

JOHN F. COOK
MAYOR



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

JOYCE WILSON
CITY MANAGER

SPECIAL CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
MAY 4, 2007

The City Council met at the above place and date. Meeting was called to order at 1:39 p.m. Mayor John Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susie Byrd, Jose Alejandro Lozano, Presi Ortega, Jr., Eddie Holguin, Jr., Steve Ortega, and Beto O'Rourke. Late arrival: Melina Castro at 1:53 p.m. Early departure: Jose Alejandro Lozano at 3:19 p.m.

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AGENDA

ITEMS TAKEN TOGETHER:

1. Discussion and action concerning Texas Commission on Environmental Quality (TCEQ) findings on ASARCO.
2. Discussion and action regarding issues related to ASARCO litigation.

Mayor Cook and Representatives Steve Ortega, Lozano, O'Rourke, Byrd, and Presi Ortega, Jr. commented.

Mr. David Edmonson, Legislative Analyst from Senator Eliot Shapleigh's office, presented a PowerPoint presentation.

The following members of the public commented spoke in favor of ASARCO:

1. Mr. Larry Johnson, Environmental Manager for ASARCO
2. Dr. Jorge Magaña
3. Mr. Larry Castor, General Manager for ASARCO in Amarillo, Texas
4. Ms. Chole Galban
5. Mr. John Karr
6. Dr. Donald Rathbun
7. Ms. Maria Elena Lincon
8. Ms. Irma Gallindo
9. Mr. Pat Escandon
10. Ms. Elena Navarro
11. Ms. Vanessa Crumpler
12. Mr. Alan Brewster
13. Mr. Raul Zamarripa
14. Mr. David Padilla
15. Mr. Augustine Gonzalez
16. Mr. David Karlserth
17. Mr. Walter Boyle

The following members of the public commented spoke in against ASARCO:

1. Dr. Micheline Maccario
2. Ms. Mariana Chew
3. Ms. Mayra Arredondo Salinas, Congreso Chihuahua

4. Ms. Heather McMurray
5. Ms. Lynda Duke
6. Ms. Consuelo Renteria, Ciudad Juarez resident
7. Mr. Bill Addington
8. Ms. Teresa Hildago
9. Ms. Vanessa Romero
10. Mr. Scott Comer
11. Mr. Christopher Bailey
12. Mr. Juan Garza
13. Mr. Robert Garza
14. Mr. Taylor Moore
15. Mr. Raul Amaya
16. Mr. John Russell
17. Ms. Stephanie Reyna
18. Ms. Pat De La Garza
19. Ms. Kathleen Zerlinden
20. Mr. Lorenzo Najera
21. Ms. Nica Harden
22. Mr. Jim Kelly
23. Mr. Hal Marcus
24. Ms. Jouita Jimenez
25. Ms. Annalisa Cordova
26. Mr. Michael Patino
27. Mr. David Marcos Cortez
28. Ms. Debbie Arrieta-Kelly
29. Mr. Gil Pinon, Sierra Club
30. Ms. Isabella Roque
31. Mr. Miguel Gamboa

1ST MOTION

Motion made by Representative Lilly, seconded by Representative Holguin, and unanimously carried that the City Council **RETIRE** into **EXECUTIVE SESSION** at 1:39 p.m.

NOT PRESENT FOR THE VOTE: Representative Castro

2ND MOTION

Motion made by Representative O'Rourke, seconded by Representative Steve Ortega, and unanimously carried to **ADJOURN** the Executive Session at 1:53 p.m. and **RECONVENE** the meeting of the City Council.

3RD MOTION

Motion made by Representative O'Rourke, seconded by Representative Steve Ortega, and unanimously carried to **SUSPEND THE RULES OF ORDER** and allow additional speakers one minute each to address the Council.

4TH AND FINAL MOTION

R E S O L U T I O N

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

WHEREAS, the City of El Paso is firmly committed to protecting the health, safety, and welfare of the citizens in our community and surrounding communities;

WHEREAS, in the City of El Paso, 1,097 residential homes have been found with lead contamination exceeding 500 parts per million, which the United States Environmental Protection Agency designated ASARCO as the “potential responsible party”;

WHEREAS, pursuant to the July 2005 findings of the Administrative Law Judges, ASARCO failed to prove that its emissions will not cause or contribute to air pollution;

WHEREAS, pursuant to the July 2005 findings of the Administrative Law Judges, ASARCO did not prove that its compliance history during the last five years of operation warrants renewal of its air permit;

WHEREAS, according to ASARCO’s permit application, an activated ASARCO will emit nearly 7,000 tons of pollutants into El Paso’s, Ciudad Juarez’s, and Sunland Park, New Mexico’s environmental air shed;

WHEREAS, said pollutants will include 7.69 tons of lead, 230 tons of oxides of nitrogen, 287 tons of carbon monoxide, 7.66 tons of volatile organic compounds, 6,673 tons of sulfur dioxide, and 16.21 tons of sulfuric acid;

WHEREAS, ASARCO is a retrograde vestige of a 19th century environmentally negligent industry that is located in the core of El Paso with close proximity to 20,000 students at the University of Texas at El Paso and thousands of residents in El Paso, Ciudad Juarez, and Sunland Park, New Mexico;

WHEREAS, the City of El Paso is firmly committed to maintaining and attracting clean 21st century industries that are mindful and respectful of our region, health, and environment;

WHEREAS, the Mayor and City Council are firmly resolved to working with our constituents, Juarenses, and New Mexicans to protect the environmental integrity of our region.

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

That the City of El Paso and its duly elected Mayor and Representatives will vehemently and staunchly oppose any and all efforts aimed at renewing ASARCO’s air permit and declare that a reopened ASARCO is not welcome in this community.

Motion made by Representative Lilly, seconded by Representative Byrd, and unanimously carried to **APPROVE** the Resolution.

NOT PRESENT FOR THE VOTE: Representative Lozano

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Motion made by Representative Steve Ortega, seconded by Representative Holguin, and unanimously carried to adjourn this meeting at 4:11 p.m.

NOT PRESENT FOR THE VOTE: Representative Lozano

APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk