

RENARD U. JOHNSON  
MAYOR

DIONNE MACK  
CITY MANAGER



CITY COUNCIL  
ALEJANDRA CHÁVEZ, DISTRICT 1  
JOSH ACEVEDO, DISTRICT 2  
DEANNA MALDONADO-ROCHA, DISTRICT 3  
CYNTHIA BOYAR TREJO, DISTRICT 4  
IVAN NIÑO, DISTRICT 5  
ART FIERRO, DISTRICT 6  
LILY LIMÓN, DISTRICT 7  
CHRIS CANALES, DISTRICT 8

**CITY COUNCIL WORK SESSION MINUTES**  
**September 15, 2025**  
**COUNCIL CHAMBERS, CITY HALL AND VIRTUALLY**  
**9:00 A.M.**

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The City Council met at the above place and date. The meeting was called to order at 9:04 a.m. Mayor Renard Johnson was present and presiding. The following Council Members answered roll call: Alejandra Chávez, Josh Acevedo, Deanna Maldonado-Rocha, Cynthia Boyar Trejo, Art Fierro, Lily Limón, and Chris Canales. Late arrival: Ivan Niño at 9:16 a.m.

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**AGENDA**

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1. Presentation and discussion on the creation and governance structure of the El Paso Water Utilities - Public Service Board.

Ms. Karla Nieman, City Attorney, presented a PowerPoint presentation (copy on file in the City Clerk's Office)

Mayor Johnson and Representatives Chávez, Boyar Trejo, Fierro, Limón, and Canales commented.

Mr. John Balliew, El Paso Water President and Chief Executive Officer, commented.

Mr. Bryan Morris, Public Service Board Chair, commented.

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

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**EXECUTIVE SESSION**

Motion made by Representative Limón, seconded by Representative Canales, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION**, at 10:08 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 following items:

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

AYES: Representatives Chávez, Acevedo, Maldonado-Rocha, Boyar Trejo, Niño, Fierro, Limón, and Canales

NAYS: None

Motion made by Representative Acevedo, seconded by Representative Fierro, and unanimously carried to **ADJOURN** the Executive Session at 12:38 p.m. and **RECONVENE** the meeting of the City Council at which time motions were made.

AYES: Representatives Chávez, Acevedo, Maldonado-Rocha, Boyar Trejo, Niño, Fierro, Limón, and Canales

NAYS: None

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**EX1. Claim of Roberto Leon - Claim 745 (551.071)**

Motion made by Alternate Mayor Pro Tempore Fierro, seconded by Representative Limón, and unanimously carried that the City Attorney's Office, in consultation with the City Manager, be authorized to **DENY** the claim of Roberto Leon in matter number Claim – 709, and to take all steps necessary, including the execution of any required documents in order to effectuate this authority.

AYES: Representatives Chávez, Acevedo, Maldonado-Rocha, Boyar Trejo, Niño, Fierro, Limón, and Canales

NAYS: None

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**EX2. Ruben Aldaz v. City of El Paso (551.071)**

Motion made by Representative Limón, seconded by Representative Fierro, and unanimously carried that the City Attorney's Office, in consultation with the City Manager, be **AUTHORIZED** to reject a settlement offer and participate in a mediation in the matter *Ruben Aldaz, et. al. v. City of El Paso*, Cause No. 2019DCV2807, and to take all steps necessary, including the execution of any required documents in order to effectuate this authority.

AYES: Representatives Chávez, Acevedo, Maldonado-Rocha, Boyar Trejo, Niño, Fierro, Limón, and Canales

NAYS: None

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**EX3. Discussion on ORR No: W177489; HQ# 25-TPIA-717 (551.071)**

Motion made by Alternate Mayor Pro Tempore Fierro, seconded by Representative Boyar Trejo, and carried that the City Attorney in consultation with the City Manager be **AUTHORIZED** to retain outside counsel and file suit against the Texas Attorney General in Travis County regarding the Attorney General's decision on the City's Open Records Request Number W177489 and to take all steps necessary, including the execution of any required documents, in order to effectuate this authority. Furthermore, the City Attorney's Office shall release a redacted version protecting attorney client privileged information of the requested records to the requestor in an effort to comply with the intent of the Texas Public Information Act requiring transparency of governmental bodies.

AYES: Representatives Chávez, Maldonado-Rocha, Boyar Trejo, Niño, Fierro, Limón, and Canales

NAYS: Representative Acevedo

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**EX4. John Surface and Adan Chavez v. City of El Paso et. al; Cause No.:24-CV-00226-DB (551.071)**

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

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**EX5. Discussion on Texas law regarding the granting of easements; HQ 25-4323 (551.071)**

Motion made by Representative Limón, seconded by Representative Fierro, and unanimously carried that:

**WHEREAS**, since 1910, the City of El Paso (the “City”) has owned and operated a municipal water utility system; and

**WHEREAS**, the City’s municipal water utility system is known as El Paso Water (“EPW”); and

**WHEREAS**, in 1952, under the authority of Texas state law and pursuant to City Ordinance No. 752, the City created the Public Service Board (the “PSB”) and vested the management and control of EPW in the PSB; and

**WHEREAS**, the PSB is a component of the City and does not have its own separate legal existence; and

**WHEREAS**, the PSB is an agent of the City; and

**WHEREAS**, EPW remains a municipally-owned utility and component of the City; and

**WHEREAS**, since the PSB’s creation, it has not been the City’s practice to grant easements to the PSB due to the long-standing principle under Texas law that easements can only be granted between two distinct and separate property owners; and

**WHEREAS**, the PSB has recently begun requesting easements from the City; and

**WHEREAS**, the granting of easements by the City to the PSB is a legal impossibility given that they are a single entity; and

**WHEREAS**, despite all of the foregoing, the City desires to collaborate with the PSB in their mutual pursuit of protecting and preserving the City’s municipal water system infrastructure for the benefit of the City and its citizens.

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

1. The foregoing recitals are true and correct and are incorporated by reference into this Motion as if fully set forth herein.
2. The City of El Paso is legally prohibited from and will not grant easements to the PSB.
3. When preparing Joint Use Agreements with the PSB, the City of El Paso, where applicable, and as approved by the City Attorney’s Office, will include provisions that ensure the protection and preservation of the City’s municipal water system infrastructure, such as:
  - a. granting a right of access when necessary for El Paso Water to construct, operate, or maintain such infrastructure on City property;

- b. providing the PSB with an acknowledgment form, signed by the City Manager, or a designee, to be filed with the El Paso County Clerk by the City, acknowledging the existence of such infrastructure on City property;
- c. requiring that, should the City sell City property in the future, the City will make all reasonable attempts to procure an easement from the purchaser and such easement will be in the City's name and for the benefit of El Paso Water.

AYES: Representatives Chávez, Acevedo, Maldonado-Rocha, Boyar Trejo, Niño, Fierro, Limón, and Canales

NAYS: None

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**EX6. Discussion on economic development opportunities in Northeast El Paso, Texas HQ#25-5335 (551.087)**

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

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Motion made by Representative Limón, seconded by Representative Boyar Trejo, and unanimously carried to **ADJOURN** the meeting at 12:47 p.m.

AYES: Representatives Chávez, Acevedo, Maldonado-Rocha, Boyar Trejo, Niño, Fierro, Limón, and Canales

NAYS: None

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APPROVED AS TO CONTENT:

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Laura D. Prine, City Clerk