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|  |  | **City Council** |
| **Oscar Leeser** | Peter Svarzbein, District 1 |
| Mayor | Alexsandra Annello, District 2 |
|  | Cassandra Hernandez, District 3 |
|  | Joe Molinar, District 4 |
| **Tommy Gonzalez** | Isabel Salcido, District 5 |
| City Manager | Claudia L. Rodriguez, District 6 |
|  | Henry Rivera, District 7 |
|  | Cissy Lizarraga, District 8 |

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| **CITY COUNCIL WORK SESSION MINUTES** | | |
| **August 15, 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 9:31 a.m. Mayor Oscar Leeser 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. Peter Svarzbein and Alexsandra Annello requested to be excused. | | |
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| **AGENDA**  **……………………………………………………………………………………………….…………** | |
| **1.** | Presentation and discussion by the COVID-19 Response and Recovery Cross-Functional Team providing information on key activities, efforts, and processes.   1. Overview   Ms. Tracey Jerome, Senior Deputy City Manager, started the presentation by stating there has been a 5% increase in new cases since August 1 and a 16% decrease in hospitalizations. She provided information on two additional testing sites opened at UTEP and the County Sports Park and encouraged people to order home testing kits from covidtests.gov. Ms. Jerome stressed the importance of getting tested if symptomatic and 5 days after exposure and listed other safety precautions to prevent severe illness and spread of the virus. She mentioned that the majority of deaths were associated with unvaccinated individuals and added that nearly 83% of the population 5 and older are fully vaccinated and 42% have received a booster. She ended the overview by providing information on the 4 City locations offering free vaccinations and boosters and asking people to vaccinate school aged children.  2. City Attorney Overview  a) State Disaster Declaration  b) Emergency Ordinances  c) Greg Abbott, in his official capacity as Governor of Texas v. City of El Paso and Statewide Mask Mandate Litigation  d) Additional Updates  Ms. Karla Nieman, City Attorney, continued the presentation by stating that Governor Abbot was expected to renew the disaster declaration and the need for Council to extend the local emergency ordinances along with the immigrant crisis ordinance listed on the agenda. Additionally, she said the City Attorney’s Office continues to monitor the Court of Appeals’ rulings and mentioned that masks are required at all National Parks, with the Chamizal National Memorial in El Paso being one of them. She ended her presentation by providing updated numbers on COVID-19 related trial settings filed in the Municipal Courts.  3. Team Lead Report:  a) Health Focus  Dr. Hector Ocaranza, Public Health Authority, began his update by providing information on the upward trend in the number of positive cases partly attributed to the start of the new school year while highlighting that hospitalization numbers remained stable. He then moved on to provide a monkeypox overview as the first case was just reported in El Paso adding that there have been over 30,000 global cases and of those 10,0000 reported in the United States and 700 in Texas, mostly in the Dallas and Houston areas. He mentioned that getting infected with monkeypox can spread to anyone with direct skin to skin contact with an infected individual and said mortality was very low. Dr. Ocaranza explained that only selected cases were eligible for antiviral treatment and said universal vaccines were not yet recommended.  b) Sun City Café Update  Mr. Joaquin Rodriguez, Capital Improvement Manger, provided an update on the program developed in response to COVID to provide temporary use of Right of Way and private property for businesses and said the program was being re-evaluated based on users’ feedback to determine the future of the program.  4. City Manager Wrap-up (Tommy Gonzalez)  Ms. Jerome wrapped up the presentation by reminding everyone to get their vaccines and boosters and provided other recommendations for increasing ventilation to eliminate exposure to the virus. She ended by highlighting safety precautions such as seeking treatment if ill, avoiding large crowds, and wearing masks while indoors.  Mayor Leeser commented on the importance of mask wearing.  **NO ACTION** was taken on this item. |
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| **2.** | **ITEMS 2 THROUGH 4 WERE TAKEN TOGETHER**  **ORDINANCE NO. 019363**  **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 July 18, 2022; and  **WHEREAS**, as of August 1, 2022, the number of COVID-19 active cases in El Paso is over 328 and cumulative 267,012 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. 019349 which re-enacts Emergency Ordinance No. 019035 is set to expire on August 17, 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. |
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| **3.** | **ORDINANCE NO. 019364**  **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 July 18, 2022; 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. |
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| **4.** | **ORDINANCE 019365**  **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 July 18, 2022; and  **WHEREAS,** Governor Abbott has similarly renewed the State’s COVID- 19 Disaster  Declaration, with the most recent extension taking place on July 21, 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 July 18, 2022 (Ord. No. 019351) (“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 September 14, 2022 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. 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 Molinar, and unanimously carried to **ADOPT** the Emergency Ordinances  AYES: Representatives Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga  NAYS: None  ABSENT: Representatives Svarzbein and Annello  **Mayor Leeser consented to the adoption of the Emergency Ordinances.** |
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| **5.** | **ORDINANCE NO. 019366**  **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 June, 2022; and  **WHEREAS,** the El Paso sector of CBP had 26,239 land border encounters in the month of June, 2022 and a total of 204,032 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 600 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 2,561 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.   Mayor Leeser and Representative Rodriguez commented.  Assistant Fire Chief Jorge Rodriguez presented a PowerPoint presentation (copy on file in the City Clerk’s Office).  Chief Rodriguez briefed Council members on the latest data provided by Customs and Border Protection related to daily apprehensions and encounters, which remain the same as last month. He said that although Title 42 remains in place, in the event it is lifted, there is a plan in place to provide shelter support, transportation, public health, security and intelligence, and cost recovery.  Ms. Tracey Jerome, Senior Deputy City Manager, mentioned that the Fusion Center is currently monitoring the situation related to the violence in Ciudad Juarez.  Motion made by Representative Rivera, seconded by Representative Salcido, and unanimously carried to **ADOPT** the Emergency Ordinance.  AYES: Representatives Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga  NAYS: None  ABSENT: Representatives Svarzbein and Annello  **Mayor Leeser consented to the adoption of the Emergency Ordinance.** |
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| **6** | Discussion and action on the 3rd Quarter Financial Report to reallocate FY 2022 General Fund surplus.  Mr. Robert Cortinas, Chief Financial Officer, presented a PowerPoint presentation (copy on file in the City Clerk’s Office) and answered questions posed by Council members.  The presentation highlighted the collection of sales tax comparisons during the last 24 months along with general fund revenue collection by category for the 3rd quarter of FY2022. Due to a surplus in revenue the presentation also included recommendations for the allocation of the funds.  Mayor Leeser and Representatives Hernandez, Molinar, Salcido, Rodriguez, and Rivera commented.  Mr. Tracey Jerome, Senior Deputy Manager, commented.  Motion made by Representative Rodriguez, seconded by Representative Rivera, and unanimously carried to **APPROVE** the recommended allocation of FY2022 surplus as follows:   * $9,858,326 to unassigned fund balance * $9,858,326 to budget stabilization * $2,190,294 to pension stabilization fund   AYES: Representatives Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga  NAYS: None  ABSENT: Representatives Svarzbein and Annello |
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| **EXECUTIVE SESSION**  Motion made by Representative Rivera, seconded by Representative Salcido, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 10:55 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  AYES: Representatives Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga  NAYS: None  ABSENT: Representatives Svarzbein and Annello  Motion made by Representative Rivera seconded by Representative Molinar, and unanimously carried to **ADJOURN** the Executive Session at 11:59 a.m. and **RECONVENE** the Work Session at which time motions were made:  AYES: Representatives Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga  NAYS: None  ABSENT: Representatives Svarzbein and Annello | |
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| **EX1.** | Claim of Calzada, Marcos; Matter No. 22-1045-124 (551.071)  Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Rivera, and unanimously carried that the City Attorney's Office be authorized to **DENY** the claim of Calzada, Marcos, L.; DOI 02/23/2022, in matter 22-1045-124.  AYES: Representatives Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga  NAYS: None  ABSENT: Representatives Svarzbein and Annello |
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| **EX2.** | Claim of Hernandez, Bryan, c/o Sanchez, Leslie; Matter No. 22-1045-128 (551.071)  Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Rivera and unanimously carried that the City Attorney's Office be authorized to **DENY** the claim of Sanchez, Leslie as next friend of Bryan Hernandez; DOI: 04/10/2022, in matter 22-1045-128.  AYES: Representatives Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga  NAYS: None  ABSENT: Representatives Svarzbein and Annello |
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| **EX3.** | Application for Approval of Advanced Meter System (AMS) Deployment Plan, AMS Surcharge, and Non-Standard Metering Service Fees, Public Utility Commission of Texas Docket No. 52040. Matter No. 21-1008-168 (551.071)  **1ST MOTION**  Motion made by Representative Hernandez, seconded by Representative Rodriguez, and unanimously carried to **AMEND** the motion to request that El Paso Electric come before Council to present the history of the AMS program, the education plan, and that their monthly reports include benchmarks and deliverables.  AYES: Representatives Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga  NAYS: None  ABSENT: Representatives Svarzbein and Annello  **2ND AND FINAL MOTION**  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 settlement offer in the Public Utility Commission of Texas Docket No. 52040 – Application of El Paso Electric Company for Advanced Metering System (AMS) Deployment Plant, AMS Surcharge, and Non-Standard Metering Service Fees - and to take all steps necessary, including the execution of any required documents, in order to effectuate this authority. City Council also requests that EPE come before Council to present the history of the AMS program, the education plan, and that their monthly reports include benchmarks and deliverables.  AYES: Representatives Hernandez, Molinar, Salcido, Rodriguez, Rivera, and Lizarraga  NAYS: None  ABSENT: Representatives Svarzbein and Annello |
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| **EX4.** | Purchase, lease, exchange or value of real property located in El Paso, Texas. Matter No. 22-1004-1412 (551.072)  **NO ACTION** was taken on this item. |
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| **ADJOURN** | |

Motion made by Representative Rivera, seconded by Representative Hernandez and unanimously carried to **ADJOURN** the meeting at 12:04 p.m.

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

NAYS: None

ABSENT: Representatives Svarzbein and Annello

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APPROVED AS TO CONTENT:

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Laura D. Prine, City Clerk