

OSCAR LEESER  
MAYOR

TOMMY GONZALEZ  
CITY MANAGER



CITY COUNCIL  
PETER SVARZBEIN, DISTRICT 1  
ALEXSANDRA ANNELLO, DISTRICT 2  
CASSANDRA HERNANDEZ, DISTRICT 3  
JOE MOLINAR, DISTRICT 4  
ISABEL SALCIDO, DISTRICT 5  
CLAUDIA L. RODRIGUEZ, DISTRICT 6  
HENRY RIVERA, DISTRICT 7  
CISSY LIZARRAGA, DISTRICT 8

**CITY COUNCIL WORK SESSION MINUTES**  
**July 19, 2021**  
**9:05 AM**

**Due to the temporary suspension of specified provisions of Open Meetings laws due to the COVID-19 emergency this meeting was conducted via telephonic and videoconference formats.**

.....  
The City Council of the City Council met on the above time and date via videoconference. Meeting was called to order at 9:23 a.m. Mayor Oscar Leeser was present and presiding and the following Council Members answered roll call: Peter Svarzbein, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Claudia Rodriguez, Henry Rivera and Cissy Lizarraga. Aleksandra Annello joined the meeting at 11:01 a.m. Mayor Leeser temporarily left the meeting at 9:45 a.m. and returned at 10:47 a.m.

.....  
**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 (Tommy Gonzalez)**

Mr. Tommy Gonzalez, City Manager, introduced the item and explained that the City's vaccination rates remained above the State and National rates with 79% of the area's population receiving a first dose and 68% being fully vaccinated. He added that hospitalizations related to COVID-19 were low and said the City will work with area schools to set up temporary sites to extent vaccinations to students age 12 and above.

**2. City Attorney Overview (Karla Nieman)**

- a) State Disaster Declarations**
- b) Emergency Ordinances**
- c) Additional Updates**

Ms. Karla Nieman, City Attorney, provided an update on the State Disaster Declaration by stating the Governor was expected to issue a renewal by July 31<sup>st</sup> and said the temporary suspension on the Texas Open Meetings Act would expire on September 1, 2021. She added that local emergency ordinances needed to be renewed and said the CDC had extended the eviction moratorium to July 31, 2021 therefore the related case would not be heard by the Supreme Court. Ms. Nieman stated that the restriction on land ports of entry was set to expire on July 21, 2021 and provided statistics related to the status of COVID-19

citations filed with the Municipal Courts.

**3. Team Lead Report:**

**a) Health Focus (Hector Ocaranza, M.D.)**

Dr. Hector Ocaranza, Public Health Authority, provided an update on the current pandemic situation and explained the City was in a Stage 3 status as the seven day average of new cases had doubled. He stated that 76% of new cases were attributed to unvaccinated individuals with the majority of all new cases identified as Alfa  $\alpha$  (UK Variant). Dr. Ocaranza added that no cases of the Delta variant had been reported and said COVID-19 vaccinations were effective against the different variants.

Fire Chief Mario D'Agostino confirmed that samples of COVID-19 collections were sent to outside labs for variant testing and included testing for the Delta variant.

**4. City Manager Wrap Up**

Mr. Tommy Gonzalez, City Manager, closed the presentation by stating that the City was close to reaching herd immunity and reiterated that the City's vaccination rates were exceeding State averages.

Representatives Svarzbein, Molinar, and Rivera commented.

**NO ACTION** was taken on this item.

2.

**ORDINANCE 019205**

**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 June 21, 2021; and

**WHEREAS**, on July 1, 2021, Governor Abbott similarly renewed the State's COVID-19 Disaster Declaration; and

**WHEREAS**, the number of COVID-19 active cases in El Paso is over 366; 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. 019201 which re-enacts Emergency Ordinance No. 019035 is set to expire on July 21, 2021; and

**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.

Motion made by Representative Annelo, seconded by Representative Rivera, and unanimously carried to **ADOPT** the Emergency Ordinance.

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

NAYS: None

**Mayor Leeser consented to the adoption of the Emergency Ordinance.**

3.

**ORDINANCE 019206**

**AN EMERGENCY ORDINANCE  
RE-ENACTING 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; 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 June 21, 2021; 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, 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, and 019191, 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, 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.

Motion made by Representative Rivera, seconded by Representative Molinar, and unanimously carried to **ADOPT** the Emergency Ordinance.

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

NAYS: None

**Mayor Leeser consented to the adoption of the Emergency Ordinance.**

4.

**ORDINANCE 019207**

**AN EMERGENCY ORDINANCE  
RE-ENACTING EMERGENCY ORDINANCE NO. 019091, AS AMENDED BY EMERGENCY  
ORDINANCE NO. 019119; 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 monthly basis, with the most recent re-enactment taking place on January 5, 2021; and

**WHEREAS**, Governor Abbott has similarly renewed the State's COVID- 19 Disaster Declaration, with the most recent extension taking place on January 5, 2021; 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 August 31, 2020, 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. 019091**"); and

**WHEREAS**, City Council has re-enacted Emergency Ordinance Re-Enacting Emergency Ordinance No. 019091, each month, with the most recent re-enaction taking place on June 21, 2021(Ord. No. 019203) ("**Re-enacting Ordinance**"); 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 its August 31, 2020, Emergency Ordinance No. 019091, as amended by Emergency Ordinance No. 019119, which shall take effect immediately, and remain in effect until August 18, 2021, 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. 019091, 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 Molinar, seconded by Representative Annello, and unanimously carried to **ADOPT** the Emergency Ordinance.

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

NAYS: None

**Mayor Leeser consented to the adoption of the Emergency Ordinance.**

---

**EXECUTIVE SESSION**

Motion made by Representative Hernandez, seconded by Representative Rivera, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 10:14 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 following:

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.072 DELIBERATION REGARDING REAL PROPERTY

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

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

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Annello

Motion made by Representative Hernandez, seconded by Representative Molinar, and unanimously carried to **ADJOURN** the Executive Session at 12:22 p.m. and **RECONVENE** the meeting of the City Council.

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

NAYS: None

---

**EX1. Update - Application of El Paso Electric Company to Change Rates, Public Utility Commission of Texas Docket No. 52195. (21-1008-174) (551.071)**

**NO ACTION** was taken on this item.

.....  
**EX2. Update - Application of El Paso Electric Company for Approval of Advanced Metering System (“AMS”) Public Utility Commission of Texas Docket No. 52040 (21-1192-001) (551.071)**

**NO ACTION** was taken on this item.

.....  
**EX3. Status of Pending Negotiations for Several Economic and International Development Department Projects in the City of El Paso (20-1007-2670) (551.087) (551.071)**

**NO ACTION** was taken on this item.

.....  
**EX4. Economic Incentives for an Infill Development located in the City of El Paso (21-1007-2744) (551.087)**

**NO ACTION** was taken on this item.

.....  
**EX5. Economic Incentives for an Infill Development located in the City of El Paso (21-1007-2759) (551.087)**

**NO ACTION** was taken on this item.

.....  
**EX6. Economic Incentives for a Manufacturing Company to be located in the City of El Paso (21-1007-2740) (551.087) (551.072) (551.071)**

**NO ACTION** was taken on this item.

.....  
**ADJOURN**

Motion made by Representative Rivera, seconded by Representative Annello and unanimously carried to **ADJOURN** the meeting at 12:27 p.m.

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

NAYS: None

.....  
APPROVED AS TO CONTENT:

\_\_\_\_\_  
Laura D. Prine, City Clerk