

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 L. RODRIGUEZ, DISTRICT 6  
HENRY RIVERA, DISTRICT 7  
CISSY LIZARRAGA, DISTRICT 8

**CITY COUNCIL WORK SESSION MINUTES**  
**June 8, 2020**  
**9:05 AM**

**Due to the temporary suspension of Open Meetings laws due to the COVID-19 emergency this meeting was conducted via telephonic and videoconference formats.**

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The City Council of the City Council met on the above time and date via videoconference. Meeting was called to order at 9:17 a.m. Mayor Dee Margo present and presiding and the following Council Members answered roll call: Peter Svarzbein, Alexsandra Annello, Cassandra Hernandez, Sam Morgan, Isabel Salcido, Claudia Rodriguez, Henry Rivera and Cissy Lizarraga.  
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**AGENDA**

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**1. Discussion and action with the Veterans Affairs Advisory Committee to update council on the status of Homelessness, Employment, and Marketing / Outreach for the El Paso Veteran and Military community.**

Mr. Paul Albright, Chief Military Officer, and the following members of the Veterans Affairs Advisory Committee presented a PowerPoint presentation (copy on file in the City Clerk's Office) and responded to questions posed by Council members.

1. Mr. Lance Lehr
2. Mr. Bruce Biegel
3. Ms. Hope Jackson

The presentation included key concerns, critical gaps as well as recommendations related to unemployment. Statistical data was also provided regarding the current situation regarding homelessness in the veteran population and recommendations were made in order to address the problem in our City.

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

The following City staff members commented:

1. Ms. Nicole Ferrini, Community and Human Development Director
2. Ms. Claudia Lujan, Interim Human Resources Director
3. Mr. Cary Westin, Senior Deputy City Clerk
4. Ms. Laura Cruz-Acosta, Strategic Communications Director
5. Mr. Tommy Gonzalez, City Manager

Ms. Carol Bohle, citizen, commented.

**NO ACTION** was taken on this item.

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**2. Presentation and discussion by the COVID-19 Response and Recovery Cross-Functional Team providing information on key activities, efforts and processes.**

**1. Overview**

Mr. Tommy Gonzalez, City Manager, introduced the item and briefly talked about the partnership with the Health Authority in promoting wellness among the community. He provided statistics related to the number of positive cases and mortality rates and pointed out that current numbers in El Paso were below the national average. Mr. Gonzalez also provided information on the opening of seven new testing sites and the expansion of the contact tracing program while highlighting the associated job creation. He ended the overview by explaining that most of the COVID deaths were linked to people with underlying conditions such as obesity and diabetes.

- a. Update on Governor Abbott's Executive Orders and Local Emergency Directives.**
- b. Update on City Attorney's Office Support During COVID-19 Pandemic.**
- c. Update on Open Records Requests.**

Ms. Karla Nieman, City Attorney, briefed Council on the Governor's Executive Order No. GA-26 which emphasizes home standards related to gatherings and social distancing especially with people over the age of 65. She encouraged people to visit the [epstrong.org](https://www.epstrong.org) website for the latest updates on local directives and went over the immediate changes to occupancy limits for different types of businesses to include outdoor and indoor settings. Ms. Nieman also explained that upcoming changes to occupancy limits for dine-in services at restaurants were expected. She concluded with the number of open records requests handled by a skeleton crew due to the pandemic.

**2. Cross-Functional Team Operations**

Fire Chief Mario D'Agostino continued the presentation by providing a summary of the short and long-term mitigation efforts. These included the promotion of wearing face masks, seeking testing, and following the stay at home order. Chief D'Agostino also spoke about the importance of communication and coordination with all stakeholders and ended his presentation by illustrating the various tasks conducted by the cross-functional team.

**3. Team Report Outs:**

**1. Health Focus**

Dr. Hector Ocaranza, Local Health Authority, shared information regarding the epidemiology of the virus and explained that it is transmitted person to person by the spread of droplets in the air that can travel up to 6 feet. He added that the spread of the virus could also occur by touching a contaminated surface like plastic

or metal and then touching one's face.

## **2. Testing Recap and Update**

Ms. Tracey Jerome, Deputy City Manager, provided information related to the expansion of testing sites in addition to public/private partnerships across the city to include rural areas. She ended her update by providing data on the ongoing workforce antibody testing project along with a nursing home and shelter testing program.

## **3. Data Analysis**

Mr. David Coronado, International Bridges Director, provided information on the decline of traffic on international bridges, airline travel, Sun Metro ridership, industrial production, the increase of unemployment rates and the volatility of the Peso-Dollar exchange rate related to the pandemic.

## **4. Planning and Implementing Key Infrastructure**

Mr. Sam Rodriguez, City Engineer, briefed Council members on upcoming item to be approved related to work being done to City owned properties to be used as clinics and laboratory facilities.

## **5. Logistics and Education**

Mr. Bruce Collins, Purchasing and Strategic Sourcing Director, presented information related to changes in the procurement process to accommodate for the break in the national supply chain. He also provided updates to clauses in contracts and purchase orders allowing for federal and state grant compliance during the pandemic.

The presentation was then turned over to Ms. Dionne Mack, Deputy City Manager, who proceeded to brief Council on the functions of the Cluster Management Task Force which include educating and assessing testing on specific facilities that house at-risk populations such as nursing and correctional/detention facilities.

## **6. Compliance and Service Delivery**

Ms. Ellen Smyth, Environmental Services and Sun Metro Managing Director, went over updates to the termination of certain air travel restrictions, to include the elimination of quarantines upon arrival at destinations and capacity allowances for restaurants, parks, movie theaters, bars, and gyms.

Additionally, Ms. Smyth provided information on free community mobile testing sites and antibody testing offered to front line City employees. She highlighted the compliance efforts led by Code Enforcement Officers to aid in adhering to State directives.

In reference to public transportation, Ms. Smyth shared information on an enhanced Sun Metro Sunday schedule adding extra units to relieve areas with passenger overflow. She also mentioned that additional transportation would be available via a

contract with Amistad for individuals who do not have any means to get to a test site.

## **7. Financial Focus**

Mr. Robert Cortinas, Chief Financial Officer, briefed Council members on the different federal grants received by the City of El Paso totaling \$182,515,480 along with a breakdown by agencies providing the funding. Mr. Cortinas also explained that a COVID Relief Fund (CRF) training was being provided by a cross functional team to guide staff from departments on eligible expenses, internal processes and procedures for expending funds.

## **8. Community Vulnerabilities and Human Services**

- a) Stakeholder Engagement
- b) Notice of Funding Availability

This portion of the presentation was covered by Ms. Nicole Ferrini, Community and Human Development. She talked about the support provided to the community by her team in order to alleviate the challenges exacerbated by the pandemic, such as housing affordability, utility cost burden, and access to food.

Ms. Ferrini also spoke about the El Paso United COVID-19 Transition Task Force comprised of groups, such as hospitals and universities, and individuals, such as medical professionals and legislators. She explained that its purpose was to research, create, advance, and present a comprehensive plan based on medical research to meet specific medical needs and keep our community safe while allowing El Paso businesses to reopen.

Ms. Araceli Guerra, Information Technology Services Director, commented.

## **9. Economic Recovery**

Ms. Jessica Herrera, Economic and International Development Director, briefed Council on the different loans and grants that will be offered. Ms. Herrera shared information on the funding allocation that will target the most vulnerable in our business community to include small businesses and individuals recently unemployed. She also shared the results of the *El Paso Safe* contest that challenged El Pasoans to submit a public service announcement to help in the fight against the spread of COVID-19.

Ms. Herrera reviewed the Pledge to Safety voluntary program that asks El Paso-area businesses to commit to following nine safety protocols to prevent the spread of COVID-19 as our economy reopens. She ended her update with a calendar of events and webinars available to the community and business owners along with resources available to assist during the pandemic. Finally, she highlighted the series of binational conversations between the City of El Paso and Ciudad Juarez, Mexico aimed at helping the community.

## **10. Operations Focus (Cary Westin)**

Mr. Cary Westin, Senior Deputy City Manager, took over the presentation and

provided information on a three phased back to work plan. He also explained the measures being taken to get City facilities ready, to include the cleaning and disinfecting of areas, the installation of protective barriers at service counter areas and the reconfiguration of workspaces to ensure proper distancing.

**11. Other Key Focus Areas:**

a) Promising Practices (Tommy Gonzalez)

Mr. Tommy Gonzalez, City Manager, concluded the presentation by thanking local partners such as the El Paso County and El Paso Independent School District, as well as various state, national, binational and global partners.

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

Mr. Jose Barriga, citizen, commented.

**NO ACTION** was taken on this item.

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**ITEMS 3 AND 4 WERE TAKEN TOGETHER**

**3.**

**ORDINANCE 019061**

**AN EMERGENCY ORDINANCE  
RE-ENACTING EMERGENCY ORDINANCE NO. 019035 EXTENDING A DISASTER  
DECLARATION DUE TO A PUBLIC HEALTH EMERGENCY**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**WHEREAS**, on March 13, 2020, the Governor of the State of Texas declared a state of disaster and the President of the United States of America declared a national emergency in relation to COVID-19; and

**WHEREAS**, on March 13, 2020, the Mayor signed a Local Emergency Declaration and requested the aid of the State Government pursuant to Texas Government Code Section 418.108; and

**WHEREAS**, pursuant to El Paso City Code Section 2.48.020(C), a local state of disaster declaration may not be continued or renewed for a period in excess of seven days except by or with the consent of City Council; 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**, on March 17, 2020, the City Council adopted Emergency Ordinance No. 019035, Extending a Disaster Declaration Due to a Public Health Emergency; and

**WHEREAS**, on April 13, 2020, the City Council adopted Emergency Ordinance No. 019050, Re-Enacting Emergency Ordinance No. 019035 Extending a Disaster

Declaration Due to a Public Health Emergency; and

**WHEREAS**, on May 11, 2020, the City Council adopted Emergency Ordinance No. 019055, Re-Enacting Emergency Ordinance No. 019035 Extending a Disaster Declaration Due to a Public Health Emergency; and

**WHEREAS**, pursuant to City Charter Section 3.10, every emergency ordinance shall stand repealed automatically as of the 31st day following the date on which it was adopted, but may be re-enacted to continue a Disaster Declaration; and

**WHEREAS**, Emergency Ordinance No. 019055 which re-enacts Emergency Ordinance No. 019035 is set to expire on June 10, 2020; and

**WHEREAS**, the number of COVID-19 cases in the City of El Paso continue to rise with the existence of over 2,750 cases in El Paso; and

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

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

1. That the state of disaster proclaimed for the City of El Paso by the Mayor on March 13, 2020, and extended by Emergency Ordinance No. 019035 on March 17, 2020, re-enacted through Emergency Ordinance No. 019050 on April 13, 2020 and re-enacted through Emergency Ordinance No. 019055 on May 11, 2020, is hereby re-enacted and shall continue for thirty (30) days unless re-enacted in accordance with City Charter Section 3.10 or until terminated by City Council, whichever is sooner.
2. 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.

**4.**

**ORDINANCE 019062**

**AN EMERGENCY ORDINANCE  
AMENDING AND RE-ENACTING EMERGENCY ORDINANCE NO. 019036;  
PENALTY AS PROVIDED IN SECTION 8**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**WHEREAS**, on March 13, 2020, the Governor of the State of Texas declared a state of disaster and the President of the United States of America declared a national emergency in relation to COVID-19; and

**WHEREAS**, by proclamation issued on March 13, 2020, the Mayor declared a local state of disaster for the City of El Paso resulting from a public health emergency; and

**WHEREAS**, on March 17, 2020, the City Council, pursuant to City Charter

Section 3.10, adopted Emergency Ordinance No. 019036 to meet a public emergency affecting, life, health, property or the public peace; and

**WHEREAS**, on March 30, 2020, the City Council adopted Emergency Ordinance No. 019045, amending Emergency Ordinance No. 019036; and

**WHEREAS**, on April 13, 2020, the City Council adopted Emergency Ordinance No. 019051, an Emergency Ordinance Amending and Re-Enacting Emergency Ordinance No. 019036; and

**WHEREAS**, on May 11, 2020, the City Council adopted Emergency Ordinance No. 019056, an Emergency Ordinance Re-Enacting Emergency Ordinance No. 019036, as amended and

**WHEREAS**, pursuant to City Charter Section 3.10, every emergency ordinance shall stand repealed automatically as of the 31st day following the date on which it was adopted, but may be re-enacted if the emergency still exists; and

**WHEREAS**, Emergency Ordinance No. 019056 which re-enacts Emergency Ordinance No. 019036 is set to expire on June 10, 2020; and

**WHEREAS**, a disaster continues to exist and requires that certain emergency measures be taken to meet a public emergency affecting life, health, property or the public peace; and

**WHEREAS**, the City Council desires to re-enact and amend its March 17, 2020, Emergency Ordinance No. 019036 to align with existing federal and state laws and guidance, which shall take effect on June 8, 2020, and remain in effect until July 8, 2020 or until otherwise terminated, re-enacted, or superseded by a conflicting El Paso Local Health Authority order, or state or federal law or order; and

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

That Emergency Ordinance No. 019036 is re-enacted and amended to read as follows:

**1. STATE AND FEDERAL GUIDANCE**

The City authorizes the Emergency Management Director or designee to update, restrict and promulgate regulations necessary to comply with Federal, State, and Local authorities' guidance in relation to COVID-19.

**2. CITY BOARDS AND COMMISSIONS**

- a) Unless required by State law, all City boards and commission meetings are suspended while this ordinance is in effect.
- b) Any boards and commissions that must meet pursuant to State law should meet pursuant to the Texas Open Meetings Act as provided by the suspension of the Open Meetings Act provisions approved by the Texas Governor and institute best practices in an effort to reduce in person meetings.

### 3. PRICE CONTROLS

A person shall not sell any of the following goods or services for more than the price the person charged for the goods or services on March 13, 2020:

- a) groceries, beverages, toiletry articles, ice;
- b) construction and building materials and supplies, and earthmoving equipment and machinery;
- c) electrical and gas generating and transmission equipment, parts and accessories;
- d) charcoal briquettes, matches, candles, lamp illumination and heat unit carbides, dry batteries, light bulbs, flashlights, and hand lanterns;
- e) hand tools (manual and power), hardware and household supplies, and equipment rental;
- f) automotive parts, supplies, and accessories;
- g) plumbing and electrical tools and supplies;
- h) apartment, duplex, multi-family dwelling, rooming house, hotel and motel rental;
- i) motor oil, kerosene, grease, and automotive lubricants;
- j) restaurant, cafeteria, and boarding-house meals;
- k) services of roofing and building contractors, plumbers, electricians, mechanics, tree surgeons, and automobile wrecker companies;
- l) medicine, pharmaceutical, and medical equipment and supplies;
- m) blankets, quilts, bedspreads, bed linens, mattresses, bedsprings, bedsteads, towels, toilet paper; and
- n) furniture and clothing.

### 4. SUSPENSION AND MODIFICATION OF ORDINANCES

- a) The following ordinances are hereby suspended or modified as indicated:

- i. Any ordinance or regulation that imposes an obligation upon the City to deliver in less than five (5) business days any non-essential good, or service, as determined by the Mayor, is hereby suspended.
- ii. Ordinance number 016736 is hereby modified to read as follows:

*Ordinance granting the authority to the City Manager or designee to enter into and sign certain contracts on behalf of the City is hereby amended to authorize the City Manager to negotiate and enter into contracts, including the issuance of purchase orders, on behalf of the City and sign and bind the City for contracts for the acquisition of goods and services in an amount that exceeds \$50,000 per annum, in order to take immediate action to relieve the emergency necessity of the municipality's residents, to preserve the property of the municipality, and to protect the health, safety, and welfare of the municipality's residents.*

- iii. El Paso City Code Sub-section 12.56.020(F), second sentence of the first paragraph, as stated below is hereby suspended and temporarily replaced with the following:



Parking meter fees shall apply in all areas between the hours of 8:00 a.m. and 6:00 p.m. of every day except on officially designated city holidays and Sundays. The International Bridges Director shall make recommendations to city council for exceptions to the days and times when parking meter fees shall apply, except that, for the duration of the local disaster declaration, the Director of International Bridges or designee may, without recommending to City Council, select as exempt from the parking meter fees those parking meters that enable convenient access to Essential Businesses as identified in the City's Stay Home, Work Safe Directive.

The Exceptions within 12.56.020(F) are not suspended or amended, and remain in full force and effect.

- b) The suspension or modifications of the ordinances and regulations listed in Subsection (a) shall remain in effect for 30 days, unless re-enacted in accordance with City Charter 3.10 or until the state of disaster is terminated, whichever is sooner.

## **5. MOVEMENT OF PEOPLE AND OCCUPANCY OF PREMISES**

- a) Except as allowed by federal, state or local law, individuals are prohibited from socially gathering in a group larger than 10 individuals (including those within the individual's household) in a single space.

For purposes of clarity, this does not prohibit people from visiting a variety of places, including grocery stores, gas stations, churches, and banks, so long as the necessary precautions are maintained to reduce the transmission of COVID-19.

- b) Until allowed by the Texas Governor, arcades shall remain closed.
- c) Restaurants may remain open as allowed by the Texas Governor and pursuant to current El Paso Health Authority Orders for Restaurants, as amended.

## **6. TEMPORARY ASSISTANCE**

The City urges all businesses to provide two weeks of paid sick leave to employees that succumb to COVID-19, are caring for someone with COVID-19, or are subject to quarantine. The City further urges businesses to apply for any available federal funding for the provision of paid sick leave.

## **7. UTILITIES & RESIDENCE**

Residents and commercial tenants are responsible for paying their respective utility, mortgage and rent bills.

Landlords and tenants are encouraged to in good faith work out deferred payment plans or long term payment plans; however,

- a) No local utility shall discontinue the provision of cable, internet, water, gas,

waste removal and electric utility services to a residential or commercial customer for lack of payment while this ordinance is in effect.

- b) To the extent allowed by law, no landlord shall evict a tenant for lack of payment while this ordinance is in effect.

## 8. PENALTIES

- a) These regulations shall have the effect of ordinances when duly filed with the City Clerk.
- b) A person who violates any provision of these regulations, upon conviction, is guilty of a misdemeanor punishable by a fine of not more than five hundred dollars (\$500.00).

## 9. EMERGENCY

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.

This emergency ordinance shall take effect immediately upon its adoption and publication and it is accordingly so ordained. This ordinance shall remain in effect for 30 days, unless re-enacted in accordance with City Charter section 3.10 or until the state of disaster is terminated, whichever is sooner.

## 10. SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Council that the phrases, sentences, paragraphs and sections of this ordinance are severable. If any part of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect the remaining phrases, sentences, paragraphs and sections.

Ms. Karla Nieman, City Attorney, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Hernandez and Rivera commented.

Mr. Russ Pfeiffer, Vice President of Fuel Strategies and Financial Services, commented.

### 1<sup>ST</sup> MOTION

Motion made by Representative Morgan, seconded by Representative Rodriguez, and unanimously carried to **AMEND** item 4, Emergency Ordinance re-enacting Emergency Ordinance No. 019036 section 3, subsection i), to strike out the words "gasoline" and "diesel".

AYES: Representatives Svarzbein, Anello, Hernandez, Morgan, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

**2<sup>ND</sup> AND FINAL MOTION**

Motion made by Representative Morgan, seconded by Representative Annello, and unanimously carried to **ADOPT** the Emergency Ordinances.

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

**Mayor Margo consented to the adoption of the Emergency Ordinances.**

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**5. Budget Update - Chime In!**

Ms. Nicole Cote, Office of Management and Budget Director, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representative Svarzbein commented.

Mr. Tommy Gonzalez, City Manager, commented.

Mr. Jose Barriga, citizen, commented.

**NO ACTION** was taken on this item.

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**6. Presentation and discussion on Capital Improvement Program Quarterly update for active, deferred and completed capital projects.**

Mr. Sam Rodriguez, City Engineer, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Svarzbein, Annello, and Lizarraga commented.

**NO ACTION** was taken on this item.

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**7. Quality of Life Portfolio Update: COVID-19 Crisis Impacts, Responses and Reopening (Phase 1).**

Ms. Tracey Jerome, Deputy City Manager, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Svarzbein, Hernandez, and Rivera commented.

Mr. Ben Fyffe, Director of Cultural Affairs and Recreation commented.

Mr. Manuel Feliberti, citizen commented.

A letter from Ms. Fabiola Campos was read into the record by Ms. Laura D. Prine, City Clerk.

**NO ACTION** was taken on this item.

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8. Presentation and discussion on the impacts of COVID-19 on Airport revenues, CARES funding, and the financial sustainability of the airport, focusing on employee and passenger safety, data, and the plan for recovery.

Mr. Sam Rodriguez, Chief Operations and Transportation Officer, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

**NO ACTION** was taken on this item.

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9. Review of May 31, 2020 and June 2, 2020 Public Assemblies in Memory of Mr. George Floyd.

Assistant Police Chief Peter Pacillas presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Annello, Hernandez, and Rodriguez commented.

The following City staff members commented:

1. Police Chief Greg Allen
2. Mr. Tommy Gonzalez, City Manager

The following members of the public commented:

1. Ms. Veronica Carbajal
2. Ms. Cemelli de Aztlan
3. Ms. Destiny Garcia
4. Mr. Aaron Joseph Montes
5. Mr. William Ahee
6. Ms. Camille Carlos
7. Ms. Emma Bowar
8. Mr. Ryan Bracamontes
9. Mr. Diego Carlos
10. Ms. Lisa Turner
11. Mr. Adriano Perez

**NO ACTION** was taken on this item.

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10. Presentation and discussion on the El Paso Police Department's community engagement efforts.

Assistant Police Chief Victor Zarur briefed Council members on the item.

The following members of the public commented:

1. Mr. William Ahee
2. Mr. Fernando Garcia
3. Mr. Sito Negron on behalf of Senator Jose Rodriguez
4. Ms. Hannah Hollandbyrd

**NO ACTION** was taken on this item.

**EXECUTIVE SESSION**

Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Svarzbein, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 7:29 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 item:

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, Hernandez, Morgan, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

Motion made by Representative Morgan, seconded by Representative Salcido, and unanimously carried to adjourn the Executive Session at 8:55 p.m. and **RECONVENE** the meeting of the City Council during which time motions were made

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

**EX1. Public Utility Commission of Texas Docket No. 50477 Application of El Paso Electric Company to Implement the Merger Rate Credit in Compliance with Settlement and Order in Docket No. 49849 (Joint Report & Application of El Paso Electric Company, Sun Jupiter Holdings, LLC and IIF, US Holding 2 LP for regulatory approvals under PURA §§ 14.01, 39.262, and 39.915) Matter: 19-1008-126.003. (551.071) (551.087)**

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Morgan, and unanimously carried that the City Council of the CITY OF EL PASO **APPROVES** the Application of El Paso Electric Company to Implement the Merger Rate Credit in Compliance with Settlement and Order in Docket No. 49849 filed March 30, 2020 with the Public Utility Commission of Texas Docket No. 50477.

Further, the City Attorney is authorized to communicate the City's agreement to the proposed order filed with the Public Utility Commission of Texas in Docket No. 50477 on March 30, 2020. EPE is ordered to reimburse the City for its reasonable and necessary expenses incurred in this application and in Docket 50477 at the Public Utility Commission of Texas.

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Salcido, Rivera, and Lizarraga

NAYS: None

ABSTAIN: Representative Rodriguez

**EX2. Application of El Paso Electric Company to Implement Second Updated Refund Tariff for Federal Income Tax Rate Decrease in Compliance with Docket No. 46831; Under the City's Original Jurisdiction and Public Utility Commission of**

**Texas Docket No. 50575; Matter: 20-1008-140. (551.071) (551.087)**

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Rivera, and unanimously carried that the City Council of the CITY OF EL PASO **APPROVES** the Application of El Paso Electric Company to Implement Refund Tariff for Federal Income Tax Rate Decrease in Compliance with Docket 50575 filed with the City of El Paso on March 1, 2020, with the rates in Rate schedule FTRF Update.

Further, the City Attorney is authorized to communicate the City's agreement in the Public Utility Commission of Texas Docket No. 50575 on May 18, 2020. EPE is ordered to reimburse the City for its expenses incurred in this application and expenses incurred in Docket 50575 at the Public Utility Commission of Texas.

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Salcido, Rivera, and Lizarraga

NAYS: None

ABSTAIN: Representative Rodriguez

**EX3. Coronavirus Relief Fund Sub-recipient Agreements for Economic Development and Community Development programs. Matter No. 20-1052-1069.046 (551.071)**

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Rivera, and unanimously carried, that the City Council of the CITY OF EL PASO **AUTHORIZES** the City Attorney's Office and the City Manager or designee, to negotiate agreements to establish the City programs listed in the Notice of Funding Availability issued by the City.

Further, the City Council of the CITY OF EL PASO authorizes the City Attorney's Office and the City Manager or designee, to negotiate future CARES Act-Coronavirus Relief Fund Subrecipient contracts.

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

**EX4. Economic Incentives for a Warehouse Distribution Company to be located in the City of El Paso. (19-1007-2515) (551.071) (551.087)**

**NO ACTION** was taken on this item.

**EX5. Proposed Real Estate Acquisitions for Open Space in the City of El Paso. (20-1004-1098) (551.071) (551.072)**

**NO ACTION** was taken on this item.

**ADJOURN**

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Rivera and unanimously carried to **ADJOURN** this meeting at 9:00 p.m.

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Salcido, Rodriguez, Rivera,  
and Lizarraga

NAYS: None

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APPROVED AS TO CONTENT:

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Laura D. Prine, City Clerk