

OSCAR LEESER
MAYOR

TOMMY GONZALEZ
CITY MANAGER



CITY COUNCIL
BRIAN KENNEDY, DISTRICT 1
ALEXSANDRA ANNELLO, DISTRICT 2
CASSANDRA HERNANDEZ, DISTRICT 3
JOE MOLINAR, DISTRICT 4
ISABEL SALCIDO, DISTRICT 5
ART FIERRO, DISTRICT 6
HENRY RIVERA, DISTRICT 7
CHRIS CANALES, DISTRICT 8

CITY COUNCIL WORK SESSION MINUTES
June 5, 2023
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 9:25 a.m. Mayor Oscar Leeser was present and presiding and the following Council Members answered roll call: Brian Kennedy, Alexsandra Annello, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Art Fierro, Henry Rivera, and Chris Canales.

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AGENDA
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1. Presentation, discussion and action on the 88th Regular Session of the Texas State Legislature.

Ms. Lindsey Adams, Legislative Affairs Manager, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Leeser and Representatives Kennedy, Annello, Hernandez, Molinar, Rivera, and Canales commented.

Ms. Lupe Cuellar, Legislative Attorney, commented.

Ms. Karla Nieman, City Attorney, commented.

NO ACTION was taken on this item.

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2. Presentation and discussion by the El Paso Central Appraisal District's Executive Director and Chief Appraiser Dinah Kilgore on the City of El Paso's 2023 Preliminary Values.

Ms. Nicole Cote, Managing Director of Office of Management and Budget and Purchasing and Strategic Sourcing, introduced the item.

Ms. Dinah Kilgore, Chief Appraiser, and Mr. David Stone, Deputy Chief Appraiser, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Leeser and Representatives Annello, Hernandez, Molinar, Salcido, Rivera, and Canales commented.

Mr. Cary Westin, Interim City Manager, commented.

NO ACTION was taken on this item.

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3. For Notation Only: Formal Report of the Financial Oversight and Audit Committee meeting held on May 4, 2023.

1. Discussion and Action on the results of Project P2023-06 City Council & City Manager Office P-Card, Travel, and Fuel Card Review.

• Motion made by Representative Fierro, seconded by Representative Molinar, and approved by Representative Kennedy, Representative Annello, Representative Fierro, and Representative Molinar to accept the results of Project P2023-06 City Council & City Manager Office P-Card, Travel, and Fuel Card Review and send it forward to City Council.

• Motion made by Representative Fierro, seconded by Representative Annello and approved by Representative Kennedy, Representative Annello, Representative Fierro, and Representative Molinar to consolidate the P-Card and Travel recommendations of the FOAC Members, City Manager's Office and Office of the Comptroller to City Council as a whole after review by the City Attorney's Office.

• Motion made by Representative Fierro, seconded by Representative Annello and approved by Representative Kennedy, Representative Annello, Representative Fierro, and Representative Molinar to consolidate the Fuel Card recommendations of the FOAC Members, City Manager's Office and Office of the Comptroller to City Council as a whole after review by the City Attorney's Office.

• Motion made by Representative Kennedy, seconded by Representative Molinar, and approved by Representative Kennedy, Representative Annello, Representative Fierro, and Representative Molinar to forward a recommendation to City Council to review and consider Chapter 3.4 of the City Charter regarding City Council investigations.

Mr. Edmundo Calderon, Chief Internal Auditor, provided a briefing of May 4, 2023 meeting.

Mayor Leeser commented.

NO ACTION was taken on this item.

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4. **For Notation Only: Formal Report of the Financial Oversight and Audit Committee meeting held on May 17, 2023.**

1. Discussion and action on the City of El Paso Internal Audit Charter.

• Motion made by Representative Fierro, seconded by Representative Molinar, and approved by Representative Kennedy, Representative Annello, Representative Fierro, and Representative Molinar to delete Discussion and Action on the City of El Paso Internal Audit Charter.

2. Discussion on results of External Quality Assurance Review (Peer Review).

3. Discussion on the City of El Paso Employee Hotline.

4. Discussion and action to schedule an audit or review of the following: 380 Agreements; On-Call Service Agreements.

• Motion made by Representative Molinar, seconded by Representative Fierro, and approved by Representative Kennedy, Representative Annello, Representative Fierro, and Representative Molinar to schedule an audit or review of 380 Agreements and On-Call Service Agreements.

5. Discussion and action on FY 2022-2023 Audit Plan 2nd Quarter Updates.

• Motion made by Representative Molinar, seconded by Representative Fierro, and approved by Representative Annello, Representative Fierro, and Representative Molinar to accept the 2nd Quarter Update.

6. Discussion on Client Surveys.

Mr. Edmundo Calderon, Chief Internal Auditor, providing a briefing of the May 17, 2023 meeting.

Mayor Leeser and Representative Fierro commented.

Mr. Cary Westin, Interim City Manager commented.

NO ACTION was taken on this item.

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EXECUTIVE SESSION

Motion made by Representative Rivera, seconded by Representative Fierro, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 11:06 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 551.074 PERSONNEL MATTERS
Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

AYES: Representatives Kennedy, Annello, Hernandez, Molinar, Salcido, Fierro, Rivera, and Canales
NAYS: None

Motion made by Representative Rivera, seconded by Representative Salcido, and unanimously carried to **ADJOURN** the Executive Session at 3:15 p.m. and **RECONVENE** the meeting of the City Council at which time motions were made:

AYES: Representatives Kennedy, Annello, Molinar, Salcido, Fierro, Rivera, and Canales
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Hernandez

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EX1. Luis R. Varela v. City of El Paso, Cause No. 2021DCV1549, Matter No. 21-1007-2727. (551.071)

Motion made by Mayor Pro Tempore Annello, seconded by Representative Molinar, and unanimously carried that the City Attorney's Office be **AUTHORIZED** to hire and retain outside counsel in the matter of Luis R. Varela vs. City of El Paso, Cause No. 2021DCV1549, in Matter Number 21-1007-2727, and to take all steps necessary, including the execution of any required documents, in order to effectuate this authority.

AYES: Representatives Kennedy, Annello, Molinar, Salcido, Fierro, Rivera, and Canales
NAYS: None
NOT PRESENT FOR THE VOTE: Representative Hernandez

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EX2. Claim of Marcos Carillo, Matter No. 221-1026-11670. (551.071)

Motion made by Mayor Pro Tempore Annello, seconded by Representative Molinar, and unanimously carried that the City Attorney's Office be s to **DENY** the claim of Marcos Carillo in Matter Number 21-1026-11670, and to take all steps necessary, including the execution of any required documents, in order to effectuate this authority.

AYES: Representatives Kennedy, Annello, Molinar, Salcido, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

EX3. Maria Ramirez, et al v. Ruben Escajeda Jr. and City of El Paso, Matter No. 17-1026-8594. (551.071)

Motion made by Mayor Pro Tempore Annello, seconded by Representative Molinar and unanimously carried that the City Attorney's Office, in consultation with the City Manager, be **AUTHORIZED** to engage in settlement negotiations in the case of *Maria Magdalena Ramirez, et al v. Ruben Escajeda, Jr. and City of El Paso, Texas*, Cause No. 3:17-CV-00193-DCG, in Matter No. 17-1026-8594, and to take all steps necessary, including the execution of any required documents, in order to effectuate this authority, should a settlement be reached in the case.

AYES: Representatives Kennedy, Annello, Molinar, Salcido, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

EX4. Application of El Paso Electric Company to Implement an Interim Fuel Refund, HQ#UTILITY-10. (551.071)

NO ACTION was taken on this item.

EX5. Discussion on purchase, exchange, lease, or value of real property located in Downtown El Paso, Matter No. 16-1040-1083.046, HQ# 23-495. (551.071) (551.072)

Motion made by Mayor Pro Tempore Annello, seconded by Representative Kennedy, and unanimously carried that the City Manager, through staff, work to **UNDERTAKE** a Phase 2 Environmental Assessment for alternate sites of the Multipurpose Performing Arts and Entertainment Center in an amount not to exceed \$168,135.00; and that the City Manager be **AUTHORIZED** to take all steps necessary, including the execution of any required documents, in order to effectuate this instruction.

AYES: Representatives Kennedy, Annello, Molinar, Salcido, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

EX6. Discussion on potential economic development opportunities in Northeast El Paso, Matter No. 22-1007-2864, HQ# 23-478. (551.072) (551.087)

NO ACTION was taken on this item.

EX7. City Attorney and City Manager Annual Performance Evaluations, Matter No. 21-1043-688, HQ# 23-816. (551.071) (551.074)

NO ACTION was taken on this item.

EX8. City Manager Employment Contract, HQ# 23-879. (551.071) (551.074)

NO ACTION was taken on this item.

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ADJOURN

Motion made by Mayor Pro Tempore Anello, seconded by Representative Kennedy, and unanimously carried to **ADJOURN** the meeting at 3:19 p.m.

AYES: Representatives Kennedy, Anello, Molinar, Salcido, Fierro, Rivera, and Canales

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk