

Oscar Leeser  
Mayor

Tommy Gonzalez  
City Manager



CITY COUNCIL  
Peter Svarzbein, District 1  
Alexandra 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

**Final  
NOTICE OF WORK SESSION  
OF THE CITY COUNCIL OF THE CITY OF EL PASO**

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**July 19, 2021  
9:05 AM**

**Teleconference phone number 1-915-213-4096  
Toll free number: 1-833-664-9267  
Conference ID: 791-481-288#**

**TEMPORARY SUSPENSION OF OPEN MEETINGS LAWS DUE TO EMERGENCY**

The Texas Governor temporarily suspended specified provisions of the Texas Open Meetings Act to allow telephonic or videoconference meetings and to avoid congregate settings in physical locations.

Notice is hereby given that a Work Session of the City Council of the City of El Paso will be conducted on July 19, 2021 at 9:05 A.M. Members of the public may view the meeting via the following means:

Via the City's website. <http://www.elpasotexas.gov/videos>  
Via television on City15,  
YouTube: <https://www.youtube.com/user/cityofelpasotx/videos>

In compliance with the requirement that the City provide two-way communication for members of the public, members of the public may communicate with Council during public comment, and regarding agenda items by calling the following number:

1-915-213-4096 or Toll free number: 1-833-664-9267

**At the prompt please enter the corresponding Conference ID: 791-481-288#**

The public is strongly encouraged to sign up to speak on items on this agenda before the start of this meeting on the following links:

<https://www.elpasotexas.gov/city-clerk/meetings/city-council-meetings>  
and  
[http://legacy.elpasotexas.gov/muni\\_clerk/Sign-Up-Form-Monday-Work-Session.php](http://legacy.elpasotexas.gov/muni_clerk/Sign-Up-Form-Monday-Work-Session.php)

**The following members of City Council will be present via video conference:**

**Mayor Oscar Leeser and Representatives Peter Svarzbein, Alexandra Anello, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Claudia Rodriguez, Henry Rivera, and Cissy Lizarraga**

**A quorum of City Council must participate in the meeting.**

### **AGENDA**

1. Presentation and discussion by the COVID-19 Response and Recovery Cross-Functional Team providing information on key activities, efforts, and processes. [21-802](#)
  1. Overview (Tommy Gonzalez)
  2. City Attorney Overview (Karla Nieman)
    - a) State Disaster Declarations
    - b) Emergency Ordinance
    - c) Additional Updates
  3. Team Lead Report:
    - a) Health Focus (Hector Ocaranza, M.D.)
  4. City Manager Wrap-up (Tommy Gonzalez)
2. Discussion and action on an Emergency Ordinance re-enacting Emergency Ordinance No. 019035 extending a Disaster Declaration due to a Public Health Emergency. [21-787](#)
3. Discussion and action on 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 and 019191; penalty as provided in Section 8. [21-788](#)
4. Discussion and action on an Emergency Ordinance re-enacting Emergency Ordinance No. 019091, as amended by Emergency Ordinance No. 019119; Penalty as provided in Section 6. [21-814](#)

### **EXECUTIVE SESSION**

#### **TEMPORARY SUSPENSION OF OPEN MEETINGS LAWS DUE TO EMERGENCY**

The Texas Governor temporarily suspended specified provisions of the Texas Open Meetings Act to allow telephonic or videoconference meetings and to avoid congregate settings in physical locations.

The following members of City Council will be present via video conference:

**Mayor Oscar Leaser and Representatives Peter Svarzbein, Aleksandra Annelo, Cassandra Hernandez, Joe Molinar, Isabel Salcido, Claudia Rodriguez, Henry Rivera, and Cissy Lizarraga**

The City Council of the City of El Paso may retire into EXECUTIVE SESSION pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act and the Rules of City Council.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

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 551.076      DELIBERATION REGARDING SECURITY DEVICES OR SECURITY AUDITS  
Section 551.087      DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS  
Section 551.089      DELIBERATION REGARDING SECURITY DEVICES OR SECURITY AUDITS; CLOSED MEETING

## **Goal 6: Set the Standard for Sound Governance and Fiscal Management**

### **Discussion and action on the following:**

- EX1.** Update - Application of El Paso Electric Company to Change Rates, Public Utility Commission of Texas Docket No. 52195. (21-1008-174) (551.071) [21-806](#)
- 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) [21-813](#)
- 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) [21-807](#)
- EX4.** Economic Incentives for an Infill Development located in the City of El Paso (21-1007-2744) (551.087) [21-808](#)
- EX5.** Economic Incentives for an Infill Development located in the City of El Paso (21-1007-2759) (551.087) [21-809](#)
- 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) [21-810](#)

## **ADJOURN**

### **NOTICE TO THE PUBLIC:**

If you need Spanish Translation Services, you must email [CityClerk@elpasotexas.gov](mailto:CityClerk@elpasotexas.gov) at least 48 hours in advance of the meeting.

**ALL REGULAR CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET THURSDAY PRIOR TO THE MEETING AT THE ADDRESS BELOW:**

<http://www.elpasotexas.gov/>





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**File #: 21-802, Version: 1**

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**CITY OF EL PASO, TEXAS  
LEGISTAR AGENDA ITEM SUMMARY FORM**

**DISTRICT, DEPARTMENT, CONTACT INFORMATION:**

*Please choose District and Department from drop down menu. Please post exactly as example below.  
No Title's, No emails. Please use ARIAL 10 Font.*

**All Districts**

City Manager's Office, Cary Westin, (915) 212-1063

**AGENDA LANGUAGE:**

*This is the language that will be posted to the agenda. Please use ARIAL 11 Font.*

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)
2. City Attorney Overview (Karla Nieman)
  - a) State Disaster Declarations
  - b) Emergency Ordinance
  - c) Additional Updates
3. Team Lead Report:
  - a) Health Focus (Hector Ocaranza, M.D.)
4. City Manager Wrap-up (Tommy Gonzalez)

**CITY OF EL PASO, TEXAS  
AGENDA ITEM  
DEPARTMENT HEAD'S SUMMARY FORM**

**AGENDA DATE:** July 19, 2021  
**PUBLIC HEARING DATE:** N/A

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** Senior Deputy City Manager, Cary Westin (915) 212-1063

**DISTRICT(S) AFFECTED:** All

**STRATEGIC GOAL:** Goal 6 Set the Standard for Sound Governance and Fiscal Management  
Goal 8 Nurture and Promote a Health Sustainable Community

**SUBGOAL:**

- 6.4- Implement leading-edge practices for achieving quality and performance excellence
- 6.5- Deliver services timely and effectively with focus on continual improvement
- 8.1- Deliver prevention, intervention, and mobilization services to promote a healthy, productive, and safe community

**SUBJECT:**

Presentation and discussion by the COVID-19 Response + Recovery Cross-Functional Team providing information on key activities, efforts, and processes.

1. Overview (Tommy Gonzalez)
2. City Attorney Overview (Karla Nieman)
  - a) State Disaster Declarations
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3. Team Lead Report:
  - a) Health Focus (Hector Ocaranza, M.D.)
4. City Manager Wrap-up (Tommy Gonzalez)

**BACKGROUND / DISCUSSION:**

The COVID-19 Response + Recovery Cross-Functional Team is comprised of ten multi-disciplinary teams focused on the continued planning, development and implementation of actions supporting key impact areas. Ongoing updates will be provided to share key information and upcoming items.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

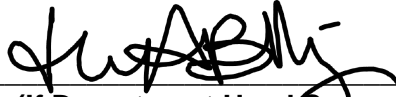
**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?**  YES  NO

**PRIMARY DEPARTMENT:**

**SECONDARY DEPARTMENT:**

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

DEPARTMENT HEAD:

A handwritten signature in black ink, appearing to be "J. A. Belli", written over a horizontal line.

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)



# **COVID-19 Response + Recovery Cross-Functional Team Update**

**7.19.21**

# Table of Contents

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1. Overview (Tommy Gonzalez)
2. City Attorney Overview (Karla Nieman)
  - a) State Disaster Declarations
  - b) Emergency Ordinances
  - c) Additional Updates
3. Team Lead Report:
  - a) Health Focus (Hector Ocaranza, M.D.)
4. City Manager Wrap-up (Tommy Gonzalez)

# 1. Overview

Tommy Gonzalez

# 2. City Attorney Overview

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

Karla Nieman



# Governor Abbott's Disaster Declarations



\*Anticipate Governor Abbott will renew his Disaster Declaration between July 29<sup>th</sup>-31<sup>st</sup> .





# Texas Open Meetings Act Update

## ❖ TOMA suspension expires

- ❖ March 2020- Governor Abbott suspended certain Texas Open Meeting Act sections
- ❖ June 30, 2021- Governor Abbott approved AG's request to lift suspensions
- ❖ Sept. 1, 2021- Previously suspended TOMA provisions will be in effect

# Emergency Ordinances

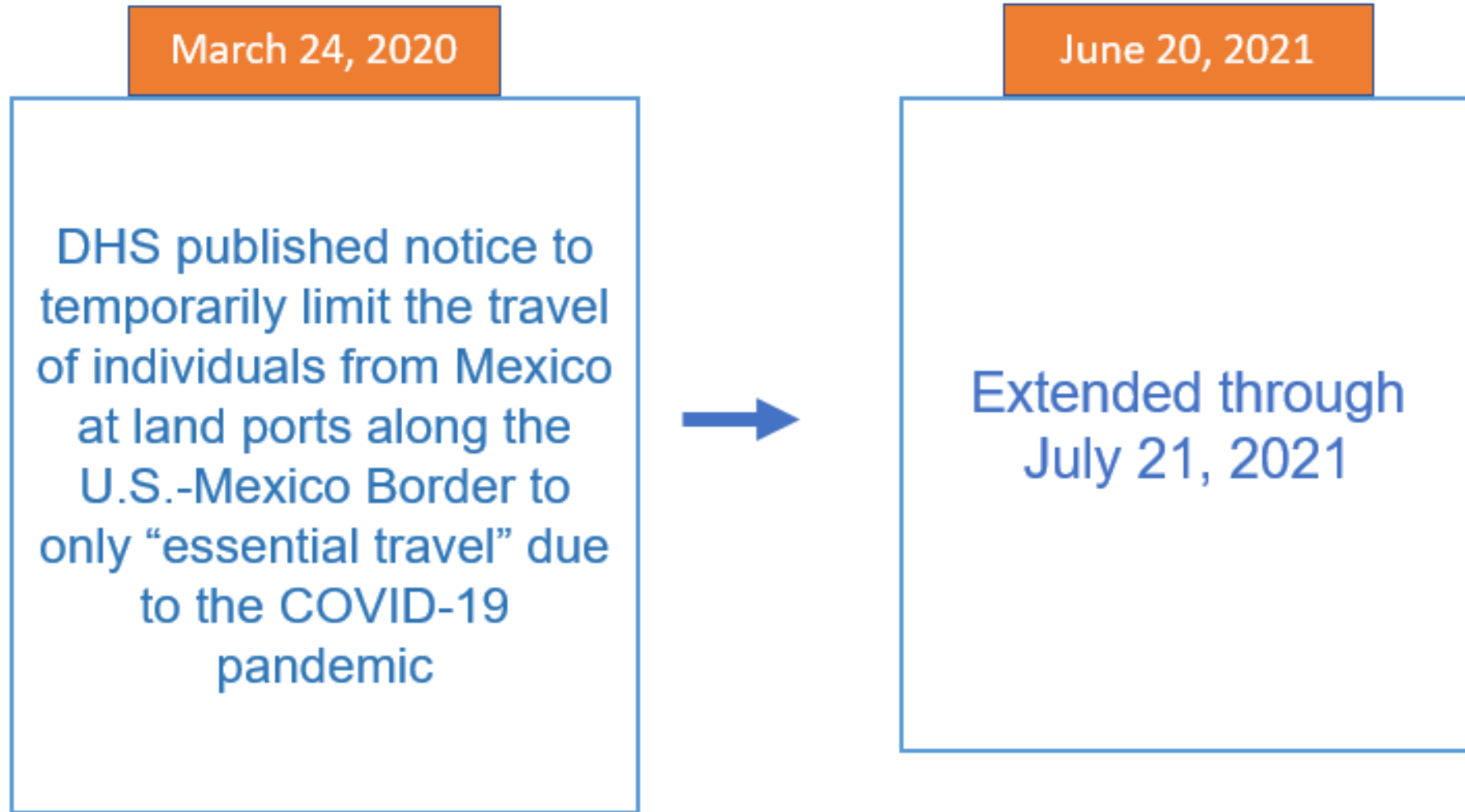
Ordinance	Adoption Date	Most Recent Re-enactment	Expires
<b>Disaster Declaration</b> Ord. No. 019035	3/17/2020	6/21/2021	7/21/2021
<b>Emergency Measures</b> Ord. No. 019036	3/17/2020	6/21/2021	7/21/2021
<b>Public Right of Way</b> Ord. No. 019091	8/31/2020	6/21/2021	7/21/2021



# Additional Updates

- ❖ 9/4/20 – 5/5/21 - HHS/CDC Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19 – for nonpayment of rent
  - ❖ 5/5/21 – Federal judge overturned CDC Order
  - ❖ 5/5/21 – DOJ filed Notice of Appeal
  - ❖ 5/5/21 – Temporary administrative Stay granted
  - ❖ 6/2/21 – Emergency Stay upheld by DC Appeals Court
  - ❖ 6/3/21 – Application filed with U.S. Supreme Court to vacate the stay
  - ❖ 6/29/21- Application to vacate the stay denied by U.S. Supreme Court – Court will not hear the case
  - ❖ 7/31/21- CDC eviction moratorium expires

# Additional Updates – Land Ports of Entry Travel Restrictions



9

Restricted Non-essential travel—individuals traveling for tourism purposes (e.g. sightseeing, recreation, gambling, or attending cultural events)

# COVID-19 Prosecution Update

**Trial Settings on COVID-19 Citations through July 15, 2021 in all 5 Municipal Courts**

103 Trial Settings

9 Trials  
(3 Guilty)

25 Pleas

27 Reset

16 Warrants

27 Dismissed

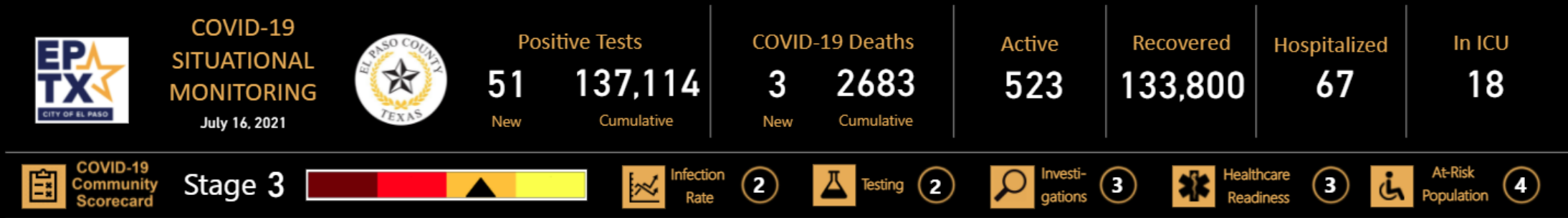
# 3. Team Lead Report



# a. Health Focus

Hector I. Ocaranza, M.D.

# COVID-19 Summary



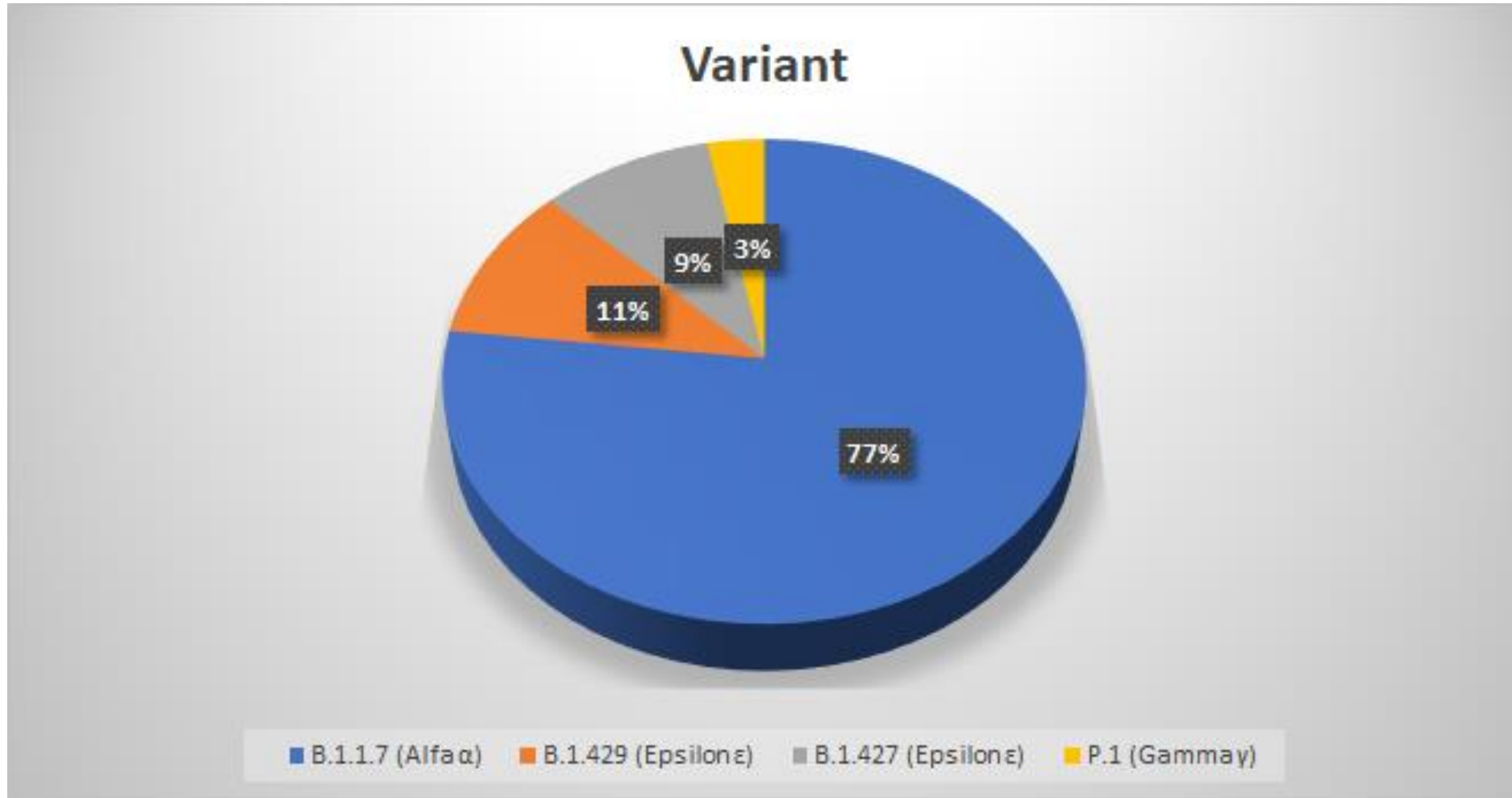
- ❖ We have vaccinated 2 out of 3 people in our community so far (67%) and that is a protective factor.
- ❖ We are experiencing an increase in new cases. New Cases 7-day Avg have doubled from 2.1 to 4.3 new cases/100,000 over the last 2 weeks (still very low incidence rate and community transmission)
- ❖ Hospitalizations 7-day Avg has also seen a slight increase over the last 2 weeks.



# Variants in El Paso

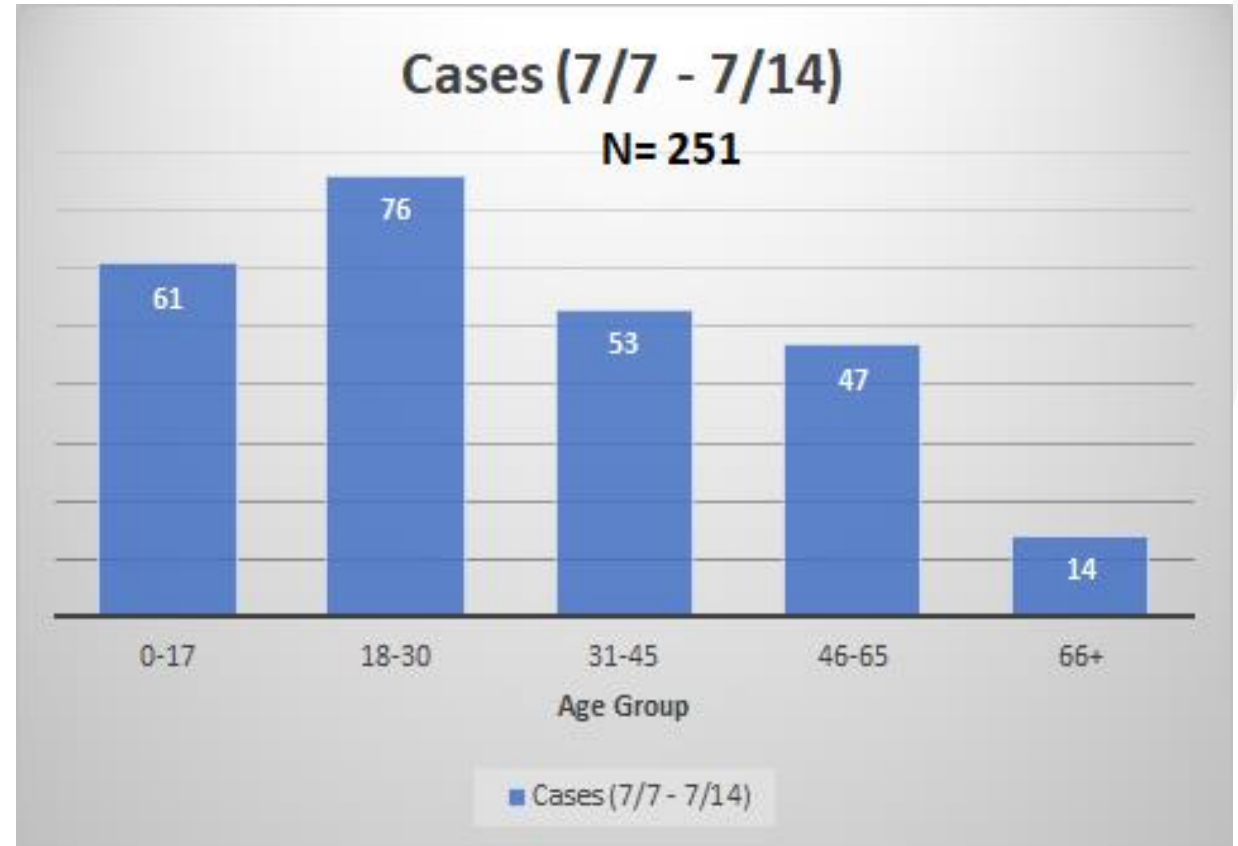
Variant	Scientific Name	Conventional Name	Number
UK Variant	B.1.1.7	Alfa $\alpha$	73
California Variant	B.1.427	Epsilon $\epsilon$	10
California Variant	B.1.429	Epsilon $\epsilon$	9
Brazil Variant	P.1	Gamma $\gamma$	3
South African	B.1.351	Beta $\beta$	0
Indian	B.1.617.2	Delta $\delta$	0
<b>Grand Total</b>			<b>95</b>

# Variants in El Paso

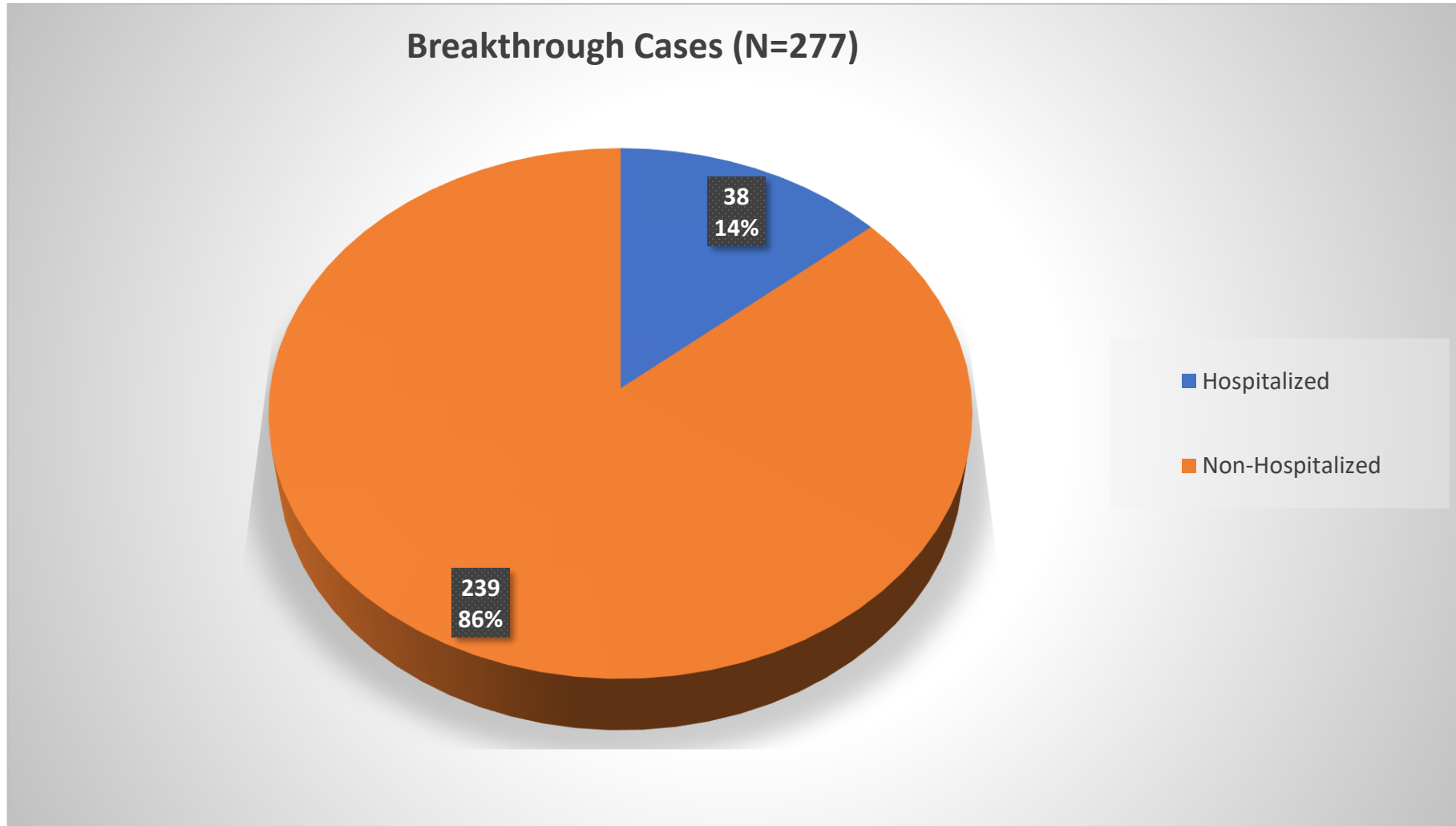


# Cases 7/7 - 7/14

- ❖ Out of total cases 76% were unvaccinated
- ❖ 31% reported travel
- ❖ About 10% of the cases required hospitalization
- ❖ Cumulative hospitalization is about 10% of COVID-19 cases



# Breakthrough Cases



# 4. City Manager Wrap Up

Tommy Gonzalez



**Thank you!**



El Paso, TX

300 N. Campbell  
El Paso, TX

Legislation Text

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**File #: 21-787, Version: 1**

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**CITY OF EL PASO, TEXAS  
LEGISTAR AGENDA ITEM SUMMARY FORM**

**DISTRICT, DEPARTMENT, CONTACT INFORMATION:**

*Please choose District and Department from drop down menu. Please post exactly as example below.  
No Title's, No emails. Please use ARIAL 10 Font.*

**All Districts**

Fire, Mario M. D'Agostino, (915) 212-5605

**AGENDA LANGUAGE:**

*This is the language that will be posted to the agenda. Please use ARIAL 11 Font.*

Discussion and action on an Emergency Ordinance re-enacting Emergency Ordinance No. 019035 extending a Disaster Declaration due to a Public Health Emergency.

**CITY OF EL PASO, TEXAS  
AGENDA ITEM  
DEPARTMENT HEAD'S SUMMARY FORM**

**AGENDA DATE:** July 19, 2021  
**PUBLIC HEARING DATE:** July 19, 2021

**CONTACT PERSON NAME AND PHONE NUMBER:** Mario M. D'Agostino, Fire Chief (915) 212-5605

**DISTRICT(S) AFFECTED:** All Districts

**STRATEGIC GOAL:** Goal 6. Set the standard for sound governance and fiscal management.  
**SUBGOAL:** 6.8 Support transparent and inclusive government.

**SUBJECT:**  
Discussion and action on an Emergency Ordinance re-enacting Emergency Ordinance No. 019035 extending a Disaster Declaration due to a Public Health Emergency.

**BACKGROUND / DISCUSSION:**  
Emergency Ordinance No. 019201 which re-enacts Emergency Ordinance No. 019035 is set to expire on July 21, 2021.

**PRIOR COUNCIL ACTION:**  
Since March 2020, El Paso City Council has re-enacted Emergency Ordinance No. 019035 monthly, with the most recent extension taking place on June 21, 2021.

**AMOUNT AND SOURCE OF FUNDING:**  
None.

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?**  YES  NO

**PRIMARY DEPARTMENT:** Fire Department  
**SECONDARY DEPARTMENT:** Department of Public Health

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**



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**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 31<sup>st</sup> 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.

**ORDINANCE NO.** \_\_\_\_\_

20-1052-1069/PL#1094651\_2/KMN/JF/KM/Emergency Ordinance Re-enacting Ord. No. 019035 -  
Extending Disaster Declaration August 2021

**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.

**PASSED AND ADOPTED, this \_\_\_\_ day of July, 2021.**

**THE CITY OF EL PASO, TEXAS**

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Oscar Leeser  
Mayor

**ATTEST:**

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Laura D. Prine  
City Clerk

**APPROVED AS TO FORM:**



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Karla M. Nieman  
City Attorney

**APPROVED AS TO CONTENT:**



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Marjo M. D'Agostino, Fire Chief  
El Paso Fire Department

**ORDINANCE NO.** \_\_\_\_\_  
20-1052-1069/PL#1094651\_2/KMN/JF/KM/Emergency Ordinance Re-enacting Ord. No. 019035 -  
Extending Disaster Declaration August 2021



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**File #: 21-788, Version: 1**

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**CITY OF EL PASO, TEXAS  
LEGISTAR AGENDA ITEM SUMMARY FORM**

**DISTRICT, DEPARTMENT, CONTACT INFORMATION:**

*Please choose District and Department from drop down menu. Please post exactly as example below.  
No Title's, No emails. Please use ARIAL 10 Font.*

**All Districts**

Fire, Mario M. D'Agostino, (915) 212-5605

**AGENDA LANGUAGE:**

*This is the language that will be posted to the agenda. Please use ARIAL 11 Font.*

Discussion and action on 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 and 019191; penalty as provided in Section 8.

**CITY OF EL PASO, TEXAS  
AGENDA ITEM  
DEPARTMENT HEAD'S SUMMARY FORM**

**AGENDA DATE:** July 19, 2021  
**PUBLIC HEARING DATE:** July 19, 2021

**CONTACT PERSON NAME AND PHONE NUMBER:** Mario M. D'Agostino, Fire Chief (915) 212-5605

**DISTRICT(S) AFFECTED:** All Districts

**STRATEGIC GOAL:** Goal 6. Set the standard for sound governance and fiscal management.  
**SUBGOAL:** 6.8 Support transparent and inclusive government.

**SUBJECT:**

Discussion and action on 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 and 019191; penalty as provided in Section 8.

**BACKGROUND / DISCUSSION:**

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.

**PRIOR COUNCIL ACTION:**

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 re-enactment and amendment taking place on June 21, 2021.

**AMOUNT AND SOURCE OF FUNDING:**

None.

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?**  YES  NO

**PRIMARY DEPARTMENT:** Fire Department

**SECONDARY DEPARTMENT:** Department of Public Health

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**



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**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 31<sup>st</sup> 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.

**Ordinance No.** \_\_\_\_\_

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.

**PASSED AND ADOPTED, this \_\_\_\_ day of July, 2021.**

**THE CITY OF EL PASO, TEXAS**

\_\_\_\_\_  
Oscar Leeser  
Mayor

**ATTEST:**

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

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Karla M. Nieman  
City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Mario M. D'Agostino, Fire Chief  
El Paso Fire Department

**Ordinance No.** \_\_\_\_\_



El Paso, TX

300 N. Campbell  
El Paso, TX

Legislation Text

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**File #: 21-814, Version: 1**

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**CITY OF EL PASO, TEXAS  
LEGISTAR AGENDA ITEM SUMMARY FORM**

**DISTRICT, DEPARTMENT, CONTACT INFORMATION:**

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No Title's, No emails. Please use ARIAL 10 Font.*

**All Districts**

Capital Improvement Department, Sam Rodriguez, (915) 212-0065

**AGENDA LANGUAGE:**

*This is the language that will be posted to the agenda. Please use ARIAL 11 Font.*

Discussion and action on an Emergency Ordinance re-enacting Emergency Ordinance No. 019091, as amended by Emergency Ordinance No. 019119; Penalty as provided in Section 6.

**CITY OF EL PASO, TEXAS  
AGENDA ITEM  
DEPARTMENT HEAD'S SUMMARY FORM**

**AGENDA DATE:** July 19, 2021  
**PUBLIC HEARING DATE:** N/A (Work Session)

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** Sam Rodriguez, P.E., City Engineer, 212-0065

**DISTRICT(S) AFFECTED:** All Districts

**STRATEGIC GOAL:** Goal 6. Set the standard for sound governance and fiscal management

**SUBGOAL:** Subgoal 6.5. Deliver services timely and effectively with focus on continual improvement

**SUBJECT:**

Discussion and action on an Emergency Ordinance re-enacting Emergency Ordinance No. 019091, as amended by Emergency Ordinance No. 019119; Penalty as provided in Section 6.

**BACKGROUND / DISCUSSION:**

This item is 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. To achieve this, this item would re-enact Emergency Ordinance No. 019091 for 30 days to continue the suspension of various sections of the El Paso City Code to facilitate temporary uses on the public right of way and private property and continue the pilot program.

**PRIOR COUNCIL ACTION:**

March 13, 2020, the Mayor declared a local state of disaster for the City of El Paso resulting from a public health emergency.

March 17, 2020, El Paso City Council adopted Emergency Ordinance No. 019035 extending the City's Disaster Declaration due to a Public Health Emergency. Also on, March 17, 2020, El Paso City Council re-enacted its Emergency Ordinance extending the City's Disaster Declaration monthly, with the most recent extension taking place on August 31, 2020.

August 31, 2020, El Paso City Council adopted Emergency Ordinance No. 019091, which suspended various sections of the El Paso City Code to facilitate temporary uses on the public right of way and private property and established a pilot program.

September 28, 2020, El Paso City Council enacted an Emergency Ordinance Re-Enacting Emergency Ordinance No. 019091.

October 27, 2020, El Paso City Council enacted an Emergency Ordinance Re-Enacting Emergency Ordinance No. 019091. Also, City Council approved increasing the fine for all emergency directive violations from \$500 to \$1,000.

November 23, 2020, El Paso City Council enacted an Emergency Ordinance Re-Enacting Emergency Ordinance No. 019091, which included the amendment to increase the fine to \$1,000 (Ordinance No. 019119).



December 14, 2020, January 5, 2021, February 1, 2021, March 1, 2021, March 29, 2021, April 26, 2021, May 24, 2021, June 21, 2021, El Paso City Council enacted an Emergency Ordinance Re-Enacting Emergency Ordinance No. 019091.

**AMOUNT AND SOURCE OF FUNDING:**

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?  YES  NO

PRIMARY DEPARTMENT: Capital Improvement Department

SECONDARY DEPARTMENT: Streets and Maintenance, Planning and Inspections

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

*Samuel Rodriguez*

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(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

**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 31<sup>st</sup> 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,

**ORDINANCE NO.** \_\_\_\_\_

20-1052-1069 | 1096132

Re-Enactment of Emergency Ord. No.019091 (Emergency Measures)-Ninth Re-enactment

KMN | JSG

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.

**PASSED AND ADOPTED, this \_\_\_\_ day of \_\_\_\_\_ 2021.**


**THE CITY OF EL PASO, TEXAS:**

\_\_\_\_\_  
 Oscar Leeser  
 Mayor

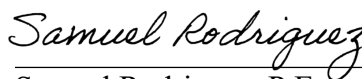
**ATTEST:**

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

**APPROVED AS TO FORM:**

  
 \_\_\_\_\_  
 Karla M. Nieman  
 City Attorney

**APPROVED AS TO CONTENT:**

  
 \_\_\_\_\_  
 Samuel Rodriguez, P.E.  
 City Engineer

**ORDINANCE NO. \_\_\_\_\_**



Sun City Safe [streets][business][foodcourt]





# Sun City Safe Program:

1. Program Summary
2. Prototypes to pilot program
3. Program Updates

## Strategic Goals:

Goal 1: *Create an Environment Conducive to Strong Sustainable Economic Development*

Goal 2: *Set the Standard for a Safe and Secure City*

Goal 6: *Set the standard for sound governance and fiscal management*







# Proposed Pilot Program:

- Aligns with emergency order duration time, with sunset date or possible extension to be determined
- All eligible streets have been identified by CID planning and S&M that meet criteria
- All private properties may apply for inclusion
- All spaces proposed for public use need to submit for an application, whether private or publicly owned.





- **[Streets]:** Addressing any use of ROW for safe distancing practices; **partial street closure + traffic lane reduction + more sidewalk space = shared streets.**



- **[Business]:** Addressing any use of outdoor space within a private property for a business to offer for safe distancing practices; **reduced parking requirements + outdoor seating = increased capacity**



- **[Food Court]:** Addressing use of joint outdoor space for multiple restaurants or food trucks to offer their patrons; **closed ROW/shared parking lots + shared outdoor seating = shared increased capacity**





- **[Streets]:** Use of ROW for safe distancing practices for private property owners:
  - **Ped-Way (Pedestrian lane)** – for recreational use, pedestrian or bicycling commuting
  - **ROW Cafe**– for businesses to offer additional space for their patrons outside their establishment for a partial street closure of a block
  - **Parking-parklets** – for businesses to use on-street parking spaces for additional outside space for patrons



- **[Business]:** Providing additional use of outdoor space within a private property for business owners
  - Off-street surface or garage parking within their properties for:
    - Additional dining space
    - Queuing for pick-up





- **[Food Court]:** Providing use of joint outdoor space for multiple restaurants or food trucks to offer their patrons
  - Consolidated location on a partial street closure (on ROW)
  - Consolidated location on a shared off-street parking lot (within private property)

# Sun City Safe Program Summary:

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- Sun City Safe program is coordinated as an expedited permit type in response to COVID 19:
  - Pilot process coordinated with multiple user departments
- City Pilot Prototypes are to test-run initiative and finalize application and administrative process:
  - Ped-lane on Campbell Street (between 3<sup>rd</sup> st. and 6<sup>th</sup> st.)
  - ROW Café on Stanton (between Mills and Texas)
- Language in emergency order included to launch Pilot Sun City Safe Program throughout city .
- Coordination with Economic Development to identify funding and economic assistance for applicants was secured through CARES Act, to purchase traffic control inventory.

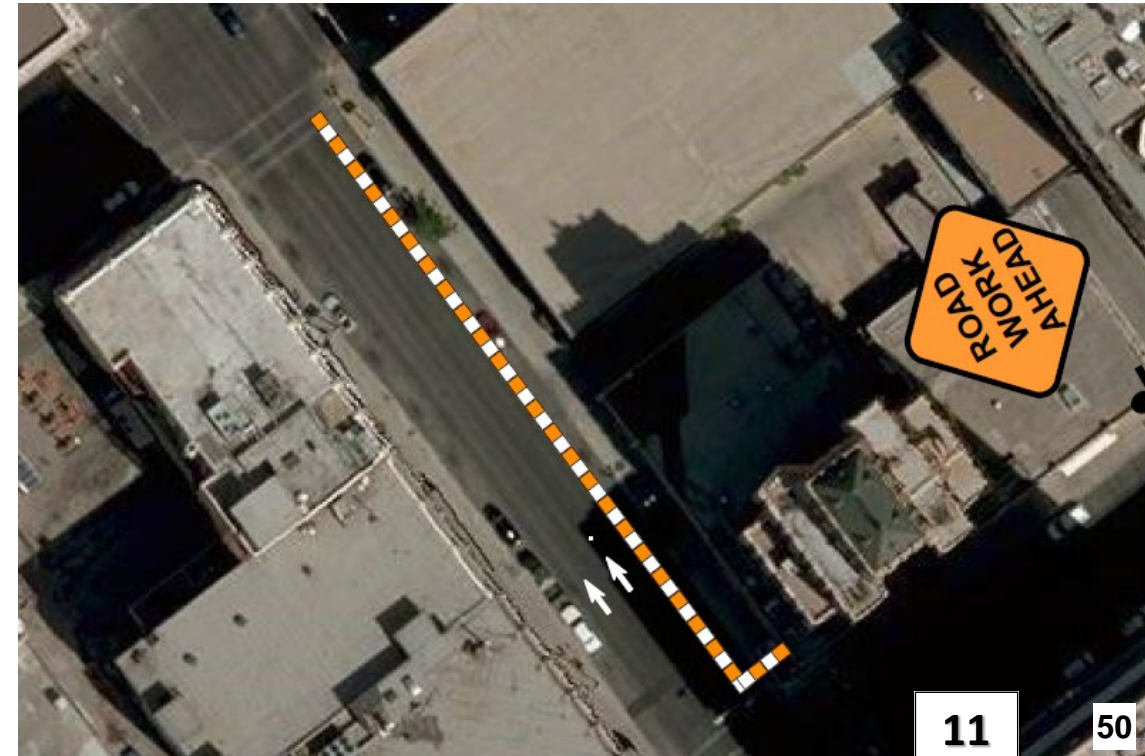
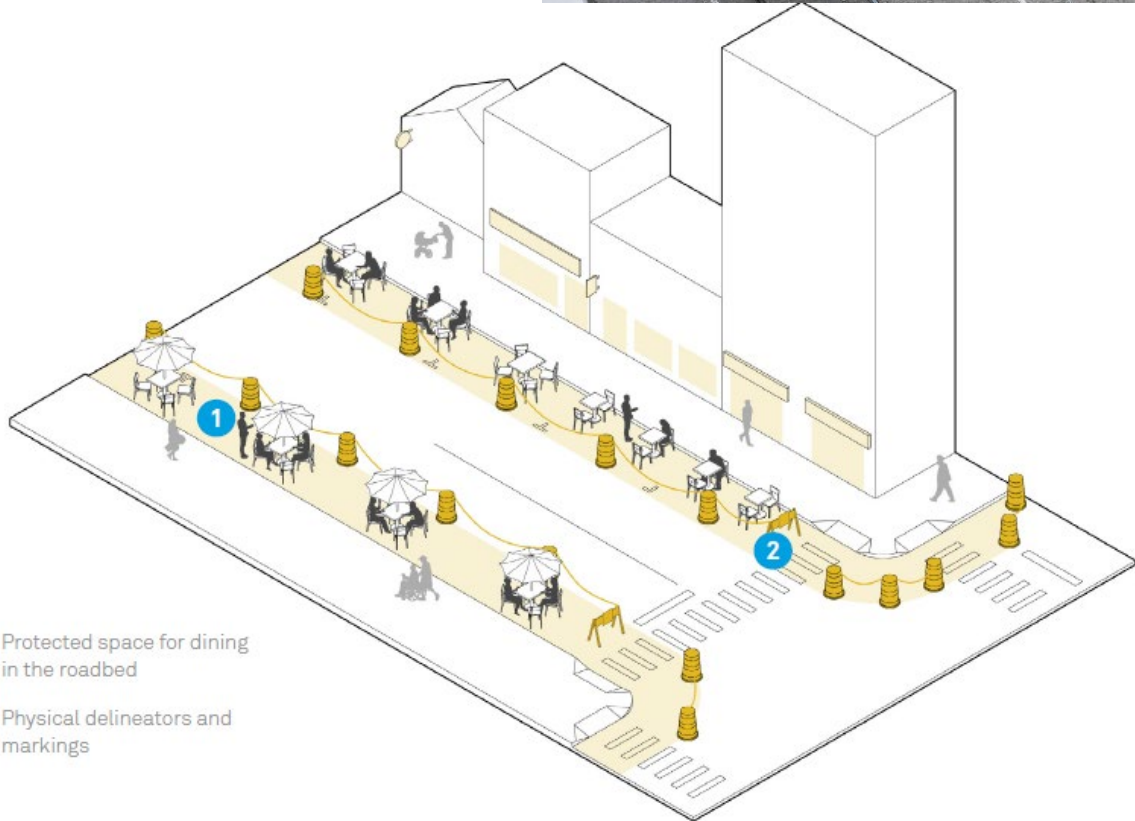






# Prototypes

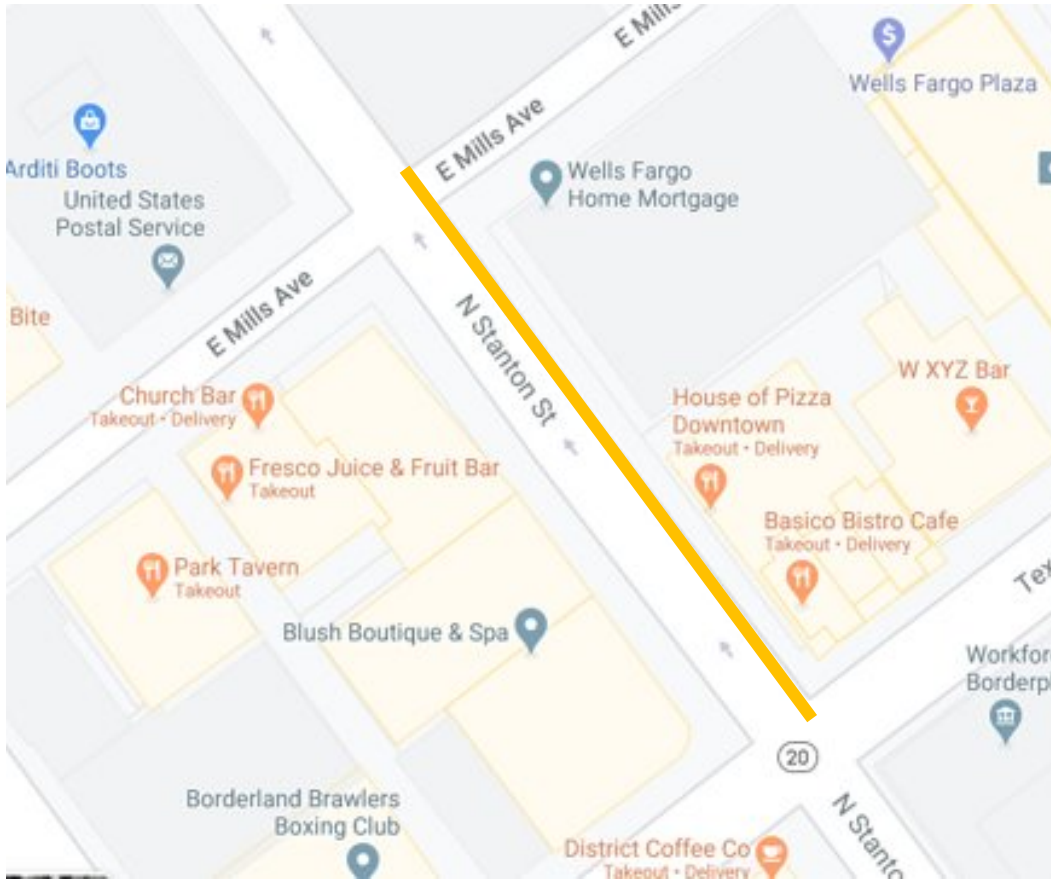
## Prototype 1: ROW Cafe





# R.O.W Cafe: Stanton; between Mills and Texas

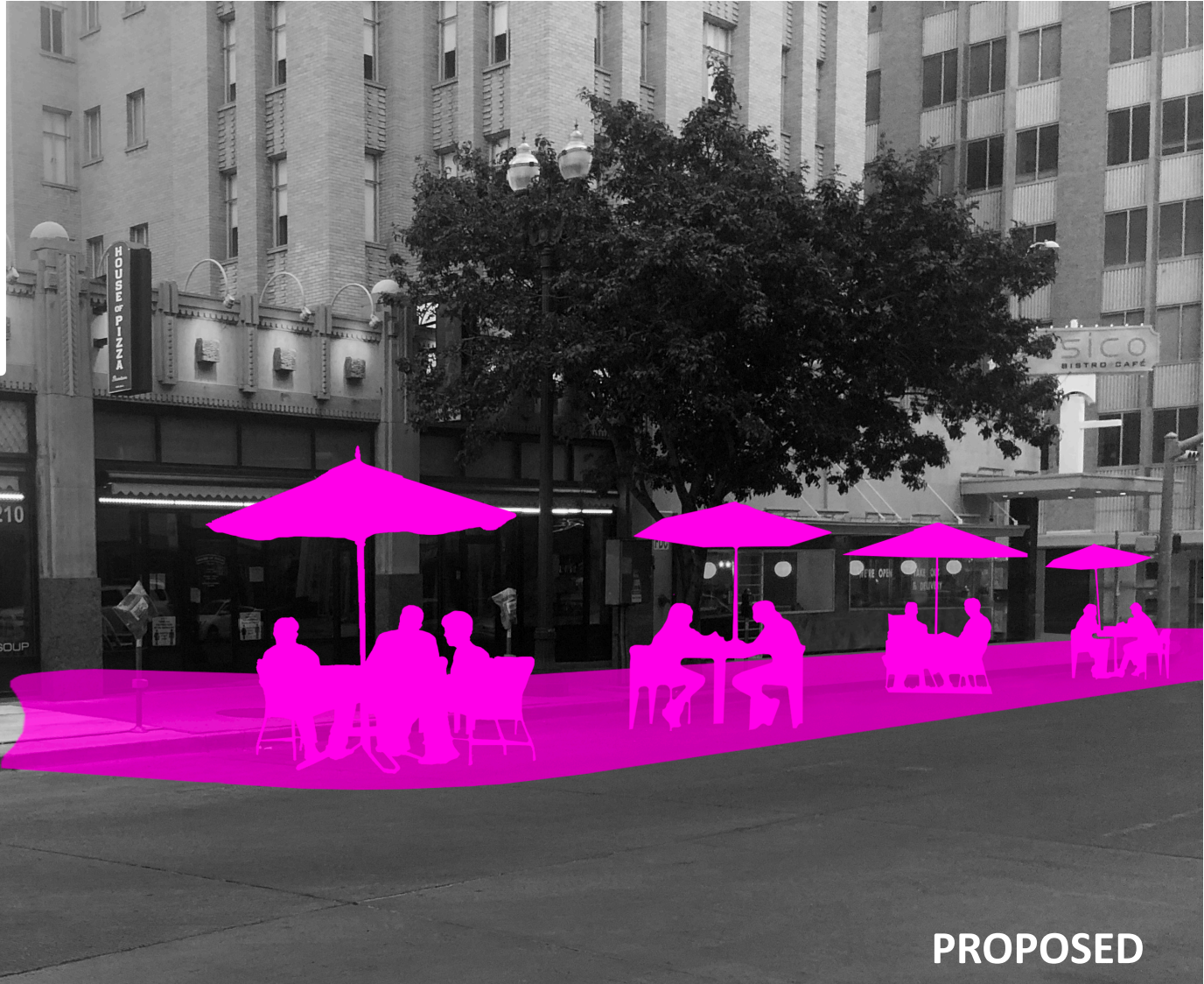
- Street lane closed off to serve as space for outdoor seating
  - Deployed by Streets & Maintenance on Nov. 30<sup>th</sup> and removed during the week of January 25<sup>th</sup>







EXISTING



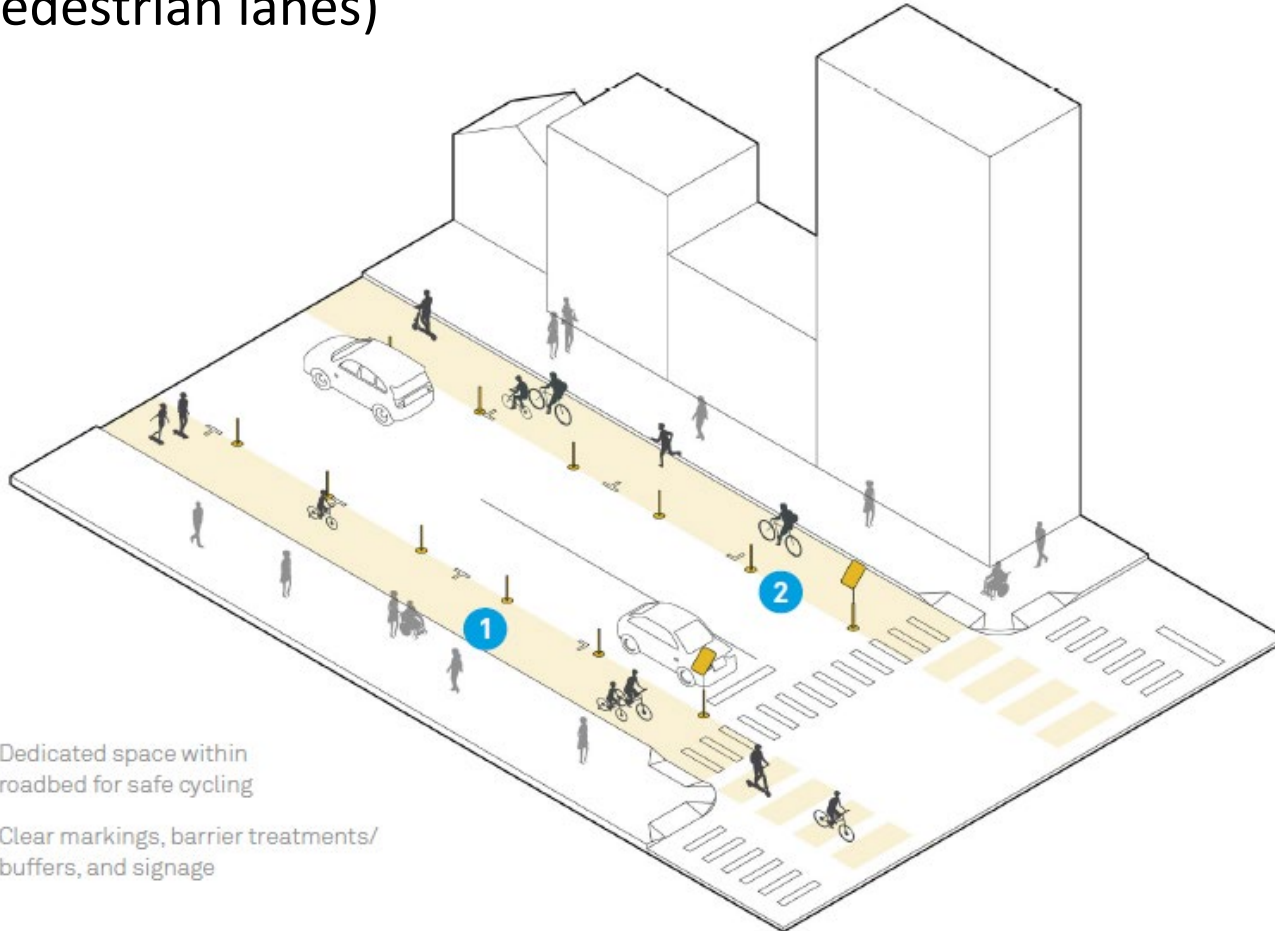
PROPOSED





# Prototypes

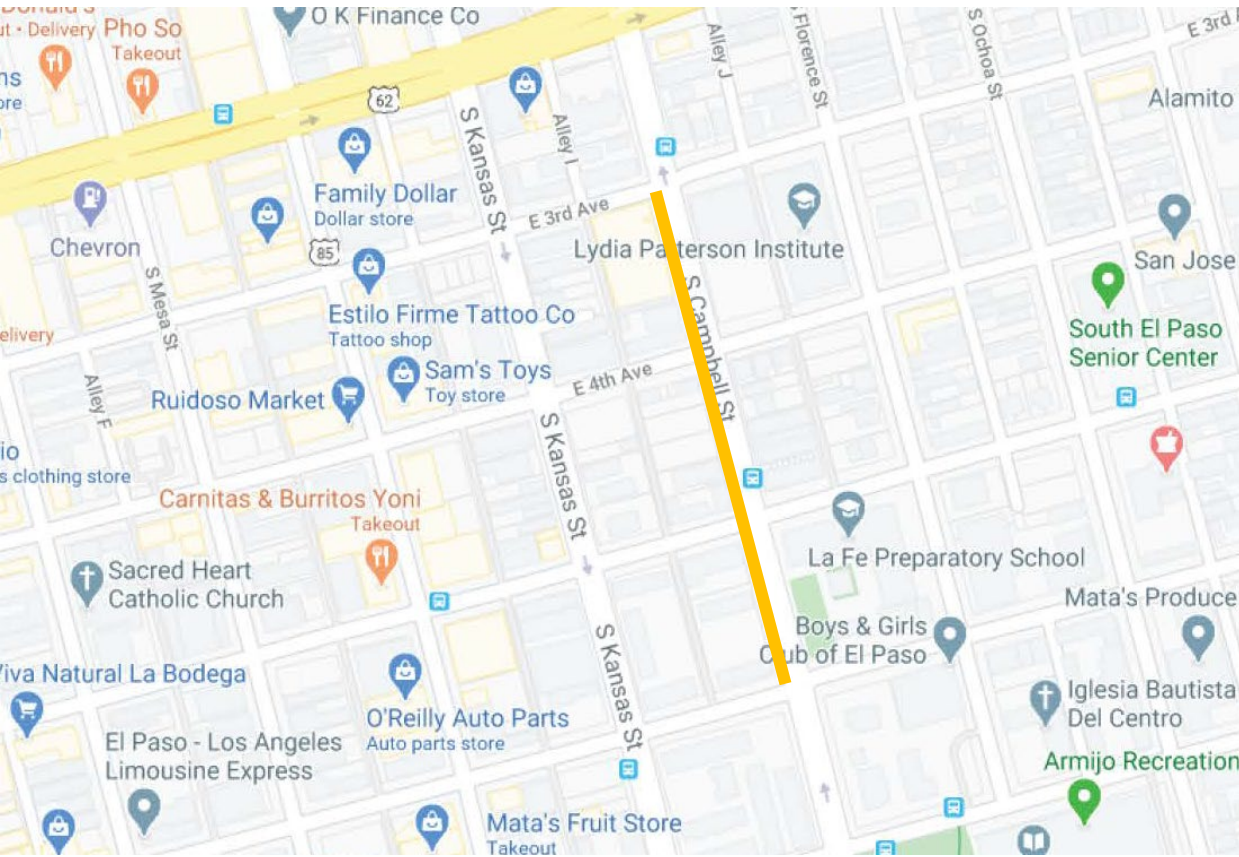
## Prototype 2: Ped-way (pedestrian lanes)





# Ped-Way: Campbell; between 3rd and 6th

- Lane closed off for added outdoor space for commuting and physical activity
  - Deployed by Streets & Maintenance on Nov. 30<sup>th</sup> and removed during the week of January 25<sup>th</sup>





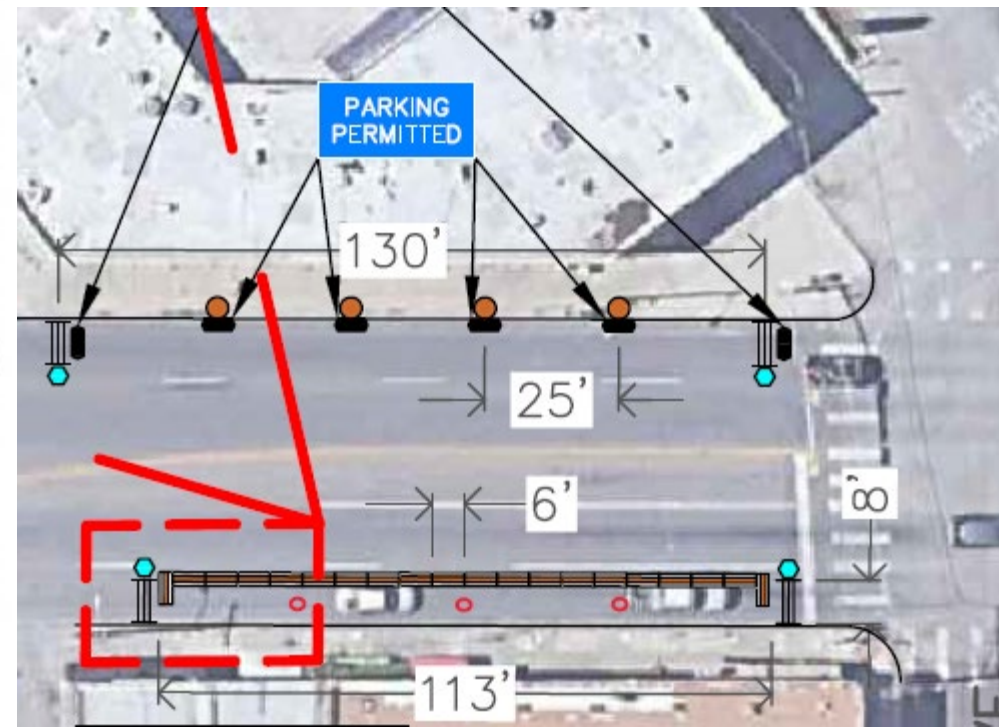
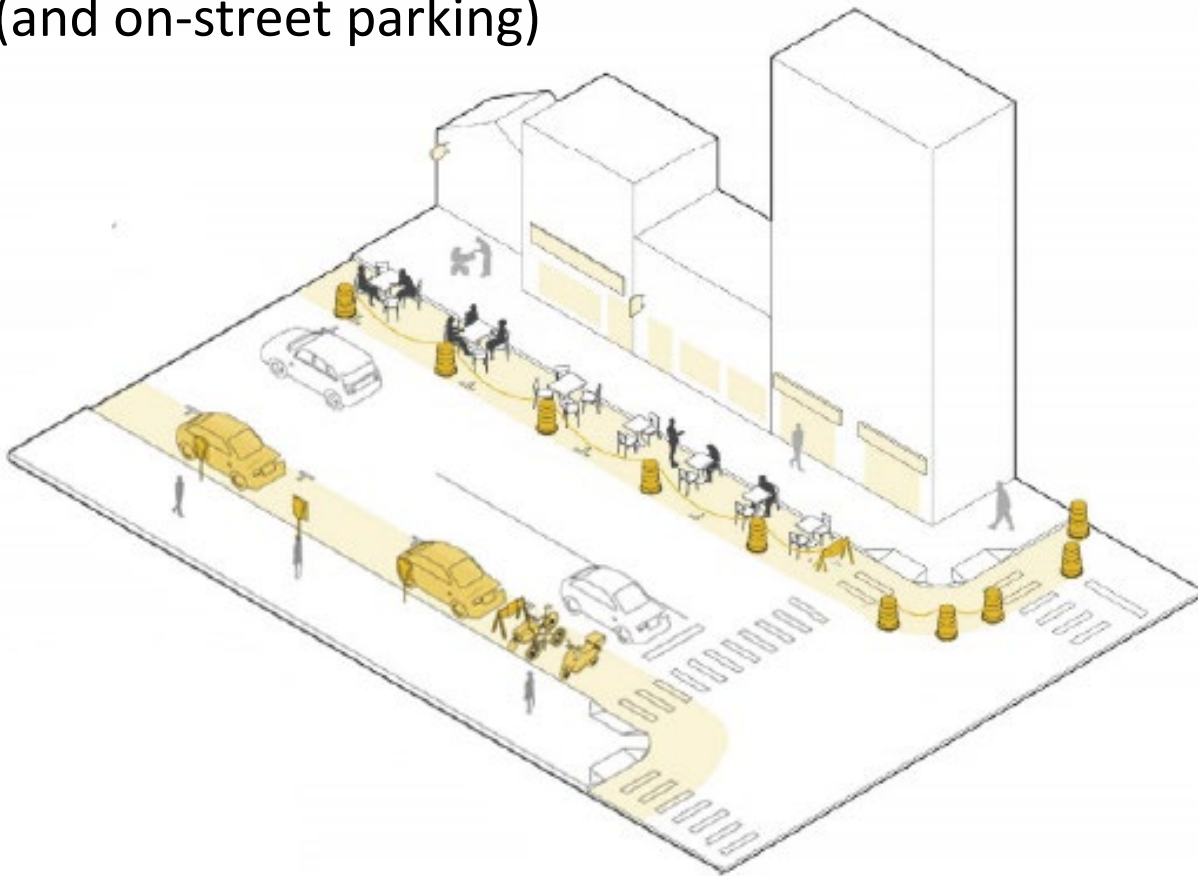
EXISTING

PROPOSED



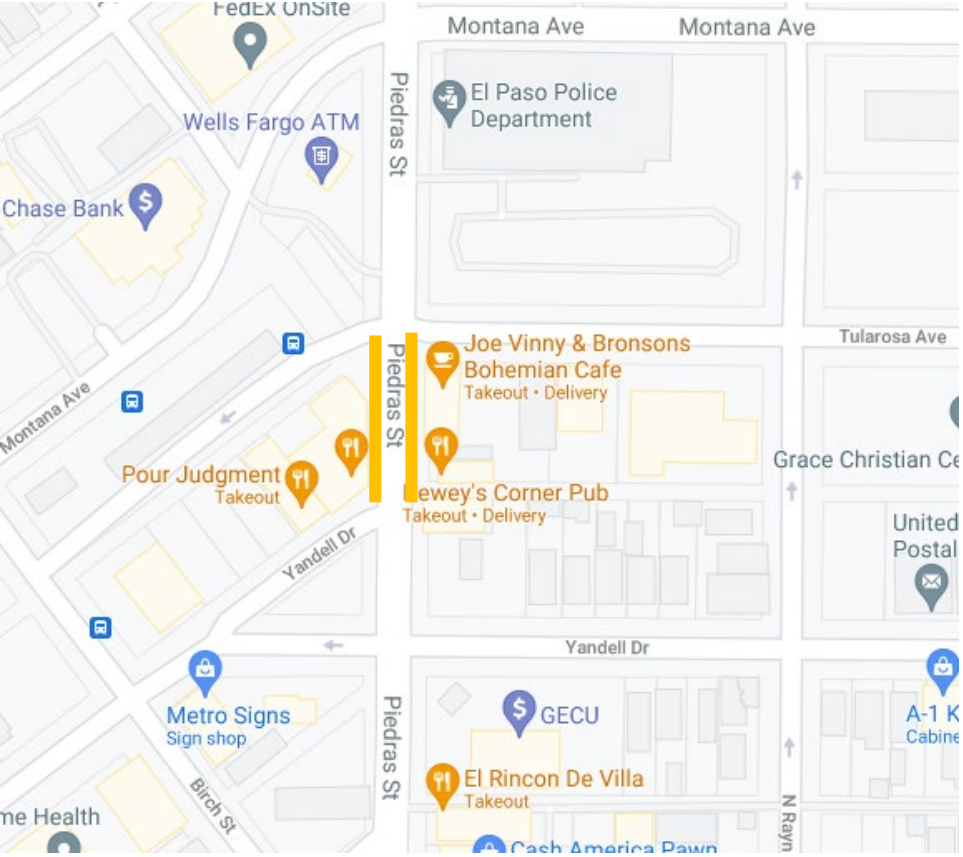
# Prototypes

## Prototype 3: ROW Café (and on-street parking)



# ROW Café : Piedras; between Tularosa and Yandell (alley)

- Street lanes (2) closed off to serve as space for outdoor seating on one side of Piedras and on-street parking on the other
  - Deployed by Streets and Maintenance on April 23<sup>rd</sup>







EXISTING



PROPOSED

*\*Only one side of prototype shown in rendering (northbound-lane)*

Street lanes (2) closed off to serve as space for outdoor seating on one side of Piedras (northbound-lane) and on-street parking on the other (southbound-lane)



*\*Only one side of prototype shown in rendering (southbound-lane)*  
Street lanes (2) closed off to serve as on-street parking







# Sun City Safe Program Website:

## PLANNING AND INSPECTIONS

### PROGRAM GUIDELINES AND ELIGIBILITY DOCUMENTS

- [Program & Design Guidelines](#)
- [Approved Emergency Order](#)
- [Location Eligibility Criteria](#)
- [Traffic Control Plan Templates](#)
- [Program Overview Presentation](#)

[CoEP](#) ▶ [Home](#) ▶ [Planning and Inspections](#) ▶ [Sun City Safe Pilot Program](#)

[HOME](#) [APPLICATIONS](#) [BUSINESS LICENSING](#) [CITIZEN ACCESS PORTAL](#) [INTERACTIVE MAPS](#) [ONE STOP SHOP](#) [SUN CITY SAFE PILOT PROGRAM](#) [PLANNING DIVISIONS](#) [INFILL](#) [TELECOMMUNICATION FACILITIES](#) [SPECIAL EVENTS](#) [FLOOD ZONES](#) [PLAN EL PASO](#)  
[SHARED USE MOBILITY DEVICES](#) [HISTORIC PRESERVATION](#) [CONTACT US](#)

## SUN CITY SAFE PILOT PROGRAM

CITY OF EL PASO SUN CITY SAFE PROGRAM

*Approved August 31<sup>st</sup>, 2020*

**Welcome to the City of El Paso Sun City Safe Pilot Program!** The Sun City Safe program is set up under the Pledge to Safety umbrella in the City's emergency COVID19 response and safety orders. It is part of the City's commitment to helping the local community by promoting the safe operations of businesses, as well as providing relief from quarantine stress by offering usable outdoor space for increasing capacity, exercise and commuting space for residents. For the duration of the emergency orders, the pilot program will allow in its different permit types, the use of the Right-Of-Way, or designated off-street parking space, for the use of the community to safely exercise, commute, or patronize local businesses.

### PROGRAM OVERVIEW

The Sun City Safe Program offers three main permit types, to fit different models of outdoor use for patrons and residents throughout the City.

The program will allow applicants to obtain a permit to use the Right-Of-Way or the parking lots on their property for safe outdoor use of either extensions of their businesses, or as added exercise, recreational or commuting space. The Permit is at no cost, and the City offers traffic control inventory to set up on the ROW for safe deployment of the different program permit types. Depending on their location, permit types allow for the following:

### SAFE STREETS

"Safe Streets" means the occupation of a portion of the public right of way that is currently used as on-street parking and/or automobile traffic that shall be utilized for additional outdoor public space. This space shall be used for the following purposes:



# Pre-packaged Online application Process:

- Application through OSS:
  - Free / No permit fee
  - Meet pre-eligibility criteria for TCP template implementation
  - Indemnification waiver and insurance when applicable
  - Templates provided to allow for expedited review time
  - Additional documentation per program use

City of El Paso Homepage

Logged in as... Collections (0) Cart (0) Account Management Logout

Attention: Due to problems when uploading documents, the recommended browser is Internet Explorer 10 or greater.

Home Building Health Licenses Planning **Telecom & RoW** more ▾

Create an Application Search Applications

Select a Record Type

Choose one of the following available record types. For assistance or to apply for a record type not listed below please contact us.

Search

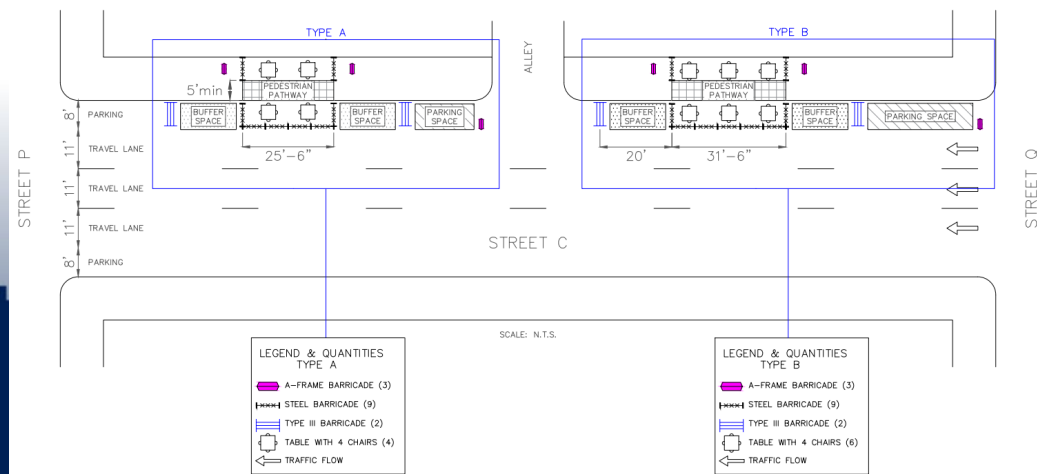
City  
 Safe Streets  
 City/Permit/Sun City Safe Streets/NA

Continue Application >

**SUN CITY SAFE**

PILOT PROGRAM IN RESPONSE TO COVID19 SAFETY ORDERS

TYPICAL 2 - OUTDOOR DINNING (HALF LANE WITH PARKING)  
TYPE A & B



# Updates on Sun City Safe Program

## Inventory & Applications

- Sourced in-house
- Allow for repeated use and expedited process
- Additional inventory will be deployed for other applications as they are processed and approved
  - To date, one application has been approved

## Prototypes

- Prototype on Piedras was deployed on April 23<sup>rd</sup>
- Additional possible prototype locations are being explored
- Exploring additional partnerships

## Outreach

- On-going efforts to inform public about program
- Increase awareness for those who may like to participate



El Paso, TX

300 N. Campbell  
El Paso, TX

Legislation Text

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**File #: 21-806, Version: 1**

---

**CITY OF EL PASO, TEXAS  
LEGISTAR AGENDA ITEM SUMMARY FORM**

**DISTRICT, DEPARTMENT, CONTACT INFORMATION:**

*Please choose District and Department from drop down menu. Please post exactly as example below.*

*No Title's, No emails. Please use ARIAL 10 Font.*

City Attorney's Office, Karla M. Nieman, (915) 212-0033

City Attorney's Office, Manuel Arambula, (915) 212-0033

**AGENDA LANGUAGE:**

*This is the language that will be posted to the agenda. Please use ARIAL 11 Font.*

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



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**File #: 21-813, Version: 1**

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**CITY OF EL PASO, TEXAS  
LEGISTAR AGENDA ITEM SUMMARY FORM**

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City Attorney's Office, Karla M. Nieman, (915) 212-0033

City Attorney's Office, Manuel Arambula, (915) 212-0033

**AGENDA LANGUAGE:**

*This is the language that will be posted to the agenda. Please use ARIAL 11 Font.*

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)



El Paso, TX

300 N. Campbell  
El Paso, TX

Legislation Text

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**File #: 21-807, Version: 1**

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**CITY OF EL PASO, TEXAS  
LEGISTAR AGENDA ITEM SUMMARY FORM**

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Economic and International Development, Jessica Herrera, (915) 212-0094

**AGENDA LANGUAGE:**

*This is the language that will be posted to the agenda. Please use ARIAL 11 Font.*

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)



El Paso, TX

300 N. Campbell  
El Paso, TX

Legislation Text

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**File #: 21-808, Version: 1**

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**CITY OF EL PASO, TEXAS  
LEGISTAR AGENDA ITEM SUMMARY FORM**

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Economic and International Development, Jessica Herrera, (915) 212-0094

**AGENDA LANGUAGE:**

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



El Paso, TX

300 N. Campbell  
El Paso, TX

Legislation Text

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**File #: 21-809, Version: 1**

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**CITY OF EL PASO, TEXAS  
LEGISTAR AGENDA ITEM SUMMARY FORM**

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Economic and International Development, Jessica Herrera, (915) 212-0094

**AGENDA LANGUAGE:**

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





El Paso, TX

300 N. Campbell  
El Paso, TX

Legislation Text

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**File #: 21-810, Version: 1**

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**CITY OF EL PASO, TEXAS  
LEGISTAR AGENDA ITEM SUMMARY FORM**

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No Title's, No emails. Please use ARIAL 10 Font.*

Economic and International Development, Jessica Herrera, (915) 212-0094

**AGENDA LANGUAGE:**

*This is the language that will be posted to the agenda. Please use ARIAL 11 Font.*

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