

DEE MARGO
MAYOR

TOMMY GONZALEZ
CITY MANAGER



CITY COUNCIL
PETER SVARZBEIN, DISTRICT 1
ALEXSANDRA ANNELLO, DISTRICT 2
CASSANDRA HERNANDEZ, DISTRICT 3
SAM MORGAN, DISTRICT 4
ISABEL SALCIDO, DISTRICT 5
CLAUDIA ORDAZ PEREZ, DISTRICT 6
HENRY RIVERA, DISTRICT 7
CISSY LIZARRAGA, DISTRICT 8

**CITY COUNCIL WORK SESSION MINUTES
CITY HALL, 300 N. CAMPBELL
COUNCIL CHAMBERS
December 16, 2019
9:05 A.M.**

The City Council met at the above place and date. Meeting was called to order at 9:27 a.m. Mayor Margo present and presiding and the following Council Members answered roll call: Peter Svarzbein, Aleksandra Annello, Cassandra Hernandez, Sam Morgan, Isabel Salcido, Claudia Ordaz Perez, Henry Rivera, and Cissy Lizarraga.

AGENDA

EXECUTIVE SESSION

The following members of the public spoke on items EX1 and EX2 prior to the Council retiring into Executive Session:

1. Mr. Rick Bonart
2. Mr. Joseph Valenzuela
3. Mr. Larry Gainor
4. Ms. Priscilla Munoz
5. Mr. Jesus Puga
6. Ms. Susan Austin
7. Ms. Sylvia Searfoss
8. Mr. Christopher Crane
9. Mr. Adrian Rodriguez

1ST MOTION

Motion made by Representative Annello, seconded by Representative Morgan, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 9:52 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 posted with this agenda:

Section 551.071 CONSULTATION WITH ATTORNEY
Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Salcido, Ordaz Perez, Rivera, and Lizarraga

NAYS: None

2ND MOTION

Motion made by Representative Rivera, seconded by Representative Lizarraga, and unanimously carried to **ADJOURN** the Executive Session at 5:46 p.m. and **RECONVENE** the meeting.

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Rivera, and Lizarraga

NAYS: None

NOT PRESENT FOR THE VOTE: Representatives Ordaz Perez and Salcido

Representatives Svarzbein, Hernandez, Ordaz Perez, and Lizarraga commented and posed questions regarding EX1 and EX2 regarding renewable energy, JP Morgan's role, the composition of the Board, and the length of time the City will be afforded to review the agreement.

Mr. Andrew Gilbert, IIF and Mr. Adrian Rodriguez, EP Electric, responded to the questions.

Ms. Karla Nieman, City Attorney, commented.

The meeting was recessed on December 16, 2019 at 6:15 p.m. and reconvened on December 17, 2019 at 7:17 a.m.

3RD MOTION

Motion made by Representative Rivera, seconded by Representative Morgan, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 7:18 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 posted with this agenda:

Section 551.071

CONSULTATION WITH ATTORNEY

Section 551.087

DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Salcido, Ordaz Perez, Rivera, and Lizarraga

NAYS: None

4TH MOTION

Motion made by Representative Rivera, seconded by Representative Annello, and unanimously carried to **ADJOURN** the Executive Session at 9:17 a.m. and **RECONVENE** the meeting.

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Salcido, Ordaz Perez, Rivera, and Lizarraga

NAYS: None

The meeting was recessed on December 17, 2019 at 9:18 a.m. in order to convene the Regular City Council meeting and reconvened on December 17, 2019 at 11:30 a.m.

5TH MOTION

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Hernandez, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 11:30 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 posted with this agenda:

Section 551.071

CONSULTATION WITH ATTORNEY

Section 551.087

DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Salcido, Ordaz Perez, Rivera, and Lizarraga

NAYS: None

6TH MOTION

Motion made by Representative Hernandez, seconded by Representative Morgan, and unanimously carried to **ADJOURN** the Executive Session at 2:13 p.m. and **RECONVENE** the meeting.

AYES: Representatives Svarzbein, Annelo, Hernandez, Morgan, Salcido, Ordaz Perez, Rivera, and Lizarraga

NAYS: None

EX1. Public Utility Commission of Texas Docket No. 49849, Joint Report and Application of El Paso Electric Company, Sun Jupiter Holdings LLC, and IIF US Holding 2 LP for Regulatory Approvals under PURA §§ 14.101, 39.262, and 39.915; Matter: 19-1008-126 (551.071) (551.087)

Motion made by Mayor Pro Tempore Ordaz Perez, seconded by Representative Rivera that the City Council authorize the City Attorney on behalf of the City of El Paso to agree to the non-unanimous stipulation with revised agreed upon regulatory commitments and ring fence provisions which would resolve all issues in Public Utility Commission of Texas Docket No. 49849 Application of El Paso Electric Company, Sun Jupiter Holdings LLC, and IIF US Holding 2 LP for Regulatory Approvals under Chapter 14.101, 39.262, and 39.915 and to direct staff to post the information online and to work with IIF and EP Electric to hold at a minimum two public meetings.

AYES: Representatives Hernandez, Morgan, Rivera, and Lizarraga

NAYS: Representatives Svarzbein, Annelo, Salcido, and Ordaz Perez

Mayor Margo broke the tie by voting “Aye”.

Mr. Norman Gordon, Outside Counsel, explained the purpose of the motion and stated that the approval of the assignment of the franchise agreement was not part of this action. He then proceeded to go over a timeline of the sequence of events that occurred since El Paso Electric and IIF filed the application with the Public Utility Commission of Texas.

Mayor Margo and Representatives Svarzbein, Hernandez, and Rivera commented.

Mr. Andrew Gilbert, IIF and Mr. Adrian Rodriguez, EP Electric, commented and responded to the questions.

Mr. Tommy Gonzalez, City Manager, commented.

EX2. El Paso Electric Company Franchise; Matter: 19-1008-132 & 19-1008-126.001 (551.071) (551.087)

NO ACTION was taken on this item.

EX3. Ex Parte: City of El Paso; Supreme Court of Texas; Case #19-0022; Matter No. 17-1001-171.002 (551.071)

NO ACTION was taken on this item.

EX4. Max Grossman v. City of El Paso; 8th Court of Appeals; Case #08-19-00272-CV;Matter No. 17-1001-171.001.001 (551.071)

NO ACTION was taken on this item.

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ADJOURN

Motion made by Representative Annelo, seconded by Representative Morgan and unanimously carried to **ADJOURN** this meeting on December 17, 2019 at 2:46 p.m.

AYES: Representatives Svarzbein, Annelo, Hernandez, Morgan, Salcido, Ordaz Perez, Rivera, and Lizarraga

NAYS: None

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk