

OSCAR LEESER
MAYOR

TOMMY GONZALEZ
CITY MANAGER



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

**SPECIAL CITY COUNCIL MEETING MINUTES
CITY HALL, 300 N. CAMPBELL
COUNCIL CHAMBERS AND VIRTUAL
JANUARY 24, 2023
9:00 AM**

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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 9:02 a.m. Mayor Oscar Leeser was present and presiding and the following Council Members answered roll call: Alexsandra Anello, Joe Molinar, Isabel Salcido, Art Fierro, and Henry Rivera. Chris Canales participated via videoconference. Late arrivals: Brian Kennedy at 9:03 a.m. and Cassandra Hernandez at 9:07 a.m.
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AGENDA

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1. Discussion and action on the Charter Election and amendments.

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

- Ms. Laura Cruz-Acosta, Strategic Communications Director
- Ms. Kristen Hamilton-Karam, Senior Assistant City Attorney.
- Ms. Laura D. Prine, City Clerk
- Ms. Karla Nieman, City Attorney

Mayor Leeser and Representatives Kennedy, Anello, Hernandez, Fierro, Rivera, and Canales commented.

The following members of the public commented:

1. Richard Dayoub
2. Miguel Escoto
3. Jesus Reyes
4. Angel Ulloa
5. Charlyne Hill
6. Nick Hantzopoulos
7. Sapphire Ortega
8. Jose Miguel Reyes
9. Veronica Carbajal
10. Vanessa Medrano, statement was read into the record
11. Ana Fuentes
12. Atziri Reyes

- 13. Josh Simmons
- 14. Dr. Rick Bonart
- 15. Ivonne Diaz
- 16. David Guzman

1ST MOTION

Motion made, seconded, and unanimously carried to suspend the rules of order to allow additional speakers after the sign-up period.

2ND MOTION

Motion made by Mayor Pro Tempore Anello, seconded by Representative Molinar, and carried to **AMEND** the proposed language for Amendment #4 Article III Section 3.11 Initiative to **STRIKE** out the word “five” to read as follows:

*“Any **five** registered voter or group of 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 ...”*

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

NAYS: Representative Hernandez

3RD MOTION

Motion made by Mayor Pro Tempore Anello, seconded by Representative Molinar, and carried to **DIRECT** staff to return with wording to clarify the language for the appropriation or allocation of City funds under the proposed language for Amendment #4 Article III Section 3.11 Initiative.

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

NAYS: Representative Hernandez

4TH MOTION

Motion made by Mayor Pro Tempore Anello, seconded by Representative Molinar, and carried to **AMEND** the proposed language for Amendment #4 Article III Section 3.11 Initiative *“to cap the required number of signatures for an initiative petition at 10,000 signatures”*.

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

NAYS: Representative Hernandez

5TH MOTION

Motion made by Representative Fierro, seconded by Representative Molinar, and carried to **DELETE** Amendment #8 Article IV regarding Section 4.1B Powers of the Mayor to clarify the role of intergovernmental relationships, and review “break tie votes” to allow the Mayor to vote on all matters before the City Council.

AYES: Representatives Kennedy, Anello, Molinar, Fierro, and Mayor Leeser

NAYS: Representatives Hernandez, Salcido, Rivera, and Canales

THE MAYOR BROKE THE TIE BY VOTING “AYE”.

6TH MOTION

Motion made by Representative Fierro, seconded by Representative Anello, and carried to

DELETE Amendment #10 Article VI regarding Section 6.2 Division of the City Service 6.2-2 relating to Unclassified Services and 6.2-3 relating to appointment and removal of unclassified personnel to amend to align the person carrying out the role of civil service commission recorder with all other unclassified City employees who may be removed by the City Manager or designee in accordance with the City Charter.

AYES: Representatives Kennedy, Annello, Molinar, Fierro, and Mayor Leeser

NAYS: Representatives Hernandez, Salcido, Rivera, and Canales

THE MAYOR BROKE THE TIE BY VOTING "AYE".

7TH MOTION

Motion made by Representative Canales, seconded by Representative Kennedy, and carried to **AMEND** the proposed language for Amendment #4 Article III Section 3.11 Initiative to **INSERT** the words "a uniform election no later than" before "at the next" and **INSERT** the words "meeting all deadlines" after "State law" to read as follows:

If Council does not adopt, or adopts the proposed ordinance in an amended form, the City Clerk thereafter must place the proposed ordinance on the ballot at ***a uniform election no later than at the next citywide general election specified in State law, meeting all deadlines.***

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

NAYS: Representative Molinar

8TH MOTION

Motion made by Representative Canales, seconded by Representative Kennedy, and unanimously carried to **DIRECT** staff to return with recommended ballot language to incorporate the words ***"to change the qualification requirements for Civil Service Commissioners to"*** on the proposed ballot language to Amendment #9 Article VI Section 6.1-4 Civil Service Commission.

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

NAYS: Representatives Hernandez, Molinar, and Rivera

9TH MOTION

Motion made by Representative Canales, seconded by Representative Annello, and carried to **AMEND** the proposed ballot language for Amendment #11 Article VI Section 6.7-1 and 6.8-1 Civil Service Commission to add the words ***"to remove the requirement for examinations"*** to reads as follows:

Should Sections 6.7-1 be deleted and 6.8-1 relating to Examinations of the City Charter be amended ***to remove the requirement for examinations and*** allow the City to establish policies and procedures for the promotion of City employees?

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

NAYS: Representatives Hernandez, Molinar, and Rivera

10TH MOTION

Motion made by Representative Hernandez, seconded by Representative Rivera, and unanimously carried to **APPROVE** the proposed language for Amendment #4 Section 3.11

Ordering an Election to insert the words “the governing body” to read as follows:

If Council does not adopt, or adopts the proposed ordinance in an amended form, **the governing body** will order an election and submit the ordinance to a vote at a regular or special election to be held on the next allowable election date authorized by state law after the certification to the council. If the proposal receives the favorable vote of a majority of those voting in that election it shall thereupon become a City ordinance.

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

NAYS: None

11TH MOTION

Motion made by Representative Hernandez, seconded by Representative Kennedy, and carried to **APPROVE** the proposed language for Amendment #4 Section 3.11 Amending or Repealing of Initiative Ordinances to **insert** the words “*provided, however, that no ordinance adopted at the polls under the initiative shall be amended or repealed by the council within one year of adoption*” to read as follows:

Initiative ordinances adopted or approved by the electors shall be published and may be amended or repealed by the council, as in the case of other ordinances; ***provided, however, that no ordinance adopted at the polls under the initiative shall be amended or repealed by the council within one year of adoption.***

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

NAYS: Representative Molinar

12TH MOTION

Motion made by Representative Rivera, seconded by Representative Salcido, and carried to **AMEND** the proposed language for Amendment #4 Section 3.11 to **strike out** “*within thirty working days*” and **insert** “*without delay, but no more than 60 City Clerk office working days*” to read as follows:

- The City Clerk shall review the petition ***without delay, but no more than 60 City Clerk working days***, to verify it meets all requirements, and if authenticated with the required number of signatures, must place that ordinance on the agenda of a Council meeting to be held within thirty working days of the 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.

AYES: Representatives Hernandez, Molinar, Salcido, Fierro, Rivera, and Canales

NAYS: Representatives Kennedy and Annello

13TH MOTION

Motion made by Representative Canales, seconded by Representative Annello, and carried to **AMEND** the proposed ballot language for Amendment #4 Article III Section 3.11 Initiative relating to the initiative petition of the City Charter to read:

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

ordinance, and to clarify that no ordinance may be initiated through this process regarding allocation or appropriation 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?

(With the ultimate language to be adjusted after staff makes recommendations to clarify the proposed amended language regarding allocation or appropriation of City funds).

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

NAYS: Representatives Hernandez and Rivera

14TH MOTION

Motion made by Representative Annello, seconded by Representative Rivera, and carried to **DELETE** Amendment #1 Article II regarding Section 2.2C of the City Charter, relating to term limits, to amend 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 Annello, Hernandez, Molinar, Salcido, Fierro, Rivera, and Canales

NAYS: Representatives Kennedy and Hernandez

15TH MOTION

Motion made by Representative Hernandez, seconded by Representative Rivera, and unanimously carried to **APPROVE**, all the Proposed Charter Amendments as **REVISED**.

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

NAYS: None

16TH MOTION

Motion made by Mayor Pro Tempore Annello, seconded by Representative Molinar, and unanimously carried to **RECONSIDER** item number 1.

17TH MOTION

Motion made by Representative Kennedy, seconded by Representative Molinar, and carried to **ADD** a Charter Amendment to **CHANGE** the reporting structure of the Internal Auditor, Police Chief, and Fire Chief from the City Manager's supervision to the City Council's purview.

AYES: Representatives Kennedy, Annello, Molinar, Canales and Mayor Leeser

NAYS: Representatives Hernandez, Salcido, Fierro, Rivera

THE MAYOR BROKE THE TIE BY VOTING "AYE".

18TH MOTION

Motion made by Representative Kennedy, seconded by Representative Molinar, to **ADD** a Charter Amendment to require that the hiring of the Deputy City Managers require the consent of City Council.

AYES: Representatives Kennedy, Molinar, and Fierro

NAYS: Representatives Annello, Hernandez, Salcido, Rivera, and Canales

THE MOTION FAILED.

19TH MOTION

Motion made by Representative Annello, seconded by Representative Molinar, and unanimously carried to **RECONSIDER** motion 17.

20TH MOTION

Motion made by Representative Kennedy, seconded by Representative Rivera, and unanimously carried to **RECONSIDER** the motion amending the reporting structure of the Internal Auditor, Police Chief, and Fire Chief.

21ST MOTION

Motion made by Representative Kennedy, seconded by Representative Annello, and carried to **ADD** a Charter Amendment to change the reporting structure of the Internal Auditor so the position reports directly to City Council.

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

NAYS: Representatives Hernandez and Rivera

22ND AND FINAL MOTION

Motion made by Representative Kennedy, seconded by Representative Annello, to **ADD** a Charter Amendment to change the reporting structure so that the Police and Fire departments report to City Council.

AYES: Representatives Kennedy and Annello

NAYS: Representatives Hernandez, Molinar, Salcido, Fierro, Rivera, and Canales

NAYS: **THE MOTION FAILED.**

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2. Discussion and action on the Petition received for amendments to the City Charter entitled "Climate Charter for the City of El Paso."

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

- Ms. Kristen Hamilton-Karam, Senior Assistant City Attorney
- Ms. Laura D. Prine, City Clerk
- Ms. Laura Cruz-Acosta, Strategic Communications Director
- Mr. Sam Rodriguez, Chief Operations Officer
- Ms. Karla Nieman, City Attorney
- Mr. Tommy Gonzalez, City Manager
- Mr. Robert Cortinas, Chief Financial Officer

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

The following members of the public commented:

1. Richard Dayoub
2. Elizabeth O'Hara
3. Miguel Escoto
4. Michael Siegel
5. Jesus Reyes

6. Kenneth Bell, statement was read into the record
7. Matthew Rodriguez
8. Angel Ulloa
9. Aleena Mania, statement was read into the record
10. Sandy Oglesby, statement was read into the record
11. Wesley Lawrence
12. Teresa M. Rodriguez, statement was read into the record
13. Jonathan Gamez, statement was read into the record
14. Christian Marquardt
15. Robert Heimer
16. Adam Pacheco
17. Graciela Blandon
18. Brandon Sharples
19. Aby Perea
20. Sapphire Ortega, statement was read in to the record
21. Jose Miguel Reyes
22. Jim Schichtl
23. Andrew Segura
24. Kathleen Staudt, statement was read into the record
25. Alyssa Garza, statement was read into the record
26. Brendan Warner, statement was read into the record
27. Lorena Ramirez
28. Crystal Moran, statement was read into the record
29. Veronica Carbajal
30. Vanessa Medrano, statement was read into the record
31. Ana Fuentes
32. Rachel Ortega, statement was read into the record
33. Atziri Reyes
34. Izabella Correa
35. Josh Simmons
36. Brianna Lucero, statement was read into the record
37. Alejandro Ruiz, statement was read into the record
38. Brianna Alvarado, statement was read into the record
39. Laurie Marshall
40. Sarah Cervantes, statement was read into the record
41. Alhely Escoto, statement was read into the record
42. Carmen Rodriguez, statement was read into the record

Motion made by Mayor Pro Tempore Annello, seconded by Representative Canales, and carried to **MOVE FORWARD with the Climate Petition as one proposition on the ballot.**

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

NAYS: Representatives Kennedy, Hernandez, and Rivera

3.

RESOLUTION

WHEREAS, pursuant to the City's 2023 calendar year City Council regular meeting schedule, City Council is scheduled to meet on Tuesday, February 14, 2023; and

WHEREAS, Due to "El Paso Days" being held in Austin the week of February 13, 2023

and several Council Members planned participation in such event, the City Council desires to reschedule the February 14, 2023 meeting to Tuesday, February 7, 2023; and

WHEREAS, the City will resume its regular meetings of the City Council for the 2023 calendar year on Tuesday, February 28, 2023, with Agenda Review and Work Session on Monday, February 27, 2023.

NOW, THEREFORE BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL AS FOLLOWS;

That in conformity with Section 3.5A of the City Charter, the regular City Council meeting scheduled on February 14, 2023 is hereby cancelled due to lack of quorum, and reset for Tuesday, February 7, 2023, and that the regular meetings of the City Council for the 2023 calendar year will resume on February 28, 2023 with the Agenda Review and Work Session on February 27, 2023.

All City Council Rules and Procedures not expressly modified herein remain in full force and effect.

Mayor Pro Tempore Annello commented.

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

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

NAYS: None

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ADJOURN

Motion made by Mayor Pro Tempore Annello, seconded by Representative Rivera and unanimously carried to **ADJOURN** the meeting at 3:55 p.m.

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

NAYS: None

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk