

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
DECEMBER 23, 2022
6:00 PM**

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The City Council of the City of El Paso met at the above place and date. Meeting was called to order at 6:03 p.m. Mayor Oscar Leeser was present and presiding and the following Council Members answered roll call: Peter Svarzbein, Alexsandra Annello, Joe Molinar, Isabel Salcido, Claudia Rodriguez, and Henry Rivera. Members absent: Cassandra Hernandez and Cissy Lizarraga.
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AGENDA

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MAYOR'S PROCLAMATIONS

Borderland Mountain Bike Association Day

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RECOGNITIONS

A Service Recognition was presented to Representative Claudia Rodriguez by Deputy City Manager, Mr. Robert Cortinas

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**1. RESOLUTION CANVASSING RETURNS
OF THE RUNOFF ELECTION FOR THE
2022 GENERAL ELECTION FOR
DISTRICTS 1, 6, AND 8**

WHEREAS, the City Council of the City of El Paso called for the 2022 Runoff Election to be held in said City on December 17, 2022, to fill the terms of three District Representatives from Single-Member District Nos. 1, 6, and 8 for the terms as established by and in accordance with the Charter of the City of El Paso; and

WHEREAS, the election officers who held said election have duly made returns of the results thereof, and said returns have been duly delivered to said City Council.

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

1. That the City Council officially finds and determines that said election was duly given, that proper notice of said election was duly given, that proper election officers were duly appointed prior to said election, that said election was duly held, that due returns of the results

of said election have been duly made and delivered, that the election returns have properly been made out and fully certified by the officers of said election in the different voting precincts of the City, and that the City Council had duly canvassed said returns, all in accordance with law and the resolution and amendments thereto calling said runoff election.

2. That the City Council officially finds and determines that the following votes were cast at said runoff election for the following officers by the resident, qualified electors of said City, who voted at the election:

DISTRICT 1

Brian Kennedy	<u>2,972</u>
Analisa Cordova Silverstein	<u>1,303</u>

DISTRICT 6

Claudia Lizette Rodriguez	<u>1,045</u>
Art Fierro	<u>1,362</u>

DISTRICT 8

Bettina Olivares	<u>885</u>
Chris Canales	<u>1,536</u>

3. That in the case of the following offices, the following persons who received more than a 50% majority of the votes cast for candidates for such offices are hereby declared elected to such offices for the ensuing terms, or until the election and qualification of their successors, subject to the proper issuance of certificates of election by the presiding officer, and that the number of votes cast for each person who has a candidate for such offices, according to the returns, is shown in paragraph 2 hereof:

DISTRICT REPRESENTATIVE NO. 1

Brian Kennedy

DISTRICT REPRESENTATIVE NO. 6

Art Fierro

DISTRICT REPRESENTATIVE NO. 8

Chris Canales

4. That on file in the City Clerk's Office and made a part hereof by reference are copies of the mechanical precinct tabulations of the votes cast at the Runoff Election for the December 17, 2022 Runoff Election to elect the District Representatives Districts 1, 6, and 8, showing the number of votes cast in each precinct for each candidate.

5. That this Resolution is adopted subject to the right of any candidate to contest such election in any way provided by law.

6. That this Resolution was acted upon in accordance with the law by the presiding officer and the City Council and was deemed by said City Council that upon passage of the Resolution, it shall take effect immediately.

7. This Resolution shall be spread upon the minutes of the City Council, and the City Clerk shall record the amendments so adopted in the separate book kept in her office for such purpose.

Ms. Laura Prine, City Clerk, read the resolution into the record.

Motion made by Representative Rodriguez, seconded by Representative Molinar, and unanimously carried to **APPROVE** the Resolution.

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

NAYS: None

ABSENT: Representatives Hernandez and Lizarraga

2.

ORDINANCE 019421
AN EMERGENCY ORDINANCE
EXTENDING A DISASTER DECLARATION DUE TO A
HUMANITARIAN, SECURITY, AND ECONOMIC CRISIS
RESULTING FROM A MASS MIGRATION THROUGH EL PASO

WHEREAS, on December 17, 2022 the Mayor of the City of El Paso issued a Declaration of Disaster due to a new wave of migration through the City of El Paso (the "City"); and

WHEREAS, in the month of December 2022, approximately 6000 migrants have been arriving weekly; and

WHEREAS, for federal fiscal year 2023, Southwest encounters were at 204,273 of which 76,402 were Title 42; and

WHEREAS, the El Paso sector of CBP had 53,284 land border encounters in the month of October, 2022; and

WHEREAS, the Centers for Disease Control and Prevention has announced the repeal of Title 42, allowing for significantly increased inflow of migrants from the southern border; and

WHEREAS, thousands of migrants from Latin America have already gathered at or near the U.S.- Mexico border awaiting processing after Title 42 was struck down by a federal court with the parties agreeing that the injunction would end on December 21, 2022; and

WHEREAS, on December 19, 2022, the Supreme Court of the United States issued an order allowing the injunction to remain in place until further review of the case can be carried out; and

WHEREAS, upon the migrants' arrival into the United States, they are held by CBP who process, set for hearing and then release migrants onto El Paso streets with little to no resources; and

WHEREAS, the number of migrants in need of shelter exceeds the shelter space available through local, state, and federal partnerships; and

WHEREAS, the City lacks an extensive transportation infrastructure to facilitate the movement of migrants out of the region further increasing demand on shelters; and

WHEREAS, the City lacks the resources to address a new surge in migration as it did in recent years, in addition to the City dealing with an ongoing global pandemic; and

WHEREAS, state and federal infrastructure and support is critical to support local efforts to effectively and safely care for mass groups of migrants entering the City; and

WHEREAS, Customs and Border Protection (CBP) has surged its personnel and resources along the southern border to increase processing capacity to ensure a humane environment for those being processed; and

WHEREAS, there are significant public safety and security concerns related to the wave of migration, including but not limited to the risk to injury or loss of life with migrants in El Paso streets with little or no resources on days that reach extremely high or freezing low temperatures and the inherent risks that come with increased demand on local shelters; and

WHEREAS, the City is faced with the imminent threat of widespread injury or loss of life resulting from a surge in transient migrants traveling to the region during an ongoing global pandemic; and

WHEREAS, there is potential for loss of property for both residents and migrants due to those who would take advantage of this wave of migrants; and

WHEREAS, the El Paso International Airport has become saturated with migrants awaiting air travel and could need to take measures to preserve the health and safety of its customers, employees and the public, as well as measures to secure its facilities as the demand for air travel increases exponentially; and

WHEREAS, the City of El Paso is home to 4 of the 28 international ports of entry between Texas and Mexico; and

WHEREAS, based on mass migration events in the recent past, the City anticipates significant delays at the international ports-of-entry to include trade delays; and

WHEREAS, pursuant to City Charter Section 2.48.020(C), and Section 418.108(b) of the Texas Government Code, a local state of disaster may not be continued for a period in excess of seven days without the consent of the governing body of the political subdivision; and

WHEREAS, City Charter Section 3.10 allows for the City Council to adopt an emergency ordinance to meet a public emergency affecting life, health, property or the public peace; and

WHEREAS, the condition necessitating the declaration of a state of disaster continues to exist.

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

1. That an emergency exists as described in clear and specific terms in the recitals above, which are incorporated herein.
2. That the state of disaster proclaimed for the City of El Paso by the Mayor on December 17, 2022 shall continue for thirty (30) days unless re-enacted in accordance with City Charter Section 3.10 or until terminated by order of the City Council, whichever is sooner

3. This ordinance is adopted as an emergency measure with the unanimous vote of the City Council Representatives present and the consent of the Mayor and pursuant to City Charter Section 3.10 and is effective upon adoption.

Mayor Leeser and Representatives Svarzbein, Annello, Molinar, Salcido, Rodriguez, and Rivera commented.

The following City staff members commented:

- Chief Mario D’Agostino, City Manager
- Assistant Fire Chief Jorge Rodriguez
- Mr. Tommy Gonzalez, City Manager
- Ms. Laura Prine, City Clerk
- Ms. Laura Cruz-Acosta, Strategic Communications Director
- Ms. Karla Nieman, City Attorney

The following members of the public commented:

1. Ms. Samantha Singleton
2. Mr. David Stout
3. Ms. Ivonne Diaz
4. Mr. Wesley Lawrence
5. Ms. Ana Reza
6. Ms. Veronica Carbajal, statement read into the record by Representative Annello

Motion made by Representative Rivera, seconded by Representative Rodriguez, and unanimously carried to **ADOPT** the Emergency Ordinance.

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

NAYS: None

ABSENT: Representatives Hernandez and Lizarraga

Mayor Leeser consented to the adoption of the Emergency Ordinance.

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ADJOURN

Motion made by Representative Rodriguez, seconded by Representative Salcido, and unanimously carried to **ADJOURN** the meeting at 7:22 p.m.

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

NAYS: None

ABSENT: Representatives Hernandez and Lizarraga
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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk