

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
MICHEL R. NOE, DISTRICT 5
CLAUDIA ORDAZ PEREZ, DISTRICT 6
HENRY RIVERA, DISTRICT 7
CISSY LIZARRAGA, DISTRICT 8

MINUTES FOR REGULAR COUNCIL MEETING

August 14, 2018
COUNCIL CHAMBERS, CITY HALL
9:00 AM

ROLL CALL

The City Council met in regular session at the above place and date. Meeting was called to order at 9:12 a.m. Mayor Dee Margo present and presiding and the following Council Members answered roll call: Alexsandra Annello, Cassandra Hernandez, Sam Morgan, Michiel R. Noe, Henry Rivera, and Cissy Lizarraga. Late arrivals: Claudia Ordaz Perez at 9:18 a.m. and Peter Svarzbein at 10:26 a.m. The invocation was given by Rabbi Levi Greenberg followed by the Pledge of Allegiance to the Flag of the United States of America.

INVOCATION BY RABBI LEVI GREENBERG

REGULAR AGENDA - PUBLIC HEARINGS AND OTHER BUSINESS

1. Goal 6: Set the Standard for Sound Governance and Fiscal Management

- 1.1. Motion made by Mayor Pro Tempore Noe, seconded by Ordaz Perez, and unanimously carried to **APPROVE** the El Paso County 911 District FY 2018 - 2019 Budget.

Ms. Mary Kozak, El Paso County 911 District Director, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Margo and Representatives Rivera and Lizarraga commented.

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

NAYS: None

- 1.2. Public Hearing on the Proposed Budget, as amended, for the City of El Paso, filed by the City Manager with the City Clerk on July 20, 2018, which begins on September 1, 2018 and ends on August 31, 2019.

Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, and unanimously carried to **CLOSE** the public hearing at 11:23 a.m. and to **POSTPONE** the final vote on the budget to August 21, 2018.

Mr. Robert Cortinas, Chief Financial Officer, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Margo and Representatives Svarzbein, Annello, Hernandez, Noe, Rivera, and Lizarraga commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Fire Chief Mario D'Agostino

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

NAYS: None

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- 1.3.** Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, and unanimously carried to **CLOSE** the 2nd Public Hearing on *Proposed* FY 2018-2019 Property Tax Rate of \$0.847470 at 11:56 a.m.

Mr. Robert Cortinas, Chief Financial Officer, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Margo and Representatives Svarzbein, Noe, Ordaz Perez, and Rivera commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Ms. Karla Nieman, Interim City Attorney

Mr. Rick Seeberger, citizen, commented.

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

NAYS: None

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- 1.4.** Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, and carried to **DELETE** an Ordinance amending Title 3 (Revenue and Finance) Chapter 3.08 (Sales Tax), Section 3.08.010 (Exemptions—Gas and Electricity) of the City of El Paso Code to repeal the Sales Tax Exemption to the use of residential gas and electricity and to reimpose the Local Sales Tax on the residential use of gas and electricity (Residential Use of Gas and Electricity Tax).

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

The following City staff members commented:

1. Mr. Robert Cortinas, Chief Financial Officer
2. Mr. Tommy Gonzalez, City Manager
3. Ms. Karla Nieman, Interim City Attorney

The following members of the public commented:

1. Mr. Pierre Fainot
2. Mr. Mike Aboud

AYES: Representatives Svarzbein, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga

NAYS: Representatives Annello and Hernandez

1.5.

ORDINANCE 018829

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 9 (HEALTH AND SAFETY), CHAPTER 9.04 (SOLID WASTE MANAGEMENT), SECTION 9.04.530 (FEES GENERAL), BY AMENDING SUBSECTION 9.04.530E, TO ALLOW FOR A FRANCHISE FEE FOR WEAR AND TEAR ON THE CITY'S RIGHTS-OF-WAY DUE TO USE OF THE CITY'S SANITATION VEHICLES COLLECTING, TRANSPORTING AND DISPOSING MUNICIPAL SOLID WASTE FROM RESIDENTIAL PROPERTY; THE PENALTY BEING AS PROVIDED IN SECTION 9.04.630 OF THE EL PASO CITY CODE.**

Mayor Margo and Representative Rivera commented.

Mr. Robert Cortinas, Chief Financial Officer, commented.

Ms. Bea Heist, citizen, commented.

Motion duly made by Representative Hernandez, seconded by Representative Ordaz Perez, that the Ordinance be **ADOPTED**.

Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done results as follows:

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

NAYS: Representative Svarzbein

EXECUTIVE SESSION

Motion made by Mayor Pro Tempore Noe, seconded Representative Ordaz Perez, and unanimously carried that the City Council retires into **EXECUTIVE SESSION** at 9:21 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 any of the following:

AYES: Representatives Morgan, Noe, Ordaz Perez, Rivera and Lizarraga
NAYS: Representatives Annello and Hernandez
NOT PRESENT FOR THE VOTE: Representative Svarzbein

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATIONS REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS
Section 551.089	DELIBERATION REGARDING SECURITY DEVICES OR SECURITY AUDITS; CLOSED MEETING

Motion made by Mayor Pro Tempore Noe, seconded by Representative Svarzbein, and unanimously carried to adjourn the Executive Session at 10:27 a.m. and **RECONVENE** the meeting of the City Council.

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga
NAYS: None

EX1. Personnel Matter: City Manager Tomas Gonzalez (551.071 and 551.074)

Mayor Margo and Representative Hernandez commented.

1ST MOTION

Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, and unanimously carried that the City Council of the City of El Paso **ACCEPT** the recommendations of the Financial Oversight and Audit Committee for the process of determining the market base review of the City Manager's salary under his employment contract for each even numbered year and that having approved a 5% merit increase effective September 1, 2018 no salary adjustment is due to the City Manager.

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga
NAYS: None

2ND AND FINAL MOTION

Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, and unanimously carried that the City Council of the City of El Paso having completed the annual evaluation of the City Manager which has resulted in an exceeds standard rating **APPROVE** a 5% merit increase to the City Manager's salary effective September 1, 2018 in accordance with his employment agreement.

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Noe, Ordaz Perez, Rivera and Lizarraga
NAYS: None

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ADJOURN

Motion made by Mayor Pro Tempore Noe, seconded by Representative Ordaz Perez, and unanimously carried to **ADJOURN** this meeting at 12:15 p.m.

AYES: Representatives Svarzbein, Anello, Hernandez, Morgan, Noe, Ordaz Perez, Rivera, and Lizarraga

NAYS: None

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APPROVED AS TO CONTENT:

Laura D. Prine, City Clerk