

OSCAR LEESER  
MAYOR

TOMMY GONZALEZ  
CITY MANAGER



CITY COUNCIL  
PETER SVARZBEIN, DISTRICT 1  
ALEXANDRA 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  
SEPTEMBER 12, 2022  
COUNCIL CHAMBERS, CITY HALL AND VIRTUALLY  
9:05 A.M.**

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The City Council of the City of El Paso met at the above place and date. The meeting was called to order at 10:33 a.m. Mayor Oscar Leeser was present and presiding and the following Council Members answered roll call: Alexandra Annello, Cassandra Hernandez, Claudia Rodriguez, and Henry Rivera. Peter Svarzbein, Joe Molinar Isabel Salcido, and Cissy Lizarraga requested to be excused on September 12, 2022.

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**AGENDA**

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Motion made by Representative Rivera, seconded by Representative Rodriguez, and unanimously carried to **APPOINT** Representative Hernandez as Mayor Pro Tempore for this meeting.

AYES: Representatives Annello, Hernandez, Rodriguez, and Rivera

NAYS: None

ABSENT: Representatives Svarzbein, Molinar, Salcido, and Lizarraga

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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 explaining that there was a significant drop in the number of new COVID-19 cases along with a plateau in the number of new hospitalizations attributed to the virus. Mr. Gonzalez stated that according to the Center for Disease Control and Prevention (CDC), the City was classified as "low", however, the classification should be "medium" according to the current level of cases. He also highlighted the importance of the CDC recommendations for preventing the spread of the virus such as frequent hand washing, use of face masks, and testing if exposed or feeling ill and mentioned that the City continues to work with local partners to provide equitable access to vaccinations and other health initiatives. Mr. Gonzalez continued by saying that due to the end of the federal program covering free COVID tests, the City would provide free testing if symptomatic regardless of insurance status at testing sites or if asymptomatic they can visit one of the City's clinics.

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 & Statewide Mask Mandate Litigation
  - d) Additional Updates

Ms. Karla Nieman, City Attorney, reported that the State's Disaster Declaration was expected to be renewed adding that the local Emergency Ordinances were set to expire on September 14<sup>th</sup> and needed to be renewed. As far as the mask mandate litigation pending in the 4<sup>th</sup>, 5<sup>th</sup> and 8<sup>th</sup> Texas Courts of Appeal, Ms. Nieman stated there were no updates, however, she said that the Texas Supreme Court had extended the option for virtual court hearings until November 1, 2022. She continued by mentioning that the federal government would not be taking action to enforce vaccine mandates for federal contractors and ended her portion of the presentation by providing an update on trial settings related to COVID-19 currently filed in the Municipal Courts.

3. Team Lead Report:
  - a) Health Focus (Hector Ocaranza, M.D.)
    - i- COVID-19 update
    - ii- Monkeypox Update

Dr. Hector Ocaranza, Public Health Authority, continued the presentation by reiterating that there was a downward trend in the number of new COVID-19 cases and a plateau in the number of new hospitalizations related to the virus. He went on to explain that the new Bivalent booster approved on September 2, 2022 would be replacing the current COVID-19 booster and available at the City's clinics. Dr. Ocaranza ended his update by providing information related to the Monkeypox virus and reported the confirmation of a second case in the City.

4. City Manager Wrap-up (Tommy Gonzalez)

Mr. Gonzalez wrapped up the presentation by stating that the City had administered 2.1 million COVID-19 tests to date with the testing demand currently at 3,000 per week and reminded the public to practice prevention protocols in preparation of the upcoming cold season.

Mayor Leeser and Representative Annello commented.

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

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2.

**ITEMS 2 THROUGH 4 WERE TAKEN TOGETHER**

**ORDINANCE NO. 019373**

**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 August 15, 2022; and

**WHEREAS**, despite local COVID-19 cases continuing to decline, the risk of contracting COVID-19 remains and new variants of the virus are expected to arise; and

**WHEREAS**, as of September 1, 2022, the number of new COVID-19 active cases reported in El Paso is 170 and the cumulative number is 280,989; and

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

**WHEREAS**, Emergency Ordinance No. 019363 which re-enacts Emergency Ordinance No. 019035 is set to expire on September 14, 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. 019374**

**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 August 15, 2022; and

**WHEREAS**, pursuant to City Charter Section 3.10, every emergency ordinance shall stand repealed automatically as of the 31<sup>st</sup> 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 019375**

**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 August 15, 2022; and

**WHEREAS**, Governor Abbott has similarly renewed the State's COVID- 19 Disaster Declaration, with the most recent extension taking place on August 20, 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-enaction taking place on August 15, 2022 (Ord. No.019365) (“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 October 12, 2022 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.

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

AYES: Representatives Annello, Hernandez, Rodriguez, and Rivera

NAYS: None

ABSENT: Representatives Svarzbein, Molinar, Salcido, and Lizarraga

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

5.

**ORDINANCE NO. 019376**

**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 207,416 land border encounters in the month of July, 2022; and

**WHEREAS**, the El Paso sector of CBP had 24,916 land border encounters in the month of July, 2022 and a total of 199,976 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 900 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 (ten 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 over 40 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 2,581 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.

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

- Retired Fire Chief Mario D'Agostino, Deputy City Manager of Public Safety
- Assistant Fire Chief Jorge Rodriguez
- Ms. Laura Cruz Acosta, Strategic Communications Director
- Mr. Tommy Gonzalez, City Manager

Mayor Leeser and Representative Hernandez commented.

Mr. Fernando Garcia, Executive Director, Border Network for Human Rights commented.

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

AYES: Representatives Annello, Hernandez, Rodriguez, and Rivera

NAYS: None

ABSENT: Representatives Svarzbein, Molinar, Salcido, and Lizarraga

**Mayor Leeser consented to the adoption of the Emergency Ordinance.**

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6.

**RESOLUTION**

**WHEREAS**, on May 19, 2022 the Mayor of the City of El Paso issued an Emergency Ordinance due to a new wave of migration through the City of El Paso ("Ordinance 019333"); and

**WHEREAS**, on August 26, 2022, the City approved the award of 2022-0971 Charter Bus Transportation Services to Gogo Charters LLC for charter bus transportation services - migrants; and

**WHEREAS**, the City award for August 26, 2022 was executed under the authority of Emergency Ordinance 019333, § 252.022(a)(1) of the Texas Local Government Code, and § 252.022(a)(2) of the Texas Local Government Code; and

**WHEREAS**, as of September 7, 2022 the City has expended \$222,750.00 on award 2022-0971 Charter Bus Transportation Services; and

**WHEREAS**, the parties now desire that City Council ratify the award of 2022-0971 Charter Bus Transportation Services sixteen (16) months for a total amount not to exceed \$2,000,000.00 from August 26, 2022 to December 31, 2023.

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

That the City Council ratify the award of 2022-0971 Charter Bus Transportation Services to Gogo Charters LLC, for charter bus transportation services to migrants and that the City Council accept pricing for these services for a term of sixteen (16) months for a total amount not to exceed \$2,000,000.00. The terms and conditions of the ratified award are included in the Service Agreement. The award of this contract will allow to transport migrants to other cities as needed.

Mayor Leeser commented.

The following members of City staff commented:

- Ms. Nicole Cote, Managing Director of the Office of Management and Budget and Purchasing and Strategic Sourcing
- Mr. Tommy Gonzalez, City Manager

Motion made by Representative Hernandez, seconded by Representative Annello, and carried to **APPROVE** the Resolution.

AYES: Representatives Annello, Hernandez, and Rivera

NAYS: Representative Rodriguez

ABSENT: Representatives Svarzbein, Molinar, Salcido, and Lizarraga

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The meeting was **RECESSED** at **12:14 P.M.** and **RECONVENED** at **12:50 P.M.** in order to take a lunch break.

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7. For Notation Only: Formal Report of the Financial Oversight and Audit Committee meeting held on August 8, 2022.

1. Discussion and action on the update of the City of El Paso Investment Policy
  - Motion made by Representative Lizarraga, seconded by Representative Hernandez, and approved by Representative Rivera, Representative Lizarraga, and Representative Salcido to bring the presentation to the full City Council.
2. Discussion and action on changes to the FY 2021-2022 Audit Plan
  - Motion made by Representative Lizarraga, seconded by Representative Hernandez, and approved by Representative Hernandez, Representative Lizarraga, and Representative Salcido to approve the changes to the FY 2021-2022 Audit Plan.
3. Discussion and action on FY 2021-2022 Audit Plan 3rd Quarter Updates
  - Motion made by Representative Lizarraga, seconded by Representative Hernandez, and approved by Representative Hernandez, Representative Lizarraga, and Representative Salcido to accept the 3<sup>rd</sup> Quarter Update.
4. Discussion on Client Surveys.

Mr. Edmundo Calderon, Chief Internal Auditor, provided an overview of on the items discussed during the August 8, 2022 meeting.

Representatives Annello and Rivera commented.

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

8. Update on the Council approved Multi-Purpose Performing Arts and Entertainment Center (MPC) Feasibility Study to go over work completed, preliminary study findings, pending deliverables and next milestones.

Ms. Daniela Quesada, Chief Architect, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mr. Moises Flores, citizen, commented.

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

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9. Provide an update to City Council on the state of the Water, Wastewater, and Stormwater Utility.

Mr. John E. Balliew, President and CEO, El Paso Water, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

The following members of the public commented:

- Mr. Jim Tolbert
- Ms. Sharon Miles-Bonart
- Mr. Rick Bonart

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

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10. Presentation and update from the El Paso Electric Company on its application with the Public Utility Commission of Texas to approve its Advanced Metering System ("AMS") deployment plan, AMS surcharge, and Non-Standard (non-AMS) metering service fees, to include the history of the AMS program, the proposed education plan, and an overview of the monthly report benchmarks and deliverables.

The following representatives from El Paso Electric Company presented a PowerPoint presentation (copy on file in the City Clerk's Office):

- Mr. Daniel Perez, Regional Director of Government Affairs
- Mr. Jeff Buxton, Executive Consultant, Black and Veatch Management Consultants
- Ms. Grisel Ramirez, Supervisor of Advanced Metering and analytics
- Mr. George De La Torre, Public Relations Manager

Representatives Hernandez and Rodriguez commented.

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

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11. Update, discussion and action on City of El Paso cooperation with the State of Texas during Operation Lone Star.

Representative Anello commented and explained the reason she placed this item on the agenda.

The following members of City staff commented:

- Mr. Tommy Gonzalez, City Manager
- Retired Fire Chief Mario D'Agostino, Deputy City Manager of Public Safety

Mayor Leeser and Representative Hernandez commented.

The following members of the public commented:

- Mr. Fernando Garcia, Executive Director, Border Network for Human Rights
- Ms. Betty Camargo, Policy Director, Border Network for Human Rights

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

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The Work Session was **RECESSED** at **2:24 P.M.** on **September 12, 2022** until September 13, 2022

The Work Session was **RECONVENED** at **12:23 P.M.** on **September 13, 2022** with all members of Council present, except Representative Svarzbein, who requested to be excused.

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**EXECUTIVE SESSION**

Motion made by Representative Rivera, seconded by Representative Rodriguez, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 12:24 p.m. on September 13, 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 551.072 DELIBERATION REGARDING REAL PROPERTY
- Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

AYES: Representatives Annello, Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga  
NAYS: None  
ABSENT: Representative Svarzbein

Motion made by Representative Molinar seconded by Representative Hernandez, and unanimously carried to **ADJOURN** the Executive Session at 1:28 p.m. on September 13, 2022 and **RECONVENE** the meeting of the City Council, at which time motions were made:

AYES: Representatives Annello, Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga  
NAYS: None  
ABSENT: Representative Svarzbein

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**EX1.** Claim of Zonar Systems, Inc. Matter No. 22-1007-2900 (551.071)

Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Rivera, and unanimously carried that the City Attorney's Office in consultation with the City Manager be authorized to **ACCEPT** the claim of Zonar Systems Inc., in Matter Number 22- 1007-290, and to take all steps necessary, including the execution of any required documents, in order to effectuate this authority.

AYES: Representatives Annello, Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga  
NAYS: None  
ABSENT: Representative Svarzbein

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**EX2.** Bowar, Emma vs. City of El Paso, Chief Allen, et al. Matter No. 21-1026-11849 (551.071)

Motion made by Representative Annello, seconded by Representative Lizarraga, and unanimously carried to **DELETE** the item.

AYES: Representatives Annello, Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga  
NAYS: None  
ABSENT: Representative Svarzbein

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**EX3.** Joanna Cangialosi, et al v. City of El Paso. Matter No. 18-1026-9235 (551.071)

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

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**EX4.** Discussion on potential economic development opportunities in East El Paso. Matter No. 22-1007-2961 (551.072) (551.087)

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

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**EX5.** Discussion on potential economic development opportunities in Northwest El Paso. Matter No. 20-1004-1140 (551.072) (551.087)

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

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**ADJOURN**

Motion made by Representative Rivera, seconded by Representative Annello, and unanimously carried to **ADJOURN** the meeting at 1:31 p.m. on September 13, 2022

AYES: Representatives Svarzbein, Annello, Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga  
NAYS: None  
ABSENT: Representative Svarzbein

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APPROVED AS TO CONTENT:

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Laura D. Prine, City Clerk