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OFFICE OF THE MAYOR

LEGISLATIVE REVIEW COMMITTEE – INTERGOVERNMENTAL AFFAIRS

City Hall Building, #2 Civic Center Plaza
Mayor's Board Room, 10th Floor
Thursday, September 17, 2009
1:00 p.m.

AGENDA

1. Call to order.
2. Approval of Minutes for the Intergovernmental Affairs Legislative Review Committee Meetings of December 10, 2008, and January 23, 2009.
3. Teleconference with the Federal Lobbyists, John Montgomery & John O'Donnell of Murray, Montgomery & O'Donnell to discuss Status of Transportation Reauthorization Act and how the proposed legislation may affect the City of El Paso transportation and mobility programs. [Mayor's Office, Sylvia Borunda Firth, (915) 541-4656]
4. Discussion and action regarding the procedure and timeline to engage state and federal lobbyists and proposed scope of work for each. [Mayor's Office, Sylvia Borunda Firth, (915) 541-4656]
5. Adjournment.

EXECUTIVE SESSION

The Legislative Review Committee of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and Texas Government Code, Chapter 551, Subchapter D, to discuss and take action on any of the following: (The items listed below are matter of the sort routinely discussed in Executive Session, but the Economic and Community Development Legislative Review Committee of the City of El Paso may move to Executive Session any of the items on the agenda, consistent with the terms of the Open Meetings Act.)

Section 551.071 CONSULTATION WITH ATTORNEY
Section 551.072 DELIBERATION REGARDING REAL PROPERTY
Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074 PERSONNEL MATTERS
Section 551.073 DELIBERATION REGARDING SECURITY DEVICES
Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

NOTICE TO THE PUBLIC: This is a meeting of a legislative review committee of the El Paso City Council. The committee ordinarily consists of 4 or 5 Council members for purposes of establishing a quorum and the voting membership on the committee. However, any other member of the City Council may, on an ad hoc basis, join the meeting and participate in the discussions.

Sign language interpreters will be provided for this meeting upon request. Request must be made to this department at a minimum of 24 hours prior to the date and time of the meeting.

Copies of this agenda will be provided in Braille, large print or audio tape upon request. Request must be made a minimum of 48 hours prior to the date and time of the meeting.

Item 1. Call to order.

The Legislative Review Committee met at the above place and date. Meeting was called to order at 1:07 p.m. Chairman John F. Cook present and presiding and the following members answered roll call: Beto O'Rourke, Emma Acosta, and Carl Robinson. Also present were Mayor's Chief of Staff and Director of Governmental Affairs Sylvia B. Firth and Intergovernmental Affairs Coordinator Taylor Bengtson.

Item 3. Teleconference with the Federal Lobbyists, John Montgomery & John O'Donnell of Murray, Montgomery & O'Donnell to discuss Status of Transportation Reauthorization Act and how the proposed legislation may affect the City of El Paso transportation and mobility programs.

Chairman Cook welcomed the federal lobbying team via telephone. Those participating via telephone were John O'Donnell, John Montgomery, Kyriakos Pagonis, and Bill Simpson. Also present for the teleconference were Deputy City Managers Pat Aduato and Jane Shang, Capital Improvement Plan Manager Terry Quezada, MPO Executive Director Roy Gilyard, and Greater Chamber of Commerce staff Oscar Padilla.

Mr. O'Donnell began discussions about the Surface Transportation Authorization Act of 2009 introduced by US House Committee on Transportation and Infrastructure Chairman James Oberstar. Top priorities within the bill were identified as: 1) Transit, 2) Metropolitan Mobility, 3) Projects of National Significance and 4) High Priority Projects.

Discussion focused mainly on transit programs and funding identified within the proposed bill and how it would affect the Bus Rapid Transit System being implemented by City Council.

Chairman Cook asked about the timeline of the bill and what actions should be taken by City Council to help.

Mr. O'Donnell speculated that the bill will probably not come to the House floor until early next year. The likelihood of it being considered would be during a lame duck session at the end of the 111th Congress. Mr. O'Donnell suggested that Chairman Cook meet with Chairman Oberstar during his next trip to DC as well as meeting with the Federal Transit Administration. Efforts to secure meetings are underway with the assistance of the Office of Congressman Silvestre Reyes.

Chairman Cook asked what needed to be done in order to ensure El Paso's priorities were included in the bill.

Mr. O'Donnell noted that the Bus Rapid Transit project had already been submitted to the Office of Congressman Silvestre Reyes. The request was for \$40 million to help with all four corridors. Mr. O'Donnell mentioned that there most likely would not be a dollar amount mentioned within the bill, but there would be a line item that would allow for the City to work with the Federal Transit Administration in order to seek funding.

Discussion moved on to the metropolitan planning section of the bill, followed by the Projects of National Significance.

No action was taken on this item.

Item 4. Discussion and action regarding the procedure and timeline to engage state and federal lobbyists and proposed scope of work for each.

In attendance for this item were State Representatives Marisa Marquez and Joseph Moody.

Ms. Firth introduced the item and explained the current situation with the contracts. She provided those in attendance with copies of the scope of services in the City contracts as well as copies of the Requests for Qualifications from the County for their lobbyists. The agreement between the El Paso Water Utilities and their state lobbyist was also included in the packet for reference.

State Representative Marquez requested that background be given on the status of the state lobbying contract.

Ms. Firth explained the budget process that resulted in defunding the state lobbyist.

Chairman Cook explained his thoughts on the importance of a state lobbyist in furthering the agenda approved by City Council.

State Representative Moody suggested having a lobbyist full time, including during the interim when the legislature is not in session. He noted that the lobbyist is helpful in assisting them as well as ensuring research is done by the Committees on projects of interest to the City.

State Representative Marquez explained how lobbyists helped her during the legislature and the benefit the lobbyist gave when needing to discuss an issue with fellow members of the House.

Committee Member Robinson mentioned that earlier concerns centered on cost benefit. He was not convinced that the previous lobbyist was producing for the City.

Committee Member Acosta stated after hearing the opinions of the State Representatives that there was obviously a misconception that lobbyists do not work during the interim. She believed that it was important that the City of El Paso hire a lobbyist since all big cities in the State have at least one lobbyist contracted.

Committee Member O'Rourke voiced concern over the lobbyists in general. He did not believe that the reports generated by the state lobbyist were specific to El Paso and could have been used for any City across the State. He believes that the City should capitalize on the resources already in place to help further the City agenda: State delegation, City Council, City staff and community leaders. He ended that he would not be voting for any lobbyist, state or federal.

Ms. Firth explained that when looking at a lobbyist, we could look into firms that had offices both in Austin and Washington, DC.

Committee Member Acosta believed there should be a rating item for those who had offices in both cities.

Motion made by Committee Member Acosta, seconded by Committee Member Robinson and carried to revise the scope of services for the state and federal lobbyist contracts, with the inclusion of the amendment made by Chairman Cook to hold monthly teleconferences with the lobbyists during session and quarterly teleconferences in the interim, and to bring the contract back to Council for review, followed by the issuance of a Request for Proposal to hire a both lobbyists.

AYES: Chairman Cook, Committee Members Acosta and Robinson

NAYS: Committee Member O'Rourke

Item 2. Approval of Minutes for the Intergovernmental Affairs Legislative Review Committee Meeting of December 10, 2008, and January 23, 2009.

Motion made by Committee Member Acosta, seconded by Committee Member O'Rourke and unanimously carried to approve the minutes for the meetings of December 10, 2008, and January 23, 2009.

Item 5. Adjournment

Motion made by Committee Member Acosta, seconded by Committee Member Robinson and unanimously carried to adjourn this meeting at 2:48 p.m.

John F. Cook
Chairman