update focused on the Parks System and City Facilities:

1. Parks System Update (Ben Fyffe and Emigdio Gonzalez)
2. Facilities Update (Victor Morales)
3. Strategic Planning Session preview and integration of the Comprehensive Plan (Juliana Baldwin-Munoz, Alex Hoffman)

**BACKGROUND / DISCUSSION:**

As a key component of the Strategic Planning Process, the identification and alignment of key community priorities are identified through various feedback methods. To help ensure resource planning and to help inform strategy development, this presentation will provide an overview of the Strategic Planning Session taking place early 2024, including a spotlight on the integration of the Comprehensive Plan. Additionally, key operations updates will be provided focused on the Parks System and the maintenance of existing City of El Paso Facilities.

**PRIOR COUNCIL ACTION:**

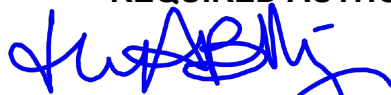
*Last Strategic Planning Session convened December 1-2, 2021.*

**AMOUNT AND SOURCE OF FUNDING:**

N /A

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

**DEPARTMENT HEAD:**



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





# **Asset Infrastructure Overview: *Then, Now and Future***





# **What We Will Cover:**

- **Park System Focus**
- **Facilities Focus**

# OUR MISSION

Deliver exceptional services to support a high quality of life and place for our community

## 07 GOAL

ENHANCE AND SUSTAIN EL PASO'S INFRASTRUCTURE NETWORK

## 04 GOAL

ENHANCE EL PASO'S QUALITY OF LIFE THROUGH RECREATIONAL, CULTURAL AND EDUCATIONAL ENVIRONMENTS



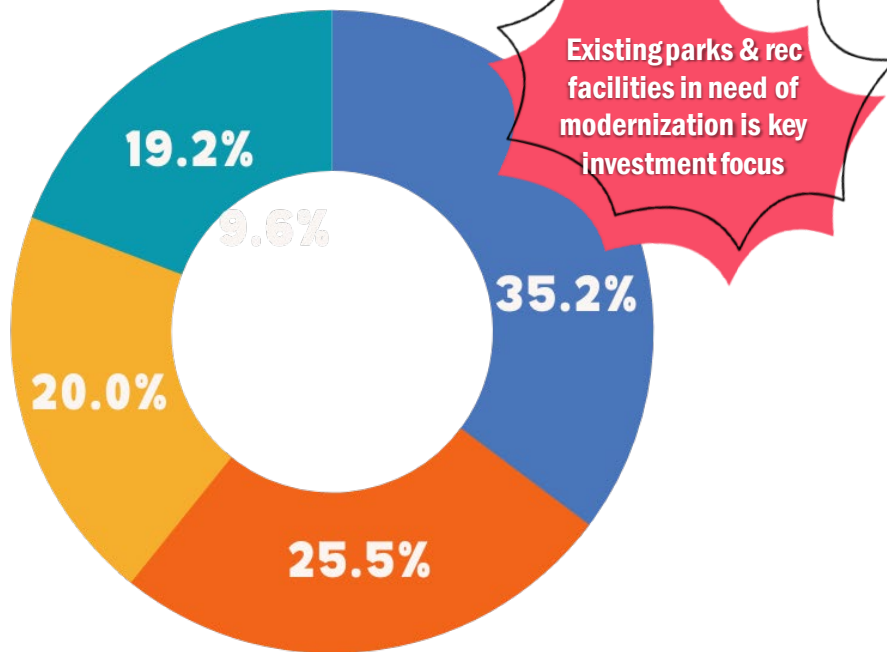
# Park System "Then": Last Decade of Investment

- \$223M in additional new parks, trails and facilities.
- Funding for Parks Maintenance relatively flat for 7 years
- Funding level did not meet community needs to Modernize and Sustain existing assets
- Starting in 2022, received funding to improve existing, sub-par assets: Tables, Benches, Playgrounds, Sports Courts and Irrigation Improvements



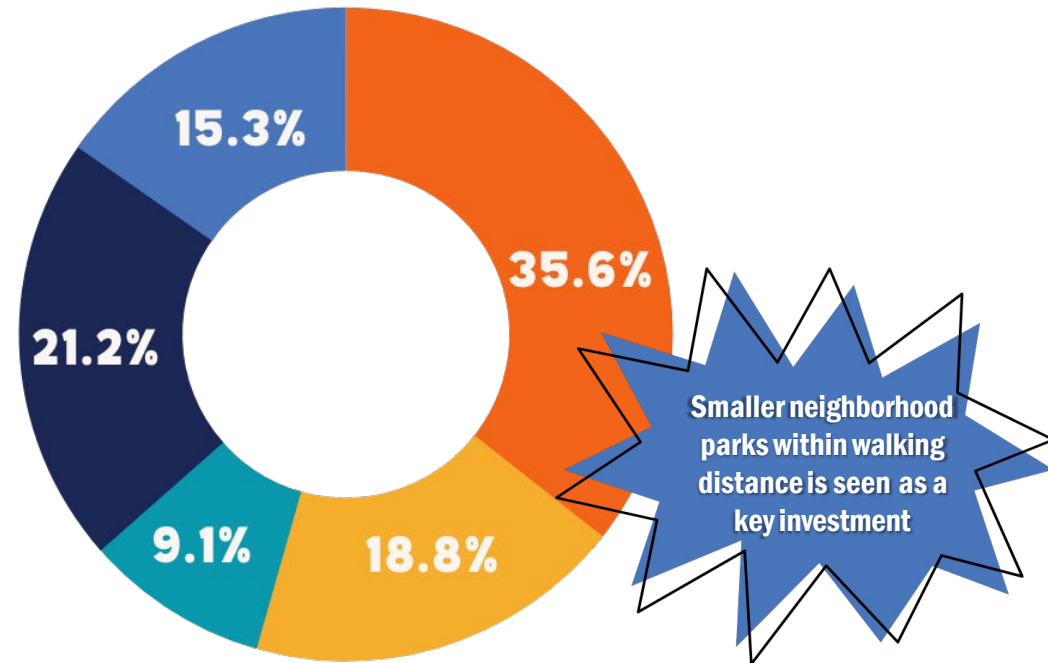
# Maintaining Existing Parks is Important: Capital Planning Survey 2022

Where should the City focus its investments in new or refurbished parks and recreation facilities?



- Areas where the City's investment in parks has historically been low
- Existing parks and recreation facilities in need of modernization
- Areas where data indicate a gap in service
- Areas where recent growth lacks nearby parks & recreational facilities & Quality of Life Facilities

What type of parks facilities would people like to see more investment in?



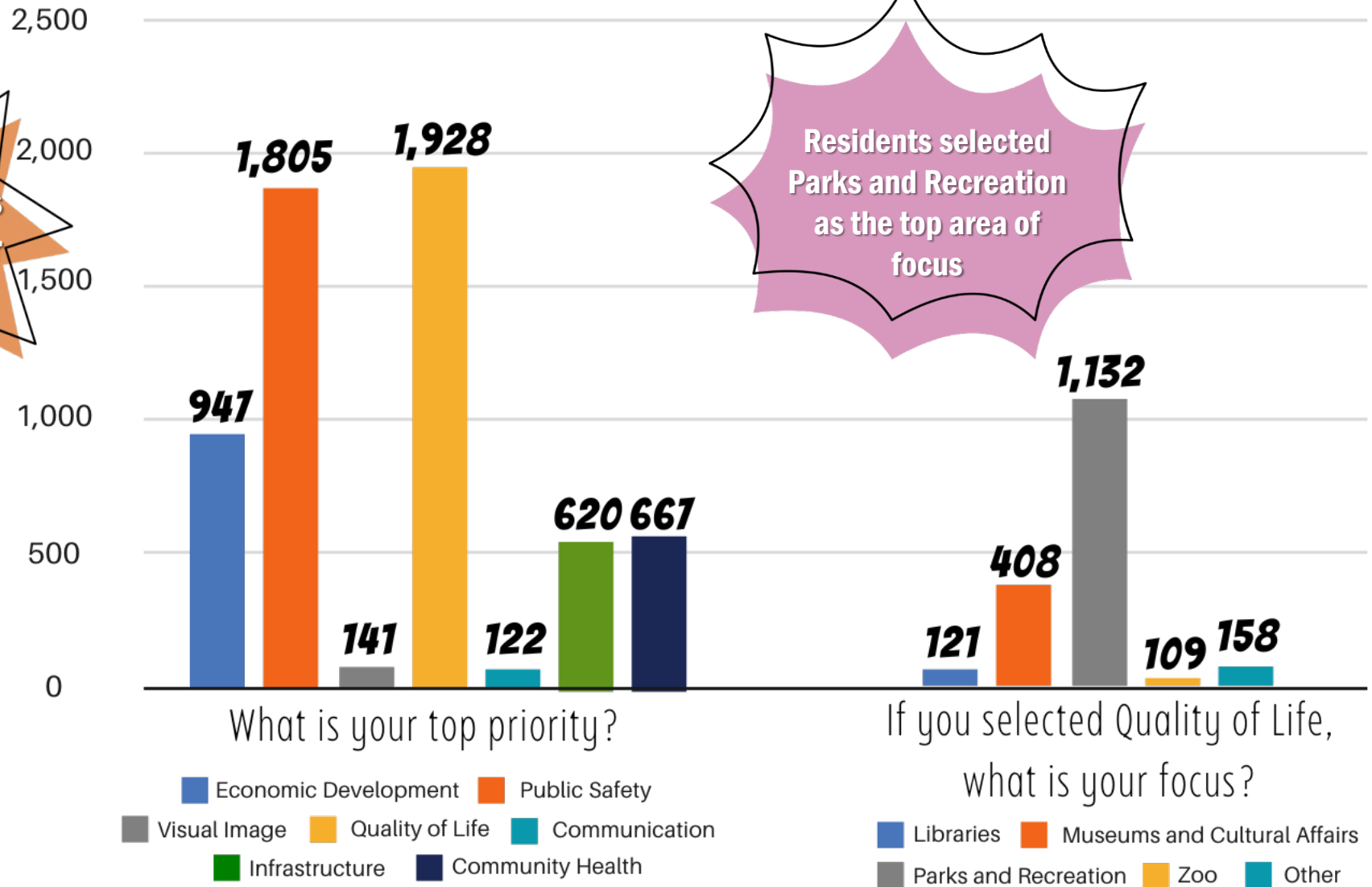
- Large regional parks and facilities like "The Beast"
- Smaller, neighborhood parks within walking distance of neighborhoods
- Other quality of life facilities like museums and libraries
- Facilities specific to certain sports or activities like football fields or indoor play courts
- Investments in new equipment and infrastructure for existing parks



# Chime In! Budget Survey Responses

Quality of Life was the top priority for residents

Residents selected Parks and Recreation as the top area of focus



# ARPA Playground Replacement & Enhancements "Now" to Existing Playgrounds

- Eight ARPA Funded Playground Replacements
  - Four Installed and In Service
  - Two Installed and pending Audit
  - One Installation underway
  - Final Playground Purchase en Route





# Additional Funding Used to Respond to Request to Modernize Existing Parks

- **Replace D-Rated Playgrounds**
- **Replace D-Rated Amenities**
  - Tables, Benches, Receptacles – 350 at Avg. Cost of \$2K
- **Resurface and Reconstruct Sports Courts**
- **Target Key Components of the Park System for Modernization**



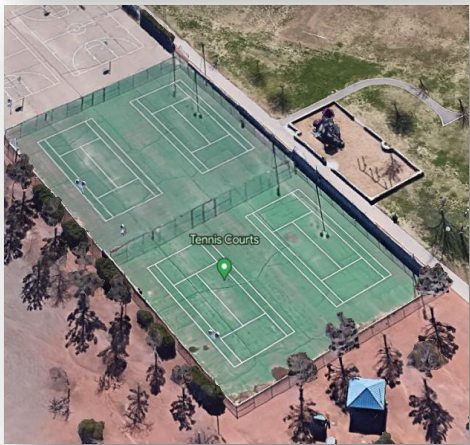


# Priority Projects "Now" with FY24 Funding

- **Playgrounds**
  - Replace Five sub-par Playgrounds in addition to ARPA 8
  - Selection based on Best Play Value
  - Selection done by Committee, using a points system

Park	GameTime	LSI [3 sites have 2 options]		Playwell	Little Tikes
Grandview				Canales	Canales
					Chavez
				Gonzalez	
				Hernandez	Hernandez
	-	-	-	2.00	2.50
Mary Webb			Canales	Canales	
	Chavez	Chavez			
	Gonzalez				
	Hernandez	Hernandez			
	2.00	2.00	1.00	0.50	
Mountain View			Canales		Canales
			Chavez		
			Gonzalez		
	Hernandez		Hernandez		
	0.50	-	3.50	-	0.50
Nations Tobin				Canales	Canales
					Chavez
				Gonzalez	
	Hernandez		Hernandez		
	0.50	-	1.00	2.00	1.50
Washington			Canales	Canales	Canales
				Chavez	
				Gonzalez	
	Hernandez			Hernandez	
	0.50		0.50	3.50	0.50

# Basketball & Tennis Courts to be Reconstructed "Now" with ARPA Funding



Court Type	Park	Number of Courts	Address	District
Basketball	Sal Berroteran	4	2171 Sun Country Dr.	District
Tennis	Sal Berroteran	4	2171 Sun Country Dr.	5
Basketball	Pueblo Viejo	2	Roseway closer to Pendale	5
Basketball	Pueblo Viejo	1	Roseway closer to Davis	7
Phase 1 Count		11	Phase 1 NTP	Winter 2023
Basketball	J.P. Shawver	2	8100 Independence Dr.	5
Tennis	J.P. Shawver	2	8100 Independence Dr.	5
Tennis	Madeline	1	900 E. Baltimore Dr.	7
Phase 2 Count		5	Phase 2 NTP	Spring 2024
Basketball	Cielo Vista	4	8100 Independence Dr.	5
Phase 3 Count		4	Phase 2 NTP	Summer 2024

# Since FY22 64 Courts Resurfaced (12 more in FY24)





**Completed Paint & Shine – 67 Parks**  
**Completed Amenities Projects – 60 Parks**  
**(25 Parks Missing Amenities – 7 programmed for this year)**



# **Priority Projects "Now" with FY24 Funding**

- **Sports Courts Project**
  - After resurfacing the sport courts and completion of reconstruction in five parks [December 2024], 100% of sports courts will have been upgraded in the last 5 years





# Priority Projects "Now" with FY24 Funding

## Irrigation

- IQ4 Installations - \$480K FY24
  - 12 Irrigation Systems have 100% IQ4 installation to date
  - An additional 4 Systems have control components installed



# Projected "Future" Funding Gaps - Irrigation Water Cost

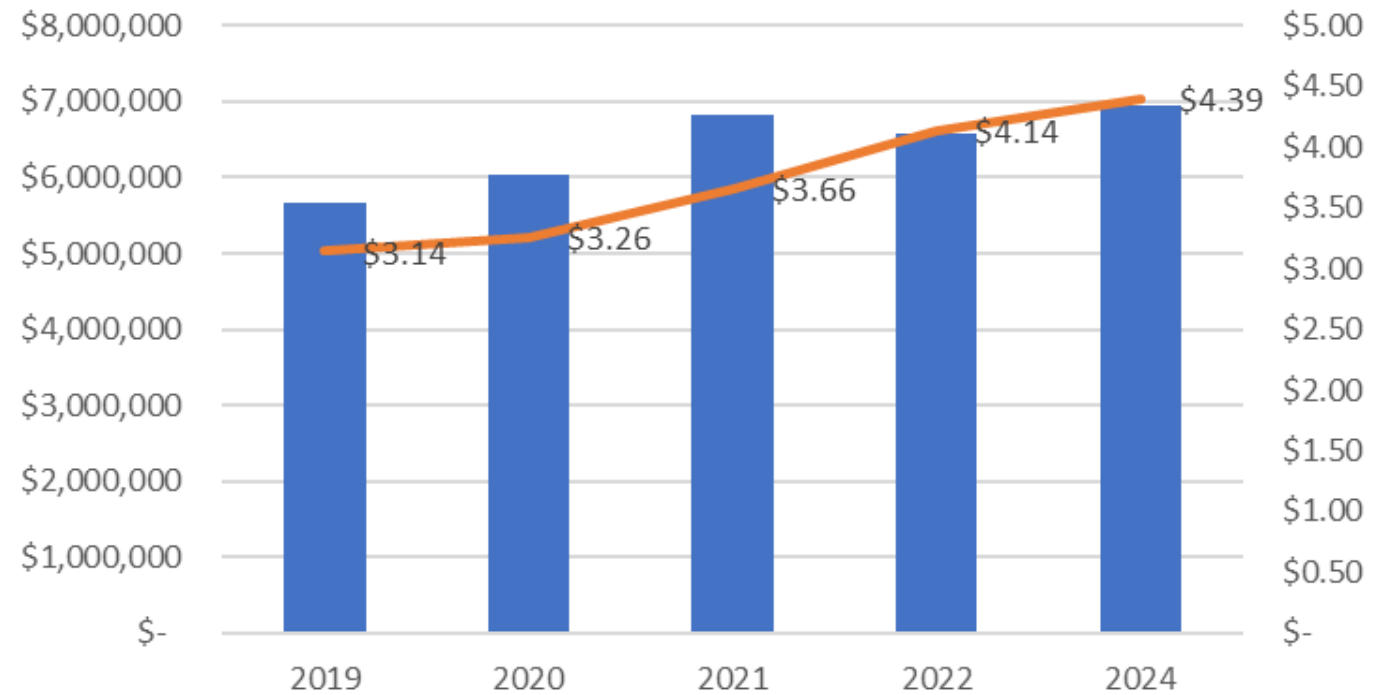
- Irrigation Water has had yearly Cost Increase of 5% Year over Year
- After March 2022, Cost was set at \$3.27 per CCF
- EPWU currently looking at tiered water rates in the future that will most likely be higher than today's rate



# Financial Impact of Efficient Irrigation

Plateau usage

Irrigation Water Charges, with CCF Unit Cost





# Planned Expenditures for \$1.4M added to O&M Budget

	Projected O&M Costs to Modernize, Repair and Replace Key Elements in the Parks System								
	Project	FY25	FY26	FY27	FY28	FY29	FY30	FY31	FY32
Amenities	Tables and Benches	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000
	Receptacles	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000
	Paint and Shine	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000
	Sports Court Maintenance	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000	\$ 25,000
Playground Refurbish	Replace ADA Transfer Areas	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000
	Fall surface Conversion	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000
	Fabric Canopy Repair	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
	Replacement Parts, including Exercise	\$ 70,000	\$ 70,000	\$ 70,000	\$ 70,000	\$ 70,000	\$ 70,000	\$ 70,000	\$ 70,000
Hard Surfaces	Pathways and Trails	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000
	Parking Lot	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
Turf Repair/ Renovation	Re-Sod	\$ 85,000	\$ 85,000	\$ 85,000	\$ 85,000	\$ 85,000	\$ 85,000	\$ 85,000	\$ 85,000
	Re-Seed	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000
Rock Wall and Fencing	Playground Enclosures	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
	Park Perimeter Rock Walls	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000	\$ 30,000
	Game Field Fence Repair	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000	\$ 80,000
		\$1,420,000	\$1,420,000	\$1,420,000	\$1,420,000	\$1,420,000	\$1,420,000	\$1,420,000	\$1,420,000
Cost Escalation: Projection @ 10% YOY			\$1,562,000	\$1,718,200	\$1,890,020	\$2,079,022	\$2,286,924	\$2,515,617	\$2,767,178

# Critical Funding Gaps to Maintain Existing Assets



## Short-term

- Continue re-investing in existing assets to protect City's investment
- Over the last three years, have spent average of \$2M to Improve Existing Assets
- Current Funding does not meet all of our Needs



## Mid-term

- Add a fifth Corral in the Far East, with estimated \$4.5M cost, including 1st year's O&M cost
- Annual Funding to Sustain and Modernize existing assets needs to be \$4.5M



PARKS & RECREATION  
CITY OF EL PASO

## Long-term

- Identify Funding Needs for 3 Critical Areas
  - Playgrounds
  - Shade Structures and
  - Irrigation System Renovation
- Develop systematic, funded replacement plan
- Maintain funding to Minimize Gaps

# How BIG are our Three Critical needs for the Park System?

330 Park Sites include trails, open space, park-ponds

- 205 Playgrounds
  - Need to continue to replace 25 D-Rated Playground
  - Additional Playgrounds at the end of their useful life
- 116 Playgrounds Need Shade Structures
- 307 Parks contain Irrigation Systems
  - Still need to upgrade 84 Systems to Centralized Computer Control - IQ4 System
  - Need to Renovate Irrigation Systems in 39 Parks' 50 9V Battery-powered antiquated irrigation systems



# Funding Needed to meet Big 3 Priority Needs

Big 3 Priorities	Project	FY25	FY26	FY27	FY28	FY29	FY30	FY31	FY32	Project totals	Priority Item Total
Playgrounds	D Rated Playgrounds	\$ 1,295,000	\$ 1,295,000	\$ 1,295,000	\$ 1,000,000	\$ 400,000				\$ 3,990,000	\$ 6,210,000
	EOUL Playground Replacement	\$ 400,000	\$ 400,000	\$ 420,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 2,220,000	
	D Rated Playgrounds Count	6	6	6	5	2				25	
	EOUL Playground Replacement Count	2	2	2	1	1	1	1	1	11	
Shade Structures	Parks Master Plan	\$ 800,000								\$ 800,000	\$ 8,300,000
	Playground Shade Structures	\$ 1,000,000	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000	\$ 1,250,000	\$ 7,500,000	
	Playground Shade Structures Count	4	5	5	5	5	5	5	5	39	
Irrigation	Irrigation Central Control	\$ 480,000	\$ 48,000							\$ 528,000	\$ 9,273,000
	Irrigation System Renovation	\$ 1,060,000	\$ 1,325,000	\$ 1,325,000	\$ 1,325,000	\$ 1,325,000	\$ 1,325,000	\$ 1,060,000		\$ 8,745,000	
	CCC Project Count	40	4							44	
	Irrigation System Renovation Count	4	5	5	5	5	5	4		33	
FY Totals		\$ 5,035,000	\$ 4,318,000	\$ 4,290,000	\$ 3,775,000	\$ 3,175,000	\$ 2,775,000	\$ 2,510,000	\$ 1,450,000	\$23,783,000	
Funding Request Total											\$23,783,000



# CURRENT D RATED PLAYGROUNDS BY DISTRICT

**D1**

WEST GREEN  
FRANCISCO  
DELGADO

**D2**

MODESTO GOMEZ  
NEWMAN  
LIZ MORAYMA 1  
(NORTHERN PLAYGROUND)  
WASHINGTON  
NATIONS TOBIN  
MT. VIEW  
GRANDVIEW  
SUNRISE

**D3**

PALM GROVE  
TYRONE  
PICO NORTE  
EASTWOOD 2  
(CONCRETE TURTLES)  
NORMANDY

**D4**

MILAGRO  
ARLINGTON  
(NEEDS PLAYGROUND)

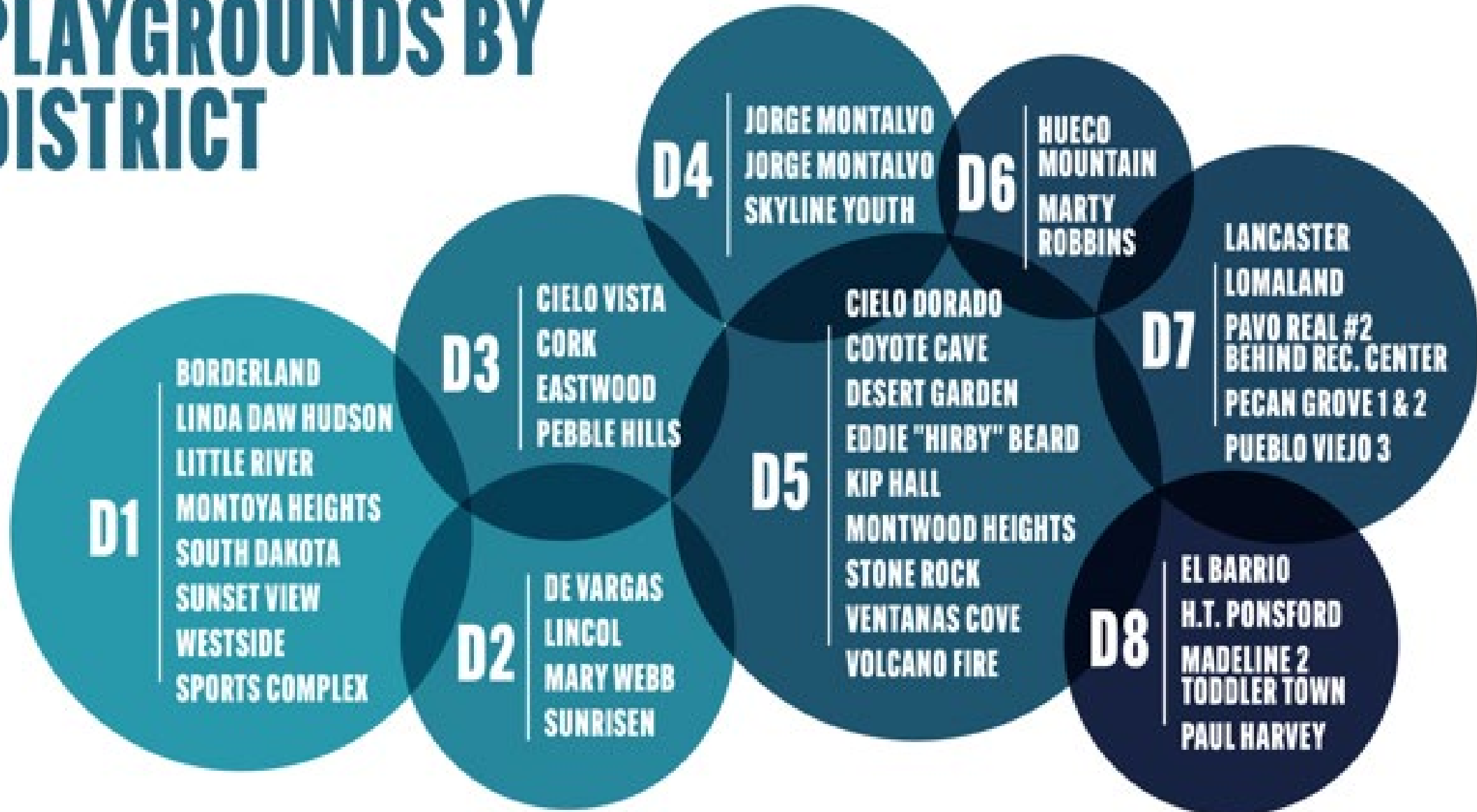
**D7**

THOMAS MANOR  
REESE MCCORD  
BLACKIE CHESHER 2  
(PLAYWORLD 5 TO 12 YRS.)  
PUEBLO VIEJO 3  
(HENDERSON ST.)  
CAPISTRANO  
CARIBE  
PUEBLO VIEJO  
(ANDERSON ST.)

**D8**

ESTRELLA RIVERA  
CHIHUAHUITA  
HOUSTON  
PASEOS DEL LOS HEROES 2  
(LSI BEHIND ARMIJO CENTER)  
DOMIPHAN  
BUENA VISTA  
DUNN  
ARMIJIO  
(BEHIND THE CENTER)

# CURRENT C RATED PLAYGROUNDS BY DISTRICT



# Proposition B: Rollout

## Anticipated Installation Schedule

Amenity to be Shaded	Location	District	Anticipated Installation
Playground	Capistrano Park	7	Summer 2024
Playground	Marty Robbins Park	6	Fall 2024
Playground	Veterans Park	4	Winter 2024
Playground	Inca Dove Park	1	Summer 2025
Playground	Haddox Family Park	2	Summer 2025
Playground	Officer David Ortiz Park	3	Winter 2025
Playground	Carlos Bombach Park	5	Winter 2025
Playground	John Lyons Park	6	Summer 2026
Playground	Armijo Park	8	Summer 2026
Playground	Blackie Chesher Park	7	Winter 2026
Playground	Colonia Verde Park	4	Winter 2026

# Projected Funding Gaps in the Future - Shade Structures

- 2022 Bond will Install Shade Structures over 8 Playgrounds and over Bleachers at 3 Parks
- Additional 9 Playground Shade Structures planned (if funds left over from Bond)
- Playgrounds with Shade Structure – 89 out of 205
- Playgrounds that Need Shade Structure – 116 at Average Cost of \$250K





# Additional Shade Installations, if funding allows

Amenity to be Shaded	Location	District
Playground	Westside Community Park	1
Playground	Grandview Park	2
Playground	Wellington Chew Park	2
Playground	Riverside Park	3
Playground	Rainbow Vista Park	5
Playground	Burning Mesquite Park	6
Playground	Capistrano Park	7
Playground	Thomas Manor	7
Playground	Galatzan Park	8

# Significant Parks without Planned Shade

Amenity to be Shaded	Location	District
Playground	Mary Frances Keisling Park	1
Playground	Westside Sports Complex	1
Playground	Montoya Heights Park	1
Playground	South Dakota Park	1
Playground	Washington Park	2
Playground	Memorial Park	2
Playground	Mountain View Park	2
Playground	Pico Norte Park	3
Playground	North Desert Park	4
Playground	Skyline Youth Park	4
Playground	Holly Springs Park	5
Playground	Kip Hall Park	5
Playground	Hunter Creek Park	5
Playground	Reece McCord Park	7
Playground	Paul Harvey Park	8

# Sample of Irrigation Renovation Needs, sorted by Turf Acreage

PARK	District	Irrigation Renovation/ IQ4	Turf Acreage
Blackie Chesher	7	Irrigation Renovation	52
Eastwood	3	Irrigation Renovation	43
Nations Tobin	2	Irrigation Renovation	38
Marty Robbins	6	Irrigation Renovation	28
Modesto Gomez	2	Irrigation Renovation	25
Skyline Youth	4	Irrigation Renovation	23.5
Pueblo Viejo	7	Irrigation Renovation	20
Edgemere	3	Irrigation Renovation	17
Walter Clarke	6	Irrigation Renovation	15.5
Pavo Real	7	Irrigation Renovation	15
Travis White	7	Irrigation Renovation	13.5
Irwin J. Lambka	8	Irrigation Renovation	12.2
Mission Hills	8	Irrigation Renovation	10.55
Braden Aboud	1	Irrigation Renovation	10

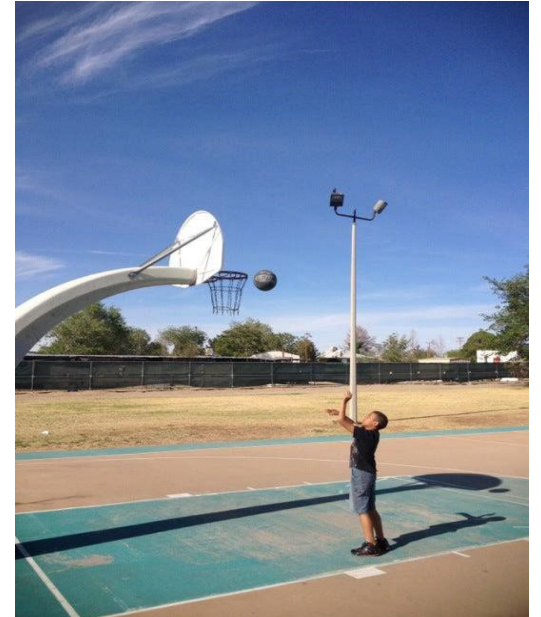
# Projected Funding Gaps - Master Plan

- \$800k needed to fund Parks Master Plan
- Up-to-date and actionable Master Plan Required as a Best Practice
  - Required for CAPRA Accreditation
  - Required as part of Grant Applications (TPWD, for Example)
  - Most importantly, Provides a Unified Vision
- Will be Critical not to add Unfunded Mandates or Expectations to the Plan



# Key Takeaways

- Priority is protecting value of existing infrastructure and assets
- Park Quality of the Entire System is a top priority for our community, including Irrigation Systems that promote Green Parks and Amenities that Enhance Recreational Opportunities
- Additional funding has recently become available to replace and repair existing, aged assets, but we have a long way to go
- Staff does have a plan and process in place for addressing those needs, so long as resources are available



A wide-angle, nighttime photograph of the city of El Paso, Texas. The city is illuminated with various lights, and the surrounding mountains are visible in the background under a dark blue sky. The city lights create a warm, golden glow against the dark landscape.

# **Overview of Facilities' Ongoing Funding Needs**



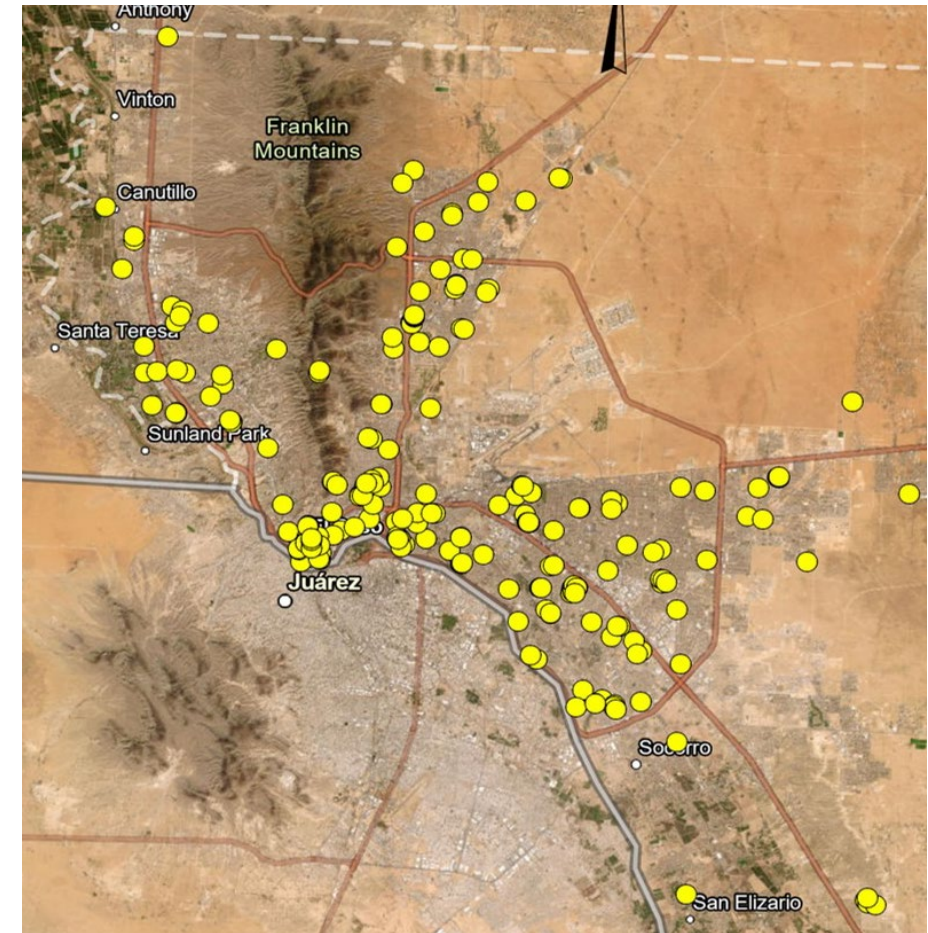
# Key Takeaways

- Facilities inventory is huge (and growing)
- Funding and staffing an improved facilities maintenance program is critical for protecting value of facilities' assets
- Additional funding has recently been made available to complete major deferred repairs and we are seeing benefits
- Moving forward Facilities funding and staffing must reflect actual facility inventory/needs



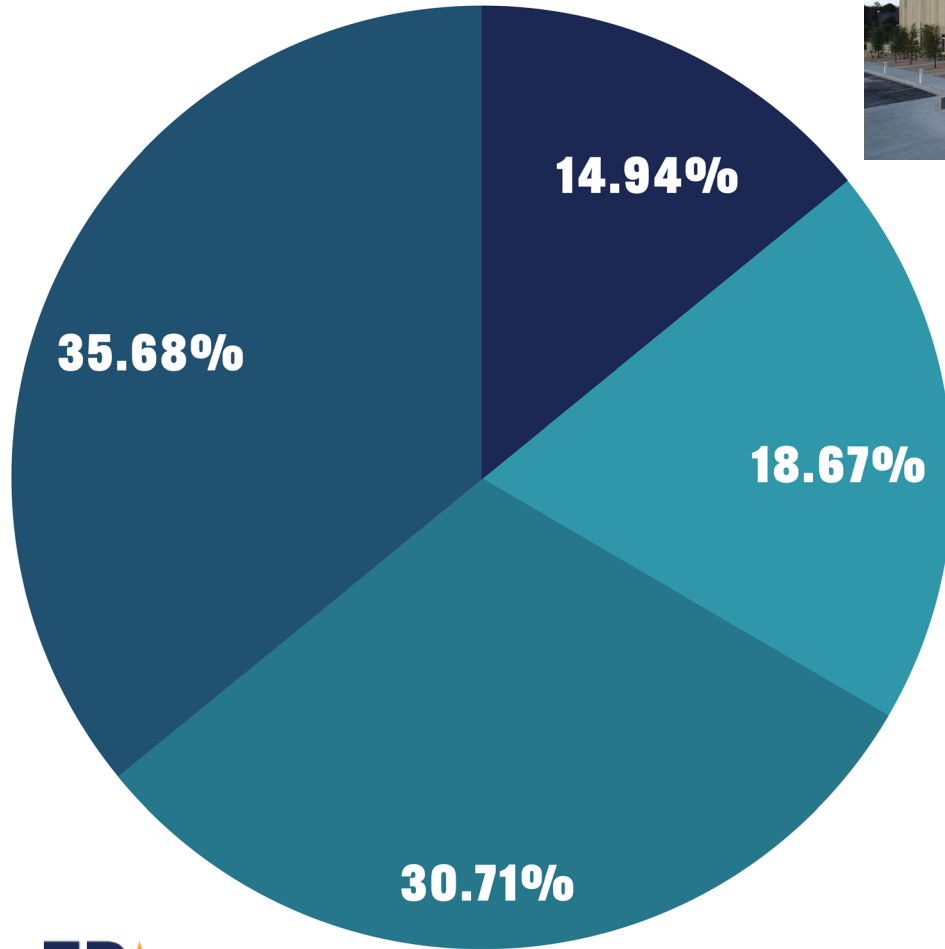
# How BIG is our Facilities Inventory?

- Diverse & continuously growing inventory located throughout the City
  - 250+ Buildings and structures
    - No two facilities are identical
  - Spread across 260+ square miles
  - Sept 2023 - Community Readiness Center, 117,000 SF
  - 3,500,000 SF of existing buildings and structures
    - (plus 500,000 SF of upcoming facilities)
  - Inventory Includes: Police Regional Commands, Police Academy, Fire Stations, Libraries, Recreational Centers, Senior Centers, Museums (Art, History, etc.)
  - 4 general service corrals cover sections of the City.
  - Specialized teams provide services across the City.





# Age Breakdown of City Facilities



## STAGES OF BUILDING LIFE-CYCLE

**1-16 YEARS**

Minor or no maintenance needed

**17-29 YEARS**

Start of major system maintenance

**30-49 YEARS**

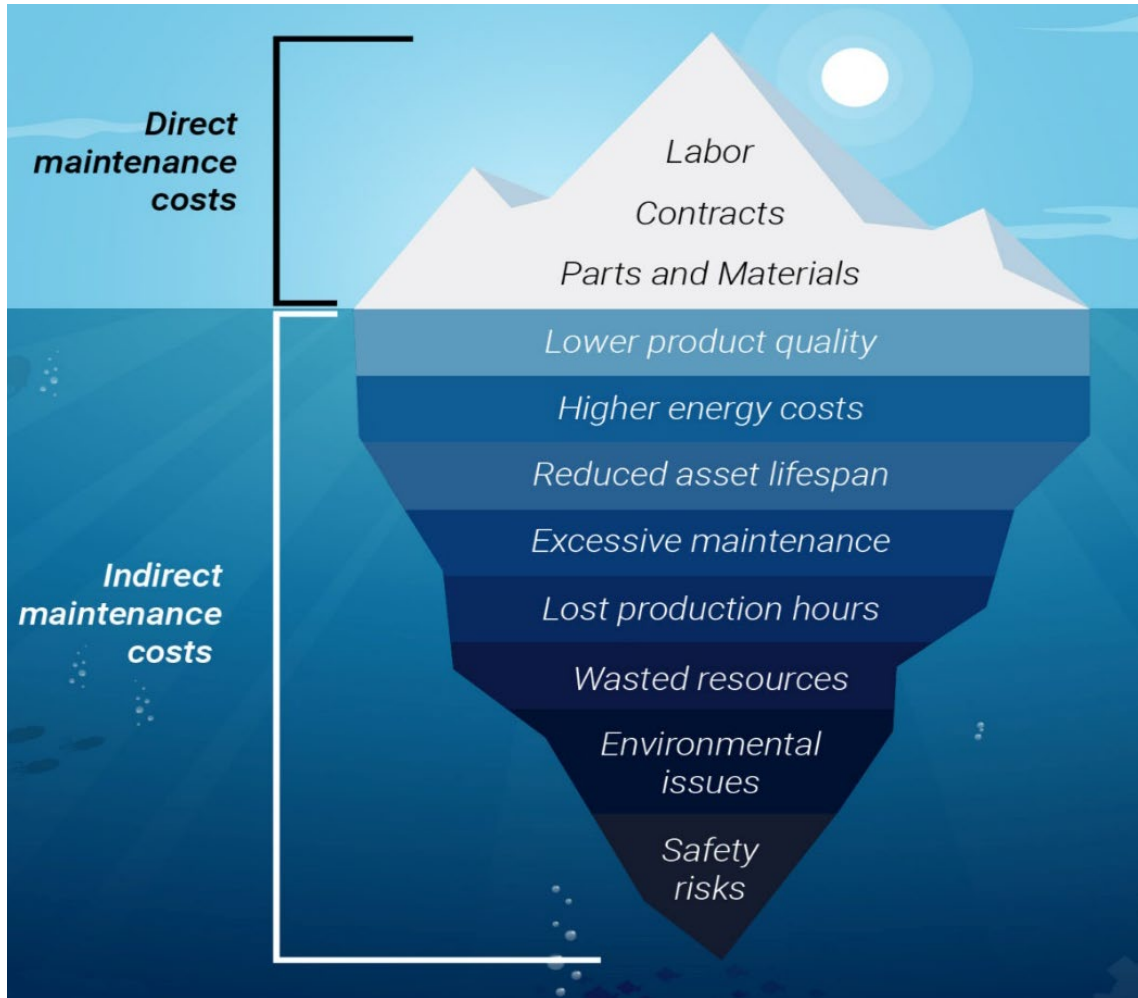
Additional major system maintenance needed

**50+ YEARS**

All major system maintenance should have been completed - "Like New"



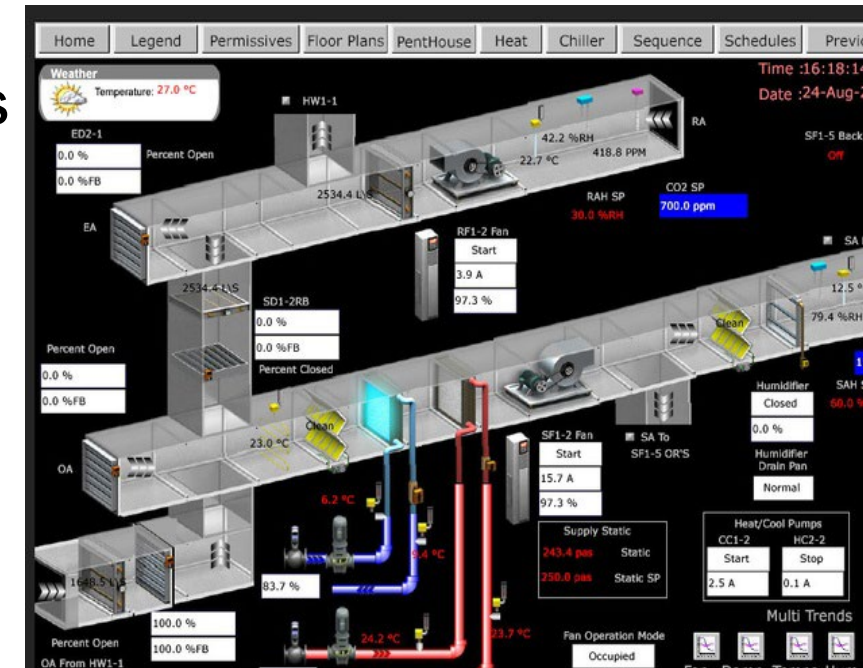
# Why is Facilities Maintenance Important?



- Direct Maintenance Costs can be scheduled and planned for
- Indirect Maintenance Costs reduce facility usability
  - Shortened lifespan of building systems
  - Increased O&M costs
  - Increased and unpredictable down times

# What does the Facilities team do?

- We are the caretakers of the buildings
- Two most critical priorities are safety and functionality
- Facilities is responsible for all Operations & Maintenance (O&M) of assigned inventory
  - User departments are responsible for programming the use of facilities
  - We are responsible for all O&M needs from the most basic (changing a light bulb) to the most complicated (managing contractors & completing major repairs)
  - For FY 22 (\$1M) & FY 23 (\$6M) Facilities received additional funding to begin addressing major deferred repairs of existing facilities



# Facilities Maintenance Challenges:

- Adequate funding and staffing for Facilities Maintenance has been lagging for several years.
- Nationwide shortage of skilled trades professionals
- Although funding and FTE's have been added to support the needs of new QoL facilities, until recently, we were unable to perform an in depth analysis of funding and staffing needs for all facilities
- Staffing shortage results in frequent mandatory overtime.
- This is affecting staff performance, morale, and retention.
- Working 60 hours per week is NOT sustainable – Staff is burning out
- Adequate funding is critical to sustain and modernize the existing and projected inventory of City facilities.





# Where do we need to be?

- Current CoEP Facilities budget = **\$1.31 / square foot**
- Estimated Facilities budget needed = **\$6.25 / SF (\$25M / Year)**
  - 5-10 years to reach goal
  - Estimate based on service area, # of facilities, and facility needs
  - Cost / SF will be refined based on the maintenance costs of different building types  
(**Police**, **Fire**, **Libraries**, **Recreational/Senior Centers**, **Museums**, **Office/Admin**,  
Workshops/Garages, etc.)
- Current staffing = 35 trades people + admin staff (1 FTE / 100,000 SF)
- Estimated staffing needed = 140 trades people + admin staff
  - Estimated 1 FTE / 30,000 SF
  - Equivalent to 20 avg sized homes



# Facilities Maintenance Program Goals

- Maintain facilities in best possible condition
  - Continuously monitor facilities, identify developing issues, and perform repairs before issues impact our customers
  - Program major repairs to minimize reactive emergency maintenance
  - Minimize impact to users and services
- Perform all necessary maintenance to prolong system life
  - Predictive
  - Condition-based
  - Preventative
- Assign FTE to high profile facilities (e.g. City 1, The Beast, PD HQ, etc.)





# Facilities Assessment (Boots on the Ground)

- Periodic assessments of facilities help the Facilities team:
  - Identify the most critical facility issues
  - Prioritize maintenance needs
  - Plan for upcoming expenditures
  - Minimize likelihood of sudden breakdowns
  - Improve energy efficiency and sustainability
- Assessment **75%** Complete
- Current estimated cost for major deferred repairs:

**\$65,000,000**



# Assessment Process Overview

Complete building assessments are performed by inspecting every square foot of every building & roof and evaluating all major and minor components.

- Roofing
- HVAC
- Plumbing
- Fire Safety
- Electrical
- Lighting
- ADA
- Paint
- Doors
- Windows
- Flooring
- Fixtures
- Sustainability
- Elevators

Assessment divides needed repairs into tiers based on urgency



# What do we mean by *Urgent*?

- Urgency is a function of:
  - What do we use the facility for?
    - Public Safety?
    - Used by public?
  - What happens if a component or system fails?
    - Will it close the facility?
    - Could this damage other parts of facility?
    - Does this impact the **health & safety of the public or staff?**
  - Is problem functional or aesthetic?
  - Will addressing this improve energy efficiency / sustainability?
  - Are there any special considerations





# Facilities Rating Scale

Condition Assessment Rating Scale				
Rating		Grade	Condition	Description
Low	High			
4.0	5.0	A	Excellent	New or near new condition, may still be under warranty. No major defects identified.
3.0	3.9	B	Good	No longer new, has some slightly defective or deteriorated component(s), but it is overall functional
2.0	2.9	C	Fair	Moderate deterioration. One or more major components or systems will need to be replaced soon.
1.0	1.9	D	Poor	Significantly deteriorated. The overall condition of the facility will impact its functionality.
0.0	0.9	F	Critical	One or more major components or building systems has failed or is no longer serviceable. The facility is not currently functional / useable.

- Provides a holistic evaluation of the condition for each facility/building
- Will be updated in real time as facility condition improves or worsens



# First Steps



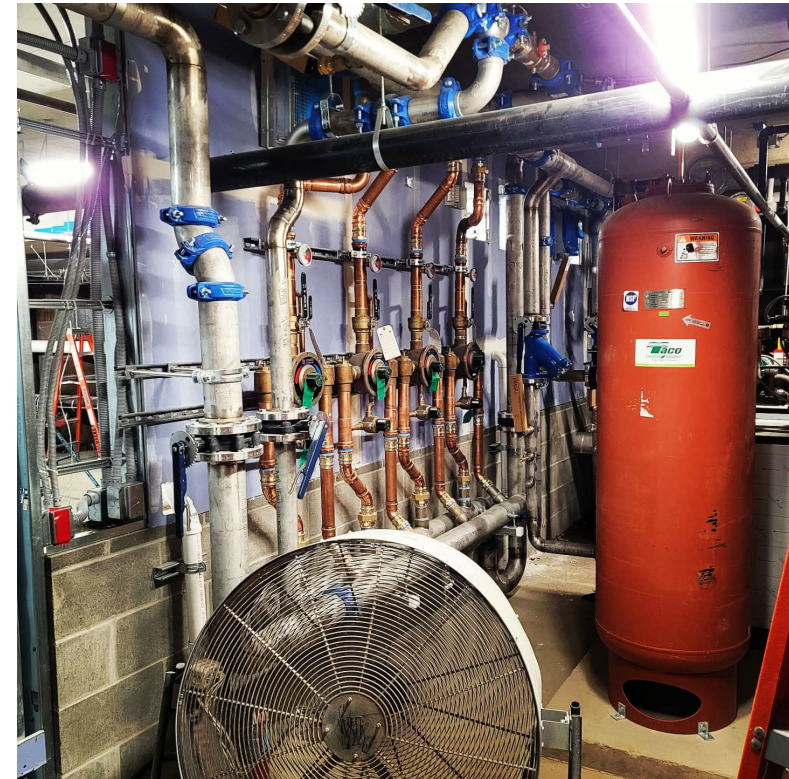
- **Begin addressing most urgent major deferred repairs**

- Combination contractors and in house staff

## Examples

- Fire Station 33 – Reroof (Public Safety Bond)
- Police Dept HQ – Reroof & Major Plumbing Repairs (Public Safety Bond)
- Memorial Pool – Replace electrical system
- Armijo Rec Center - Replace HVAC
- Main Library - Replace HVAC
- David Ortiz Rec Center – Paint (Interior & Exterior)
- Marty Robbins Rec Center - Paint (Interior & Exterior)

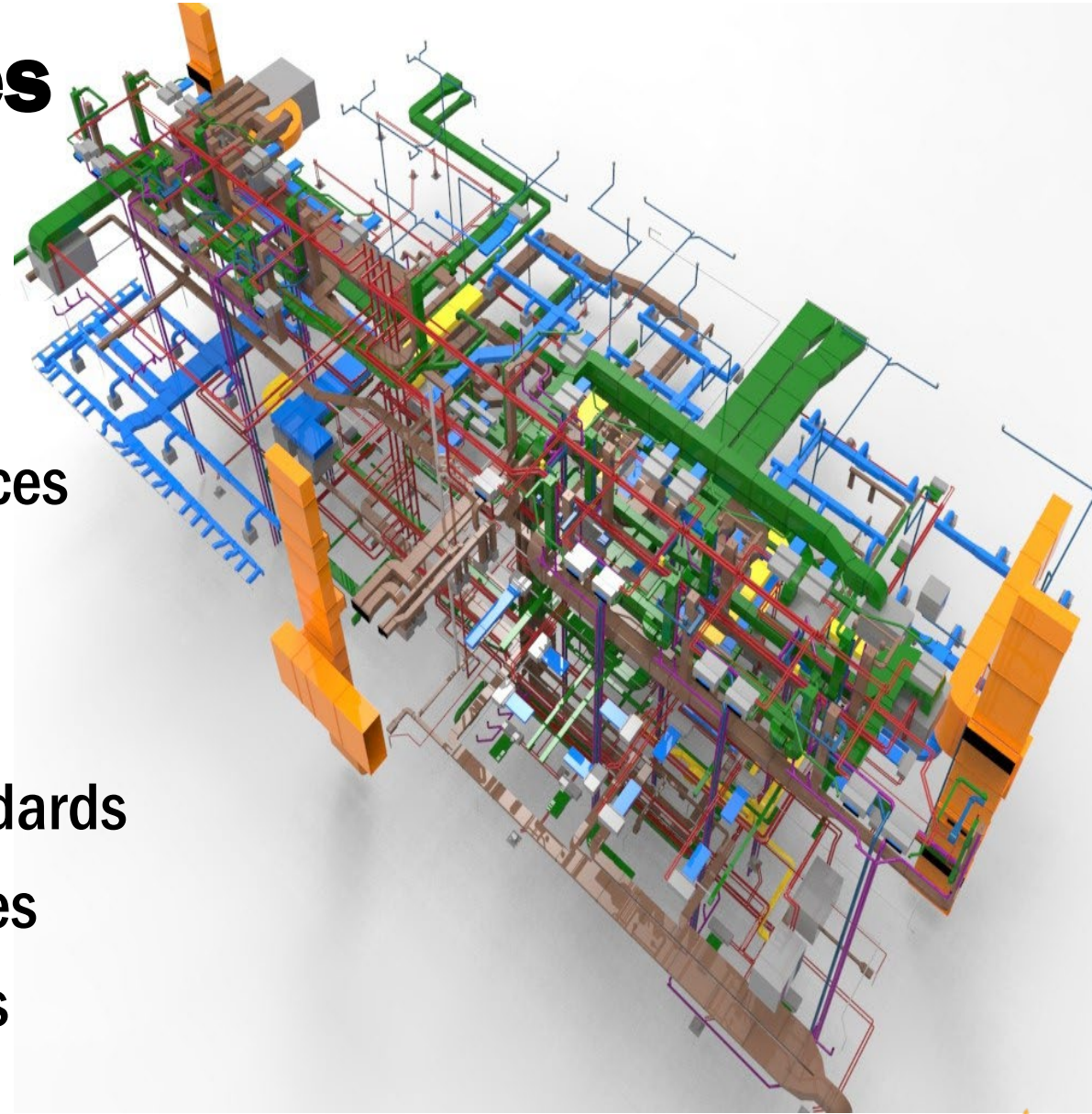
**Estimated Total = \$2M** (of \$6M from Major Deferred Repairs budget)





# Upcoming Priority Initiatives

- Aggressively recruit tradespeople
  - Emphasize CoEP advantages (e.g. Pension, PTO)
- Establish 5<sup>th</sup> corral to better distribute staff
- Establish Facilities teams for improved services
  - Construction
  - Moving
  - Used Furniture (modular / stand alone)
- Establish space allocation process and standards
- Develop building standards for CoEP Facilities
- Develop SOPs for addressing Facilities needs





# Critical Funding Needed to Maintain Facilities Assets



## Short-term

- Address staffing needs
- Relocate 2 corrals to offset properties that we are losing
- Complete *major deferred repairs* using \$6M allocation for FY 24



## Mid-term

- Aggressively recruit tradespeople
- Establish 5th corral
- Address gaps in Facilities services
- Develop building standards & SOPs



## Long-term

- Grow Facilities program to adequately maintain facilities inventory
- Staffing & budget must be adjusted when facilities are added
- Maintenance funding must match system's size & existing market conditions

## 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, **R**espect, **E**xcellence,  
**A**ccountability, **P**eople





# Strategic Planning Session Preview

## December 12, 2023



# WHY THIS WORK MATTERS

- **Both reflective and future focused**
- **Strategic planning sets the tone and direction of service delivery and priorities**
- **Requires disciplined approach and resource planning**



# WHAT WE WILL COVER

- **Approach for upcoming Strategic Planning Session**
  - **Day one and two agendas @ a glance**
- **Key Feedback Methods: Voice of our Community**
- **Next Steps**
- **Recap: Comprehensive Plan Update Approach**

# Strategic Planning as... MOUNTAINEERING



**Base Camp:** Prepping a central and stable environment, with the tools and resources needed to ascend and succeed

**Rope Team:** A group of mountaineers linked together in shared purpose and direction

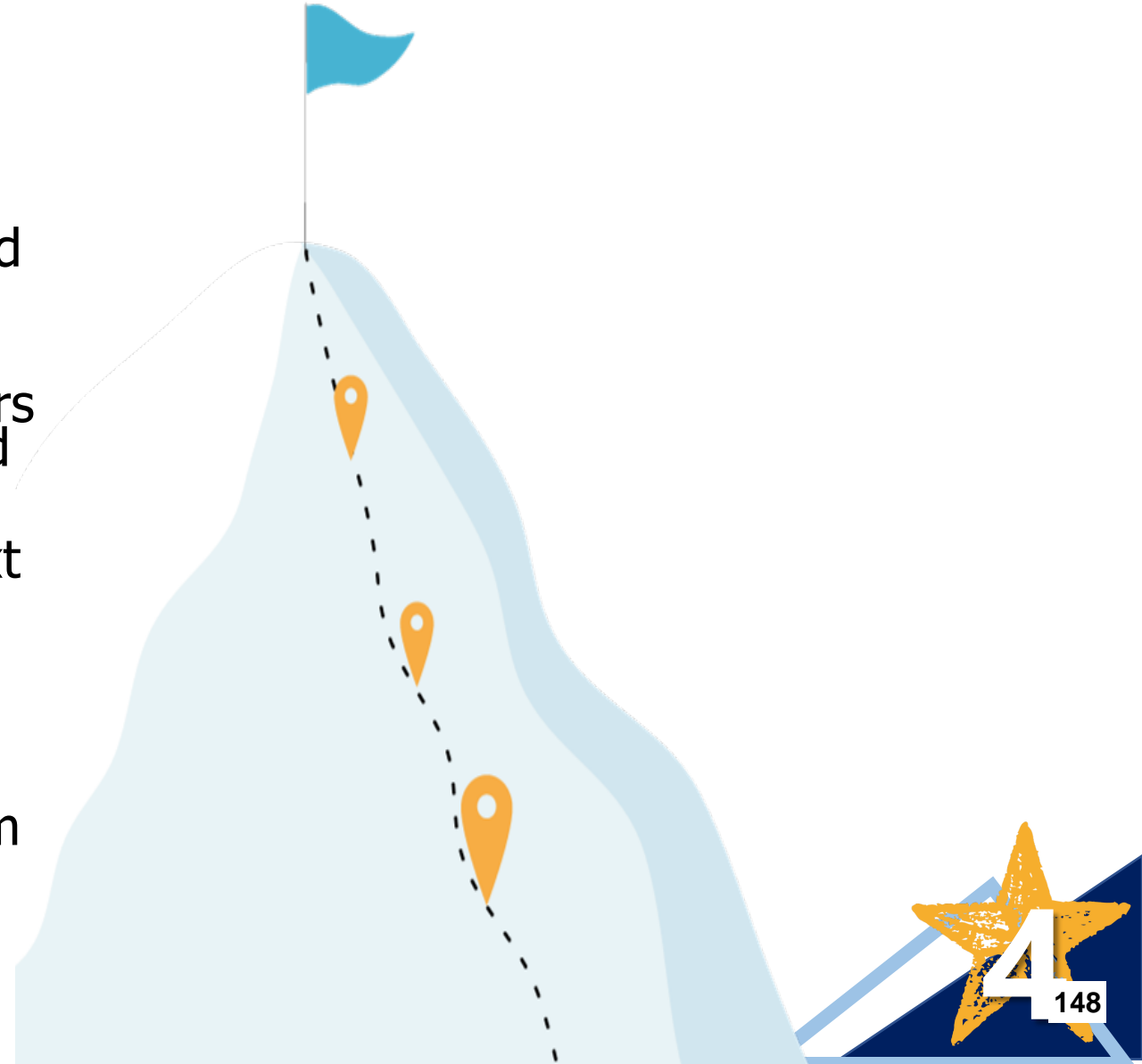


**Focus:** Short Term Priorities over next one to three years (navigating from consensus to commitment)

**Key Themes:** Customer Service and Financial Sustainability



**Reaching the Summit:** Longer-Term Planning Horizon over next ten years, *alignment with Comprehensive Plan Update*





# DAY ONE **AM** @ a Glance

Thursday, January 25, 2024 @ Center for Civic Empowerment



**Base Camp:** Prep area before ascension

**Rope Team:** Group of mountaineers linked together

<b>9:00 am</b>	Welcome + Opening Remarks, <i>Mayor Leeper</i>
<b>9:10 am</b>	Overview and Strategic Context, <i>Interim City Manager, Cary Westin</i>
<b>9:20 am</b>	First "Ice Fall" Breaker: Setting the Scene
<b>10:00 am</b>	Interactive Breakout by "Rope Team"
<b>11:15 am</b>	Recap: Voice of our Community (VOC) Feedback
<i>~noon break for lunch</i>	



# DAY ONE **PM** @ a Glance

Thursday, January 25, 2024 @ Center for Civic Empowerment



**Focus:** Short Term Priorities over next one to three years  
**Key Themes:** Customer Service and Financial Sustainability

1:00 pm	<b>Focus: Short Term-Priorities</b> <ul style="list-style-type: none"><li>• Data-informed---deeper climb on top priorities identified through various feedback methods</li><li>• Revisit 30 by 30 key strategic objectives</li><li>• Begin to navigate from consensus to commitment</li></ul>
2:30 pm break	
2:45 pm	Priority Mapping by key theme <ul style="list-style-type: none"><li>• Customer Service/Experience</li><li>• Financial Sustainability</li></ul>
Adjournment---Day One	



# KEY FEEDBACK METHODS

*Voice of our community data + insights*

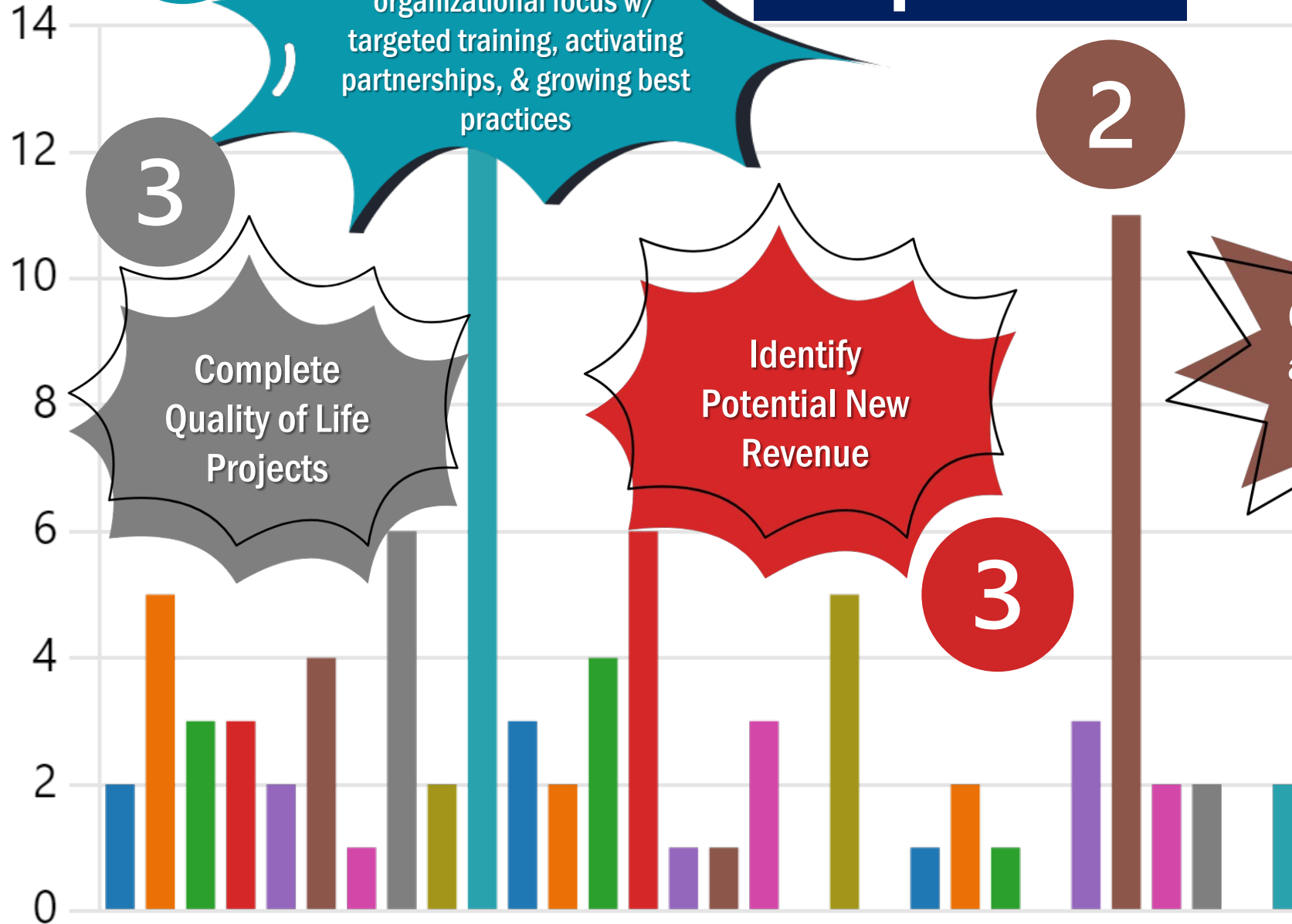


- Department Workshops
- Workforce Pulse Surveys
- Community Partners
- Community Needs Assessments
- Community Progress Bond Development
- Biennial Community Survey
- Customer Experience (CX) Workshop(s)
- Top Resident Services Requested Analysis
- Integrated Budget Process---Chime in! Survey
- Board/Committee strategic visioning + alignment
  - Women's Rights Commission
  - Open Space Advisory Board
  - Renewable Energy Advisory Council
  - Veterans Affairs Advisory Committee
  - Youth Strategic Budget Advisory



- 1. Activate targeted (re)develop... 2
- 2. Expand Downtown revitaliza... 5
- 3. Enhance cross-border mobilit... 3
- 4. Launch new business-friendly... 3
- 5. Identify and develop plans for... 2
- 6. Expand investment in public s... 4
- 7. Establish a brand that celebra... 1
- 8. Complete Quality of Life Bon... 6
- 9. Align and implement key inve... 2
- 10. Expand workforce developm... 13
- 11. Become a model for activati... 3
- 12. Expand Downtown revitaliza... 2
- 13. Optimize resources by evalu... 4
- 14. Identify potential new reven... 6
- 15. Establish Bond Election 1
- 16. Define and begin implement... 1
- 17. Expand the investment and ... 3
- 18. Implement improvements a... 0
- 19. Create and implement a co... 5
- 20. Establish Eastside and Missi... 0
- 21. Evaluate and integrate key p... 1
- 22. Support affordable, high-qu... 2
- 23. Sustain the Live-Release Rate 1
- 24. Create and implement the U... 0
- 25. Seek out and activate intere... 3
- 26. Grow existing and attract ne... 11
- 27. Continue the development o... 2
- 28. Plan and implement dynami... 2
- 29. Develop a bond package foc... 0
- 30. Develop solutions to increas... 2

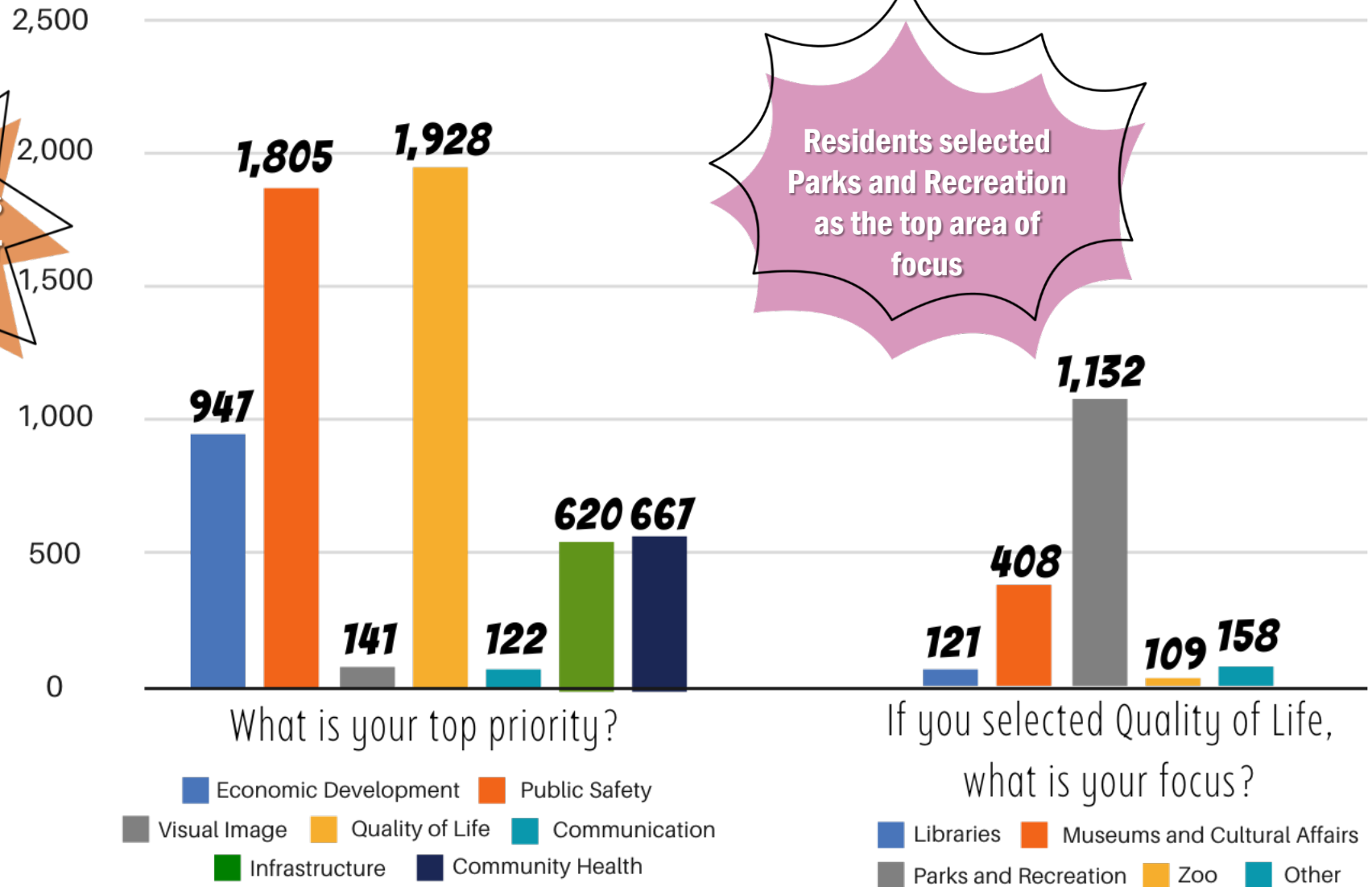
# Department Responses



# Chime In! Budget Survey Responses

Quality of Life was the top priority for residents

Residents selected Parks and Recreation as the top area of focus

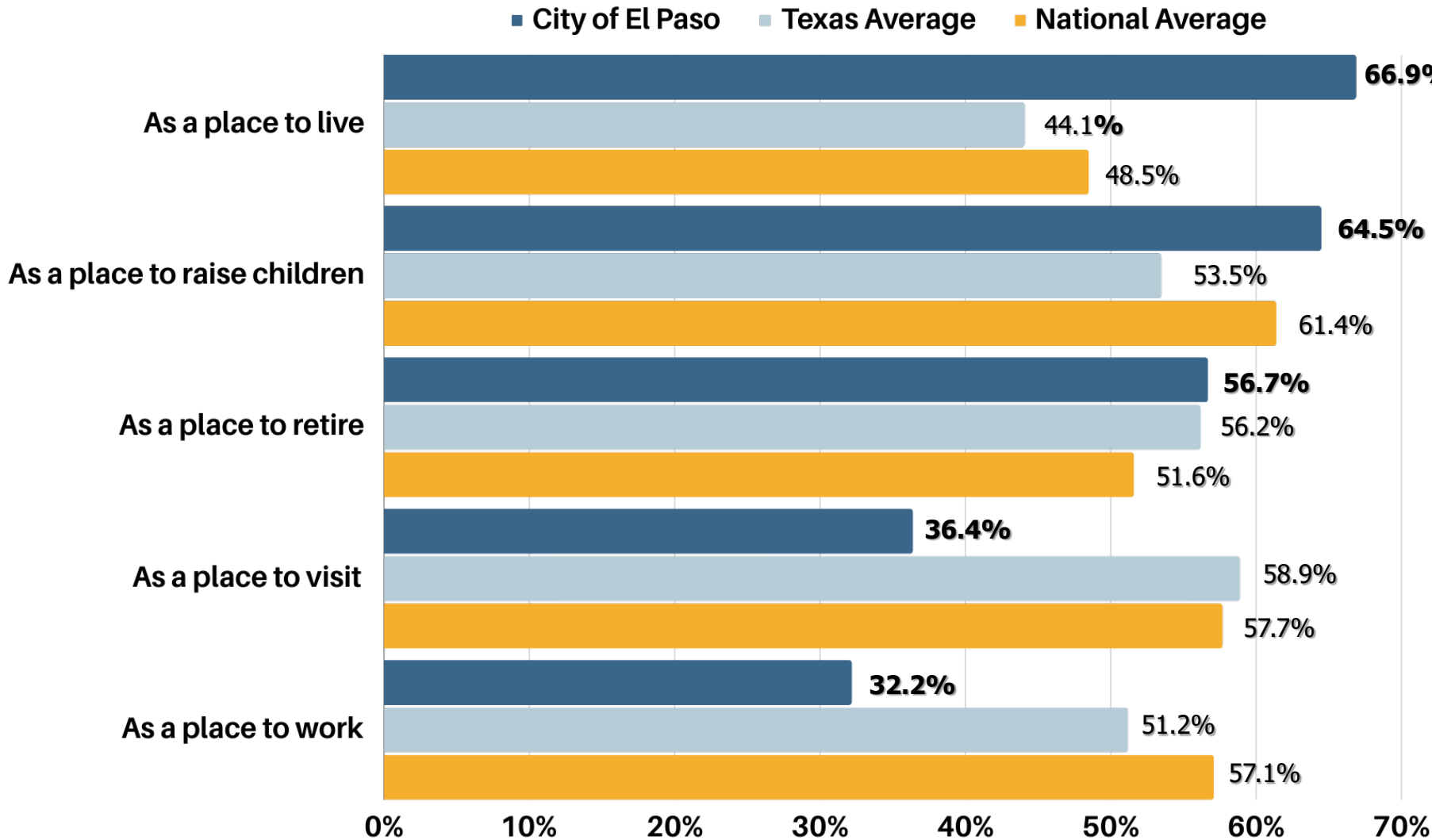






# 2023 City of El Paso Community Satisfaction and Priority Survey

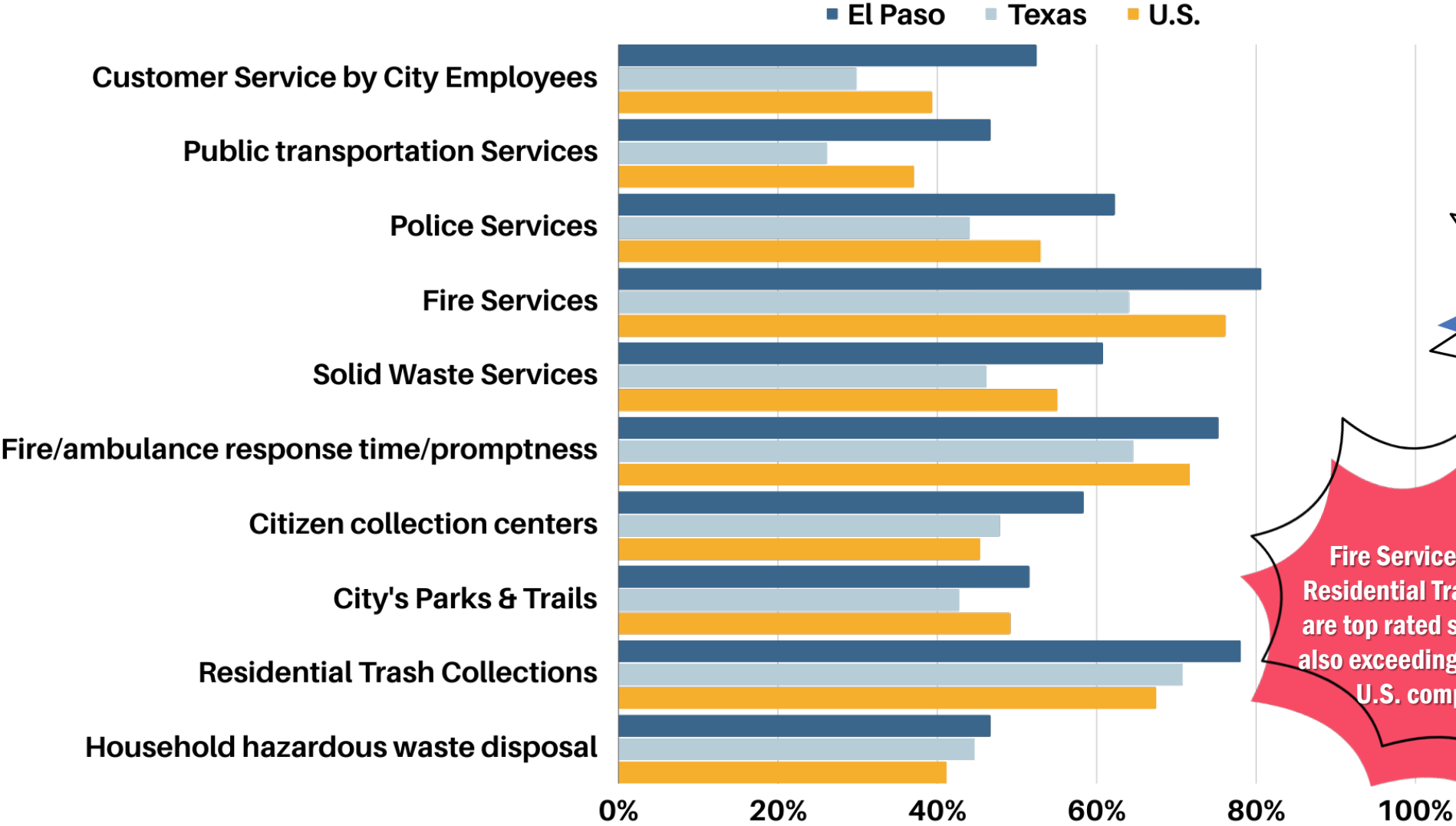
## Findings Report



El Paso leads state and national average in 3/5 categories



# El Paso Rated Significantly Higher than State & National in Key Areas



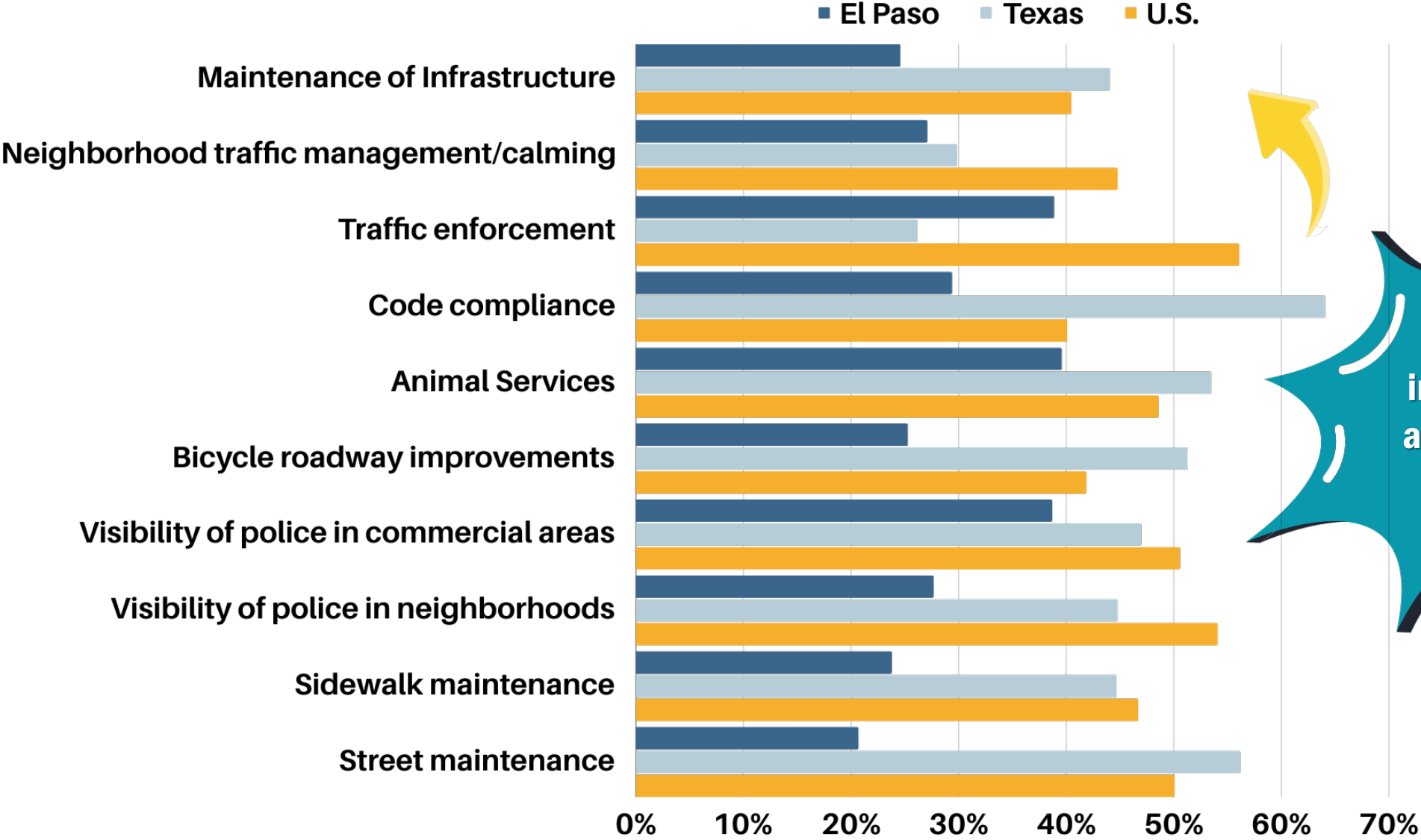
Customer Service by City Employees exceeds state and national rates

Fire Services as well as Residential Trash Collection are top rated services, while also exceeding Texas and the U.S. comparatives





# El Paso Areas of Improvement



Maintenance of infrastructure is top area of improvement for the City





# Importance-Satisfaction Ratings

**Top categories of city services** based on importance satisfaction ratings

- 1 Maintenance of infrastructure**
- 2 Business development and retention efforts**
- 3 Public health services**



# DAY TWO AM and PM @ a Glance

Thursday, February 1, 2024 @ Center for Civic Empowerment



**Focus:** Short Term Priorities over next one to three years  
**Key Themes:** Customer Service and Financial Sustainability

9:00 am	Recap Key Short Term Priorities discussion and provide updates
10:00 am	Second "Ice Fall" Breaker
10:30 am	<b>Focus: Longer Term-Priorities</b>
~noon break for lunch	



**Reaching the Summit:** Longer-Term Planning Horizon over next ten years, alignment with Comprehensive Plan Update

1:00 pm	Focus: Longer Term-Priorities <ul style="list-style-type: none"><li>• Begin to discuss cross-cutting themes for longer-term planning horizon</li><li>• Facilitated and interactive conversation on Comprehensive Plan approach</li></ul>
2:30 pm break	
2:45 pm	Discussion and action on an update to the Strategic Plan---key priorities and focus areas for short term (next one to three years) and longer-term planning horizon (next ten years).

*Adjournment---Day Two*



# Next Up:



- Synthesize all Voice of our Community (VOC) data for key insights
  - City Council Feedback Forms
  - Feedback from November 20<sup>th</sup>, December 12<sup>th</sup> and January 16<sup>th</sup> Sessions
  - Customer Experience (CX) Workshop(s)
  - Community Survey Analysis
  - Workforce Feedback opportunities
  - Community Partner Feedback/Roundtables
- Convene Strategic Planning Session on January 25<sup>th</sup> and February 1<sup>st</sup>
  - *Will formalize Comprehensive Plan launch*



# What Is A Comprehensive Plan?



A Comprehensive Plan is a study that gives **general direction for policymaking and public investment** for the next decade or more.



It **provides a framework** for **how the City should grow** by providing guidance for development regulations and policies, like zoning and subdivisions. Based on this, the City **plans for services** to support the intended growth.



Through public engagement, **the community helps guide the vision** while adhering to the major themes and values of the Plan.



The Comprehensive Plan will **articulate community priorities** and identify the actions to help realize the community's vision.

# Linkage to 2022 Strategic Plan:

## Overarching Themes:

- Developing an **Equity Framework**
- Addressing **Housing Affordability**
- Travel **Mode Choice**
- **Fiscally Responsible** Policy Impacts

SAFE + BEAUTIFUL  
NEIGHBORHOODS

GOALS  
2·7·8

07  
GOAL

ENHANCE AND SUSTAIN EL PASO'S INFRASTRUCTURE NETWORK

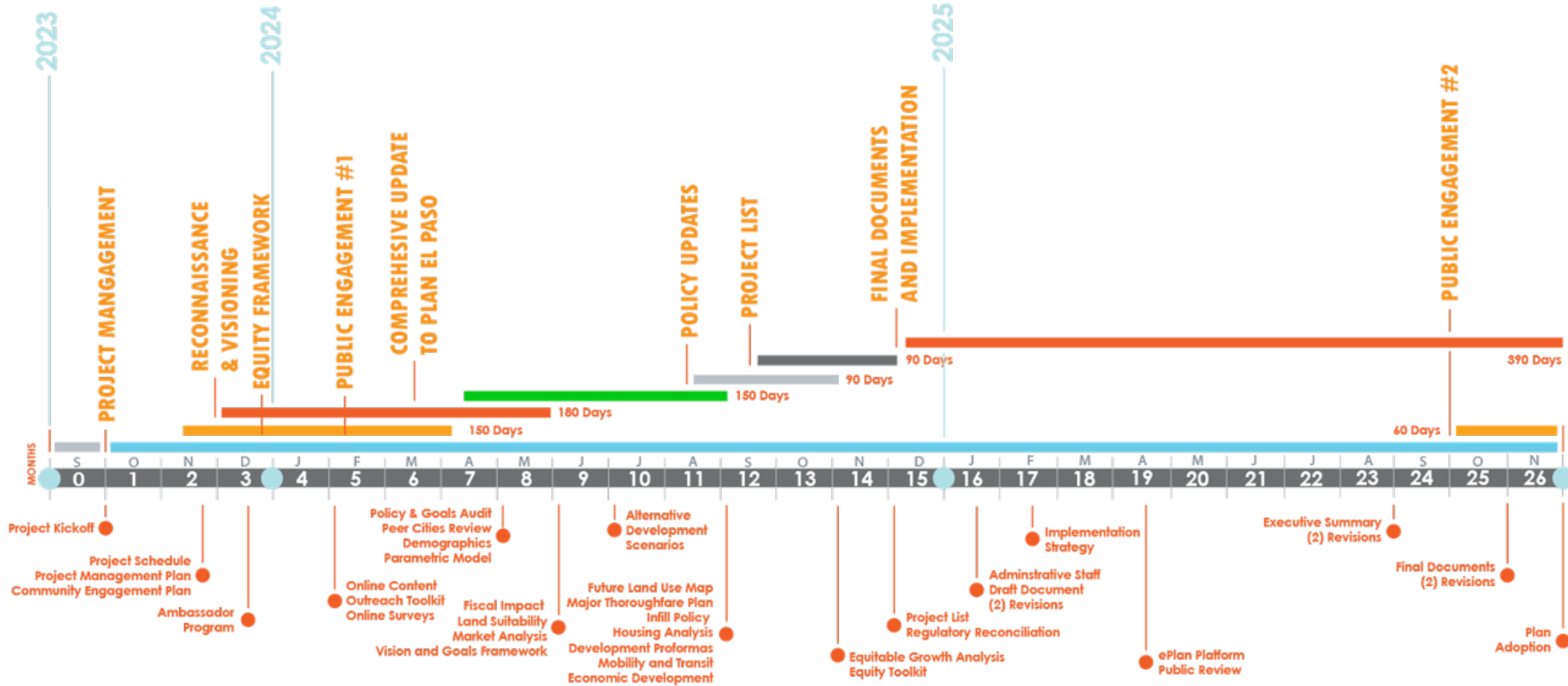
7.5

Set one standard for infrastructure across the city

Complete Comprehensive Master Plan update

25  
BY 2025  
VisionNEXT

25 BY 2025





Legislation Text

---

**File #: 23-1591, 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, Robert Cortinas, (915) 212-1067

Human Resources, Edward K. McDonald III, (915) 212-1282

**AGENDA LANGUAGE:**

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

Presentation and update on behalf of the Diversity, Equity, Inclusion, and Accessibility Cross Functional Team.



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

**DEPARTMENT:** City Manager's Department

**AGENDA DATE:** December 12, 2023

**PUBLIC HEARING DATE:** N/A

**CONTACT PERSON NAME AND PHONE NUMBER:**

Robert Cortinas, Chief Financial Officer/ Deputy City Manager, (915) 212-1067

Human Resources, Edward K. McDonald III, (915) 212-1282

**DISTRICT(S) AFFECTED:** All

**STRATEGIC GOAL:**

Goal 8: Nurture and Promote a Healthy, Sustainable Community

**SUBGOAL:** NA

**SUBJECT:**

Presentation and update on behalf of the Diversity, Equity, Inclusion, and Accessibility Cross Functional Team.

**BACKGROUND / DISCUSSION:**

Motion made by Representative Rivera, seconded by Representative Hernandez, and unanimously carried by ~~DIRECT~~ the City Manager and City Attorney, and inclusion in 180 days with a solid board plan of diversity, equity, and inclusion recommendations:

- To work together in collaboration with the Borderland Rainbow Center and other community stakeholders who prioritize equality and inclusion to create a One El Paso Safer Together campaign.
- Deprioritize the enforcement of seeking or receiving gender-affirming care in our city limits. Taxpayer Dollars shall not be used frivolously for programs or efforts to criminalize people who seek access to gender-affirming care, city funds shall not be used to solicit, catalog, report, or investigate reports of those seeking gender-affirming care, and police shall make investigating those seeking gender-affirming care their lowest priority.
- Deprioritize the enforcement of attacks on Drag Performance and local businesses in our city limits

**PRIOR COUNCIL ACTION:**

Council motion June, 2023.

**AMOUNT AND SOURCE OF FUNDING:**

N/A

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

**DEPARTMENT HEAD:**





CITY OF EL PASO

# DEIA CFT Update

Mr. Robert Cortinas  
Senior Executive Sponsor

Dr. Edward K. McDonald III  
Director, Enterprise Risk & Safety Office

# City Council Action to Direct

- Solid ground plan and guidance on how to:
  - Create a City Office & Advisory Board in the area of DEI
  - Work with select community stakeholders on matters of DEI
  - Deprioritize enforcement on gender affirming care and attacks on drag performances and businesses in the city limits





# WHY?

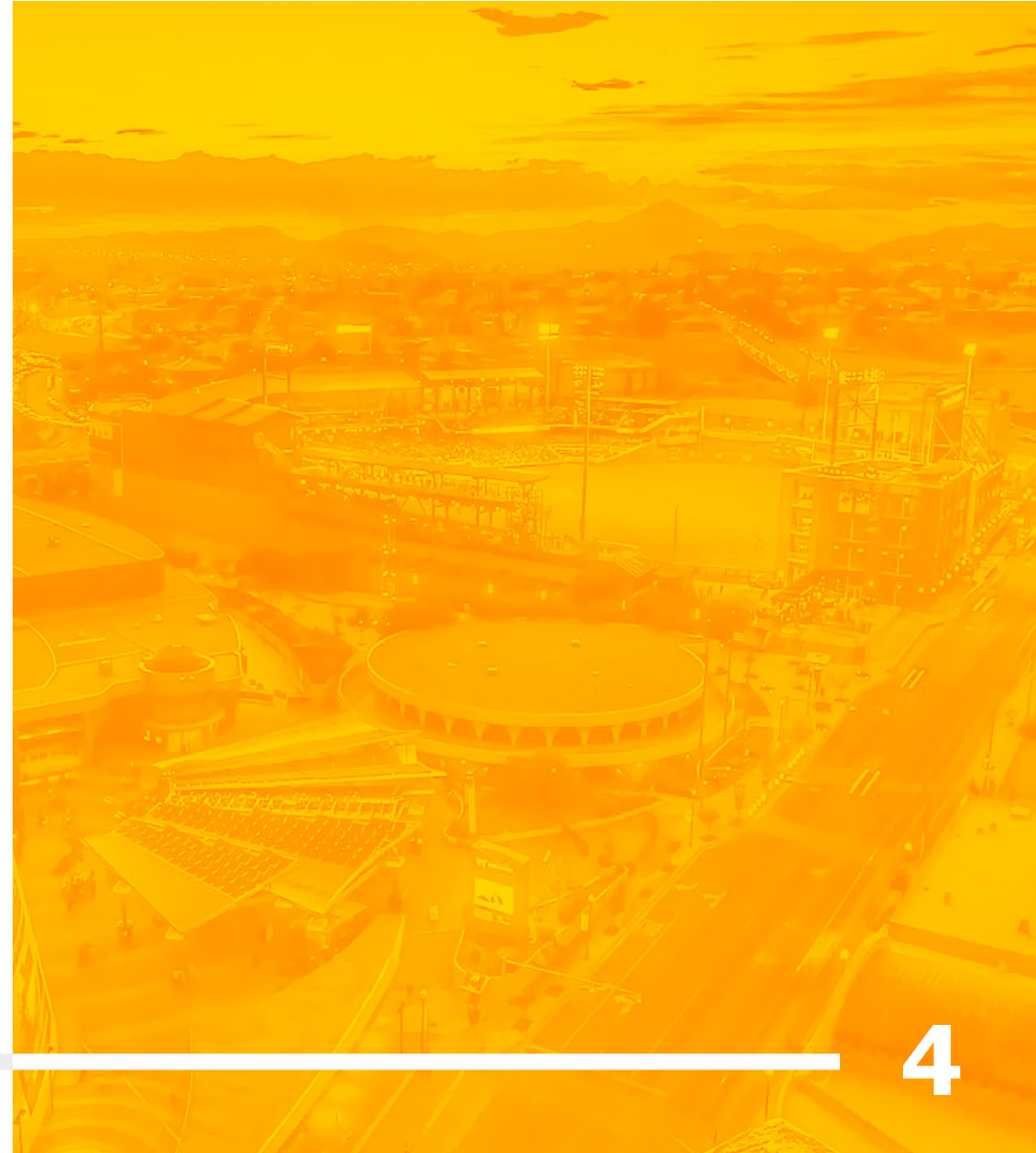
- To ensure persons of all identities, including race, ethnicity, religion, age, class, sexual orientation, gender identity and expression, and physical and mental abilities can fully participate in City services and experience equitable community outcomes.
- To ensure the City of El Paso has an organizational culture that thrives in diversity, equity, inclusion, and accessibility in all of our business activities. This includes understanding and removing identified barriers which may restrict the capability of people and impact the organization's ability to achieve its mission, vision, values, strategies, and priorities.



3

# DEIA CFT

- Robert Cortinas - Sr. Executive Sponsor
- Capital Improvement (Planning)
- Communication & Public Affairs
- Community & Human Development
- Economic Development
- Human Resources
- Legal
- Public Safety
- Purchasing
- Quality of Life
- Risk & Safety
- Sun Metro
- Transformation Office





# Roadmap Overview

- July-August
  - Initial internal discussion regarding directive and approach
  - Business Case development
  - Identifying DEIA Champions to begin leading the initiative
  - Development of Focus Areas. Performance Domains



# Roadmap Overview

- September
  - Small task group met to develop DEIA Oversight CFT
  - Review of City Council directive
  - Identify department disciplines for CFT
  - Draft DEIA Statements (e.g., Why, Purpose, Commitment)



# Roadmap Overview

- October
  - DEIA Oversight CFT Kickoff Meeting held
  - Reviewed of directive
  - Discussed best approach to achieve the deliverables
  - CFT identified current performance practices
  - Identifying potential local partnerships





# Roadmap Overview

- November
  - Equity Officer Position – Review and revision of Social Equity Officer job specifications
  - Created DEIA Key Objective Focus Areas
  - Created DEIA Performance Metric Domains



# Roadmap Overview

- December
  - Present update to internal leadership
  - Present update to City Council



# CFT Identified Implications

Funding  
Commitment

Governance &  
Compliance

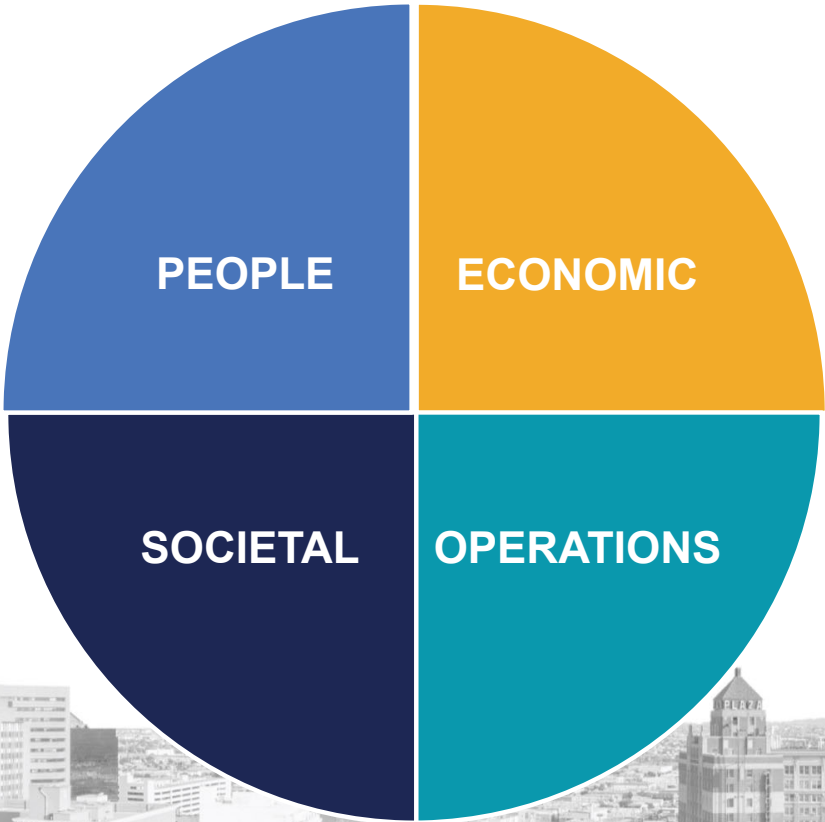
Internal &  
External  
Engagement

# Social Equity Officer Position Details

- Overseeing implementation of DEIA plans
- Provides technical assistance to City department
- Increase the visibility, involvement, and support of community organizations in equity.
- Gathers input from diverse community groups
- Exercises lived and studied experiences



# Centralizing DEIA Performance Metric Domains



12

# Starting From Experience



## PEOPLE

ADA Initiatives: “Low  
Sensory Initiative”

Community Initiatives:  
*“Opportunity Youth and  
Young Adults”*



## ECONOMIC

Inclusive Procurement

Airport – Airport  
Concessions Disadvantage  
Business Enterprises



# Starting From Experience



## SOCIETAL

Title VI & VII Compliance  
*Revised Discrimination  
Policy*  
*Safe Place Initiatives in  
EPPD*



## OPERATIONS

Employee Pulse Survey  
Purchasing Disparity Study  
Diverse Advisory Boards



# Short Term Outlook

**Social Equity  
Officer**

**Community  
Partnerships  
& Outreach**

**Identify  
Resources**

**Next Update  
CY24 Q1**





Legislation Text

---

File #: 23-1592, 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**

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

**AGENDA LANGUAGE:**

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

Discussion on City Council-requested action to develop additional Police Department policies with respect to gender-diverse individuals and bias-free policing.

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

**AGENDA DATE:** December 11, 2023

**PUBLIC HEARING DATE:** N/A

**CONTACT PERSON(S) NAME AND PHONE NUMBER:**  
Executive Assistant Chief Zina Silva, (915) 212-4306

**DISTRICT(S) AFFECTED:** All

**STRATEGIC GOAL:** 2 – Set the Standard for a Safe and Secure City

**SUBGOAL:**

**SUBJECT:**

Discussion on City Council-requested action to develop additional Police Department policies with respect to gender-diverse individuals and bias-free policing.

**BACKGROUND / DISCUSSION:**

On or about September 12<sup>th</sup> 2023, City Council directed the El Paso Police Department and the City Manager's Office to work with the community to ensure that the El Paso Police Department's Policies include policies on bias-free policing and policies for interactions with gender-diverse individuals.

**PRIOR COUNCIL ACTION:**

September 12<sup>th</sup> 2023

**AMOUNT AND SOURCE OF FUNDING:**

N/A


**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?** ☒ YES ☐ NO

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

**DEPARTMENT HEAD:**



Peter Pacillas, Chief, Police Department

 <b>El Paso Police Department Procedures Manual</b>	<b>Chapter 12: Gender-Diversity and LGBTQ+ Police Interactions</b>
<b>1200 LGBTQ+ Police Interactions</b>	<b>Policy Effective: 12/00/2023 Previous Version:</b>

## 1200 GENERAL

The El Paso Police Department is committed to providing services and enforcing laws in a professional, nondiscriminatory, fair, and equitable manner. The Department prohibits discrimination against individuals based on gender identity or expression. Officers shall be fair and equitable in the treatment of all individuals they come in contact with, including gender-diverse individuals. An individual's gender-diverse status is never by itself a lawful basis for a stop, search, or arrest and is strictly prohibited. Officers must possess either reasonable, articulable suspicion or probable cause to conduct any form of a stop on citizens. This policy was written in collaboration with the Borderland Rainbow Center, Sun City Pride, Gender and Sexualities Alliance Board, Texas Rising, and Planned Parenthood.

### 1200.1 DEFINITIONS

- A. Biased policing: Discrimination in the performance of law enforcement duties or delivery of police services, based on personal prejudices or partiality of agency personnel toward classes of people based on specified characteristics. Such characteristics include, but are not limited to, age, disability status, economic status, familial status, gender, gender identity, homelessness, mental illness, national origin, political ideology, race, ethnicity, or color, religion, or sexual orientation.
- B. Bias Free Policing: Conduct of agency personnel wherein all people are treated in the same manner under the same or similar circumstances irrespective of specified characteristics.
- C. Cisgender: An adjective that refers to individuals who express themselves as and identify with the gender they were assigned at birth.
- D. Gender identity: A gender-related identity, appearance, expression, or behavior of an individual, regardless of the individual's assigned sex at birth.
- E. Gender Expression: An individual's public manifestation of being male or female through external characteristics and behaviors, such as clothing, haircut, body characteristics, voice and speech patterns.
- F. Non-Binary: An adjective that refers to individuals who identify as neither entirely male nor entirely female.
- G. Transgender: An adjective that refers to any individual who identity or behavior differs from stereotypical or traditional gender expectations to include individuals and others whose appearance or characteristics are perceived to be gender-atypical. Note, the term transgender is correctly used as an adjective; hence the term "transgender people" would be appropriate, but referring to people as "transgenders" or "transgendered" is often viewed as disrespectful.
- H. Gender Nonconforming: A description meaning that an individual's gender expression is different from the stereotyped expectations of how the individual should look or act based upon the individual's sex assigned at birth.
- I. Misgendering: The act of referring to an individual using pronouns other than the individual's declared gender pronouns.

- J. Intersex: A general term used to describe a variety of conditions in which a person is born with a variation in sex characteristics, including chromosomes, reproductive anatomy and/or genitals, and therefore cannot be distinctly identified as male or female. For example, a person may be born with genitalia that appear female, but with internal anatomy that is predominantly male. Being intersex is different from being transgender; the term “intersex” is not synonymous with the term “transgender.”
- K. LGBT: An acronym for “lesbian, gay, bisexual and transgender.”
- L. Sex Assigned at Birth (Synonymous with “Designated Sex”): An individual’s sex (male or female) determined at birth based upon the individual’s genitals, reproductive organs and/or chromosomes, and designated on the individual’s birth certificate.
- M. Sex Reassignment Surgery (SRS): The surgical procedures used to medically assist an individual’s transitioning from one sex to another. A person can be transgender and not have SRS. Not all transgender people choose to or can afford to have SRS. “SRS” is a preferred term as compared with the term “sex change operation.”
- N. Female to Male (or FTM): A transgender person whose sex assigned at birth was female and whose gender identity is male.
- O. Male to Female (or MTF): A transgender person whose sex assigned at birth was male and whose gender identity is female.
- P. Dead Name: The name assigned at the time of birth but rejected by a transgender individual.
- Q. Single-occupancy bathroom or changing facility: Means a facility designed or designated for use by only one person at a time, where a person may be in a state of undress, including a single toilet restroom with a locking door that is designed or designated as unisex or for use based on biological sex.
- R. Locker rooms: Gender neutral, shared facility, for storing and retrieving personal items, assigned equipment and clothing.

## 1200.2 PURPOSE

This policy establishes guidelines and operating procedures for employees when interacting with transgender, intersex, and gender nonconforming individuals whether they are an employee or a member of the public.

## 1200.3 DEPARTMENTAL TRAINING

Every employee is responsible for knowing and complying with bias-free policing policies and the Chief of Police is tasked with reinforcing that bias-based policing is unacceptable. The Training Academy will conduct training yearly to all officers. Training may include but not be limited to:

- A. Bias-free policing
- B. Respect of persons’ choice
- C. Searches
- D. Sexual Harassment
- E. Whistleblower Policy
- F. Non-Discrimination Policy

## 1200.4 DISCRIMINATORY REFERENCES

- A. Department employees will exhibit professionalism and courtesy during all interactions with



members of the public and fellow employees including: transgender, intersex, or gender nonconforming individuals. Questions related to preferred pronouns should be asked in a respectful manner.

1. Employees shall not refer to any person in a derogatory manner because of their gender identity or gender expression.
  2. Employees should use pronouns that match the gender identity of the individual (e.g., “she, her, hers” for an individual whose gender identity is female; “he, him, his” for an individual whose gender identity is male).
  3. Employees may make an initial assumption about an individual’s gender identity based upon the individual’s general appearance, including clothing, body characteristics, behavior, voice, and hair cut/style.
  4. Regardless of the individual’s public appearance, employees should classify an individual’s gender identity in accordance with statements or requests made by the individual, such as, if the individual asks the employee to use different pronouns.
- B. When requested, employees should address transgender, intersex, and gender nonconforming individuals by their chosen name rather than the name which is on their government-issued identification.
- C. It is against the policy of the El Paso Police Department to discriminate against an employee or a member of the public on the basis of that person’s actual or perceived gender identity or expression.
- D. The police departments response to hate crime offenses can be found under section 421 of the El Paso Police Department Procedures Manual.

#### 1200.5 SEARCHES, PHYSICAL ARREST AND TRANSPORTATION

- A. Employees searching, frisking, patting down, arresting, or transporting a transgender, intersex, or gender nonconforming individual, or performing similar official actions or duties (excluding preparation of written documents) in connection with such individuals, shall interact with the individual and apply the appropriate departmental procedures based upon the individual’s gender identity determined by either self-admittance by the individual or determination by the officer based on reasonable determination. Employees conduct arrest, search, and transportation based on established departmental policies and procedures, Section 303 Stop and Frisk, Section 305 Arrests, and Section 306 Care, Transport and Booking of Prisoners of the El Paso Police Department Procedures Manual.
- B. Officers will not conduct any searches to determine an individual’s sex.
- C. Two officers will be present for searches of gender-diverse individuals when feasible.
- D. Officers will inform gender-diverse individuals of their right to express a preference of officer gender for searches.
- E. Officers will not seize or remove appearance-related items if those items would not typically be removed or confiscated from non-gender diverse individuals.
- F. Officers will transport and house gender-diverse individuals alone, whenever possible.
- G. When transferring custody of gender-diverse individuals to other law enforcement agencies, facility, or prisoner transport service the officer will verbally advise the receiving agency/officer that the individual is gender-diverse and will relay any relevant identification-related information, including how the individual would like to be addressed.

#### 1200.6 ARREST AND INCIDENT REPORTS

- A. When completing arrest and incident reports employees shall use the names of the persons as they

are legally known. When members learn that a person is transgender or uses a preferred name, employees shall note the information under alias in the name module.

- B. Regardless of the legal name and gender of an individual, EPPD shall use the individuals preferred name and pronouns when communicating and when talking about the person to third parties unless the disclosure of the information is necessary for official law enforcement purposes.

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#### 1200.7 COMPLAINTS

Citizen complaints in response to allegations of bias-based policing or mistreatment will follow established policy and procedure as described in sections 902.1 and 901.1 of the El Paso Police Department Procedures Manual on documentation and investigation of complaints. Complaints may be filed with either Internal Affairs or any Departmental Supervisor. Supervisors receiving complaints on bias-based policing allegations will document the complaint on a blue team log. The log will be forwarded to Internal Affairs for disposition.

---

#### 1200.08 QUARTERLY REPORTS

Internal Affairs will produce a quarterly report documenting the complaints received during each quarter of allegations of bias-based policing, along with the Department's efforts to prevent bias-based policing, and any disparate impacts of policing. The report will be forwarded to the City Attorney for review and ultimately available to the public on the El Paso Police Department's website.



El Paso Police Department

# Evaluation of Police Policies and Procedures to improve Transgender and Gender-Diverse interactions



# SAFE & BEAUTIFUL NEIGHBORHOODS

GOAL 2 – SET THE STANDARD FOR A SAFE AND SECURE CITY



# Council Resolution

## 09/12/2023

City Council directs the City Manager and City Attorney to evaluate new policies and training to potentially improve how transgender and gender-diverse individuals are identified by the El Paso Police Department in its internal and external communications





## City Council

Invite participation in the process from the following individuals:  
Borderland Rainbow Center, Sun City Pride, The Gender and Sexualities Alliance Board, Texas Rising and Planned Parenthood

## El Paso Police Department LGBTQ+ Policy Committee

Borderland Rainbow Center  
Sun City Pride  
Texas Rising  
Gender and Sexuality Alliance Board  
Planned Parenthood  
Community Member  
\*Police Association



### City Council:

A policy that establishes guidelines for the appropriate treatment of gender-diverse individuals who come in contact with the El Paso Police Department, and that the guidelines include, but are not limited to:

Gender-diverse status is never by itself a lawful basis for a stop, search, or arrest;

Put in more language that discusses probable cause

# El Paso Police Department



## El Paso Police Department Procedures Manual


## Chapter 12: Gender-Diversity and LGBTQ+ Police Interactions

### 1200 LGBTQ+ Police Interactions

**Policy Effective: 12/00/2023**  
**Previous Version:**

#### 1200 GENERAL

The El Paso Police Department is committed to providing services and enforcing laws in a professional, nondiscriminatory, fair, and equitable manner. The Department prohibits discrimination against individuals based on gender identity or expression. Officers shall be fair and equitable in the treatment of all individuals they come in contact with, including gender-diverse individuals. An individual's gender-diverse status is never by itself a lawful basis for a stop, search, or arrest and is strictly prohibited. Officers must possess either reasonable, articulable suspicion or probable cause to conduct any form of a stop on citizens. This policy was written in collaboration with the Borderland Rainbow Center, Sun City Pride, Gender and Sexualities Alliance Board, Texas Rising, and Planned Parenthood.

 <b>El Paso Police Department Procedures Manual</b>	<b>Chapter 12: Gender-Diversity and LGBTQ+ Police Interactions</b>
<b>1200 LGBTQ+ Police Interactions</b>	<b>Policy Effective: 12/00/2023 Previous Version:</b>

## 1200 GENERAL

### 1200.2 PURPOSE

This policy establishes guidelines and operating procedures for employees when interacting with transgender, intersex, and gender nonconforming individuals whether they are an employee or a member of the public.

## City Council:

**Employees will ask an individual about preferred name, gender identity, and pronouns, and will address and refer to gender-diverse individuals by their preferred names, gender identity, and preferred pronouns;**







City Council:

**Officers will not conduct any searches to determine an individual's sex;**

**Officers who conduct a frisk must be prepared to articulate the specific factors leading to reasonable suspicion that the officer or others were in danger – these factors shall be listed in the report**



City Council

**Before beginning the frisk of a person, officers should let the person know that they are going to conduct a frisk.**

**The officer should begin the frisk of a person at the part of the person's outer clothing most likely to contain a weapon or dangerous instrument**

## City Council:

Whenever possible two officers will be present for searches of gender-diverse individuals, except in the case of an emergency, such as when someone's life is in danger;

Officers will inform gender-diverse individuals of their right to express a preference of officer gender for searches;

Officers will not seize or remove appearance-related items, if those items will not typically be confiscated from non-gender-diverse individuals;

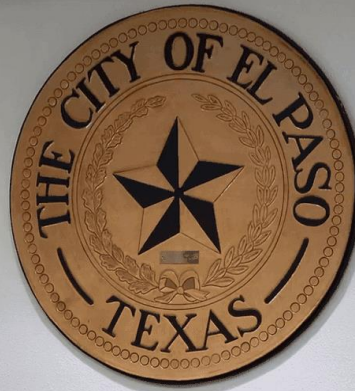




City Council:

Officers will transport and house gender-diverse individuals alone, whenever possible;

When transferring custody of gender-diverse individuals to other law enforcement agencies or other facility, the officer will verbally advise the receiving agency/officer that the individual is gender-diverse and will relay any relevant identification related information, including how the individual would like to be addressed



## City Council:

**When completing official handwritten or electronic EPPD documents, the employee will include the individual's adopted name as the "Also Known As (AK.A.)" name.**

## El Paso Police Department

**Add New Alias**

**Alias Details**

Last Name:	<input type="text"/>	SSN:	<input type="text"/>
First Name:	<input type="text"/>	Gender:	<input type="text"/>
Middle Name:	<input type="text"/>	Race:	<input type="text"/>
Suffix:	<input type="text"/>	Driver License #:	<input type="text"/>
DOB:	<input type="text"/>	(Duplicate Check)	
(mm/dd/yyyy)		DL State:	<input type="text"/>
Remarks: <input type="text"/>			
1,000 characters remaining			



**BIAS FREE POLICING – create policies that ensures the Police Department is committed to providing services and enforcing laws in a professional, nondiscriminatory, fair, and equitable manner and ensures the department recognizes that bias-based policing is the different treatment of any person by officers motivated by any characteristic of protected classes under state, federal, and local laws, such characteristics include, but are not limited to, age, disability status, economic status, familial status, gender, gender identity, homelessness, mental illness, national origin, political ideology, race, ethnicity, or color, religion, or sexual orientation, and that these policies include:**



## City Council:

Every employee is responsible for knowing and complying with bias-free policing policies and the Chief of Police is tasked with reinforcing that bias-based policing is unacceptable through specific yearly training, regular updates, and such other means as may be appropriate;

## El Paso Police Department:

### 1200.3 DEPARTMENTAL TRAINING

Every employee is responsible for knowing and complying with bias-free policing policies and the Chief of Police is tasked with reinforcing that bias-based policing is unacceptable. The Training Academy will conduct training yearly to all officers. Training may include but not be limited to:

- A. Bias-free policing
- B. Respect of persons' choice
- C. Searches
- D. Sexual Harassment
- E. Whistleblower Policy
- F. Non-Discrimination Policy



EPPD currently teaches a four hour training on implicit bias to new recruits

# QUARTERLY REPORT

## City Council:

**The chief legal officer will prepare a report that describes and analyzes bias-based policing allegations during each quarter and the status of the Department's effort to prevent bias-based policing, and any disparate impacts of policing, and will make the report available to the public on the El Paso Police Department's website.**

## El Paso Police Department:

### 1200.10 QUARTERLY REPORTS

Internal Affairs will produce a quarterly report documenting the complaints received during each quarter of allegations of bias-based policing, along with the Department's efforts to prevent bias-based policing, and any disparate impacts of policing. The report will be forwarded to the City Attorney for review and ultimately available to the public on the El Paso Police Department's website.



City Council:

**A policy that outlines the Department's response to hate crime offenses, malicious harassment, and other incidents involving bias**

El Paso Police Department:

## 421.2 REPORTABLE HATE CRIMES

Murder

Robbery

Burglary

Motor Vehicle Theft

Simple Assault

Vandalism

Rape

Aggravated  
Assault

Larceny-Theft

Arson

Intimidation

# IMPLEMENT A SAFE PLACE INITIATIVE PROGRAM

Directed towards Business Community, Schools (anti-bullying) and Medical Facilities

1. Have hate crime/bias policies in place
2. Create internal and external training program
3. Develop a website
4. Develop a mechanism to accept applications/requests
5. Receiving training from SPD
6. Create logo/artwork
7. Create a position/agency liaison

Law enforcement initiative to be solely managed and implemented by law enforcement personnel

A law enforcement agency must:

Assign a liaison officer, deputy or agent to promote coordinate, respond to community concerns and coordinate this initiative within the community

Must be fully committed to this initiative

Explain concept, mission, and goals to other officers, public, media etc.





# SAFE PLACE

This business is a SPD Safe Place Location.

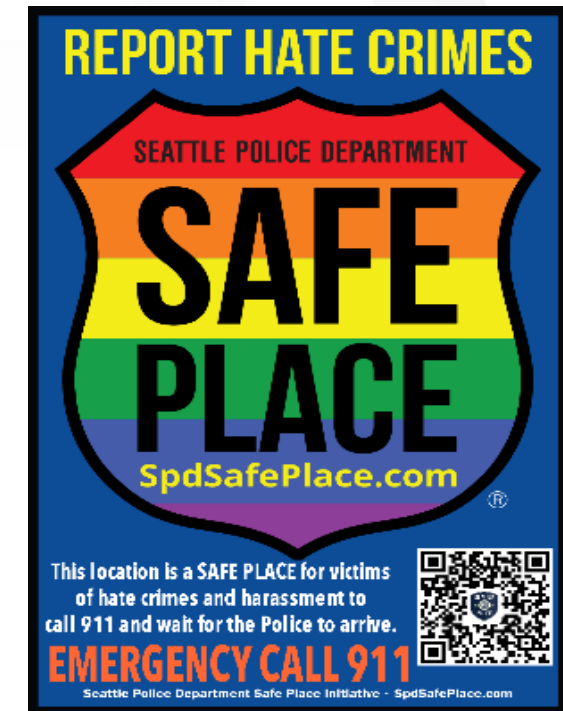
If a victim of a hate crime comes in to your business:

- Call 911 immediately, give the call taker as much information as possible.
- Let the victim stay in a public area within your business until the Police arrive.

If the victim leaves, call 911 back and advise that the victim has left. Give a description of their clothing and direction of travel, so we can attempt to contact them. So we can properly address suspects, collect evidence, and get their incident properly reported.

**This program is for ALL hate crimes**

Within the City of Seattle protected classes includes: Race, color, religion, ancestry, national origin, gender, sexual orientation, gender expression, gender identity, mental, physical - or sensory disabilities, homelessness, marital status, political ideology, age, or parental status.







# NOW HIRING



[JOINEPPD.COM](http://JOINEPPD.COM)





# **Council Resolution 09/12/2023**



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ENVIRONMENTAL  
SERVICES  
CITY OF EL PASO



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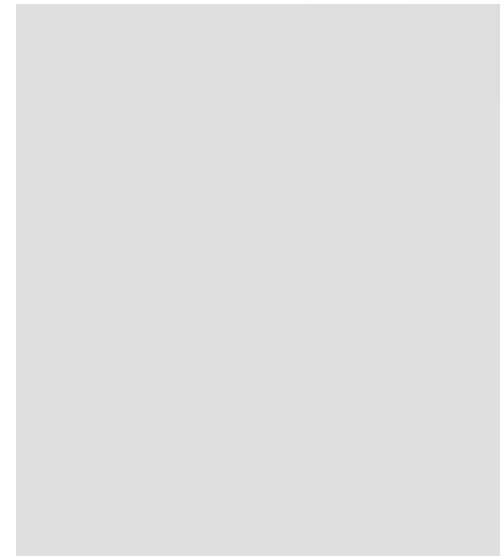
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## MISSION



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

## 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

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# Icon Library

## Department/Division



## General





Legislation Text

File #: 23-1583, 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**

Purchasing and Strategic Sourcing, K. Nicole Cote, (915) 212-1092

Parks and Recreation, Pablo Caballero, (915) 212-8018

**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: 4.2 Create innovative recreational, educational and cultural programs.

**Award Summary:**

Discussion and action on the Request that the Managing Director of Purchasing & Strategic Sourcing be authorized to issue Purchase Order(s) for Solicitation 2024-0196 Youth Football Referees to David Baray for an initial term of three (3) years for an estimated amount of \$724,050.00. This contract will allow the procurement of certified football referees to officiate Youth Football tournaments and leagues for the Parks and Recreation Department.

**Contract Variance** The difference based in comparison to the previous contract is as follows: An annual increase of \$51,950.00, which represents a 26.89% due to the "not to exceed cost per game" was increased by Parks and Recreation Department for Youth Football Referees due to the current wage market for this new contract.

Department:	Parks and Recreation
Award to:	David Baray
City & State:	El Paso, TX
Item(s):	All
Initial Term:	3 Years
Option Term:	NA
Total Contract Time:	3 Years
Annual Estimated Award:	\$241,350.00
Initial Term Estimated Award:	\$724,050.00
Option Term Estimated Award:	NA
Total Estimated Award:	\$724,050.00
Account(s):	451 - 1000 - 51270 - 522110 - P5113

Funding Source(s):	General Fund
District(s):	All

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Non-competitive unit price contract under Procurement Sourcing Policy Section 9.1.8.1 (2): If a contract cannot be awarded after two competitive procurements/selection process. The requirement can be fulfilled by a non-competitive award.

The Purchasing & Strategic Sourcing Department and Parks and Recreation Department recommend award as indicated to David Baray under the exemption listed above.

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



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

**AGENDA DATE:** December 12, 2023  
**PUBLIC HEARING DATE:** Not Applicable

**CONTACT PERSON(S) NAME AND PHONE NUMBER:**  
Pablo Caballero, Interim Director (915) 212-8018  
K. Nicole Cote, Managing Director, (915) 212-1092

**DISTRICT(S) AFFECTED:** All

**STRATEGIC GOAL:** No. 4. Enhance El Paso's Quality of Life through Recreational, Cultural, and Educational Environments

**SUBGOAL:** 4.2 Create innovative recreational, educational and cultural programs

**SUBJECT:**

Discussion and action that the Managing Director of Purchasing & Strategic Sourcing be authorized to issue Purchase Order(s) to David Baray for a term of three (3) years for an estimated amount of \$724,050.00. This contract will provide certified football referees to officiate Youth Football tournaments and leagues for the Parks and Recreation Department.

**BACKGROUND / DISCUSSION:**

The City of El Paso Parks and Recreation offers a variety of sports and programs for all ages this contract is for sports officials and assigners for youth football tournaments.

**SELECTION SUMMARY:**

This procurement is a non-competitive due to the inability for contract to be awarded after two competitive procurements/selection process. The first solicitation attempt released 8/15/2023 and the second solicitation released 9/19/2023 did not receive any bids for this group: Youth Football. 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.

**CONTRACT VARIANCE:**

The difference based in comparison to the previous contract is as follows: An annual increase of \$51,950.00, which represents a 26.89% due to the "not to exceed cost per game" was increased by Parks and Recreation Department for Youth Football Referees due to the current wage market for this new contract.

**PROTEST**

No protest was received for this requirement.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

Amount: \$724,050.00

Funding: General Fund

Account: 522110-451-1000-51270-P5113

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?  X  YES   NO**

2024-0196 Youth Football Referees

Revised 2/23/2022-V2 – Previous Versions Obsolete

**PRIMARY DEPARTMENT:** Parks and Recreation Department  
**SECONDARY DEPARTMENT:** Purchasing & Strategic Sourcing

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

**DEPARTMENT HEAD:**



A large, stylized handwritten signature in black ink, consisting of several loops and a long horizontal stroke, is written over a horizontal line.

Pablo Caballero, Interim Director

Project Form  
Non-Competitive

\*\*\*\*\*Posting Language Below\*\*\*\*\*

Please place the following item on the (Regular) Agenda for the (City Council) of December 12, 2023.

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

4.2 Create innovative recreational, educational and cultural programs

**Award Summary:**

Discussion and action on the Request that the Managing Director of Purchasing & Strategic Sourcing be authorized to issue Purchase Order(s) for solicitation 2024-0196 Youth Football Referees to David Baray for an initial term of three (3) years for an estimated amount of \$724,050.00. This contract will allow the procurement of certified football referees to officiate Youth Football tournaments and leagues for the Parks and Recreation Department.

**Contract Variance:**

The difference based in comparison to the previous contract is as follows: An annual increase of \$51,950.00, which represents a 26.89% due to the "not to exceed cost per game" was increased by Parks and Recreation Department for Youth Football Referees due to the current wage market for this new contract.

Department:	Parks and Recreation
Award to:	David Baray
City & State:	El Paso, TX
Item(s):	All
Initial Term:	3 Years
Option Term:	NA
Total Contract Time:	3 Years
Annual Estimated Award:	\$241,350.00
Initial Term Estimated Award:	\$724,050.00
Option Term Estimated Award:	NA
Total Estimated Award:	\$724,050.00
Account(s):	451 – 1000 – 51270 – 522110 – P5113
Funding Source(s):	General Fund
District(s):	All

Non-competitive unit price contract under Procurement Sourcing Policy Section 9.1.8.1 (2): If a contract cannot be awarded after two competitive procurements/selection process. The requirement can be fulfilled by a non-competitive award.

The Purchasing & Strategic Sourcing Department and Parks and Recreation Department recommend award as indicated to David Baray under the exemption listed above.

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



Legislation Text

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File #: 23-1585, 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

Libraries, Norma Martinez, (915) 212-3200

**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: 5.3 Promote a well-balanced customer service philosophy throughout the organization.

**Award Summary:**

Discussion and action on the Request that the Managing Director of Purchasing & Strategic Sourcing be authorized to issue Purchase Order(s) for Solicitation 2024-0152 Digital Learning Computers for Kids to AWE Acquisition, Inc. dba AWE Learning the (sole source/sole and/or authorized distributor) for a one-time purchase for an estimated amount of \$77,755.00. This contract will allow the Libraries Department to purchase Bilingual computer stations for kids.

**Contract Variance:**

No contract variance, new purchase of equipment of this sort.

Department:	Libraries
Award to:	AWE Acquisition, Inc. dba AWE Learning
City & State:	Chester, PA
Item(s):	All
Total Contract Time:	One-time
Total Estimated Award:	\$77,755.00
Account(s):	533020-453-4930-53000-P22ROLLIBCOMPLAB
Funding Source(s):	Libraries - Capital Projects - Internal
District(s):	All

Non-Competitive Procurement under Local Government General Exemption: Section 252.022 -(7) a procurement of items that are available from only one source - (A) items that are available from only one source because of patents, copyrights, secret processes, or natural monopolies; (E) books, papers, and other library materials for a public library that are available only from the persons holding exclusive distribution rights to the materials.

The Purchasing & Strategic Sourcing Department and Libraries recommend award as indicated to AWE Acquisition, Inc. dba AWE Learning under the exemption listed above.

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



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

**AGENDA DATE:** December 12, 2023

**PUBLIC HEARING DATE:** Not Applicable

**CONTACT PERSON(S) NAME AND PHONE NUMBER:**

Norma Martinez, Director of Library Services (915) 212-3200  
K. Nicole Cote, Managing Director (915) 212-1092

**DISTRICT(S) AFFECTED:** All

**STRATEGIC GOAL:** No. 5: Promote Transparent and Consistent Communication amongst all Members of the Community.

**SUBGOAL:** 5.3 Promote a well-balanced customer service philosophy throughout the organization.

**SUBJECT:**

Discussion and action that the Managing Director of the Purchasing & Strategic Sourcing Department be authorized to issue Purchase Order(s) to AWE Acquisition, Inc. dba AWE Learning, the sole authorized dealer and provider of Early Literacy Station Computers with Bi-lingual Capability Software for a one-time purchase for an estimated amount of \$77,755.00. This contract will allow the Libraries Department to purchase bilingual computer stations for kids.

**BACKGROUND / DISCUSSION:**

This purchase will allow to purchase computer stations for kids that has bi-lingual capability that is a requisite for a border city such as El Paso. This will attract pre-school and school age children to use the El Paso Public Library with their families.

**SELECTION SUMMARY:**

AWE Acquisition, Inc. dba AWE Learning is the only authorized provider and distributor of AWE Learning Products, that are all protected proprietary products that they have developed exclusively.

**CONTRACT VARIANCE:**

No contract variance, new purchase of equipment of this sort.

**PROTEST**

N/A

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

Amount: \$77,755.00

Funding Source: Libraries – Capital Projects - Internal

Account: 533020-453-4930-53000-P22ROLLIBCOMPLAB

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ☒ YES ☐ NO**

**PRIMARY DEPARTMENT:** Libraries

**SECONDARY DEPARTMENT:** Purchasing & Strategic Sourcing

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

**DEPARTMENT HEAD:**

---

Norma Martinez, Director of Library Services

Project Form  
Non-Competitive

\*\*\*\*\*Posting Language Below\*\*\*\*\*

Please place the following item on the Regular Agenda for the City Council of December 12, 2023.

Strategic Goal 5 - Promote Transparent and Consistent Communication amongst all Members of the Community

The linkage to the Strategic Plan is subsection: 5.3 Promote a well-balanced customer service philosophy throughout the organization

**Award Summary:**

Discussion and action on the Request that the Managing Director of Purchasing & Strategic Sourcing be authorized to issue Purchase Order(s) for solicitation 2024-0152 Digital Learning Computers for Kids to AWE Acquisition, Inc. dba AWE Learning the (sole source/ sole and/or authorized distributor) for a one-time purchase for an estimated amount of \$77,755.00. This contract will allow the Libraries Department to purchase bi-lingual computer stations for kids.

**Contract Variance:**

No contract variance, new purchase of equipment of this sort.

Department:	Libraries
Award to:	AWE Acquisition, Inc. dba AWE Learning
City & State:	Chester, PA
Item(s):	All
Term:	One time
Total Estimated Award:	\$77,755.00
Account(s):	533020-453-4930-53000-P22ROLLIBCOMPLAB
Funding Source(s):	Libraries – Capital Projects - Internal
District(s):	ALL

This is a Sole Source, unit price contract.

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.



**PURCHASING & STRATEGIC SOURCING DEPARTMENT**  
**SOLE SOURCE AFFIDAVIT**

THIS IS AN OFFICIAL PURCHASING DOCUMENT-RETAIN WITH PURCHASE ORDER FILE

Before me, the undersigned official, on this day, personally appeared \_\_\_\_\_ a person known to me to be the person whose signature appears below, whom after being duly sworn upon his/her oath deposed and said:

1. My name is Jennifer Dembeck. I am over the age of 18, have never been of a convicted crime and am competent to make this affidavit.
2. I am an authorized representative of the following company or firm: AWE Acquisition, Inc.
3. The above named company or firm is the sole source for the following item(s), product(s) or service(s):  
ASE, ELS, BLE, BLS - all customized components and user interfaces
4. Competition in providing the above named item(s) product(s), service(s) is precluded by the existence of a patent, copyright, secret process or monopoly as stated under Section 252.022, Subchapter A of the Local Governmental Code 7A or as provided for under 7B-F of the same section. Also, attached hereto is a sole source letter, which sets forth the reasons why this Vendor is a sole source provider (dated and signed).
5. There is/are no other like item(s) or product(s) available for purchase that would serve the same purpose or function.
6. **Note: This Vendor understands that by providing false information on this Sole Source Affidavit, it may be considered a non-responsible Vendor on this and future purchases and may result in discontinuation of any/all business with the City of El Paso.**

Jennifer Dembeck  
Signature

SUBSCRIBED AND SWORN to before me on this 8 day of August  
Denise M. Osifit

Commonwealth of Pennsylvania - Notary Seal  
Denise M. Osifit, Notary Public  
Delaware County  
My Commission Expires June 9, 2027  
Commission Number 1123935

NOTARY PUBLIC

PRINTED NAME

MY COMMISSION EXPIRES

COMPANY NAME: AWE ACQUISITION, INC  
ADDRESS, CITY, STATE & ZIP CODE: 2501 Seaport Dr, Suite 4105 H, Chester, PA 19013  
PHONE: 610-833-6416 FAX NUMBER: \_\_\_\_\_  
CONTACT NAME AND TITLE: Jennifer Dembeck  
WEB ADDRESS: awelearning.com EMAIL: dembeck.j@awelearning.com  
FEDERAL TAX ID NUMBER: 47-3506401 TEXAS SALES TAX NUMBER: 3-20572-0516-6

August 1, 2023

El Paso Public Library  
501 N Oregon Street  
El Paso, TX 77901

*Ref: Sole Source Letter*

To Whom It May Concern:

AWE Learning's Products are all protected propriety products developed exclusively by AWE Learning. These include:

- Early Literacy Station™ Platinum
- Bilingual Spanish Early Literacy Station Platinum
- Bilingual French Early Literacy Station Platinum
- AfterSchool Edge™ Platinum
- Platinum Online

AWE Acquisition, Inc. is the sole source for these digital learning solutions. These products include, but are not limited to, the following proprietary and exclusive features:

- Customized hardware components (excluding Platinum Online)
- Proprietary user interface designs
- Proprietary application management environment (PEP)
- Proprietary administrative control panel
- Time and session management
- Utilization tracking
- Reports
- Educational titles lookup matrix
- Unique software integration methodologies

AWE Acquisition, Inc. has exclusive rights to develop and deliver products listed above. These products can only be purchased through AWE Learning.

Sincerely yours,



Deborah B. Sorgi, Ed.D.  
President & Chief Executive Officer





Legislation Text

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File #: 23-1589, 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

Human Resources, Mary L. Wiggins, (915) 212-1267

**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: 6.1 Recruit and retain a skilled and diverse workforce.

**Award Summary:**

Discussion and action on the award of Solicitation No. 2024-0113R Executive Recruiting Services (Re-Bid) for on-call executive recruitment services. Services will be requested on a task order basis by and between the following two (2) firms:

1. Baker Tilly US, LLP; and
2. Octagon Staffing, LLC

Each consultant will perform the work on a task order basis pursuant to the rates established in Solicitation No. 2024-0113R. Each on-call executive recruitment award for an initial term of three (3) years for an estimated amount of \$540,000.00. The award also includes a two (2) year option for an estimated amount of \$360,000.00. The total amount of the contract, including the initial term plus the option for a total of five (5) years, is for an estimated amount of \$900,000.00.

**Contract Variance:**

The difference based in comparison to the previous contract is as follows: An increase of \$90,000.00 for the initial term, which represents a 20.00% increase due to additional executive positions included under this contract.

This was a Request for Proposals Procurement - service contract.

The Purchasing & Strategic Sourcing Department and Human Resources Department recommend award as indicated to Baker Tilly US, LLP and Octagon Staffing, LLC the highest ranked offerors based on the evaluation factors established in the evaluation criteria for this procurement and to deem Brightpath Associates, LLC non responsive due not providing a fixed cost but a percentage amount.

It is requested that the City Manager be authorized to establish the funding sources and make any necessary

budget transfers and execute any and all documents necessary for execution of this award.

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

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

**AGENDA DATE:** December 12, 2023

**PUBLIC HEARING DATE:** NA

**CONTACT PERSON(S) NAME AND PHONE NUMBER:**

Mary L. Wiggins, Chief Human Resources Officer, (915) 212-1267  
K. Nicole Cote, Managing Director, Purchasing & Strategic Sourcing, (915)  
212-1092

**DISTRICT(S) AFFECTED:** All

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

**SUBGOAL:** 6.1 – Recruit and retain a skilled and diverse workforce

**SUBJECT:**

Discussion and action on the award of Solicitation No. 2024-0113R Executive Recruiting Services (Re-Bid) for on-call executive recruitment services. Services will be requested on a task order basis by and between the following two (2) firms:

1. Baker Tilly US, LLP; and
2. Octagon Staffing, LLC

Each consultant will perform the work on a task order basis pursuant to the rates established in Solicitation No. 2024-0113R. Each on-call executive recruitment award for an initial term of three (3) years for an estimated amount of \$540,000.00. The award also includes a two (2) year option for an estimated amount of \$360,000.00. The total amount of the contract, including the initial term plus the option for a total of five (5) years, is for an estimated amount of \$900,000.00.

**BACKGROUND / DISCUSSION:**

This contract is to conduct searches for qualified candidates for various executive positions in the City. Searches shall include a wide range of specialty practices including functional management and other municipal specialties. The Consultant shall utilize worldwide searches, if necessary, to identify the candidates that are best qualified to meet the City's needs.

**SELECTION SUMMARY:**

Solicitation was advertised on September 26, 2023 and October 3, 2023. The solicitation was posted on City website on September 26, 2023. There were a total of twenty-six (26) viewers online; four (4) proposal were received, one (1) being a local vendor.

**CONTRACT VARIANCE:**

The difference based in comparison to the previous contract is as follows: An increase of \$90,000.00 for the initial term, which represents a 20.00% increase due to additional executive positions included under this contract.

**PROTEST**

No protest received for this requirement.

**PRIOR COUNCIL ACTION:**

NA

**AMOUNT AND SOURCE OF FUNDING:**

Amount: \$540,000.00  
Funding Source: 999 – 9999999 – 9999 – 99999  
Account: Various Departments

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?**   X   YES      NO

**PRIMARY DEPARTMENT:** Human Resources  
**SECONDARY DEPARTMENT:** Purchasing & Strategic Sourcing

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

**DEPARTMENT HEAD:**

*Mary Wiggins*

---

Mary L. Wiggins, Chief Human Resources Officer

Project Form  
Request for Proposals

\*\*\*\*\*Posting Language Below\*\*\*\*\*

Please place the following item on the Regular Agenda for the City Council of December 12, 2023.

Strategic Goal 6 - Set the Standard for Sound Governance and Fiscal Management

The linkage to the Strategic Plan is subsection: 6.1 Recruit and retain a skilled and diverse workforce

**Award Summary:**

Discussion and action on the award of Solicitation No. 2024-0113R Executive Recruiting Services (Re-Bid) for on-call executive recruitment services. Services will be requested on a task order basis by and between the following two (2) firms:

1. Baker Tilly US, LLP; and
2. Octagon Staffing, LLC

Each consultant will perform the work on a task order basis pursuant to the rates established in Solicitation No. 2024-0113R. Each on-call executive recruitment award for an initial term of three (3) years for an estimated amount of \$540,000.00. The award also includes a two (2) year option for an estimated amount of \$360,000.00. The total amount of the contract, including the initial term plus the option for a total of five (5) years, is for an estimated amount of \$900,000.00.

**Contract Variance:**

The difference based in comparison to the previous contract is as follows: An increase of \$90,000.00 for the initial term, which represents a 20.00% increase due to additional executive positions included under this contract.

This was a Request for Proposals Procurement – service contract.

The Purchasing & Strategic Sourcing Department and Human Resources Department recommend award as indicated to Baker Tilly US, LLP and Octagon Staffing, LLC the highest ranked offerors based on the evaluation factors established in the evaluation criteria for this procurement and to deem Brightpath Associates, LLC non responsive due not providing a fixed cost but a percentage amount.

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

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



## CITY OF EL PASO RFP SCORESHEET

PROJECT: 2024-0113R Executive Recruiting Services (Re-Bid)

## Evaluation of Submittal

		Octagon Staffing, LLC Galveston, TX	Baker Tilly US, LLP Madison, WI	Sparrow Company, LLC dba Sparrow Search LLC El Paso, TX	Brightpath Associates, LLC Bethany, CT
MAX POINTS					
Factor A - Fee Proposal					Proposal deemed Non-Responsive
	25	\$442,000.00	\$526,005.00	\$315,000.00	
		17.82	14.97	25.00	
Factor B - Experience – Comparable Contracts					
	25	20.83	16.67	0.00	
Factor C - References					
	15	10.00	4.00	0.00	
Factor D - Proposal for Executive Recruiting Services					
	20	18.33	20.00	15.00	
Factor E - Staffing and Qualification					
	15	13.67	15.00	12.83	
TOTAL SCORE		100	80.65	70.64	52.83
Rank			1	2	3



CITY OF EL PASO  
REQUEST FOR PROPOSALS TABULATION FORM



Solicitation Title: Executive Recruiting Services (Re-Bid)

Solicitation #: 2024-0113R

Due Date: October 25, 2023

Department: Human Resources

OFFEROR'S NAME:	LOCATION:	AMENDMENT(S) ACKNOWLEDGED:
Baker Tilly US, LLP	Madison, WI	YES
Brightpath Associates LLC	Bethany, CT	YES
Octagon Staffing, LLC	Galveston, TX	YES
Sparrow Company LLC dba Sparrow Search LLC	El Paso, TX	YES
RFPs SOLICITED: 520    LOCAL RFPs SOLICITED: 156    RFPs RECEIVED: 4    LOCAL RFPs RECEIVED: 1    NO BIDS: 4		

NOTE: The information contained in this RFP tabulation is for information only and does not constitute actual award/execution of contract.

Approved:           /s/            
245    Date: 10/26/2023

**2024-0113R Executive Recruiting Services (Re-Bid)**  
**Viewer's List**

<u>No.</u>	<u>Participant Name</u>	<u>Response Date</u>	<u>Response Status</u>	<u>City</u>	<u>State</u>
1	Dale Carnegie of El Paso (Leadership Training Group, LLC)	10/25/2023	No Bid	Ripon	CA
2	GC Services Limited Partnership	10/25/2023	No Bid	Houston	TX
3	Group Travel Consultants, Inc	10/19/2023	No Bid	Orlando	FL
4	Ralph Andersen & Associates	10/03/2023	No Bid	Rocklin	CA
5	Baker Tilly US, LLP	10/24/2023	Submitted	Plano	TX
6	BrightPath Associates LLC	10/25/2023	Submitted	Bethany	CT
7	Octagon Consulting, LLC	10/24/2023	Submitted	Houston	TX
8	Sparrow Company LLC	10/25/2023	Submitted	El Paso	TX
9	Americas Best Strategic Security Group LLC		Unsubmitted	El Paso	TX
10	COGENT Infotech Corporation		Unsubmitted	Pittsburgh	PA
11	McCollum Solutions Group DBA DAELA LLC (DAELA)		Unsubmitted	Lawrenceville	GA
12	Recruiting Source International LLC		Unsubmitted	Katy	TX
13	11-D Marketing, LLC. (Olivas)		Viewed	El Paso	TX
14	Abacus Service Corporation		Viewed	Southfield	MI
15	AustinWorkNet		Viewed	Austin	TX
16	El Paso Dive Group/School		Viewed	El Paso	TX
17	Ironwood Business Consulting, LLC		Viewed	The Woodlands	TX
18	JG Consulting		Viewed	Georgetown	TX
19	Mackenzie Eason (Mackenzie Eason & Associates LLC)		Viewed	Fort Worth	TX
20	North America Procurement Council Inc., PBC		Viewed	Grand Junction	CO
21	Organiza Eventos		Viewed	EL PASO	TX
22	Quick Med Claims (Quick Med Claims, LLC)		Viewed	Pittsburgh	PA
23	Smith Temporaries Inc, dba CornerStone Staffing		Viewed	Dallas	TX
24	The Outsource Connection, Inc		Viewed	El Paso	TX
25	Westside Cabinets Inc		Viewed	Canutillo	TX



CITY OF EL PASO

# Request for Proposal 2024-0113R

## Executive Recruiting Services



# Strategic Goal 6

- Set the Standard for Sound Governance and Fiscal Management
- 6.1 Recruit and retain a skilled and diverse workforce



# Executive Recruiting Services

- Request for Proposal 2024-0113R - seeking proposals for Executive Recruiting Services
- There were four (4) bids received, 1 from local supplier
- Three-member Human Resources committee evaluated the proposals

We are recommending award of the RFP to:

- 1) Baker Tilly US, LLP for \$270,000 for initial term of three (3) years and two (2) year option for estimated amount of \$180,000
- 2) Octagon Staffing, LLC for \$270,000 for initial term of three (3) years and two (2) year option for estimated amount of \$180,000

# Scope of Services:

- Provide executive recruiting services for the City of El Paso on an as needed basis to include:
- Comprehensive Recruitment brochure in both English and Spanish
- Spearhead an aggressive direct networking campaign to attract top talent and execute the advertising plan nationally

# Scope of Services, cont'd:

- ✓ Targeted mailings
- ✓ Selected advertising
- ✓ Networking
- ✓ Direct inquiries
- ✓ Consultant's knowledge of candidates from other searches
- Screening of applications and recommendations of semi-finalists
- Conduct background checks, reference checks, and academic verifications

## 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, **R**espect, **E**xcellence,  
**A**ccountability, **P**eople

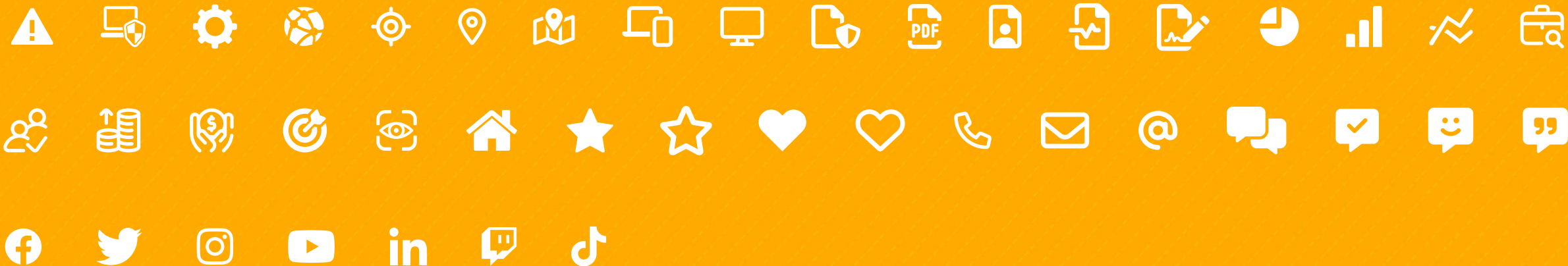


# Icon Library

## Department/Division



## General





Legislation Text

File #: 23-1582, 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**

Purchasing and Strategic Sourcing, K. Nicole Cote, (915) 212-1092

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

**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: 8.3 Enhance Animal Services to ensure El Paso's pets are provided a safe and healthy environment.

**Award Summary:**

Discussion and action on the award of Solicitation 2023-0624 Animal Services Janitorial Service to Ace Government Services, LLC for an initial term of three (3) years for an estimated amount of \$458,211.60. The award also includes a two (2) year option for an estimated amount of \$305,474.40. The total contract time is for five (5) years for a total estimated amount of \$763,686.00. This contract will provide daily cleaning for the lobby, restrooms and high traffic areas for three locations around the city.

**Contract Variance:**

The difference based in comparison to the previous contract is as follows: An increase of \$357,152.40 for the initial term, which represents a 353.41% increase due to the addition of a third location as well as an increase in hourly rate.

Department:	Animal Services
Award to:	Ace Government Services, LLC
City & State:	El Paso, TX
Item(s):	All
Initial Term:	3 Years
Option Term:	2 Years
Total Contract Time:	5 Years
Annual Estimated Award:	\$152,737.20
Initial Term Estimated Award:	\$458,211.60
Option Term Estimated Award:	\$305,474.40
Total Estimated Award	\$763,686.00
Account(s)	225 - 2580 - 25110 - 522060

Funding Source(s):	Animal Services Fund
District(s):	All

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

The Purchasing & Strategic Sourcing Department and Animal Services Department recommend award as indicated to Ace Government Services, LLC the highest ranked bidder based on the evaluation factors established in the evaluation criteria for this procurement and to deem Amanda Pauline Nyser dba Axiom Enterprise Solutions, LLC and Vicente Monreal dba Life Landscaping non responsive due to submitting the incorrect bid form.

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

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

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

**AGENDA DATE:** December 12, 2023  
**PUBLIC HEARING DATE:** Not Applicable

**CONTACT PERSON(S) NAME AND PHONE NUMBER:**

Terry K. Kebschull, Animal Services Director (915) 212-8742  
K. Nicole Cote, Managing Director (915) 212-1092

**DISTRICT(S) AFFECTED:** All

**STRATEGIC GOAL:** No. 8 – Nurture and Promote a Healthy, Sustainable Community

**SUBGOAL:** 8.3 Enhance animal services to ensure El Paso's pets are provided a safe and Healthy environment

**SUBJECT:**

Discussion and action on the award of solicitation 2023-0624 Animal Services Janitorial Services to Ace Government Services, LLC for an initial three (3) year term for an estimated amount of \$458,211.60. The total value of the contract is, including the initial term plus the option, for a total of five (5) years, for an estimated amount of \$763,686.00.

**BACKGROUND / DISCUSSION:**

The janitorial services contract provides daily cleaning for the lobby, restrooms and high traffic areas for three locations around the city.

**SELECTION SUMMARY:**

Solicitation was advertised on August 1, 2023 and August 8, 2023. The solicitation was posted on City website on August 1, 2023. There was a total of twenty (20) viewers online; four (4) bids were received; four (4) from local suppliers.

**CONTRACT VARIANCE:**

The difference based in comparison to the previous contract is as follows: An increase of \$357,152.40 for the initial term, which represents a 353.41% increase due to the addition of a third location as well as an increase in hourly rate.

**PROTEST**

No protest received for this requirement.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

Amount: \$458,211.60  
Funding Source: Animal Services Fund  
Account: 225-2580-25110-522060

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? \_\_X\_\_ YES \_\_\_ NO**

**PRIMARY DEPARTMENT:** Animal Services

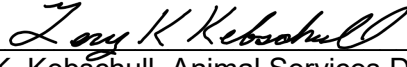
**SECONDARY DEPARTMENT:** Purchasing & Strategic Sourcing

2023-0624 Animal Services Janitorial Services

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

**DEPARTMENT HEAD:**



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Terry K. Kebschull, Animal Services Director



Project Form  
Best Value Bid

\*\*\*\*\*Posting Language Below\*\*\*\*\*

Please place the following item on the (Regular) Agenda for the City Council of December 12, 2023.

Strategic Goal 8 - Nurture and Promote a Healthy, Sustainable Community

The linkage to the Strategic Plan is subsection: 8.3 Enhance animal services to ensure El Paso's pets are provided a safe and healthy environment

**Award Summary:**

Discussion and action on the award of solicitation 2023-0624 Animal Services Janitorial Service to Ace Government Services, LLC for an initial term of three (3) years for an estimated amount of \$458,211.60. The award also includes a two (2) year option for an estimated amount of \$305,474.40 The total contract time is for five (5) years for a total estimated amount of \$763,686.00. This contract will provide daily cleaning for the lobby, restrooms and high traffic areas for three locations around the city.

**Contract Variance:**

The difference based in comparison to the previous contract is as follows: An increase of \$357,152.40 for the initial term, which represents a 353.41% increase due to the addition of a third location as well as an increase in hourly rate.

Department:	Animal Services
Award to:	Ace Government Services, LLC
City & State:	El Paso, TX
Item(s):	All
Initial Term:	3 Years
Option Term:	2 Years
Total Contract Time:	5 Years
Annual Estimated Award:	\$152,737.20
Initial Term Estimated Award:	\$458,211.60
Option Term Estimated Award:	\$305,474.40
Total Estimated Award	\$763,686.00
Account(s)	225 – 2580 – 25110 – 522060
Funding Source(s):	Animal Services Fund
District(s):	All

This was a Best Value Bid Procurement - unit price contract

The Purchasing & Strategic Sourcing Department and Animal Services Department recommend award as indicated to Ace Government Services, LLC the highest ranked bidder based on the evaluation factors established in the evaluation criteria for this procurement and to deem Amanda Pauline Nyser dba Axiom Enterprise Solutions, LLC and Vicente Monreal dba Life Landscaping non responsive due to submitting the incorrect bid form.

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

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

					Committee Scoresheet	
CITY OF EL PASO BEST VALUE SCORESHEET						
PROJECT: 2023-0624 Animal Services Janitorial Services						
Evaluation of Submittal						
		Ace Government Services, LLC  El Paso, TX	Synergy Project Contracts , Inc  El Paso, TX	Amanda Pauline Nyser dba Axiom Enterprise Solution  El Paso, TX	Vicente Monreal dba Life Landscaping  El Paso, TX	
MAX POINTS						
Factor A - Price	30	30.00	12.82	Offer deemed Non-Responsive	Offer deemed Non-Responsive	
Proposed Cost		\$ 458,211.60	\$ 1,072,096.13			
Factor B - Expierence - Comprable Contracts	30	18.00	12.00			
Factor C - References	30	30.00	0.00			
Factor D – Employee Medical Benefits	10	8.00	2.00			
TOTAL SCORE	100	86.00	26.82			
		1	2			



CITY OF EL PASO  
BID TABULATION FORM



BID TITLE: ANIMAL SERVICES JANITORIAL SERVICES BID DATE: SEPTEMBER 14, 2023																BID NO: 2023-0624 DEPARTMENT: ANIMAL SERVICES			
				ACE GOVERNMENT SERVICES, LLC EL PASO, TX BIDDER 1 OF 4				AMANDA PAULINE NYSER dba AXIOM ENTERPRISE SOLUTIONS, LLC. EL PASO, TX BIDDER 2 OF 4				VICENTE MONREAL dba LIFE LANDSCAPING EL PASO, TX BIDDER 3 OF 4				SYNERGY PROJECT CONTRACTORS, INC. dba SYNERGY PROJECT CONTRACTORS, INC. EL PASO, TX BIDDER 4 OF 4			
Item No.	Description	Unit of Measure	Total Hours per Month	Price (B)	Monthly Total (C = A X B) (C)	Yearly Total (D = C X 12 mo) (D)	3 Year Total (E = D X 3) (E)	Price (B)	Monthly Total (C = A X B) (C)	Yearly Total (D = C X 12 mo) (D)	3 Year Total (E = D X 3) (E)	Price (B)	Monthly Total (C = A X B) (C)	Yearly Total (D = C X 12 mo) (D)	3 Year Total (E = D X 3) (E)	Price (B)	Monthly Total (C = A X B) (C)	Yearly Total (D = C X 12 mo) (D)	3 Year Total (E = D X 3) (E)
1	Janitorial Service - 5001 Fred Wilson	Hourly	487.2	\$ 19.25	\$ 9,378.60	\$ 112,543.20	\$ 337,629.60	\$ 58.42	\$ 28,462.22	\$ 341,546.69 Bidder's Price: \$341,602.80	\$ 1,024,640.06 Bidder's Price: \$1,024,808.40	\$ 12.00	\$ 5,846.40	\$ 70,156.80 Bidder's Price: \$5,846.40	\$ 210,470.40 Bidder's Price: \$17,539.20	\$ 45.04	\$ 21,943.49	\$ 263,321.86	\$ 789,965.57
2	Janitorial Service - 9060 Socorro Rd.	Hourly	52.2	\$ 19.25	\$ 1,004.85	\$ 12,058.20	\$ 36,174.60	\$ 58.42	\$ 3,049.52	\$ 36,594.29 Bidder's Price: \$36,588.00	\$ 109,782.86 Bidder's Price: \$109,764.00	\$ 12.00	\$ 626.40	\$ 7,516.80 Bidder's Price: \$626.40	\$ 22,550.40 Bidder's Price: \$1,879.20	\$ 45.04	\$ 2,351.09	\$ 28,213.06	\$ 84,639.17
3	Janitorial Service - 501 E. Mills St.	Hourly	121.8	\$ 19.25	\$ 2,344.65	\$ 28,135.80	\$ 84,407.40	\$ 58.42	\$ 7,115.56	\$ 85,386.67 Bidder's Price: \$85,357.44	\$ 256,160.02 Bidder's Price: \$256,072.32	\$ 12.00	\$ 1,461.60	\$ 17,539.20 Bidder's Price: \$1,461.60	\$ 52,617.60 Bidder's Price: \$4,384.80	\$ 45.04	\$ 5,485.87	\$ 65,830.46	\$ 197,491.39
TOTAL						\$ 152,737.20	\$ 458,211.60			\$ 463,527.65 Bidder's Price: \$463,548.24	\$ 1,390,582.94 Bidder's Price: \$1,390,644.72			\$ 95,212.80 Bidder's Price: \$7,934.40	\$ 285,638.40 Bidder's Price: \$23,803.20			\$ 357,365.38	\$ 1,072,096.13
OPTION TO EXTEND THE TERM OF THE AGREEMENT 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. BIDDER OFFERS THE CITY THE OPTION OF EXTENDING THE TERM OF THE CONTRACT FOR:																			
TWO (2) ADDITIONAL YEARS AT THE SAME UNIT PRICE(S)				<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>				<input type="checkbox"/>			
NO OPTION OFFERED				<input type="checkbox"/>				<input type="checkbox"/>				<input type="checkbox"/>				<input checked="" type="checkbox"/>			
AMENDMENTS ACKNOWLEDGED:				YES				NO				NO							
BIDS SOLICITED: 273				LOCAL BIDS SOLICITED: 174				BIDS RECEIVED: 4				LOCAL BIDS RECEIVED: 4				NO BID: 1			
NOTE: The information contained in this bid tabulation is for information only and does not constitute actual award/execution of contract.																			

## 2023-0624 Animal Services Janitorial Services

<u>No.</u>	<u>Participant Name</u>	<u>Response Date</u>	<u>Response Status</u>	<u>Contact</u>	<u>City</u>
1	Ace Government Services LLC	09/13/2023	Submitted	Steven Chapel	El Paso
2	Synergy Project Contractors, Inc.	09/13/2023	Submitted	Luis Luna	El Paso
3	Axiom Enterprise Solutions LLC	09/08/2023	Submitted	Amanda Nyser	El Paso
4	Life Landscaping	09/06/2023	Submitted		el paso
5	Paso-Tex Industries LLC	08/15/2023	No Bid	Kelly Shankles	El Paso
6	Complete Supply	08/01/2023	No Bid	Price Bahcall	Farmers Br
7	Construction Reporter		Viewed	Rebecca Taylor	Albuquerque
8	Curbelo Enterprises LLC		Viewed	Haley Curbelo	Godley
9	GrayMar Environmental Services Inc		Viewed	April Torres	El Paso
10	HCV ENTERPRISES, LLC		Viewed	Heidi Avedician	El Paso
11	Klean-it Janitorial Services		Unsubmitted	Alex Cruz	El Paso
12	LM Endeavor		Viewed	Leonardo Mena	El Paso
13	M.G. Construction		Unsubmitted	menny martinez	chaparral
14	MACNEILL AND SONS GENERAL CONTRACTORS		Viewed	VERONICA PACHECO	EL PASO
15	Missis & Me		Viewed		El Paso
16	Motion Industries		Viewed	Megan Schmidt	El Paso
17	PIRTEK EL PASO (OnPoint Hydraulics LLC)		Unsubmitted		EL PASO
18	Shine Bright Cleaning Co.		Unsubmitted		El Paso
19	The Plant Room		Viewed	Cecilia Hernandez	El Paso
20	YML Cleaning Services		Viewed	Karina Zuany	El Paso



El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #:** 23-1319, **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**

Capital Improvement Department, Daniela Quesada, (915) 212-1826

#### **AGENDA LANGUAGE:**

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

An Ordinance amending various sections of Title 20 (Zoning), Appendix A (Table of Permissible Uses), and Appendix B (Table of Density and Dimensional Standards) to adopt the Union Plaza Architectural and Design Guidelines and Update References. The penalty is as provided in Chapter 20.24 of the El Paso City Code.



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

**AGENDA DATE:** November 21, 2023

**PUBLIC HEARING DATE:** December 12, 2023

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** Daniela Quesada, 915-212-1826

**DISTRICT(S) AFFECTED:** City-wide

**STRATEGIC GOAL:** Goal 1 - Cultivate an Environment Conducive to Strong, Economic Development

**SUBGOAL:** 1.1 Stabilize and expand El Paso's tax base

**SUBJECT:**

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF TITLE 20 (ZONING), APPENDIX A (TABLE OF PERMISSIBLE USES), AND APPENDIX B (TABLE OF DENSITY AND DIMENSIONAL STANDARDS) TO ADOPT THE UNION PLAZA ARCHITECTURAL AND DESIGN GUIDELINES AND UPDATE REFERENCES. THE PENALTY IS AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

**BACKGROUND / DISCUSSION:**

As part of a comprehensive revitalization strategy for the Union Plaza District, the district's Architectural and Design Guidelines have not been updated since their initial adoption in 1996.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

—

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?** ☒ YES ☐ NO

**PRIMARY DEPARTMENT:** CID - Planning

**SECONDARY DEPARTMENT:**

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

**DEPARTMENT HEAD:**



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Joaquin Rodriguez, AICP

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF TITLE 20 (ZONING), APPENDIX A (TABLE OF PERMISSIBLE USES), AND APPENDIX B (TABLE OF DENSITY AND DIMENSIONAL STANDARDS) TO ADOPT THE UNION PLAZA ARCHITECTURAL AND DESIGN GUIDELINES AND UPDATE REFERENCES. THE PENALTY IS AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

**WHEREAS**, the Union Plaza District and associated ordinances including the Union Plaza Architectural and Design Guidelines (the “Guidelines”) were created and adopted via ordinance #012873 on August 6<sup>th</sup>, 1996 and repealed via ordinance #016653 on June 5<sup>th</sup>, 2007; and,

**WHEREAS**, infill development, increased residential density, and public investment has been identified in the Downtown, Uptown, and Surrounding Neighborhoods Master Plan adopted as amended by city council on July 5<sup>th</sup>, 2023, as an opportunity for continued growth and revitalization; and,

**WHEREAS**, Goal 1.1 of the adopted strategic plan of The City of El Paso seeks to stabilize and expand El Paso’s tax base by activating targeted development and investment in Downtown historic structures by expanding downtown revitalization and redevelopment focusing on priority corridor development plans, infill growth strategies, and parking strategies while including streetcar corridor vibrancy, and parking management plans; and,

**WHEREAS**, this is a comprehensive revitalization strategy that aims to rebrand the district to promote traditional neighborhood development, create a clear identity and connectivity to surrounding areas through unified wayfinding and urban design guidelines, and generate public investment and policy recommendations that promote equitable development and quality of life for downtown; and,

**WHEREAS**, the proposed updates also align with the efforts of the downtown street tree master plan, alley activation, and the ROW café program to improve pedestrian infrastructure, promote walkability, and activate downtown urban streetscapes; and,

**WHEREAS**, the City Plan Commission for the City of El Paso, at its regular public meeting on December, 15<sup>th</sup> 2022, unanimously carried to recommend to city council associated ordinance amendments of the Guidelines; and,

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

**SECTION 1.** The City Council adopts the Guidelines attached to this ordinance as Attachment “A”. The Guidelines, as attached to this ordinance, amends the original Union Plaza Architectural and Design Guidelines previously adopted by City Council and incorporates the Guidelines within the Union Plaza District for a Comprehensive Revitalization Strategy.

**ORDINANCE NO. \_\_\_\_\_**

HQ2023-1526-CI | TRAN#503078

Title 20 Amendment – Union Plaza Architectural and Design Guidelines

RTA

**SECTION 2.** Title 20 (Zoning), Chapter 20.04 (Administrative Provisions) Article III. (Detailed Site Development Plan Approval Process), Section 20.04.150 (Procedure), Subsection C is amended in its entirety to read as follows:

- C. Administrative approval. Detailed site development plans meeting the following conditions shall be reviewed and approved by the zoning administrator:
1. The site is two acres or less in size, and
  2. The site plan contains no more than two buildings, and
  3. The site plan complies with any zoning conditions and all city code provisions, to include the tables for uses and density and dimensional standards and;
  4. The city's department of transportation has no concerns with access or restriction of access to the site; and,
  5. The site plan complies with staff recommendations concerning the location of stormwater drainage structures and easements to include onsite ponding areas; the location and arrangement of structures, vehicular and pedestrian ways; open spaces and landscape planted areas. Staff recommendations shall not require that the site plan have landscaping in excess of what is required under the city code or any zoning condition, or
  6. Any site within the “U-P” Union Plaza District.

If the zoning administrator does not approve an applicant's detailed sited development plan, the applicant may appeal the decision to the city plan commission. The applicant must file the appeal with the zoning administrator within fifteen business days from the date of the zoning administrator's decision. The zoning administrator shall place the appeal on the city plan commission agenda to be heard by the commission within thirty business days from the date the appeal was received. The zoning administrator shall include the detailed site plan, the appeal, and a summary of the zoning administrator's reasons for disapproving the detailed site plan.

**SECTION 3.** Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.146 (Civic and cultural district), Subsection B is amended in its entirety to read as follows:

- B. District boundaries: Beginning at the intersection of the north ROW boundary of West Missouri Avenue and the east ROW boundary of North Oregon Street,

Thence southeast along the east ROW boundary of North Oregon Street to its intersection with the south ROW boundary of West Franklin Avenue,

Thence southwest along the south ROW boundary of West Franklin Avenue to its intersection with the east ROW boundary of North Santa Fe Street,

Thence in a southern direction along the east ROW boundary of North Santa Fe Street to its intersection with the south ROW boundary of West San Antonio Avenue,

**ORDINANCE NO. \_\_\_\_\_**

HQ2023-1526-CI | TRAN#503078

Title 20 Amendment – Union Plaza Architectural and Design Guidelines

RTA

Thence southwest along the south ROW boundary of West San Antonio Avenue to its intersection with the west ROW boundary of South Durango Street,

Thence in a northerly direction along the west ROW boundary of South Durango Street to its intersection with the south ROW boundary of West San Francisco Avenue,

Thence in a westerly direction along the south ROW boundary of West San Francisco Avenue to its intersection with the east ROW boundary of South Coldwell Street,

Thence in a south direction along the east ROW boundary of South Coldwell Street to its intersection with the north ROW boundary of West Paisano Drive,

Thence in a northwesterly direction along the north ROW boundary of West Paisano Drive to its intersection with the south ROW boundary of the Union Pacific Railroad Company,

Thence in a southeasterly direction along the south ROW boundary of the Union Pacific Railroad Company to its intersection with the west ROW boundary of South Durango Street,

Thence in a northerly direction along the west ROW boundary of South Durango Street to its intersection with the north ROW boundary of West Missouri Avenue,

Thence northeast along the north ROW boundary of West Missouri Avenue to the point of beginning.

**SECTION 4.** Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.360 (Mixed-use development), Subsection B is amended in its entirety to read as follows:

**B. Union Plaza (U-P).**

1. **Applicability.** The provisions of this section will apply to all parcels of land within the “U-P” Union Plaza District.
2. **Development Standards.**
  - a. For mixed-use developments over 1 story in height, where residential and other uses are combined in a single building, residential uses may not occupy the ground floor, except where they comply with the design standards in the “*2023 Union Plaza Architectural and Design Guidelines*.” In other multifamily dwelling buildings, not including commercial uses, residential uses may occupy the ground floor.
  - b. **Off-Street Parking.** Off-street parking requirements of Chapter 20.14 shall not apply to properties in the district. Additionally, surface parking lots shall be prohibited in the district.
  - c. Drive-through facilities are prohibited in the district.
  - d. In the District, height limits of buildings or structures within a seven hundred (700) foot radius of any part of the facade of the Union Depot shall not exceed forty (40) feet.
3. **Plans and Permits Required.** Prior to the issuance of any building or related permits for any new construction or renovation of the exterior of existing building(s), drawings and applications shall be reviewed for approval by the City Manager or designee, to ensure that the proposed construction complies with the architectural and design guidelines described

**ORDINANCE NO. \_\_\_\_\_**

HQ2023-1526-CI | TRAN#503078

Title 20 Amendment – Union Plaza Architectural and Design Guidelines

RTA

in this section. Application shall be reviewed within ten business days upon receipt of a complete application. The City Manager or designee may request assistance of other departments to review drawings and applications.

4. Architectural and Design Guidelines. The purpose of these guidelines is to protect the district from unsightly construction that would ultimately diminish the appeal of the district. All applications for redevelopment of existing buildings or structures or new construction must comply with the Union Plaza Architectural and Design Guidelines. Copies of the Union Plaza Architectural and Design Guidelines are on file in the Planning and Inspections Department.
5. Application Requirements. In addition to those items required for the application for a building permit, a detailed site development plan is required prior to development within the district. The process for application and approval shall be in accordance with Title 20, Article III – Detailed Site Development Plan Approval Process. The requirement for a detailed site development plan shall only apply to new construction or additions to existing structures.

**SECTION 5.** Title 20 (Zoning), Chapter 20.18 (Sign Regulations), Article IV (On-Premises Sign Regulations), Section 20.18.465 (Civic and cultural district signs), is amended in its entirety to read as follows:

Civic and cultural district signs are not subject to the sign regulations of the base zoning district.

1. Permit required: yes.
2. Location: these signs should be located within the boundaries of the civic and cultural district boundary as defined in 20.10.146
3. Off-premises advertising shall be prohibited.
4. All CEVM displays shall be illuminated at a level no greater than 0.3 foot-candles over ambient light levels for the location and time.
5. A CEVM display shall be equipped with both a dimmer control and a photocell which automatically adjusts the display's intensity according to natural ambient light conditions.
6. The CEVM display shall contain a default mechanism to show a "full black" image, or turn the sign off in case of malfunction, or be repaired, within twelve hours of receiving a written notification from the city of a malfunction.
7. The CEVM shall not resemble or simulate any traffic control or other official signage.
8. The use of flashing, strobing lights on the CEVM or any portion of the frame or mounting structure is prohibited.
9. The sign owner shall provide on the sign permit the contact information of a person who is available at all times and who is able to turn off any changeable electronic variable message sign promptly after a malfunction occurs.

**SECTION 6.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 1.00 (Agricultural & related operations), Section 1.10 (Farmer's market) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district.

**ORDINANCE NO.** \_\_\_\_\_

HQ2023-1526-CI | TRAN#503078

Title 20 Amendment – Union Plaza Architectural and Design Guidelines

RTA



**SECTION 7.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 1.00 (Agricultural & related operations), Section 1.19 (Produce stand) is amended as follows:

Add use shall be Permitted accessory use (A) in the U-P district.

**SECTION 8.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 2.00 (Commercial, storage & processing), Section 2.02 (Bottling works) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district.

**SECTION 9.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 2.00 (Commercial, storage & processing), Section 2.03 (Boutique bottling) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district.

**SECTION 10.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 3.00 (Educational, institutional & social uses), Section 3.03 (Child care facility, Type 3) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district.

**SECTION 11.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 3.00 (Educational, institutional & social uses), Section 3.04 (Child care facility, Type 4) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 12.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 4.00 (Office & research services), Section 4.08 (Office, administrative & manager's) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 13.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 4.00 (Office & research services), Section 4.09 (Office, business) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 14.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 4.00 (Office & research services), Section 4.10 (Office, medical) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 15.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 4.00 (Office & research services), Section 4.11 (Office, professional) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**ORDINANCE NO. \_\_\_\_\_**

HQ2023-1526-CI | TRAN#503078

Title 20 Amendment – Union Plaza Architectural and Design Guidelines

RTA

**SECTION 16.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 4.00 (Office & research services), Section 4.14 (School, arts & crafts) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 17.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 4.00 (Office & research services), Section 4.15 (Studio, dance) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 18.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 4.00 (Office & research services), Section 4.16 (Studio, music) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 19.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 4.00 (Office & research services), Section 4.17 (Studio, photography) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 20.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 4.00 (Office & research services), Section 4.19 (Television broadcasting studio) is amended as follows:

Add Detailed site plan approval required (D) in the U-P district

**SECTION 21.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 5.00 (Manufacturing, processing & assembling), Section 5.06 (Brewery) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 22.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 5.00 (Manufacturing, processing & assembling), Section 5.065 (Brewpub) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 23.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 9.00 (Parking and Loading), is amended as follows:

Rename Section 9.01 (Garage, structured, parking (commercial)). Add Master zoning plan required (Z) in the R-MU district.

**SECTION 24.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 9.00 (Parking & Loading), Section 9.02 (Garage or lot, parking (community)) is amended as follows:

Add use not allowed (X) in the U-P district

**SECTION 25.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 9.00 (Parking & Loading), Section 9.08 (Parking spaces (serving another property)) is amended as follows:

**ORDINANCE NO.** \_\_\_\_\_

HQ2023-1526-CI | TRAN#503078

Title 20 Amendment – Union Plaza Architectural and Design Guidelines

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Add use not allowed (X) in the U-P district

**SECTION 26.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 10.00 (Personal Services), Section 10.01 (Barber shop) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 27.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 10.00 (Personal Services), Section 10.02 (Beauty salon) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 28.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 10.00 (Personal Services), Section 10.10 (Laundromat, laundry (<5,000 square feet)) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 29.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 10.00 (Personal Services), Section 10.13 (Locksmith) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 30.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 10.00 (Personal Services), Section 10.14 (Massage parlor) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 31.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 10.00 (Personal Services), Section 10.18 (Shoe repair shop) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 32.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 10.00 (Personal Services), Section 10.19 (Tattoo parlor) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 33.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 11.00 (Recreation, amusement & entertainment), Section 11.06 (Ballroom) is amended as follows:

Add Detailed site plan approval required (D) in the U-P district

**SECTION 34.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 11.00 (Recreation, amusement & entertainment), Section 11.07 (Billiard & pool hall) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

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**SECTION 35.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 11.00 (Recreation, amusement & entertainment), Section 11.12 (Community recreational facility) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 36.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 11.00 (Recreation, amusement & entertainment), Section 11.13 (Convention center) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 37.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 11.00 (Recreation, amusement & entertainment), Section 11.14 (Dancehall) is amended as follows:

Add Detailed site plan approval required (D) in the U-P district

**SECTION 38.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 11.00 (Recreation, amusement & entertainment), Section 11.16 (Exhibition hall) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 39.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 11.00 (Recreation, amusement & entertainment), Section 11.23 (Ice skating facility) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 40.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 11.00 (Recreation, amusement & entertainment), Section 11.28 (Nightclub, bar, cocktail lounge) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 41.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 11.00 (Recreation, amusement & entertainment), Section 11.33 (Park, playground) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 42.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 11.00 (Recreation, amusement & entertainment), Section 11.38 (Roller skating facility) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 43.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 11.00  
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(Recreation, amusement & entertainment), Section 11.43 (Skateboarding facility (outdoor)) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 44.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 11.00 (Recreation, amusement & entertainment), Section 11.44 (Sports arena) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 45.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 13.00 (Residential), Section 13.03 (Bed and breakfast (residence)) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 46.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 13.00 (Residential), Section 13.04 (Bed and breakfast inn) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 47.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 13.00 (Residential), Section 13.17 (HUD-code manufactured home park) is amended as follows:

Add use not allowed (X) in the U-P district

**SECTION 48.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 13.00 (Residential), Section 13.23 (Mobile home park) is amended as follows:

Add use not allowed (X) in the U-P district

**SECTION 49.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 13.00 (Residential), Section 13.25 (Quadruplex) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 50.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 13.00 (Residential), Section 13.33 (Triplex) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 51.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 13.00 (Residential), Section 13.35 (Accessory dwelling unit) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 52.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 14.00 (Sales, retail & wholesale), Section 14.02 (Bakery) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

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**SECTION 53.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 14.00 (Sales, retail & wholesale), Section 14.03 (Book store) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 54.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 14.00 (Sales, retail & wholesale), Section 14.04 (Boutique) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 55.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 14.00 (Sales, retail & wholesale), Section 14.05 (Cafeteria) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 56.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 14.00 (Sales, retail & wholesale), Section 14.10 (Delicatessen) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 57.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 14.00 (Sales, retail & wholesale), Section 14.11 (Drugstore) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 58.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 14.00 (Sales, retail & wholesale), Section 14.14 (Flea market (indoor)) is amended as follows:

Add use not allowed (X) in the U-P district

**SECTION 59.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 14.00 (Sales, retail & wholesale), Section 14.16 (Flower shop, florist) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 60.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 14.00 (Sales, retail & wholesale), Section 14.20 (Ice cream parlor) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 61.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 14.00 (Sales, retail & wholesale), Section 14.26 (Other retail establishment (low-volume)) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 62.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 14.00 (Sales, retail & wholesale), Section 14.26 (Other retail establishment (low-volume)) is amended as follows:

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retail & wholesale), Section 14.30 (Pawn shop) is amended as follows:

Add use not allowed (X) in the U-P district

**SECTION 63.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 14.00 (Sales, retail & wholesale), Section 14.33 (Produce stand) is amended as follows:

Add use shall be Permitted accessory use (A) in the U-P district.

**SECTION 64.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 14.00 (Sales, retail & wholesale), Section 14.34 (Restaurant (drive-in or walk up)) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 65.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 14.00 (Sales, retail & wholesale), Section 14.35 (Restaurant (sit down)) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 66.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 14.00 (Sales, retail & wholesale), Section 14.38 (Snow cone, shaved ice stand or trailer) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 67.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 14.00 (Sales, retail & wholesale), Section 14.39 (Specialty shop) is amended as follows:

Add use shall be Permitted by right (P) in the U-P district

**SECTION 68.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 16.00 (Temporary uses), Section 16.02 (Borrow pit (related to construction operations)) is amended as follows:

Add Detailed site plan approval required (D) in the U-P district

**SECTION 69.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 16.00 (Temporary uses), Section 16.04 (Circus) is amended as follows:

Add Detailed site plan approval required (D) in the U-P district

**SECTION 70.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 16.00 (Temporary uses), Section 16.05 (Concrete mixing or batching plant) is amended as follows:

Add use not allowed (X) in the U-P district

**SECTION 71.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 16.00 (Temporary uses), Section 16.10 (Model dwelling) is amended as follows:

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Add use not allowed (X) in the U-P district

**SECTION 72.** Title 20 (Zoning), Appendix A (Table of Permissible Uses), Table 16.00 (Temporary uses), Section 16.14 (Rummage sale) is amended as follows:

Add use not allowed (X) in the U-P district

**SECTION 73.** Title 20 (Zoning), Appendix B (Table of Density and Dimensional Standards), Subpart B (Lot & Dwelling Size), under column titled “Minimum Lot Area (square feet),” Line DD.1, (U-P), is amended as follows:

No minimum

**SECTION 74.** Title 20 (Zoning), Appendix B (Table of Density and Dimensional Standards), Subpart B (Lot & Dwelling Size), under column titled “Minimum Lot Area (square feet),” Line DD.2, (U-P), is amended as follows:

No minimum

**SECTION 75.** Title 20 (Zoning), Appendix B (Table of Density and Dimensional Standards), Subpart B (Lot & Dwelling Size), under column titled “Minimum Average Lot Width (in feet),” Line DD.2, (U-P), is amended as follows:

No minimum

**SECTION 76.** Title 20 (Zoning), Appendix B (Table of Density and Dimensional Standards), is amended as follows:

Add line DD.4, Permitted Use, Performing Arts Center to Table of Density and Dimensional Standards

Zoning District: U-P

Minimum District Area: See Development Standards in Section 20.10.360 of this title

Permitted Use (as established in Chapter 20.08): Performing Arts Center

Minimum Lot Area (square feet): No minimum

Minimum Average Lot Width (in feet): No minimum

Minimum Lot Depth (in feet): No minimum

Other Standards: See Development Standards in Section 20.10.360 of this title

Minimum Front Yard (in feet): 0

Minimum Rear Yard (in feet): 0

Minimum Cumulative Front & Rear Yard Total: N/A

Minimum Side Yard (in feet): 0

Minimum Side Street Yard (in feet): 0

Minimum Cumulative Side & Side Street Yard Total: N/A

Other Standards: N/A

Maximum Height Limitation (in feet): 90 feet

**SECTION 77.** Title 20 (Zoning), Appendix B (Table of Density and Dimensional Standards), is amended as follows:

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Add DD.5, Permitted Use, Sports Arena (Multipurpose) to Table of Density and Dimensional Standards

Zoning District: U-P

Minimum District Area: See Development Standards in Section 20.10.360 of this title

Permitted Use (as established in Chapter 20.08): Sports Arena (Multipurpose)

Minimum Lot Area (square feet): No minimum

Minimum Average Lot Width (in feet): No minimum

Minimum Lot Depth (in feet): No minimum

Other Standards: See Development Standards in Section 20.10.360 of this title

Minimum Front Yard (in feet): 0

Minimum Rear Yard (in feet): 0

Minimum Cumulative Front & Rear Yard Total: N/A

Minimum Side Yard (in feet): 0

Minimum Side Street Yard (in feet): 0

Minimum Cumulative Side & Side Street Yard Total: N/A

Other Standards: N/A

Maximum Height Limitation (in feet): 90 feet

**SECTION 78.** Except as expressly herein amended, Title 20 (Zoning) of the El Paso City Code shall remain in full force and effect.

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

**CITY OF EL PASO:**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

*Russell Abeln*  
\_\_\_\_\_  
Russell T. Abeln  
Senior Assistant City Attorney

**APPROVED AS TO CONTENT:**

*Joaquin Rodriguez*  
\_\_\_\_\_  
Joaquin Rodriguez, AICP, Director  
Grant Funded Programs

**ORDINANCE NO.** \_\_\_\_\_

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Title 20 Amendment – Union Plaza Architectural and Design Guidelines

RTA

# ARCHITECTURAL & DESIGN GUIDELINES

# UNION PLAZA

CITY OF EL PASO | 2023





# ARCHITECTURAL & DESIGN GUIDELINES UNION PLAZA

CAPITAL IMPROVEMENT DEPARTMENT - CITY DESIGN LAB

PLANNING AND INSPECTIONS DEPARTMENT

CITY OF EL PASO, TEXAS | 2023

## MISSION

Deliver exceptional service 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

---

## ACKNOWLEDGMENTS

### CITY OF EL PASO

#### CAPITAL IMPROVEMENT DEPARTMENT - CITY DESIGN LAB

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<b>Daniela Quesada</b>	City Architect
<b>Alex Hoffman</b>	Assistant Director of CID Planning
<b>Joaquin Rodriguez</b>	CID Grant Funded Programs Director
<b>Appolonia Roldan</b>	Urban Design Manager
<b>Marcella Attolini</b>	Urban Design Manager
<b>Jonathan Robertson</b>	Capital Planning Project Manager
<b>Stephanie Barrios-Urrieta</b>	Architectural Intern

#### PLANNING AND INSPECTIONS DEPARTMENT

<b>Philip F. Etiwe</b>	Director of Planning and Inspections
<b>Kevin Smith</b>	Assistant Director of Planning
<b>Javier De La Cruz</b>	Building Permits & Inspections Assist. Director
<b>Luis Zamora</b>	Chief Planner

#### ECONOMIC DEVELOPMENT DEPARTMENT

<b>Elizabeth Triggs</b>	Director of Economic and Intl Development
<b>Karina Brasgalla</b>	Economic Development Assistant Director

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## INTRODUCTION TO THE GUIDELINES

### ABOUT THE DESIGN GUIDELINES

Design guidelines are used in communities all over the United States. They are a helpful reference, and after the City Council adopts design guidelines, they also become requirements that must be followed. The design guidelines aim to improve the quality, development compatibility, and design permanence found in the Union Plaza District.

Union Plaza District strives to build upon its image as the most vibrant, walkable, mixed-use urban district in downtown El Paso. This document promotes enriching development by assuring it aspires to a greater architectural and urban design standard.

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6	UNION PLAZA DISTRICT BOUNDARY
7	HISTORY
8	SITE DEVELOPMENT
12	SITE DETAILS
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28	APPLICATION REQUIREMENTS
30	DEFINITIONS





# DESIGN INTENT SUMMARY



## PURPOSE

These guidelines' primary purpose is to preserve Union Plaza District's general character. This document lists recommendations for site development, building form, and architectural character to ensure that new development contributes to our Downtown urban design goals and is compatible with the character of the existing Union Plaza District. Today, urban planning principles are guiding the City of El Paso to create new policies and regulations that will help restore a strong sense of place to our neighborhoods, commercial districts, and major transportation corridors.



## VISION

To provide convenient guidance, promote long-term preservation of property values through livability, and maintain the historic character of the Union Plaza District. These guidelines shall apply to all buildings within the boundaries of the Union Plaza District.



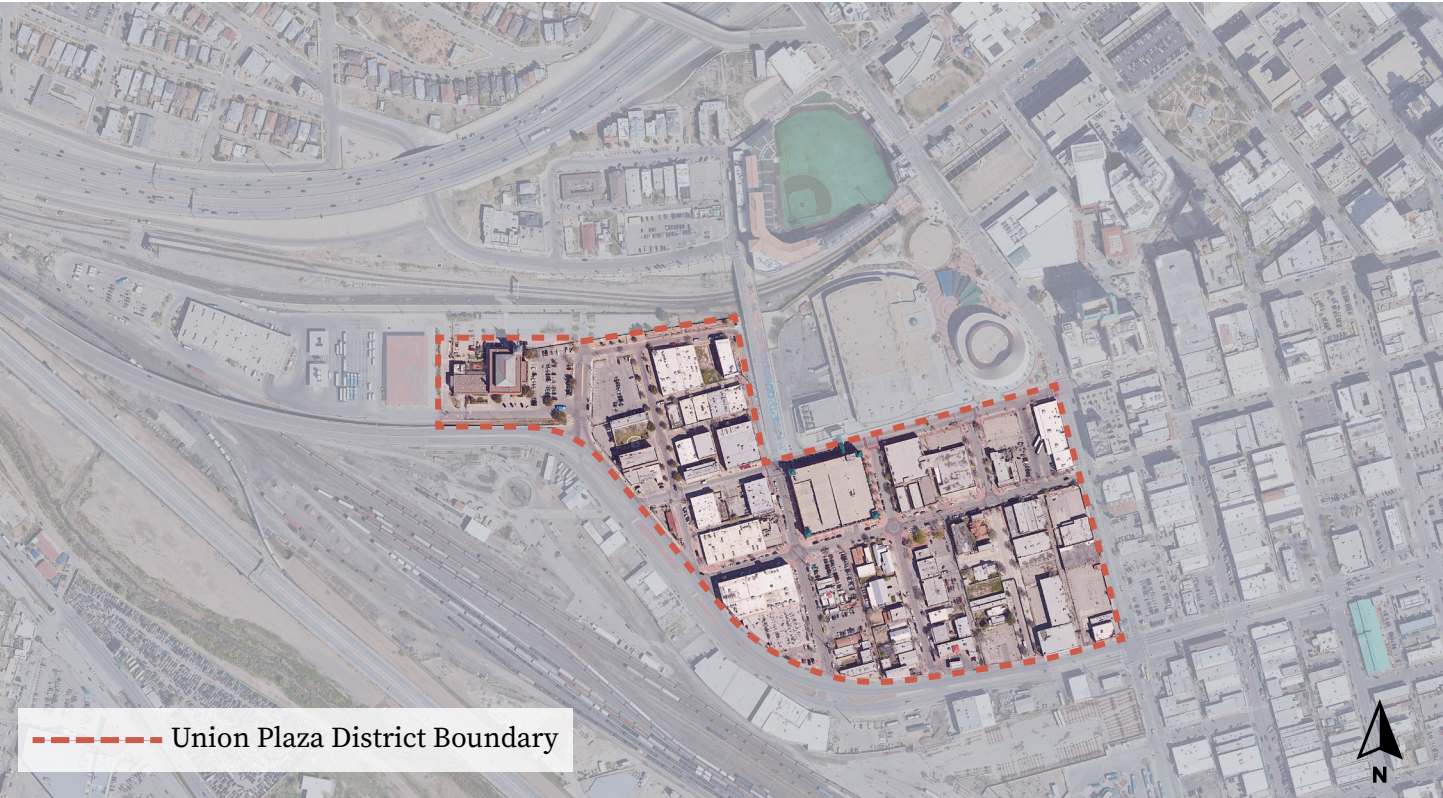
## OBJECTIVES

To provide convenient guidance, promote long-term preservation of property values through livability, and maintain the historic character of the Union Plaza District. These guidelines shall apply to all buildings within the boundaries of the Union Plaza District.

- Promote a pedestrian-oriented urban form.
- Maximize connectivity, infrastructure, and equity.
- Create dense development by supporting existing and new opportunities.
- Encourage adaptive reuse and support preservation.
- Strengthen our local economy.
- Enhance local identity and sense of place through place-making.



# Union Plaza District Boundary





# HISTORY

This part of downtown was developed, for the most part, after the completion of the Union Depot, a Daniel Burnham building from 1906, and thus, the surviving buildings reflect the character of that time. The surviving buildings of this era in this district are of masonry load-bearing construction with simple two-part commercial façades or warehouses. There are also two-story tenements and single-family houses from this period, reflecting masonry, adobe, and stone construction. The use of building materials achieved diverse expression in design. Brick comes in numerous colors and textures and is the predominant material. Cut stone was used for lintels, arches, and copings. Cast iron can still be seen in columns and beams. Successful redevelopment has been achieved through the adaptive reuse of existing buildings into mixed-use residential, commercial, and entertainment uses, successfully retaining the district's character.

Buildings constructed along San Francisco Street and San Antonio Street between 1900 and 1920 emphasize unity, order, and balance. The importance given to these qualities reflects two allied concerns. First is the premise that tradition provides the basis for sound design principles. Second is the belief that these principles apply not just to individual buildings but also to groups of buildings as a whole. Based on this premise, commercial buildings should contribute to a coherent urban landscape. While each façade may possess its own identity, and some should stand out as landmarks, most examples should be restrained and relatively unobtrusive. For the sake of design unity and identification, all future renovation and new infill construction shall use the Union Depot, a local and national landmark, as a reference for these guidelines.

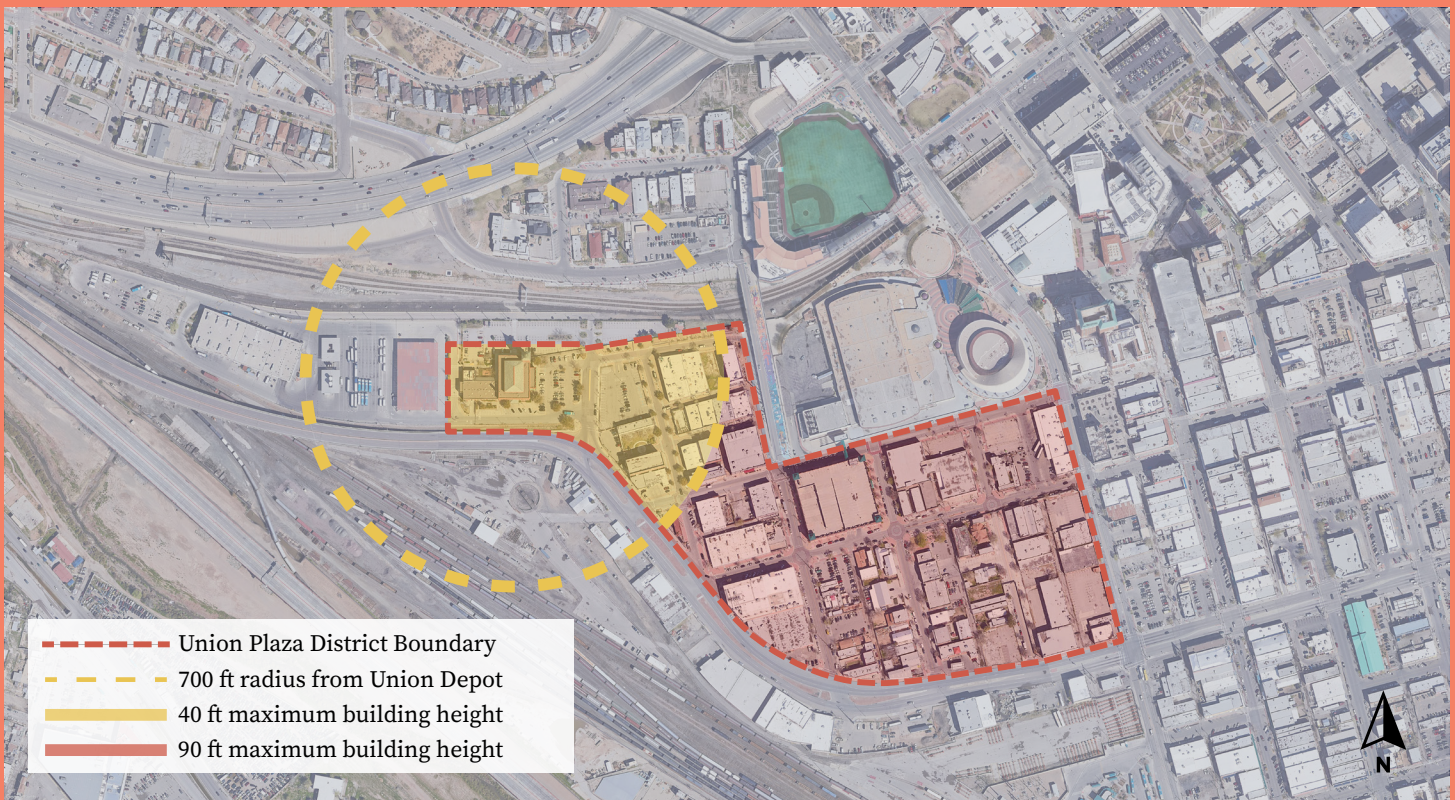


# SITE DEVELOPMENT

## HEIGHT

In the Union Plaza District, height limits of buildings or structures within a seven hundred (700) foot radius of any part of the façade of the Union Depot shall not exceed forty (40) feet as specified in [Section 20.10.360B](#). Please refer to the exhibit below.

Height limits of buildings or structures outside the seven hundred (700) foot radius will follow those height limitations as specified in [Title 20 Appendix B - Table of Density and Dimensional Standards](#) in the Zoning Code not to exceed ninety (90) feet.



# SITE DEVELOPMENT

## DEVELOPMENT STANDARDS

In the case of new construction of a mixed-use project, residential uses shall not occupy the ground floor. If the conditions below are met OR unless granted exemption through administrative review of a Detailed Site Development Plan:

- Not allowed when adjacent to a sidewalk.
- Allowed when a ground entrance is provided behind a commercial use, i.e., through a courtyard.

Where alleys are present, vehicular shall be prohibited from the front yard. Buildings shall be oriented to the street or the principal pedestrian entrance. For purposes of this requirement, “oriented” shall mean the building side(s) with the building’s main entrance. To activate the space for pedestrians, blank wall facades shall include any building face without an entrance or transparent windows. Refer to section “[Building Details](#)”.

Lot widths are to follow the initial/original subdivision lots of the area.

Due to the nature of existing development in the Union Plaza District, front, sides, or rear yards are zero-lot line.





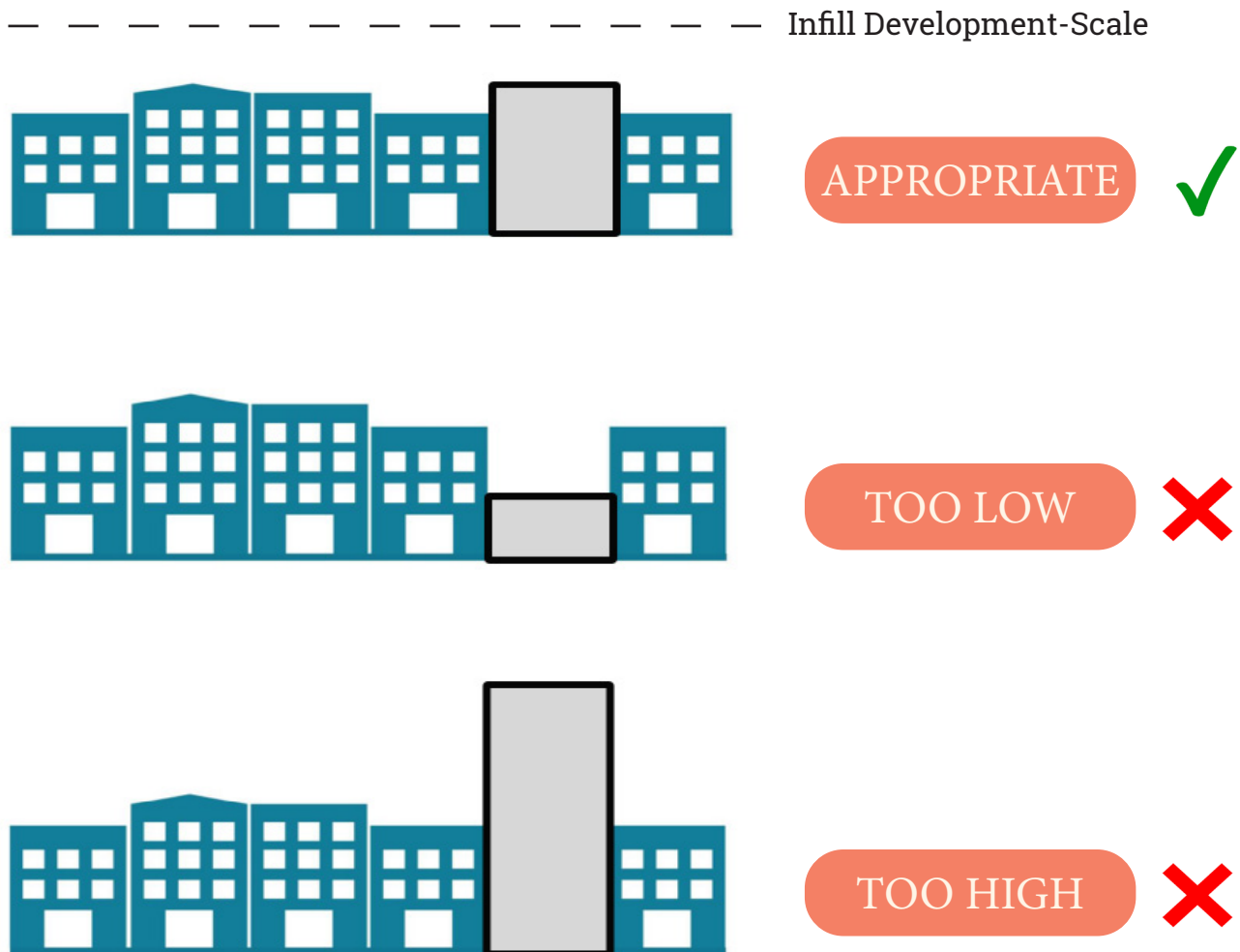
# SITE DEVELOPMENT

## PATTERN & RYTHM

The repetition of walls, windows, and doors in the façade of the building establishes a pattern sensed by a person observing a building. Architectural elements such as covered entrances, display windows, landscaping projections, and roof lines contribute to the pattern and rhythm of any urban environment.

New construction and additions should maintain and reinforce the existing pattern and contribute contextually through proportional height and massing. For larger buildings, this can be achieved by the articulating elevations and façades.

Refer to section “Building Details”.



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# SITE DETAILS

## SIDEWALK AND PEDESTRIAN CROSSINGS

For projects within the public right-of-way, designers should strive to incorporate the following design elements.

- Sidewalks and pedestrian crossings should be enhanced by the use of color patterns.
- Enhancements can be accomplished by using pavers, tiles, impressing patterns on concrete, or other techniques.
- Material in crosswalks should be smooth to allow easy walking and access. Heavy textures and materials should be utilized at the border to separate the crosswalk from the roadway.

Sidewalks and pedestrian crossings must align with the adopted [El Paso Complete Streets Policy 2022](#).





# SITE DETAILS

## LIGHTING

Lighting provides safety and visibility. It provides safe movement of vehicular and pedestrian traffic, security and crime prevention, and accentuates important landmarks.

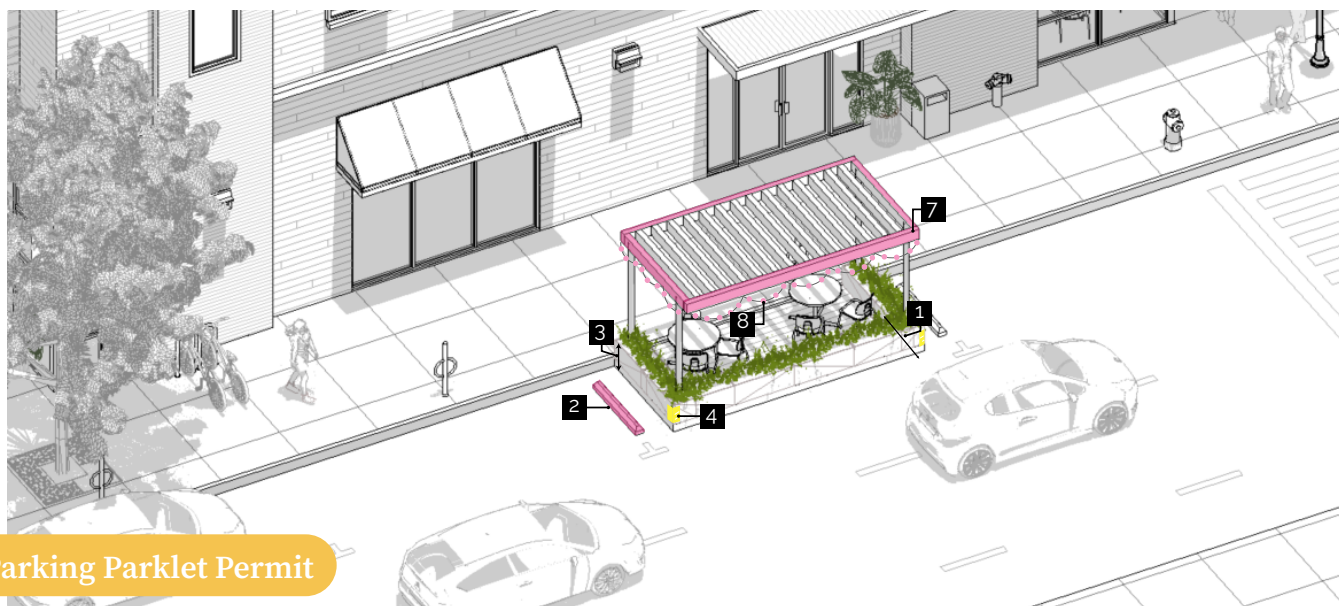
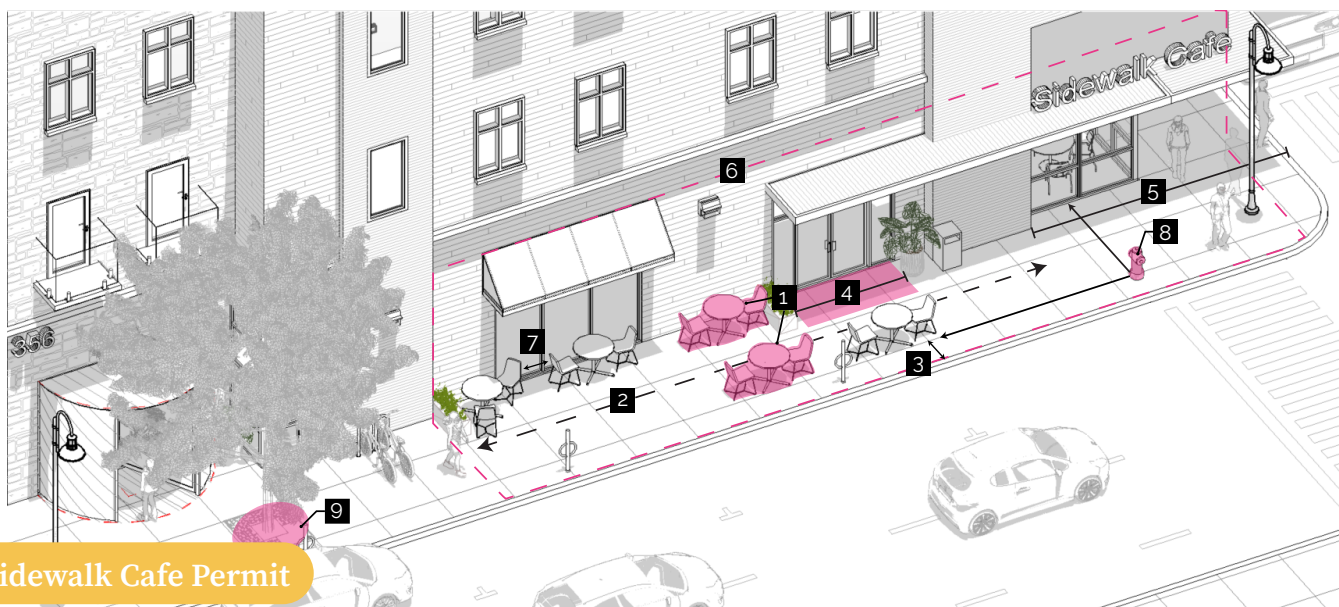
Period light fixtures should be installed on all sidewalks, alleys, open spaces and building facades with the owner's permission, and security lighting in alleys and parking lots. Scone lighting is permitted. Neon lighting and fiber optics may be used on building fronts as logos, accents, and signs inside window displays or to highlight architectural features.



# SITE DETAILS

## OUTDOOR CAFES

Outdoor cafes shall follow regulations in title 15 and 20 and the [Right-of-Way Cafe Program 2023](#). The dimensional standards of an outdoor cafe shall align with the Right-of-Way Cafe program. Landscape for outdoor cafes in the right-of-way should follow the [Downtown Street Tree Master Plan 2023](#).



\*Image source [Right-of-Way Cafe Program 2023](#)

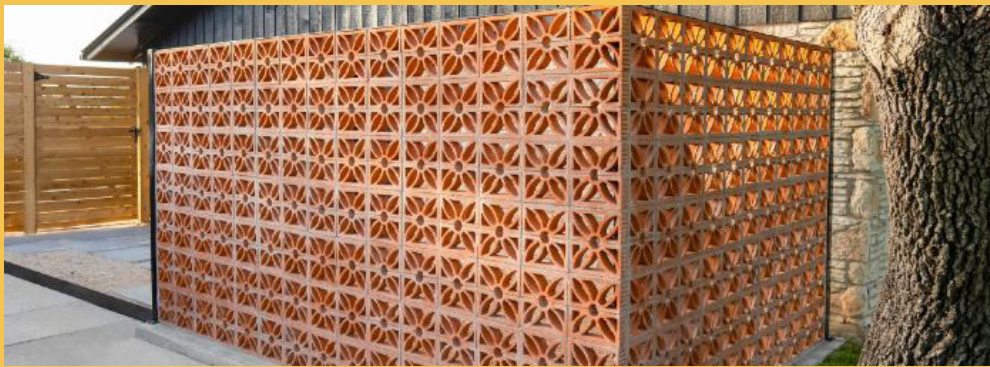


# SITE DETAILS

## FENCING AND WALLS

Brick, masonry (not to include cinderblock), decorative breeze blocks, and wrought iron materials are acceptable for fencing. **Chain link fencing is incompatible** with the Union Plaza District and is not permitted in the district. Loading docks and trash receptacles shall be screened. Iron bollards with the chains are acceptable as fencing for parking lots. In permissible uses, removal of surface lots as a permitted use or limited to locations such as behind buildings.

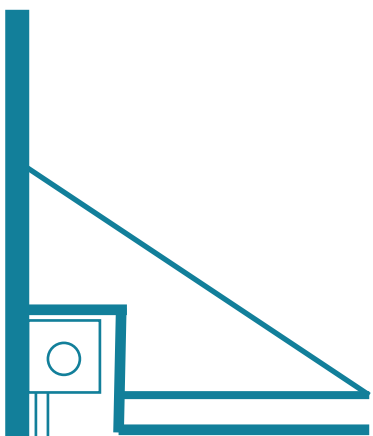
Specific design and locations regulations for fences and screening walls shall follow the requirements in [Sections 21.50.070\(F\)\(5\)](#) of the El Paso City Code.



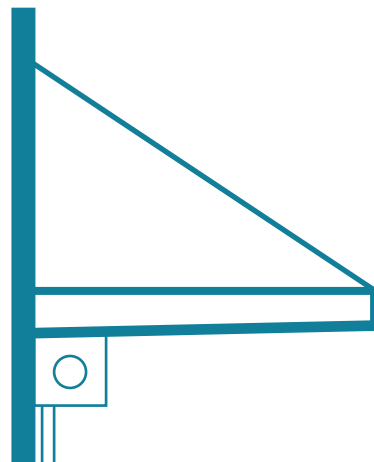
## SITE DETAILS

### SECURITY

Metal security grills are permitted. Security grills, other than electronic security devices, are limited to roll-up screen/doors/grills and shall be incorporated and concealed by a storefront awning or otherwise integrated into the design of the building facades. Devices housing mechanisms must not be visible. The curtain itself shall be of an open mesh design. Solid curtains are prohibited.



APPROPRIATE



NOT APPROPRIATE



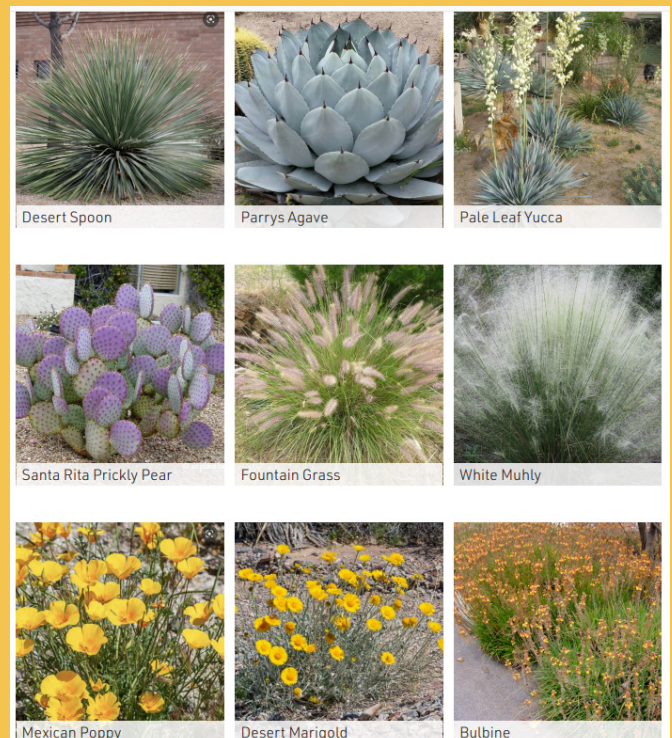
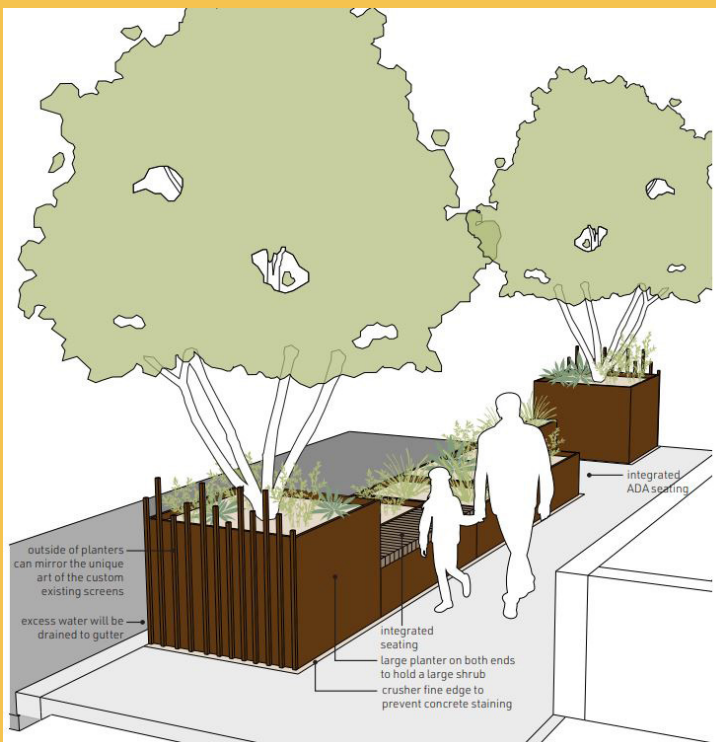


# SITE DETAILS

## LANDSCAPING

The regulations of [Chapter 18.46](#) of the El Paso City Code (Landscape Ordinance) are exempt in the district. However, landscaping should utilize drought tolerant plants and shrubs in the [approved list by the City Arborist](#) that effectively shade buildings and right-of-ways. Union Plaza shall also follow the standards set in the [Downtown Street Tree Master Plan 2023](#). Given the lack of building setbacks and sidewalk widths, creative use of window boxes and planters should be encouraged. Planters should provide an internal irrigation system to promote the long term life of the landscaping. Functional considerations such as solar radiation, water demands, plant selection and maintenance requirements should be given careful attention. Aesthetic principles to be considered are unity, balance, and scale. Both aesthetic and functional principles should be analyzed completely when designing a landscape plan for any redevelopment or new construction project.

Following the Union Plaza requirements will be eligible for landscape reduction.



\*Image source [Downtown Street Master Plan 2023](#)

# BUILDING DETAILS

## EXTERIOR FINISHES

The following are material recommendations and guidelines for articulating the facades and elevations of new construction or additions permissible in the Union Plaza District.

- Existing masonry and mortar should be retained if possible. The original color and texture of masonry should be retained wherever possible.
- Original architectural detailing should be maintained as much as possible.
- Colors used for finish should blend with surrounding buildings/materials. Bright colors should be used only as accent colors.

## Material utilization guidelines

For commercial and residential construction, applicant may chose one from the following options:

**A.**

Two to four material category combination in hierarchy:

- Primary material: no more than 70% of the surface area of the building envelope
- Secondary material: no more than 40% of the surface area of the building envelope
- Tertiary material: no more than 25% of the surface area of the building envelope
- Accent material: limited to trim and details

**OR**

**B.**

Material category combination in varying horizontal projections, or relief:

- Minimum two material category selections
- Material selections may NOT abut one another in a flush or continuous plane
- Minimum material projection from main façade plane to be 4 in.

**OR**

**C.**

A combination of options A and B to be reviewed administratively for approval  
-Proposed material subdivision as additions to the materials categories may be Considered



# MATERIAL CATEGORY LIST

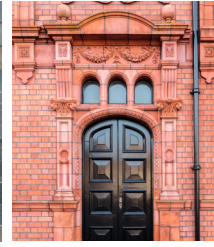
## Masonry



Brick



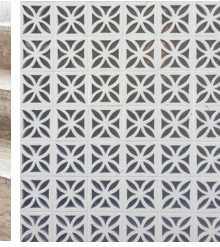
Stone cladding



Terra cotta

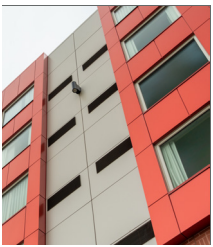


Natural stone

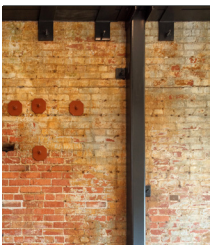


Breeze blocks

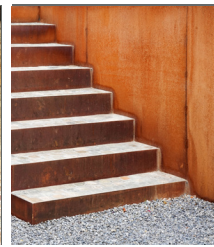
## Metals



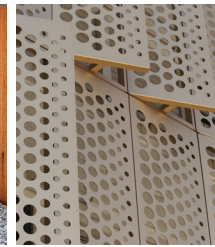
MCM - metal composite materials



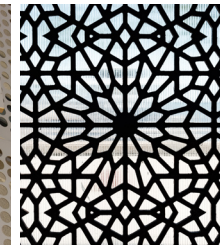
Structural metal framing/steel framing



Weathering steel (Corten)



Perforated/expanded metals



Metal fabrications



Decorative metals



Prefabricated metal finishes

## Concrete



Cast in place concrete



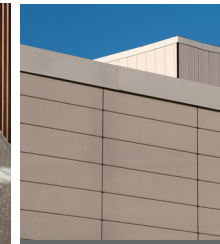
Architectural concrete



Stamped concrete/Concrete finish



Polished/colored concrete



Pre-cast concrete panels



Tilt-up concrete

## Wood and composites



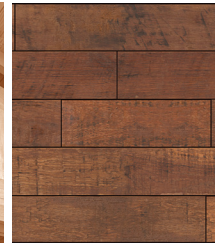
Heavy timber construction



Wood siding



Exposed glulam construction



Laminated veneer lumber



Cast polymer fabrications

## Finishes



Tiling (ceramic, glass, porcelain, mosaic, etc)



Terrazzo



Plastering



Stucco

\*Glazing is not included as a material, as **all** buildings are expected to include some form of glazing.

# BUILDING DETAILS

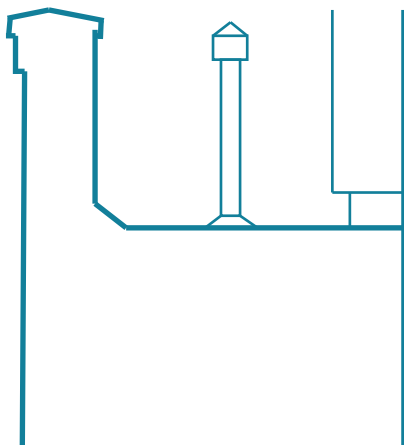
## ROOFS

Any roof structure included as part of new construction must be compatible in the flat roof, built-up asphalt design and style of other buildings and with the Union Depot, or complimentary/ contributing to the character. Factory colored metal roofing is considered acceptable within the Union Plaza Project Area.

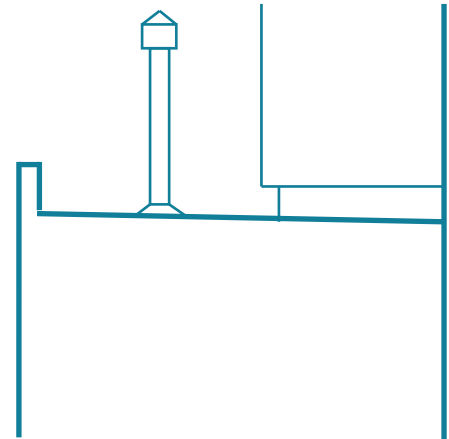
## CHIMNEYS AND VENTS

The existing structures in Union Plaza do not have large, conspicuous, smokestacks, chimneys or roof-mounted vents. Unless these are required for normal operation of a facility by the building or safety codes, they are not recommended as part of a new building design.

Reasonable attempts should be made to conceal unsightly vents with materials or in the placement of such vent. Flat roofs shall be enclosed by parapets a minimum of forty-two (42) inches high, or as required to conceal mechanical equipment. (See [section 21.50.140](#))



APPROPRIATE



NOT APPROPRIATE



\*Hide vents and mechanical equipment behind parapets



# BUILDING DETAILS

## WINDOWS AND DOORS

- Only non-reflective glazing that is clear, lightly tinted, or smoked is permitted.
- Original windows and door should be preserved and maintained provided that they are in good condition. Replacement windows and doors must either match the same size and style of the original or complement the existing aesthetic.
- Architectural detail such as arches, lintels and transoms (even if they are not operable) should be preserved as part of the building elements when possible.
- Awnings, extended roof eaves, and deep-set windows are alternative ways to shade windows without the use of reflective surfaces.
- Shaded entryways and patios to preclude cooled air loss are recommended.
- Doorways are an important feature of any building and should either reflect the architecture of the area or present a prominent entrance that contributes to the aesthetic of the building.





# BUILDING DETAILS

## DOWNSPOUTS

- Anodized aluminum and copper downspouts are acceptable.
- All roof runoff must drain through downspout.





## AWNINGS AND CANOPIES

- Awnings and canopies should be placed at the top of openings, but they should not cover important architectural details or elements.
- Awnings and canopies should be of an appropriate size and scale in relation to the building's facade. Awnings should not cover more than one third (1/3) of the window opening.
- Fixtures should not extend across the facades of several buildings and should fit their openings.
- Colors on awnings and canopies should be considered carefully. Generally, colors should relate to a structure's overall color scheme.
- Awnings and canopies should be used to hide the housing of security mechanisms, when such devices are used.
- A canopy or other sunshade over a walkway is permitted in the front yard or any yard abutting a street. The canopy or sunshade may extend to within three (3) feet of the property line.



APPROPRIATE



NOT APPROPRIATE



# SIGNS

## GENERAL INFORMATION

All signs must adhere to [Title 20.18.470](#), in addition to the following:

- Off-premise signs, roof mounted and billboard signs are not permitted in the district.
- Applicants may install only one of the following two type of signs: freestanding or monument.
- Shingle signs are also permitted in addition to either sign type and will not be counted toward the allowable wall sign area limit.
- Blade signs are permitted as per [Title 20.18.470](#).
- Auxiliary signs are permitted to assist in the safe and efficient movement of pedestrians and vehicular traffic.
- Banners are prohibited, with the exception that they may be used for a period not exceeding ten (10) days for grand openings, festivals, and charitable functions only.

## ILLUMINATION AND MOTION

## COLOR AND DESIGN

Flashing and intermittent or moving lights are prohibited. Twirling, rotating, and revolving signs are prohibited. Design should be artistic, innovative, yet compatible with the building and the surrounding area.



NOT APPROPRIATE





# SIGNS

## FREESTANDING OR MONUMENT SIGNS

Freestanding or monument signs are only permitted in four instances:

- District identification
- Directory
- Parking lots or structures
- New construction.

In the case of parking lots and new construction, two (2) freestanding or monument signs are permitted on each site.

Each freestanding or monument sign may not exceed a maximum face area of seventy-two (72) square feet. The vertical dimension of the sign face should not exceed eight (8) feet.

Freestanding or monument signs constructed of plywood are not permitted.

Materials permitted for the construction of freestanding or monument signs must be of the same or compatible materials of the building for which the sign is intended.



# SIGNS

## WALL SIGNS INCLUDING CANOPY AND AWNINGS

All canopies or awnings installed in the Union Plaza District must also meet the guideline set forth on [page 23](#).

- The total area of wall signs may not exceed ten percent (10%) of the face area of the elevation of the building on which the signs are to be placed.
- A wall sign shall not project more than eighteen (18) inches, diagonally, from the face of the wall or the surface of a canopy or awning on which the sign is constructed.
- Wall signs shall not extend, vertically or horizontally beyond the edges of the building or structure on which they are attached.
- Every reasonable attempt must be made to preserve existing historic wall signs. They add to the theme of the district, and shall not be counted toward total sign limitations.





# SIGNS

## SHINGLE AND BLADE SIGNS

- Each shingle sign shall not exceed a minimum sign area of six (6) square feet.
- The bottom edge of a shingle must not be more than two (2) foot below the bottom edge of any canopy.
- The end of a shingle sign may not extend beyond the edge of any canopy.
- A shingle sign must be placed perpendicular to the front wall of the building.



# APPLICATION REQUIREMENTS

## OVERVIEW

All applications for redevelopment of existing buildings or structures or new construction must comply with the **Union Plaza Design Guidelines**. The purpose of these guidelines is to protect business investments in the district from unsightly construction that would ultimately diminish the appeal of the district. Property owners and their design professionals (architects, builders, etc.) Should consult these design guidelines as early as possible when planning a project.

All applications prior to submittal should review the **Code of Ordinances El Paso: Appendix A - Table of Permissible Uses**. Building use should be permitted under Special Purpose (U-P) Union Plaza.

P - Permitted  
X - Not Permitted  
D - Detailed Site Plan Required  
S - Special Permit Required  
A - Permitted Accessory Use



## DESIGN REVIEW SUBMITTAL REQUIREMENTS DETAILED SITE DEVELOPMENT PLAN

Prior to the issuance of any building or related permits for any new construction or renovation of the exterior of existing buildings and structures, drawings and applications shall first submit a Detailed Site Development Plan Application to comply with **Section 20.04.150** as part of a building permit application. A building permit may only be granted once a Detailed Site Development Plan has been submitted and approved. To ensure the proposed construction complies with these guidelines, reference the **Code of Ordinances El Paso Municode Union Plaza (U-P) section 20.10.360 Mixed-use development**.

DOWNLOAD APPLICATION - **Detailed Site Development Plan** (if required)

All documents shall be submitted to Planning & Inspections Department electronically through **Citizen Access Portal** and all payments should be paid through our One Stop Shop in person or online.



811 Texas Ave. El Paso, Texas 79901



(915)212-0104



OSSHelp@elpasotexas.gov

## WHAT IS A PRE-SUBMITTAL REVIEW?

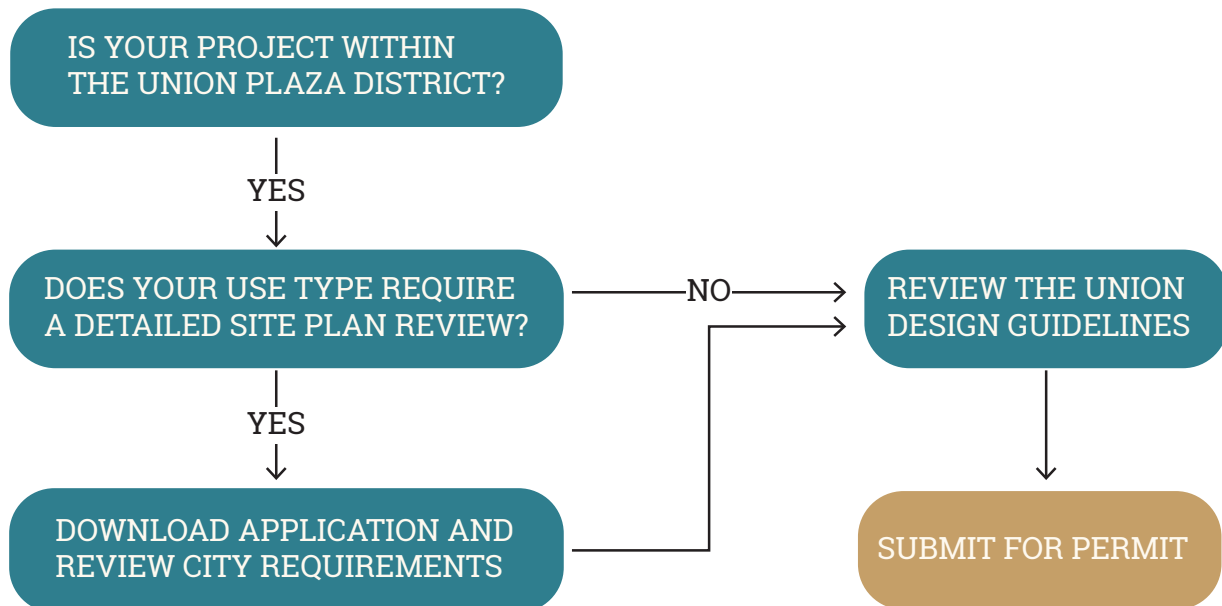
The pre-submittal review offers you and your team the opportunity to meet with City staff from various disciplines and ask questions about site requirements and construction code criteria. We use the pre-submittal review to identify the options you have moving forward with your project, helping you avoid issues or changes later in the process.

## WHO IS ELIGIBLE FOR A PRE-SUBMITTAL REVIEW?

Anyone with a proposed project in the City of El Paso, such as a new construction, renovation, additions, demolitions, etc. may request a pre-submittal review. The proposed project may be in any phase of the pre-submittal design, it can be anything from a rough conceptual idea.

## HOW TO SCHEDULE A PRE-SUBMITTAL REVIEW?

To schedule a pre-submittal, email your [Pre-Submittal Review Application](#) online. Once application is submitted, you will receive an email for application payment.



For more information regarding this application, please contact the Planning and Inspections Department at (915) 212-01040 or visit our website at <https://www.elpasotexas.gov/planning-and-inspections>

# DEFINITIONS

The following definitions are provided for purposes of this document only.

## A

**Accessible** - An environment or facility that provides equal access to people with different abilities.

**Active Street Frontage / Use** - Street frontage that enables direct visual and physical contact between the street and the interior of the building. Clearly defined entrances, windows, and shop fronts are elements of the building façade that contribute to an active street frontage.

**Amenities** - A desirable or useful feature or facility of a building or place.

**Architectural Rhythm** - A strong, regular, repeated pattern of a design elements which can include building massing, architectural detailing, texture, and color.

**Authentic** - Not false or copied; genuine; real.

**Awning** - A roof like shelter of canvas or other material extending over a doorway, from the top of a window, over a deck, etc., in order to provide protection, as from the sun.

## B

**Buffer** - To create a separation between dissimilar uses and/or development intensities, in an effort to reduce or mitigate the effects of one area upon the other.

**Building Form** - A specific style of building design or building feature(s).

## C

**Character** - Features, qualities, and attributes that give a place its identity.

**Context** - The relationship between a location and its surrounding natural, built, and/or planned environment; the whole environment relevant to a particular building or place; the interrelated conditions in which something exists or occurs.

**Condition** - Refer to the physical state of a structure or object.

**Continuity** - Design similarities between two or more things that provides a connection between them.

## D

**Design District** - Any zoning district or overlay district within which more specific architectural design elements are required.

**Design Element** - The use of colors, space, texture, and other components in an artistic representation.

# DEFINITIONS

**Design Feature** - The arrangement or pattern of elements or features of an artistic or decorative work.

**Development** - The process of developing or being developed.

**Durability** - The ability to withstand wear, pressure, or damage.

## E

**Eave** - The part of a roof that meets or overhangs the walls of a building.

**Element** - A component, part, or constituent of a whole.

**Equity** - The practice of ensuring that processes and practices are impartial, fair, and provide equal possible outcomes for everyone involved.

## F

**Façade** - The front part or exterior of a building.

**Frontage** - The front façade of a building; area of public realm that is parallel to the front of a building.

## M

**Massing** - The physical volume, shape, or bulk of a building.

**Mixed-use** - The practice of allowing more than one type of a land use in a building or set of buildings.

**Mixed-use** may be developed in a variety of ways, either horizontally in multiple buildings, vertically within the same building, or through a combination of the two.

**Mobility** - The ability to move from one place to another, or to transport goods or information from one place to another.

## N

**New Development** - The business of constructing buildings or otherwise altering land for new uses.

## P

**Passive Design** - Building design that uses site, vegetation, natural processes, elements, and material attributes coupled with building orientation, spatial placement, and materials selection to achieve human comfort and minimize resources and energy consumption and costs.



---

# DEFINITIONS

**Pedestrian Clear Width** - Streets and public spaces that accommodate and encourage pedestrian activity through the provision of active uses, informal gathering spaces, lighting and safety features, and other pedestrian-serving amenities.

**Pedestrian Corridor** - A path or guided way that is developed to promote walking as an attractive means of transportation and utilized primarily by pedestrians as they move between major activity centers.

**Pedestrian-Oriented Design** - A form of development that makes the street environment inviting for pedestrians.

## R

**Right-of-Way** - Land which by deed, conveyance, agreement, easement, dedication, usage, or process of law is reserved for or dedicated to the general public for street, highway, alley, public utility, pedestrian walkway, bike-way, or drainage purposes.

## S

**Sense of Place** - The combination of characteristics that gives particular locations or areas a unique personality.

**Setbacks** - A distance from a curb, property line, or structure within which building is prohibited.

**Site** - The land on which a building or other feature is located.

**Storm-water Element** - Storm-water is rainwater plus anything the rain carries along with it. An element of storm-water is one in which it is specifically designed to capture, detain, and/or retain storm-water for cleaning or reuse.

**Structure** - Anything constructed or erected on the ground or attached to something having a location on the ground.

## T

**Transition Areas** - A change from one development area to another, either in terms of height, density, intensity, or character - usually as a means to ensure compatibility between developments.

## W

**Wayfinding** - Encompasses all of the ways in which people orient themselves in physical space and navigate from place to place, usually through the use of landmarks, effective signage, and building design.







# UNION PLAZA REVITALIZATION STRATEGY: Design Guidelines Update



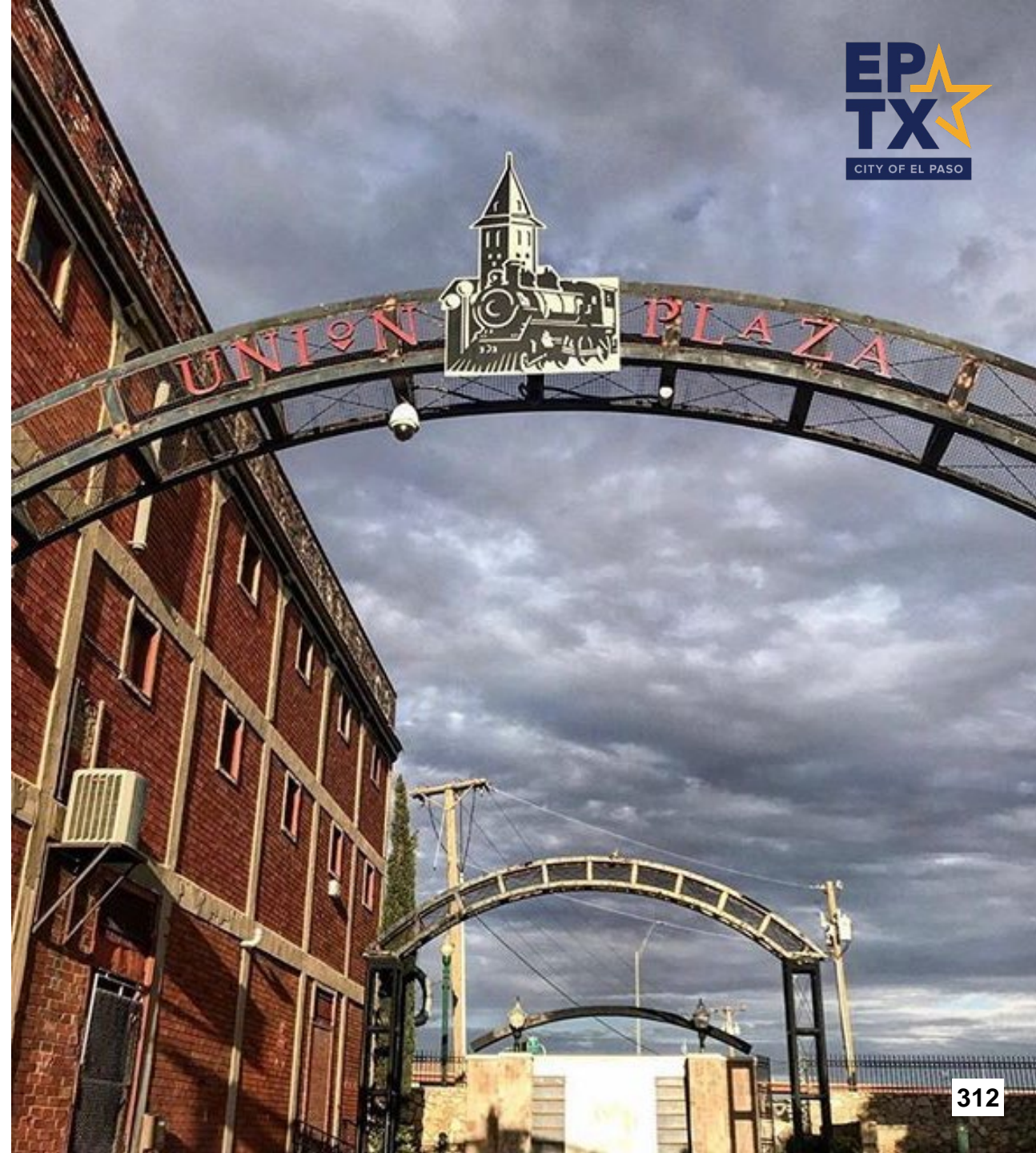
UP



# Strategy Overview

1. PRELIMINARY ASSESSMENT
2. BRANDING & IDENTITY
3. DOWNTOWN PROJECT INTEGRATION
4. UNION PLAZA ARCHITECTURAL & DESIGN GUIDELINES | REVIEW PROCESS

UP



## **GOALS:**

### **UNION PLAZA REVITALIZATION & ongoing studies/efforts:**

- Supports infill development and increased density w/ **uptown downtown plan & infill policy**
- Promotes connectivity/walkability between downtown neighborhoods w/ **downtown street tree plan & alley activation**
- Leverages **existing investments and economic development programs** to continue growth and revitalization



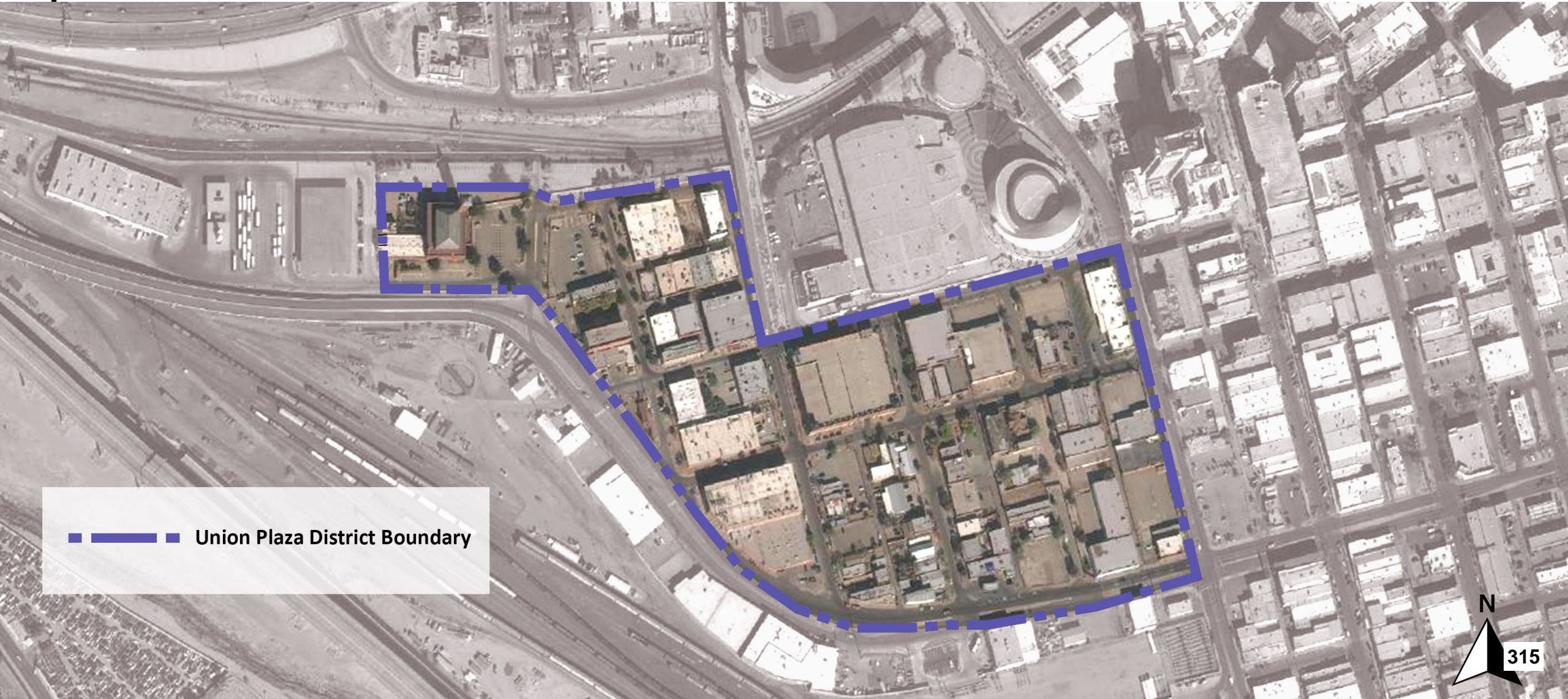
# I. PRELIMINARY ASSESSMENT:

Detailed inventory of existing  
buildings and conditions





# UNION PLAZA DISTRICT BOUNDARY MAP



— Union Plaza District Boundary





# UNDERSTANDING CURRENT CONDITIONS, REDEVELOPMENT AND NEED IN THE DISTRICT

## Complete:

1. Building permit assessment
2. Incentive Application Assessment
3. Occupancy and availability assessment
4. Public Engagement Summary
  - Property Owner / A&E roundtable
  - Identify building code challenges
  - Financing and Investment issues



## 2. BRANDING & IDENTITY

District boundary & Design  
Development standards

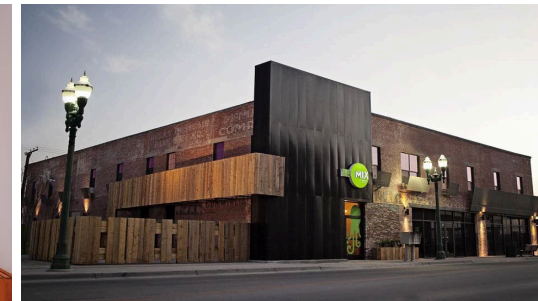
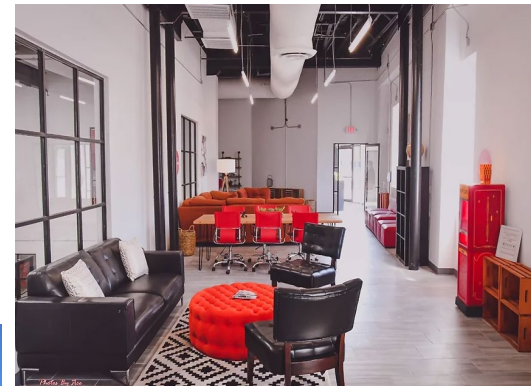




# CRAFTING A VISION FOR THE DEVELOPMENT OF THE UNION PLAZA DISTRICT:

## Branding: Traditional Neighborhood Development

- Neighborhood-scaled amenities
- Office and residential
- Family-oriented entertainment
- Equitable development
  - Pocket parks
  - Lighting, accessibility, & pedestrian infrastructure
  - Access to mass transit
  - Free Wi-Fi



## Wayfinding and Urban Design Guidelines

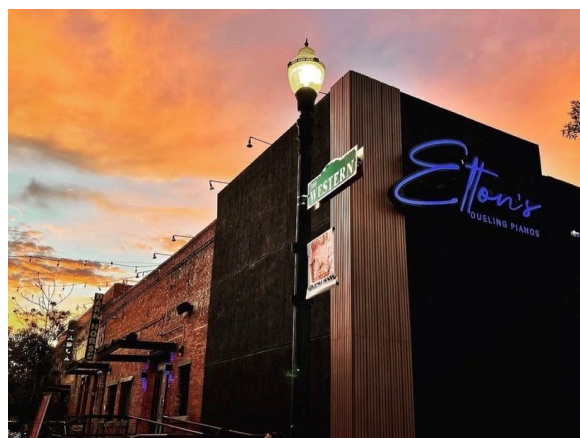
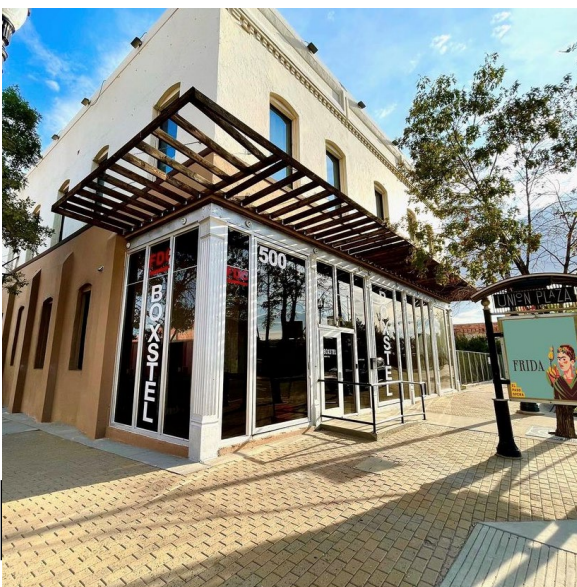
- Defined Union Plaza Design District edges
- Tie in to Paisano Corridor
- Clear identity and sense of place





# ADAPTIVE REUSE FOR THE ON-GOING REDEVELOPMENT OF THE UNION PLAZA DISTRICT:

Existing buildings can be adapted for a wide range of uses





# 3. DOWNTOWN PROJECT INTEGRATION

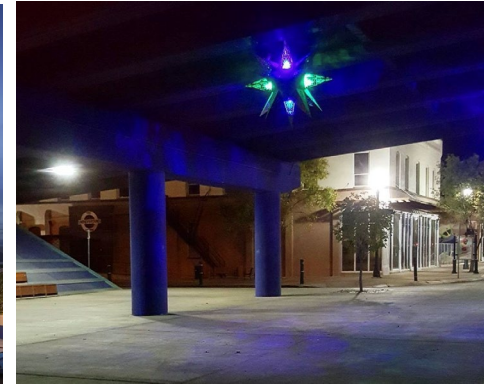
Intersection with Convention facilities  
& other downtown projects to extend  
open public space, neighborhoods and  
amenities to residents and visitors



# DOWNTOWN PROJECT INTEGRATION

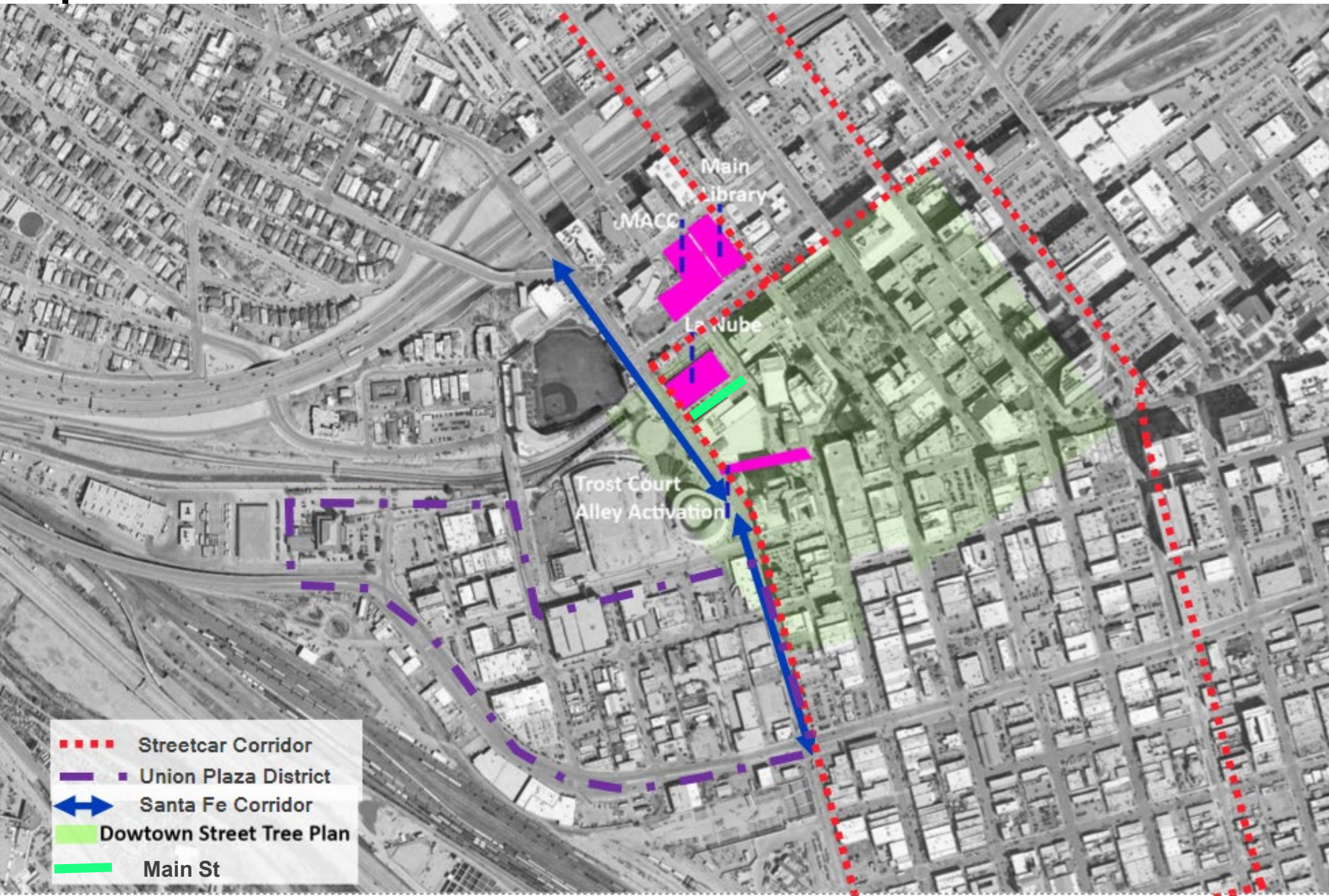
Create access/connectivity to unique outdoor spaces connecting facilities continuing the pedestrian pathway theme with projects such as:

- Union Plaza; Architectural Design Guidelines
- Downtown Street Tree Master Plan
- Main St. Streetscape Improvements
- ROW Café Program
- Alley Activation
- DT + UT, and Surrounding Neighborhoods Plan
- Museum Campus
- Southwest University Park
- San Jacinto Plaza
- Santa Fe Corridor
- Strategic Plan



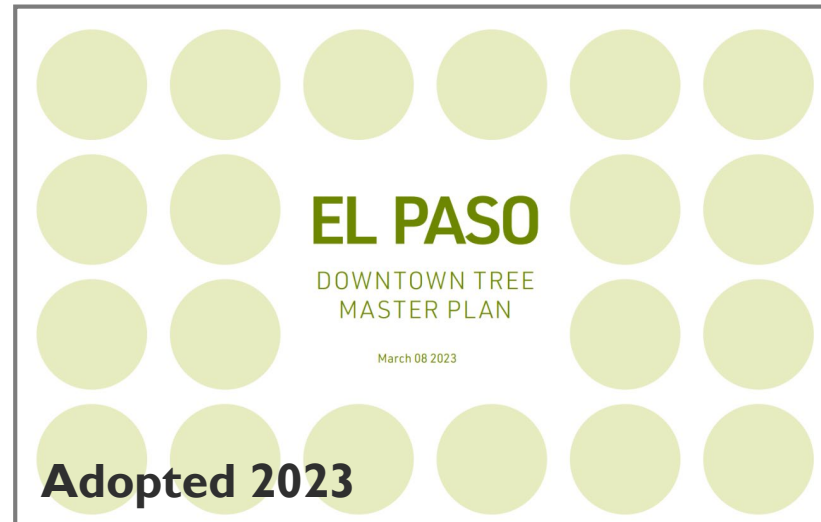
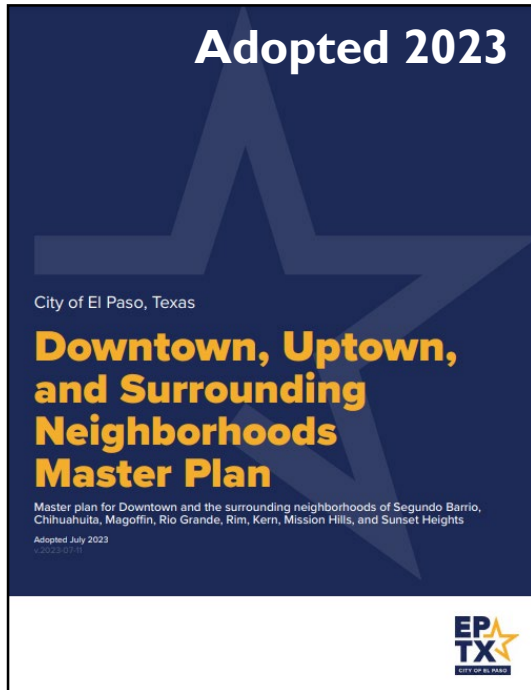


# DOWNTOWN PROJECT INTEGRATION MAP



# DOWNTOWN PROJECT INTEGRATION

Union Plaza District Boundary: Capital Improvement Planning Efforts





# 4. UNION PLAZA ARCHITECTURAL & DESIGN GUIDELINES

Review Process & Handbook

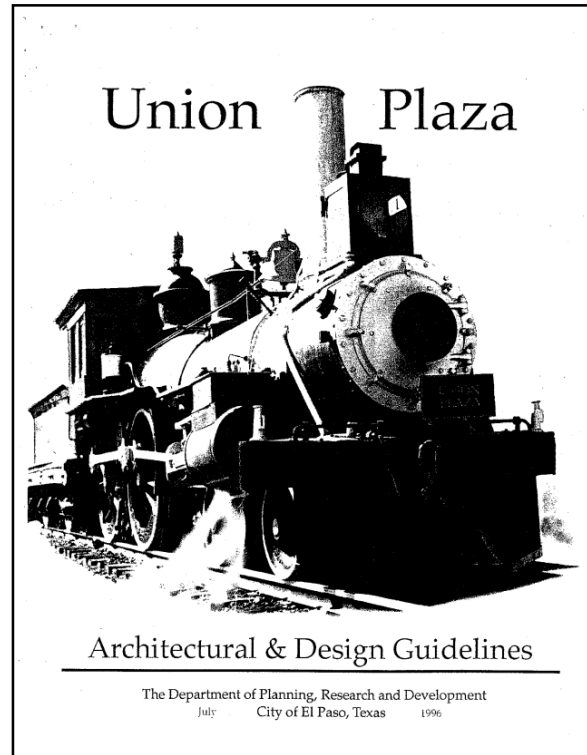
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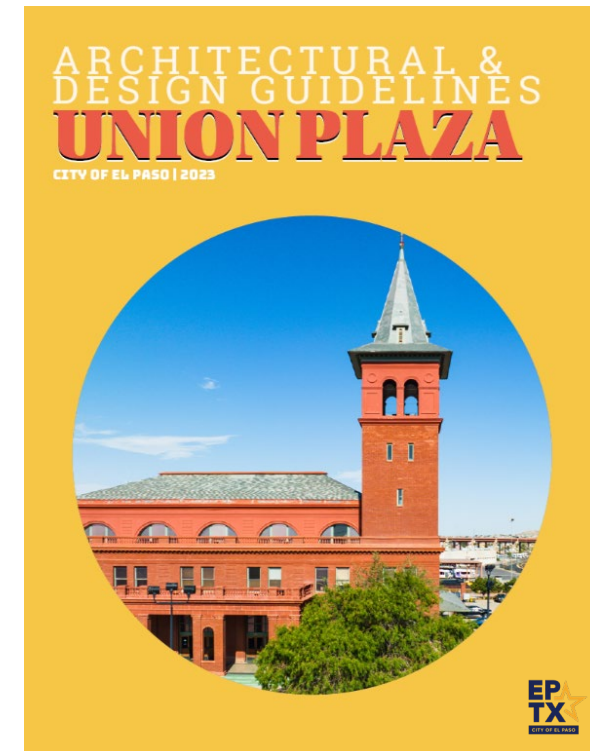


# UNION PLAZA :ARCHITECTURAL & DESIGN GUIDELINES

The primary purpose of these guidelines is to preserve the general character of Union Plaza. This document lists recommendations for site development, building form, architectural character to assure that new development contributes to our Downtown urban design goals and is compatible with the character of the existing Union Plaza district.



# 1996



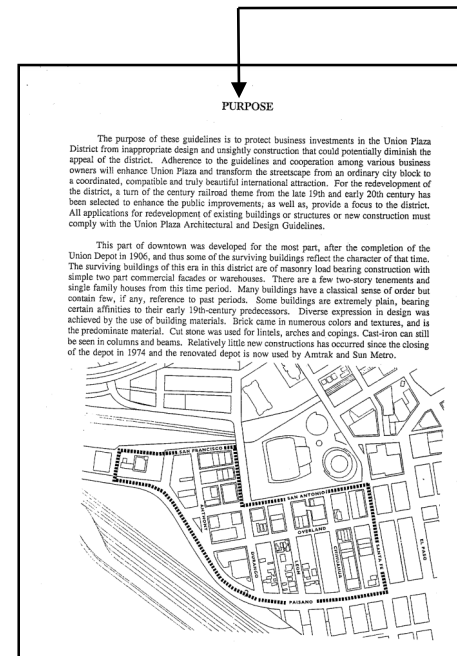
# 2023

# UNION PLAZA :ARCHITECTURAL & DESIGN GUIDELINES

## Updated UP Handbook Objectives

- **Adaption to Changing Needs:** New allowed permissible uses within the district, the architectural guidelines should adapt to accommodate these shifts while preserving the district's character.
- **Preservation of Cultural Heritage:** Updating the handbook ensures that the guidelines and standards for preserving the heritage remain current and effective.
- **Legal and Regulatory Compliance:** Updated handbook ensures that the guidelines align with the latest building codes, zoning regulations and other legal requirements.
- **Streamlined Process:** Making guidelines accessible and application/review process user-friendly.
- **Emerging New Technologies:** New construction materials, building techniques and best practices.

## UP HANDBOOK



**BEFORE**

**AFTER**

## STAFF RECOMMENDATIONS

- Adoption of the Union Plaza Architectural & Design Guidelines Handbook 2023

## UNION PLAZA & DOWNTOWN REVITALIZATION:

- The handbook will streamline the design and construction process by providing clear, current and reliable information
- It ensures that guidelines and standards remain relevant and effective in the face of changing needs, regulations, and advancements in preservation practices



# THANK YOU Q&A

---



Legislation Text

---

**File #:** 23-1565, **Version:** 3

---

**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 1**

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

Planning and Inspections, JC Naranjo, (915) 212-1604

**AGENDA LANGUAGE:**

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

An Ordinance vacating a portion of City right-of-way located on the property described as Portion of Tract 18-A, Block 4, Upper Valley. City of El Paso, El Paso County, Texas.

Subject Property: 5000 Country Club Place.

Applicant: El Paso Country Club, SURW23-00002

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

**AGENDA DATE:** December 5, 2023  
**PUBLIC HEARING DATE:** December 12, 2023

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** Philip F. Etiwe, (915) 212-1553  
JC Naranjo, (915) 212-1604

**DISTRICT(S) AFFECTED:** District 1

**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 City right-of-way located on the property described as portion of Tract 18-A, Block 4, Upper Valley, City of El Paso, El Paso County, Texas.

Subject Property: 5000 Country Club Place.  
Applicant: El Paso Country Club, SURW23-00002

**BACKGROUND / DISCUSSION:**

El Paso Country Club is requesting to vacate a portion of Meadowlark Dr. in order to address existing El Paso Country Club Tennis Courts encroaching into the right-of-way. The City Plan Commission recommended 5-0 to approve the proposed vacation requested on February 23, 2023. As of November 20, 2023, The Planning Division has not received any communication in support of or opposition to the vacation request. The applicant has provided funds in the amount of \$3,369.18, 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\*\*\*\*\*

**HEAD:** Philip Etiwe **DEPARTMENT** \_\_\_\_\_

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE VACATING A PORTION OF CITY RIGHT-OF-WAY OVER PORTION OF TRACT 18-A, BLOCK 4, UPPER VALLEY, CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

**WHEREAS**, the abutting property owners have requested vacation of the City right-of-way located on a parcel of land being a portion Tract 18-A, Block 4, Upper Valley, City of El Paso, El Paso County, Texas.

**WHEREAS**, after public hearing the City Plan Commission recommended that a portion of Tract 18-A, Block 4, Upper Valley, City of El Paso, El Paso County, Texas. should be vacated 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 a determination has been made that it is in the best interest of the public that the City Right-of-Way located on the property described as portion of Tract 18-A, Block 4, Upper Valley, City of El Paso, El Paso County, Texas, and 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 is hereby vacated.

In addition, the Interim City Manager is authorized to sign an instrument quitclaiming all of the City's right, title and interest in and to such vacated property to El Paso Country Club.

**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 Abeln  
Senior Assistant City Attorney

**APPROVED AS TO CONTENT:**

Philip Etiwe  
Philip F. Etiwe, Director  
Planning & Inspections Department

*(Quitclaim Deed on the following page)*



**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 El Paso Country Club (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 TRACT 18-A, BLOCK 4, UPPER VALLEY, CITY OF EL PASO, EL PASO COUNTY, TEXAS**, which is more fully described in the attached metes and bounds description, identified as Exhibit "A" and in the attached survey identified as Exhibit "B" and made a part hereof by reference.

**WITNESS the following signatures and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

**CITY OF EL PASO**

**ATTEST:**

\_\_\_\_\_  
Cary Westin, Interim City Manager

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

**APPROVED AS TO FORM:**

*Russell Abeln*  
Russell Abeln  
Senior Assistant City Attorney

**APPROVED AS TO CONTENT:**

*Philip F. Etiwe*  
Philip F. Etiwe, Director  
Planning and Inspections Department

*(Acknowledgement on following page)*

**ORDINANCE NO.** \_\_\_\_\_  
HQ -23-710 | 491361 | P&I  
Meadowlark ROW Vacation  
RTA

**SURW23-00002**

## **ACKNOWLEDGMENT**

**THE STATE OF TEXAS            )**  
**COUNTY OF EL PASO         )**

This instrument is acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2023,  
by Cary Westin, as Interim City Manager for the CITY OF EL PASO.

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

My Commission Expires:

**AFTER FILING RETURN TO:**  
**EL PASO COUNTRY CLUB**  
**5000 COUNTRY CLUB ROAD**  
**El Paso, Texas 79912**

**ORDINANCE NO.** \_\_\_\_\_  
 HQ -23-710 | 491361 | P&I  
 Meadowlark ROW Vacation  
 RTA

**SURW23-00002**

METES AND BOUNDS

PROPERTY DESCRIPTION: The parcel of land herein being described is a portion of MEADOWLARK DRIVE RIGHT OF WAY, City of El Paso, El Paso County, Texas and is being more specifically described by metes and bounds as follows:

Commencing at a found Rail Road Spike lying on the intersection of Country Club Place (50.00 feet Public Right-Of-Way) and Camino Real Avenue (50.00 feet Public Right-Of-Way); Thence, South 89°53'00" West, along centerline of Camino Real Avenue, a distance of 415.56 feet to a point, THENCE, South 00°07'00" East, leaving said centerline, a distance of 25.00 feet to a point lying on the southerly Right-Of-Way line of Camino Real Avenue for a boundary corner being the "TRUE POINT OF BEGINNING" of this metes and bounds description.

THENCE, 39.31 feet along said arc of a curve to the left, with a radius of 25.00 feet, an interior angle of 90°05'00", and a chord which bears South 44°55'30" West, a distance of 35.38 feet to a boundary corner;

THENCE, South 00°12'00" East, a distance of 354.96 feet to a point for a boundary corner;

THENCE, South 26°23'00" West, a distance of 55.90 feet to a point for a boundary corner lying on the easterly Right-Of-Way line of Meadowlark Drive (50.00 feet Public Right-Of-Way);

THENCE, North 00°12'00" West, along said Right-Of-Way line, distance of 404.99 feet to a point for a boundary corner;

THENCE, 39.31 feet along said arc of a curve to the right, with a radius of 25.00 feet, an interior angle of 90°05'00", and a chord which bears North 44°55'30" East, a distance of 35.38 feet to a boundary corner lying on the southerly Right-Of-Way line of Camino Real Avenue (50.00 feet Public Right-Of-Way);

THENCE, North 89°53'00" East, along said Right-Of-Way line, a distance of 25.02 feet back to the "TRUE POINT OF BEGINNING" of this description.

Said parcel of land containing 10,131.49 Sq. Ft. (0.2326 Acres) of land, more or less.

LEGEND

TIE LINE	—————	SIGN	○
BOUNDARY LINE	—————	IRON PIN FOUND	⊙
WATER VALVE	⊙	CITY MONUMENT	⊙
FIRE HYDRANT	⊙	LIGHT POST	⊙

SLI ENGINEERING, INC.  
Reg. No. F-1902  
SURVEYING  
Rea. No. 100120-00



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METES AND BOUNDS



CIVIL ENGINEERS  
LAND SURVEYORS  
LAND PLANNERS

6600 WESTWIND DRIVE  
EL PASO, TEXAS  
(915) 584-4457


**SLI ENGINEERING, INC.**

**EL PASO COUNTRY CLUB, INC.**  
**RIGHT-OF-WAY VACATED**  
**5000 COUNTRY CLUB PL**

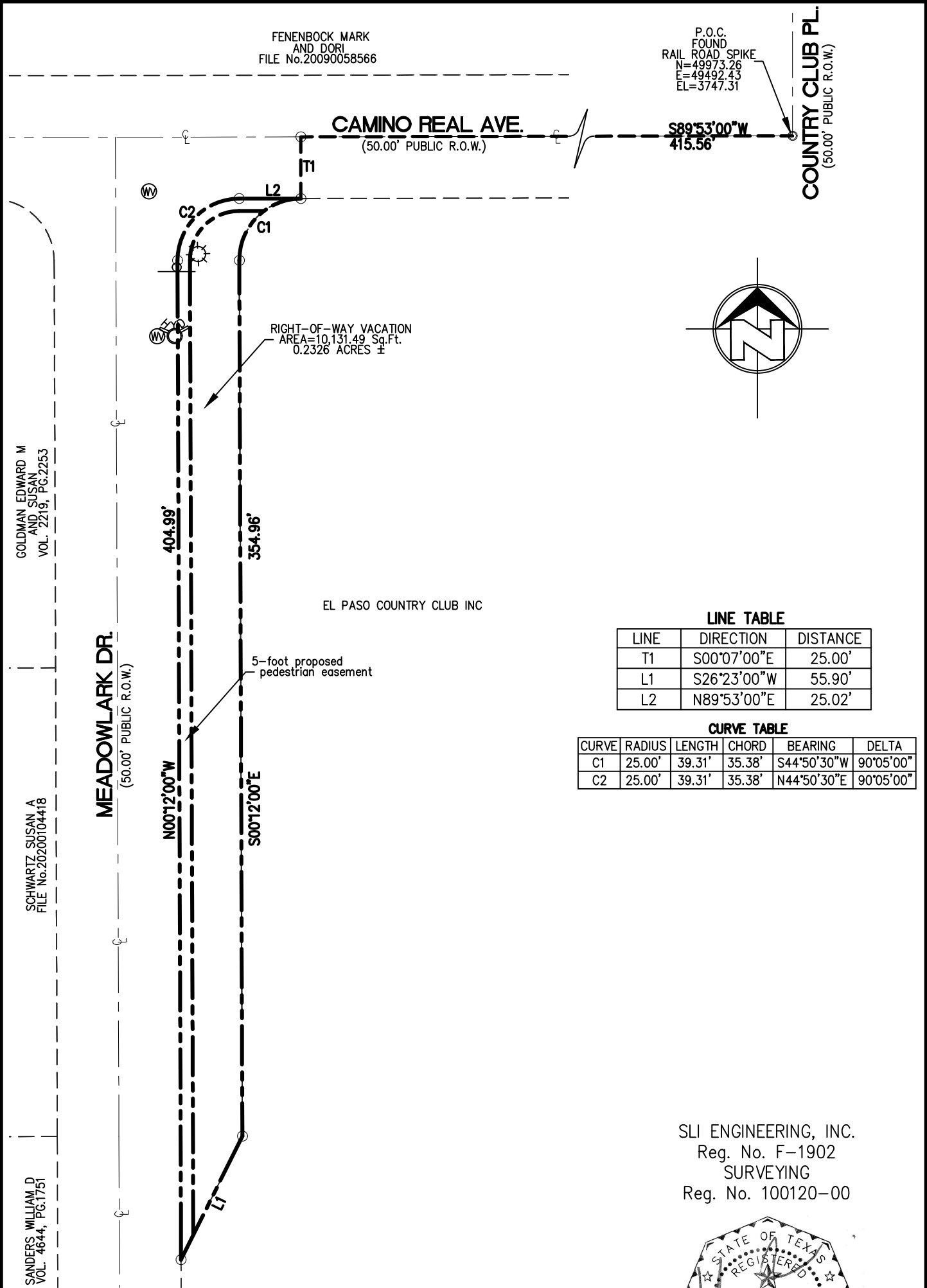
**LEGAL DESCRIPTION**  
PORTION OF MEADOWLARK DRIVE  
RIGHT OF WAY  
CITY OF EL PASO, EL PASO COUNTY, TEXAS.

PLAT REFERENCE  
VOLUME   x   PAGE   xx

**CERTIFICATION**  
I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY AND IMPROVEMENT SURVEY WAS PERFORMED UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

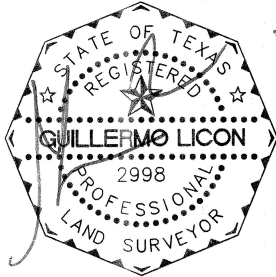
  
GUILLERMO LICON, R.P.L.S.  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS LICENSE NO. 2998  
DATE: 08-01-2023

JOB #: 09-21-4736  
DRAWN BY: CV CK BY: GH/ET  
DATE: 08/23/2023 SCALE: —



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SLI ENGINEERING, INC.  
Reg. No. F-1902  
SURVEYING  
Reg. No. 100120-00



PLAT OF SURVEY

**SLI**  
CIVIL ENGINEERS  
LAND SURVEYORS  
LAND PLANNERS  
6600 WESTWIND DRIVE  
EL PASO, TEXAS  
(915) 584-4457  
**SLI ENGINEERING, INC.**

JOB #: 09-21-4736  
DRAWN BY: CV CK BY: GH/ET  
DATE: 08/23/2023 SCALE: 1"=50'

**EL PASO COUNTRY CLUB, INC.**  
**RIGHT-OF-WAY VACATED**  
**5000 COUNTRY CLUB PL**

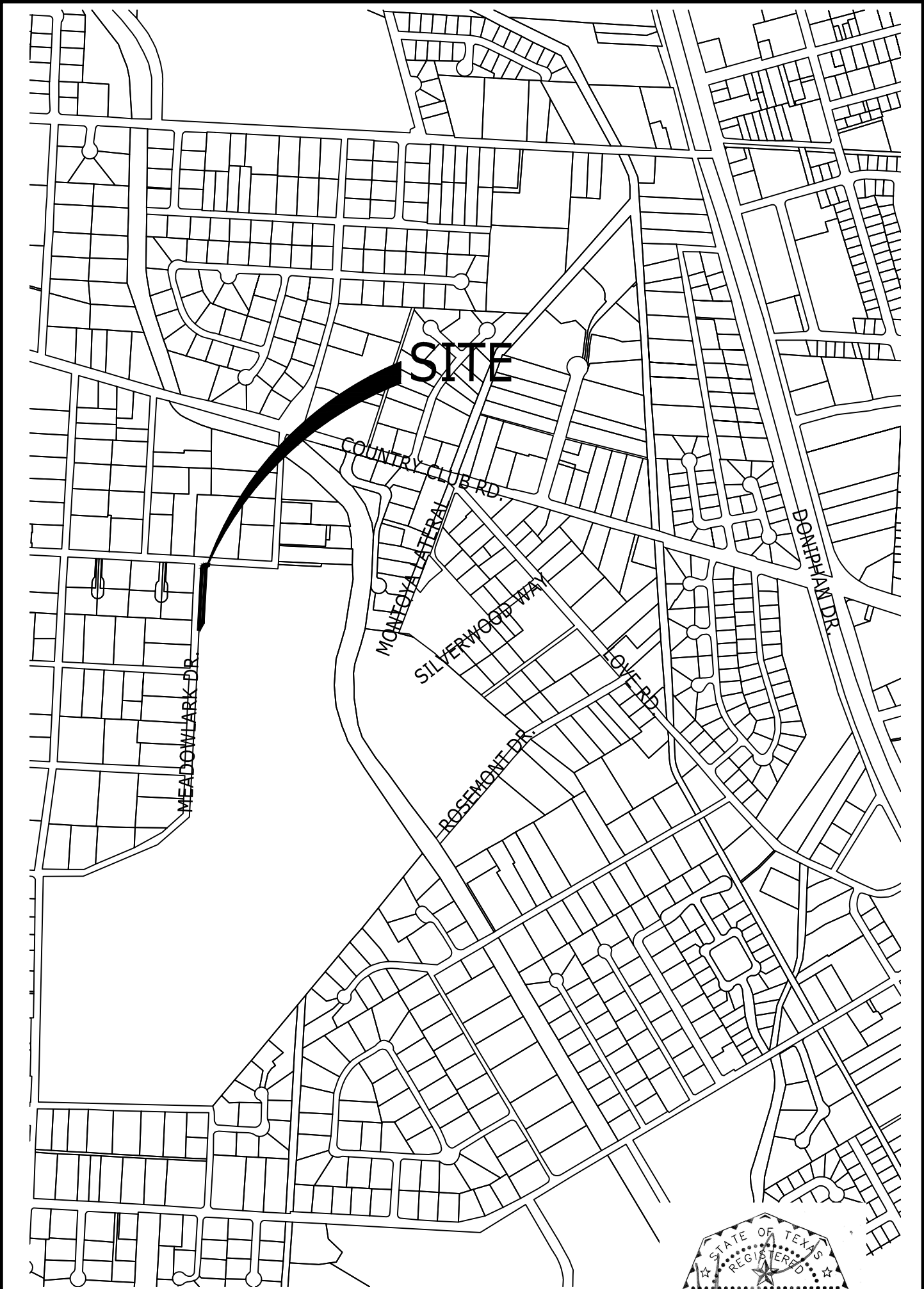
**LEGAL DESCRIPTION**  
PORTION OF MEADOWLARK DRIVE  
RIGHT OF WAY  
CITY OF EL PASO, EL PASO COUNTY, TEXAS.

PLAT REFERENCE  
VOLUME x PAGE xx

**CERTIFICATION**  
I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY  
AND IMPROVEMENT SURVEY WAS PERFORMED UNDER MY  
SUPERVISION AND IS TRUE AND CORRECT TO THE BEST  
OF MY KNOWLEDGE AND BELIEF.


\_\_\_\_\_  
GUILLERMO LICON, R.P.L.S.  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS LICENSE NO. 2998  
DATE: 08-01-2023





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LOCATION MAP



CIVIL ENGINEERS  
LAND SURVEYORS  
LAND PLANNERS  
6600 WESTWIND DRIVE  
EL PASO, TEXAS  
(915) 584-4457

**SLI ENGINEERING, INC.**

JOB #: 09-21-4736  
DRAWN BY: CV CK BY: GH/ET  
DATE: 08/23/2023 SCALE: 1"=800'

**EL PASO COUNTRY CLUB, INC.**  
**RIGHT-OF-WAY VACATED**  
**5000 COUNTRY CLUB PL**

**LEGAL DESCRIPTION**  
PORTION OF TRACT 18-A,  
BLOCK 4, UPPER VALLEY  
CITY OF EL PASO, EL PASO COUNTY, TEXAS.

PLAT REFERENCE  
VOLUME   x   PAGE   xx

**CERTIFICATION**  
I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY  
AND IMPROVEMENT SURVEY WAS PERFORMED UNDER MY  
SUPERVISION AND IS TRUE AND CORRECT TO THE BEST  
OF MY KNOWLEDGE AND BELIEF.

\_\_\_\_\_  
GUILLERMO LICON, R.P.L.S.  
REGISTERED PROFESSIONAL LAND SURVEYOR  
TEXAS LICENSE NO. 2998  
08-01-2023  
DATE: \_\_\_\_\_

# Meadowlark ROW Vacation

City Plan Commission — February 23, 2023



**CASE NUMBER/TYPE:** SURW23-00002 – RIGHT-OF-WAY VACATION  
**CASE MANAGER:** Juan C. Naranjo, (915) 212-1604, [NaranjoJC@elpasotexas.gov](mailto:NaranjoJC@elpasotexas.gov)  
**PROPERTY OWNER:** El Paso County Club  
**REPRESENTATIVE:** SLI Engineering, Inc.  
**LOCATION:** East of Montoya Dr. and South of Country Club Rd. (District 1)  
**PROPERTY AREA:** 0.2326 acres  
**ZONING DISTRICT(S):** R-1  
**PUBLIC INPUT:** No opposition received as of 2/14/2023

**SUMMARY OF RECOMMENDATION:** Staff recommends **APPROVAL** of the Meadowlark Right-of-Way (ROW) Vacation subject to the following conditions:

- That a five (5) foot pedestrian easement be retained.
- That an anchor easement be retained for the existing fire hydrant.



Figure A: Proposed plat with surrounding area

**DESCRIPTION OF REQUEST:** The applicant proposes to vacate a portion of Meadowlark Dr located on the north-east side of Meadowlark Drive at the intersection with Camino Real Avenue. The area requested to be vacated is 0.23 acres in size and consists of unimproved land. The applicant is requesting to vacate ROW in order to address existing El Paso Country Club Tennis Courts encroaching into the ROW.

**CASE HISTORY/RELATED APPLICATIONS:** "N/A"

**NEIGHBORHOOD CHARACTER:** Surrounding neighborhood characteristics are identified in the following table.

Surrounding Zoning and Use	
North	R-1 / Residential development)
South	R-1 / Residential development)
East	R-1 / Residential development)
West	R-1 / Residential development)
Nearest Public Facility and Distance	
Park	White Spur Park (0.8 mi.)
School	Don Haskins Middle School (0.75 mi.)
Plan El Paso Designation	
G-3, Post-War	
Impact Fee Service Area	
N/A	

**PUBLIC COMMENT:** Notices of the proposed right-of-way vacation were sent on February 5, 2023 to all property owners within 200 feet of the subject property. As of February 14, 2023, staff has not received any communication regarding this request.

**CITY PLAN COMMISSION OPTIONS:**

The City Plan Commission (CPC) has the authority to advise City Council on right-of-way vacation requests. When a request is brought forward to the CPC for review, the Commission may take any of the following actions:

1. **Recommend Approval:** The CPC finds that the proposed vacation request is in conformance with all applicable requirements of Title 19 of the El Paso City Code. **(Staff Recommendation)**
2. **Recommend Approval with Conditions:** The CPC may recommend that City Council impose additional conditions on approval of the request that bring the request into conformance with all applicable requirements of Title 19 of the El Paso City Code.
3. **Recommend Denial:** The CPC finds that the proposed request is not in conformance with all applicable requirements of Title 19 of the El Paso City Code.

**ATTACHMENTS:**

1. Aerial Map
2. Survey
3. Metes and Bounds Description
4. Application
5. Department Comments

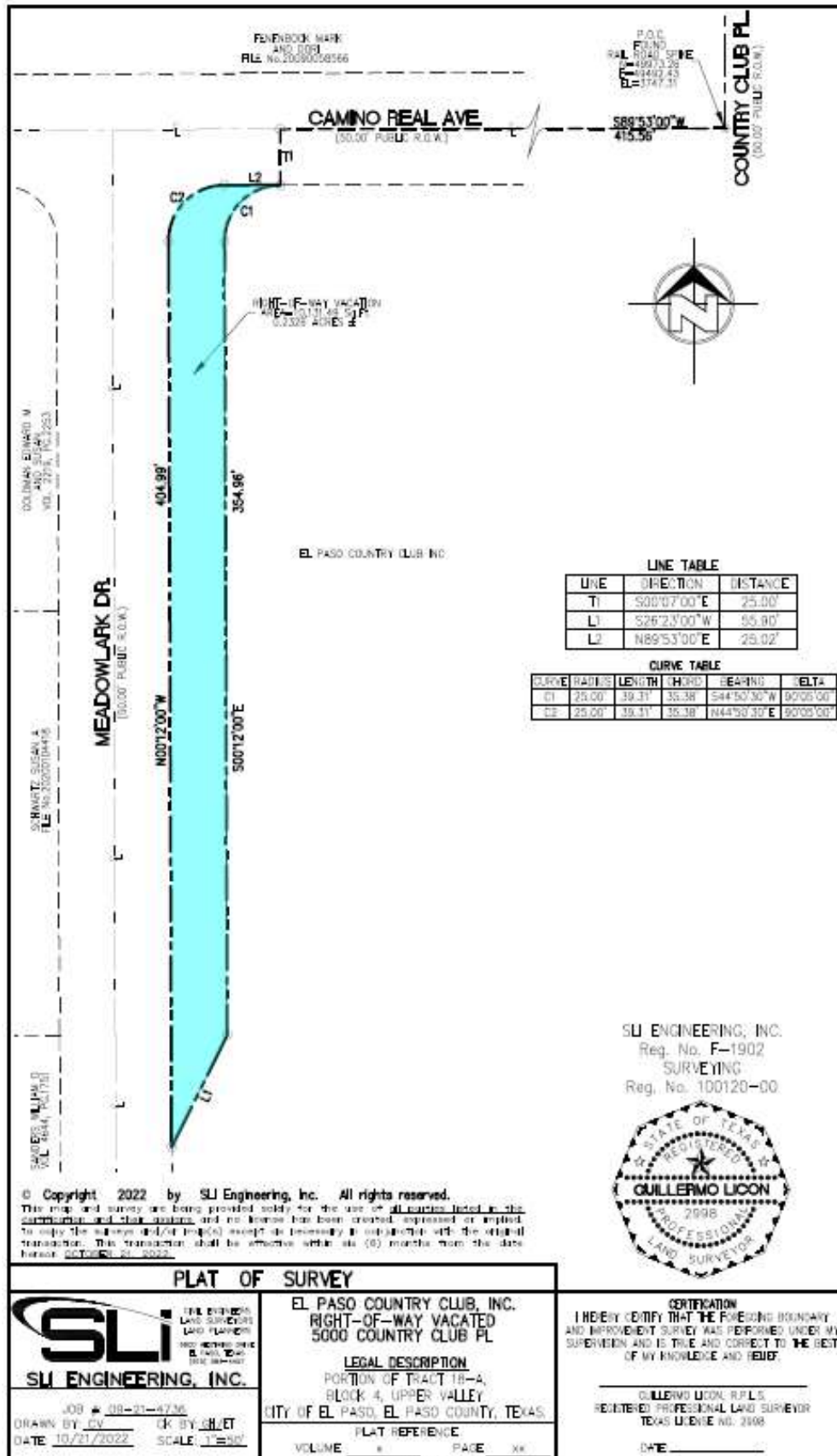


## Meadowlark ROW Vacation





# ATTACHMENT 2



# ATTACHMENT 3

## METES AND BOUNDS

**PROPERTY DESCRIPTION:** The parcel of land herein being described is a portion of Tract 18-A, Block 4, UPPER VALLEY, City of El Paso, El Paso County, Texas and is being more specifically described by metes and bounds as follows:

Commencing at a found Rail Road Spike lying on the intersection of Country Club Place (50.00 feet Public Right-Of-Way) and Camino Real Avenue (50.00 feet Public Right-Of-Way); Thence, South 89°53'00" West, along centerline of Camino Real Avenue, a distance of 415.56 feet to a point, THENCE, South 00°07'00" East, leaving said centerline, a distance of 25.00 feet to a point lying on the southerly Right-Of-Way line of Camino Real Avenue, for a boundary corner being the "TRUE POINT OF BEGINNING" of this metes and bounds description;

THENCE, 39.31 feet along said arc of a curve to the left, with a radius of 25.00 feet, an interior angle of 90°05'00", and a chord which bears South 44°55'30" West, a distance of 35.38 feet to a boundary corner;

THENCE, South 00°12'00" East, a distance of 354.96 feet to a point for a boundary corner;

THENCE, South 26°23'00" West, a distance of 55.90 feet to a point for a boundary corner lying on the easterly Right-Of-Way line of Meadowlark Drive (50.00 feet Public Right-Of-Way);

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Said parcel of land containing 10,131.49 Sq. Ft. (0.2326 Acres) of land, more or less.

SLI ENGINEERING, INC.  
Reg. No. F-1902  
SURVEYING  
Reg. No. 100120-00



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METES AND BOUNDS			
 <p><b>SLI ENGINEERING, INC.</b></p>	<p>EL PASO COUNTRY CLUB, INC. RIGHT-OF-WAY VACATED 5000 COUNTRY CLUB PL</p>	<p><b>CERTIFICATION</b> I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY AND IMPROVEMENT SURVEY WAS PERFORMED UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.</p>	
	<p><b>LEGAL DESCRIPTION</b> PORTION OF TRACT 18-A, BLOCK 4, UPPER VALLEY CITY OF EL PASO, EL PASO COUNTY, TEXAS</p>	<p>_____ GUILLERMO LICON, R.P.L.S. REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS LICENSE NO. 2998</p>	
<p>JOB # 08-21-4736 DRAWN BY: CV DATE 10/21/2022</p>	<p>CK BY: CH/ET SCALE: —</p>	<p><b>PLAT REFERENCE</b> VOLUME 8 PAGE 38</p>	<p>DATE: _____</p>

# ATTACHMENT 4



## VACATION PUBLIC EASEMENTS AND RIGHTS-OF-WAY APPLICATION

Date: 12-01-2022

File No. \_\_\_\_\_

1. APPLICANTS NAME: EL PASO COUNTRY CLUB

ADDRESS: 5000 COUNTRY CLUB ROAD

ZIP CODE: 79912

TELEPHONE: \_\_\_\_\_

2. Request is hereby made to vacate the following: (check one)

Street ☒ Alley ☐ Easement ☐ Other ☐

Street Name(s): MEADOWLARK

Subdivision Name: UPPER VALLEY

Abutting Blocks: 4

Abutting Lots: TRACTS 16 A

3. Reason for vacation request: TENNIS COURTS ENCRoACHMENT

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:

General Manager / COO  
tract 16 A Block 4

Telephone:

915-637-4578

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. If/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: gherget

Planning Department  
Date: 2022-12-01 10:44:47 AM

REPRESENTATIVE (PHONE): 915 268 7277

REPRESENTATIVE (E-MAIL): gherget@vll-engineering.com

**NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION FOR ACCURACY AND COMPLETENESS.**

Planning & Inspections Department  
811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 212-0085

# **ATTACHMENT 5**

## **Planning and Inspections Department- Planning Division**

Staff recommend approval with the following conditions:

1. That a five (5) foot pedestrian easement be retained.
2. That an anchor easement be retained for the existing fire hydrant.

## **Planning and Inspections Department- Land Development Division**

No objections to proposed ROW vacation.

## **Parks and Recreation Department**

We have reviewed **Meadowlark Easement Vacation Request**, a survey map and on behalf of Parks & Recreation Department, we offer “No” objections to this proposed street vacation request.

## **El Paso Water**

El Paso Water (EPWater) requests to retain an anchor easement between the Meadowlark Dr. right-of-way and the portion of land to be vacated to accommodate the Fire Hydrant located in the corner with Camino Real Ave.

### **Water:**

There is an existing 12-inch diameter water main that extends along Meadowlark Dr., located approximately 35-feet west of the eastern right-of-way line. This main is available for service.

There is an existing 12-inch diameter water main that extends along Camino Real Ave., located approximately 13-feet south of the northern right-of-way line. This main is available for service.

Previous water pressure from fire hydrant #00429, located on the southeast corner of the intersection of Meadowlark Dr. and Camino Real Ave., has yielded a static pressure of 170 pounds per square inch (psi), a residual pressure of 62 (psi), and a discharge of 822 gallons per minute.

### **Sanitary Sewer:**

There is an existing 8-inch diameter sanitary sewer main that extends along Meadowlark Dr., located approximately 14 feet east of the western right-of-way line. This main dead-ends 347 feet north of Linda Ave. This main is available for service.

There is an existing 8-inch diameter sanitary sewer main that extends along Camino Real Ave., located approximately 10 feet north of the southern right-of-way line. This main is available for service.

### **General:**

EPWater requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWater – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.



**Sun Metro**

Sun Metro does not have any issues or exceptions.

**Streets and Maintenance Department**

No objections.

**Fire Department**

No comments received.

**Capital Improvement Department**

No comments received.

**Texas Gas**

No comments received.

**El Paso Electric**

No comments received.

**El Paso County 911 District**

No comments received.

**Texas Department of Transportation**

No comments received.

**El Paso County**

No comments received.

**El Paso County Water Improvement District #1**

No comments received.



CITY OF EL PASO

## ITEM 19

Meadowlark ROW Vacation  
SURW23-00002



# Aerial





# ROW with Existing Development





# Meadowlark Dr.



# Public Input

- Notice of public hearing was published in the El Paso Times on February 5, 2023.
- Notices were mailed to property owners within 200 feet on February 5, 2023.
- The Planning Division has not received any communications in support nor opposition to the request.



# Recommendation

The City Plan Commission (CPC) recommendation was unanimous Approval of the Meadowlark ROW Vacation.

## 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, **R**espect, **E**xcellence,  
**A**ccountability, **P**eople





Legislation Text

---

**File #:** 23-1606, **Version:** 2

---

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

**DISTRICT, DEPARTMENT, CONTACT INFORMATION:**

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

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

**District 8**

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

Planning and Inspections, Alex Alejandre, (915) 212-1642

**AGENDA LANGUAGE:**

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

An Ordinance vacating a 0.948 acre portion of Randolph Street and Blacker Avenue Right-Of-Way, located within Alexander Addition, City of El Paso, El Paso County, Texas

Subject Property: Randolph Street and Blacker Avenue

Applicants: University of Texas at El Paso SURW23-00013

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

**AGENDA DATE:** December 5, 2023  
**PUBLIC HEARING DATE:** December 12, 2023

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** Philip F. Etiwe, (915) 212-1553  
Alex Alejandre, (915) 212-1642

**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 0.948 acre portion of Randolph Street and Blacker Avenue Right-Of-Way, located within Alexander Addition, City of El Paso, El Paso County, Texas

Subject Property: Randolph Street and Blacker Avenue  
Applicants: University of Texas at El Paso SURW23-00013

**BACKGROUND / DISCUSSION:**

The applicant is requesting to vacate portions of Randolph Street and Blacker Avenue within Alexander Addition. The proposed area to be vacated is located east of Hawthorne Street, between University Avenue and Rim Road, and is 0.948 acre in size. This area comprises undeveloped land with no existing utility infrastructure. The applicant is requesting to vacate ROW in order to allow for the future construction of an education facility. The City Plan Commission recommended 7-0 to approve the proposed right-of-way (ROW) vacation on July 27, 2023. As of November 29, 2023, the Planning Division has not received any communication in support or opposition to the vacation request. Chapter 272.001.j. of the Texas Local Government Code allows the City to transfer land to an institution of higher learning for less than fair market value, provided that such transfer is to promote a public purpose related to higher education. This transfer will allow this land to be incorporated into the UTEP campus.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?**  X  YES \_\_\_ NO

**PRIMARY DEPARTMENT:** Planning & Inspections, Planning Division

**SECONDARY DEPARTMENT:** N/A

---

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

**DEPARTMENT HEAD:**

---

*Philip Etiwe*

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE VACATING A 0.948 ACRE PORTION OF RANDOLPH STREET AND BLACKER AVENUE RIGHT-OF-WAY, LOCATED WITHIN ALEXANDER ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS.**

**WHEREAS**, the abutting property owner has requested vacation of a 0.948 acre Portion of Randolph Street and Blacker Avenue Right-Of-Way located within Alexander Addition, City of El Paso, El Paso County, Texas; and

**WHEREAS**, after a public hearing the City Plan Commission has recommended a vacation of a 0.948 acre portion Of Randolph And Blacker Avenue Street Right-of-Way located within Alexander Addition, City of El Paso, El Paso County, Texas, and the City Council finds that said right of way is not needed for public use and should be vacated as recommended.

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

That, in consideration of the receipt by the City of El Paso of TWENTY-FIVE AND 00/DOLLARS (\$25.00) and other good and valuable consideration, the sufficiency of which is acknowledged, in accordance with Texas Local Government Code 272 (j) to promote and maintain a public purpose related to higher education, the 0.948 acre portion of Randolph Street and Blacker Avenue right-of-way located within Alexander 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.

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 University of Texas at El Paso.

**ADOPTED** this        day of        , 2023.

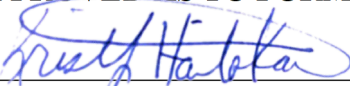
**THE CITY OF EL PASO:**

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

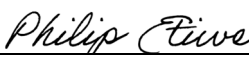
**ATTEST:**

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

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Kristen Hamilton-Karam  
Deputy City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Philip F. Etiwe  
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**

THE CITY OF EL PASO, has released and quitclaimed and by these presents does release and quitclaim unto **University of Texas at El Paso** (the "Grantees"), 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 RANDOLPH STREET AND BLACKER AVENUE, LOCATED WITHIN ALEXANDER ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS**, which is more fully described in the attached metes and bounds description and survey, identified as Exhibit "A" and made a part hereof by reference.

WITNESS the following signatures and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

CITY OF EL PASO

ATTEST:

\_\_\_\_\_  
Cary Westin, Interim City Manager

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

APPROVED AS TO FORM:

*Russell Abeln*

\_\_\_\_\_  
Russell T. Abeln  
Assistant City Attorney

APPROVED AS TO CONTENT:

*Philip Etiwe*

\_\_\_\_\_  
Philip F. Etiwe, Director  
Planning and Inspections Department

*(Acknowledgement on following page)*

ORDINANCE NO. \_\_\_\_\_

ROW Vacation SURW23-00013



## ACKNOWLEDGMENT

**THE STATE OF TEXAS            )**  
**COUNTY OF EL PASO         )**

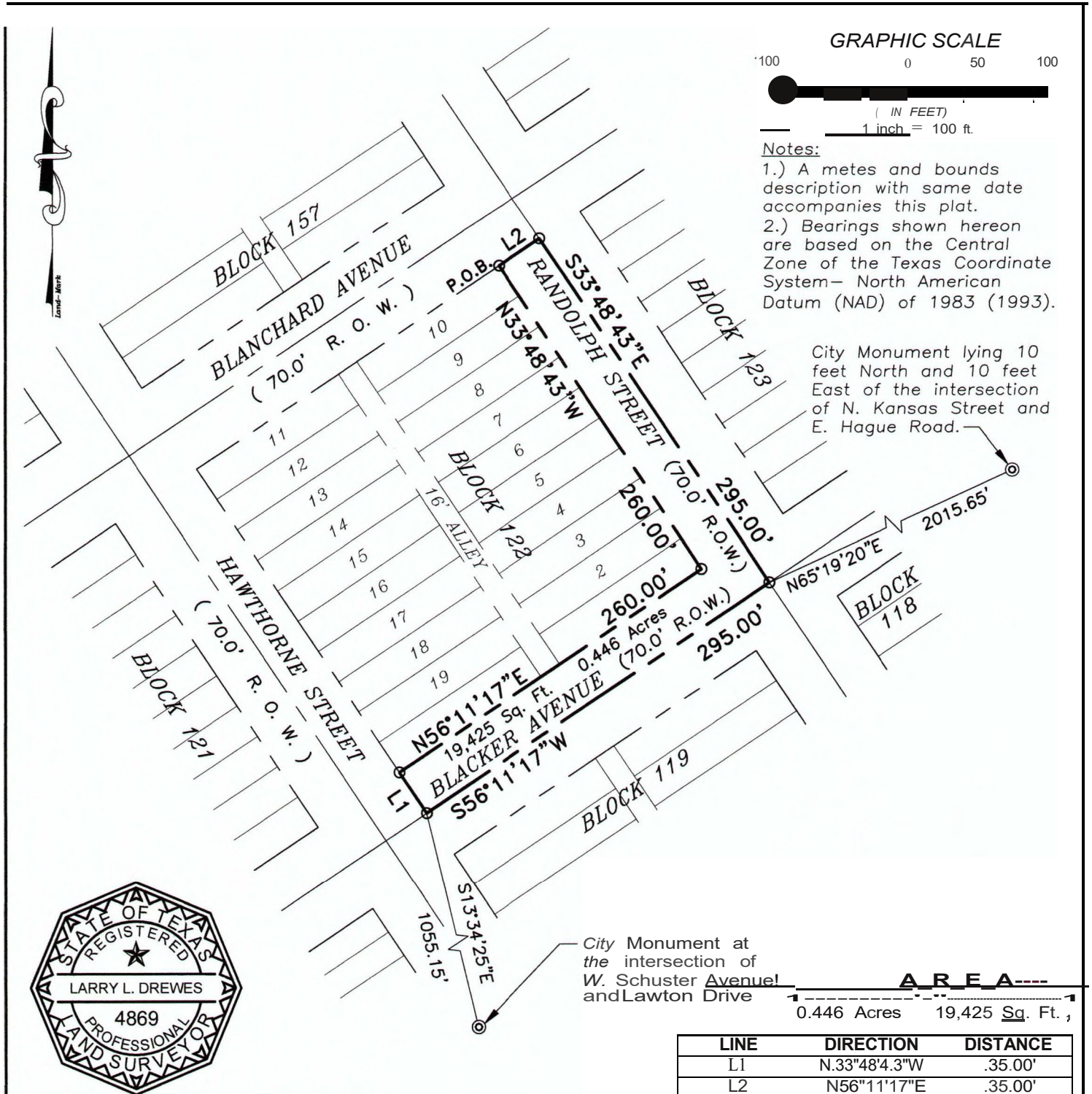
This instrument is acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
by Cary Westin, as Interim City Manager for the CITY OF EL PASO.

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

My Commission Expires:

**AFTER FILLING RETURN TO:**  
UNIVERSITY OF TEXAS AT EL PASO  
500 W. University  
El Paso, Texas 79968

# EXHIBIT A

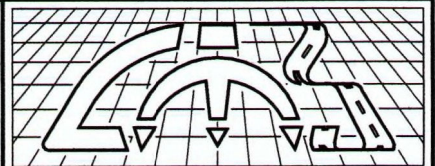


I hereby certify that the foregoing boundary survey was made by me or under my supervision.

## Plat of Survey

**A PORTION OF RANDOLPH STREET  
AND A PORTION OF BLACKER AVENUE  
WITHIN ALEXANDER ADDITION,  
EL PASO COUNTY, TEXAS**

*[Signature]*  
Larry L. Drewes, R.P.L.S.  
Texas 4869 N.M. 11402



**Land-Mark Professional  
Surveying, Inc.**

1420 Bessemer Drive, Suite 'A'  
El Paso, Texas 79936

**(915) 598-1300**

Texas Licensed Surveying Firm  
Registration Number 10125900  
email: Larry@land-marksurvey.com  
"Serving Texas, New Mexico  
and Arizona"

Job No. **23-02-33093-B**

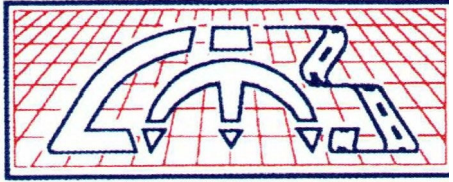
Scale: **1" = 100'**

Date: **April 13, 2023**

# EXHIBIT A

## Land-Mark Professional Surveying, Inc.

"Serving Texas, New Mexico & Arizona"



### METES AND BOUNDS DESCRIPTION

**A PORTION OF RANDOLPH STREET (70 FEET WIDE) AND A PORTION OF BLACKER AVENUE (70 FEET WIDE), ALL WITHIN ALEXANDER ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;**

**BEGINNING**, at a point lying at the northeasterly corner of Block 122, Alexander Addition, and in the southeasterly right-of-way line of Blanchard Avenue;

**THENCE**, North  $56^{\circ}11'17''$  East, with said southeasterly right-of-way line, a distance of 35.00 feet to a point lying in the centerline of Randolph Street, for a corner of this parcel;

**THENCE**, South  $33^{\circ}48'43''$  East, with said centerline of Randolph Street, a distance of 295.00 feet to a point lying at the centerline intersection of said Blacker Avenue and said Randolph Street, for a corner of this parcel; *whence* an existing city monument lying 10 feet north and 10 feet east of the centerline intersection of N. Kansas Street and E. Hague Road, bears North  $65^{\circ}19'20''$  East, a distance of 2015.65 feet;

**THENCE**, South  $56^{\circ}11'17''$  West, with said centerline of Blacker Avenue, a distance of 295.00 feet, to a point lying in the northeasterly right-of-way line of Hawthorne Street, for a corner of this parcel; *whence* an existing city monument lying at the centerline intersection of W. Schuster Avenue and Lawton Drive bears South  $13^{\circ}34'25''$  East, a distance of 1055.15 feet;

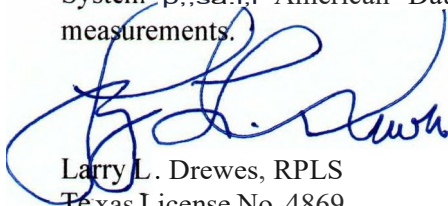
**THENCE**, North  $33^{\circ}48'43''$  West, departing said centerline of Blacker Avenue and with said northeasterly right-of-way line, a distance of 35.00 feet to a point lying at the southwesterly corner of said Block 122, Alexander Addition and in the northwesterly right-of-way line of Blacker Avenue, for a corner of this parcel;

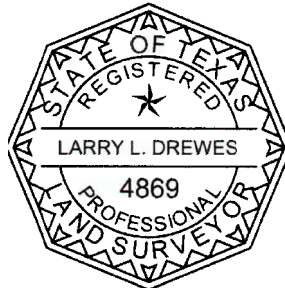
**THENCE**, North  $56^{\circ}11'17''$  East, with said northwesterly with said right-of-way line, a distance of 260.00 feet to a point lying at the southeasterly corner of said Block 122, Alexander Addition and in the southwesterly right-of-way line of said Randolph Street, for a corner of this parcel;

**THENCE**, North  $33^{\circ}48'43''$  West, with said southwesterly right-of-way line of Blanchard Avenue, a distance of 260.00 feet to the **POINT OF BEGINNING**.

Said parcel contains 0.446 Acres (19,425 Square feet) more or less.

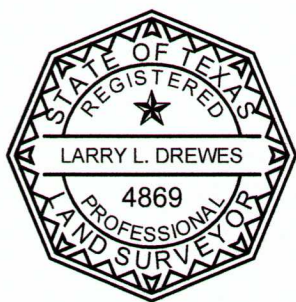
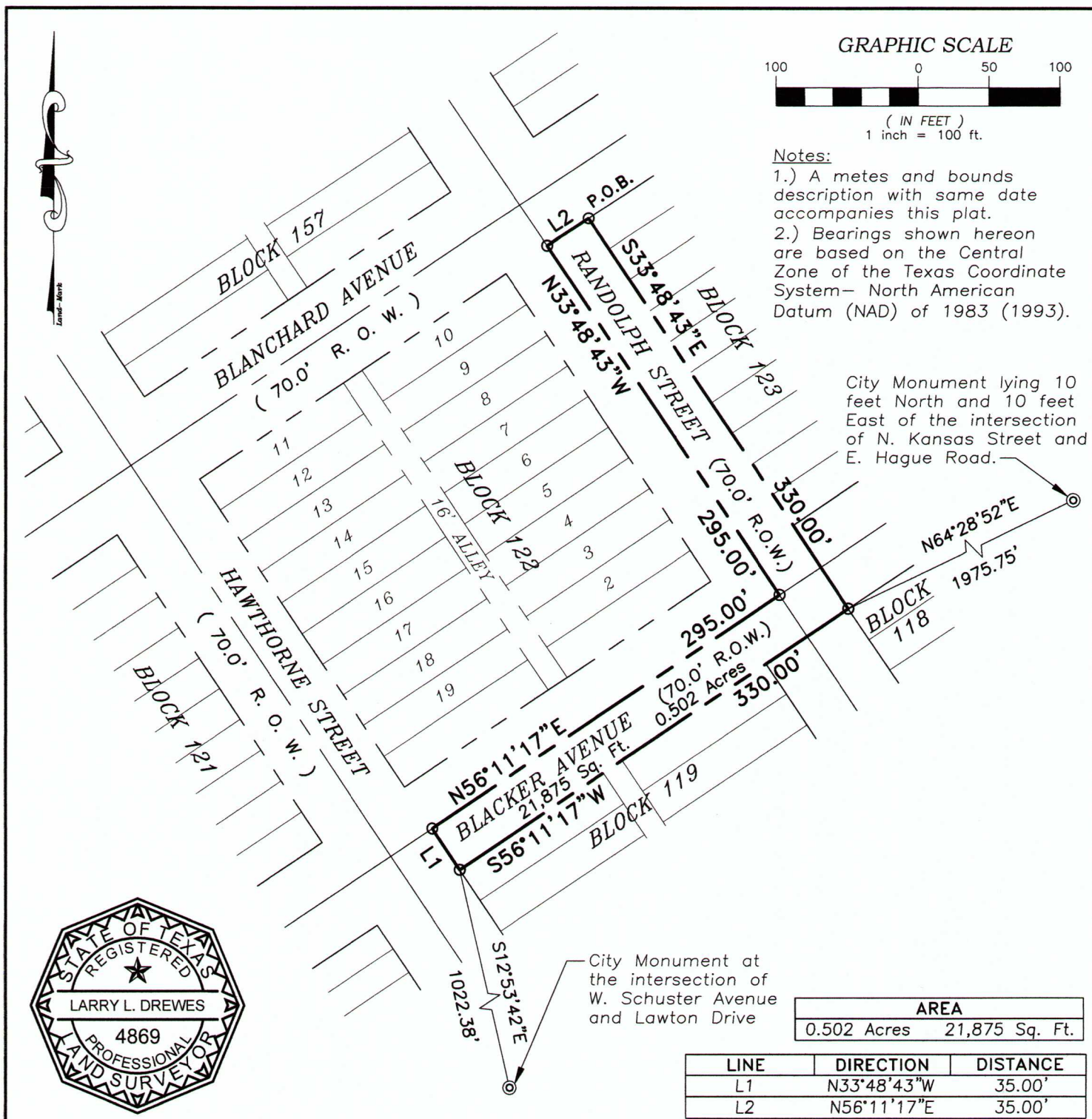
1.) All bearings contained in this description are based upon the Central Zone of the Texas Coordinate System, as set by the American National Ocean Survey (NAO) of 1983 (1993); and 2.) Distances are horizontal surface measurements.

  
Larry L. Drewes, RPLS  
Texas License No. 4869  
Job Number 33093-B  
April 13, 2023





# EXHIBIT A

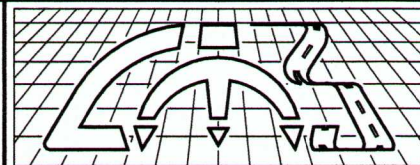


I hereby certify that the foregoing boundary survey was made by me or under my supervision.

## Plat of Survey

A PORTION OF RANDOLPH STREET  
AND A PORTION OF BLACKER AVENUE  
WITHIN ALEXANDER ADDITION,  
EL PASO COUNTY, TEXAS

*[Signature]*  
Larry L. Drewes, R.P.L.S.  
Texas 4869 N.M. 11402



**Land-Mark Professional Surveying, Inc.**  
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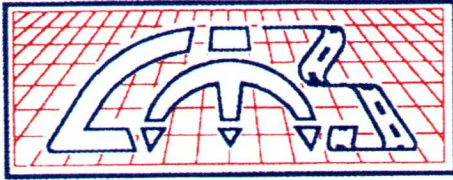
Job No. 23-02-33093-A

Scale: 1" = 100'

Date: April 13, 2023



# EXHIBIT A



***Land-Mark Professional Surveying, Inc.***

*"Serving Texas, New Mexico & Arizona"*

## **METES AND BOUNDS DESCRIPTION**

**A PORTION OF RANDOLPH STREET (70 FEET WIDE) AND A PORTION OF BLACKER AVENUE (70 FEET WIDE), ALL WITHIN ALEXANDER ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;**

**BEGINNING**, at a point lying at the northwesterly corner of Block 123, Alexander Addition, and in the northeasterly right-of-way line of Randolph Street, for a corner of this parcel;

**THENCE**, South  $33^{\circ}48'43''$  East, with said northeasterly right-of-way line, a distance of 330.00 feet to a point lying at the northwesterly corner of Block 118, and in the southeasterly right-of-way line of Blacker Avenue, for a corner of this parcel; **whence** an existing city monument lying 10 feet north and 10 feet east of the centerline intersection of N. Kansas Street and E. Hague Road, bears North  $64^{\circ}28'52''$  East, a distance of 1975.75 feet;

**THENCE**, South  $56^{\circ}11'17''$  West, with said southeasterly right-of-way line, a distance of 330.00 feet, to a point lying at the northwesterly corner of Block 119, Alexander Addition and in the northeasterly right-of-way line of Hawthorne Street, for a corner of this parcel; **whence** an existing city monument lying at the centerline intersection of W. Schuster Avenue and Lawton Drive bears South  $12^{\circ}53'42''$  East, a distance of 1022.38 feet;

**THENCE**, North  $33^{\circ}48'43''$  West, with said northeasterly right-of-way line, a distance of 35.00 feet to a point lying in the centerline of Blacker Avenue, for a corner of this parcel;

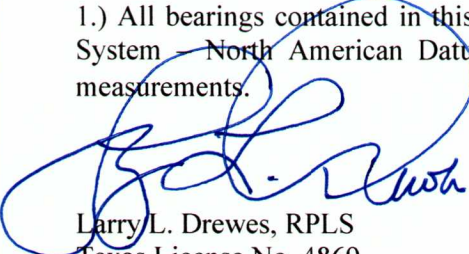
**THENCE**, North  $56^{\circ}11'17''$  East, with said centerline of Blacker Avenue, a distance of 295.00 feet to a point lying at the centerline intersection of said Blacker Avenue and said Randolph Street, for a corner of this parcel;

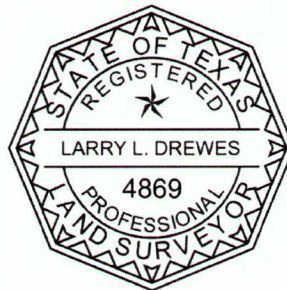
**THENCE**, North  $33^{\circ}48'43''$  West, with said centerline of Randolph Street, a distance of 295.00 feet to a point lying in the southeasterly right-of-way line of Blanchard Avenue, for a corner of this parcel;

**THENCE**, North  $56^{\circ}11'17''$  East, departing said centerline of Randolph Street and with said southeasterly right-of-way line, a distance of 35.00 feet to the **POINT OF BEGINNING**.

Said parcel contains 0.502 Acres (21,875 Square feet) more or less.

1.) All bearings contained in this description are based upon the Central Zone of the Texas Coordinate System - North American Datum (NAD) of 1983 (1993); and 2.) Distances are horizontal surface measurements.

  
Larry L. Drewes, RPLS  
Texas License No. 4869  
Job Number 33093-A



April 13, 2023

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STATE OF TEXAS                   §  
   §  
COUNTY OF EL PASO           §

**DEED WITHOUT WARRANTY**

**Effective Date:** \_\_\_\_\_, 2023

**Grantor:** Tenet Hospitals Limited, a Texas limited partnership

**Grantor's Mailing Address:** 14201 Dallas Parkway  
Dallas, Texas 75254  
Attn: Real Estate Counsel

**Grantee:** BOARD OF REGENTS OF THE UNIVERSITY OF TEXAS SYSTEM

**Grantee's Mailing Address:** Real Estate Office  
210 West 7<sup>th</sup> Street  
Austin, Travis County, Texas 78701  
Attention: Executive Director of Real Estate

**Consideration:** TEN and No/100 DOLLARS (\$10.00) cash in hand and other good and valuable consideration paid by Grantee, the receipt and sufficiency of which are hereby acknowledged.

**Property:** The real property described in Exhibit A attached hereto and incorporated herein by reference for all purposes, along with all improvements, structures, and fixtures situated thereon.

**Reservations From and Exceptions to Conveyance:** The conveyance is made subject to any and all matters of record, and matters which may be revealed by any inspection or survey of the Property.

Grantor, for the Consideration and subject to the Reservations from and Exceptions to Conveyance, GRANTS AND CONVEYS the Property to Grantee, together with all and singular the rights and appurtenances in any way belonging thereto. TO HAVE AND TO HOLD the Property to Grantee and Grantee's successors and assigns forever, without express or implied warranty. All warranties that might arise by common law and the warranties in Section 5.023 of the Texas Property Code (or its successor) are excluded.

This conveyance is intended to include any interest in the Property obtained by after-acquired title.

**Exhibits To Deed:**

Exhibit A – Description of Property

**TENET HOSPITALS LIMITED,  
A TEXAS LIMITED PARTNERSHIP**

**By: Healthcare Network Texas, Inc.  
a Delaware corporation  
Its General Partner**

By:   
Name: Perry Guinn  
Title: Vice President

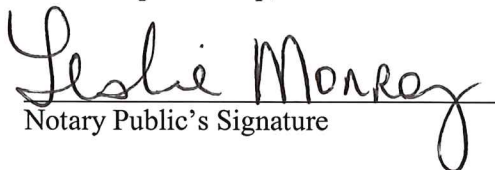
THE STATE OF TEXAS

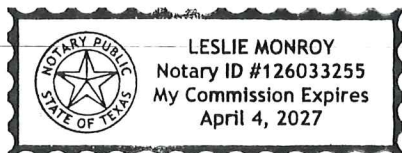
§  
§  
§

COUNTY OF DALLAS

This instrument was acknowledged before me on October 24, 2023 (Date) by Perry Guinn  
the authorized representative of Tenet Hospitals Limited, a Texas limited partnership, on behalf of said limited  
partnership.

(Personalized Seal)

  
Notary Public's Signature



**After Recording, Return to:**

University of Texas System  
Attn: Real Estate Office  
210 West 7th Street  
Austin, Travis County, Texas 78701  
Attention: Executive Director of Real Estate

## EXHIBIT "A"

### REAL PROPERTY DESCRIPTION

A PORTION OF RANDOLPH STREET (70 FEET WIDE) AND A PORTION OF BLACKER AVENUE (70 FEET WIDE), ALL WITHIN ALEXANDER ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING**, at a point lying in the northeasterly right-of-way line of Hawthorne Street (70 feet wide) and in the centerline of Blacker Avenue (70 feet wide), for a corner of this parcel;

North 56° 11' 17" East, with said centerline of Blacker Avenue, a distance of 295.00 feet to a point lying at the centerline intersection of said Blacker Avenue and said Randolph Street, for a corner of this parcel;

**THENCE**, North 33° 48' 43" West, with said centerline of Randolph Street, a distance of 330.00 feet to a point lying in the centerline intersection of said Randolph Street and Blanchard Avenue (70 feet wide), for a corner of this parcel;

**THENCE**, North 56° 11' 17" East, departing said centerline intersection and with the centerline of said Blanchard Avenue, a distance of 35.00 feet a point lying in the northeasterly right-of-way line of said Randolph Street, for a corner of this parcel;

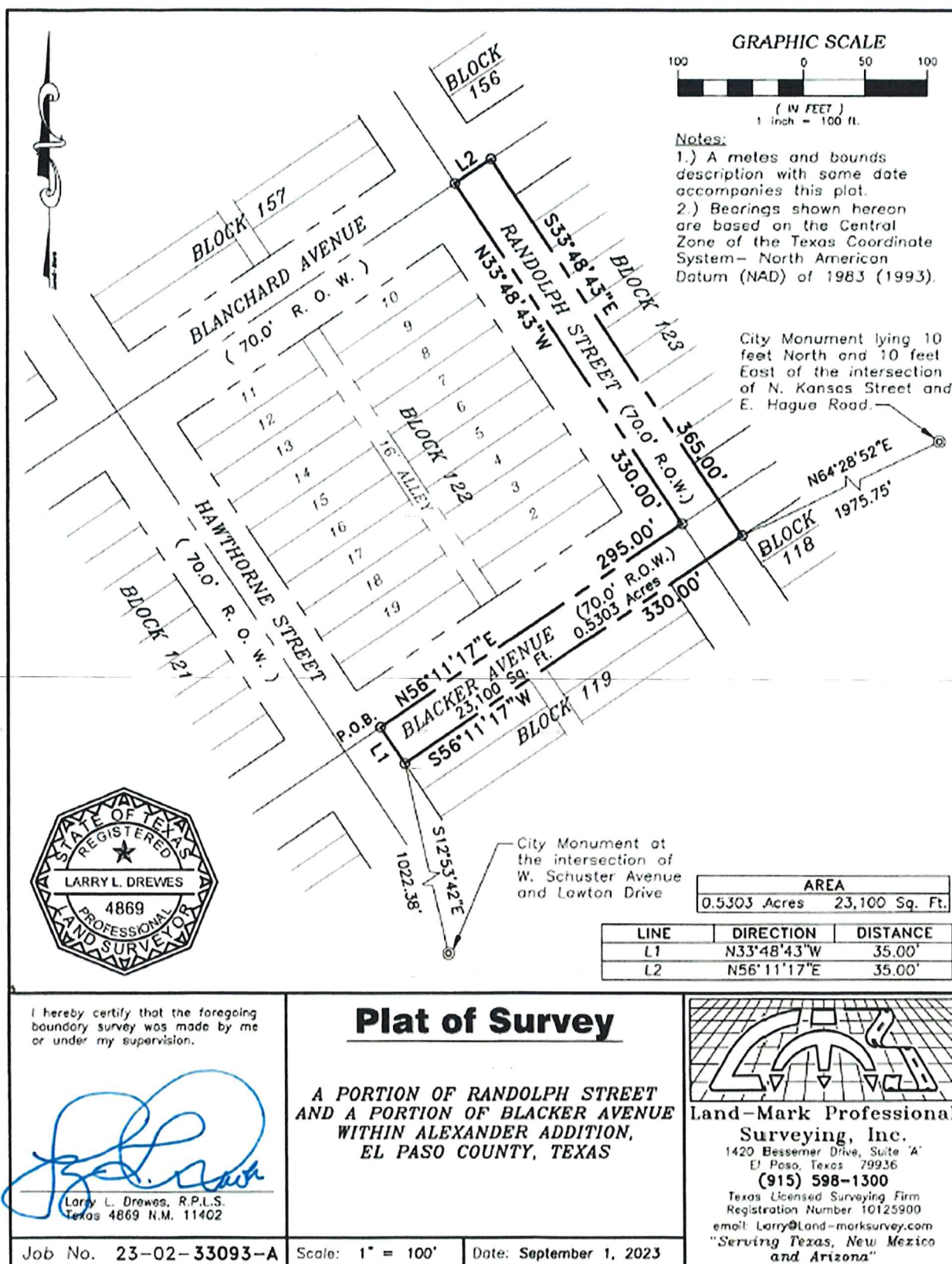
**THENCE**, South 33° 48' 43" East, with said northeasterly right-of-way line, a distance of 365.00 feet to a point lying at the northwesterly corner of Block 118, and in the southeasterly right-of-way line of Blacker Avenue, for a corner of this parcel; *whence* an existing city monument lying 10 feet north and 10 feet east of the centerline intersection of N. Kansas Street and E. Hague Road, bears North 64° 28' 52" East, a distance of 1975.75 feet;

**THENCE**, South 56° 11' 17" West, with said southeasterly right-of-way line, a distance of 330.00 feet, to a point lying at the northwesterly corner of Block 119, Alexander Addition and in the northeasterly right-of-way line of Hawthorne Street, for a corner of this parcel; *whence* an existing city monument lying at the centerline intersection of W. Schuster Avenue and Lawton Drive bears South 12° 53' 42" East, a distance of 1022.38 feet;

**THENCE**, North 33° 48' 43" West, with said northeasterly right-of way line, a distance of 35.00 feet to the **POINT OF BEGINNING**.

Said parcel contains 0.5303 Acres (23,100 Square feet) more or less.





# Randolph and Blacker ROW Vacation

City Plan Commission — July 27, 2023



<b>CASE NUMBER/TYPE:</b>	<b>SURW23-00013 – Right-of-way Vacation</b>
<b>CASE MANAGER:</b>	Alex Alejandre, (915) 212-1642, <a href="mailto:AlejandreAX@elpasotexas.gov">AlejandreAX@elpasotexas.gov</a>
<b>PROPERTY OWNER:</b>	University of Texas at El Paso
<b>REPRESENTATIVE:</b>	Robert Parker
<b>LOCATION:</b>	West of Mesa St. and North of Interstate-10. (District 8)
<b>PROPERTY AREA:</b>	1.00 acres
<b>VESTED RIGHTS STATUS:</b>	Not Vested
<b>PARK FEES:</b>	Park Fees Not Required
<b>ZONING DISTRICT(S):</b>	C-2 sc (Commercial/Special Contract) / R-4 (Residential)
<b>PUBLIC INPUT:</b>	No opposition received as of July 17, 2023

**SUMMARY OF RECOMMENDATION:** Staff recommends **APPROVAL** of the Randolph and Blacker Right-of-Way (ROW) Vacation.

## BLACKER AND RANDOPHLH ROW VACATION



Figure A: Proposed plat with surrounding area



**DESCRIPTION OF REQUEST:** The applicants are seeking to vacate portions of Randolph Street and Blacker Avenue within Alexander Addition. The proposed area to be vacated is located east of Hawthorne St. and between University Avenue and Rim Road. The applicants are proposing to vacate seventy (70) feet of width from Randolph Street and Blacker Avenue, with half of the ROW width being vacated to UTEP and the other half to Sierra Providence Physical Rehabilitation Hospital, the abutting land owners. The total area to be vacated is approximately 1.00 acres in size and consists of unimproved land, with no utility infrastructure. The sidewalk along Hawthorne Street is to remain. The applicants are requesting to vacate ROW in order to allow for the future construction of an education facility.

**CASE HISTORY/RELATED APPLICATIONS:** N/A

**NEIGHBORHOOD CHARACTER:** Surrounding neighborhood characteristics are identified in the following table.

Surrounding Zoning and Use	
North	R-4 (Residential District) / Residential development
South	C-2 (Commercial District) / Commercial development
East	C-2 (Commercial District) / Commercial development
West	R-4 (Residential District) / Residential development
Nearest Public Facility and Distance	
Park	Dunn Park City Park (0.27 miles)
School	El Paso High School (0.65 miles)
Plan El Paso Designation	
G-2, Traditional Neighborhood (Walkable)	
Impact Fee Service Area	
N/A	

**PUBLIC COMMENT:** Notices of the proposed right-of-way vacation were sent on June 26, 2023 to all property owners within 200 feet of the subject property. As of July 17, 2023, staff has not received any communication regarding this request.

**CITY PLAN COMMISSION OPTIONS:**

The City Plan Commission (CPC) has the authority to advise City Council on right-of-way vacation requests. When a request is brought forward to the (CPC) City Plan Commission 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.

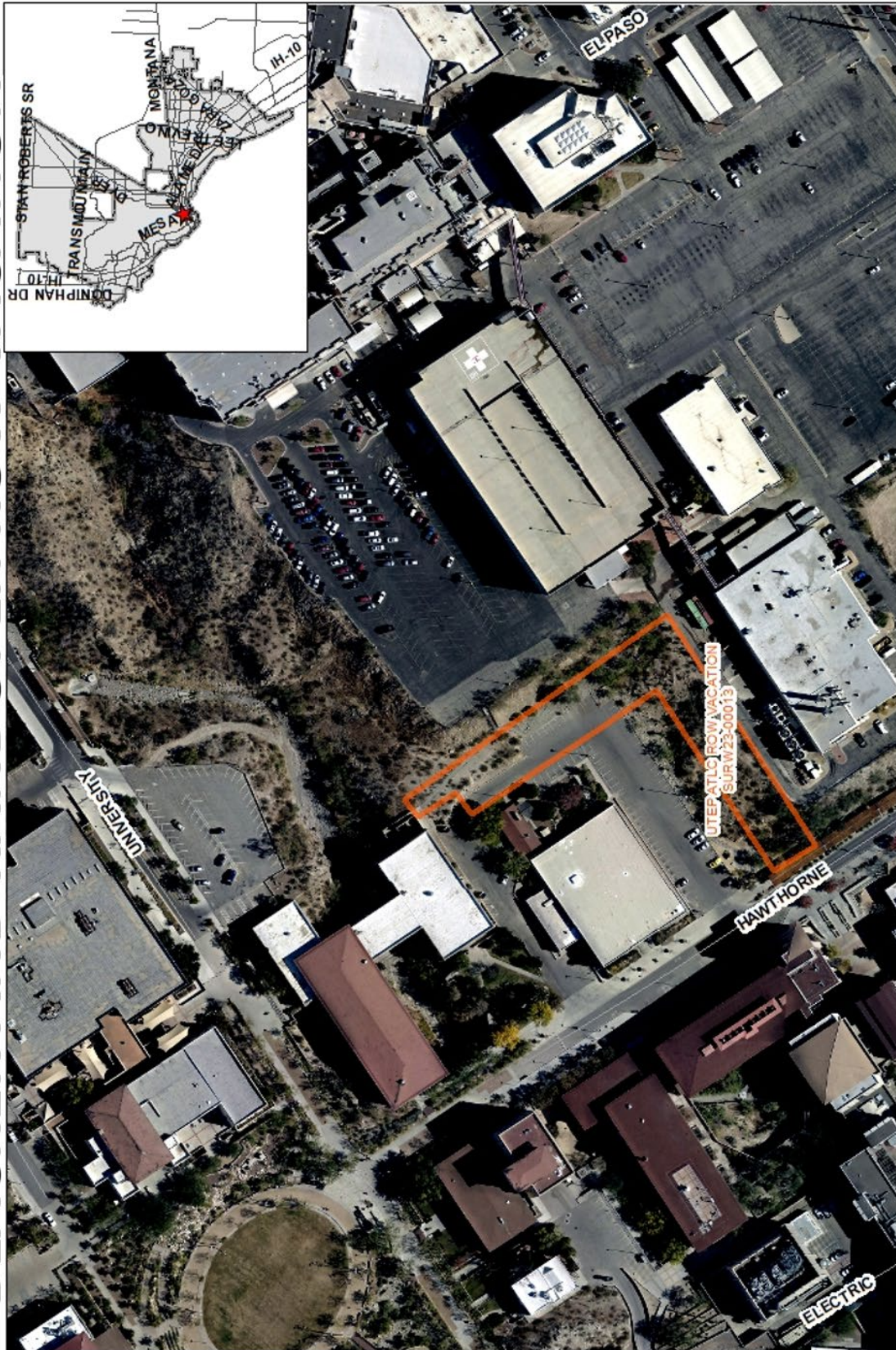
**ATTACHMENTS:**

1. Aerial Map
2. Surveys
3. Metes and Bounds Descriptions
4. Application
5. Department Comments



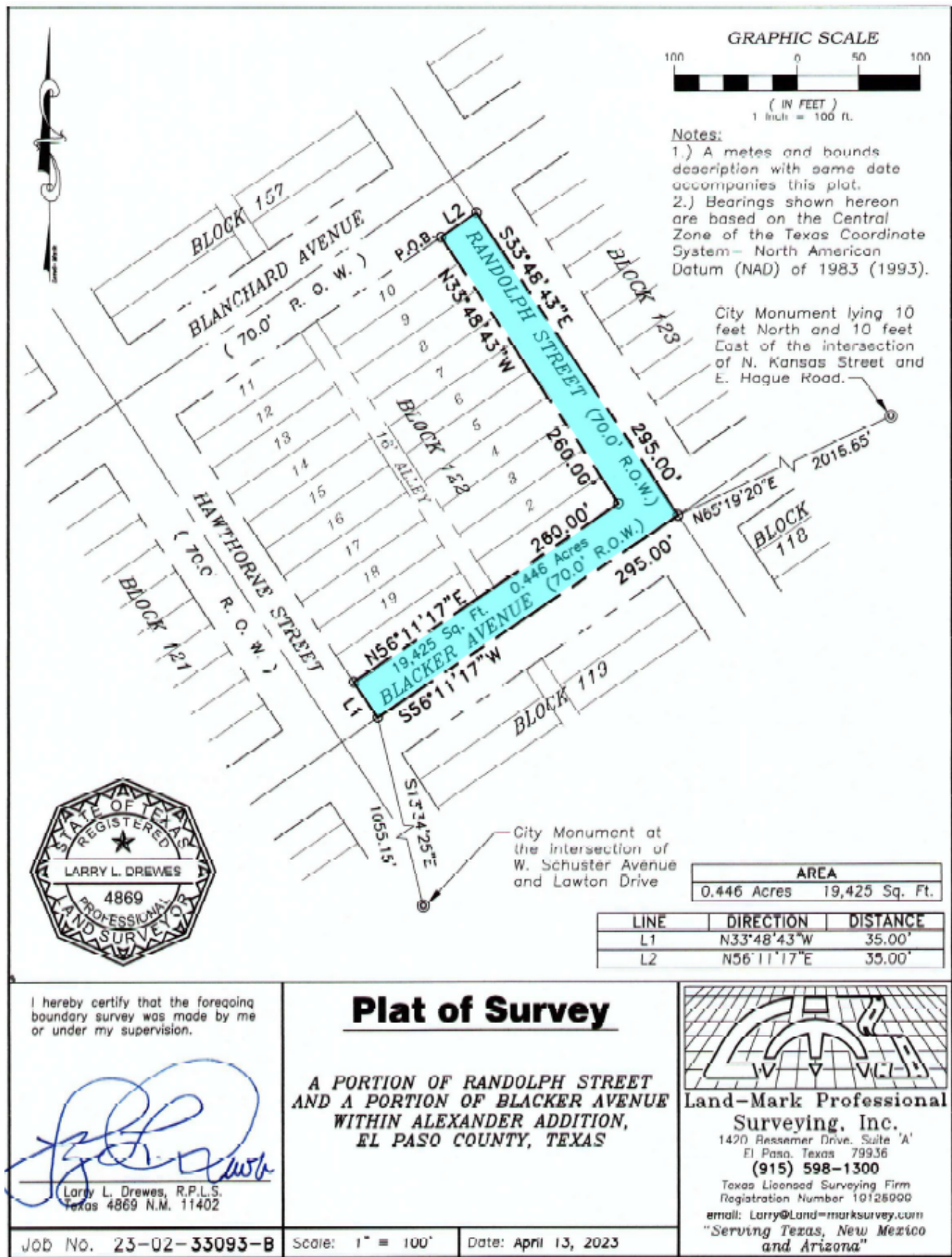
# ATTACHMENT 1

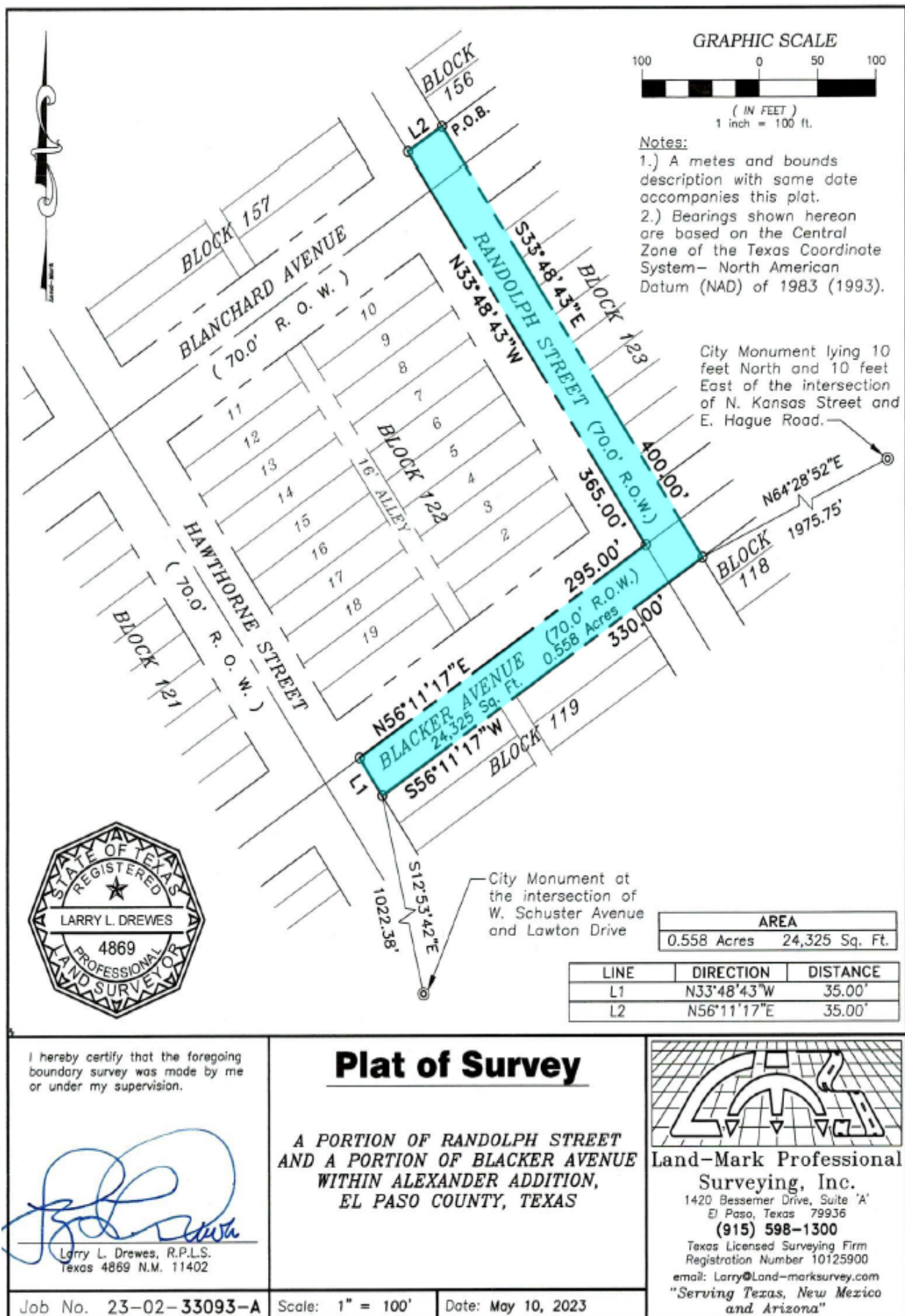
## BLACKER AND RANDOPH ROW VACATION





# ATTACHMENT 2







# ATTACHMENT 3



*Land-Mark Professional Surveying, Inc.*

*"Serving Texas, New Mexico & Arizona"*

## METES AND BOUNDS DESCRIPTION

**A PORTION OF RANDOLPH STREET (70 FEET WIDE) AND A PORTION OF BLACKER AVENUE (70 FEET WIDE), ALL WITHIN ALEXANDER ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;**

**BEGINNING**, at a point lying at the northeasterly corner of Block 122, Alexander Addition, and in the southeasterly right-of-way line of Blanchard Avenue;

**THENCE**, North  $56^{\circ}11'17''$  East, with said southeasterly right-of-way line, a distance of 35.00 feet to a point lying in the centerline of Randolph Street, for a corner of this parcel;

**THENCE**, South  $33^{\circ}48'43''$  East, with said centerline of Randolph Street, a distance of 295.00 feet to a point lying at the centerline intersection of said Blacker Avenue and said Randolph Street, for a corner of this parcel; **whence** an existing city monument lying 10 feet north and 10 feet east of the centerline intersection of N. Kansas Street and E. Hague Road, bears North  $65^{\circ}19'20''$  East, a distance of 2015.65 feet;

**THENCE**, South  $56^{\circ}11'17''$  West, with said centerline of Blacker Avenue, a distance of 295.00 feet, to a point lying in the northeasterly right-of-way line of Hawthorne Street, for a corner of this parcel; **whence** an existing city monument lying at the centerline intersection of W. Schuster Avenue and Lawton Drive bears South  $13^{\circ}34'25''$  East, a distance of 1055.15 feet;

**THENCE**, North  $33^{\circ}48'43''$  West, departing said centerline of Blacker Avenue and with said northeasterly right-of-way line, a distance of 35.00 feet to a point lying at the southwesterly corner of said Block 122, Alexander Addition and in the northwesterly right-of-way line of Blacker Avenue, for a corner of this parcel;

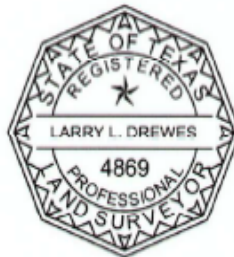
**THENCE**, North  $56^{\circ}11'17''$  East, with said northwesterly with said right-of-way line, a distance of 260.00 feet to a point lying at the southeasterly corner of said Block 122, Alexander Addition and in the southwesterly right-of-way line of said Randolph Street, for a corner of this parcel;

**THENCE**, North  $33^{\circ}48'43''$  West, with said southwesterly right-of-way line of Blanchard Avenue, a distance of 260.00 feet to the **POINT OF BEGINNING**.

Said parcel contains 0.446 Acres (19,425 Square feet) more or less.

1.) All bearings contained in this description are based upon the Central Zone of the Texas Coordinate System – North American Datum (NAD) of 1983 (1993); and 2.) Distances are horizontal surface measurements.

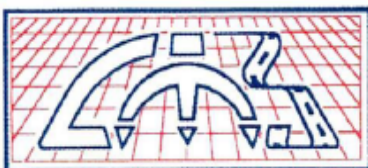
Larry L. Drewes, RPLS  
Texas License No. 4869  
Job Number 33093-B  
April 13, 2023



1420 Bessemer • El Paso, Texas 79936

Tel. (915) 598-1300 • Fax (915) 598-1221 • Email address: [Larry@Land-Marksurvey.com](mailto:Larry@Land-Marksurvey.com)





### **METES AND BOUNDS DESCRIPTION**

**A PORTION OF RANDOLPH STREET (70 FEET WIDE) AND A PORTION OF BLACKER AVENUE (70 FEET WIDE), ALL WITHIN ALEXANDER ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;**

**BEGINNING**, at a point lying at the southwesterly corner of Block 156, Alexander Addition, and in the northeasterly right-of-way line of Randolph Street, for a corner of this parcel;

**THENCE**, South  $33^{\circ}48'43''$  East, with said northeasterly right-of-way line, a distance of 400.00 feet to a point lying at the northwesterly corner of Block 118, and in the southeasterly right-of-way line of Blacker Avenue, for a corner of this parcel; *whence* an existing city monument lying 10 feet north and 10 feet east of the centerline intersection of N. Kansas Street and E. Hague Road, bears North  $64^{\circ}28'52''$  East, a distance of 1975.75 feet;

**THENCE**, South  $56^{\circ}11'17''$  West, with said southeasterly right-of-way line, a distance of 330.00 feet, to a point lying at the northwesterly corner of Block 119, Alexander Addition and in the northeasterly right-of-way line of Hawthorne Street, for a corner of this parcel; *whence* an existing city monument lying at the centerline intersection of W. Schuster Avenue and Lawton Drive bears South  $12^{\circ}53'42''$  East, a distance of 1022.38 feet;

**THENCE**, North  $33^{\circ}48'43''$  West, with said northeasterly right-of-way line, a distance of 35.00 feet to a point lying in the centerline of Blacker Avenue, for a corner of this parcel;

**THENCE**, North  $56^{\circ}11'17''$  East, with said centerline of Blacker Avenue, a distance of 295.00 feet to a point lying at the centerline intersection of said Blacker Avenue and said Randolph Street, for a corner of this parcel;

**THENCE**, North  $33^{\circ}48'43''$  West, with said centerline of Randolph Street, a distance of 365.00 feet to a point lying in the northwesterly right-of-way line of Blanchard Avenue, for a corner of this parcel;

**THENCE**, North  $56^{\circ}11'17''$  East, departing said centerline of Randolph Street and with said northwesterly right-of-way line, a distance of 35.00 feet to the **POINT OF BEGINNING**.

Said parcel contains 0.558 Acres (24,325 Square feet) more or less.

1.) All bearings contained in this description are based upon the Central Zone of the Texas Coordinate System – North American Datum (NAD) of 1983 (1993); and 2.) Distances are horizontal surface measurements.

Larry L. Drewes, RPLS  
Texas License No. 4869  
Job Number 33093-A

May 10, 2023



# ATTACHMENT 4



## VACATION PUBLIC EASEMENTS AND RIGHTS-OF-WAY APPLICATION

Date: May 11, 2023

File No. \_\_\_\_\_

1. APPLICANTS NAME Board of Regents of The University of Texas System on behalf of The University of Texas at El Paso  
ADDRESS 210 W. 8th Street, Austin, Texas ZIP CODE 78701 TELEPHONE (512) 499-4336
2. Request is hereby made to vacate the following: (check one)  
Street ☒ Alley ☐ Easement ☐ Other ☐  
Street Name(s) Blacker Ave. and Randolph Drive. Subdivision Name Alexander Addition  
Abutting Blocks 123, 118, 119, 122 Abutting Lots \_\_\_\_\_
3. Reason for vacation request: New Education Facility to be built.
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
<u>Geoffrey A. Richards</u> Geoffrey A. Richards Executive Director of Real Estate The University of Texas System	<u>Block 122, Alexander Addition</u>	<u>512-499-4336</u>
<u>REFER TO SHEET ATTACHED FOR SIGNATURE</u>	<u>Blocks 123, 118, 119, Alexander Addition</u>	_____

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.

Board of Regents of The University of Texas System  
OWNER SIGNATURE: Geoffrey A. Richards  
Geoffrey Richards, Executive Director of Real Estate, The University of Texas System

REPRESENTATIVE SIGNATURE: Robert Parker  
Robert Parker, Interim AUP Facilities Management, The University of Texas at El Paso

REPRESENTATIVE (PHONE): (915) 747-8171

REPRESENTATIVE (E-MAIL): mparker@utep.edu

**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

Signature

Legal Description

Telephone



Vikash Patel

Blocks 123, 118, 119, Alexander Addition

NAME:

Chief Operating Officer

TITLE:

2001 N. Oregon Dr.

ADDRESS:

El Paso, TX 79912

# **ATTACHMENT 5**

## **Planning and Inspections Department- Planning Division**

No adverse comments, recommend approval of the ROW vacation request.

## **Texas Gas**

The consultant has provided verification the gas line is not located within the subject area. TGS doesn't have any additional comments.

## **Planning and Inspections Department- Land Development Division**

We have reviewed subject plats and recommend Approval. The Developer/Engineer shall address the following comments:

1. Closure report Ok.
2. No objection to the proposed ROW vacation

## **Parks and Recreation Department**

We have reviewed **UTEP ATLC Street Vacation Request**, a survey map and on behalf of Parks & Recreation Department, we offer "No" objections to this proposed street vacation request.

## **El Paso Water**

EPWater-PSB does not object to this request.

### **Water:**

There is an existing 12-inch diameter water main that extends along Hawthorne St., located approximately 13-feet west of the east right-of-way line. This main is available for service.

EPWater records indicate a 2-inch water service connection and a 4-inch water service connection serving the subject property. The addresses for these services are 400 W. University Ave. Bldg. 8, and 2060 Hawthorne St. Bldg. 104, respectively.

Previous water pressure from fire hydrant #3952, located 400 feet south of the intersection of Hawthorne St. and University Ave., has yielded a static pressure of 132 (psi), a residual pressure of 100 (psi), and a discharge of 1678 (gpm). The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

### **Sanitary Sewer:**

There is an existing 12-inch diameter sanitary sewer main that extends along and easement located approximately 165-feet south of the south right-of-way line of University Ave.

### **General:**

EPWater requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWater – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.



**Streets and Maintenance Department**

Streets and Maintenance traffic engineering has no objections.

**Capital Improvement Department**

No comments received.

**El Paso Electric**

No comments received.

**El Paso County 911 District**

No comments received.

**Texas Department of Transportation**

No comments received.

**El Paso County**

No comments received.

**El Paso County Water Improvement District #1**

No comments received.

**Sun Metro**

No comments received.

**Fire Department**

No comments received.



CITY OF EL PASO

## ITEM 20

Blacker and Randolph ROW Vacation  
SURW23-00013

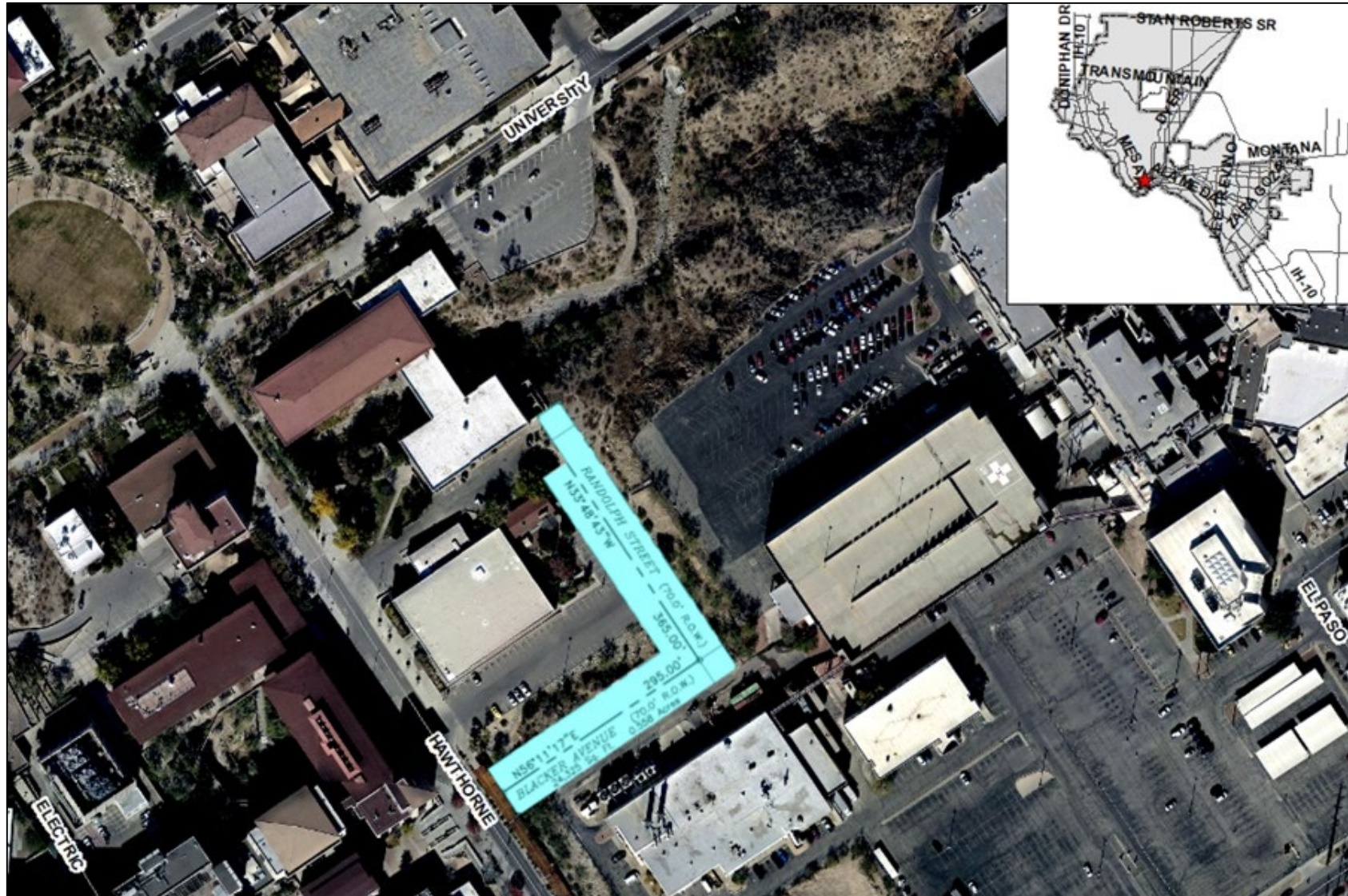


# Aerial





# ROW with Existing Development





# Subject Property



# Public Input

- Notice of public hearing was published in the El Paso Times on June 28, 2023.
- Notices were mailed to property owners within 200 feet on June 28, 2023.
- The Planning Division has not received any communication in support of or opposition to the request.

# Recommendation

The City Plan Commission (CPC) recommendation was unanimous Approval of the Blacker and Randolph 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, **R**espect, **E**xcellence,  
**A**ccountability, **P**eople





Legislation Text

---

**File #:** 23-1571, **Version:** 3

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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 Attorney's Office, Kristen Hamilton-Karam, (915) 212-1131

**AGENDA LANGUAGE:**

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

An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.92 (Ethics), to amend the following: Section 2.92.020 (Definitions) Subsection (10) to update the definition of "Contribution"; Section 2.92.080 (Disclosure of Campaign Contributions) to require additional disclosures regarding contributions or donations from individuals or business entities receiving a benefit from a vote of City Council; Sections 2.92.120 (Jurisdiction), Subsection 2.92.130(A)(5) (Duties) and Subsection 2.92.160(B) (Filing a Complaint) to include Commission jurisdiction over and process for complaints regarding candidates, political committees and individuals or business entities obligated under Section 2.92.080; Section 2.92.160(C) (Filing a Complaint), to clarify process for complaints regarding the Chief Internal Auditor; Section 2.92.170(A) (Complaint Review) to amend the time period for response to an Ethics Complaint; and Section 2.92.200 (Disposition) to include a fine of up to \$500 as a possible sanction for violation of the Ethics Code.

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

**DEPARTMENT:**

**AGENDA DATE:**

**PUBLIC HEARING DATE:**

**CONTACT PERSON 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?

---

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

**DEPARTMENT HEAD:**

---

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

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.92 (ETHICS), TO AMEND THE FOLLOWING: SECTION 2.92.020 (DEFINITIONS) SUBSECTION (10) TO UPDATE THE DEFINITION OF “CONTRIBUTION”; SECTION 2.92.080 (DISCLOSURE OF CAMPAIGN CONTRIBUTIONS) TO REQUIRE ADDITIONAL DISCLOSURES REGARDING CONTRIBUTIONS OR DONATIONS FROM INDIVIDUALS OR BUSINESS ENTITIES RECEIVING A BENEFIT FROM A VOTE OF CITY COUNCIL; SECTIONS 2.92.120 (JURISDICTION), SUBSECTION 2.92.130(A)(5) (DUTIES) AND SUBSECTION 2.92.160(B) (FILING A COMPLAINT) TO INCLUDE COMMISSION JURISDICTION OVER AND PROCESS FOR COMPLAINTS REGARDING CANDIDATES, POLITICAL COMMITTEES AND INDIVIDUALS OR BUSINESS ENTITIES OBLIGATED UNDER SECTION 2.92.080; SECTION 2.92.160(C) (FILING A COMPLAINT), TO CLARIFY PROCESS FOR COMPLAINTS REGARDING THE CHIEF INTERNAL AUDITOR; SECTION 2.92.170(A) (COMPLAINT REVIEW) TO AMEND THE TIME PERIOD FOR RESPONSE TO AN ETHICS COMPLAINT; AND SECTION 2.92.200 (DISPOSITION) TO INCLUDE A FINE OF UP TO \$500 AS A POSSIBLE SANCTION FOR VIOLATION OF THE ETHICS CODE.**

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

**SECTION 1.** That El Paso City Code Title 2 (Administration and Personnel), Chapter 2.92 (Ethics), Section 2.92.080 (Disclosure of Campaign Contributions) is hereby amended to read as follows:

**2.92.080 - Disclosure of campaign contributions and donations**

- A. The following definition applies to these terms as used in this section: “Contribution” and “contributor” are as defined in this chapter, and shall include, but not be limited to cash, loans, offsets to expenditures, in-kind contributions, donations, and gifts. “Donation” means cash and the value of any in-kind contributions or gifts to the council member for use by their office or in their district. The term “donor” includes an individual and spouse, a business entity, or and individual who owns a business entity in whole or in part, or is operated by the individual, that is the subject of a council agenda item. “Benefiting” as used in this section shall include but not be limited to any contract, bid award, franchise, permit, zoning or rezoning, and other award that council will vote on.
- B. Reporting of Contributions and Donations by Council member: Council members must verbally disclose the amount of any contributions or donations received totaling an aggregate of \$500 or more prior to discussion or vote on any council item benefiting the contributor or donor. This requirement includes any contribution received at any time during the council

**ORDINANCE NO. \_\_\_\_\_**

member's campaign(s) or term(s) of office for city council. Such member shall file a written notation with the City Clerk to be included with the agenda backup documentation. This disclosure shall be recorded in the minutes of the meeting.

- C. Reporting of Contributions and Donations by Contributors: No later than one week prior to the relevant Council meeting, a donor or contributor benefiting from an agenda item, and who has contributed or donated an accumulated total of \$500 or more to any current member of City Council or to the City through their office for use by the member's office or in their district at any time during their campaign(s) or term(s) of City office shall notify the City of the amount and to whom. It shall be the responsibility of the contributor or donor to report the contribution so the notice of the contribution is posted on the City Council agenda with the posting for the relevant item.
- D. These requirements shall apply to all meetings of the city council.
- E. If a member of the city council accepts a campaign contribution from a contributor of five hundred dollars or more, he shall report the amount and the donor by an item for notation on the consent agenda of a city council meeting within thirty days of the date of such contribution
- F. No later than 30 calendar days after the end of each fiscal year, each member of Council shall file a report listing all campaign contributions and donations to the City for use by their office received during that fiscal year, to include the identity and address of each contributor or donor, and the total amount received from each contributor or donor
- G. No action of the council which is otherwise legal shall be invalidated merely by reason of the disclosure of a campaign contribution by a member of the city council or the failure of a member to disclose a campaign contribution or donation.

**SECTION 2.** That El Paso City Code Title 2 (Administration and Personnel), Chapter 2.92 (Ethics), Section 2.92.120 is hereby amended to read as follows:

**2.92.120 - Jurisdiction.**

The ethics review commission shall have jurisdiction to review alleged violations of Article II (Standards of conduct) of this chapter by officers, candidates, and political committees that occurred within two years of the complaint being filed. Additionally, the ethics review commission shall have jurisdiction over contributors and donors only to review alleged violations of Section 2.92.080 by contributors or donors who have obligations under that section.

**SECTION 3.** That El Paso City Code Title 2 (Administration and Personnel), Chapter 2.92 (Ethics), Section 2.92.130, Subsection (A)(5) is hereby amended to read as follows, all other portions and subsections of City Code 2.92.130 remain in full force and effect:

**ORDINANCE NO. \_\_\_\_\_**



(A)(5). Review, evaluate and issue determinations, impose sanctions and provide recommendations to the city council on complaints regarding officers, candidates, political committees, and for compliance with City Code section 2.92.080, donors or contributors described therein.

**SECTION 4.** That El Paso City Code Title 2 (Administration and Personnel), Chapter 2.92 (Ethics), Section 2.92.160, Subsections (B) and (C) are hereby amended to read as follows, all other portions and subsections of City Code 2.92.160 remain in full force and effect:

**2.92.160 Filing a complaint.**

- B. (1) Any resident of the city (including a member of the ethics review commission) or natural person conducting business with the city who believes an officer, candidate, political committee, has violated Article II of this chapter within the last two years, may file a sworn complaint with the city clerk.
- (2) Any resident of the city (including a member of the ethics review commission) or natural person conducting business with the city who believes a contributor, donor, individual, or business entity has violated City Code section 2.92.080 within the last two years, may file a sworn complaint with the city clerk.
- C. Any resident of the city (including a member of the ethics review commission) or natural person conducting business with the city who believes the city attorney, the city manager or the chief internal auditor has violated Article II of this chapter within the last two years, may file a sworn complaint with the mayor and the mayor pro tempore.

**SECTION 5.** That El Paso City Code Title 2 (Administration and Personnel), Chapter 2.92 (Ethics), Section 2.92.170 (Complaint review), Subsection (A) is hereby amended to read as follows, all other portions and subsections of City Code 2.92.170 remain in full force and effect:

**2.92.170 Complaint review.**

- A. The city clerk will review a filed complaint to ensure it is properly sworn and complete. If the complaint is missing required information, the city clerk will send the complaint back to the complainant through regular mail and/or electronic mail, and the complainant will have twenty-one days to correct the complaint and refile it otherwise the city clerk may reject the complaint. If the complaint is complete the city clerk will forward the complaint to the city attorney and the respondent within seven days. If the City Attorney refers the complaint to the ethics review commission under subsection 2.92.170(B)(2) below, respondent has fourteen days from notice to respondent of such to file a response with the city clerk.

**SECTION 6.** That El Paso City Code Title 2 (Administration and Personnel), Chapter 2.92 (Ethics), Section 2.92.200 (Disposition), Subsection (D) is hereby amended to read as follows, all other portions and subsections of City Code 2.92.200 remain in full force and effect:

**2.92.200- Disposition.**

**ORDINANCE NO. \_\_\_\_\_**

D. If after hearing the issues, the ethics review commission determines through clear and convincing evidence that a violation of this chapter has occurred, then the ethics review commission may issue one of the following sanctions:

1. Letter of notification. A letter of notification may be issued when the ethics review commission finds that a violation of this chapter was clearly unintentional. A letter of notification may advise the person to whom the letter is directed of any steps to be taken to avoid future violations.
2. Letter of admonition. A letter of admonition may be issued when the ethics review commission finds that the violation of this chapter was minor and/or may have been unintentional, but where the circumstances call for a more substantial response than a letter of notification.
3. Letter of reprimand. A reprimand may be issued when the ethics review commission finds that a violation of this chapter was committed intentionally or through disregard of this chapter.
4. Recommend removal from office. In addition to a letter of reprimand, removal from office may be recommended to the city council for action when the ethics review commission finds that a serious or repeated violation of this chapter was committed by an officer intentionally or through culpable disregard of this chapter.
5. Issue a fine not to exceed \$500 payable to the City comptroller within 30 days of such order by the ethics review commission.

**SECTION 7.** That El Paso City Code Title 2 (Administration and Personnel), Chapter 2.92 (Ethics), Section 2.92.020 (Definitions), Subsection (10) is hereby amended to read as follows, all other portions and subsections of City Code 2.92.020 remain in full force and effect:

**10.** Contribution means a direct or indirect transfer of money, goods, services, or any other thing of value and includes an agreement made or other obligation incurred, whether legally enforceable or not, to make a transfer. The term includes a loan or extension of credit, other than those expressly excluded by the Texas Election Code, and a guarantee of a loan or extension of credit. In-kind expenses, as defined in this section, is not a contribution.

**SECTION 8.** Except as expressly herein amended, all other provisions of the El Paso City Code shall remain in full force and effect. Any violation of a provision of this ordinance shall be deemed illegal shall be severed and the remainder shall remain in effect. The requirements of this ordinance shall take effect 90 days from its adoption and publication in accordance with and as provided by law and the City Charter.

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

*(signatures appear on the following page)*

**ORDINANCE NO.** \_\_\_\_\_

HQ2023-1209-City Attorney | TRAN-507874 | KHK  
Ordinance | Amending Sections and Subsections of Title 2 Chapter 2.92

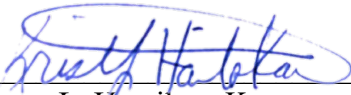
**THE CITY OF EL PASO**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Kristen L. Hamilton-Karam  
Deputy City Attorney

**APPROVED AS TO CONTENT:**

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

**ORDINANCE NO.** \_\_\_\_\_  
HQ2023-1209-City Attorney | TRAN-507874 | KHK  
Ordinance | Amending Sections and Subsections of Title 2 Chapter 2.92

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.92 (ETHICS), TO AMEND THE FOLLOWING: SECTION 2.92.020 (DEFINITIONS) SUBSECTION (10) TO UPDATE THE DEFINITION OF “CONTRIBUTION”; SECTION 2.92.080 (DISCLOSURE OF CAMPAIGN CONTRIBUTIONS) TO REQUIRE ADDITIONAL DISCLOSURES REGARDING CONTRIBUTIONS OR DONATIONS FROM INDIVIDUALS OR BUSINESS ENTITIES RECEIVING A BENEFIT FROM A VOTE OF CITY COUNCIL; SECTIONS 2.92.120 (JURISDICTION), SUBSECTION 2.92.130(A)(5) (DUTIES) AND SUBSECTION 2.92.160(B) (FILING A COMPLAINT) TO INCLUDE COMMISSION JURISDICTION OVER AND PROCESS FOR COMPLAINTS REGARDING CANDIDATES, POLITICAL COMMITTEES AND INDIVIDUALS OR BUSINESS ENTITIES OBLIGATED UNDER SECTION 2.92.080; SECTION 2.92.160(C) (FILING A COMPLAINT), TO CLARIFY PROCESS FOR COMPLAINTS REGARDING THE CHIEF INTERNAL AUDITOR; SECTION 2.92.170(A) (COMPLAINT REVIEW) TO AMEND THE TIME PERIOD FOR RESPONSE TO AN ETHICS COMPLAINT; AND SECTION 2.92.200 (DISPOSITION) TO INCLUDE A FINE OF UP TO \$500 AS A POSSIBLE SANCTION FOR VIOLATION OF THE ETHICS CODE.

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**2.92.080 - Disclosure of campaign contributions and donations**

- A. The following definition applies to these terms as used in this section: “Contribution” and contributor are as defined in this chapter, and shall include, but not be limited to cash, loans, offsets to expenditures, in-kind contributions, donations, and gifts. “Donation” means cash, the value of any in-kind contributions or gifts to the council member for use by their office or in their district. The term “donor” includes an individual and spouse, a business entity, or and individual who owns a business entity in whole or in part, or is operated by the individual, that is the subject of a council agenda item. “Benefiting” as used in this section shall include but not be limited to any contract, bid award, franchise, permit, zoning or rezoning, and other award that council will vote on.
- B. Reporting of Contributions and Donations by Council member: Council members must verbally disclose the amount of any contributions or donations received totaling an aggregate of \$500 or more prior to discussion or vote on any council item benefiting the contributor or donor. This requirement includes any contribution received at any time during the council

ORDINANCE NO. \_\_\_\_\_

HQ2023-1209-City Attorney | TRAN-507875 | KHK

Redline Ordinance | Amending Sections and Subsections of Title 2 Chapter 2.92

1



member's campaign(s) or term(s) of office for city council. Such member shall file a written notation with the City Clerk to be included with the agenda backup documentation. This disclosure shall be recorded in the minutes of the meeting. ~~If a member of the city council has received campaign contributions from a contributor totaling five hundred dollars or more subsequent to the date that the member last files a campaign finance report pursuant to state law, such member shall disclose the receipt of such contributions to the city council before any deliberation or vote of the city council regarding any matter on a meeting agenda which concerns or relates to the contributor(s) individual, business entity owned in whole or in part or operated by the contributor(s) or which employs the contributor(s), or any other time that the contributor(s) appears to address the council during the meeting.~~

- C. Reporting of Contributions and Donations by Contributors: No later than one week prior to the relevant Council meeting, a donor or contributor benefiting from an agenda item, and who has contributed or donated an accumulated total of \$500 or more to any current member of City Council or to the City through their office for use by the member's office or in their district at any time during their campaign(s) or term(s) of City office shall notify the City of the amount and to whom. It shall be the responsibility of the contributor or donor to report the contribution so the notice of the contribution is posted on the City Council agenda with the posting for the relevant item.

- D. ~~These is~~ requirements shall apply to all meetings of the city council.

- ~~E. Such disclosure shall be orally made by the member and shall be recorded in the minutes of the meeting.~~

C. If a member of the city council accepts a campaign contribution from a contributor of five hundred dollars or more, he shall report the amount and the donor by an item for notation on the consent agenda of a city council meeting within thirty days of the date of such contribution.

- F. No later than 30 calendar days after the end of each fiscal year, each member of Council shall file a report listing all campaign contributions and donations to the City for use by their office received during that fiscal year, to include the identity and address of each contributor or donor and total amount from each contributor or donor.

- G. No action of the council which is otherwise legal shall be invalidated merely by reason of the disclosure of a campaign contribution by a member of the city council or the failure of a member to disclose a campaign contribution or donation.

**SECTION 2.** That El Paso City Code Title 2 (Administration and Personnel), Chapter 2.92 (Ethics), Section 2.92.120 is hereby amended to read as follows:

**2.92.120 - Jurisdiction.**

**ORDINANCE NO. \_\_\_\_\_**

HQ2023-1209-City Attorney | TRAN-507875 | KHK

Redline Ordinance | Amending Sections and Subsections of Title 2 Chapter 2.92

The ethics review commission shall have jurisdiction to review alleged violations of Article II (Standards of conduct) of this chapter by officers, candidates, and political committees that occurred within two years of the complaint being filed. Additionally, the ethics review commission shall have jurisdiction over contributors and donors only to review alleged violations of Section 2.92.080 by individuals or business entities contributors or donors who have obligations under that section.

**SECTION 3.** That El Paso City Code Title 2 (Administration and Personnel), Chapter 2.92 (Ethics), Section 2.92.130, Subsection (A)(5) is hereby amended to read as follows, all other portions and subsections of City Code 2.92.130 remain in full force and effect:

(A)(5). Review, evaluate and issue determinations, impose sanctions and provide recommendations to the city council on complaints regarding officers, candidates, political committees, and for compliance with City Code section 2.92.080, contributors and donors described therein.

**SECTION 4.** That El Paso City Code Title 2 (Administration and Personnel), Chapter 2.92 (Ethics), Section 2.92.160, Subsections (B) and (C) are hereby amended to read as follows, all other portions and subsections of City Code 2.92.160 remain in full force and effect:

**2.92.160 Filing a complaint.**

B. (1) Any resident of the city (including a member of the ethics review commission) or natural person conducting business with the city who believes an officer, candidate, political committee, has violated Article II of this chapter within the last two years, may file a sworn complaint with the city clerk.

(2) Any resident of the city (including a member of the ethics review commission) or natural person conducting business with the city who believes a contributor, donor, individual, or business entity has violated City Code section 2.92.080 within the last two years, may file a sworn complaint with the city clerk.

C. Any resident of the city (including a member of the ethics review commission) or natural person conducting business with the city who believes the city attorney, ~~or~~ the city manager or the chief internal auditor has violated Article II of this chapter within the last two years, may file a sworn complaint with the mayor and the mayor pro tempore.

**SECTION 5.** That El Paso City Code Title 2 (Administration and Personnel), Chapter 2.92 (Ethics), Section 2.92.170 (Complaint review), Subsection (A) is hereby amended to read as follows, all other portions and subsections of City Code 2.92.170 remain in full force and effect:

**2.92.170 Complaint review.**

A. The city clerk will review a filed complaint to ensure it is properly sworn and complete. If the complaint is missing required information, the city clerk will send the complaint back to the complainant through regular mail and/or electronic mail, and the complainant will have twenty-one days to correct the complaint and refile it otherwise the city clerk may reject the

**ORDINANCE NO.** \_\_\_\_\_

complaint. If the complaint is complete the city clerk will forward the complaint to the city attorney and the respondent within seven days. If the City Attorney refers the complaint to the ethics review commission under subsection 2.92.170(B)(2) below, respondent has fourteen days from notice to respondent of such receipt of the complaint to file a response with the city clerk.

**SECTION 6.** That El Paso City Code Title 2 (Administration and Personnel), Chapter 2.92 (Ethics), Section 2.92.200 (Disposition), Subsection (D) is hereby amended to read as follows, all other portions and subsections of City Code 2.92.200 remain in full force and effect:

**2.92.200- Disposition.**

D. If after hearing the issues, the ethics review commission determines through clear and convincing evidence that a violation of this chapter has occurred, then the ethics review commission may issue on of the following sanctions:

1. Letter of notification. A letter of notification may be issued when the ethics review commission finds that a violation of this chapter was clearly unintentional. A letter of notification may advise the person to whom the letter is directed of any steps to be taken to avoid future violations.
2. Letter of admonition. A letter of admonition may be issued when the ethics review commission finds that the violation of this chapter was minor and/or may have been unintentional, but where the circumstances call for a more substantial response than a letter of notification.
3. Letter of reprimand. A reprimand may be issued when the ethics review commission finds that a violation of this chapter was committed intentionally or through disregard of this chapter.
4. Recommend removal from office. In addition to a letter of reprimand, removal from office may be recommended to the city council for action when the ethics review commission finds that a serious or repeated violation of this chapter was committed by an officer intentionally or through culpable disregard of this chapter.
5. Issue a fine not to exceed \$500 payable to the City comptroller within 30 days of such order by the ethics review commission.

**SECTION 7.** That El Paso City Code Title 2 (Administration and Personnel), Chapter 2.92 (Ethics), Section 2.92.020 (Definitions), Subsection (10) is hereby amended to read as follows, all other portions and subsections of City Code 2.92.020 remain in full force and effect:

**10.** Contribution means a direct or indirect transfer of money, goods, services, or any other thing of value and includes an agreement made or other obligation incurred, whether legally enforceable or not, to make a transfer. The term includes a loan or extension of credit, other than those expressly excluded by the Texas Election Code, and a guarantee of a loan or extension of credit.

**ORDINANCE NO.** \_\_\_\_\_

HQ2023-1209-City Attorney | TRAN-507875 | KHK

Redline Ordinance | Amending Sections and Subsections of Title 2 Chapter 2.92

4

~~The term does not include an expenditure required to be reported under Section 35.006(b), Texas Government Code.~~ In-kind expenses, as defined in this section, is not a contribution.

**SECTION 8.** Except as expressly herein amended, all other provisions of the El Paso City Code shall remain in full force and effect. Any violation of a provision of this ordinance shall be deemed illegal shall be severed and the remainder shall remain in effect. The requirements of this ordinance shall take effect 90 days from its adoption and publication in accordance with and as provided by law and the City Charter.

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

**THE CITY OF EL PASO**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Kristen L. Hamilton-Karam  
Deputy City Attorney

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

**ORDINANCE NO.** \_\_\_\_\_

HQ2023-1209-City Attorney | TRAN-507875 | KHK

Redline Ordinance | Amending Sections and Subsections of Title 2 Chapter 2.92





# City Council Meeting Ethics Ordinance Amendments

Kristen L. Hamilton-Karam, Deputy City Attorney  
December 12, 2023

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service. Do NOT add any info  
in this space.

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# Previous Actions of Council

- August 14, 2023 Directed City Attorney and Interim City Manager to come back with recommended changes to the Ethics Code to increase transparency.
- October 10, 2023 Directed City Attorney and Interim City Manager to return with Ordinance to amend per Council Direction.
- November 20, 2023 Directed to finalize ordinance with recommendations from Commission except to leave requirements for contributors and donors.

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## Amend **2.92.080 A** to:

1. Define “Donor” as person or entity giving money or in-kind donation for use by a council member for their district or their office for the community.
2. Require Council member verbal disclosure of all contributions or donations over \$500 simultaneous with any agenda item regarding the contributor or donor.
  - a. Submit written disclosure
  - b. Noted in meeting minutes
3. Applies to amounts received any time during campaign or term of office.

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## Amend 2.92.080 to add B:

1. Require contributor and donor to disclose contribution or donation to any current member of council if there is an agenda item regarding the contributor or donor – to be posted on Agenda.
2. City Manager to establish process to notify contributors and donors of requirement and provide a form.
3. Same timeframe applies as in A.



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# Amend 2.92.080 to add D:

- Council Members annual report of contributions and donations

# **Amend 2.92.120, 2.92.130(A)(5) and 2.92.160(B)(1):**

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Add Ethics Commission Jurisdiction over:

1. Candidates
2. Political Committees
3. Contributors or donors obligated to disclose under new 2.92.080(B)

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## 2.92.160(C):

- Add Chief Internal Auditor as Council Appointed employee.

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## 2.92.170(A):

- Adjust timeframe for the respondent's required response to begin after the City Attorney determines jurisdiction.



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## 2.92.200:

- Include a civil fine of up to \$500 as possible sanction for violation of Ethics Code within 30 days of order.

# Ethics Commission

October 30, 2023:

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- Recommendations accepted by Council:
  - No disclosure requirements regarding persons receiving a recognition on a Council agenda
  - Include address of donor on annual reports
  - Ensure a process to enforce civil fine

# 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, **R**espect, **E**xcellence,  
**A**ccountability, **P**eople



## MISIÓN



Brindar servicios excepcionales para respaldar una vida y un lugar de alta calidad para nuestra comunidad

## 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

# (Slides 15-24) Redline Ordinance

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**SECTION 1.** That El Paso City Code Title 2 (Administration and Personnel), Chapter 2.92 (Ethics), Section 2.92.080 (Disclosure of Campaign Contributions) is hereby amended to read as follows:

**2.92.080 - Disclosure of campaign contributions and donations**

- A. The following definition applies to these terms as used in this section: “Contribution” and contributor are as defined in this chapter, and shall include, but not be limited to cash, loans, offsets to expenditures, in-kind contributions, donations, and gifts. “Donation” means cash, the value of any in-kind contributions or gifts to the council member for use by their office or in their district. The term “donor” includes an individual and spouse, a business entity, or and individual who owns a business entity in whole or in part, or is operated by the individual, that is the subject of a council agenda item. “Benefiting” as used in this section shall include but not be limited to any contract, bid award, franchise, permit, zoning or rezoning, and other award that council will vote on.

**SECTION 1.** That El Paso City Code Title 2 (Administration and Personnel), Chapter 2.92 (Ethics), Section 2.92.080 (Disclosure of Campaign Contributions) is hereby amended to read as follows:

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- B. Reporting of Contributions and Donations by Council member: Council members must verbally disclose the amount of any contributions or donations received totaling an aggregate of \$500 or more prior to discussion or vote on any council item benefiting the contributor or donor. This requirement includes any contribution received at any time during the council member's campaign(s) or term(s) of office for city council. Such member shall file a written notation with the City Clerk to be included with the agenda backup documentation. This disclosure shall be recorded in the minutes of the meeting. ~~If a member of the city council has received campaign contributions from a contributor totaling five hundred dollars or more subsequent to the date that the member last files a campaign finance report pursuant to state law, such member shall disclose the receipt of such contributions to the city council before any deliberation or vote of the city council regarding any matter on a meeting agenda which concerns or relates to the contributor(s) individual, business entity owned in whole or in part or operated by the contributor(s) or which employs the contributor(s), or any other time that the contributor(s) appears to address the council during the meeting.~~



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**SECTION 1.** That El Paso City Code Title 2 (Administration and Personnel), Chapter 2.92 (Ethics), Section 2.92.080 (Disclosure of Campaign Contributions) is hereby amended to read as follows:

- C. Reporting of Contributions and Donations by Contributors: No later than one week prior to the relevant Council meeting, a donor or contributor benefiting from an agenda item, and who has contributed or donated an accumulated total of \$500 or more to any current member of City Council or to the City through their office for use by the member's office or in their district at any time during their campaign(s) or term(s) of City office shall notify the City of the amount and to whom. It shall be the responsibility of the contributor or donor to report the contribution so the notice of the contribution is posted on the City Council agenda with the posting for the relevant item.
- D. Th~~ese~~ is requirements shall apply to all meetings of the city council.
- E. ~~Such disclosure shall be orally made by the member and shall be recorded in the minutes of the meeting.~~

**SECTION 1.** That El Paso City Code Title 2 (Administration and Personnel), Chapter 2.92 (Ethics), Section 2.92.080 (Disclosure of Campaign Contributions) is hereby amended to read as follows:

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- F. No later than 30 calendar days after the end of each fiscal year, each member of Council shall file a report listing all campaign contributions and donations to the City for use by their office received during that fiscal year, to include the identity and address of each contributor or donor and total amount from each contributor or donor.
- G. No action of the council which is otherwise legal shall be invalidated merely by reason of the disclosure of a campaign contribution by a member of the city council or the failure of a member to disclose a campaign contribution or donation.

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**SECTION 2.** That El Paso City Code Title 2 (Administration and Personnel), Chapter 2.92 (Ethics), Section 2.92.120 is hereby amended to read as follows:

### **2.92.120 - Jurisdiction.**

The ethics review commission shall have jurisdiction to review alleged violations of Article II (Standards of conduct) of this chapter by officers, candidates, and political committees that occurred within two years of the complaint being filed. Additionally, the ethics review commission shall have jurisdiction over contributors and donors only to review alleged violations of Section 2.92.080 by individuals or business entities contributors or donors who have obligations under that section.

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FINALIZED.

**SECTION 3.** That El Paso City Code Title 2 (Administration and Personnel), Chapter 2.92 (Ethics), Section 2.92.130, Subsection (A)(5) is hereby amended to read as follows, all other portions and subsections of City Code 2.92.130 remain in full force and effect:

(A)(5). Review, evaluate and issue determinations, impose sanctions and provide recommendations to the city council on complaints regarding officers, candidates, political committees, and for compliance with City Code section 2.92.080, contributors and donors described therein.



**SECTION 4.** That El Paso City Code Title 2 (Administration and Personnel), Chapter 2.92 (Ethics), Section 2.92.160, Subsections (B) and (C) are hereby amended to read as follows, all other portions and subsections of City Code 2.92.160 remain in full force and effect:

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### **2.92.160 Filing a complaint.**

- B. (1) Any resident of the city (including a member of the ethics review commission) or natural person conducting business with the city who believes an officer, ~~candidate,~~ political committee, has violated Article II of this chapter within the last two years, may file a sworn complaint with the city clerk.
- (2) Any resident of the city (including a member of the ethics review commission) or natural person conducting business with the city who believes a contributor, donor, individual, or business entity has violated City Code section 2.92.080 within the last two years, may file a sworn complaint with the city clerk.
- C. Any resident of the city (including a member of the ethics review commission) or natural person conducting business with the city who believes the city attorney, ~~or~~ the city manager or the chief internal auditor has violated Article II of this chapter within the last two years, may file a sworn complaint with the mayor and the mayor pro tempore.

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**SECTION 5.** That El Paso City Code Title 2 (Administration and Personnel), Chapter 2.92 (Ethics), Section 2.92.170 (Complaint review), Subsection (A) is hereby amended to read as follows, all other portions and subsections of City Code 2.92.170 remain in full force and effect:

## **2.92.170 Complaint review.**

- A. The city clerk will review a filed complaint to ensure it is properly sworn and complete. If the complaint is missing required information, the city clerk will send the complaint back to the complainant through regular mail and/or electronic mail, and the complainant will have twenty-one days to correct the complaint and refile it otherwise the city clerk may reject the complaint. If the complaint is complete the city clerk will forward the complaint to the city attorney and the respondent within seven days. If the City Attorney refers the complaint to the ethics review commission under subsection 2.92.170(B)(2) below, respondent has fourteen days from notice to respondent of such ~~receipt of the complaint~~ to file a response with the city clerk.

**SECTION 6.** That El Paso City Code Title 2 (Administration and Personnel), Chapter 2.92 (Ethics), Section 2.92.200 (Disposition), Subsection (D) is hereby amended to read as follows, all other portions and subsections of City Code 2.92.200 remain in full force and effect:

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REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.

## **2.92.200- Disposition.**

D. If after hearing the issues, the ethics review commission determines through clear and convincing evidence that a violation of this chapter has occurred, then the ethics review commission may issue on of the following sanctions:

1. *(1 – 4 left blank for presentation space limit purposes)*
- 2.
- 3.
- 4.
5. Issue a fine not to exceed \$500 payable to the City comptroller within 30 days of such order by the ethics review commission.

**SECTION 7.** That El Paso City Code Title 2 (Administration and Personnel), Chapter 2.92 (Ethics), Section 2.92.020 (Definitions), Subsection (10) is hereby amended to read as follows, all other portions and subsections of City Code 2.92.020 remain in full force and effect:

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REMOVE THIS BOX ONCE THE PRESENTATION IS FINALIZED.

**10.** Contribution means a direct or indirect transfer of money, goods, services, or any other thing of value and includes an agreement made or other obligation incurred, whether legally enforceable or not, to make a transfer. The term includes a loan or extension of credit, other than those expressly excluded by the Texas Election Code, and a guarantee of a loan or extension of credit. ~~The term does not include an expenditure required to be reported under Section 35.006(b), Texas Government Code.~~ In-kind expenses, as defined in this section, is not a contribution.





El Paso, TX

300 N. Campbell  
El Paso, TX

Legislation Text

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**File #:** 23-1584, **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**

Airport, Sam Rodriguez, (915) 212-7300

**AGENDA LANGUAGE:**

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

Discussion and action on a Resolution for the El Paso City Council to adopt the City of El Paso Department of Aviation, Updated Air Service Development Incentive Program.

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

**AGENDA DATE:** December 12, 2023  
**PUBLIC HEARING DATE:**

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** Sam Rodriguez, (915) 212-7300

**DISTRICT(S) AFFECTED:** ALL

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

**SUBGOAL:** Grow the core business of air transportation.

**SUBJECT:**

A resolution for the El Paso City Council to adopt the Department of Aviation, Air Service Development Incentive Program.

**BACKGROUND / DISCUSSION:**

The El Paso International Airport has amended the current air service incentive policy to include a two-year fee waiver for use of the Federal Inspection Station (FIS). This is in addition to the existing landing fee waiver and will only apply to a destination that is not already served or has not been served in the past 12 months. This amendment will assist the airport in attracting international non-stop flights by limiting start-up costs while a new flight builds awareness in the community. An update will be provided covering recent accomplishments and upcoming goals for air service development.

**PRIOR COUNCIL ACTION:**

El Paso City Council approved El Paso International's Air Service Incentive program that went into effect on February 1, 2022, and was last updated on May 24, 2022.

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?** ☒ YES ☐ NO

**PRIMARY DEPARTMENT:** Aviation  
**SECONDARY DEPARTMENT:** None

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

**DEPARTMENT HEAD:**

  
for Sam Rodriguez, P.E., Director of Aviation

## RESOLUTION

**WHEREAS**, on February 1, 2022, the El Paso City Council approved the Air Service Development Incentive Program revision to encourage new non-stop commercial passenger service, new airlines and new unserved markets, whether those markets be domestic or international; and

**WHEREAS**, on May 24, 2022, City Council approved the revised Air Service Development Incentive Program providing temporary financial relief to an airline beginning new non-stop commercial passenger service to a destination; and

**WHEREAS**, the City staff recommends that the Air Service Development Incentive Program be revised to include a temporary fee waiver for Federal Inspection Station use for new international nonstops.

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

THAT the El Paso International Airport Air Service Development Incentive Program for passenger airlines, attached hereto as Exhibit "A", be approved and made effective on December 12, 2023; and

THAT the prior El Paso International Airport Air Service Development Incentive Program effective May 24, 2022 will no longer be in effect on December 12, 2023.

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

**THE CITY OF EL PASO**

**ATTEST:**



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

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

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Ignacio Troncoso  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Samuel Rodriguez, P.E.  
Director of Aviation  
 R. Shane Brooks

RESOLUTION

23-1822/Aviation/TRAN -506601/Air Service Development Incentive Program (add FIS) 2023 - Resolution/IRT

## Exhibit "A"

### RESOLUTION

23-1822/Aviation/TRAN -506601/Air Service Development Incentive Program (add FIS) 2023 - Resolution/IRT



## El Paso International Air Service Incentive Plan



The purpose of the Air Service Development Incentive Program is to encourage new non-stop air service and competition at El Paso International Airport (ELP) by providing temporary financial relief to an airline beginning a new non-stop commercial passenger service to a destination. The incentive program is also an effort to stimulate the growth of airline service to and from ELP by promoting the establishment of new non-stop routes. This incentive program will be in effect for three years, starting December 12, 2023.

- All commercial airlines will be made aware of the program and encouraged to offer new air services.
- Incentives shall be administered so as not to increase the charges of any non-participating air carrier.
- Incentives shall be offered on a reasonable, nondiscriminatory basis to all airlines. A waiver of any fee shall apply only to the flights providing the qualifying service.

	Market Requirements	Minimum service Requirements	Cost Abatement <sup>1</sup>	Marketing Incentives <sup>2</sup>	Additional Outreach Efforts
New Airline + new unserved market	A new airline that has not operated at ELP within the past three years AND begins service to a new market that is currently not served from ELP and has not been served 12 months prior to the first flight	Two flights per week for more than 90 days	100% reduction of landing fees for the first 24 months of new service  Additional Fee Waiver – 100 sq. ft. for new entrants for the first 24 months of new service	\$5.00 per departure seat for the 1 <sup>st</sup> year and \$2.50 per departure seat for the 2 <sup>nd</sup> year	Broadcast announcements utilizing the airport's media outlets and assist with inaugural flight festivities
New unserved market - domestic	Airports that are currently not served from ELP and have not been served 12 months prior to the first flight, or are upgrading from seasonal to year-round, or from less than daily to daily service	Two flights per week for more than 90 days	100% reduction of landing fees for the first 24 months of new service	\$5.00 per departure seat for the 1 <sup>st</sup> year and \$2.50 per departure seat for the 2 <sup>nd</sup> year	Broadcast announcements utilizing the airport's media outlets and assist with inaugural flight festivities
New unserved market - international	International airports that are currently not served from ELP and have not been served 12 months prior to the first flight	Two flights per week for more than 90 days	100% reduction of landing fees for the first 24 months of new service  Additional Fee Waiver – Access to the Federal Inspection Station for the first 24 months of new service	\$10.00 per departure seat for the 1 <sup>st</sup> year and \$5.00 per departure seat for the 2 <sup>nd</sup> year	Broadcast announcements utilizing the airport's media outlets and assist with inaugural flight festivities

<sup>1</sup>The carrier is not required to be a signatory and will pay non-signatory rates; however, if the carrier is a signatory, signatory rates will apply.

<sup>2</sup>All media plans and other marketing plans must have prior written approval by the Director of Aviation to qualify for the identified participation. Payment for marketing activities will be sent directly to the media source, not the airline. Payment will be made to the media source following completion of the approved media plan or marketing plan services or goods and receipt of an invoice by the Director of Aviation. Media incentives shall be instituted in such a manner that in addition to promoting new services, airlines shall also promote ELP. At a minimum, the airport logo will be included in any advertisements.



# Air Service Development & Incentive Program Update

Sam Rodriguez, Director of Aviation



# Agenda

- Air Service Status Update
- Air Service Development Strategy
- International Efforts
- Incentive Policy
- Results
- Revise Incentive Policy



# 14 NON-STOP – 17 AIRPORTS

7 Airlines



Alaska  
AIRLINES

allegiant

American Airlines

DELTA

FRONTIER  
AIRLINES

Southwest

UNITED



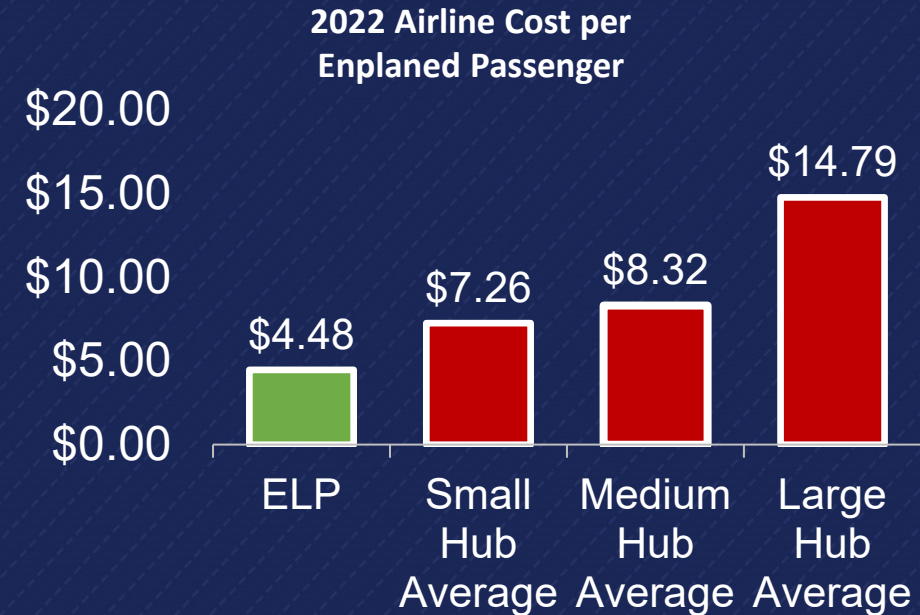
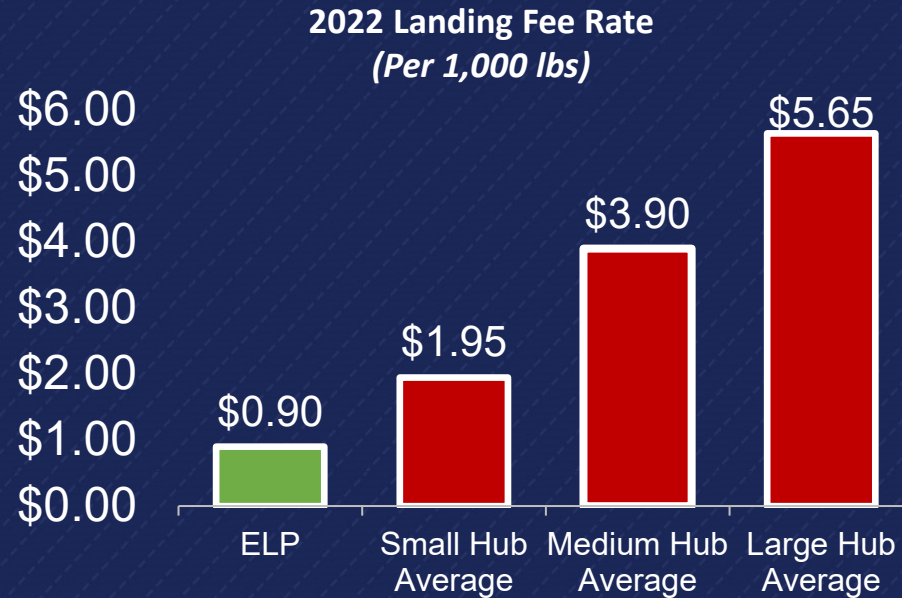


# Air Service Development Work Plan



- Cost Control- Low Rates to the Airlines
- Operational Efficiency & Safety
- Good Business Partner
- Email Updates
- Virtual Meetings
- In-Person Meetings – Headquarters
- Conferences – 2 with over 19 meetings ea.
- Consultant Contract
- Data - ADI, Cell Phone

# Landing Fees, Rates, Cost per Passenger



	Actual 2015	Actual 2016	Actual 2017	Actual 2018	Actual 2019	Actual 2020*	Actual 2021*	Actual 2022*	Budget 2023*	Estimated 2023*
<b>Landing Fee</b>	\$1.81	\$1.83	\$1.75	\$1.46	\$1.58	\$1.22	\$1.72	\$0.90	\$1.46	\$1.18
<b>Terminal Rental Rate</b>	\$42.63	\$42.34	\$39.91	\$40.88	\$41.77	\$34.79	\$39.92	\$41.66	\$49.36	\$39.69
<b>Cost Per Enplanement</b>	\$6.36	\$6.32	\$5.89	\$5.47	\$4.99	\$6.39	\$11.33	\$4.48	\$6.17	\$4.31

Source: FAA Form 127 - Operating and Financial Summary, 2019 - for El Paso International Airport and 75 Small Hub, 30 Medium Hub, and 31 Large Hub Commercial Service Airports.

Note: Landing Fee rate is calculated from FAA Form 127 data by dividing reported Passenger airline landing fees (Line 1.1) by Landed weights (Section 16.2).

\*Includes Federal Funding



# Operational Safety and Efficiency

## Triennial Exercise

- Full-Scale test of emergency response
- Broad partnership participation
- TSA, Airlines, EPPD, EPFD, BorderRAC, hospitals, & others
- Part 139 Certification

## FAA Annual Inspections

- Evaluation assessing safety protocols
- Inspecting conditions of the facility and runways
- Review of records and training systems
- Critical for part 139 Certification

## TSA Annual Inspections

- Review of records
- Keys and badge audits
- Inspections and tabletops
- Employee screening

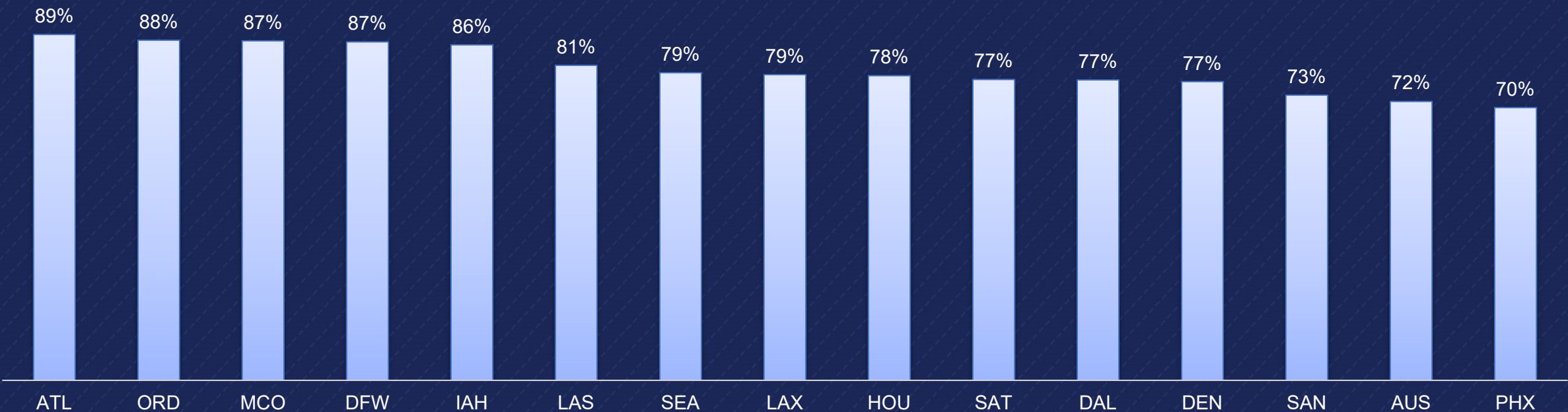




# Airport Load Factors

- Load Factors remain strong
- Necessity for additional flights – 90% typically adds frequencies

Average of Load Factor by Route  
Jan. 2023- Aug. 2023

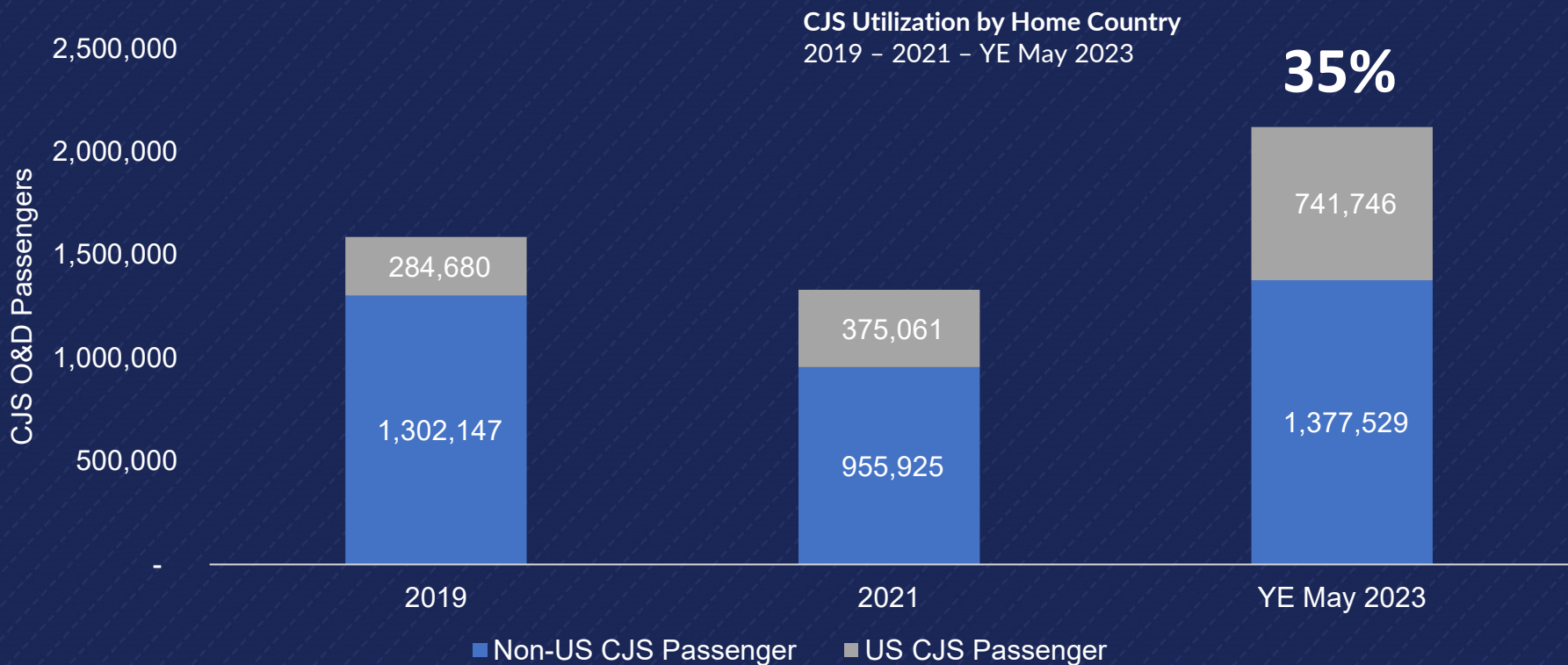


Source: ELP Aviation Airport Analysis, Airline Data Inc.



# International Travel Study

- A study was conducted in 2019 to determine demand
- The study was revised in 2022
- The study was adjusted 2023 using additional Cell phone user data
- Demand for flights to destinations in Mexico is increasing
- About 1,000 passengers each day cross to travel from Mexico



**1,016 Passengers  
Daily Each Way**

# ELP – Mexico Opportunities





# Federal Inspection Station Remodel 2024 - \$2M



- Meet with both domestic and international carriers
- Federal Inspection Station Remodel 2024 - \$2M

## Opportunities include

- convenience
- new markets (market stimulation)
- CJS growth and capacity limits

## Challenges include

- Mexico Category I rating – September 2023 (Cat. 2 since 2021)
- ticket pricing
- limited aircraft availability

We continue to discuss opportunities with all airlines



# TOP 10 GOAL DESTINATIONS





# ELP Incentives for Domestic Services

Landing fees:

**\$0**

for the first  
2 years

Additional Fee  
Waiver:

100 sq. ft.

For new entrants for  
the first 2 years

Marketing Year 1:

**\$5.00**

per departure  
seat

Marketing Year 2:

**\$2.50**

per departure  
seat



## ELP Incentives For International Services

Landing fees:

**\$0**

for the first  
2 Years

Additional Fee  
Waiver:

**100** sq. ft.

For new entrants  
for the first 2  
years

Marketing Year 1:

**\$10.00**

per departure seat

Marketing Year 2:

**\$5.00**

per departure seat

FIS Access

**\$0**

For the first  
2 Years

(Proposed)



# Marketing Funding Example



**\$273,000**

## Domestic Daily Flight Year 1

7 flights per week x 52 weeks x 150 seats per flight x \$5.00



**\$546,000**

## International Daily Flight Year 1

7 flights per week x 52 weeks x 150 seats per flight x \$10.00

**\$136,500**

## Domestic Daily Flight Year 2

7 flights per week x 52 weeks x 150 seats per flight x \$2.50

**\$273,000**

## International Daily Flight Year 2

7 flights per week x 52 weeks x 150 seats per flight x \$2.50



# Results

- Long Beach Started July 2023
- Orlando started in September 2023, and expanded from once weekly to 5 days a week in June 2024
- Chicago Midway will begin in June 2024
- Atlanta will add third daily flight July 2024
- Total annual passenger traffic year to date is 19% higher than 2019
- 9% higher passenger traffic than 2022
- 56 Daily Departures compared to 56 (2019) pre-pandemic
- 2.5M seats in 2023 compared to 2.2M in 2019, 14% more seats than 2019



**19% more passengers than 2019**

**9% more than 2022**

**300,000 - 14% more seats than 2019**



# Revisions to the Air Service Incentive Plan

- Add the fee waiver for use of the Federal Inspection Station (FIS) for the first two years of a new non-stop international destination
  - This is another way to keep the start-up costs low and allow the airline to mitigate risk of a new non-stop especially if they are a new airline to the market
- Airport can now do media buys which eliminates a hurdle for the Airlines to promote the route

# El Paso International Air Service Incentive Plan



The purpose of the Air Service Development Incentive Program is to encourage new non-stop air service and competition at El Paso International Airport (ELP) by providing temporary financial relief to an airline beginning a new non-stop commercial passenger service to a destination. The incentive program is also an effort to stimulate the growth of airline service to and from ELP by promoting the establishment of new non-stop routes. This incentive program will be in effect for three years, starting May 24, 2022.

- All commercial airlines will be made aware of the program and encouraged to offer new air services.
- Incentives shall be administered so as not to increase the charges of any non-participating air carrier.
- Incentives shall be offered on a reasonable, nondiscriminatory basis to all airlines. A waiver of any fee shall apply only to the flights providing the qualifying service.

	Market Requirements	Minimum service Requirements	Cost Abatement <sup>1</sup>	Marketing Incentives <sup>2</sup>	Additional Outreach Efforts
<b>New Airline + new unserved market</b>	A new airline that has not operated at ELP within the past three years AND begins service to a new market that is currently not served from ELP and has not been served 12 months prior to the first flight	Two flights per week for more than 90 days	100% reduction of landing fees for the first 24 months of new service  Additional Fee Waiver – 100 sq. ft. for new entrants for the first 24 months of new service	\$5.00 per departure seat for the 1 <sup>st</sup> year and \$2.50 per departure seat for the 2 <sup>nd</sup> year	Broadcast announcements utilizing the airport's media outlets and assist with inaugural flight festivities
<b>New unserved market – domestic</b>	Airports that are currently not served from ELP and have not been served 12 months prior to the first flight, or are upgrading from seasonal to year-round, or from less than daily to daily service	Two flights per week for more than 90 days	100% reduction of landing fees for the first 24 months of new service	\$5.00 per departure seat for the 1 <sup>st</sup> year and \$2.50 per departure seat for the 2 <sup>nd</sup> year	Broadcast announcements utilizing the airport's media outlets and assist with inaugural flight festivities
<b>New unserved market – international</b>	International airports that are currently not served from ELP and have not been served 12 months prior to the first flight	Two flights per week for more than 90 days	100% reduction of landing fees for the first 24 months of new service  Additional Fee Waiver – Access to the Federal Inspection Station for the first 24 months of new service	\$10.00 per departure seat for the 1 <sup>st</sup> year and \$5.00 per departure seat for the 2 <sup>nd</sup> year	Broadcast announcements utilizing the airport's media outlets and assist with inaugural flight festivities

<sup>1</sup>The carrier is not required to be a signatory and will pay non-signatory rates; however, if the carrier is a signatory, signatory rates will apply.

<sup>2</sup>All media plans and other marketing plans must have prior written approval by the Director of Aviation to qualify for the identified participation. Payment for marketing activities will be sent directly to the media source, **not the airline**. Payment will be made to the media source following completion of the approved media plan or marketing plan services or goods and receipt of an invoice by the Director of Aviation. Media incentives shall be instituted in such a manner that in addition to promoting new services, airlines shall also promote ELP. At a minimum, the airport logo will be included in any advertisements.

# Request for action

**For the El Paso City Council to approve a resolution to adopt the El Paso International Airport, Air Service Incentive Program**

## 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, **R**espect, **E**xcellence,  
**A**ccountability, **P**eople



## MISIÓN



Brindar servicios excepcionales para respaldar una vida y un lugar de alta calidad para nuestra comunidad

## 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



Legislation Text

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File #: 23-1616, 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) 212-4900

**AGENDA LANGUAGE:**

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

Discussion and action amending the Rules of Order to adjust the notification deadline to appear by videoconference in the event of an emergency in which case the member appearing via videoconference will not appear on the agenda and to clarify that the Rules regarding debate apply to deliberation in executive session and amending the Resolution to attend City Council meetings via videoconference.

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

**DEPARTMENT:** City Clerk's Office

**AGENDA DATE:** December 12, 2023

**PUBLIC HEARING DATE:** N/A

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

**DISTRICT(S) AFFECTED:** All Districts

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

**SUBGOAL:** 6.8 – Support Transparent and Inclusive Government

**SUBJECT:**

Discussion and action amending the Rules of Order to adjust the notification deadline to appear by videoconference in the event of an emergency in which case the member appearing via videoconference will not appear on the agenda and to clarify that the Rules regarding debate apply to deliberation in executive session and amending the Resolution to attend City Council meetings via videoconference.

**BACKGROUND / DISCUSSION:**

On November 7, 2023, Council directed staff to return with amendments to the Rules of Order relating to requests to appear by video conference at City Council Meetings, and adherence to Roberts Rules of Order in executive session. On the same day Council also requested amendments to the Resolution adopted July 5, 2023 to establish a process for a member of Council to request on short notice to appear by video conference at a posted meeting in cases of unforeseen circumstances such as sudden illness, personal/family emergencies, or other urgent matters, in accordance with the Texas Open Meetings Act.

**PRIOR COUNCIL ACTION:**

A Resolution amending the process for Council Members to attend City Council meetings via video conference and the Rules of Order Resolution were last adopted on July 5, 2023.

**AMOUNT AND SOURCE OF FUNDING:**

N/A

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

**DEPARTMENT HEAD:** Laura D. Prine 12/17/2023

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**RESOLUTION ADOPTING THE  
RULES OF ORDER FOR THE EL PASO CITY COUNCIL  
REVISED, AS EFFECTIVE DECEMBER 12, 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. The Rules of Debate shall apply in Executive Session.

**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. Members of Council shall refrain from side conversations during discussion of items 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. The Rules of Debate shall also apply in Executive Session.

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.

Call to the 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 up to provide comment during the public comment portion of the agenda must provide their name, address, phone number, and a short description of the topic(s) of their comment. Members of the public are required to speak on the topic identified upon the sign-in sheet. If the speaker is a lobbyist, he or she must indicate that fact on the audience participation sheet and prior to commencing his/her comments in compliance with the City's Lobbying Ordinance. Members of the public may not grant their time to another nor may they purport to speak for another who is not present at the meeting. If someone would like a document or letter to become a part of the record, they may do so by providing the City Clerk with copies of the document or letter no later than 9:00 a.m. on the morning of the meeting, which will be distributed to the Council. It shall not be necessary to read the letter into the record. Interpretation services are only to be provided by the certified interpreter provided by the City.

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.

To facilitate the receiving of comment from as many citizens as possible who are interested in bringing topics forward to the City Council for comment, a person may sign up to obtain one-time slot to speak or otherwise make a presentation on one or more specified topics during the public comment portion of a City Council meeting. This provision does not restrict any member of the public from signing up to speak on items posted on the regular agenda or to ask questions regarding items posted on the consent agenda.

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.

Members of the public wishing to ask a question regarding an item posted on the consent agenda or to speak regarding an item posted on the regular agenda must sign up prior to 9:00 a.m. on the day of the City Council meeting. The City Clerk shall make available the sign-in sheet for the public outside of Council Chambers on the day of the Council meeting up until 9:00 a.m. or online prior to 9:00 a.m. Persons may sign up to address multiple items, however this does not mean it is permissible to “mark all” or to sign up for every item “just in case” they wish to speak when the discussion on an item takes place. If a member of the public wishes to speak regarding an item, but did not sign up by 9:00 am, he or she may notify the City Clerk up until such time that the public comment portion of the item has concluded.

Members of the public who do not desire to speak but want to register support or opposition to an item on the agenda may do so by indicating their position on the audience participation form. The City Clerk will notify the Council of the number of position statements received and the tally when the agenda item is announced.

At the time that the consent agenda is taken up for consideration, the City Clerk shall advise the Mayor Pro Tempore whether persons in the audience have signed up to ask a question regarding an item posted on the consent agenda. The Mayor Pro Tempore shall have the floor and may ask the City Clerk to call those individuals up to the podium to hear their questions. At that time, the City Clerk will announce the agenda item number and call the person to the podium. The Mayor Pro Tempore may request the City Manager to respond to the questions raised by the members of the public. In his or her discretion, the Mayor Pro Tempore may move the consent agenda item to the regular agenda for continued discussion and action by the City Council.

Members of Council may move to overrule the determinations by the Mayor Pro Tempore under this section by a simple majority vote of the Council members present and voting.

No person may speak a second time except by permission of the presiding officer, and further, no person shall be heard a second time until all persons desiring to speak once have been given the opportunity to do so.

Personal attacks are not permitted. Members of the public should address their questions to the Council, not to the staff. Council may in turn ask staff to provide input.

Members of the public may be asked to leave or be removed from Council Chambers if it is determined that they are disruptive to the meeting. Such determination will be made by the presiding officer. Members of Council may move to overrule such determination by the presiding officer subject to a simple majority vote of Council, present and voting.



## **SECTION 14. CALLING AND ORDER OF AGENDA ITEMS**

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”**.

Items accepting or acknowledging donations to the City will be taken prior to consideration of the consent agenda. Items removed from the consent agenda by the Mayor Pro Tempore or at the request of other Council members will be considered at the time when items for the related department are being considered or as otherwise requested by the Mayor Pro Tempore. The introduction of ordinances will be considered first on the regular agenda, followed by the procurement items posted on the regular agenda by the Financial Services and/or Engineering and Construction Management departments, and any reports or updates from the City’s Committees, Boards and Commissions.

Notwithstanding the above provisions, the City Manager shall direct the placement of all matters relating to the City Council’s adoption of the annual City budget and associated matters relating to the start of each new fiscal year and the adoption of the tax levy on one or more agendas so as to meet all required statutory and charter deadlines.

At the time that each agenda item is to be considered by the City Council, the City Clerk will announce all agenda items by number and a brief statement as to the nature of the item when appropriate. In the case of a revision, the City Clerk or staff shall read the item into the record, as appropriate.

## **SECTION 15. PARLIAMENTARIAN**

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

## **SECTION 16. USE OF ELECTRONIC DEVICES**

Electronic devices within Council chambers shall be used in accordance with all established City practices and procedures and as directed by Information Technology Department staff providing support services during a meeting. City staff, other than the dignitary protection officers, and members of the public shall turn off the signals of all pagers, cellular telephones and other devices capable of making an audible signal and shall not make or take any telephone calls while in Council chambers once a Council meeting has been called to order.

Members of the City Council may only use electronic devices for the matters pertinent to the meeting taking place. No use of personal cellular devices, nor personal communication, should take place on the dais, nor while participating virtually, while the meeting is in session. The use of communication devices of any kind, including but not limited to: hand-held portable communication devices, cellphones, computers, tablets, laptops, watches, etc. is expressly prohibited during City Council meetings and shall not be allowed in the room during closed sessions unless they are being used to aid in executive session presentations.

If the City Council member needs to take a telephone call, respond to a text message, etc. during a meeting, he or she must excuse themselves from the dais or room where the closed session is taking

place to engage in that communication.

The use of the desktop computers during City Council shall be limited to voting, viewing presentations, research to aid the council member and communication via email to staff. During meetings, City Council members shall not text, tweet, blog, post on Facebook, Instagram or use any other social media platform.

## **SECTION 17. TIME AND LOCATION OF MEETINGS AND VIRTUAL ATTENDANCE**

The Mayor and Council may by action of Council approved by a majority of Council, reschedule the time and place of any City Council meeting in accordance with the requirements of the Texas Open Meetings Act.

Members of Council may attend City Council meetings by video conference in accordance with the Texas Open Meetings Act 551.127, as may be amended. Such requires that a quorum of City Council be present at the physical meeting location posted on the agenda.

Members of Council may request virtual attendance no earlier than three months in advance. Any member wishing to attend by video conference must notify the City Clerk no later than noon on the Wednesday prior to the relevant meeting, and the City Clerk shall post notice of which member(s) will appear by video conference on the City Council Agenda. In the case of personal emergency, a member of Council may request to appear virtually after the Wednesday deadline by notifying the City Clerk no later than 5 p.m. on the business day prior to the meeting, and in this instance the videoconference attendance will be included on the list of revisions to the agenda. Videoconference attendance is granted on a first-come first-serve basis. At no time shall more than two members of Council appear by videoconference. Members of Council shall not request to attend by videoconference more than one regular meeting week in a row without prior approval of Council.

Each participant's face in the videoconference call, while speaking, must be clearly visible and audible to each other participant and, during the open portion of the meeting, to the members of the public in attendance at the location where a quorum is present, and at any other location of the meeting that is open to the public. Any council member appearing by videoconference call will be considered absent during any portion of the meeting the audio or video is lost or disconnected in accordance with Texas Government Code Section 551.127. However, City Council members may not participate in executive sessions by videoconferencing.

(Signatures on the following page)

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

**CITY OF EL PASO:**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

*Russell Abeln*  
\_\_\_\_\_  
Russell T. Abeln  
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

**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 DECEMBER 12, 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. **The Rules of Debate shall apply in Executive Session.**

**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. Members of Council shall refrain from side conversations during discussion of items 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. **The Rules of Debate shall also apply in Executive Session.**

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.

**Call to the** 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 up to provide comment during the public comment portion of the agenda must provide their name, address, phone number, and a short description of the topic(s) of their comment. Members of the public are required to speak on the topic identified upon the sign-in sheet. If the speaker is a lobbyist, he or she must indicate that fact on the audience participation sheet and prior to commencing his/her comments in compliance with the City's Lobbying Ordinance. Members of the public may not grant their time to another nor may they purport to speak for another who is not present at the meeting. If someone would like a document or letter to become a part of the record, they may do so by providing the City Clerk with copies of the document or letter no later than 9:00 a.m. on the morning of the meeting, which will be distributed to the Council. It shall not be necessary to read the letter into the record. Interpretation services are only to be provided by the certified interpreter provided by the City.

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.

To facilitate the receiving of comment from as many citizens as possible who are interested in bringing topics forward to the City Council for comment, a person may sign up to obtain one-time slot to speak or otherwise make a presentation on one or more specified topics during the public comment portion of a City Council meeting. This provision does not restrict any member of the public from signing up to speak on items posted on the regular agenda or to ask questions regarding items posted on the consent agenda.

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.

Members of the public wishing to ask a question regarding an item posted on the consent agenda or to speak regarding an item posted on the regular agenda must sign up prior to 9:00 a.m. on the day of the City Council meeting. The City Clerk shall make available the sign-in sheet for the public outside of Council Chambers on the day of the Council meeting up until 9:00 a.m. or online prior to 9:00 a.m. Persons may sign up to address multiple items, however this does not mean it is permissible to “mark all” or to sign up for every item “just in case” they wish to speak when the discussion on an item takes place. If a member of the public wishes to speak regarding an item, but did not sign up by 9:00 am, he or she may notify the City Clerk up until such time that the public comment portion of the item has concluded.

Members of the public who do not desire to speak but want to register support or opposition to an item on the agenda may do so by indicating their position on the audience participation form. The City Clerk will notify the Council of the number of position statements received and the tally when the agenda item is announced.

At the time that the consent agenda is taken up for consideration, the City Clerk shall advise the Mayor Pro Tempore whether persons in the audience have signed up to ask a question regarding an item posted on the consent agenda. The Mayor Pro Tempore shall have the floor and may ask the City Clerk to call those individuals up to the podium to hear their questions. At that time, the City Clerk will announce the agenda item number and call the person to the podium. The Mayor Pro Tempore may request the City Manager to respond to the questions raised by the members of the public. In his or her discretion, the Mayor Pro Tempore may move the consent agenda item to the regular agenda for continued discussion and action by the City Council.

Members of Council may move to overrule the determinations by the Mayor Pro Tempore under this section by a simple majority vote of the Council members present and voting.

No person may speak a second time except by permission of the presiding officer, and further, no person shall be heard a second time until all persons desiring to speak once have been given the opportunity to do so.

Personal attacks are not permitted. Members of the public should address their questions to the Council, not to the staff. Council may in turn ask staff to provide input.

Members of the public may be asked to leave or be removed from Council Chambers if it is determined that they are disruptive to the meeting. Such determination will be made by the presiding officer. Members of Council may move to overrule such determination by the presiding officer subject to a simple majority vote of Council, present and voting.

## **SECTION 14. CALLING AND ORDER OF AGENDA ITEMS**

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”**.

Items accepting or acknowledging donations to the City will be taken prior to consideration of the consent agenda. Items removed from the consent agenda by the Mayor Pro Tempore or at the request of other Council members will be considered at the time when items for the related department are being considered or as otherwise requested by the Mayor Pro Tempore. The introduction of ordinances will be considered first on the regular agenda, followed by the procurement items posted on the regular agenda by the Financial Services and/or Engineering and Construction Management departments, and any reports or updates from the City’s Committees, Boards and Commissions.

Notwithstanding the above provisions, the City Manager shall direct the placement of all matters relating to the City Council’s adoption of the annual City budget and associated matters relating to the start of each new fiscal year and the adoption of the tax levy on one or more agendas so as to meet all required statutory and charter deadlines.

At the time that each agenda item is to be considered by the City Council, the City Clerk will announce all agenda items by number and a brief statement as to the nature of the item when appropriate. In the case of a revision, the City Clerk or staff shall read the item into the record, as appropriate.

## **SECTION 15. PARLIAMENTARIAN**

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

## **SECTION 16. USE OF ELECTRONIC DEVICES**

Electronic devices within Council chambers shall be used in accordance with all established City practices and procedures and as directed by Information Technology Department staff providing support services during a meeting. City staff, other than the dignitary protection officers, and members of the public shall turn off the signals of all pagers, cellular telephones and other devices capable of making an audible signal and shall not make or take any telephone calls while in Council chambers once a Council meeting has been called to order.

Members of the City Council may only use electronic devices for the matters pertinent to the meeting taking place. No use of personal cellular devices, nor personal communication, should take place on the dais, nor while participating virtually, while the meeting is in session. The use of communication devices of any kind, including but not limited to: hand-held portable communication devices, cellphones, computers, tablets, laptops, watches, etc. is expressly prohibited during City Council meetings and shall not be allowed in the room during closed sessions unless they are being used to aid in executive session presentations.

If the City Council member needs to take a telephone call, respond to a text message, etc. during a meeting, he or she must excuse themselves from the dais or room where the closed session is taking

place to engage in that communication.

The use of the desktop computers during City Council shall be limited to voting, viewing presentations, research to aid the council member and communication via email to staff. During meetings, City Council members shall not text, tweet, blog, post on Facebook, Instagram or use any other social media platform.

## **SECTION 17. TIME AND LOCATION OF MEETINGS AND VIRTUAL ATTENDANCE**

The Mayor and Council may by action of Council approved by a majority of Council, reschedule the time and place of any City Council meeting in accordance with the requirements of the Texas Open Meetings Act.

Members of Council may attend City Council meetings by video conference in accordance with the Texas Open Meetings Act 551.127, as may be amended. Such requires that a quorum of City Council be present at the physical meeting location posted on the agenda.

**Members of Council may request virtual attendance no earlier than three months in advance.** Any member wishing to attend by video conference must notify the City Clerk no later than noon on the Wednesday prior to the relevant meeting, and the City Clerk shall post notice of which member(s) will appear by video conference on the City Council Agenda. **In the case of personal emergency, a member of Council may request to appear virtually after the Wednesday deadline by notifying the City Clerk no later than 5 p.m. on the business day prior to the meeting, and in this instance the videoconference attendance will be included on the list of revisions to the agenda. Videoconference attendance is granted on a first-come first-serve basis. At no time shall more than two members of Council appear by videoconference. Members of Council shall not request to attend by videoconference more than one regular meeting week in a row without prior approval of Council.**

Each participant's face in the videoconference call, while speaking, must be clearly visible and audible to each other participant and, during the open portion of the meeting, to the members of the public in attendance at the location where a quorum is present, and at any other location of the meeting that is open to the public. Any council member appearing by videoconference call will be considered absent during any portion of the meeting the audio or video is lost or disconnected in accordance with Texas Government Code Section 551.127. However, City Council members may not participate in executive sessions by videoconferencing.

(Signatures on the following page)



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

**CITY OF EL PASO:**

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

**ATTEST:**

**APPROVED AS TO FORM:**

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

\_\_\_\_\_  
Russell T. Abeln  
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

**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

**WHEREAS**, the Texas Open Meetings Act, *Texas Government Code 551.001 et seq.*, (“TOMA”) allows members of the governing body to attend meetings by videoconference, the Emergency Videoconference Resolution dated May 23, 2023 requires that members notify the City Clerk no later than the Wednesday before each meeting at noon if attending by videoconference in order to post on the agenda: and

**WHEREAS**, the TOMA requires that a quorum of Council be present at the meeting location in order to constitute a meeting; and

**WHEREAS**, the City Council desires to amend the Meetings by Videoconference Resolution to adjust the notification deadline to appear by videoconference in cases of personal emergency; and

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

That up to two members of City Council may attend the City Council Meetings by videoconference at each Council meeting on a first come, first served basis each meeting week beginning June 5, 2023.

Members who wish to attend by videoconference must notify the City Clerk no later than noon on the Wednesday before each meeting. In the case of personal emergency, a member of Council may request to appear virtually after the Wednesday deadline by notifying the City Clerk no later than 5 p.m. on the business day prior to the meeting, and in this instance the videoconference attendance will be included on the list of revisions to the agenda. At no time shall more than two members of Council appear by videoconference.

In order to ensure equity among the members of Council, members may request to attend by videoconference no more than three months in advance, and shall not request to attend by videoconference more than one regular meeting week in a row without prior approval of Council.

Up to two members may participate in any Special City Council meeting by videoconference on a first come first served basis by notifying the City Clerk prior to the agenda being posted.

City Council Members may not attend executive sessions by videoconferencing.

(Signatures on the following page)



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

**THE CITY OF EL PASO**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

*Russell Abeln*  
\_\_\_\_\_  
Russell T. Abeln  
Senior Assistant City Attorney

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(Signatures on the following page)

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

**THE CITY OF EL PASO**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Russell T. Abeln  
Senior Assistant City Attorney



Legislation Text

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File #: 23-1578, 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**

Community and Human Development, Nicole Ferrini, (915) 212-1659

**AGENDA LANGUAGE:**

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

Discussion and action to approve policies and procedures for planning and implementation of the Community Development Block Grant (CDBG) Program, Emergency Solutions Grant (ESG) Program, HOME Investment Partnerships (HOME) Program, and Housing Opportunities for Persons with AIDS (HOPWA) Program.



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

**AGENDA DATE:** 12/12/2023

**PUBLIC HEARING DATE:** N/A

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** Nicole Ferrini, 915-212-1659

**DISTRICT(S) AFFECTED:** All Districts

**STRATEGIC GOAL:** Goal 8 – Nurture and promote a healthy, sustainable community

**SUBGOAL:** 8.1 – Deliver prevention, intervention and mobilization services to promote a healthy, productive and safe community

**SUBJECT:**

**APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.**

Discussion and action to approve policies and procedures for planning and implementation of the Community Development Block Grant (CDBG) Program, Emergency Solutions Grant (ESG) Program, HOME Investment Partnerships (HOME) Program, and Housing Opportunities for Persons with AIDS (HOPWA) Program.

**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 Department of Community and Human Development (DCHD) updates, on a regular basis, the Policies and Procedures for all funding sources received through the Department of Housing and Urban Development (HUD). Those funding sources are:

- Community Development Block Grant (CDBG)
- Emergency Solutions Grant (ESG)
- HOME Investment Partnerships (HOME)
- Housing Opportunities for Persons with Aids (HOPWA)

The primary objective of these programs is the development of viable urban communities, including decent housing, suitable living environments, and the expansion of economic opportunities, principally for persons of low and moderate-income.

**PRIOR COUNCIL ACTION:**

**Has the Council previously considered this item or a closely related one?**

City Council approved the existing Federal Entitlement Policies and Procedures on December 6, 2022.

**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?**

These Policies and Procedures establish the process of taking in applications for the CDBG, ESG, HOME, and HOPWA Federal Entitlement grants.

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?   X   YES    NO**

**PRIMARY DEPARTMENT:** Department of Community + Human Development

Revised 04/09/2021

SECONDARY DEPARTMENT: N/A

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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 Policies and Procedures for implementing the Community Development Block Grant (CDBG) Program, Emergency Solutions Grant (ESG) Program, Housing Opportunities for Persons with AIDS (HOPWA) Program, and HOME Investment Partnerships Program (HOME) are approved and adopted, and that the Director of Community and Human Development be authorized to make amendments to the policies and grant exceptions to the policies and procedures provided such exceptions do not violate any federal regulations.

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_ 2023.


### CITY OF EL PASO:

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

### ATTEST:

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

### APPROVED AS TO FORM:

  
\_\_\_\_\_  
Joyce Garcia  
Assistant City Attorney

### APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Nicole Ferrini, Climate & Sustainability Officer  
Community and Human Development Dept.



City of El Paso

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**POLICIES +  
PROCEDURES for  
HUD ENTITLEMENT  
GRANTS**

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Approved

●	●	●	●	●	●	●	●
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# Assurances and Attachments

## Assurances

Assurance A – Acceptance of Grant Conditions and Terms of CDBG, HOPWA and ESG

Assurance B – Assurance of Applicant Eligibility for Non-Profit Organizations

Assurance C – Assurance of Compliance with Ordinance No. 9779

Assurance D – Accessibility / Letter of Assurance with Self-Evaluation

## Attachments

- Attachment A – General Completeness Checklist
- Attachment B – Tentative Schedule for Upcoming Program Year
- Attachment C – HUD Income Limits for Upcoming Program Year
- Attachment D – Citizen Participation Plan
- Attachment E – Community Performance Standards
- Attachment F– ESG Program Certification
- Attachment G– ESG Written Standards Certification
- Attachment H– Faith-Based Organization Guidelines
- Attachment I– HMIS Policies and Procedures
- Attachment J– Instructions to Obtain Certificate of Account Status
- Attachment K– Instructions to Obtain SAM Record Status
- Attachment L– Letter of Intent - CDBG Services, Economic Development, HOPWA + ESG
- Attachment M– Project Concept Form – CDBG Public Facilities
- Attachment N– Public Facilities Application
- Attachment O– Volunteer Housing Rehabilitation

## EXECUTIVE SUMMARY

These policies and procedures pertain to federal funding streams received by the City of El Paso from the Federal Department of Housing and Urban Development (HUD). The Department of Community and Human Development (DCHD) oversees the planning, administration and compliance of these grant funds on behalf of the City of El Paso. The HUD Entitlement funding sources are:

- Community Development Block Grant (CDBG)
- Emergency Solutions Grant (ESG)
- Housing Opportunities for Persons with Aids (HOPWA)
- HOME Investment Partnerships Program (HOME)

Funding for the programs covered by these policies and procedures becomes available on September 1 of the City's Fiscal Year, and programming under these funds is expected to run through August 31 of the same Fiscal Year. Final entitlement allocations are dependent on Congressional approval of the HUD budget, **and will be published in the Community Development webpage when made available.**

The City of El Paso has prioritized development of a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities for El Pasoans. Those priorities have been adopted by the City Council in the form of the 30 by 2030 Strategic Plan, which identifies goals, actions and tasks that make achievement of the City Vision possible. Projects, services and programs funded through CDBG, ESG, HOPWA and HOME should be supportive of the following strategic goals and objectives:

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

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

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

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

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

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

*Strategic Objective 22: Support affordable, high-quality housing options especially for vulnerable populations*

*Strategic Objective 30: Develop solutions to increase access and services for El Pasoans experiencing or at-risk of homelessness*

In addition to the direct Strategic Goals supported by these funding sources, the Department of Community + Human Development through the careful administration of these funding sources strives to enrich and enhance the performance of the following citywide strategic goals:

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

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

Applicants pursuing funding through the sources included in this document should first confirm eligibility with federal requirements, but should also illustrate alignment with identified City strategic goals and objectives. Details of the City



Strategic Plan can be found at: [www.elpasotexas.gov/assets/Documents/CoEP/Government/Strategic-Planning/Strategic-Plan-2022-Booklet.pdf](http://www.elpasotexas.gov/assets/Documents/CoEP/Government/Strategic-Planning/Strategic-Plan-2022-Booklet.pdf).

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## ACRONYMS + DEFINITIONS

### **Acronyms**

- ADA – Americans with Disabilities Act
- CDBG – Community Development Block Grant
- CoC – Continuum of Care
- DCHD – Department of Community and Human Development
- ESG – Emergency Solutions Grant
- FY – Fiscal Year
- HMIS – Homeless Management Information System
- HOPWA – Housing Opportunities for Persons with AIDS
- HUD – U.S. Department of Housing and Urban Development
- LMI – Low to moderate income
- PY – Program Year
- TARP – Technical Advisory Review Panel

### **Definitions**

- **Entitlement grants** – are annual grants that are provided on a formula basis to eligible cities and counties.
- **Government entity** – any branch, department, agency, or instrumentality of state government, or any official or other person acting under color of state law (e.g., school districts, public housing authority).
- **Recipient** – the City of El Paso DCHD, who receives funds directly from HUD through an executed grant agreement.
- **Subrecipient agency** – an agency that receives funding from the Recipient (DCHD) and provide direct client services.

## DEPARTMENT OF COMMUNITY + HUMAN DEVELOPMENT

The Department of Community + Human Development (DCHD) of the City of El Paso acts as the grantee for funding received from the HUD for CDBG, HOPWA, ESG and the HOME Investment Partnership Grant. The role of DCHD staff is to administer the specific allocation of funding to sub-recipients as well as to execute and oversee compliance with federal regulations and the policies and procedures included in this document. Funding allocations are projections only and can be modified at the discretion of the Director of DCHD provided that such modifications do not represent a significant change in allocation priorities and/or method of distribution. Additionally, the Director of DCHD may grant exceptions to policies and procedures contained within this document provided that those exceptions do not violate federal, state or local regulations.

## FEDERAL, STATE + LOCAL REQUIREMENTS

Organizations who apply for funding must meet all applicable federal, state and local eligibility requirements. Federal requirements are determined by HUD. Local guidelines are developed by DCHD staff and approved by City Council.

### FEDERAL + STATE REQUIREMENTS

- **ADA and Historic Preservation.** Applicant must comply with all City Codes, including City, State and Federal Americans with Disabilities Act (ADA) and historic preservation requirements.
- **Agency Credit Score.** The Agency Credit Score is a general score given to an agency for performance on past grants.
- **Authority to Apply.** Written minute action and/or Board approval documentation signed by the Board President authorizing submittal and signature of the CDBG application by Board President (or other authorized representative) must be submitted with the application.
- **Authorized Signatory.** Approved documentation (e.g., minute action or letter from the Board) certifying whom from the applicant's organization is the authorized signatory who can sign contracts on behalf of the agency.
- **Employer Identification Number.** Federal tax ID which is needed to pay federal taxes, hire employees, open a bank account, and apply for business licenses and permits.
- **Fair Housing Act.** Applicant must comply with the Fair Housing Act, Executive Order 11063 (Equal Opportunity in Housing), the Civil Rights Act of 1964, the Age Discrimination Act of 1975, and Executive Order 11246 (Equal Employment Opportunity). Agencies operating programs/services in CDBG-funded facilities, as applicable, will be required to develop and implement Affirmative Marketing policies and procedures, and shall assure housing shall be made available without regard to actual or perceived sexual orientation, gender identity, or marital status.
- **Faith-Based Organizations.** Faith-based organizations that are applying for funding must comply with HUD's Final Rule that became effective October 30, 2003, as amended. Refer to Attachment I of this document.
- **Indirect Costs.** Applicants are allowed to include Indirect Costs as a line item in their program budgets. Indirect Costs can be included in the program's budget in one of the two following methods:
- **De Minimis Rate.** Using the *10% De Minimis Rate*, if awarded funding, agencies may apply 10% of the total expenses submitted in each monthly reimbursement request. For example, if total expenses in a given month are \$10,000.00, the subrecipient will be allowed to request \$1,000.00 as Indirect Costs in that month's reimbursement request. Agencies who want to apply the *10% De Minimis Rate* will be required to submit with their application a signed memo from their authorized signatory stating the agency will be applying this method of Indirect Cost for the current grant year.
- **Indirect Cost Allocation Plan.** The second allowable Indirect Cost method is an *Indirect Cost Allocation Plan*. Under this method, agencies must submit with their application a current Indirect Cost Agreement from the

cognizant agency. This document will state the Indirect Cost rate/percentage the agency is allowed to apply towards each month's reimbursement request.

- **Jurisdiction.** All programs, clients and/or improvements must be located within the city limits of El Paso, Texas for programs funded by CDBG, HOME and ESG. For HOPWA, all subsidized housing must be located within the County of El Paso, including the City of El Paso.
- **Lobbying.** Under section 1352, title 31, U.S. Code, no Federal appropriated funds may be paid or have been paid, by or on behalf of the applicant, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with Federal contract, grant, loan, or cooperative agreement, the applicant must complete and submit Standard Form-ILL, "Disclosure Form to Report Lobbying".
- **Persons Served.** Applicants are required to provide the number of persons served for each program or project that is awarded funding. For projects that exceed a year, this requirement applies to each program year.
- **Procurement Guidelines.** Applicants must follow federal procurement rules, along with all applicable state and local requirements, when purchasing services, supplies, materials, or equipment with DCHD-awarded funding. Below is a summary of the most current federal procurement methods. Applicable federal regulations are contained in 2 CFR Part §200.320 Uniform Administrative Requirements.
  - **Sealed bids (formal advertising).** This procedure should be used for all construction contracts or for goods costing more than \$100,000. Competitive sealed bidding requires publicly solicited sealed bids and a firm-fixed-price lump sum or unit price contract is awarded to the responsible bidder whose bid, conforming to all the material terms and conditions of the invitation for bids, is lowest in price. The following requirements apply when this method of procurement is used:
    - **Publication Period:** The invitation for bids must be publicly advertised and bids solicited from an adequate number of suppliers. The publication should be published at least once in a newspaper of general circulation, providing sufficient time prior to bid opening. If the publication period is not of sufficient time to attract adequate competition, the bid may have to be re-advertised.
    - **Clear Definition:** The invitation for bids, including specifications and pertinent attachments, must clearly define the items or services needed in order for bidders to properly respond to the invitation.
    - **Public Opening:** All bids must be opened publicly at the time and place stated in the invitation for bids. The public is allowed at that time to review the bids.
    - **Selection and Contracting:** A firm-fixed-price contract award must be made by written notice to the responsible bidder whose bid, conforming to the invitation for bids, is lowest. Where specified in the bidding documents, factors such as discounts, transportation costs and life cycle costs must be considered in determining which bid is lowest.
    - **Rejection of all Bids:** All bids may be rejected when sound documented reasons exist. Such documentation shall be made a part of the files.
  - Adequate number of qualified sources.
  - **Competitive proposals.** This procedure is used to purchase professional services where the total cost will exceed \$100,000. Under this procurement method, the applicant must publish a written request for submissions and then review these submissions based on established selection criteria; and the applicant must solicit proposals from an adequate number of qualified sources. There are two possible methods of soliciting proposals – a request for

proposals (RFP) or a request for qualifications (RFQ). The following requirements apply when this method of procurement is used:

- **Publication Period:** Proposals must be solicited from an adequate number of qualified sources and an advertisement must be published. RFPs/RFQs should be published in a sufficient timeframe before the proposals/qualifications are due.
- **Clear Definition:** The RFP/RFQ must identify the general scope of work and all significant factors of evaluation, including price where appropriate, and their relative importance.
- **Technical Evaluation:** The grantee must provide a mechanism for technical evaluation of the proposals received, determinations of responsible offeror and the selection for contract award.
- **Award:** Award may be made to the responsible offeror whose proposal will be most advantageous to the procuring party, price and other factors considered. Unsuccessful offerors should be notified promptly. The contract can be either a fixed price or a cost reimbursement type.
- **Race and Ethnicity.** Applicants whose programs or projects qualify under the LMI national objective through the limited clientele category are required to provide race and ethnicity data for each person who is receiving direct assistance from DCHD-awarded funding.
- **Unique Entity ID.** Applicant is required to submit their Unique Entity ID and System of Award Management (SAM) record status in order for DCHD staff to verify through the SAM website that the agency is clear of debarment from receiving federal funds prior to review application. If considered for funding, DCHD staff will recertify compliance with this requirement prior to execution of any contract. The Unique Entity ID is a 12-character alphanumeric ID assigned to an entity by SAM.gov. New entities can get their Unique Entity ID at SAM.gov and, if required, complete an entity registration.
- **Units of Service.** Applicants are required to provide the number of units of service that will be provided under every program awarded for funding. A unit of service must be defined as the direct service that will be provided to a client or on behalf of a client. Units of service are not required for all funding categories.
- **Verification of non-profit status.** Non-profit agencies must submit the Internal Revenue Service (IRS) letter certifying their 501(c) (3) status and the completed and signed Assurance of Applicant Eligibility for Non-Profit Organizations on page. Refer to Assurance B of this document.

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## PERFORMANCE OUTCOMES

HUD requires reporting of activity outcomes using its Outcome Performance Measurement System to report accomplishments on a national level. Outcomes are the resulting benefit(s) of the projects and should be measurable. Therefore, applicants are required to submit a statement explaining the expected outcome(s) of their projects.

DCHD has implemented a performance measurement system that aligns with HUD's performance outcomes to gauge the success of awarded projects. Applicants are required to address in their applications the outcome(s)/benefit(s) that will result from the project after completion. Outcomes describe the impact that will result from the project, and are the benefits to individuals, families, organizations and communities derived from construction of the project or participation in a program or service.

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## LOCAL REQUIREMENTS

- **Acceptance of Grant Conditions and Terms.** Applicant must submit with their application an Acceptance of Grant Conditions and Terms form signed by an authorized representative of the applicant. Refer to Assurance A of this document.



- **Administrative Capacity.** Applicant must have demonstrated administrative and financial capacity to fully operate the project. A certified audit, covering a period ending on a date after January 31, 2021 must be submitted. This requirement may be waived for organizations or entities who expend less than \$750,000 in federal funds for the audited year. Awarded allocation of funds are distributed on a reimbursement basis. All agencies except City Departments that are receiving funds must demonstrate the financial capacity to pay any project-related costs, including design, construction and/or operating, for a period of at least three months prior to reimbursement.
- **Certificate of Account Status.** Applicant must provide a Certificate of Account Status from the Texas Secretary of the State to indicate the status of the organization's right to transact business in Texas. Refer to Attachment K for instructions on how to obtain the Certificate of Account status from the Texas Secretary of the State website.
- **Completeness Check.** Applications and supporting documentation must be turned in by the respective deadline in order to be considered for funding. All required supporting documentation must be attached to the application in order for it to be considered complete.
- **Compliance with Existing Contracts.** Applicants who are currently receiving federal funds administered by DCHD and applying for additional funds must be in compliance with all terms of their contract, must not have any outstanding audit findings or monitoring findings as determined by the City or HUD, and must remain in good standing throughout the entire program year.
- **Conflict of Interest.** Applicant must not have an employee, officer, agent, or anyone who represents the agency in any capacity sitting as a member of the Community Development Steering Committee. Applicant must divulge if any member of their board is a City employee, so a determination may be made if a conflict exists. Conflict of Interest and all other provisions extend to partners and subcontractors as well.
- **Contract Amendments.** Contract amendments will not be allowed within 90 days of the contract expiration date unless an exception is granted under extenuating circumstances by the DCHD Director. Contract amendments should be rare and will only be considered in the event of circumstances beyond the control of the subrecipient, unless the amendment is required by and initiated by the City. Requests for contract amendments shall be submitted to the DCHD Grant Administrator responsible for the program and shall include a detailed narrative explaining the circumstances that led to the need for the amendment and actions taken by the subrecipient to address those circumstances and avoid the need for a contract amendment.
- **Contract Execution Readiness.** Subrecipients are expected to complete and submit to DCHD all required documentation for contract execution prior to the beginning of the program year (September 1<sup>st</sup>). Failure to do so is not considered justification for extending the term of a contract beyond the end of the program year (August 31<sup>st</sup> of the following year), and may result in cancellation of funding award.
- **Conditions for Contract Amendments.** Subrecipient contracts and written agreements may be amended if a subrecipient is not meeting performance in timeliness, outcomes, performance measures, or other contracted deliverables for documented circumstances beyond the subrecipient's control, and not due to any fault or negligence by the subrecipient. Circumstances beyond the subrecipient's control may include: natural disaster, fire, explosion, war, civil unrest, declared national or regional emergency, strike/labor stoppage, epidemic, pandemic, government order or law, action by any government authority, and other similar events beyond the reasonable control of the subrecipient. Mere impracticality, unanticipated difficulty, and general economic conditions not related to the types of events listed above is not enough to excuse performance and justify contract or written agreement amendments. The Director of Community and Human Development, or their designee, is the sole individual responsible for determining if the cause of non-performance is reasonably beyond the subrecipient's control.
- **PHIX Participation.** The City of El Paso has contracted with the local Public Health Information Exchange (PHIX) to collect and analyze data on housing and homelessness programs. All subrecipient programs that receive HUD Entitlement funds to address homelessness or housing affordability are required to submit aggregate and/or client specific data to PHIX, as determined by the City.
- **Ordinance 9779.** All facilities receiving funding from the City must be in compliance with Ordinance 9779, Non-Discrimination Against Persons with Disabilities. This means that the facility must be accessible for use by persons

with disabilities in terms of employment and service, or have an approved transition plan, before the funding can be approved. As part of this requirement, applicants must submit the completed and signed Assurance of Compliance with Ordinance No. 9779, Accessibility/Letter of Assurance, and submit the completed Guidelines/Self-Evaluation for Community Development and City of El Paso Sub recipients. Refer to Assurance C and Assurance D of this document.

- For projects with multiple service locations, an Accessibility/Letter of Assurance must be provided for each site.
- **Relocation Assistance.** In accordance with the City's Anti-Displacement Strategy, projects that involve the displacement of low- and moderate-income tenants should be avoided. If displacement is unavoidable, all tenants who are permanently or temporarily displaced as a result of a DCHD-funded project must be provided financial and advisory benefits as described in the Anti-Displacement Strategy. Tenants occupying a structure become eligible for these benefits at the time an application is submitted to the City. Applicants should consult with the DCHD staff if displacement or relocation is to occur to assure that this requirement is met and that adequate funds are included in the funding request.
- **Suspension of Eligibility to Apply.** An entity whose contract with the City for HUD funding is terminated for cause is ineligible to apply for additional HUD funding through the City of El Paso for a period of 24 months from the date of contract termination.
- **Site Suitability.** Applicant must ensure that properties where services or facilities projects are located are zoned appropriately for such activities and land uses. Projects without the appropriate zoning at the time of application submission will be ineligible for funding.
- **Timeliness.** Public Services, ESG, HOPWA, and other federal funding subrecipients are expected to spend program funds on an ongoing basis, unless otherwise stipulated in the contract agreement. DCHD requires that subrecipients maintain a spend-to-time ratio of more than -10%. The following table identifies the required spend rate for a 12-month Public Services contract:

Month	1	2	3	4	5	6	7	8	9	10	11	12
% of time passed	8.33%	16.67%	25.00%	33.33%	41.67%	50.00%	58.33%	66.67%	75.00%	83.33%	91.67%	100.00%
Required % of funding expended	0.00%	6.67%	15.00%	23.33%	31.67%	40.00%	48.33%	56.67%	65.00%	73.33%	81.67%	100.00%

If a subrecipient's program falls below the *Required % of funding expended*, DCHD will require a remediation plan from the agency detailing how the program will return to compliance within 2 months of the month in which the agency became non-compliant. DCHD may accept the remediation plan or request modifications to the remediation plans as deemed necessary by DCHD. Inability of an agency to return to compliance under a DCHD-accepted remediation plan may result in reduction of funding or termination of contract for cause.

Subrecipients who fail to expend at least 90% of CDBG funds and 100% of ESG funds prior to contract expiration may be ineligible to receive funding under that specific funding source in the following year. This means that if an agency is awarded funding in the year following a year in which they fail to meet this spending requirement, a contract may not be executed with that agency; or, if a contract has been executed, that contract may be terminated and no reimbursement(s) will be released for services provided by the agency.

- **Workers' Compensation.** Subrecipients of City of El Paso HUD funding are required to maintain a minimum of \$1,000,000 in workers' compensation insurance throughout the contracted period of performance.

## TENTATIVE SCHEDULE

DCHD will release on an annual basis a *Tentative Schedule for Upcoming Program Year*, which will indicate the tentative dates for key events that will take place as part of the upcoming program year's planning process. This schedule will include dates for items such as the following:

- Community Needs Assessment
- Mandatory training workshops
- Application deadlines
- Public hearings
- City Council meetings

Note that dates stated in the *Tentative Schedule for Upcoming Program Year* are subject to change. Applicants should contact DCHD staff prior to any trainings, application deadlines or other significant dates for confirmation.

## PROGRAM REVIEW + SCORING PROCESS

NOTE: Meetings, trainings, workshops, public hearings, and other activities regularly conducted in person, may be conducted virtually at the discretion of DCHD.

### MANDATORY TRAINING WORKSHOPS

A component of the DCHD planning process is a series of mandatory training workshops for all potential subrecipients of HUD funds. ***The applicant designee (i.e., personnel writing, preparing and/or overseeing application submittal) of the sub-recipient department or agency must attend the workshop to be considered for funding.***

### TECHNICAL ADVISORY REVIEW PANEL

Technical Advisory Review Panels (TARPs) will be established to evaluate proposals for funding. TARP members may include DCHD staff, other City Department staff, and other subject matter experts as selected by DCHD. TARP will be selected with a primary focus on professional expertise and neutrality (i.e. individuals having no relationship to any of the applicant agencies in the service category being reviewed). All reviewers will be required to sign a Conflict of Interest Disclosure Affidavit. Upon review of the affidavit, DCHD staff will determine if a conflict of interest exists.

### AGENCY CREDIT SCORE

The *Agency Credit Score* consists of a 500-point scale. DCHD staff will consider the following when determining the *Agency Credit Score*:

- Timeliness, completeness and accuracy of programmatic and fiscal reporting to include reimbursement requests;
- Responsiveness of the agency to requests from DCHD;
- Agency ability to fulfill prior projects under the original, approved budget without excessive budget amendments or revisions;
- Compliance concerns and findings, and overall agency risk as assessed by DCHD;
- Agency history in meeting outcomes, units of service, persons and households served, and successful deployment of matching funds if applicable; Agency history of timely expenditure of funds;

- Agency history of timely execution of contracts and implementation thereof without need for excessive contract amendments.

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## CDBG PUBLIC SERVICES, HOPWA + ESG APPLICATION PROCESS

The full application packets, including all required modules, will be provided at the mandatory training workshops only to those agencies who attend. Virtual attendance may be authorized at the discretion of DCHD. **The City of El Paso has a fiscal responsibility to ensure that subrecipients selected for funding abide by all rules and regulations established by the Federal government, and that they are in compliance for the entirety of their funding cycles, as this will have a direct effect on the total Federal funds received by the City.**

Funding recommendations are established as follows:

**Step 1:** DCHD receives application submissions. Upon receipt of applications, DCHD staff will determine the eligibility of each application.

**Step 2:** TARPs will be established to review and evaluate applications. The TARP will review and score the applications and an average *Preliminary Application Score* is established per program application.

This review will include, but is not limited to:

- Past agency performance
- Proper completion of the application
- Community impact and community need
- Reasonable cost for personnel and program related expenses.
- Program eligibility according to applicable federal, state and local regulations
- Reasonable cost for personnel and program related expenses.

For categories in which only one application is received, a DCHD staff member, will review the sole application for completeness, eligibility and quality of outcomes.

**Step 3:** DCHD determines the *Agency Credit Score* based on past funding years (six (6) years for the compliance monitoring section and three (3) funding years for all other sections of the credit score evaluation). *Agency Credit Scores* are a comprehensive assessment of past funding years that incorporate all programs funded under the same agency. While each program is evaluated separately, the *Agency Credit Score* is averaged to provide a total score for the agency. If the applying agency has not been funded in the past 6 years, this score is not utilized.

**Step 4:** Both the *Preliminary Score* and the *Agency Credit Score* are utilized to determine a *Final Preliminary Score*.

The use of the *Agency Credit Score* will be utilized to determine a *Final Preliminary Application Score*. The *Agency Credit Score* may result in the deduction of points using the scale below.



<p style="text-align: center;"><b>Evaluation Scale</b>  500: Maximum Total Score.  This tool will not be used for new agencies.</p>	
Credit Score	Score Card Deduction (-) points
450-500	0
400-449	10
350-399	15
300-349	20
250-299	25
200-249	30
150-199	40
0-49	50

The TARP members' scores will be averaged, and the applicants will be notified in memo form of their *Final Preliminary Score*. All applicants with a score of 75% or higher will have the opportunity to present an oral presentation to the TARP. If an agency would like to appeal their score at this point in the process, they must do so within seven (7) calendar days of receiving their *Final Preliminary Score*. The written appeal must detail the decision, or determination that is being disputed. After seven (7) days, decisions and determinations can no longer be appealed.

**Step 5:** Any agency with a *Final Preliminary Score* of 75% or above qualifies to proceed to the oral presentation phase of the process. Oral presentations will be 10-minute presentations followed by a question-and-answer session.

**Step 6:** After oral presentations, TARPs establish a *Final Score* and the applicants are ranked based on these scores.

Following the oral presentations, *Final Scores* will be developed as follows:

- The TARP will discuss each proposal. TARP members will have the opportunity to revise their *Preliminary Scores* for each proposal based on the TARP discussion.
- Should any TARP member revise their scoring, the scores of all TARP members will be averaged to create the applicant's final score, which will be used as a platform for the DCHD funding recommendation.

**Step 7:** DCHD staff and leadership deliberates final ranks and establishes a funding recommendation to present to City Council. Final funding recommendations incorporate a combination of score rankings, community needs, and statutory regulations (e.g. ESG cannot exceed 60% in Emergency Shelter and Street Outreach).

- Applicants will be notified by email of the final funding recommendation. Full details of the applicant's final score will be made available upon request once all recommendation letters are delivered.
- Program recommendations will be presented to City Council, who has the ultimate authority on project selection.

*Please note that Agency Credit Scores are an average of all previously funded programs under one agency. An agency will be considered a single entity based on the following: Unique Entity ID, Employer Identification Number, organizational leadership, organizational board members, LLC name.*

## CDBG PUBLIC FACILITIES APPLICATION PROCESS

The full application packets, including all required modules, will be provided at the mandatory training workshops only to those agencies who attend. Virtual attendance may be authorized at the discretion of DCHD.

Funding recommendations are established as follows:

**Step 1:** Applicants submit Attachment N Project Concept Form. If the proposed project is determined to be eligible and feasible, applicant is **required to schedule a site visit** with DCHD staff prior to the application deadline.

**Step 2:** DCHD receives application submissions. Upon receipt of applications, DCHD staff will verify completeness and eligibility of each application.

**Step 3:** TARPs will be established to review and evaluate applications. The TARP will review and score the applications and an average *Preliminary Application Score* is established per project application.

This review will include, but is not limited to:

- Past applicant performance
- Proper completion of the application
- Community impact and community need
- Reasonable construction and design costs
- Reasonable project completion timeline
- Program eligibility according to applicable federal, state and local regulations

**Step 4:** DCHD determines the *Agency Credit Score* based on past funding years (six (6) years for the compliance monitoring section and three (3) funding years for all other sections of the credit score evaluation). *Agency Credit Scores* are a comprehensive assessment of past funding years that incorporate all programs funded under the same agency. While each program is evaluated separately, the *Agency Credit Score* is averaged to provide a total score for the agency. If the applying agency has not been funded in the past 6 years, this score is not utilized.

**Step 5:** Both the *Preliminary Score* and the *Agency Credit Score* are utilized to determine a *Final Preliminary Score*.

The use of the *Agency Credit Score* will be utilized to determine a *Final Preliminary Application Score*. The *Agency Credit Score* may result in the deduction of points using the scale below.

<b>Evaluation Scale</b>	
500: Maximum Total Score.	
This tool will not be used for new agencies.	
Credit Score	Score Card Deduction (-) points
450-500	0
400-449	10
350-399	15
300-349	20
250-299	25
200-249	30
150-199	40
0-49	50

The TARP members' scores will be averaged, and the applicants will be notified in memo form of their *Final Preliminary Score*. If an agency would like to appeal their score at this point in the process, they must do so within seven (7) calendar

days of receiving their *Final Preliminary Score*. The written appeal must detail the decision, or determination that is being disputed. After seven (7) days, decisions and determinations can no longer be appealed.

**Step 6:** All applicants will proceed to the oral presentation phase of the process. Oral presentations will be 10-minute presentations followed by a question-and-answer session.

**Step 7:** After oral presentations, TARPs establish a *Final Score* and the applicants are ranked based on these scores.

*Final Scores* will be developed as follows:

- The TARP will discuss each proposal. TARP members will have the opportunity to revise their *Preliminary Scores* for each proposal based on the TARP discussion.
- The scores of all TARP members will be averaged to create the applicant's final score, which will be used as a platform for the DCHD funding recommendation.

**Step 8:** DCHD staff and leadership deliberates final ranks and establishes a funding recommendation to present to City Council. Final funding recommendations incorporate a combination of score rankings, community needs, and statutory regulations.

- Applicants will be notified by email of the final funding recommendation. Full details of the applicant's final score will be made available upon request once all recommendation letters are delivered.
- Project recommendations will be presented to City Council, who has the ultimate authority on project selection.

*Please note that Agency Credit Scores are an average of all previously funded projects under one agency. An agency will be considered a single entity based on the following: Unique Entity ID, Employer Identification Number, organizational leadership, organizational board members, LLC name.*

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## APPEAL PROCESS

If an applicant wishes to appeal a decision or determination made by DCHD, the Applicant may submit an appeal in writing to DCHD. The steps to submit an appeal are as follows:

1. Applicants must submit an appeal in writing to DCHD within seven (7) calendar days of receiving notice of the decision or determination. The written appeal must detail the decision, or determination that is being disputed. After 7 calendar days, decisions and determinations can no longer be appealed.
2. DCHD staff will schedule a meeting with the applicant to discuss the appeal within fourteen (14) calendar days of receipt of an appeal.
  - a. If DCHD staff determines that the appeal is valid, responsive action will be considered.
  - b. If DCHD staff concludes that the appeal is invalid, an applicant can dispute this conclusion with the DCHD Director who will review the validity of the appeal request.
3. The DCHD Director will either approve the appeal and modify a decision or determination accordingly or will deny the appeal and provide the applicant agency with written justification for denial of the appeal.
  - a. The applicant will be notified in writing of the appeal decision by the Community and Human Development Director
- THIS APPEAL PROCESS DOES NOT PROVIDE AN OPPORTUNITY TO REVISE PROPOSALS, NOR DOES IT GUARANTEE THAT DECISIONS OR DETERMINATIONS WILL BE MODIFIED.

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## EXIT CONFERENCE

An exit conference will be provided upon request, to those applicants whose projects are not funded following the final City Council Budget Hearing. The purposes of this conference will be capacity building and a discussion of alternative resources and approaches.

## CITY COUNCIL

City Council retains the ultimate authority regarding funding for projects and programs covered by this document. Recommendations initiated by DCHD Staff are presented in draft form at a public hearing. Upon receiving initial feedback at that public hearing, a 30-day public comment period is initiated during which all community feedback is documented and considered for incorporation into the final Annual Action Plan. The final Annual Action Plan, along with all comments received, is then presented to City Council for approval. The adopted Annual Action Plan must be submitted to HUD 45 days prior to the commencement of the upcoming program year.

## COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

The primary objective of the Community Development Block Grant (CDBG) Program is the development of viable urban communities, including decent housing, suitable living environments, and the expansion of economic opportunities, principally for persons of low and moderate income. The following sections explain the services, programs and projects that are funded through CDBG.

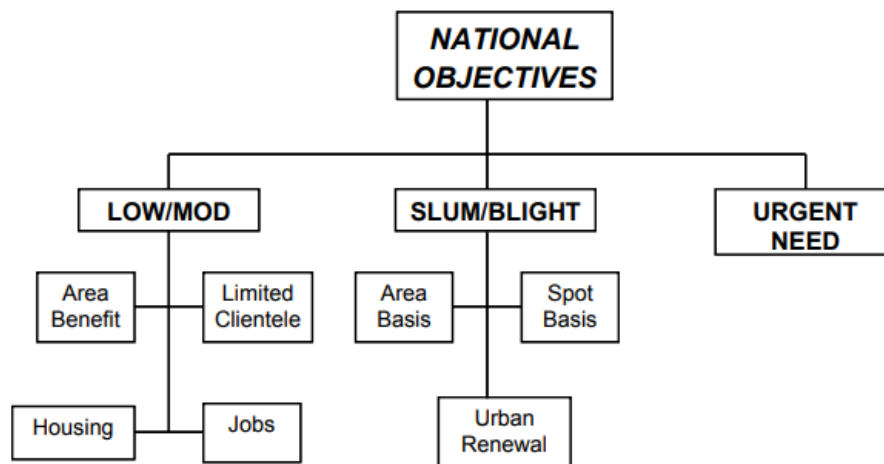
## HUD NATIONAL OBJECTIVES

The authorizing statute of the CDBG program requires that every funded activity, except for program administration and planning activities, meet one of three national objectives. The three national objectives are:

- Benefit to low- and moderate-income (LMI) persons;
- Aid in the prevention or elimination of slums or blight; and
- Meet a need having a particular urgency (referred to as urgent need).

To comply with CDBG requirements, all activities must meet a national objective. The following exhibit depicts the different categories associated with each of the national objectives.





The LMI national objective is often referred to as the “primary” national objective because the statute requires that recipients expend 70 percent of their CDBG funds to benefit LMI persons. Below are the four categories that can be used to meet the LMI national objective:

- Low Mod Area Benefit (LMA). The area benefit category is the most commonly used national objective for activities that benefit a residential neighborhood. An area benefit activity is one that benefits all residents in a particular area, where at least 51 percent of the residents are LMI persons.
- Low Mod Limited Clientele (LMC). The limited clientele category is a second way to qualify specific activities under the LMI benefit national objective. Under this category, 51 percent of the beneficiaries of an activity have to be LMI persons. To qualify under this category, the activity must do one of the following:
  - Benefit a clientele that is generally presumed to be principally LMI. This presumption covers abused children, battered spouses, elderly persons, severely disabled adults (see the box below), homeless persons, illiterate adults, persons living with AIDS and migrant farm workers; or
  - Require documentation on family size and income in order to show that at least 51 percent of the clientele are LMI; or
  - Have income eligibility requirements limiting the activity to LMI persons only; or
  - In extremely rare circumstances DCHD may consider that the service provided is of such a nature and in such a location that it can be concluded that clients are primarily LMI. An example is a day care center that is designed to serve residents of a public housing complex.
- Low Mod Housing Activities (LMH). The housing category of LMI benefit national objective qualifies activities that are undertaken for the purpose of providing or improving permanent residential structures which, upon completion, will be occupied by LMI households.
- Low Mod Job Creation or Retention Activities (LMJ). The job creation and retention LMI benefit national objective addresses activities designed to create or retain permanent jobs, at least 51 percent of which (computed on a full-time equivalent basis) will be made available to or held by LMI persons.

DCHD utilizes HUD’s Income Limits that are provided on an annual basis to determine if a person or household is of low to moderate income. To determine qualification, refer to Attachment C for the most current HUD income limits summary.

The focus of activities under the elimination of Slums and Blight national objective is a change in the physical environment of a deteriorating area. This contrasts with the LMI benefit national objective where the goal is to ensure that funded activities benefit LMI persons. Three categories are used to qualify activities under this national objective:

- **Slum Blight Area Basis (SBA).** This category covers activities that aid in the prevention or elimination of slums or blight in a designated area. To qualify under this category, the area in which the activity occurs must be designated as slum or blighted. Documentation must be maintained by the grantee on the boundaries of the area and the conditions that qualified the area at the time of its designation. The designation of an area as slum or blighted must be re-determined every 10 years for continued qualifications.
- **Slum Blight Spot Basis (SBS).** These activities eliminate specific conditions of blight or physical decay on a spot basis and are not located in a slum or blighted area. Activities under this category are limited to acquisition, clearance, relocation, historic preservation, remediation of environmentally contaminated properties, and building rehabilitation activities. Furthermore, rehabilitation is limited to the extent necessary to eliminate a specific condition detrimental to public health and safety.
- **Slum Blight Urban Renewal Area (SBR).** These activities located within an Urban Renewal project area or Neighborhood Development Program (NDP) action area are necessary to complete an Urban Renewal Plan. A copy of the Urban Renewal Plan in effect at the time the CDBG activity is carried out, including maps and supporting documentation, must be maintained for record keeping purposes. This national objective category is rarely used as there are only a handful of communities with open Urban Renewal Plans.

Use of the Urgent Need national objective category is rare. It is designed only for activities that alleviate emergency conditions. Urgent Need qualified activities must meet the following criteria: the existing conditions must pose a serious and immediate threat to the health or welfare of the community; the existing conditions are of recent origin or recently became urgent (generally, within the past 18 months); the grantee is unable to finance the activity on its own; and other sources of funding are not available.

Refer to HUD's 24 CFR Part 570.208 for further information on the criteria for national objectives.

## PUBLIC SERVICES

The Public Services category of CDBG is intended to maximize outcomes in our community based on identified needs of vulnerable populations. Public Service programs aim to respond to emerging community needs and/or expand services for an existing need as well as attempt to align and enhance other CDBG and locally funded activities. Periodically, DCHD will conduct a community needs assessment (CNA), which will determine priority needs and gaps to which Public Service funds will be available for applicants. A comprehensive CNA will be conducted every three years, and a small scale assessment will be conducted on an annual basis. Should a crisis arise, the DCHD Director may determine that a comprehensive CNA be conducted. The CNA will be published annually in the DCHD website.

DCHD solicits funding proposals from interested public and non-profit entities for the use of CDBG funds for Public Service programs. Federal regulations stipulate that a maximum of 15% of the annual CDBG funding may be allocated to Public Services.

For the purpose of having a greater impact of services to our community, Human Services will be transitioning to a **2-year funding cycle**. This funding cycle will cover funding for programs for FY 25 (50<sup>th</sup> Year), and will renew funding for FY 26 (51<sup>st</sup> Year), contingent on performance of the program. At the end of FY 25, spend rate and performance outcomes will be re-evaluated to determine continued funding for FY 26. DCHD may decide to discontinue funding for any program not meeting objectives after the first year.

**The minimum funding amount for a Public Services project is \$100,000**, though lower budget projects may be made eligible at the discretion of the Director of DCHD in order to maximize community impact and ensure timely expenditure of HUD funds.

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## INNOVATIVE PROGRAM INCUBATOR

The Innovative Program Incubator category is designed to give funding opportunities for innovative, promising programs. The purpose of this category is to create new initiatives and program structures that can prove to be best practices throughout the public service community. Programs applying for incubator funding will be required to provide projected performance outcomes inclusive of key performance indicators. Metrics should be illustrative of community impact indicated by improvement from baseline conditions. Alignment with priorities identified through the Community Needs Assessment, as well as alignment with the City of El Paso Consolidated Plan, City Strategic Plan and/or City Resilience Strategy is required.

The Innovative Program Incubator is funded as an \$100,000 program set-aside for a single program. However, DCHD may redistribute partial or whole funding of this set-aside to one or more CDBG Public Services categories if the Department does not receive an application for an incubator program that is responsive to the objective of the set-aside. Incubator grant projects do not have to fall within the designated Service Categories, but they must meet DCHD Public Services guidelines. While both new and existing agencies can apply, the program itself must be new and must not have received funding in any previous CDBG funding cycle.

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## PROJECT ELIGIBILITY + PERFORMANCE

### TYPES OF ELIGIBLE SERVICE PROGRAMS:

- Projects must provide direct services to clients who qualify under HUD income guidelines and who reside within the limits of the City of El Paso. Funded agencies will be required to verify each client's residence and eligibility. HUD has determined that the following populations meet income guidelines and are presumed eligible:
- Elderly persons (aged 62 and older)
- Severely disabled adults
- Homeless persons
- Abused children, battered spouses
- Persons living with AIDS
- Migrant farm workers
- Illiterate adults.

### OTHER PROJECT COMPLIANCE + IMPLEMENTATION REQUIREMENTS

- **Agency Strategic Planning.** Applicant agencies must submit along with their application, the agency's most recently approved mid to long-term strategic plan and/or sustainability plan as well as their current annual plan.
- **Budget Revisions.** Budget revisions may be requested among existing budget line items. All budget revisions occurring within the contract period may not exceed 20% of the total award without approval of the DCHD Director or their designee. Only budget modifications/revisions that result in a significant change of scope, performance measures, or outcomes require a contract amendment.
- **Duplicate Submittals.** The same project proposal cannot be submitted under more than one public services category.
- **Emergency Shelter Funding.** Agencies may apply specifically for "Emergency Shelter" component funding from both the Emergency Solutions Grant and the Community Development Block Grant. However, funding **may** only be awarded from one of those entitlement grants.

- **Financial Capacity.** CDBG funds are distributed on a reimbursement basis. All agencies receiving funds must demonstrate the financial capacity to fully operate the proposed project for a period of at least three months prior to reimbursement. Applicants will be required to provide verification of three months of capital for sustainability of their public service program.
- **Funding Request.** Minimum funding request by applicant for any project must be \$100,000.
- **Income Verification.** Subrecipient must verify, through use of a DCHD-issued or approved Income Eligibility Form, client income to confirm CDBG eligibility for clients receiving services.
- **Multiple sites.** Applicant must complete an Activity/Partner Supplement if their program provides services in more than one location. The Activity/Partner Supplement must be completed for each site. A budget must be produced for each site if any non-shared resources are being requested, and the budgets for the combined sites or activities must align with the budget for the overall project. If the applicant's program consists wholly of shared resources then only one budget for the overall project must be completed. An example of a non-shared resource are supplies that will be used at each separate site; an example of a shared resource is an instructor who travels to different sites to offer classes.
- **Partnerships.** Applicants must state in their application if they plan to partner with another agency. The identification of the partnership and plan of action for the partnership must be outlined in the CDBG application when it is submitted to DCHD.  
 If any portion of the project will be carried out by a partner, contractor, consultant or other third party, the Activity/Partner Supplement of the application must be completed reflecting the role of the partner. This supplement will be provided as a module within the application.
- **Program Scope + Eligibility.** Applicants may submit more than one proposal that offers different services within a single service category or in more than one service category. However, the proposal cannot provide the same services as another proposal, or provide services to clients during the same time period that they are being served by another City-funded project. Each proposed project must be clearly defined and easily differentiated from the others. Proposals cannot be dependent or subsidiary to another proposal.
- **Staff hours.** The City will only reimburse applicants for staff hours that are spent on direct services funded by CDBG to eligible clients.
- **Subsidiary Projects.** Projects that are dependent or subsidiary to one another should be submitted as a single project.

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## PERFORMANCE GOALS

Applicants must have the capability to track their project outcome(s), performance measures and units of service over time and report on results if the project/activity is eventually funded. Funded projects will have a contractual obligation to meet projected outcomes, performance measures and units of service. Failure to meet these obligations, to include units of service and/or clients served, may result in a temporary or permanent hold on reimbursement. Further technical assistance on this subject will be provided to funded agencies upon request.



## PUBLIC FACILITIES

Public facilities improvements are generally interpreted to include all facilities and improvements that are publicly owned, or that are owned by a non-profit, and open to the general public. CDBG Public Facilities funding must be used to service or benefit LMI persons, including those populations who are generally presumed to be LMI.

DCHD solicits funding proposals from interested City departments, non-municipal government entities and non-profit agencies for the use of CDBG funds for public facilities improvements within the city limits of El Paso. **The minimum funding amount for a Public Facilities project is \$1,000,000**, though lower budget projects may be made eligible at the discretion of the Director of DCHD in order to maximize community impact and ensure timely expenditure of HUD funds.

**All Public Facilities applicants whose Attachment N Project Concept Form is determined eligible and feasible are required to schedule a site visit with DCHD staff prior to the application deadline in order to discuss project scope**

### 3-YEAR COMMUNITY VULNERABILITY CAPITAL IMPROVEMENT PLAN

As mentioned in the Public Services section of this document, DCHD performs a Community Needs Assessment (CNA) in the fall of each year to determine priority categories of public services.. The CNA includes priority needs for facilities once every three (3) years, starting with the 2022 CNA. **Recommendations for Public Facilities projects represent a 3-year allocation plan** including the projects to be wholly or partially funded under the first year's HUD allocation, as well as the projected funding for projects in the second and third years of the Public Facilities funding cycle. This 3-year funding cycle allows for multi-year, phased funding for design and construction activities of approved projects that significantly aids in the City's ability to meet HUD's timely expenditure requirements.

At or around the time that DCHD presents final funding recommendations to City Council for the 3-year Public Facilities allocation plan, a waiting list of projects may also be presented for Council approval. Projects on the waiting list may be included in an Annual Action Plan and may be funded should any approved project(s) be delayed, cancelled, or completed under budget, thus allowing for additional projects to be funded.

Multi-year projects will be contracted through one (1) subrecipient agreement, unless otherwise approved by DCHD. While funding for any one project may be planned for multiple years, award of any sub-grant amount is contingent on the City receiving the annual allocation of funds from HUD. Subrecipient is obligated to uphold the projected spend schedule submitted after execution of the subrecipient agreement. Subrecipient is obligated to accept, execute and uphold the Notice to Proceed (NTP) included with the subrecipient agreement. All projects and phases of projects are expected to be completed within the contracted time period. **Failure to comply with all agreement stipulations, including but not limited to timely expenditure of funds, may result in reduction of funding, recapture of funding, or termination of contract for cause.**

The next Public Facility planning process is expected to take place in the FY26 Annual Action Plan planning process, and every three (3) years thereafter.

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## PROJECT SUBMISSION, SELECTION + REVIEW PROCESS

The primary step in the public facilities review process is determining CDBG-eligibility, which means that each accepted proposal must meet one of HUD's national objectives. The area benefit category (also referred to as LMA) is the most commonly used national objective for public facility projects. To qualify under this category, at least 51 percent of the residents from a particular area must be low to moderate income (LMI) persons. The limited clientele category (also referred to as LMC) is a second way to qualify public facilities projects under the LMI benefit national objective. Under this category, 51 percent of the beneficiaries of an activity have to be LMI persons. In contrast to the LMA area benefit category, it is not assumed by location that a majority of persons served will be of low to moderate income. Rather, the actual number of LMI persons that benefit from the activity must be documented by the agency operating the facility, meaning that race, ethnicity, household size, name, address, and income of all persons utilizing the facility must be documented and maintained for compliance monitoring. Further information on HUD's national objectives, including presumed benefit populations, elimination of slum and blight, and urgent needs national objective categories can be found under the HUD National Objectives section of this document and are also contained in CFR 570.208.

Public facility projects that meet HUD National Objectives under LMC must operate for 90 days and show compliance with LMC documentation requirements before final progress payment and developer fees (if applicable) are approved by the City and paid out to the subrecipient or contractor.

A TARP will evaluate all eligible and feasible project applications (see the PROGRAM REVIEW + SCORING PROCESS section of this document for additional details). The TARP's averaged score per application will be utilized to produce a ranking of projects that will then be considered by DCHD when establishing funding recommendations. The budget recommendation will then be presented to a Community Needs Advisory Committee for input as detailed and defined in the Citizen Participation Plan appended to this document; presented at a public hearing; opened for a 30-day public comment period; and ultimately presented to City Council for final approval.

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## PROJECT APPLICANTS

DCHD accepts applications for public facilities improvements from three groups – **City departments, non-municipal government entities and non-profit agencies**. City departments may submit up to nine (9) Public Facility project applications. Non-municipal government entities and non-profit organizations may submit up to three (3) Public Facility project applications.

The following sections explain the requirements that are unique to the applicant groups. Each applicant must adhere to these requirements in addition to all general project eligibility and compliance standards. Note that all applications must meet one of HUD's national objectives, and all applicants must attend a mandatory workshop as described in the Mandatory Workshop Training section of this document.

## MUNICIPALLY OWNED PROJECTS

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Municipally owned projects are those that belong to the City of El Paso and whose applicants are City departments. All City departments are eligible to apply for CDBG funding.

- **Availability of Operating Funds for New Construction or Expansion Projects.** For projects involving new or expanded public facilities, if additional staff or additional operation and maintenance (O&M) funds will be required, applicants must submit a written commitment from the appropriate City officials (i.e., Department Director, Department Financial Manager, and Director of OMB) that additional O&M funds for the facility will be available once the project is completed, for the life of the facility.
- **Other Funding Sources.** If other funding sources (i.e. grant monies, General Revenue funding, etc.) will be used for the project, the City department must submit written documentation to verify that the funding is committed and available.
- **Project Scope of Work + Cost Estimates.** City Departments are required to submit with their application a cost estimate that has been reviewed and/or prepared by the Capital Improvement Department (CID). The City Department must ensure that the cost estimate correctly reflects the project's scope of work. It is highly recommended that the City Department and CID staff developing and approving the estimate make a site visit to the proposed location to determine current conditions. DCHD will not recommend additional funds for unforeseen site conditions that reasonably could have been identified during an initial site visit.
- **Required Cash Match.** Applicants are required to provide at the start of the project a minimum of 10% of the cost of the CDBG project in cash from a non-CDBG funding source. Applicants may also choose to provide a greater percentage of the project cost in order to make the project more impactful.
- **Note:** City departments are eligible to request in writing from the DCHD Director a waiver for the required cash match, however, a matching contribution will be a factor when evaluating each project.

## NON-MUNICIPAL GOVERNMENTAL ENTITIES + NON-PROFIT ORGANIZATIONS

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Other branches, departments or agencies of government and local non-profit organizations can apply for CDBG funding for public facility improvements. Examples of such non-municipal government entities include local school districts and the public housing authority.

- **Letter of Credit.** Applicant must be able to secure the CDBG funding by providing a letter of credit from a financial institution. The letter of credit must be at minimum equal to the amount of CDBG funding that is being awarded, and must be secured for a 5-year reversionary period that follows construction completion. As many financial institutions do not provide letters of credit for a 5-year term, a letter of credit that renews annually for a 5-year period meets this requirement. If an applicant is unable to secure the loan through a letter of credit, an alternative option must be provided with the application which will be reviewed by DCHD staff for viability and approval. A current appraisal value of property in the form of a Market Analysis, Certified Audit Report or a Report from the El Paso Central Appraisal District (EPCAD) must be submitted with the application.
- **Leased Property.** If applicant is leasing the property that is being improved, the terms of the lease agreement must be attached to the application, and the property must be leased for at minimum the term of the required reversionary period. The applicant must also provide with their application approved documentation certifying that the lessor has acknowledged and approves of the CDBG-funded facilities improvements.
- **Owned Property.** If applicant owns the property that is being improved, the deed of trust for the property that is being improved must be attached to the application.
- **Project Scope of Work and Cost Estimate.** All public facility projects involving rehabilitation or new construction will be required to be estimated and designed by an architect or engineer licensed in the State of Texas. The project

cost estimate (not the cover letter) must be stamped with the official seal of the architect or engineer licensed in the State of Texas. For example:

NOTE: If a funded agency chooses, for project implementation purposes, to use the same design consultant who prepared the cost estimate as a part of their application, the applicant should ensure that all applicable federal, state and local procurement rules were followed when the design/engineering services were initially acquired.

- **Required Cash Match.** Applicants are expected to provide at the start of the project a minimum of 10% of the total project cost in cash from a non-CDBG funding source. Applicants may also choose to provide a greater percentage of the project cost in order to make the project more impactful.
- **Schedule A.** Applicants will be required to complete Schedule A as a part of their application packet. Schedule A defines the budget line items associated with the soft costs for a construction project. This document must be attached to the public facilities application at the time of submittal.
- **Task Schedule.** Applicants must provide a preliminary schedule of tasks involved in carrying out the proposed project that indicates that the CDBG project can be substantially completed within 365 calendar days of contract execution. Should CDBG funds be awarded to a project, a project schedule will be incorporated in the Loan Agreement. Failure to comply with the schedule may result in the revocation of the funding award. In the event of revocation of funding, the applicant agrees and acknowledges that the applicant will not be entitled to any costs or damages from the City. A list of typical milestones involved in the implementation of a standard public facility project is provided below. Since circumstances vary, the applicant should coordinate with DCHD staff to ensure that the applicant's schedule incorporates tasks suitable to the proposed project.

<b>Task Schedule Example</b>	
<b>Task</b>	<b>Completion Date</b>
City sends CDBG loan and escrow documents to government entity for review	7/31/2022
Government entity completes review of City's CDBG loan documents	9/01/2022
Government entity provides all required documents for closing purposes	9/01/2022
Closing occurs - execution of Forgivable Loan Agreement	9/01/2022
Government entity completes contract w/ architect or engineer	10/01/2022
Government entity completes project design	01/01/2023
Government entity prepares bid documents for advertising and then bidding	02/15/2023
Government entity participates in contractor selection	04/01/2023
Government entity completes final contract negotiations	04/15/2023
Government entity issues NTPs for demolition and renovation, or new construction	05/01/2023
Government entity completes project	09/01/2023
<b>*NOTE: Task schedule requires consultation with City of El Paso's DCHD and/or Capital Improvement Department</b>	

- **Deed of Trust.** If awarded funding, applicant must obtain a deed of trust indicating ownership of the subject property by the applicant agency.

## PROJECT COMPLIANCE + ELIGIBILITY

### Types of Eligible Improvements

CDBG public facility projects must benefit persons of low- and moderate-income, defined as 80% of median income for El Paso, Texas. (Refer to Attachment C for the most current HUD income limits summary). Public facility projects may meet the low- and moderate-income objective by either area benefit or limited clientele benefit, as follows:

- **Area Benefit** - May be established if the public facility improvement will be used for a purpose that benefits all the residents of a particular service area in which at least 51% of the residents have low- or moderate-income. Applicants seeking to qualify a project as area benefit should contact the DCHD to verify that the population of the designated



service area meets the low- and moderate-income requirements. Projects that will be used by a citywide population will not qualify under this criterion.

- **Limited Clientele Benefit** - The three options to establish this benefit are:
  - Family Size and Income Documentation - May be established if the public facility improvement will be used for an activity that benefits a specific group of people, at least 51% of whom are low- and moderate-income persons. Applicants seeking to qualify a project under this criterion must substantiate that at least 51% of the beneficiaries of the project will be low- and moderate-income, either through income eligibility requirements, or by obtaining information on family size and income of all beneficiaries.
  - Presumed Benefit - May be established if the public facility improvement will exclusively benefit a certain group of persons that are presumed by HUD to meet the low- and moderate-income criterion, including abused children, battered spouses, elderly persons, adults meeting the United States Census Bureau's Current Population Report's definition of "severely disabled", homeless persons, illiterate adults, persons living with AIDS, and migrant farm workers.
  - Income Eligibility Requirements – May be established if the public facility improvement will be used for an activity that has income eligibility requirements limiting the activity to LMI persons only.
- Eligible Projects – examples of eligible projects include: new construction; rehabilitation improvements; reconstruction and removal of architectural barriers; and design features and improvements which promote energy efficiency and distributed generation technologies.

#### Types of Ineligible Activities

- Projects involving acquisition of real property (land and/or buildings).
- Rehabilitation or new construction of fire stations or the purchase of fire equipment.
- Regular maintenance and repair of public facilities and improvements (e.g., filling potholes, repairing cracks in sidewalks, mowing grass at public recreational areas or replacing street light bulbs).
- Operating costs associated with public facilities or improvements.

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## FINANCIAL TERMS

While government entity and non-profit agency applicants may request the following types of loans, the City of El Paso maintains the discretion to approve, modify, or reject the financing terms proposed by the applicant:

- Direct Loan - a loan to be paid back in cash in accordance with a specified payment schedule.
- Forgivable Loan - a loan that is paid back by fulfilling the terms of the CDBG Forgivable Loan Agreement which generally involves operating the facility, in full compliance with the contract agreement, for its stated purpose for a specified period of time. The term of a forgivable loan will be at least through the 5-year reversionary period that follows construction completion.
- A combination of a Direct Loan and a Forgivable Loan

Additionally, applicant agencies whose projects produce income may be asked to repay a portion of the CDBG funding to the City based upon a financial analysis of the project.

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## OTHER PROJECT COMPLIANCE + SUPPORTING DOCUMENTATION

- **Building Codes.** Applicant must comply with all applicable City Housing, Building and Zoning Codes.
- **Buy America Build America.** For agreements at or above \$250,000.00, applicants must comply with Buy America Build America Act (BABA) as stipulated in Division G, Title IX of the Infrastructure Investment and Jobs Act (IIJA) to ensure all iron, steel, and manufactured products used in the project are produced in the United States.
- **Encroachment.** For street improvement projects involving encroachment issues, a written plan describing how the applicant intends to address the encroachment issues with the affected property owners, preferably including proof of correspondence with the said property owners indicating their willingness and cooperation in addressing the street improvements as it pertains to their property or properties.
- **Environmental Considerations.** DCHD Compliance Staff must evaluate the viability of projects based on environmental factors, including whether or not the project is located in a flood zone. The environmental review may determine whether a project is funded, or may indicate that project modifications or alternatives are needed.  
For projects that are located in a floodplain, applicant will need to identify and evaluate if there is (1) no project alternative, (2) a non-flood plain project alternative, and/or (3) a floodplain proposal.
- **Lead Clearance and Asbestos Survey.** Based on the age of the facility, a lead clearance and/or asbestos survey may be required. If either has already been completed, please submit with the application.
- **LMC Data Tracking Verification.** Prior to recommending a project for funding that will meet the LMI National Objective via LMC, DCHD will review the data collection, storage and tracking systems of the applicant agency to ensure that systems are in place to achieve compliance with LMC reporting requirements.
- **Purchase of Equipment.** The purchase with CDBG funds of equipment, fixtures, motor vehicles, furnishings, or other personal property that is not an integral structural fixture is generally ineligible.
- **Section 3.** Projects that exceed \$200,000 on construction costs shall direct, to the greatest extent feasible, employment and economic opportunities to low and very low-income persons, particularly those who are recipients of government assistance for housing, and to business concerns which provide economic opportunities to low- and very low-income persons. If awarded funding for a Public Facilities project that meets this threshold, the subrecipient will be required to procure a prime construction contractor who will make best efforts to meet HUD's benchmarks for Section 3 projects; and the subrecipient, in collaboration with the prime contractor, will be responsible for completing HUD's 60002 form to document these efforts. Refer to HUD's 24 CFR Part 75 for further information on economic opportunities for low and very low-income persons.
- **Sustainability Considerations.** Applicants will be expected to incorporate sustainable building technologies, standards and/or practices, such as those in the Leadership Energy and Environmental Design (LEED) Building rating system, or similar (Energy Star, Green Globes), if possible. Projects that include replacement or repair of energy consuming systems (i.e. HVAC, lights, and boilers) must follow Energy Star ([www.energystar.gov](http://www.energystar.gov)) standards.
- **Use by Public.** Applicant must agree to open the public facility for use by the general public during all normal hours of operation upon completion of the public facility improvement project, if funding is approved. Reasonable fees may be charged for the use of the facilities assisted with CDBG funds, but charges such as excessive membership fees, which have the effect of precluding low- and moderate-income persons from using the facilities, are not permitted.
- **Unimproved Land.** Deed of Trust is required. Documents from El Paso Central Appraisal or City GIS will not be accepted.
- **Wage Rates.** The federal government requires the payment of prevailing wages for all construction contracts that have federal funding that exceeds \$2,000, which includes federal, state and local public works projects. Projects will be monitored by the City of El Paso's Capital Improvement Department to ensure that the general contractor and subcontractors adhere to this requirement.

## COMMUNITY SUPPORT + CIVIC PARTICIPATION

### COMMUNITY SUPPORT

It is highly recommended that applicants submit documentation corroborating community support for projects, such as a petition signed by persons who would benefit from the improvement. Demonstration of community outreach such as meetings or a town hall style forum demonstrate an even higher level of engagement because they include the opportunity for citizen feedback.

### COMMUNITY NEEDS ASSESMENT

In alignment with HUD's national objectives, DCHD encourages and supports citizen participation during the planning process. The Citizen Participation Plan, included as an addendum to this document, details the process for a community needs assessment that will establish and guide the prioritization of community needs to be addressed through public facility projects funded under the HUD Entitlement.

## VOLUNTEER HOUSING REHABILITATION

DCHD has set-aside funding to support a Volunteer Housing Rehabilitation program. Approximately \$200,000 will be set aside for this program.

#### Objectives

DCHD funds may be used to make basic and necessary repairs, rejuvenate and/or rehabilitate the homes of low-income elderly and/or disabled homeowners located Citywide. Funds may be used for staff hours that are spent on direct services that are funded and eligible under this category, and may be used to pay for required licensed electricians, plumbers or other required skilled or licensed labor. No costs may be charged to the eligible low-income elderly and/or disabled homeowners. Note that this program is not designed for homes needing major rehabilitation.

Rehabilitation should provide adequate shelter and promote independence and accessibility to persons considered "severely" disabled adults, which meet the Individuals with Disability provision in the Federal Register (November 9, 1995). Priority for service will be based on income, age/disability and funds available to complete the designated scope of work. Qualified applicants must complete all required forms.

The program should utilize every dollar possible for the benefit of the eligible homeowner; however, a small portion of the CDBG funds may be used for administrative costs, insurance, and food/drink items for volunteers and the family present at worksites.

The goal of this program is to maintain the City of El Paso's housing stock while providing a safer, accessible, clean home to allow the existing eligible elderly and/or disabled homeowner to remain in his/her home as long as their health permits thus delaying the need to place the homeowner(s) in alternative housing.

### TYPES OF ELIGIBLE IMPROVEMENTS

The objective of the Volunteer Housing Rehabilitation Program is to increase availability and accessibility of decent housing for low-income elderly and/or disabled homeowners within the City of El Paso city limits. Repair, safety and health issues are to be addressed. Eligible activities include but are not limited to:

- Repair or replace:
  - Air conditioner
  - Furnace
  - Stove
  - Refrigerator
  - Windows
  - Plumbing
- Repair stairs and walkways
- Scraping and patching walls
- Caulking bathtubs and showers
- Interior and exterior painting
- Clean overgrown yards, remove trash and accumulated debris
- Remove mold caused by roof leaks
- Replace or repair roofs
- Replace ceiling tile due to water leaks
- Remove and/or replace torn carpeting and broken tile that is hazardous
- Install grab bars and ramps
- Install ADA approved toilet
- Shower renovations
- Repair or replace door and/or door locks

For a complete list of eligible activities, refer to 24 CFR 570.201 - 5070.206. For ineligible activities refer to 24 CFR 570.207.

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## OTHER PROJECT COMPLIANCE + IMPLEMENTATION REQUIREMENTS

- **Eligibility.** Documentation must be maintained indicating that the owner of the property that is being rehabilitated is CDBG eligible under the LMI national objective.
- **Environmental Review Procedures.** Before improvements can be made on applicant housing for Volunteer Rehabilitation all property must be submitted for an environmental review request and approved by DCHD Compliance team. Refer to 24 CFR Part 58.
- **Maximum Value of Rehabilitation.** The total value of improvements at one location (i.e., home) cannot exceed \$4,999.
- **Mobile Home Improvements.** Funding cannot be used to improve mobile homes, regardless if the value of the home or property is more than the maximum value of the rehabilitation.
- **Other Funding Sources.** Applicants applying for Volunteer Rehabilitation Housing Program are not limited to the amount of CDBG funding they may request. If other funding is available, evidence of the funding source(s) must be present with the CDBG application.
- **Presumed Benefit.** The homeowner, meaning the person who holds the real estate title that indicates that they are the rightful owner of the property being improved, is the person who must meet the presumed benefit qualification.



- **Sustainability Considerations.** Projects that include replacement or repair of energy consuming systems (i.e. HVAC, lights, and boilers) must follow Energy Star ([www.energystar.gov](http://www.energystar.gov)) standards.

## PERFORMANCE GOALS

Subrecipients must have the capability to track their project outcome(s) over time and report on results. Subrecipients will have a contractual obligation to meet projected outcomes. Failure to meet performance outcomes, including but not limited to number of clients served, may result in a hold on reimbursement and/or may negatively impact the applicant's score under a future application submission.

## HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA)

DCHD projects to receives funding for the Housing Opportunities for Persons with AIDS (HOPWA) program, which was established to provide housing assistance and related supportive services for low-income persons living with HIV/AIDS and their families. HOPWA is the only Federal program dedicated to address the housing needs of people living with HIV/AIDS.

## PROJECT ELIGIBILITY + PERFORMANCE

HOPWA funds may be used to assist in all forms of housing designed to prevent homelessness including emergency housing, shared housing arrangements, apartments, single room occupancy (SRO) dwellings, and community residences. All HOPWA subsidized housing must be located within El Paso County, including the City of El Paso. Supportive services must be provided as part of any HOPWA assisted housing activities. However, HOPWA funds may also be used to provide supportive services independently of HOPWA housing activities. The following activities can be carried out with HOPWA funds:

- Housing information services including, but not limited to, counseling, information, and referral services to assist an eligible person to locate, acquire, finance and maintain housing. This may also include fair housing counseling for eligible persons who may encounter discrimination on the basis of race, color, religion, sex, age, national origin, familial status, or disability.
- Resource identification to establish, coordinate and develop housing assistance resources for eligible persons (including conducting preliminary research and making expenditures necessary to determine the feasibility of specific housing-related initiatives).
- Project- or tenant-based rental assistance including assistance for shared housing arrangements
- Short-term rent, mortgage, and utility payments to prevent the homelessness of the tenant or mortgagor of a dwelling, up to 21 days.
- Supportive services that include, but are not limited to, assessment and case management, drug and alcohol abuse counseling and treatment, mental health, day care, personal assistance, nutritional services, intensive care (when required), and assistance on other Federal/State/Local benefits and services.

## OTHER PROJECT COMPLIANCE + IMPLEMENTATION REQUIREMENTS

- **Eligibility.** Documentation must be maintained indicating that the assisted person is HIV positive or has a diagnosis of AIDS, as determined by a health professional competent to make such a determination. Sufficient determinations include documentation resulting from appropriate HIV tests administered by a physician's office, HIV counseling center or community health center. Documentation must also confirm that the eligible person and his/her family have a low income.
- **Non-Match Funding Stream.** HOPWA funds cannot be used to match other federal grants or loans.

- Persons Served. Applicant must provide services to HOPWA eligible persons and their families.
  - An eligible person is defined as a person with acquired immunodeficiency syndrome or a related disease who is low-income and the family of such a person.
  - The term acquired immunodeficiency syndrome and related diseases means the disease of acquired immunodeficiency syndrome and any conditions arising from the etiologic agent for acquired immunodeficiency syndrome.
  - A low-income individual is a person with household income that is at 80% of the median income or less. HUD income guidelines are issued annually.
- Partnerships. Applicants must state in their Letter of Intent if they plan to partner with another agency. The identification of the partnership and plan of action for the partnership must be outlined in the full HOPWA application when it is submitted to DCHD.
- The partnership must identify the fiscal agent who will be the main applicant for the project.
- If any portion of the project will be carried out by a partner, contractor, consultant or other third party, the Activity/Partner Supplement of the application must be completed reflecting the role of the partner. This supplement will be provided as a module within the application.

Note: City departments are eligible to request in writing from the DCHD Director a waiver for this requirement, however, a matching contribution will be a factor when evaluating each project; nevertheless, other factors will also be taken into consideration in recommending projects for funding.

- Sub-recipient. Only one (1) agency/organization will be awarded the HOPWA grant.
- Supportive Services. Applicants must demonstrate that supportive services will be made available to the HOPWA client(s) occupying or benefiting from the housing project. Letters of support from a minimum of two (2) or more service providers, who will make available the supportive services, need to be included with the application. The type of supportive services to be provided needs to be identified, and whether or not the client will be charged service fees.

## PERFORMANCE GOALS

Subrecipients must have the capability to track their project outcome(s) over time and report on results. Subrecipients funded will have a contractual obligation to meet projected outcomes.

## PROGRAM REVIEW + SCORING PROCESS

The program review and scoring for HOPWA programs will follow the same review process as CDBG Public Services.

## EMERGENCY SOLUTIONS GRANT (ESG)

Emergency Solutions Grant (ESG) funds street outreach, emergency shelter, homelessness prevention and rapid re-housing and Homeless Management Information System (HMIS) and administration. The purpose of the ESG program is to assist individuals and families to quickly regain stability in permanent housing after experiencing a housing crisis or homelessness. The ESG program is governed by federal laws and regulations including the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act (42 U.S.C. §11302 *et. seq.*) as amended; the HUD regulations codified in 24 Code of Federal Regulations (CFR) Part 576; 24 CFR Part 58, for environmental requirements; 24 CFR Part 200 for Uniform Administrative Requirements; 24 CFR §135.38 for Section 3 requirements; and 24 CFR Part 5, Subpart A for fair housing (collectively, the Federal Rules and Regulations).

## **FUNDING ALLOCATION**

The City understands the importance of an effective crisis response system that makes homelessness rare, brief, and non-recurring. Given the current need to relieve pressure on El Paso's emergency shelters, support for homelessness prevention and rapid rehousing activities is a priority. HUD limits the amount of funding for Emergency Shelter and Street Outreach to 60% of the ESG allocation. Final funding distribution between components will be based on data-informed needs in the community at the time of application review. The following funding distributions are preliminary projections for distribution of ESG funding per component, and are subject to change, based on community need and applications received:

ESG Projected Allocation Per Component	
Allocation	Eligible Activities
25%	Street Outreach
15%	Emergency Shelter
20%	Homelessness Prevention
26%	Rapid Re-Housing
7% (set aside)	Homeless Management Information System (HMIS)
7%	City of El Paso - Administration

## PROJECT ELIGIBILITY + PERFORMANCE

### ELIGIBLE ACTIVITIES

- Street Outreach Component – Eligible street outreach costs include: costs of providing essential services necessary to reach out to unsheltered homeless people, connect them with emergency shelter, housing, or critical services; and provide urgent, non-facility based care to unsheltered homeless people who are unwilling or unable to access emergency shelter, housing, or an appropriate health facility, as further identified in 24 CFR 576.101. For the purposes of this section, the term "unsheltered homeless people" means individuals and families who qualify as homeless under paragraphs (1)(i) of the "homeless" definition under 24 CFR 576.2.
- Emergency Shelter Component – Eligible emergency shelter costs include: costs of operating emergency shelters, providing essential services to homeless families and individuals. Providing case management; cost of assessing arranging, coordinating and monitoring individualized services. Component services and activities consist of: The use of coordinated entry system, conducting initial evaluations, verifying eligibility, counseling, developing securing and coordinating services and obtaining federal, state and local benefits monitoring and evaluating participant progress, providing information and referrals to other providers, providing ongoing risk assessment for victims of domestic violence, developing an individualized housing service plan, including planning a path to permanent housing stability, as identified in 24 CFR 576.102
- Homelessness Prevention Component – Rental Assistance. Eligible rental assistance includes:
  - Short-term rental assistance (up to 3 months)
  - Medium-term rental assistance (more than 3 months and up to 12 months)
  - One-time payment for up to 6 months of rent in arrears, to include late fees.
- Eligible costs include: rental application fees, security deposits, last month's rent, utility deposits, utility payments (with a limit of 6 months in utility payment arrears), moving costs (including storage costs up to 3 months). Applicants must re-evaluate the program participant's eligibility, type and amounts of assistance, and program participants needs no less than every three (3) months.
- Homelessness Prevention Component – Housing Relocation and Stabilization Services. Eligible services include:



- Housing search and placement;
- Housing stability case management mediation;
- Legal services; and
- Credit repair.
- Eligible case management services include: coordinated entry assessments, initial evaluation, counseling, and coordinating services (for a complete list of eligible case management activities please reference 24 CFR 576.105(b)(2)).
- Rapid Re-Housing Component – Rental Assistance. Eligible rental assistance includes:
  - Short-term rental assistance (up to 3 months)
  - Medium-term rental assistance (more than 3 months and up to 12 months)
  - One-time payment for up to 6 months of rent in arrears, to include late fees.
- Eligible costs includes: rental application fees, security deposits, last month's rent, utility deposits, utility payments (with a limit of 6 months in utility payment arrears), moving costs (including storage costs up to 3 months). The 12 months may include a one-time payment for up to 6 months of rent arrears on the tenant's portion of the rent. Rent amount must not exceed HUD's published Fair Market Rent and the HUD standard for rent reasonableness (24 CFR 982.507). There must be a rental assistance agreement between the landlord and agency and a written lease between tenant and landlord. Eligibility and income shall be reviewed every six months. Participants in rapid rehousing are required to meet with case managers monthly.
- Rapid Re-Housing Component – Housing Relocation and Stabilization Services. Eligible services include:
  - Housing search and placement;
  - Housing stability case management mediation;
  - Legal services; and
  - Credit repair.
- Eligible services under case management include: centralized coordinated assessments, initial evaluation, counseling, and coordinating services (for a complete list of eligible case management activities please reference 24 CFR 576.105(b)(2)).
- HMIS – funding for ESG-funded agencies to cover software licensing fees and other fees incurred by the agency for utilization of HMIS data systems.

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## INELIGIBLE ACTIVITIES

- Acquisition of real property
- New construction
- Legal services for immigration and citizenship matters, and issues relating to mortgages
- Inpatient detoxification and other inpatient drug or alcohol treatment
- Payment of temporary storage fees in arrears
- Bad debts/late fees
- Payment or modification of a debt
- Rehabilitation of structures to the extent that those structures are used for inherently religious activities

- Mortgage payments

## OTHER PROJECT COMPLIANCE + IMPLEMENTATION REQUIREMENTS

- **100% Required Match.** Applicant must match their ESG total award with no less than 100% by cash and/or in-kind contributions from other non-CDBG sources used for ESG eligible expenditures as outlined in 24 CFR 576.201 and 2 CFR 200.306. If awarded funding, the agency must provide a signed document on letterhead attesting to the amount, source and date of availability of matching funds prior to the execution of their agreement with the City. Below are additional requisites that apply to the 100% match requirement:
- Matching funds must be used on an eligible ESG activity for allowable costs.
- Not more than 50% of agency match may be derived from donations. Clothes and toy donations cannot be used as match.
- Matching funds are provided based on the total grant award and do not have to be provided on a component-by-component basis. For example, if an agency is awarded \$10,000 for HMIS, they do not need to find \$10,000 in data collection funds from another source as match. Rather, the \$10,000 match could be used on another ESG component towards allowable costs.
- Matching funds must not, and will not, be used to match any other Federal program's funds nor any other federal, state and/or local grant.
- Agency must keep records of the source and use of contributions made to satisfy the match requirement. Refer to HUD's 24 CFR Part 576.201 for further information on ESG's matching requirement.
- **PHIX Data Submission.** All ESG subrecipients are required to submit client data to the Public Health Information Exchange (PHIX).
- **El Paso Helps.** ESG-funded street outreach services must align with and compliment El Paso Helps, the City-led initiative to coordinate street outreach and other services for vulnerable populations.
- **Administrative Capacity.** ESG funds are distributed on a reimbursement basis. All agencies receiving funds must demonstrate administrative and financial capacity to fully operate the proposed project for a period of at least three months prior to reimbursement.
- **Written Standards.** Applicants must certify they have written standards that comply with the requirements of 24 CFR §576.400 to include order of priority. Additionally, a copy of the written standards of the program will be required within 30 days of submission of application.
- **Budget Revisions.** Budget revisions may be requested among existing budget line items within an ESG component. All budget revisions occurring within the contract period may not exceed 20% of the total award without approval of the DCHD Director or their designee. A moving of funds between different ESG components requires a contract amendment and should be avoided if possible.
- **Contact Information.** At least three contact names, phone numbers and email addresses must be provided with each application. The agency's Executive Director must be one of these three contacts. Applicants are responsible for submitting updated contact information throughout the funding year.
- **Eligibility Guidelines.** Applicant must provide direct services to at-risk or homeless individuals and families. Applicant is required to verify each client's eligibility status.
- **Emergency Shelter.** While applicants may apply specifically for "Emergency Shelter" funding from both the Emergency Solutions Grant and the Community Development Block Grant, any awarded funding will only be from one of those entitlement grants.
- **Funding Request.** Minimum funding request by applicant for any project must be \$100,000.

- **HMIS Participation.** Applicants for ESG are required to participate and enter their data in the El Paso Homeless Management Information System (HMIS). Refer to the local requirements section of this document for detailed HMIS participation requirements.
- **Multiple Sites.** Each physical location where funded services are provided is considered to be a separate activity. Any project that provides services in more than one location must complete an Activity/Partner Supplement for each site. The budgets for combined sites or activities must align with the budget for the overall project.
- **Partnerships.** Applicants are encouraged to collaborate in order to maximize the use of funding and streamline services. Applicants must state in their Letter of Intent if they plan to partner with another agency. The identification of the partnership and plan of action for the partnership must be outlined in the full ESG application when it is submitted to DCHD.
- If any portion of the project will be carried out by a partner, contractor, consultant or other third party, the Activity/Partner Supplement of the application must be completed reflecting the role of the partner. This supplement will be provided as a module within the application.
- **Program Income.** Applicants are required to report program income and expended match funds monthly.
- **Rental Assistance.** Applicants who apply to provide Rental Assistance will be required to conduct inspections of housing units for compliance with Housing Standards (24 CFR Part 576.403(c), Lead-Based Paint requirement Standards (24 CFR Part 35, 576.403(a), Fair Market Rent and Rent Reasonableness Standards (24 CFR Part 576.106(d)
- **Staff hours.** The City will only reimburse applicants for staff hours that are spent on direct services funded by ESG to eligible clients.

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## PERFORMANCE GOALS

Applicants must have the capability to track their project outcome(s) over time and report on results if the project/activity is eventually funded. Funded projects will have a contractual obligation to meet projected outcomes. Failure to meet performance outcomes, to include unduplicated clients served, may result in a hold on reimbursement. Further technical assistance on this subject will be provided to funded agencies.

## MULTI-FAMILY REHAB AND NEW CONSTRUCTION

The HOME Investment Partnerships Program (HOME) provides formula grants to states and local governments to fund affordable housing activities including acquiring, constructing, and/or rehabilitating affordable housing for rent or homeownership. HOME funds are typically dispersed in the form of grants, amortized loans, and deferred forgivable loans.

The CDBG Revolving Loan Fund (RLF) is a combination of proceeds from principal and interest generated from prior years' first-time home buyers, single family renovation, and multi-family affordable rental development borrowers. These funds cannot be used for new construction of affordable housing under the U.S. Department of Housing and Urban Development (HUD) regulations, but may be used to support housing rehabilitation programs for multi-family affordable rental units.

The El Paso Regional Housing Plan guides HOME and CDBG investment in affordable housing production, rehabilitation, and homebuyer assistance. Following are descriptions of the housing programs that may be deployed under HOME and CDBG-RLF.

## MULTI-FAMILY REHAB AND NEW CONSTRUCTION

The purpose of this program is to increase the supply of affordable rental housing stock available to low income El Pasoans (households at 60% or less AMI). This program offers financing for new construction, rehabilitation, or reconstruction of investor-owned, public housing authority-owned, and/or Community Housing Development Organization (CHDO)-owned affordable housing units. Assistance is in the form of an amortized loan and/or forgivable deferred payment loan. When sufficient fund balances are available, the Department of Community and Human Development (DCHD) issues a Notice of Funding Availability (NOFA) to receive proposals for new construction or rehabilitation of affordable rental units. The NOFA establishes a tentative amount of funding that is made available. Should DCHD receive an abundance of quality proposals, the tentative amount of funds available under the NOFA may be increased at the DCHD Director's discretion. Award of funds for projects are approved by the City Council.

## **FUNDING ALLOCATION**

The funding allocation for each of the housing programs described above will be determined based on community need and the ability for programs to feasibly serve El Pasoans given HUD requirements and housing market conditions. Actual allocations are to be established through approval of the upcoming year's Annual Action Plan which is approved by the City Council.





# FY 25 Entitlement Policies + Procedures

CDBG, ESG, HOPWA, HOME

# Community + Human Development

**Our responsibility is to serve** as the catalyst for community partnerships, collaboration + change ensuring **equity, resilience + sustainability** for the most vulnerable El Pasoans by giving voice to the underrepresented, supporting a strong system of human services & investing in El Paso homes, families + neighborhoods.

## Advance Equity

## Reduce Poverty

## Build Sustainability

### Climate + Sustainability

- Mitigation + Adaptation
- Education + Awareness
- Policy + Practice

### Civic Empowerment

- Equity + Access
- Neighborhood Engagement
- Volunteerism

### Human Services

- Homelessness
- Health+ Wellbeing
- Recreation + Lifestyle

### Neighborhood Development

- Housing
- Community Revitalization
- Quality of Life



**Affordable  
Housing**

The City of El Paso receives **Federal Entitlement Funds** allocated by the U.S. Department of Housing and Urban Development (HUD) on an annual basis.

**Suitable  
Living  
Environments**

**Economic  
Opportunity**

This year we will celebrate the **50<sup>th</sup> consecutive year of entitlement programs** for the City of El Paso.

**Emphasis on  
LMI  
Households**

**Revitalizing  
Community**

**Community Investment... 3**

# Two Phase Annual Entitlement Timeline





# Overview

## Policies and Procedures

1. Govern the application and award process
2. Assures aligned investment in strategic goals and priorities for the City of El Paso as defined by the Community Needs Assessment
3. Locally Adopted by City Council *as needed*.

## Annual Action Plan

1. Aligned with projected entitlement allocations
2. Indicates agencies to be awarded
3. Indicates amounts to be awarded
4. Adopted Annually by City Council
5. Approved annually by HUD

# Program Enhancements

All applications must align with **priorities** identified in the **2023 Community Needs Assessment**

- The assessment is refreshed annually with a comprehensive revision occurring every 3 years.

## Priority Service Types



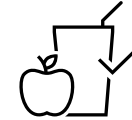
Homelessness



Mental Health



Affordable Housing



Food Security

## Other Enhancements

- Removed 10% Cash Match for CDBG Services
- Agency Credit Score is applied as an average of all previously funded programs under one agency.
- Program compliance affects **all** future funding received by the city.



# Human Services

Programs include but are not limited to services in the areas of homelessness, mental health, food security and tenant based rental assistance.

- Sources include CDBG, ESG and HOPWA.
- Programs addressing **multiple priorities will be prioritized** for funding.
- Project minimum raised to **\$100,000**
- Projects selected will be for a **two-year cycle**

*Semi automatic renewal will be based on the following:*

1. *agency performance*
2. *satisfactory compliance with federal regulations*
3. *Availability of HUD funding*

*\*Eligible applicants include Non-profit or governmental organizations providing services within El Paso*



# Human Services

The **Emergency Solutions Grant (ESG)** is the only federal funding source dedicated to providing services and solutions for homelessness.

Homeless Services funded through ESG are projected as follows:

- Emergency Shelter (15%)
- Street Outreach (25%)
- Homelessness Prevention (20%)
- Rapid Rehousing (26%)
- Homeless Management Information System (7%)

*\*Indicates funding as a percentage of the total amount granted by HUD.*





# Neighborhood Development

## Multi-Family Housing

- Added Multi-Family Rehabilitation and New Construction Notice of Funding Availability (NOFA) language establishing that the amount of funds available under a NOFA may be **increased** if we receive an abundance of **quality proposals**.



- The **2019 Regional Housing Plan** indicated a need to prioritize investment in multi family housing
- Both the **2022 and the 2023 Community Needs Assessments** emphasized housing affordability as a key priority

# Neighborhood Development

## 3-Year Community Vulnerability CIP

- Adopted by City Council in FY24
- Projects may be funded in phases across more than one year.
- Projects were awarded in the last funding cycle
- No projects in this category will be awarded until 2027

Year 1	Year 2	Year 3
2023-2024	2024-2025	2025-2026
\$3.75M	\$3.75M	\$3.75M
Projected 3-Yr Total - \$11.25M		





## 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, **R**espect, **E**xcellence,  
**A**ccountability, **P**eople



El Paso, TX

300 N. Campbell  
El Paso, TX

Legislation Text

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**File #:** 23-1620, **Version:** 1

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

**DISTRICT, DEPARTMENT, CONTACT INFORMATION:**

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City Attorney's Office, Carlos Gomez Baca Jr., (915) 212-0033

**AGENDA LANGUAGE:**

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Jacob Barreras v. El Paso Fire Department; Cause No. 123-00047-CV (551.071)





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## Legislation Text

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**File #: 23-1621, 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 C. Davie, (915) 212-0033

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Compliance Filing of El Paso Electric Company to Revise Certain Meter-Related Charges Pursuant to Docket No. 52040 - PUC No. 55425. HQ#UTILITY-28 (551.071)



El Paso, TX

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## Legislation Text

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**File #: 23-1622, Version: 1**

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

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Application of El Paso Electric Company to Amend Its Certificate of Convenience and Necessity for a 150 MW Solar Generating Facility Pursuant to - PUC Docket No. 54929. HQ#UTILITY-7 (551.071)



El Paso, TX

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El Paso, TX

Legislation Text

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**File #: 23-1623, Version: 1**

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

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Outside Counsel, Lea Ream, (210) 349-6484

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Workplace Complaint submitted to the City by Chief Internal Auditor. HQ# 23-1372 (551.071)