

OSCAR LEESER
MAYOR

TOMMY GONZALEZ
CITY MANAGER



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

CITY COUNCIL WORK SESSION MINUTES
November 22, 2021
COUNCIL CHAMBERS, CITY HALL AND VIRTUALLY
9:05 AM

.....
The City Council of the City of El Paso met at the above place and date. Meeting was called to order at 9:25 a.m. Mayor Oscar Leeser was present and presiding and the following Council Members answered roll call: Peter Svarzbein, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Claudia Rodriguez, Henry Rivera, and Cissy Lizarraga. Alexsandra Annelo participated virtually. Early Departure: Alexsandra Annelo at 2:12 p.m. and Cassandra Hernandez at 3:07 p.m.
.....

AGENDA

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

1. Overview (Tommy Gonzalez)

Mr. Tommy Gonzalez, City Manager, introduced the presentation by explaining that the rise in the transmission rate of COVID-19 infections continued with up to 30% of new cases attributed to break through cases. He stated that the City continued to lead the State and the Nation in vaccination rates adding that 20% of children ages 5 to 11 had received a first dose of the vaccine. Mr. Gonzalez ended the overview by saying booster vaccinations were available at City locations by appointment and recommended the continuation of safety protocols such as hand washing.

2. City Attorney Overview (Karla Nieman)

- a) Greg Abbott, in his official capacity as Governor of Texas, v. City of El Paso & Statewide Mask Mandate Litigation
- b) E.T. by and through her parents et. Al v. Mike Morath, in his official capacity as the Commissioner of Texas Education Agency (TEA), et. Al
- c) BST Holdings, LLC., et. al v. Occupational Safety and Health Administration (OSHA) et. al

Ms. Karla Nieman, City Attorney, continued the presentation by explaining that the litigation related to the City's Mask Mandate was still pending with the 8th Court of Appeals. On the case titled "E.T. by and through her parents et. Al v. Mike Morath", she explained that the court ruled GA-38 violated federal laws and prohibited the Attorney General from the prohibition of a mask requirement mandated by school districts. Ms. Nieman provided an update on the case titled "BST Holdings, LLC. Et. Al v. Occupational Safety and Health Administration (OSHA) by explaining that the U.S. 5th Circuit Court of Appeals granted and

extended the stay prohibiting OSHA from implementing the enforcement of COVID-19 vaccinations for employers with 100 or more employees.

3. Team Lead Report:

- a) Health Focus (Hector Ocaranza, M.D.)
- b) Data Analysis (David Coronado)

Dr. Hector Ocaranza, Public Health Authority, continued the presentation by explaining there was a rise in the number of new cases and hospitalizations and urged the public to continue testing if experiencing any COVID-19 related symptoms. He added that new cases were rapidly rising among high school age children and individuals age 66 and above. Dr. Ocaranza encouraged the use of pediatric vaccinations in order to keep schools open and stated that 70% of new cases were attributed to unvaccinated individuals.

Mr. David Coronado, Managing Director, International Bridges and Economic and International Development, provided an update on international bridge crossings and the state of the local economy. He explained that as of September, there had been an increase in pedestrian crossings although there had not been a huge spike as a result of the reopening of land ports. Mr. Coronado added that the City was providing resources for Police Department overtime at bridges and also expanded traffic control devices to mitigate the vehicular flow at the bridges.

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

- Ms. Laura Cruz- Acosta, Strategic Communications Director
- Ms. Angela Mora, Public Health Director
- Assistant Fire Chief Jorge Rodriguez

4. City Manager Wrap-up (Tommy Gonzalez)

Mr. Tommy Gonzalez, City Manager, wrapped up the presentation by thanking Members of the City Council for their continued support and acknowledged public health personnel in honor of Public Health Thank You Day.

Representative Svarzbein commented.

NO ACTION was taken on this item.

The meeting was **RECESSED** at 10:11 a.m. and **RECONVENED** at 10:35 a.m. in order to address technical difficulties.

2. Presentation and update by the El Paso Electric Company on its strategic plan and goals, including but not limited to, transportation electrification.

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Rodriguez, and unanimously carried to **POSTPONE** the item for **TWO WEEKS**.

AYES: Representatives Svarzbein, Annelo, Hernandez, Molinar, Salcido, Rodriguez, Rivera,

and Lizarraga
NAYS: None

3. Housing Programs Update: Housing Rehabilitation, First Time Home Buyer and Multi-Family Affordable Development.

Ms. Nicole Ferrini, Community Development Director, and Mr. Mark Weber, Community Development Program Manager, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Leeser and Representatives Svarzbein, Annelo, Hernandez, Salcido, and Rodriguez commented.

NO ACTION was taken on this item.

EXECUTIVE SESSION

Motion made by Representative Salcido, seconded by Representative Rivera, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 12:01 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.089 to discuss the executive session items:

- Section 551.071 CONSULTATION WITH ATTORNEY
- Section 551.072 DELIBERATION REGARDING REAL PROPERTY
- Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

AYES: Representatives Svarzbein, Annelo, Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga
NAYS: None

Motion made by Representative Molinar, seconded by Representative Rivera, and unanimously carried to **ADJOURN** the Executive Session at 3:18 p.m. and **RECONVENE** the meeting of the City Council at which time motions were made.

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

EX1. Max Grossman v. City of El Paso; 8th Court of Appeals, Case #08-19-00272-CV; Matter No. 17-1001-171.001.001 (551.071)

NO ACTION was taken on this item.

EX2. Claim of Shea Herman. Matter No. 21-1036-3538 (551.072)

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Rivera, and carried that the City Attorney's Office, in consultation with the City Manager, be authorized to **DENY** the claim of Shea Herman in Matter Number 21-1036-3538, in its entirety.

AYES: Representatives Molinar, Salcido, Rodriguez, Rivera, and Lizarraga
NAYS: Representative Svarzbein

NOT PRESENT FOR THE VOTE: Representatives Annelo and Hernandez

EX3. Application for Approval of Advanced Metering System (AMS); Public Utility Commission of Texas Docket No. 52040. Matter No. 21-1008-168 (551.072)

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Rodriguez, and unanimously carried that El Paso Electric Company **PRESENT** to City Council before the end of December 2021 on the Application of El Paso Electric for Approval of Advanced Metering System (AMS) Deployment Plan, AMS Surcharge, and Non-Standard Metering Service Fess.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Annelo and Hernandez

EX4. Discussion and action regarding the potential sale/purchase, exchange, lease, or value of real property managed by the El Paso Water Utilities. Matter No. 21-1009-1120 (551.072)

NO ACTION was taken on this item.

EX5. Discussion regarding the value and purchase/sale of real property managed by the El Paso Water Utilities located northeast of the City of Van Horn in Culberson County. Matter No. 21-1009-1124 (551.072)

NO ACTION was taken on this item.

EX6. Discussion regarding the value and purchase/sale of real property managed by the El Paso Water Utilities located in Central/East El Paso, Texas. Matter No. 21-1009-1123 (551.072)

NO ACTION was taken on this item.

EX7. Discussion and action regarding the potential sale/purchase of real property managed by the El Paso Water Utilities in Northeast El Paso. Matter No. 21-1009-1123 (551.072)

NO ACTION was taken on this item.

EX8. Economic Incentives for a Manufacturing Company located in the City of El Paso. Matter No. 21-1007-2829. (551.071) (551.087)

NO ACTION was taken on this item.

EX9. Economic Incentives for a Manufacturing Company located in the City of El Paso. Matter No. 21-1007-2820. (551.071) (551.087)

NO ACTION was taken on this item.

ADJOURN

Motion made by Representative Rivera, seconded by Representative Molinar and unanimously carried to **ADJOURN** the meeting at 3:21 p.m.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Annello and Hernandez

.....
APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk