

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

**CITY COUNCIL WORK SESSION MINUTES
JANUARY 30, 2023
COUNCIL CHAMBERS, CITY HALL AND VIRTUALLY
9:05 A.M.**

.....
The City Council of the City of El Paso met at the above place and date. Meeting was called to order at 9:42 a.m. Mayor Oscar Leeser was present and presiding and the following Council Members answered roll call: Brian Kennedy, Alexsandra Annello, Joe Molinar, Isabel Salcido, Art Fierro, Henry Rivera and Chris Canales. Cassandra Hernandez requested to be excused.
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AGENDA

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1. 1. Overview (Tommy Gonzalez)

Mr. Tommy Gonzalez, City Manager, began the presentation with statistics regarding new COVID-19 cases and hospitalization rates. Both have decreased by 25% resulting in the downgrade of the City's risk status to the medium category. He reported that 86% of the El Paso community was fully vaccinated and mentioned that proper testing was still very important in controlling the virus. Additionally, RSV and Flu numbers have also dropped considerably.

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, anticipated that the Governor of Texas would extend the disaster declaration and stated that there was no update regarding the mask mandate litigation case. Ms. Nieman informed the Council that the Texas Supreme Court continued to permit remote proceedings in court cases.

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

Dr. Hector Ocaranza, Public Health Authority, continued the presentation by recommending the Bivalent vaccine for high risk individuals and also noted the decrease in flu cases. He reminded

the public to continue practicing good hygiene, get tested, and stay home if ill to prevent the spread of various flu strains.

4. City Manager Wrap-up (Tommy Gonzalez)

Mr. Tommy Gonzalez wrapped up the presentation. No comments or questions were raised.

NO ACTION was taken on this item.

2.

ITEMS 2 THROUGH 5 WERE TAKEN TOGETHER

ORDINANCE 019428

**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 January 3, 2023; 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 January 19, 2023, the number of new COVID-19 active cases reported in El Paso is 152 and the cumulative number is 306,516; 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. 019423 which re-enacts Emergency Ordinance No. 019035 is set to expire on February 2, 2023;

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 019429

**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 January 3, 2023; 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 019430

**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 January 3, 2023; and

WHEREAS, Governor Abbott has similarly renewed the State's COVID- 19 Disaster Declaration, with the most recent extension taking place on January 15, 2023; 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 January 3, 2023 (Ord. No.019425) ("**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 March 2, 2023 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.

5.

ORDINANCE 019431

**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 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, 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, Title 42 was struck down by a federal court with the parties agreeing that the injunction would end on December 21, 2022; and

WHEREAS, on December 27, 2022 the United States Supreme Court issued an order allowing the injunction to remain in place until further review of the case can be carried out; and

WHEREAS, the Southwest had 221,181 land border encounters in the month of December, 2022; and

WHEREAS, the El Paso sector of CBP had 55,747 land border encounters in the month of December, 2022 and a total of 162,603 encounters for federal fiscal year 2023; and

WHEREAS, in the month of January 2023, approximately 1,100 migrants have been arriving weekly; 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, CBP has released many migrants onto downtown streets leaving many migrants without shelter; and

WHEREAS, in response to the street releases, 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 2,708 migrants in close coordination with NGOs since April 2020; and

WHEREAS, beginning in late August 2022, the El Paso sector experienced a surge of over 2,000 migrants presenting themselves daily to CBP, primarily made up of unsponsored single adults from Venezuela, resulting in over 1,000 street releases by CBP; and

WHEREAS, due to this high volume, the number of refugees and asylum seekers released to the NGO and the City's Migrant Welcome Center, was over 1,000 on a daily basis; and

WHEREAS, on September 7, 2022, the City and OEM stood up a migrant Welcome Center to assist with transportation assistance providing services to over 19,300 migrants through October 20, 2022, and

WHEREAS, there were over 40,000 community releases to local NGOs and the City during this period; and

WHEREAS, the City's Welcome Center has sponsored 294 charter buses with 13,900 unsponsored migrants aboard to New York City and Chicago as final destinations; and

WHEREAS, Sun Metro buses have transported upwards of 4,800 migrants to the El Paso International Airport ("EPIA"), bus stations, the Welcome Center, and shelters; and

WHEREAS, the City has provided over 39,000 meals to migrants at the local facilities, and for travel aboard the outbound charter buses; 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, in response to the number of migrants arriving at the border, on January 5, 2023, the Department of Homeland Security created a humanitarian parole program for

migrants from Cuba, Haiti, and Nicaragua similar to the program already available to Venezuelans; and

WHEREAS, on January 8, 2023, President Biden visited the border to assess the situation in part because the number of migrants has gained the attention of the media and national leadership; 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 Director of Aviation has the authority, as granted by the El Paso City Council, to manage the day-to-day operation of EPIA and to ensure that those operations are conducted in compliance with the rules and regulations regarding airports under Title 14 of the Code of Federal Regulations, Chapter 22 of the Texas Transportation Code, and Title 14 of the El Paso City Code, as well as federal, state, and local health and safety regulations to ensure the health, safety, and welfare of all occupants and travelers making use of EPIA facilities; and

WHEREAS, EPIA in recent past, became saturated with migrants awaiting air travel and could need to take measures to preserve the health and safety of its customers, employees and the public, as well as measures to secure its facilities as the demand for air travel increases exponentially; 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, parks and other City property 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, superseded by a conflicting ordinance, El Paso Local health Authority Ordinance, state or federal law, or repealed automatically as of the 31st day following the date on which it was adopted unless re-enacted pursuant to City Charter Section 3.10.

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 (copy on file in the City Clerk's Office).

Mayor Leeser and Representatives Annello and Salcido commented.

The following City staff members commented:

- Ms. Karla Nieman, City Attorney
- Mr. Tommy Gonzalez, City Manager
- Ms. Nicole Cote, Managing Director for Office of Management and Budget and Purchasing and Strategic Sourcing
- Mr. Robert Cortinas, Chief Financial Officer

1ST MOTION

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

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

NAYS: None

ABSENT: Representatives Hernandez

2ND MOTION

Motion made by Representative Rivera, seconded by Representative Annello, and unanimously carried to **RECONSIDER** the items.

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

NAYS: None

ABSENT: Representatives Hernandez

3RD AND FINAL MOTION

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

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

NAYS: None

ABSENT: Representatives Hernandez

Mayor Leeser consented to the adoption of the Emergency Ordinances.

6.

R E S O L U T I O N

WHEREAS, on December 17, 2022, the Mayor of the City of El Paso issued a Declaration of Disaster due to a new wave of migration through the City of El Paso (the “City”); and

WHEREAS, on December 23, 2022, the City Council of the City of El Paso adopted an Emergency Ordinance 019421 extending a disaster declaration due to a humanitarian, security, and economic crisis resulting from a mass migration through El Paso, Texas; and

WHEREAS, on or about December 28, 2022, the City entered into the following agreement, 2023-0305 Migrant Shelter Operations (“Agreement”), with Family Endeavors, Inc. a Texas Non-Profit Corporation (“Endeavors”) to assist the City in providing processing and shelter services for migrants; and

WHEREAS, the Agreement was executed under the authority of Emergency Ordinance 019421, § 252.022(a)(1) of the Texas Local Government Code, and § 252.022(a)(2) of the Texas Local Government Code; and

WHEREAS, the parties now desire that City Council ratify the expenditure of \$602,175.78 associated with 2023-0305 Migrant Shelter Operations from December 28, 2022 through January, 17, 2023.

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

1. That the City Council ratify the expenditure of \$602,175.78 associated with 2023-0305 Migrant Shelter Operations from December 28, 2022 through January, 17, 2023; and

2. That the City Manager or designee be granted broad authority to take all action and execute all documents necessary to effectuate the intent of this Resolution.

Ms. Nicole Cote, Managing Director for Office of Management and Budget and Purchasing and Strategic Sourcing, presented a PowerPoint presentation (copy on file in the CityClerk’s Office).

Mayor Leeser and Representative Salcido commented.

Motion made by Representative Rivera, seconded by Representative Canales, and unanimously carried to **APPROVE** the Resolution.

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

NAYS: None

ABSENT: Representative Hernandez

7.

RESOLUTION

WHEREAS, on November 8, 2022, City of El Paso voters approved three bond propositions, including funding for street repairs; and

WHEREAS, City staff has compiled a priority project list of arterials and residential streets in need of resurfacing and reconstruction for the next 3-year roll out; and

WHEREAS, City staff seeks approval of the proposed project list, attached as Exhibit 'A,' that includes the 3-year roll out of the Top 50 Arterials and discussion of the selection of the Residential Streets for resurfacing.

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

THAT the City Council approves the project list attached as Exhibit "A" of this Resolution which includes the 3-year roll out of the Top 50 Arterials and discussion on Residential Streets to undergo resurfacing.

EXHIBIT A"

TOP 50 ARTERIALS

Street Bond Execution 3 Year Schedule

Street Name	Limits	Treatment	EXECUTION YEAR
CORRAL	Phoenix to Gateway East	Resurfacing	TOP 50 FY23
MESA HILLS	De Leon to Mesa	Resurfacing	TOP 50 FY23
HONDO PASS	Diana to Railroad	Resurfacing	TOP 50 FY24
HONDO PASS	Gateway North to Dyer	Resurfacing	TOP 50 FY24
HONDO PASS	Dyer to Diana	Reconstruction	TOP 50 FY24
PEBBLE HILLS	Outrigger to Loop 375	Resurfacing	TOP 50 FY24
PEBBLE HILLS	Rich Beem to John Hayes	Resurfacing	TOP 50 FY24
PEBBLE HILLS	Yarbrough to Lee Trevino	Resurfacing	TOP 50 FY24
PEBBLE HILLS	Zaragoza to Rich Beem	Reconstruction	TOP 50 FY24
GERONIMO	1-10 to Hughey	Resurfacing	TOP 50 FY24
LOMALAND	North Loop to 1-10	Resurfacing	TOP 50 FY24
SCHUSTER	Stanton to Brown	Resurfacing	TOP 50 FY24
YARBROUGH	San Jose to North Loop	Resurfacing	TOP 50 FY24
LEE TREVINO	Pellicano to Montana	Resurfacing	TOP 50 FY25
RAILROAD	Farah to Angora Loop	Resurfacing	TOP 50 FY25

SHADOW MOUNTAIN	Mesa to Pebble Beach	Resurfacing	TOP 50 FY25
SUNLAND PARK	1-10 to Mesa	Resurfacing	TOP 50 FY25
VISTA DEL SOL	Sumac to Lomaland	Resurfacing	TOP 50 FY25
VISTA DEL SOL	Randy Wolf to Bert Green	Resurfacing	TOP 50 FY25
VISTA DEL SOL	George Dieter to Phill Gibbs	Reconstruction	TOP 50 FY25

Mr. Richard Bristol, Streets and Maintenance Director, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Kennedy, Annello, Rivera and Canales commented on the item.

The following City staff members commented:

- Mr. Sam Rodriguez, Chief Operations Officer
- Mr. Robert Cortinas, Chief Financial Officer

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

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

NAYS: None

ABSENT: Representative Hernandez

8. Presentation, discussion and action on the 88th Regular Session of the Texas State Legislature.

Ms. Lindsey Adams, Legislative Liaison, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Leeser and Representatives Annello, Molinar, and Rivera commented.

1ST MOTION

Motion made by Representative Canales, seconded by Representative Annello, and carried to **SUPPORT** Senate Bill SB359 relating to the use of preferential voting.

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

NAYS: Representative Molinar

ABSENT: Representative Hernandez

2ND MOTION

Motion made by Representative Canales, seconded by Representative Annello, and carried to **OPPOSE** House Bill HB553 related to providing universal basic income.

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

NAYS: Representative Kennedy

ABSENT: Representative Hernandez

3RD AND FINAL MOTION

Motion made by Mayor Pro Tempore Annello, seconded by Representative Kennedy, and unanimously carried to **SUPPORT** House Joint Bill HJR81 proposing a constitutional

amendment prohibiting the taking of property by eminent domain for the purpose of transferring the property to a private entity.

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

NAYS: None

ABSENT: Representative Hernandez

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9. Update on strategic plan efforts in economic development, specifically in implementing ways to expand El Paso's tax base, increase wages, provide quality job growth, and create high-paying career pathways through the development of a regional advanced manufacturing industry cluster, including an update on the development of the El Paso Makes: Innovation Factory for an Advanced Manufacturing District located at the El Paso International Airport.

Ms. Elizabeth Triggs, Economic and International Development Director, and Mr. Sam Rodriguez presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Leeser commented.

Mr. Tommy Gonzalez, City Manager, commented.

NO ACTION was taken on this item.

10.

RESOLUTION

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

THAT the Director of Aviation for the City of El Paso International Airport is authorized to sign a letter of support directed to the Secretary of the Department of Transportation providing that the City of El Paso strongly supports the Department of Transportation approval of the Joint Application for Approval of and Antitrust Immunity for Commercial Alliance Agreement proposal submitted by Allegiant Air and Viva Aerobus regarding transborder air service between the United States and Mexico for the region of El Paso.

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

Mayor Leeser and Representatives Kennedy, Anello, Salcido, and Canales commented.

The following City staff members commented:

- Ms. Karla Nieman, City Attorney
- Ms. Josette Flores, Senior Assistant City Attorney
- Mr. Tommy Gonzalez, City Manager

Motion made by Representative Salcido, seconded by Representative Rivera, and carried to **APPROVE** the Resolution.

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

NAYS: Representatives Kennedy

ABSENT: Representative Hernandez

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EXECUTIVE SESSION

Motion made by Representative Annello, seconded by Representative Molinar, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 11:45 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 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

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

NAYS: None

ABSENT: Representative Hernandez

Motion made by Representative Rivera, seconded by Representative Molinar, and unanimously carried to **ADJOURN** the Executive Session at 1:06 p.m. and **RECONVENE** the meeting of the City Council at which time motions were made:

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

NAYS: None

ABSENT: Representative Hernandez

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EX1. Rojo, Rocio Guadalupe v. City of El Paso. Matter No. 20-1036-3347.001 (551.071)

Motion made by Mayor Pro Tempore Annello, seconded by Representative Rivera and carried that the City Attorney's Office, in consultation with the City Manager, be authorized to participate in the mediation of *Rocio Guadalupe Rojo individually and as Next Friend of Isabela Rojo v. City of El Paso*, Cause No. 2021DCV3826, in Matter No. 20-1036-3347.001, and to take all steps necessary, including the execution of any required documents, in order to effectuate this authority, should a settlement be reached in the case.

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

NAYS: Representative Salcido

ABSENT: Representative Hernandez

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EX2. Holguin, Annaelisa v. City of El Paso. Matter No. 18-1007-2255 (551.071)

Motion made by Mayor Pro Tempore Annello, seconded by Representative Canales and carried that the City Attorney's Office, in consultation with the City Manager, be authorized to participate in the mediation of Annaelisa Holguin v. City of El Paso, Cause No. 2018DCV2775, in Pro Law Matter No. 18-1007-2255, and to take all steps necessary, including the execution of all required documents, in order to effectuate this authority, should a settlement be reached in the case.

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

NAYS: Representative Salcido

ABSENT: Representative Hernandez

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- EX3.** Economic Incentives for a Distribution Company located in the City of El Paso (23-1007-3025) (551.087)

NO ACTION was taken on this item.

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EX4. Economic Incentives for Company Expansion and Headquarters to be located in the City of El Paso (23-1007-3023) (551.087)

NO ACTION was taken on this item.

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EX5. Economic Incentives for the expansion of a Manufacturing Company located in the City of El Paso (23-1007-3024) (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)

NO ACTION was taken on this item.

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ADJOURN

Motion made by Representative Rivera seconded by Representative Fierro and unanimously carried to **ADJOURN** the meeting at 1:10 p.m.

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

NAYS: None

ABSENT: Representative Hernandez

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk