

DEE MARGO
MAYOR

TOMMY GONZALEZ
CITY MANAGER



CITY COUNCIL
PETER SVARZBEIN, DISTRICT 1
ALEXSANDRA ANNELLO, DISTRICT 2
CASSANDRA HERNANDEZ, DISTRICT 3
SAM MORGAN, DISTRICT 4
ISABEL SALCIDO, DISTRICT 5
CLAUDIA ORDAZ PEREZ, DISTRICT 6
HENRY RIVERA, DISTRICT 7
CISSY LIZARRAGA, DISTRICT 8

**CITY COUNCIL WORK SESSION MINUTES
CITY HALL, 300 N. CAMPBELL
MAIN CONFERENCE ROOM, 2ND FLOOR
APRIL 15, 2019
9:05 AM**

The City Council met at the above place and date. Meeting was called to order at 9:38 a.m. Mayor Dee Margo present and presiding and the following Council Members answered roll call: Peter Svarzbein, Aleksandra Annello, Cassandra Hernandez, Sam Morgan, Isabel Salcido, Claudia Ordaz Perez, and Cissy Lizarraga. Henry Rivera requested to be excused.

AGENDA

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1. Annual Presentation to the City Council on progress by the Stormwater Utility and planned projects on the Stormwater Masterplan.

Mr. Alan Shubert, Vice President of Engineering, Operations and Technical Services for El Paso Water, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

The presentation included an update on Stormwater operations from fiscal year 2018 to fiscal year 2019 and Mr. Schubert provided data on rainfall figures, highlighted the reduced flooding on I-10, and reviewed the list of projects completed.

Mr. Shubert and Ms. Gisela Dagnino, EP Water Division Manager, answered questions from Council members and members of the public.

Mayor Margo and Representatives Svarzbein, Annello, Hernandez, and Morgan commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Ms. Karla Nieman, City Attorney

The following members of the public commented:

1. Ms. Sharon Bonart
2. Ms. Marilyn Guida

NO ACTION was taken on this item.

2. Management Update on Facilities and Medians.

Mr. Tommy Gonzalez, City Manager, introduced the item and highlighted the poor conditions on City facilities over 30 years old and the high cost of maintenance associated with them. He also spoke about the maintenance costs on State owned medians and the need to request reimbursement from the Texas Department of Transportation (TXDoT).

Mr. Richard Bristol, Streets and Maintenance Director, presented a PowerPoint presentation (copy on file in the City Clerk's Office) and answered questions posed by Council members.

Mr. Bristol's presentation included information related to facility problems that disrupted City services in past years as well as a list of long-term facility improvements. He also briefed Council members on the State owned landscaped medians maintained by the City.

Mayor Margo and Representatives Svarzbein, Annello, and Hernandez commented.

The following City staff members also participated in the discussion:

1. Ms. Dionne Mack, Deputy City Manager
2. Mr. Ted Marquez, Deputy City Manager

NO ACTION was taken on this item.

3. Discussion and action on current status of the International Bridges vehicular, commercial and pedestrian crossing wait times and the Public-Private Partnership (P3).

Mr. David Coronado, Director of International Bridges, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mr. Coronado's presentation included a background of the P3 program, statistics on the number of north and southbound crossings, bridge revenues and expenditures, and data on wait times for passenger vehicles, cargo vehicles, and pedestrians.

Mayor Margo and Representatives Svarzbein, Annello, Hernandez, Ordaz Perez, and Lizarraga commented.

The following City staff members commented and answered questions from Council members:

1. Mr. David Coronado, International Bridges Director
2. Mr. Tommy Gonzalez, City Manager
3. Mr. Cary Westin, Senior Deputy City Manager
4. Mr. Robert Cortinas, Chief Financial Officer

NO ACTION was taken on this item.

4. An update on the Northwest property included within Tax Increment Reinvestment Zone No. 12.

Ms. Elizabeth Triggs, Economic and International Development Assistant Director presented a PowerPoint presentation (copy on file in the City Clerk's Office) and provided a briefing on the upcoming May 4, 2019 election related to the preservation of approximately 1,000 acres of land in the Northwest section of El Paso.

Ms. Triggs' presentation also included a detailed timeline from 1989 to the present regarding the development and preservation efforts of this area.

Mayor Margo and Representatives Svarzbein, Annelo, and Morgan commented.

The following City staff members commented and answered questions posed by Council members:

1. Ms. Karla Nieman, City Attorney
2. Mr. Tommy Gonzalez, City Manager
3. Mr. John Balliew, El Paso Water President and Chief Executive Officer

Motion made by Representative Svarzbein, seconded by Representative Annelo, and unanimously carried to **SUSPEND THE RULES OF ORDER** to add additional speakers after the sign up period.

The following members of the public commented:

1. Ms. Sharon Bonart
2. Mr. John Hogan
3. Mr. Don Baumgardt
4. Mr. Scott White
5. Ms. Judy Ackerman
6. Mr. Rick Bonart

NO ACTION was taken on this item.

5.

RESOLUTION

WHEREAS, the proposed Borderland Expressway Project (the Project) is a bi-state project that consists of the upgrade of NM 404 and NM 213 to four-lane divided highways and the construction of a new four-lane highway from the Texas/New Mexico State line to Loop 375 in Northeast El Paso; and

WHEREAS, the City of El Paso has expressed its support for the Project and also recognizes that the use of pass-through financing was a highly successful funding approach for the area's State Spur 601 (Inner Loop) Project and that this financing approach was presented to the Texas Department of Transportation as a potential funding source for the Project; and

WHEREAS, the City of El Paso recognizes that the anticipated Project budget is in excess of \$300 Million and that all available traditional and innovative funding sources

and financing mechanisms, including specifically pass-through financing, should be pursued in order to develop this important regional project; and

WHEREAS, the development of the Project furthers the City of El Paso's strategic goal to enhance and sustain El Paso's infrastructure network.

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

THAT the City of El Paso hereby expresses its support for the use of pass-through financing from the Texas Department of Transportation, as one of the sources to be used in the development of the Borderland Expressway Project.

Mr. Robert Cortinas, Chief Financial Officer, briefed Council on the item.

Motion made by Mayor Pro Tempore Ordaz Perez, seconded by Representative Morgan and carried to **APPROVE** the Resolution.

AYES: Representatives Annelo, Morgan, Salcido, Ordaz Perez, and Lizarraga

NAYS: None

NOT PRESENT TO VOTE: Representatives Svarzbein and Hernandez

ABSENT: Representative Rivera

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6. **Discussion and action that the City of El Paso hereby expresses its support for the Borderland Expressway, I-10/Artcraft Interchange Improvements, Reimagine I-10, Segment 2 and Reimagine I-10, Segment 3 Projects and is further supportive of the efforts of the various regional transportation entities that are seeking to develop such projects.**

Representative Lizarraga read a letter of opposition from the Sunset Heights Improvements Neighborhood Association into the record.

Mayor Margo and Representatives Svarzbein, Annelo, Hernandez, Morgan, and Lizarraga commented.

The following City staff members commented and answered questions from Council members:

1. Mr. Robert Cortinas, Chief Financial Officer
2. Mr. Tommy Gonzalez, City Manager

Mr. Scott White, citizen, commented.

Motion made by Representative Lizarraga, seconded by Representative Annelo and unanimously carried to **DELETE** the item.

AYES: Representatives Svarzbein, Annelo, Hernandez, Morgan, Salcido, Ordaz Perez, and Lizarraga

NAYS: None

ABSENT: Representative Rivera

EXECUTIVE SESSION

Motion made by Representative Annelo, seconded by Representative Ordaz Perez, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 12:42 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
Section 551.072 DELIBERATION REGARDING REAL PROPERTY
Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

AYES: Representatives Svarzbein, Annelo, Hernandez, Morgan, Salcido, Ordaz Perez, and Lizarraga

NAYS: None

ABSENT: Representative Rivera

Motion made by Representative Svarzbein, seconded by Representative Salcido, and unanimously carried to **ADJOURN** the Executive Session at 1:48 p.m. and **RECONVENE** the meeting of the City Council at which time motions were made.

AYES: Representatives Svarzbein, Annelo, Hernandez, Morgan, Salcido, Ordaz Perez, and Lizarraga

NAYS: None

ABSENT: Representative Rivera

EX1. In the Matter of The Estate of Will Orndorff, Deceased, pending in the Seventh Judicial District Court, County of Socorro, New Mexico, under Cause No. D-725-PB-201700024; Matter 18-1003-786 (551.071)

NO ACTION was taken on this item.

EX2. Economic Incentives for a Hotel to be located in the City of El Paso (19-1007-2413) (551.087) (551.071)

Motion made by Representative Annelo, seconded by Representative Ordaz Perez and unanimously carried to **DELETE** the item.

AYES: Representatives Svarzbein, Annelo, Hernandez, Morgan, Salcido, Ordaz Perez, and Lizarraga

NAYS: None

ABSENT: Representative Rivera

EX3. Zaragoza POE, Pan American Drive & Winn Road Improvements. Matter no. 19-1004-929 (551.071) (551.072)

Motion made by Mayor Pro Tempore Ordaz Perez, seconded by Representative Svarzbein and unanimously carried that the City Attorney is **AUTHORIZED** to retain Ken Slavin, with the law firm of Kemp Smith, as outside counsel, to defend the City's interest and position in securing fee simple title and easement interests in real property for the purpose of improving and extending Winn Road from the Playa Intercepting

Drain to Rio Del Norte Drive as part of the Zaragoza Port-of-Entry, Pan American, Winn Road Build and Improvements Project.

AYES: Representatives Svarzbein, Hernandez, Morgan, Salcido, Ordaz Perez, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Annelo

ABSENT: Representative Rivera

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EX4. In Re: Max Grossman, Relator; Third Court of Appeals; Case #03-19-00001-CV; Matter No. 19-1001-233 (551.071)

NO ACTION was taken on this item.

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EX5. Max Grossman v. Mark Wolfe, Executive Director, Texas Historical Commission; Third Court of Appeals; Case #03-19-00002-CV; Matter No. 19-1001-237 (551.071)

NO ACTION was taken on this item.

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EX6. Max Grossman v. City Clerk Laura D. Prine and Mayor Dee Margo, City Representative Peter Svarzbein, City Representative Michiel R. Noe, City Representative Sam Morgan, City Representative Cassandra Hernandez-Brown, City Representative Henry Rivera, City Representative Claudia Ordaz Perez, and City Representative Cissy Lizarraga; 171st District Court No. 2018DCV2172; Matter No. 18-1019-204 (551.071)

NO ACTION was taken on this item.

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EX7. Ex Parte City of El Paso; Supreme Court of Texas; Case #19-0022; Third Court of Appeals; Travis County, TX, Case #03-17-00566-CV; Matter No. 17-1001-171.002 (551.071)

NO ACTION was taken on this item.

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EX8. Max Grossman v. City of El Paso; 384th District Court; #2017DCV2528; Matter No. 17-1001-171.001 (551.071)

NO ACTION was taken on this item.

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EX9. ROP Artcraft, LLC v. The City of El Paso, Texas, pending in the 384th Judicial District Court, under Case No. 2017DCV1076; Matter No. 17-1007-1943 (551.071)

NO ACTION was taken on this item.

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ADJOURN

Motion made by Representative Svarzbein, seconded by Representative Hernandez and unanimously carried to **ADJOURN** the meeting at 1:49 p.m.

AYES: Representatives Svarzbein, Hernandez, Morgan, Salcido, Ordaz Perez, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Annello

ABSENT: Representative Rivera

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk