

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

WORK SESSION MEETING MINUTES
July 20, 2026
CITY HALL, 300 N. CAMPBELL COUNCIL CHAMBERS 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 9:03 a.m. Mayor Renard Johnson was present and presiding. The following Council Members answered roll call: Alejandra Chávez, Josh Acevedo, Cynthia Boyar Trejo, Ivan Niño, Art Fierro, and Lily Limón. Late arrivals: Chris Canales, at 9:05 a.m., and Deanna Maldonado-Rocha, at 10:10 a.m.
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AGENDA
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1.

RESOLUTION

WHEREAS, on February 17, 2026, the City Council of the City of El Paso directed staff to develop a comprehensive Data Center Policy Framework to address the following: "prioritize community engagement, utility providers, local, state and regional government in implementation considerations, evaluate long term impacts on infrastructure and utilities"; and

WHEREAS, the City of El Paso convened six community engagement meetings and developed a digital survey, which revealed public opposition to data center development alongside deep concerns regarding public transparency, water scarcity, utility costs, grid strain, and tax abatements; and

WHEREAS, the City of El Paso aims to proactively safeguard municipal natural resources, protect local ratepayers from infrastructure cost-shifting, and align future industrial developments with the community-driven goals of the City's Climate Action Plan; and

WHEREAS, on April 28, 2026, the City Council directed the City Manager to amend the City's state and federal legislative agendas to support regulatory oversight frameworks and policy proposals related to data centers and relevant incentives; and

WHEREAS, on May 26, 2026, the City Council formally approved that future development of hyperscale data centers should not be actively recruited, pursued, or incentivized; and

WHEREAS, the City of El Paso shared the Draft Policy framework for a second round of community and stakeholder input on May 26, 2026; and

WHEREAS, the resulting Data Center Policy Framework establishes necessary regulatory principles, including transitioning hyperscale facilities from "by right" development to a Special Permit process, eliminating local tax economic incentives, and mandating comprehensive

operational and company performance plans.

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

THAT the El Paso City Council approves the adoption of the Data Center Policy Framework ("**Framework**"); and

THAT the City Manager, or designee, is authorized to direct staff to implement the policies outlined in the Framework, after consultation with the City Attorney's Office.

The following City staff members presented a PowerPoint presentation (copy on file in the City Clerk's Office):

- Mr. Fernando Berjano, Senior Climate Programs Manager, Strategic Legislative Affairs
- Mr. Kevin Smith, Planning and Inspections, Interim Director
- Mr. Omar Martinez, Strategic Legislative Affairs, Assistant Director

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

The following City staff members commented:

- Ms. Dionne Mack, City Manager
- Ms. Karla Nieman, City Attorney
- Ms. Josette Flores, Deputy City Attorney
- Mr. Rene Leon, El Paso Water, Legislative Liaison

The following members of the public commented:

- Ms. Veronica Carbajal
- Mr. Saul Gonzalez

Motion made by Representative Boyar Trejo, seconded by Representative Limón, and unanimously carried to **APPROVE** the Resolution.

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

NAYS: None

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2. Presentation and discussion on the proposed Housing Strategy, a key deliverable of the Comprehensive Plan update, *Envision El Paso*. The update will cover an overview Housing deliverable scope of work, a review of the housing needs assessment, and the proposed Housing Strategy for implementation.

Mr. Matt Prosser, Principal, Economic & Planning Systems, presented a PowerPoint presentation (copy on file in the City Clerk's Office):

Mayor Johnson and Representatives Chávez, Maldonado-Rocha, Boyar Trejo, Niño, Fierro, Limón, and Canales commented.

The following staff members commented:

- Ms. Dionne Mack, City Manager
- Ms. Kasi Schnell, Comprehensive Plan Project Manager, Urban Planning and Design

The following members of the public commented:

- Ms. Kathleen Staudt
- Mr. Richard Dayoub
- Ms. Carmen Rodriguez
- Mr. Rafael Garcia

NO ACTION was taken on this item

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3. Presentation and discussion on the proposed Redevelopment Incentives Policy, which is a complementary element of the Housing Strategy, a key deliverable of the Comprehensive Plan update, *Envision El Paso*. The update will provide an overview of the current infill policy, the engagement process proposed policy updates, and a summary of overarching policies and goals to direct and guide economic development efforts in the region and city.

Mr. Matt Prosser, Principal, Economic & Planning Systems, presented a PowerPoint presentation (copy on file in the City Clerk's Office):

Representatives Chávez, Acevedo, Limón, and Canales commented.

NO ACTION was taken on this item

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4. Presentation on status of Facility Condition Assessment Update.

Mr. Randy Garcia, Streets and Maintenance Director, presented a PowerPoint presentation (copy on file in the City Clerk's Office):

Mayor Johnson and Representatives Chávez, Acevedo, Boyar Trejo, Niño, and Limón commented.

Ms. Dionne Mack, City Manager, commented.

NO ACTION was taken on this item

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5. Discussion and action regarding Ratepayer protection through the City's intervention efforts as utility filings become more frequent and complex.

The following City staff members presented a PowerPoint presentation (copy on file in the City Clerk's Office):

- Ms. Karla Nieman, City Attorney
- Mr. Oscar Gomez, Assistant City Attorney
- Mr. Roberto Aguinaga, Assistant City Attorney

Mayor Johnson and Representatives Chávez, Acevedo, Niño, Limón and Canales commented.

Motion made by Representative Limón, seconded by Representative Fierro, and unanimously

carried that the City Attorney, upon review and in consultation with the City Manager, be **AUTHORIZED** to:

- (1) Intervene in Certificates of Convenience and Necessity (CCN's) and all other interim filings docketed at the Texas Public Utility Commission or the Texas Railroad Commission that affect, or may affect, utility ratepayers in the City of El Paso;
- (2) Hire outside counsel and consultants deemed necessary for undertaking such interventions, and,
- (3) 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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The Work Session was **RECESSED** at 12:36 p.m. for lunch.

The Work Session was **RECONVENED** at 1:47 p.m.

Late arrivals: Representative Maldonado-Rocha at 1:53 p.m. and Representative Boyar Trejo at 1:54 p.m.

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EXECUTIVE SESSION

Motion made by Representative Canales, seconded by Representative Limón, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 3:10 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 item:

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.074 PERSONNEL MATTERS

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 Maldonado-Rocha, seconded by Representative Fierro, and unanimously carried to **ADJOURN** the Executive Session at 6:16 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. The City of Houston v. The State of Texas, Intervenor City of San Antonio and City of El Paso, No. D-1-GN-23-003474 & No. 03-23-00531-CV (551.071)[

NO ACTION was taken on this item.

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EX2. Ysleta Del Sur Pueblo v. City of El Paso; Cause No:EP-23-CV-132-DCG; (551.071)

Motion made by Mayor Pro Tempore Chávez, seconded by Representative Canales, and unanimously carried that the City Attorney's Office be authorized to deny the settlement demand made in the matter of Ysleta Del Sur Pueblo v. City of El Paso 3:23-cv-00132, in Matter Number 3:23-cv-00132, 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. Anna Barnes v. City of El Paso et. al; United States Western District Court; Cause No.:3:22-CV-161 (551.071)

NO ACTION was taken on this item.

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EX4. Application of El Paso Electric Company to Amend its Certificate of Convenience and Necessity for the Eastwind to Rattlesnake 115-KV Transmission Line in El Paso County - PUC#59899; HQ#UTILITY-94 (551.071)

NO ACTION was taken on this item.

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EX5. Application of El Paso Electric Company for Approval of an Update to its Rate Schedules 33A and 33B Economic Development Rate Rider for a New Data Center - PUC#59948; HQ#UTILITY-93 (551.071)

Motion made by Mayor Pro Tempore Chávez, seconded by Representative Limón and unanimously carried that the City Attorney in consultation with the City Manager be **AUTHORIZED** to hire and retain outside counsel and any other necessary consultants, and to file an intervention in the *El Paso Electric Company's Application for Approval of an Update to its Rate Schedules 33A and 33B Economic Development Rate Rider for a New Data Center* under the Texas Public Utility Commission, Docket No. 59948, in Matter Number HighQ Utility-93, 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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EX6. Discussion on economic development opportunities in El Paso, HQ#26-1184 (551.087) (551.071)

NO ACTION was taken on this item.

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EX7. Discussion on economic development opportunities in El Paso, HQ#26-ECON-1078 (551.087)

NO ACTION was taken on this item.

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EX8. Discussion on economic development opportunities in El Paso, HQ#26-2130 (551.087)

NO ACTION was taken on this item.

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EX9. Legal consultation regarding employment, evaluation process and duties for City Council appointed employees, City Manager and City Attorney. HQ#23-1161 (551.071) (551.074)

NO ACTION was taken on this item.

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ADJOURN

Motion made by Representative Canales, seconded by Representative Limón, and unanimously carried to **ADJOURN** the meeting at 6:20 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:

Laura D. Prine, City Clerk