

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
DECEMBER 12, 2022
COUNCIL CHAMBERS, CITY HALL AND VIRTUALLY
9:05 A.M.**

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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 9:50 a.m. Mayor Oscar Leeser was present and presiding and the following Council Members answered roll call: Peter Svarzbein, Alexsandra Annello, Cassandra Hernandez, Joe Molinar, Isabel Salcido, and Henry Rivera. Late arrival (s): Claudia Rodriguez at 9:57 a.m. Cissy Lizarraga requested to be excused. Early departure: Claudia Rodriguez at 11:15 a.m. and Oscar Leeser at 11:20 a.m.
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AGENDA

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1. Presentation, discussion and action by the City Manager's Office and Office of Emergency Management providing information on key activities, efforts, and processes related to the migrant crisis.

The following staff members presented a PowerPoint presentation (copy on file in the City Clerk's Office) and/or responded to questions.

- Assistant Fire Chief Jorge Rodriguez
- Retired Fire Chief Mario D'Agostino, Deputy City Manager of Public Safety
- Ms. Karla Nieman, City Attorney
- Mr. Tommy Gonzalez, City Manager

Some of the highlights in the presentation included statistics related to migrant crossings from April to December with 800 to 1,100 daily migrant crossings currently occurring. Also included was information related to \$5.13 million in pending reimbursements from 3rd Quarter expenditures and ongoing efforts and collaboration happening in anticipation of the December 21st lifting of Title 42. A proposal to request advanced funding for 2023 1st quarter expenditures was presented indicating it would cost an estimated \$4,704,623 to serve 600 migrants each month.

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

NO ACTION was taken on this item.

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2. Quarter presentation to the City Council on the financial status of the water, wastewater and stormwater utilities.

Ms. Marcela Navarrete, Vice President of Strategic Financial and Management Services, El Paso Water, presented a PowerPoint presentation (copy on file in the City Clerk’s Office).

The following staff members commented:

- Ms. Karla Nieman, City Attorney
- Ms. Elizabeth Triggs, Economic Development Director
- Mr. Rene Leon, Legislative Liaison, El Paso Water

Representatives Svarzbein and Annello commented.

NO ACTION was taken on this item.

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EXECUTIVE SESSION

Motion made by Representative Rivera, seconded by Representative Salcido, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 11:07 a.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, Annello, Molinar, Salcido, Rodriguez, and Rivera

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

ABSENT: Representative Lizarraga

Motion made by Representative Rivera, seconded by Representative Molinar, and unanimously carried to **ADJOURN** the Executive Session at 1:33 p.m. and **RECONVENE** the meeting of the City Council at which time motions were made:

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, and Rivera

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Salcido and Rodriguez

ABSENT: Representative Lizarraga

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EX1. Quarterly Litigation Report. Matter No. 19-1021-1210 (551.071)

NO ACTION was taken on this item.

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EX2. Brazoria County request to Attorney General on utilizing “Trap, Neuter, Release” programs in compliance with Texas Penal Code §42.092 Animal Cruelty Laws. Matter #22-1018-450 (551.071)

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Annello, and carried that the Director of the Animal Services Department be authorized to sign a support brief prepared by Best Friends Animal Support Society, stemming from Brazoria County District Attorney question to the Attorney General, of whether a municipality or local

government may engage in a Trap, Neuter, Release (TNR) program in compliance with Texas Penal Code §42.092 regarding abandonment of animals, to support the position that TNR programs do not conflict with the above referenced Penal Code section.

AYES: Representatives Svarzbein, Annelo, Hernandez, and Rivera

NAYS: Representative Molinar

NOT PRESENT FOR THE VOTE: Representatives Salcido and Rodriguez

ABSENT: Representative Lizarraga

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EX3. Decision of Civil Service Commission regarding Mark Avalos. Matter No. 22-1043-906 (551.071)

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Hernandez, and carried that the El Paso City Council directs:

1. That City Manager and City Attorney bring recommended amendments to Article 6 of the City Charter to clarify the role of the Civil Service Commission to align with the City of El Paso’s form of government for the May 6, 2023 election;
2. That decisions made by the Civil Service Commission that are outside of their authority are void.

AYES: Representatives Svarzbein, Hernandez, and Rivera

NAYS: Representatives Annelo and Molinar

NOT PRESENT FOR THE VOTE: Representatives Salcido and Rodriguez

ABSENT: Representative Lizarraga

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EX4. Application of El Paso Electric Company to Change Rates to Open Access Transmission Tariff, Federal Energy Regulatory Commission (FERC); Docket No. ER22-282-000. Matter No. 21-1008-183 (551.071)

NO ACTION was taken on this item.

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EX5. Purchase, lease, exchange or value of real property located in El Paso, Texas. Matter No. 22-1004-1462 (551.071).

NO ACTION was taken on this item.

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EX6. Economic Incentives for an Infill Development located in West El Paso. Matter No. 22-1007-3008 (551.087)

NO ACTION was taken on this item.

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ADJOURN

Motion made by Representative Rivera, seconded by Representative Molinar, and unanimously carried to **ADJOURN** the meeting at 1:37 p.m.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Salcido and Rodriguez
ABSENT: Representative Lizarraga

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk