

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  
OCTOBER 24, 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 9:19 a.m. Mayor Pro Tempore Svarzbein was present and presiding and the following Council Members answered roll call: Cassandra Hernandez, Joe Molinar, Isabel Salcido, Claudia Rodriguez, Henry Rivera, and Cissy Lizarraga. Mayor Oscar Leeser and Alessandra Annello 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 began the presentation by explaining that the number of new COVID-19 cases remained low as indicated by the latest statistics with only 52 cases per 100,000 individuals reported. He added that 84% of the local population had been fully vaccinated and 43% had received boosters. Mr. Gonzalez said that with the upcoming flu season there was a need to be watchful of any surges in the number of new cases. He ended by providing the hours and locations of the City's clinics and the eligibility requirements for obtaining a booster vaccine.

2. City Attorney Overview (Karla Nieman)

- a. Greg Abbott, in his official capacity as Governor of Texas v. City of El Paso & Statewide Mask Mandate Litigation  
b. Additional Updates

Ms. Karla Nieman, City Attorney, continued the presentation by explaining the difference between the local mask mandate litigation and the related cases pending across the State. She said the City's case was focused on the local public health authority's ability to issue emergency orders and went on to demonstrate a timeline of events indicating her office had spent a total of 395 work hours to date, however, she said that no additional hours had been required as of October 12, 2021 due to a pause by the 8<sup>th</sup> Court of Appeals.

3. Team Lead Report:

- a. Health Focus (Hector Ocaranza, M.D.)

- i. COVID updates
- ii. Monkeypox update
- iii. Flu updates

Dr. Hector Ocaranza, Public Health Authority, followed by stating that the respiratory viruses were more challenging this year and urged the community to seek the Bivalent booster along with the flu vaccine to stay ahead of serious illness. He explained that new subvariants were prevalent in Europe and could be expected to make it to our area in the coming weeks. Dr. Ocaranza explained that staffing was an issue in local hospitals and encouraged everyone to take precautions to avoid the need for hospitalizations related to the viruses. He ended his portion of the update by saying the number of Monkeypox cases were at four in El Paso and said vaccinations were available for high risk individuals.

#### 4. City Manager Wrap-up (Tommy Gonzalez)

Mr. Gonzalez ended the presentation by indicating that the City continued to offer COVID-19 and flu vaccinations free of charge and asked that individuals sanitize as often as possible and seek testing if feeling ill.

Representatives Svarzbein, Molinar, and Salcido commented.

Motion made by Representative Rivera, seconded by Representative Hernandez, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 11:40 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.089 to discuss the executive session items:

Section 551.071 CONSULTATION WITH ATTORNEY  
 Section 551.072 DELIBERATION REGARDING REAL PROPERTY  
 Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

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

NAYS: None

ABSENT: Representative Annello

Motion made by Representative Molinar, seconded by Representative Rivera, and unanimously carried to **ADJOURN** the Executive Session at 11:42 a.m.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

ABSENT: Representative Annello

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 The meeting was **RECESSED** at **11:42 A.M.** and **RECONVENED** at **12:11 P.M.** in order to take a lunch break.

.....  
 Motion made by Representative Rivera, seconded by Representative Salcido, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 12:13 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.089 to discuss the executive session items:

Section 551.071 CONSULTATION WITH ATTORNEY  
Section 551.072 DELIBERATION REGARDING REAL PROPERTY  
Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

AYES: Representatives Svarzbein, Hernandez, Salcido, Rivera, and Lizarraga  
NAYS: None  
NOT PRESENT FOR THE VOTE: Representatives Molinar and Rodriguez  
ABSENT: Representative Annello

Motion made by Representative Rivera, seconded by Representative Molinar, and unanimously carried to **ADJOURN** the Executive Session at 2:03 p.m. at which time motions were made.

AYES: Representatives Svarzbein, Molinar, Salcido, Rivera, and Lizarraga  
NAYS: None  
NOT PRESENT FOR THE VOTE: Representatives Hernandez and Rodriguez  
ABSENT: Representative Annello

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

2.

## RESOLUTION

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

**WHEREAS**, on March 17, 2020, the City Council, adopted Emergency Ordinance No. 019036 to meet a public emergency affecting life, health, property or the public peace; and

**WHEREAS**, on March 17, 2020, the City Council also adopted Emergency Ordinance No. 019035, Extending a Disaster Declaration Due to a Public Health Emergency; and

**WHEREAS**, the Emergency Ordinance, and Disaster Declaration have both been renewed by City Council each month since adoption; and

**WHEREAS**, on May 12, 2020, City Council passed a resolution directing the City Manager and City Attorney to report on COVID-19 activities, efforts, and processes to City Council within a reasonable time; and

**WHEREAS**, the City Manager and City Attorney have formally provided an update on COVID-19 related information and data bi-weekly; and

**WHEREAS**, with the introduction of a vaccine against the COVID-19 virus in late 2020, many of the social distancing and mask mandates have been lifted, or relaxed; and

**WHEREAS**, the percentage of persons in the City of El Paso vaccinated against the COVID-19 virus is high, reducing the risk of transmission; and

**WHEREAS**, the number of persons hospitalized with the COVID-19 virus is at manageable levels in the City of El Paso; and

**WHEREAS**, the number of new cases locally and nationally continues to remain low relative to before the vaccine was widely disseminated; and

**WHEREAS**, everyday activities such as travel, commerce, and education have resumed to a great extent or carry on through other means,

**WHEREAS**, new COVID-19 cases continue to remain low at this time.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO HEREBY FIND AND DIRECT:**

1. Direct the City Manager and City Attorney to report any all COVID-19 information activities, efforts and processes to City Council at every other City Council work session;
2. Direct the City Manager to bring stakeholder activities and updates to City Council at every other City Council work session.

Mayor Pro Tempore Svarzbein and Representatives Molinar and Rodriguez commented.

The following members of City staff commented:

- Mr. Tommy Gonzalez, City Manager
- Ms. Karla Nieman, City Attorney

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

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Rivera, and unanimously carried to **AMEND** the Resolution to strike out “every other City Council meeting” and replace with “every other City Council Work Session”.

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

NAYS: None

ABSENT: Representative Anello

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

Motion made by Representative Rodriguez, seconded by Representative Salcido, and unanimously carried to **APPROVE** the Resolution as **AMENDED**.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

ABSENT: Representative Annello

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3. Discussion with the Veterans Affairs Advisory Committee.

The following presenters participated in an update to Council (PowerPoint presentation on file in the City Clerk's Office) and/or responded to questions from Members of the City Council:

- Mr. Paul Albright, Chief Military Office
- Mr. Lance Lehr, Committee Chair
- Ms. Melissa Harcrow, Committee Member
- Mr. Rodney Washington, Committee Member

Mayor Pro Tempore Svarzbein and Representatives Hernandez and Molinar commented.

Mr. Tommy Gonzalez, City Manager, commented.

Mr. Darrell E. Mond, President for El Paso Veterans Riders Association, commented.

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

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4. Presentation and discussion providing a report on Workforce Focus initiatives, including:

1. Investing In Our Workforce (Araceli Guerra)
2. Approach and Key Results Overview (Juliana Baldwin-Munoz)
3. Learning and Innovation Program Spotlights (Rosemary Crawford and Roman Sanchez)

Mr. Tommy Gonzalez, City Manager, introduced the item.

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

- Ms. Araceli Guerra, Managing Director of Internal Services
- Ms. Julie Baldwin, Learning and Innovation Director
- Ms. Rosemary Crawford, Chief Learning Officer
- Ms. Sara Cera, Health Program Manager, Department of Public Health
- Mr. Roman Sanchez, Chief Innovation Officer
- Ms. Annabelle Casas, Assistant Director of Municipal Court
- Mr. Roman Sandoval, Business Partner, Human Resources

Mayor Pro Tempore Svarzbein and Representatives Hernandez and Molinar commented.

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

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**EXECUTIVE SESSION**

Motion made by Representative Rivera, seconded by Representative Hernandez, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 11:40 a.m. pursuant to Section

3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.089 to discuss the executive session items:

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.072 DELIBERATION REGARDING REAL PROPERTY

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

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

NAYS: None

ABSENT: Representative Annello

Motion made by Representative Molinar, seconded by Representative Rivera, and unanimously carried to **ADJOURN** the Executive Session at 11:42 a.m.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Hernandez

ABSENT: Representative Annello

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The meeting was **RECESSED** at **11:42 A.M.** and **RECONVENED** at **12:11 P.M.** in order to take a lunch break.

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Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Molinar and Rodriguez

ABSENT: Representative Annello

Motion made by Representative Rivera, seconded by Representative Molinar, and unanimously carried to **ADJOURN** the Executive Session at 2:03 p.m. at which time motions were made.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Hernandez and Rodriguez

ABSENT: Representative Annello

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**EX1.** Ryan Denton v. City of El Paso. Matter No. 20-1051-1091 (551.071)

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Rivera and unanimously carried that the City Attorney's Office in consultation with the City Manager be **AUTHORIZED** to take all steps necessary to facilitate a final settlement of the case Denton, Ryan v. City of El Paso in Matter Number 20-1051-1091, and to sign any documents necessary to effectuate this authority.

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Hernandez and Rodriguez

ABSENT: Representative Annello

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- EX2.** Texas Gas Service Company, A Division of ONE Gas Inc., Application to Increase Gas Utility Rates. Matter No. 22-1008-198 (551.071)

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

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- EX3.** Application of El Paso Electric Company to Change Rates, Public Utility Commission of Texas Docket No. 52195. Matter No. 21-1008-174 (551.071)

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Rivera and carried that the City Attorney's Office in consultation with the City Manager be **AUTHORIZED** to file a responsive motion to El Paso Electric Company's Motion for Rehearing, and negotiate the settlement, in the case of Application of El Paso Electric for Rate Change in Texas Public Utility Commission, Docket No. 52195 in Matter Number 21-1008-174, and to take all steps necessary, including the execution of any required documents, in order to effectuate this authority.

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

NAYS: Representatives Salcido and Rodriguez

ABSENT: Representative Annello

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- EX4.** Economic Incentive for an Infill Development located in Downtown El Paso. Matter No. 22-1007-2960 (551.087)

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

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- EX5.** Economic Incentives for an Infill Development located in the City of El Paso. Matter No. 21-1007-2832 (551.087)

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

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- EX6.** Economic Incentives for an Infill Development located in Downtown El Paso. Matter No. 21-1007-2802 (551.087)

Motion made by Representative Hernandez, seconded by Representative Rivera and carried to **DELETE** the item.

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

NAYS: None

ABSENT: Representative Annello

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- EX7.** Purchase, lease, exchange or value of real property located in El Paso, Texas. Matter No. 22-1004-1432.001 (551.072)

Motion made by Representative Hernandez, seconded by Representative Rivera and carried to **DELETE** the item.

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

NAYS: None

ABSENT: Representative Annello

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**ADJOURN**

Motion made by Representative Rivera seconded by Representative Molinar and unanimously carried to **ADJOURN** the meeting at 2:07 p.m.

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

NAYS: None

ABSENT: Representative Annello

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APPROVED AS TO CONTENT:

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Laura D. Prine, City Clerk