

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
July 18, 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 9:20 a.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. Cassandra Hernandez joined virtually. Cissy Lizarraga requested to be excused.
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AGENDA

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

1. Overview (Tommy Gonzalez)

Mr. Tommy Gonzalez, City Manager, began the presentation by highlighting the increase in number of hospitalizations at this time and recommended the wearing of masks, hand sanitizing, and social distancing. Mr. Gonzalez provided the hours of operation and location on the four vaccination clinics throughout the City. He also provided vaccination rates, which remain higher than the state average and mentioned that the coordination with the school districts will soon resume to provide vaccinations during the back to school season.

2. City Attorney Overview (Karla Nieman)

- a. State Disaster Declaration
- b. Emergency Ordinances
- c. Greg Abbott, in his official capacity as Governor of Texas v. City of El Paso and Statewide Mask Mandate Litigation
- d. Additional Updates

Ms. Josette Flores, Senior Assistant City Attorney, continued with the presentation and stated that although the State Disaster Declaration has not yet been extended, it is expected that Governor Abbot will be doing so within the next two days adding that the local Emergency Ordinances will expire on July 22, 2022 and will need to be reenacted. Ms. Flores explained that there were no updates related to the mask mandate litigation and finalized her presentation by providing data on the COVID-19 related citations filed in the Municipal Courts, which include a total of 405 trial settings.

Representative Annello questioned the following City staff members:

- Mr. Sam Rodriguez, Chief Operations and Transportation Officer
- Mr. Joaquin Rodriguez, Capital Improvement Project Manager
- Ms. Tracey Jerome, Senior Deputy City Manager

3. Team Lead Report:

- a. Health Focus (Hector Ocaranza, M.D.)
- b. Community Vulnerabilities (Nicole Ferrini)
 - i. Utility Assistance

Dr. Hector Ocaranza, Public Health Authority, reiterated the information previously provided by Mr. Gonzalez regarding the high status of community infection due to the increased number in hospitalizations; he also made the recommendations on mask wearing, vaccination and boosting while reminding the public that COVID-19 is not over. He advised the community to continue testing and to be prepared for the fall and winter seasons with the expected increase in infections. Dr. Ocaranza proceeded to go over data related to the different variants and subvariants with BA.4 and BA.5 most prevalent in replacing the Omicron variant across the state. He added that young adults between the ages of 20-40 are the group with the higher number of infections while seniors make up the majority of hospitalizations.

Representative Svarzbein commented.

Ms. Nicole Ferrini, Community and Human Development Director Ferrini continued the presentation and briefed Council members on the support provided in conjunction with the Paso del Norte Community Foundation and Amistad to over 9,000 local families during the last two years amounting to a total of \$10M in rent and utility assistance for up to 12 months. She mentioned that rental assistance is no longer available but funds are still available for utility assistance. Ms. Ferrini concluded her presentation by urging people to contact Amistad to apply for utility assistance before funds expire.

4. City Manager Wrap-up (Tommy Gonzalez)

Mr. Gonzalez concluded the presentation with a reminder that the number of infections keep going up and mentioning that although the vaccination rate for youths ages 5 – 16, is currently at 51%, which compares to the state numbers, and said we need to remain focused on getting more people from this age group vaccinated especially with back to school around the corner.

NO ACTION was taken on this item.

2.

ITEMS 2 THROUGH 4 WERE TAKEN TOGETHER

ORDINANCE NO. 019349

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

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, since March 2020, El Paso City Council has re-enacted Emergency Ordinance No. 019035 monthly, with the most recent re-enactment taking place on June 21, 2022; and

WHEREAS, as of July 8, 2022, the number of COVID-19 active cases in El Paso is over 3,516; 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. 019336 which re-enacts Emergency Ordinance No. 019035 is set to expire on July 21, 2022;

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, 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.

3.

ORDINANCE NO. 019350

**AN EMERGENCY ORDINANCE RE-ENACTING EMERGENCY ORDINANCE NO. 019036
INSTITUTING EMERGENCY MEASURES, AS RE-ENACTED, RESTATED AND AMENDED**

BY EMERGENCY ORDINANCE NO. 019151; AND FURTHER RE-ENACTED AND AMENDED BY EMERGENCY ORDINANCE NOS. 019156, 019169, 019191 and 019284; PENALTY AS PROVIDED IN SECTION 8

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, since March 2020, City Council has re-enacted Emergency Ordinance No. 019036 monthly, with the most recent re-enactment, re-statement and amendment taking place on March 16, 2021, and with the most recent re-enactment taking place on June 21, 2022; 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, 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 Emergency Ordinance No. 019036, as re-enacted, restated and amended on March 16, 2021 through Emergency Ordinance No. 019151, as further re-enacted and amended on March 29, 2021 through Emergency Ordinance No. 019156, as further re-enacted and amended on April 26, 2021 through Emergency Ordinance No. 019169, as further re-enacted and amended on May 24, 2021 through Emergency Ordinance No. 019191, as further re-enacted and amended on January 31, 2022 through Emergency Ordinance No. 019284, which shall remain in effect for thirty days or until otherwise terminated, re-enacted, or superseded by a conflicting El Paso Local Health Authority order, or state or federal law or order.

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

1. Emergency Ordinance No. 019036, as re-enacted, restated and amended by Emergency Ordinance No. 019151, and as further re-enacted and amended by Emergency Ordinance Nos. 019156, 019169, 019191, and 019284, penalty as provided in Section 8, is hereby re-enacted.
2. Emergency Ordinance No. 019036, as re-enacted, restated and amended by Emergency Ordinance No. 019151, and further re-enacted and amended by Emergency Ordinance Nos. 019156, 019169, 019191, and 019284, penalty as provided in Section 8, shall remain in full force and effect and continue for thirty (30) days unless re-enacted in accordance with City Charter Section 3.10 or until terminated by 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, pursuant to City Charter Section 3.10.

4.

ORDINANCE 019351
AN EMERGENCY ORDINANCE
RE-ENACTING EMERGENCY ORDINANCE NO. 019241;
ALLOWING TEMPORARY USES ON THE PUBLIC RIGHT OF WAY AND PRIVATE
PROPERTY BY SUSPENDING VARIOUS CITY ORDINANCES; PENALTY AS
PROVIDED IN SECTION 6.

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, El Paso City Council adopted Emergency Ordinance No. 019035 extending the City's Disaster Declaration due to a Public Health Emergency; and

WHEREAS, since March 2020, El Paso City Council has re-enacted Emergency Ordinance No. 019035, with the most recent re-enactment taking place on June 21, 2022; and

WHEREAS, Governor Abbott has similarly renewed the State's COVID- 19 Disaster Declaration, with the most recent extension taking place on June 21, 2022; and

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

WHEREAS, the El Paso City Council desires to support restaurants and similar establishments in their efforts to safely operate during the COVID-19 pandemic by further facilitating outdoor service and dining opportunities; and

WHEREAS, on October 11, 2021, City Council enacted an Emergency Ordinance Instituting Emergency Measures to Allow Temporary Uses on the Public Right of Way and Private Property by Suspending Various City Ordinances ("**Emergency Ordinance No. 019241**"); 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, City Council re-enacted Emergency Ordinance No. 019241, with the most recent re-enactment taking place on June 21, 2022 (Ord. No. 019338) ("**Re-enacting Ordinance**"); 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, City Council desires to re-enact its October 11, 2021, Emergency Ordinance No. 019241, which shall take effect immediately, and remain in effect until August 17, 2022 or until otherwise terminated, re-enacted, or superseded by a conflicting El Paso Local Health Authority order, or state or federal law or order.

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

1. That Emergency Ordinance No. 019241, is re-enacted and shall remain in full force and continue for thirty (30) days unless re-enacted in accordance with City Charter Section 3.10 or until terminated by the 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.

Mr. Sam Rodriguez, Chief Operations and Transportation Officer, commented.

Ms. Lisa Turner, citizen, commented.

Motion made by Representative Rivera, second by Representative Molinar, and unanimously carried to **ADOPT** the Emergency Ordinances.

AYES: Representatives Svarzbein, Anello, Hernandez, Molinar, Salcido, Rodriguez, and Rivera

NAYS: None

ABSENT: Representative Lizarraga

Mayor Leeser consented to the adoption of the Emergency Ordinances.

5.

ORDINANCE NO. 019352

**AN EMERGENCY ORDINANCE EXTENDING EMERGENCY
ORDINANCE NO. 019333 AUTHORIZING THE CITY MANAGER TO ASSIGN
PERSONNEL AND RESOURCES TO ASSIST IN ADDRESSING THE HUMANITARIAN
AND PUBLIC SAFETY CRISIS RESULTING FROM A MASS MIGRATION THROUGH EL
PASO**

WHEREAS, on May 23, 2022, the Mayor and City Council of the City of El Paso (the "City") passed an Emergency Ordinance No. 019333 "Authorizing the City Manager to Assign Personnel and Resources to Assist in Addressing the Humanitarian and Public Safety Crisis Resulting from a Mass Migration through the City of El Paso"; and

WHEREAS, thousands of migrants from Latin America have already gathered at or near the U.S.- Mexico border in hopes that President Biden will ease immigration restrictions that will make it easier to enter the United States; and

WHEREAS, because of war between Russia and Ukraine and the political situation in Turkey, Ukrainians, Russians, and Turks are arriving at the Southern border for admission to the United States; and

WHEREAS, on April 1, 2022, the Centers for Disease Control and Prevention (“CDC”) announced the repeal of the Public Health Services Act, 42 U.S.C. §265 (“Title 42”), which was expected to allow for the inflow of migrants from the southern border; and

WHEREAS, federal litigation ensued to enjoin the CDC from repealing Title 42 on the intended date of May 23, 2022; and

WHEREAS, on June 30, 2022, a United States Supreme Court ruling allowed the President to end the Migrant Protection Protocols, which would allow for the inflow of migrants from the southern border; and

WHEREAS, the Southwest had 239,416 land border encounters in the month of May, 2022; and

WHEREAS, the El Paso sector of CBP had 34,638 land border encounters in the month of May, 2022 and a total of 177,789 encounters for federal fiscal year 2022; and

WHEREAS, although Title 42 remains in place as a result of the federal litigation, the number of Border Patrol encounters remain high averaging 600 to 1000 per day; and

WHEREAS, due to this high volume, the number of refugees and asylum seekers amounts to 200-300 releases to the Annunciation House, a local non-governmental organization (“NGO”), on a daily basis; and

WHEREAS, on some days, the number of releases is lower due to the limited NGO space; and

WHEREAS, when the City faced a migrant surge in March of 2019, the NGO was able to establish over thirty hospitality sites throughout the El Paso region, versus today’s fifteen hospitality sites; and

WHEREAS, the primary challenge is that the NGO does not have the volunteer base to sustain or increase current capacity at its current hospitality sites (twelve in El Paso, Texas, three in Las Cruces, New Mexico, one in Deming, New Mexico, and another in Albuquerque, New Mexico); and

WHEREAS, although NGO volunteer recruitment efforts will continue, it is not anticipated that the volunteer base will keep up with the current demand, despite the NGO having identified additional facilities that could receive migrants; and

WHEREAS, when the U.S. Customs and Border Protection’s (“CBP”) Central Processing Center is over capacity and NGO space is unavailable, that is when the potential for street releases arises; and

WHEREAS, on May 15, 2022, the federal authorities released 119 single adults on the downtown streets of the City of El Paso; and

WHEREAS, in response to the May 15, 2022, street release, the El Paso City-County Office of Emergency Management (“OEM”) reallocated twenty-nine COVID-19 Operations staff

to assist as migrant shelter surge staff, and on May 17, 2022, this staff began orientation training at Casa del Refugiado, the NGO's largest hospitality site; and

WHEREAS, OEM has created a job specification, for general disaster operations to include humanitarian relief duties to hire and assign staff to assist with NGO capacity with 36 staff currently assigned; and

WHEREAS, the El Paso City Charter Section 3.10, allows for the adoption of one or more emergency ordinances to meet a public emergency affecting life, health, property, or the public peace; and

WHEREAS, Section 121.003 of the Texas Health & Safety Code states that a municipality may enforce any law that is reasonably necessary to protect public health; and

WHEREAS, Section 122.006 of the Texas Health & Safety Code provides home-rule municipalities express authority to adopt rules to protect the health of persons in the municipality, including quarantine rules to protect the residents against communicable disease; and

WHEREAS, OEM continues to provide COVID-19 isolation and quarantine hotel support to migrant shelters, expanding operations when outbreaks occur in congregate shelter facilities; and

WHEREAS, OEM has provided isolation and quarantine services to over 2,483 migrants in close coordination with NGOs since April 2020; and

WHEREAS, the release of mass groups of people without access to potable water, food, or shelter exposes the migrants and El Paso residents to the origination and spread of potential and actual disease; 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 hot or cold temperatures and the inherent risks that come with increased demand on local shelters; and

WHEREAS, for these reasons, 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 the potential for loss of property for both residents and migrants due to those who would take financial advantage of this wave of migrants; 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; and

WHEREAS, the potential encampment of large groups of migrants on City rights of way and parks poses safety risks to migrants and citizens alike; and

WHEREAS, in awaiting the due support of the federal government, the City finds that the expenditure of public funds for staff to coordinate resources and supplies, serve as shelter surge staff and transport migrants released in the City of El Paso accomplishes a valid public purpose of protecting public infrastructure, and protecting the health, safety and welfare of the citizens of El Paso; and

WHEREAS, in order to protect the health of persons in the municipality, the City Council wishes to continue to assist the local NGO with surge staff, coordination of resources and supplies, and transportation in light of the continued high number of community releases; and

WHEREAS, OEM and the City will continue to prepare and evaluate the need for mass emergency sheltering in anticipation of the eventual repeal of Title 42 and other regional migration surges that may impact the El Paso region; and

WHEREAS, this Ordinance shall remain in effect until otherwise terminated, re-enacted, or superseded by a conflicting ordinance, El Paso Local Health Authority Ordinance, or state or federal law.

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

1. That the Emergency Ordinance No. 019333 passed and adopted by the City Council of the City of El Paso on May 23, 2022 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.

Assistant Fire Chief Jorge Rodriguez presented a PowerPoint presentation related to the mass migration situation in El Paso.

Mayor Leeser commented.

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

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

NAYS: None

ABSENT: Representative Lizarraga

Mayor Leeser consented to the adoption of the Emergency Ordinance.

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6. Presentation of, and discussion and action on, the recommendation of the Ad Hoc Charter Advisory Committee.

Ms. Laura D. Prine, City Clerk, presented a PowerPoint presentation (copy on file in the City Clerk's Office and answered questions posed by members of Council.

The following City staff members commented and/or assisted answering questions:

- Ms. Karen Hamilton, Senior Assistant City Attorney
- Ms. Araceli Guerra, Managing Director of Internal Services
- Ms. Josette Flores, Senior Assistant City Attorney
- Ms. Mary Michel, Human Resources Assistant Director
- Mr. Robert Cortinas, Chief Financial Officer
- Mr. Tommy Gonzalez, City Manager
- Ms. Laura Cruz-Acosta, Strategic Communications Director

The following members of the public commented:

1. Mr. Tyler Grossman
2. Mr. Rick Bonart
3. Ms. Lisa Turner

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

1ST MOTION

Motion made by Representative Annello, seconded by Representative Molinar and carried to **AMEND** the recommended ballot language for Section 2.2C as follows:

Should section 2.2C of the City Charter, relating to term limits, be amended to provide that a person who serves an unexpired term due to a council member vacancy be allowed to serve two full four-year terms, ~~regardless of whether it results in more than ten years~~ **“not to exceed ten years and six months”**?

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

NAYS: Representatives Svarzbein and Hernandez

ABSENT: Representative Lizarraga

2ND MOTION

Motion made by Representative Rodriguez, seconded by Representative Hernandez, and carried to **RECONSIDER** the amendment to Section 2.2C.

AYES: Representatives Svarzbein, Hernandez, Salcido, Rodriguez, and Rivera

NAYS: Representatives Annello and Molinar

ABSENT: Representative Lizarraga

3RD MOTION

Motion made by Representative Annello, seconded by Representative Molinar, to **AMEND** the recommended ballot language for Section 2.2C as follows:

Should section 2.2C of the City Charter, relating to term limits, be amended to provide that a person who serves an unexpired term due to a council member vacancy be allowed to serve two full four-year terms, ~~regardless of whether it results in more than ten years~~ **“not to exceed ten years and six months”**?

AYES: Representatives Svarzbein, Annello, and Molinar

NAYS: Representatives Hernandez, Salcido, Rodriguez, and Rivera

ABSENT: Representative Lizarraga
THE MOTION FAILED.

4TH MOTION

Motion made by Representative Rivera, seconded by Representative Salcido, and carried to **APPROVE** the recommended ballot language for Section 2.2C as follows:

Should section 2.2C of the City Charter, relating to term limits, be amended to provide that a person who serves an unexpired term due to a council member vacancy be allowed to serve two full four-year terms, regardless of whether it results in more than ten years?

AYES: Representatives Hernandez, Salcido, Rodriguez, and Rivera

NAYS: Representatives Svarzbein, Anello, and Molinar

ABSENT: Representative Lizarraga

5TH MOTION

Motion made by Representative Anello, seconded by Representative Salcido, and carried to **AMEND** a ballot proposition that would amend Section 3.1 as follows:

Each Representative shall have the discretion and sole authority to appoint and remove a ~~Legislative Aide or Chief of Staff~~ **“district office staff”**.

AYES: Representatives Svarzbein, Anello, Salcido, and Rivera

NAYS: Representatives Hernandez, Molinar, and Rodriguez

ABSENT: Representative Lizarraga

6TH MOTION

Motion made by Representative Molinar, seconded by Representative Anello, to **AMEND** a ballot proposition that would amend Section 3.1 as follows:

“Each City Representative may have two full-time employees, one as a Legislative Aide, and reports directly to the City Representative and with the authority to appoint and terminate”.

AYES: Representatives Anello and Molinar

NAYS: Representatives Svarzbein, Hernandez, Salcido, Rodriguez, and Rivera

ABSENT: Representative Lizarraga

THE MOTION FAILED.

7TH MOTION

Motion made by Representative Rivera, seconded by Representative Anello, and unanimously carried to **APPROVE** only the following ballot proposition to amend Section 3.1 as follows:

Each Representative shall have the discretion and sole authority to appoint and remove a Legislative Aide or Chief of Staff **“district office staff”**.

AYES: Representatives Svarzbein, Anello, Hernandez, Molinar, Salcido, Rodriguez, and Rivera

NAYS: None

ABSENT: Representative Lizarraga

8TH MOTION

Motion made by Representative Rivera, seconded by Representative Annello, and unanimously carried to **APPROVE** the recommended ballot language for Section 3.5A to read as follows:

- Should section 3.5A of the City Charter be amended to allow Council to reschedule meetings by resolution to allow for City holidays but shall hold no less than two regular meetings per month?
- Should section 3.5A of the City Charter be amended to allow the Mayor to cancel a meeting if necessary due to a Federal, State, or Local declared emergency?

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

NAYS: None

ABSENT: Representative Lizarraga

9TH MOTION

Motion made by Representative Annello, seconded by Representative Molinar, carried to **AMEND** a portion of the recommended amended language for Section 3.11 to eliminate the restriction on the type of ordinances for an initiative to read as follows:

“Any five registered voters, referred to in this section as the committee, may initiate an ordinance that complies with federal, state, and local law by filing with the City Clerk a statement that they intend to circulate a petition, ~~however, no ordinance may be initiated through this process regarding required appropriation or allocation of City funds, zoning or rezoning, levy of taxes, setting utility rates, purchase or sale of an interest in real property or granting a franchise.~~”

If the committee still wishes to seek adoption of the ordinance after Council fails to adopt, or does not agree to Council’s amendments, it will then have 90 calendar days after notice from the City Clerk to complete the petition by gathering signatures in the form required by state law, including but not limited to the original signature, printed name, residence address and date of birth or voter registration of a number of registered voters equal to at least five percent of the voters who voted in the last general City election or 20,000 voters whichever is smaller.

AYES: Representatives Svarzbein, Annello, Molinar, and Salcido

NAYS: Representatives Hernandez, Rodriguez, and Rivera

ABSENT: Representative Lizarraga

10TH MOTION

Motion made by Representative Salcido, seconded by Representative Rodriguez, and carried to **RECONSIDER** amendments to Section 3.11.

AYES: Representatives Hernandez, Salcido, Rodriguez, and Rivera

NAYS: Representatives Svarzbein, Annello and Molinar

ABSENT: Representative Lizarraga

11TH MOTION

Motion made by Representative Annello, seconded by Representative Molinar, carried to **AMEND** a portion of the recommended amended language for Section 3.11 to strike out the first paragraph and add a cap of 20,000 to the number of signatures required to read as follows:

~~“Any five registered voters, referred to in this section as the committee, may initiate an ordinance that complies with federal, state, and local law by filing with the City Clerk a statement that they intend to circulate a petition, however, no ordinance may be initiated through this process regarding required appropriation or allocation of City funds, zoning or rezoning, levy of taxes, setting utility rates, purchase or sale of an interest in real property or granting a franchise.”~~

If the committee still wishes to seek adoption of the ordinance after Council fails to adopt, or does not agree to Council’s amendments, it will then have 90 calendar days after notice from the City Clerk to complete the petition by gathering signatures in the form required by state law, including but not limited to the original signature, printed name, residence address and date of birth or voter registration of a number of registered voters equal to at least five percent of the voters who voted in the last general City election **or 20,000 signatures whichever is smaller.**

AYES: Representatives Svarzbein, Annello, and Molinar

NAYS: Representatives Hernandez, Rodriguez, Rivera and Mayor Leeser

ABSTAIN: Representative Salcido

ABSENT: Representative Lizarraga

THE MAYOR BROKE THE TIE BY VOTING “NAY”. THE MOTION FAILED.

12TH MOTION

Motion made by Representative Hernandez, seconded by Representative Rivera, and carried to **AMEND** a portion of the recommended amended language for Section 3.11 to include “or matters outside the City’s jurisdiction” to read as follows:

Any five registered voters, referred to in this section as the committee, may initiate an ordinance that complies with federal, state, and local law by filing with the City Clerk a statement that they intend to circulate a petition, however, no ordinance may be initiated through this process regarding required appropriation or allocation of City funds, zoning or rezoning, levy of taxes, setting utility rates, purchase or sale of an interest in real property, granting a franchise, **or matters outside the City’s jurisdiction.**

AYES: Representatives Hernandez, Rodriguez, Rivera, and Mayor Leeser

NAYS: Representatives Svarzbein, Annello, and Molinar

ABSTAIN: Representative Salcido

ABSENT: Representative Lizarraga

THE MAYOR BROKE THE TIE BY VOTING “AYE”.

13TH MOTION

Motion made by Representative Hernandez, seconded by Representative Rodriguez, to **APPROVE** the recommended ballot language and proposed amended language for Section 3.11 **AS AMENDED** to read as follows:

Proposed ballot language:

Should section 3.11 relating to the initiative petition of the City Charter be amended to remove the requirement for a second petition, and institute a process for the public to initiate a City ordinance?

Proposed amended language:

Any five registered voters, referred to in this section as the committee, may initiate an ordinance that complies with federal, state, and local law by filing with the City Clerk a statement that they intend to circulate a petition, however, no ordinance may be initiated through this process regarding required appropriation or allocation of City funds, zoning or rezoning, levy of taxes, setting utility rates, purchase or sale of an interest in real property, or granting a franchise, or matters outside the City's jurisdiction. Such statements must include the names and addresses of the committee members, the full text of the proposed ordinance, and the designated lead committee member.

The City Clerk shall place the proposed Ordinance on the City Council Agenda for introduction within thirty days after receiving the statement, followed by a public hearing at the second reading. If City Council fails to adopt the ordinance or adopts it with amendments, the City Clerk will notify the committee through the lead committee member.

If the committee still wishes to seek adoption of the ordinance after Council fails to adopt, or does not agree to Council's amendments, it will then have 90 calendar days after notice from the City Clerk to complete the petition by gathering signatures in the form required by state law, including but not limited to the original signature, printed name, residence address and date of birth or voter registration Whenever a number of registered voters who voted in the last general City election, ~~sign a~~ The petition must set forth the precise content of an the ordinance desired by the petitioners. ~~signers.~~

Within thirty working days, the City Clerk shall review the petition to verify if it meets all requirements, and if authenticated with the required number of signatures, ~~the Council~~ must place that ordinance on the agenda of a Council meeting to be held within thirty working days of the receipt, authentication by the City Clerk, of the petition bearing the authenticated names and addresses of the petitioners. Such an item shall be treated by the Council exactly as any other proposed ordinance.

~~Should an ordinance proposed by such petition not be enacted by the~~ If Council does not adopt, ~~or should it be enacted~~ adopts the proposed ordinance in an amended form, ~~a second petition, signed by a number of registered voters equal to at least five percent of the voters who voted in the last general City election, may be submitted to the City Clerk and that official shall have twenty working days in which to authenticate the signatures and thereafter must place the re-proposed ordinance on the ballot at the next~~ citywide general election specified in State law, if the proposal receives d the favorable vote of the majority of those voting in that election it shall thereupon become a City ordinance. The Council is not obligated to consider the same ordinance initiated by petition, or one that is substantially the same, more often than once in two years.

AYES: Representatives Hernandez, Rodriguez, and Rivera

NAYS: Representatives Svarzbein, Annello, Molinar, and Mayor Leeser

ABSTAIN: Representative Salcido

ABSENT: Representative Lizarraga

THE MAYOR BROKE THE TIE BY VOTING "NAY". THE MOTION FAILED.

14TH MOTION

Motion made by Representative Annello, seconded by Representative Rodriguez, and unanimously carried to **APPROVE** the recommended ballot language for Sections 3.9B, 3.10B, and 6.1-12 to read as follows:

Shall Sections 3.9B, 3.10B, 6.1-12 of the City Charter be amended to require submission to the qualified voters of the City to eliminate provisions that have become inoperative because they have superseded by state law; replace obsolete references, and update terminology to current legal usage?

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

NAYS: None

ABSENT: Representative Lizarraga

15TH MOTION

Motion made by Representative Hernandez, seconded by Representative Salcido, and unanimously carried to **APPROVE** the proposed amended language after discussion with pension office for Sections 6.13-11D to include the floor cap for City contributions as a separate ballot proposition to reads as follows:

Proposed amended language after discussion with pension office:

Firemen and Policemen Pension Fund of El Paso. The City shall continue to augment the Firemen and Policemen Pension Fund of El Paso in a manner consistent with the laws of Texas. To augment the Firemen and Policemen Pension Fund, the Council shall in each fiscal year beginning after February 1968, appropriate an amount equal to three times the amount paid into the fund by the participants therein. **Any change to the City's contribution shall comply with the relevant state Law;** ~~provided that the amount contributed by the City shall not exceed eighteen percent of the total amount expended for salaries of the participants;~~ provided further, however, that in the event age limits for participation in the pension fund, or any division of the fund, are increased as permitted by law and the raising of the age limits causes an increase in funding costs as determined by an actuary, the City shall appropriate an amount equal to such cost increase ~~notwithstanding that such increased appropriation may exceed eighteen percent of the total amount expended for salaries of the participants, but such increased appropriation shall in no case exceed eighteen and~~ **in an amount up to** one-half percent of the total amount expended for salaries of the participants.

Fireman and Policemen Pension Fund of El Paso. The City shall continue to augment the Firemen and Policemen Pension Fund of El Paso in a manner consistent with the laws of Texas. To augment the Fireman and Policemen Pension Fund, the Council shall in each fiscal year beginning after **November 2022**, ~~February, 1968~~ appropriate **no less than eighteen percent of the total amount expended for wages of the participants, and may increase this contribution rate as allowed by the relevant state law requirements based on a qualified actuary's report;** ~~an amount equal to three times the amount paid into the fund by the participants therein; provided that the amount contributed by the City shall not exceed eighteen~~

~~percent of the total amount expended for salaries of the participants;~~ provided further, however, that in the event age limits for participation in the pension fund, or any division of the fund, are increased as permitted by law and the raising of the age limits causes an increase in funding costs as determined by an actuary, the City shall appropriate an amount equal to such cost increase notwithstanding that such increased appropriation may exceed the otherwise determined ~~eighteen percent of the total amount expended for salaries of the participants, but such increased appropriation shall in no case exceed eighteen and one-half percent of the total amount expended for~~ wages salaries of the participants.

AYES: Representatives Svarzbein, Anello, Hernandez, Molinar, Salcido, Rodriguez, and Rivera

NAYS: None

ABSENT: Representative Lizarraga

16TH MOTION

Motion made by Representative Rodriguez, seconded by Representative Salcido, and carried to **APPROVE** the recommended ballot language for Section 3.18. to read as follows:

Should section 3.18 of the City Charter relating to Leases, Franchises, and Conveyances be amended to authorize Council to lease City-owned property for 40 years or less by Council resolution or ordinance?

AYES: Representatives Anello, Hernandez, Molinar, Salcido, Rodriguez, and Rivera

NAYS: Representative Svarzbein

ABSENT: Representative Lizarraga

17TH MOTION

Motion made by Representative Rodriguez, seconded by Mayor Pro Tempore Svarzbein, and carried to **AMEND** the recommended ballot language for Section 4.1B to include an effective date of the first meeting in 2025 to read as follows:

Should sections 1.2, 3.5E, 3.6, 4.1B, 4.3, and 7.3 of the City Charter be amended to authorize the Mayor to vote on City Council agenda items and remove the Mayor's tie-breaking and veto capacity beginning with the first meeting in 2025?

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

NAYS: Representative Molinar

ABSENT: Representative Lizarraga

18TH MOTION

Motion made by Representative Anello, seconded by Representative Molinar, to **AMEND** the recommended ballot language for Section 4.1B to have the amendment to Section 3.5E (Mayor's veto power) as a separate ballot item:

AYES: Representatives Anello, Molinar, and Rivera

NAYS: Representatives Svarzbein, Hernandez, Salcido, and Rodriguez

ABSENT: Representative Lizarraga

THE MOTION FAILED.

19TH MOTION

Motion made by Representative Rodriguez, seconded by Representative Salcido, and carried to **RECONSIDER** the previous motion related to Section 3.5E.

AYES: Representatives Svarzbein, Hernandez, Salcido, Rodriguez, and Rivera

NAYS: Representative Annello and Molinar

ABSENT: Representative Lizarraga

20TH MOTION

Motion made by Representative Annello, seconded by Representative Molinar, to **AMEND** the recommended ballot language for Section 4.1B to have the amendment to Section 3.5E (Mayor's veto power) as a separate ballot item:

AYES: Representatives Annello and Molinar

NAYS: Representatives Svarzbein, Hernandez, Salcido, Rodriguez, and Rivera

ABSENT: Representative Lizarraga

THE MOTION FAILED.

21ST MOTION

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Rivera, and carried to **APPROVE** the recommended ballot language for Sections 4.1B, 1.2, 3.5E, 3.6, 4.18, 4.3 and 7.3D **AS AMENDED** to read as follows:

Should sections 1.2, 3.5E, 3.6, 4.1B, 4.3, and 7.3 of the City Charter be amended to authorize the Mayor to vote on City Council agenda items and remove the Mayor's tie-breaking and veto capacity beginning with the first meeting in 2025?

AYES: Representatives Svarzbein, Hernandez, Salcido, Rodriguez, and Rivera

NAYS: Representatives Annello and Molinar

ABSENT: Representative Lizarraga

22ND MOTION

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Hernandez, and carried to **DENY** the recommended ballot language for Section 4.1B below:

Should section 4.1B of the City Charter be amended to clarify that the Mayor will represent the City in intergovernmental relationships as established by City Council legislative priorities?

AYES: Representatives Svarzbein, Hernandez, Salcido, Rodriguez, and Rivera

NAYS: Representative Molinar

ABSENT: Representative Lizarraga

NOT PRESENT FOR THE VOTE: Representative Annello

23RD MOTION

Motion made by Representative Rodriguez, seconded by Representative Hernandez, and carried to **APPROVE** the recommended ballot language for Sections 6.1-4 to read as follows:

Should 6.1-4 be amended by the City to allow for the appointment of Civil Service Commissioners that reflect the diversity of the community and City workforce?

AYES: Representatives Hernandez, Salcido, Rodriguez, and Rivera
NAYS: Representative Svarzbein, Annello, and Molinar
ABSENT: Representative Lizarraga

24TH MOTION

Motion made by Representative Rodriguez, seconded by Representative Salcido, to **APPROVE** the recommended ballot language for Section 6.5-2 below:

Should Section 6.5-2 regarding the rule of five be deleted to allow for more flexibility in City employee promotions?

AYES: Representatives Hernandez, Salcido and Rodriguez
NAYS: Representative Svarzbein, Annello, Molinar, and Rivera
ABSENT: Representative Lizarraga
THE MOTION FAILED.

25TH MOTION

Motion made by Representative Hernandez, seconded by Representative Salcido, and carried to **APPROVE** the recommended ballot language for Sections 6.7-1 and 6.8-1 to read as follows:

Should Sections 6.7-1 and 6.8-1 be amended to establish policies and procedures for the promotion of City employees?

AYES: Representatives Hernandez, Salcido, Rodriguez, and Rivera
NAYS: Representative Svarzbein, Annello, and Molinar
ABSENT: Representative Lizarraga

26TH MOTION

Motion made by Representative Hernandez, seconded by Representative Rivera, and carried to **APPROVE** a ballot proposition that would amend Section 6.2 to align the role of the Commission Recorder for the Civil Service Commission to other similarly situated City employees.

AYES: Representatives Hernandez, Salcido, Rodriguez, and Rivera
NAYS: Representative Svarzbein, Annello, and Molinar
ABSENT: Representative Lizarraga

Motion made, seconded, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Rick Bonart, member of the public, to speak for a second time.

27TH MOTION

Motion made by Representative Hernandez, seconded by Representative Rodriguez, to **APPROVE** the language for Section 3.11 as originally recommended by the Ad Hoc Charter Advisory Committee without any amendments:

Proposed ballot language:

Should section 3.11 relating to the initiative petition of the City Charter be amended to remove the requirement for a second petition, and institute a process for the public to initiate a City ordinance?

Proposed amended language:

Any five registered voters, referred to in this section as the committee, may initiate an ordinance that complies with federal, state, and local law by filing with the City Clerk a statement that they intend to circulate a petition, however, no ordinance may be initiated through this process regarding required appropriation or allocation of City funds, zoning or rezoning, levy of taxes, setting utility rates, purchase or sale of an interest in real property, or granting a franchise. Such statements must include the names and addresses of the committee members, the full text of the proposed ordinance, and the designated lead committee member.

The City Clerk shall place the proposed Ordinance on the City Council Agenda for introduction within thirty days after receiving the statement, followed by a public hearing at the second reading. If City Council fails to adopt the ordinance or adopts it with amendments, the City Clerk will notify the committee through the lead committee member.

If the committee still wishes to seek adoption of the ordinance after Council fails to adopt, or does not agree to Council's amendments, it will then have 90 calendar days after notice from the City Clerk to complete the petition by gathering signatures in the form required by state law, including but not limited to the original signature, printed name, residence address and date of birth or voter registration Whenever a number of registered voters who voted in the last general City election, sign a The petition must set forth the precise content of an the ordinance desired by the petitioners. ~~signers.~~

Within thirty working days, the City Clerk shall review the petition to verify if it meets all requirements, and if authenticated with the required number of signatures, the Council must place that ordinance on the agenda of a Council meeting to be held within thirty working days of the receipt, authentication by the City Clerk, of the petition bearing the authenticated names and addresses of the petitioners. Such an item shall be treated by the Council exactly as any other proposed ordinance.

~~Should an ordinance proposed by such petition not be enacted by the~~ If Council does not adopt, or should it be enacted adopts the proposed ordinance in an amended form, a second petition, signed by a number of registered voters equal to at least five percent of the voters who voted in the last general City election, may be submitted to the City Clerk and that official shall have twenty working days in which to authenticate the signatures and thereafter must place the re-proposed ordinance on the ballot at the next citywide general election specified in State law, if the proposal receives s the favorable vote of the majority of those voting in that election it shall thereupon become a City ordinance. The Council is not obligated to consider the same ordinance initiated by petition, or one that is substantially the same, more often than once in two years.

AYES: Representatives Salcido, Rodriguez, and Rivera

NAYS: Representatives Svarzbein, Anello, Hernandez, and Molinar

ABSENT: Representative Lizarraga

THE MOTION FAILED.

28TH MOTION

Motion made by Representative Hernandez, seconded by Representative Rodriguez, and carried to **RECONSIDER** the proposed language for Section 3.11.

AYES: Representatives Anello, Hernandez, Salcido, Rodriguez, and Rivera

NAYS: Representative Svarzbein and Molinar
ABSENT: Representative Lizarraga

29TH MOTION

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Annello, to **AMEND** a portion of the recommended language for Section 3.11 by deleting the types of ordinances that may be initiated through the initiative process regarding required appropriation of City funds, purchase or sale of an interest in real property and **CHANGE** the number of days for gathering signatures from 90 to 180 days to read as follows.

Proposed amended language:

“Any five registered voters, referred to in this section as the committee, may initiate an ordinance that complies with federal, state, and local law by filing with the City Clerk a statement that they intend to circulate a petition, however, no ordinance may be initiated through this process regarding ~~required appropriation or allocation of City funds,~~ zoning or rezoning, levy of taxes, setting utility rates, ~~purchase or sale of an interest in real property,~~ or granting a franchise. Such statements must include the names and addresses of the committee members, the full text of the proposed ordinance, and the designated lead committee member.”

“If the committee still wishes to seek adoption of the ordinance after Council fails to adopt, or does not agree to Council’s amendments, it will then have ~~90~~ **180** calendar days after notice from the City Clerk to complete the petition by gathering signatures in the form required by state law, including but not limited to the original signature, printed name, residence address and date of birth or voter registration.”

AYES: Representatives Svarzbein, Annello, and Molinar
NAYS: Representatives Hernandez, Salcido, Rodriguez, and Rivera
ABSENT: Representative Lizarraga
THE MOTION FAILED.

30TH MOTION

Motion made by Representative Salcido, seconded by Representative Rodriguez, and carried to **AMEND** a portion of the recommended language for Section 3.11 to **CHANGE** the number of days for gathering signatures from 90 to 180 days to read as follows:

“If the committee still wishes to seek adoption of the ordinance after Council fails to adopt, or does not agree to Council’s amendments, it will then have ~~90~~ **180** calendar days after notice from the City Clerk to complete the petition by gathering signatures in the form required by state law, including but not limited to the original signature, printed name, residence address and date of birth or voter registration.”

AYES: Representatives Annello, Hernandez, Salcido, Rodriguez, and Rivera
NAYS: Representatives Svarzbein and Molinar
ABSENT: Representative Lizarraga

31ST MOTION

Motion made by Representative Hernandez, seconded by Representative Rodriguez, and carried to **APPROVE** the recommended ballot language and amended language for Section

3.11 **AS AMENDED** to read as follows.

Proposed ballot language:

Should section 3.11 relating to the initiative petition of the City Charter be amended to remove the requirement for a second petition, and institute a process for the public to initiate a City ordinance?

Proposed amended language:

Any five registered voters, referred to in this section as the committee, may initiate an ordinance that complies with federal, state, and local law by filing with the City Clerk a statement that they intend to circulate a petition, however, no ordinance may be initiated through this process regarding required appropriation or allocation of City funds, zoning or rezoning, levy of taxes, setting utility rates, purchase or sale of an interest in real property, or granting a franchise. Such statements must include the names and addresses of the committee members, the full text of the proposed ordinance, and the designated lead committee member.

The City Clerk shall place the proposed Ordinance on the City Council Agenda for introduction within thirty days after receiving the statement, followed by a public hearing at the second reading. If City Council fails to adopt the ordinance or adopts it with amendments, the City Clerk will notify the committee through the lead committee member.

If the committee still wishes to seek adoption of the ordinance after Council fails to adopt, or does not agree to Council's amendments, it will then have ~~90~~ 180 calendar days after notice from the City Clerk to complete the petition by gathering signatures in the form required by state law, including but not limited to the original signature, printed name, residence address and date of birth or voter registration ~~Whenever a number of registered voters who voted in the last general City election, sign a~~ The petition must set forth the precise content of an the ordinance desired by the petitioners. ~~signers.~~

Within thirty working days, the City Clerk shall review the petition to verify if it meets all requirements, and if authenticated with the required number of signatures, ~~the Council must place that ordinance on the agenda of a Council meeting to be held within thirty working days of the receipt,~~ authentication by the City Clerk, of the petition bearing the authenticated names and addresses of the petitioners. Such an item shall be treated by the Council exactly as any other proposed ordinance.

~~Should an ordinance proposed by such petition not be enacted by the~~ If Council does not adopt, or should it be enacted adopts the proposed ordinance in an amended form, ~~a second petition, signed by a number of registered voters equal to at least five percent of the voters who voted in the last general City election, may be submitted to the City Clerk and that official shall have twenty working days in which to authenticate the signatures and thereafter must place the re-proposed ordinance on the ballot at the next~~ citywide general election specified in State law, if the proposal receives s ~~d~~ the favorable vote of the majority of those voting in that election it shall thereupon become a City ordinance. The Council is not obligated to consider the same ordinance initiated by petition, or one that is substantially the same, more often than once in two years.

AYES: Representatives Hernandez, Salcido, Rodriguez, and Rivera

NAYS: Representatives Svarzbein, Annello, and Molinar

ABSENT: Representative Lizarraga

.....
The Work Session was **RECESSED** at 12:35 p.m. for lunch.

The Work Session was **RECONVENED** at 1:04 p.m.

The Work Session was **RECESSED** at 3:40 p.m. on July 18, 2022 until July 19, 2022.

The Work Session was **RECONVENED** at 2:16 p.m. on July 19, 2022 with all members of Council present, except Representative Molinar, who requested to be excused.

-
7. Discussion and action to review and amend the employment agreement for the City Attorney and City Manager in alignment with the City's Strategic Plan Goal of setting the standard for sound governance and fiscal management.

1ST MOTION

Motion made by Representative Hernandez, seconded by Representative Annello, and unanimously carried to **TABLE** the item until July 19, 2022.

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

NAYS: None

ABSENT: Representative Lizarraga

2ND MOTION

Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Salcido, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 2:17 p.m. on July 19, 2022 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 551.074 PERSONNEL MATTERS

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

NAYS: None

ABSENT: Representative Molinar

3RD MOTION

Motion made by Representative Annello, seconded by Representative Salcido, and unanimously carried to **ADJOURN** the Executive Session at 5:35 p.m. on July 19, 2022 and **RECONVENE** the meeting of the City Council. *at which time motions were made:

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Rodriguez

ABSENT: Representative Molinar

4TH MOTION

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Rivera, and unanimously carried that outside counsel is authorized to **CONTINUE** discussions with the City

Manager and City Attorney, through their respective lawyers, regarding the employment agreement, to come back in two weeks, and that City Council authorizes the City Attorney to continue to retain outside counsel for executive employment related matters.

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

NAYS: None

ABSENT: Representative Molinar

5TH MOTION

Motion made by Representative Rodriguez, seconded by Representative Rivera, and unanimously carried to **RECONSIDER** the item.

6TH MOTION

Motion made by Representative Rodriguez, seconded by Representative Rivera, and unanimously carried to **AMEND THE ITEM** by adding "to return in two weeks:

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

NAYS: None

ABSENT: Representative Molinar

7TH AND FINAL MOTION

Motion made by Representative Rodriguez, seconded by Representative Lizarraga, and unanimously carried to **APPROVE, AS AMENDED**, that outside counsel is authorized to continue discussions with the City Manager and City Attorney, through their respective lawyers, regarding the employment agreements, to come back before City Council in two weeks, and that City Council authorizes the City Attorney to continue to retain outside counsel for executive employment related matters.

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

NAYS: None

ABSENT: Representative Molinar

.....
ADJOURN

Motion made by Representative Rivera, seconded by Representative Lizarraga and unanimously carried to **ADJOURN** the Work Session at 5:42 p.m. on July 19, 2022

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

NAYS: None

ABSENT: Representative Molinar

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk