

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

**SPECIAL CITY COUNCIL MEETING MINUTES
CITY HALL, 300 N. CAMPBELL
COUNCIL CHAMBERS AND VIRTUAL
October 20, 2021
6:00 PM**

The City Council of the City of El Paso met at the above place and date. Meeting was called to order at 6:04 p.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Peter Svarzbein, Alexsandra Anello, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Claudia Rodriguez, and Henry Rivera. Cissy Lizarraga requested to be excused.

.....
AGENDA
.....

1.

.....
RESOLUTION
.....

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

WHEREAS, on June 1, 2021, El Paso Electric Company ("EPE" or the "Company"), filed with the City of El Paso its Application of El Paso Electric Company to Change Rates;

WHEREAS, pursuant to applicable law, the City of El Paso maintains original jurisdiction over rates of El Paso Electric Company for rates charged within the City limits of the City of El Paso, and

WHEREAS, on June 22, 2021, pursuant to the Public Utility Regulatory Act, Texas Utilities Code Section 36.108, the City of El Paso, as regulatory Authority, suspended the proposed rate change subject to the City's jurisdiction for a period of 90 days after the proposed date the change would otherwise be effective; and

WHEREAS, the City Council has determined the both the amount of the rate request filed and the rate design proposals in the Company's application are unreasonable.

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

1. That the rate increase, rate class changes, and rate design changes identified in the Application of El Paso Electric Company to Change Rates filed June 1, 2021, is in all things denied.

2. That the City Manager shall so notify El Paso Electric Company by having a copy of this Resolution delivered or mailed to the Chief Executive Officer of the Company.

This item was taken into Executive Session at 6:23 p.m., as entered into the record by Ms. Laura Prine, City Clerk.

Mr. Manuel Arambula, Senior City Attorney, presented a PowerPoint presentation (copy on file in the City Clerk's Office) and Ms. Karla Nieman, City Attorney commented.

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

The following representatives from El Paso Electric Co., commented and responded to questions posed by Members of the City Council.

1. Mr. James Schichtl, El Paso Electric Vice President of Regulatory and Governmental Affairs
2. Ms. Kelly A. Tomblin, El Paso Electric President and Chief Executive Officer, Ms. Karla Nieman, City Attorney, commented.

The Public Hearing was **OPENED** at 8:55 p.m.

The following members of the public commented:

1. Mr. Joshua Simmons
2. Ms. Allison Paynter
3. Mr. Jonathan Potter
4. Mr. Eric Martinez
5. Mr. V. J. Smith

The Public Hearing was **CLOSED** at 10:17 p.m.

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Annelo, and unanimously carried to **APPROVE** the Resolution denying the Rate Change Application.

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

NAYS: None

ABSENT: Representative Lizarraga

EXECUTIVE SESSION

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Rivera, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 6:06 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 following:

Section 551.071 CONSULTATION WITH ATTORNEY

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

Motion made by Representative Rivera, seconded by Representative Hernandez, and unanimously carried to **ADJOURN** the Executive Session at 8:31 p.m. and **RECONVENE** the meeting of the City Council at which time motions were made.

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

.....
EX1. Coronavirus Relief Fund Sub-Recipient Agreements for Economic Development and Community Development programs. Matter No. 20-1052-1069.046 (551.071)

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Rivera, and unanimously carried to **AUTHORIZE** the City Manager to notify El Pasoans Fighting Hunger that they are in default of their subrecipient agreement; and negotiate a settlement agreement and to authorize the City Manager to effectuate all actions, including budget transfers or re-allocations, necessary to maintain eligible costs within CARES related funds.

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

.....
ADJOURN

Motion made by Representative Annello, seconded by Representative Molinar and unanimously carried to **ADJOURN** this meeting at 10:19 p.m.

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

.....
APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk