

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

DEPARTMENT: Mayor and Council

AGENDA DATE: 05/21/2024(Regular Agenda)

CONTACT PERSON NAME AND PHONE NUMBER:
Steve Alvarado, Code Enforcement Director, 915-212-6026

DISTRICT(S) AFFECTED: All Districts

STRATEGIC GOAL:
Goal 2 – Set the Standard for a Safe and Secure City

SUBJECT:
APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what?
Be descriptive of what we want Council to approve. Include \$ amount if applicable.

Presentation by the Responsible Hospitality Institute (RHI) with the Code Enforcement Bureau, and El Paso Police Department. The Sociable City Assessment Action Plan is a summary that includes a review of the current noise ordinance, public safety, venue safety, public space, social venues, mobility, and quality of life. RHI will review the summary action plan and provide the City Council with recommendations.

BACKGROUND / DISCUSSION:
Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

In June 2023, the process began to obtain a third-party consultant's services that would integrate local needs and National Best Practices into this report. The project included four phases from October 2023 to May 2024. We completed multiple meetings with the Transformation Team and stakeholders as we continue to work towards a vibrant city that will enhance our vision to develop a vibrant regional economy, safe and beautiful neighborhoods, and exceptional recreational, cultural, and educational opportunities powered by a high-performing government.

PRIOR COUNCIL ACTION:
Has the Council previously considered this item or a closely related one?

Yes, the City Council directed staff to hire a consulting company to review the current noise ordinance on June 22, 2022, under Item 35, 22-176, and on June 6, 2023, under 23-838, Item 19.

AMOUNT AND SOURCE OF FUNDING:
How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

N/A

*****REQUIRED AUTHORIZATION*****

SOCIABLE CITY PLAN



EL PASO, TEXAS | 2024 ASSESSMENT



RHI SINCE 1983

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SOCIABLE CITY EL PASO, TEXAS



ABOUT RHI

The Responsible Hospitality Institute (RHI) brings decades of experience with nightlife and social economy management. A private non-profit organization founded in 1983, RHI is the leading source for events, media and consultation services. We help cities plan safe and inclusive places to socialize by convening diverse stakeholders to achieve a common vision.

SOCIABLE CITY VISION

We believe all people should have access to safe, vibrant places to socialize—regardless of life stage, age, race, ethnicity, sexual identity or disability. We help communities create diverse, welcoming social venues and districts where people have an opportunity to connect and lead more enriching lives.

THE SOCIABLE CITY

OUR FOUNDING PHILOSOPHY

Hospitality is creating the social space for people to dine, drink, listen to music and dance. Responsible Hospitality is assuring a safe and comfortable environment accessible to all.



01

EVENTS

Virtual | In-Person

Attend an RHI event and connect with practitioners and experts from across the globe. Our events focus on nighttime safety, vibrancy and governance. Come to our annual Sociable City Summit or attend The Academy, a one-day training program for nighttime managers.



02

MEDIA

News | Research

Access the latest tools to get a crash course in Social Economy Management. Our extensive online library offers access and tools for planning and managing nightlife. This is your one-stop shop for publications, case studies and promising best practice guidance.



03

SERVICES

Direct Assistance

Thank you for bringing in the experts for hands-on-help with your social economy. RHI helped your community to build bridges of trust between stakeholders and top decision makers. This Action Plan serves as a blueprint to harness strengths and address top challenges.

RHI SERVICES | ANALYSIS FRAMEWORK

RHI's Sociable City Assessment is an in-depth analysis of a city's social economy. We identify strengths, challenges and opportunities using Four Building Blocks and Six Core Measures of a Sociable City. The Action Plan is organized in this framework to guide your next steps to achieve a safer, more vibrant and well managed social economy.



GOVERNANCE

Sustain Vibrancy, Safety and Management Systems

Sociable cities require a governance strategy to sustain vibrancy, safety and management systems. Commitment to the vision of a social economy requires an investment in resources, stakeholder coordination, policy updates and dedicated staffing. Creation of a Night Manager position and an Office of Nighttime Economy have become the gold standard in North America to ensure long-term sustainability of the social, cultural and economic value of the social economy.

BUILDING BLOCKS | SIX CORE MEASURES

PLANNING

MOBILITY | QUALITY OF LIFE

Smart growth planning for the social economy facilitates use of social districts at different times of day. High standards for Quality of Life and Mobility options to, from and within the district requires foresight to plan and infrastructure for sustainability. Residents expect a high Quality of Life, even in mixed-use districts. Peaceful coexistence requires clear community standards and timely management of sound, litter and waste. Updated policies, consistent enforcement and facilitated conflict resolution systems are essential. Patrons and employees in social districts need access to well-lit parking areas and safe rides home to prevent impaired driving. Coordination of Mobility options requires a robust transportation management plan.

SAFETY

PUBLIC SAFETY | VENUE SAFETY

Social districts with active nightlife can be high-intensity environments with complex dynamics and risk factors. A continuum of stakeholders are invested in protecting patrons from violence, sexual assault, theft, underage drinking and impaired driving. Venue Safety is most effective when an organized alliance of nightlife businesses exists to formalize operations, elevate professionalism in the industry and facilitate coordination with compliance agencies. Public Safety ideally involves an interagency team of police, fire, code compliance, and others to collect and organize data, identify at-risk venues and coordinate early assistance for improved compliance.

VIBRANCY

SOCIAL VENUES | PUBLIC SPACE

Vibrancy is created by the variety of experiences offered in Social Venues such as bars, restaurants, cafes, live music venues and other social spaces. When it is well-managed, Public Space infrastructure, such as outdoor cafes and streeteries, as well as pop-up vendors and street performers, can herald the vitality of the district. Events and festivals are one way of driving vibrancy during daytime and evening hours on the public streets and sidewalks of social districts. Balancing the mix of programming in both brick and mortars and special events is an art and a science that can provide a seamless experience of vibrancy throughout the day and night—where the street itself becomes a dynamic and inviting venue.





The Responsible Hospitality Institute (RHI) contracted with the City of El Paso in 2023 to conduct a Sociable City Assessment. This report is the culmination of the analysis and recommendations for El Paso’s social economy. The study primarily focused on the Cincinnati area and Downtown Management District, yet some findings may address systemic citywide challenges.



SOCIALE CITY EL PASO

Nearly 100 Stakeholders Participated in the Assessment

RHI staff conducted a total of 29 meetings: ten virtual interviews to gather background and 19 on-site meetings during three on-site visits between October 2023 and February 2024. Nearly 100 participants from 29 organizations represented key stakeholders:

- Forty-four city government employees of twelve city departments
- County attorney’s office
- Texas Alcoholic Beverage Commission
- US Army at Fort Bliss
- Texas Restaurant Association
- Business Improvement District (Downtown Management District)
- Neighborhood Association (Kern Place Association)
- Hospitality industry staff; music and culture advocates
- Realtors, property owner and many more



PHASE 1: Engagement

Purpose: Orientation of project leaders and collection of preliminary background (July-October 2023)

RHI oriented the project leader and coordination team to the process and stakeholder engagement strategy. The Transformation Team (project steering group) was selected and interviewed virtually to provide big picture insights on the city’s social economy. Fieldwork included walking tours both day and night in the study areas until closing time. Ride-alongs with Police and Code Enforcement and tours inside social venues provided insights on district management and safety operations. Preliminary findings and a trends analysis of the social economy were presented to the Transformation Team for feedback and discussion. Venue operators were convened to discuss the hospitality industry’s priorities and challenges.

PHASE 2: Evaluation

Purpose: Community engagement to glean strengths, challenges and opportunities (November 2023-January 2024)

RHI dived deep by engaging a broad swath of stakeholders to understand their perspective on the social economy. Three Listening Sessions (Planning, Safety, and Vibrancy) were held to evaluate the strengths, challenges and opportunities for improvement through the lens of RHI’s Six Core Measures of a Sociable City. A women’s focus group explored social preferences and concerns about mobility and personal safety from a woman’s point of view.



PHASE 3: Strategy Development

Purpose: Prioritization of challenges and facilitation of consensus on an action plan (January-February 2024)

Challenges identified during Listening Sessions were prioritized in advance via survey. RHI then facilitated six Action Roundtables to develop consensus to refine or create new strategies to address the top challenges in the social economy. Additional meetings were held about the alcohol license review process, the noise ordinance and outdoor amplified sound ordinance. RHI compiled findings from the process into this summary report. Action plans are organized by RHI’s Six Core Measures of a Sociable City: Mobility, Quality of Life, Public Safety, Venue Safety, Public Space and Social Venues. Overall systemic changes to address gaps in processes and systems identified by RHI were organized in the Governance section of this report.

PHASE 4: Action Presentations

Purpose: Public presentations to achieve buy-in for the recommended action plan (March-May 2024)

Findings will be presented to City Council and project participants for buy-in and support. The final report serves as a blueprint for working groups to move forward with the recommended Action Plan.

“This project was an exercise in community collaboration that will continue to evolve with a focus on growing and improving our social economy for years to come.”

~ Steve Alvarado, Director, Code Enforcement Bureau





TRENDS AND MARKET FORCES IN EI PASO

Cultural Fusion and Events Create a Unique Destination

El Paso’s cultural influences reflect the intersection between two countries—the U.S. and Mexico—and three states—Texas, New Mexico and Chihuahua. As the second busiest port of entry by personal vehicle, in 2018, entries from Ciudad Juárez into El Paso numbered “12 million cars (with 22 million passengers) and more than seven million pedestrians” (Texas Comptroller, 2024). It is the norm for residents of Juárez to work and play in El Paso and vice versa. El Paso’s residents are majority Hispanic, numbering 81.2% of the population of 678,815 (HCN, 2022). There is also a significant military population from Fort Bliss.

The blend of Mexican and American culture makes it a vibrant destination for dining and entertainment. There are numerous examples of creative restaurant concepts that were launched in Juárez then either expanded or relocated to El Paso. The city’s cuisine, music, cultural traditions and festivals are deeply rooted in Hispanic culture, which places significant value on the family. Events that attract multiple generations include Chalk the Block, Winterfest, Dia de los Muertos parade, Thanksgiving Parade and Parade of Lights, while Sal y Limon and Beer Fest appeal to a young adult demographic. In 2022, El Paso earned the titles of “3rd Best Texas City to Reside In,” “3rd Best Budget-Friendly City to Visit,” “3rd Safest City for Travel” and in 2021 was named “Top 15 Under-The-Radar Cities to Live in (Visit El Paso, 2024).



Evolution of Social Clusters in El Paso

Clusters of bars and restaurants are located throughout the city, including the Cincinnati area, Downtown, Zaragoza, Airway Boulevard and Five Points. The Cincinnati area bar cluster has become the most recent focal point for media attention and political scrutiny due to advocacy from residents and high-profile media reports about crime. Yet historically, Downtown’s Union Plaza was the previous hub of active nightlife and source of concern for law enforcement. For this project, RHI’s two areas of study are Cincinnati and the Downtown Management District but the recommendations may be applicable citywide.

In El Paso, many social venues have evolved from retail-oriented “strip malls.” Many venues are located next to national chain retail and services such as cell phone companies, fast food and dollar stores. The infrastructure of these areas is not ideal for social venues—businesses are surrounded by parking lots and accessed via car along high-speed frontage roads or state highways rather than a traditional, pedestrian-oriented main street. Alcohol service is allowed in all five of the city’s commercially zoned districts with few systemic safeguards to preserve the balance of uses and protect neighbors’ quality of life. This scenario is felt keenly in the, once suburban, Kern Place neighborhood, located in close proximity to a dense cluster of active social venues. While the Downtown Management District is currently composed of hotels and offices with limited residential, there are notable cases of venues allowed to open directly adjacent to residential complexes and underneath hotels, which generates sound impacts. There is a lack of intentionality in social economy planning that is played out throughout the city.



Thinking Outside the Current Toolbox

The original motivation for the City of El Paso to conduct a Sociable City Assessment was the desire to update the two noise ordinances, protect the hospitality industry, identify and better manage social clusters, and improve resident and government relationships. Yet examination of this tool has led to recognition of the need for more expansive systems changes, beyond noise ordinances or “more police” as the magic wands to solve current issues. This report uncovers a myriad of challenges and offers recommendations to promote effective social economy management and mend relationships between key stakeholders.

Significant Local Military Presence

Military personnel stationed at or near Fort Bliss (active and retired) represent a significant part of the residential community and are a major source of employment for the city. The military has made an ongoing commitment to partner with local leaders and to positively contribute to the community, seen in numerous initiatives and joint patrols with local law enforcement. Although an asset, the large concentration of mostly single males ages 18-40 contributes to safety challenges: 28% of serious incidents in social districts involved military between 2022-2023. Their familiarity with and access to firearms in an open carry state further compounds existing challenges.





TRENDS AND MARKET FORCES IN EL PASO

Navigating a Pro-Business Environment

The “business first” orientation in Texas has led to significant issues in public safety and quality of life. It is relatively simple to open a social venue in El Paso. There is a common belief that the City serves as a “pass-through” to the Texas Alcoholic Beverage Commission (TABC) for approval of an alcohol license. While there are no state rules precluding a local municipality from conducting a review of alcohol licenses, City leaders counter that their role is limited to confirmation that zoning allows a business to serve or sell alcohol.

As such, there is currently a limited system of notification or local review process by City Council to weigh in on new alcohol license applications or renewals. Prior to RHI’s process, safety agencies (police, code) were not notified when a new TABC alcohol license was applied for or issued.

Resident engagement is voluntary, as is seller/server training in the state of Texas. There is no mechanism to enact operational conditions with a baseline of safety measures in line with national best practices. Residents feel helpless due to their lack of input. Mediation by the City occurs after a situation has become contentious and only in response to complaints.



“The residents of the City of El Paso, Texas have always welcomed strangers in with open arms and we would love to continue this tradition by making our entertainment areas a safe and enjoyable destination spot for people of all backgrounds who want to visit this beautiful city and see why the residents here love El Paso so much.”

~ Chris Johnson, Sergeant, El Paso Police Department



Shifting from Adversaries to Allies

There is widespread frustration among government agencies, elected officials, venue operators and residents. Most often, the City’s first interaction with a business is when they need to address a concern for a violation of code, which fosters a lack of trust. Tools with teeth, such as the county’s Nuisance Abatement Program, can take up to six months for resolution and requires evidence of habitual criminal or nuisance activity. It is time to flip the script in El Paso. Instead of focusing efforts only on venues with egregious violations, there is an opportunity to elevate and professionalize standards for all venues that serve alcohol. Resources need to be reinvested at the front-end of business opening for education, engagement, relationship-building and partnership to convey expectations. In Texas, where cities are limited regarding mandates, there will need to be a reliance on rewards and incentives to motivate compliance rather than just enforcement.





While it is relatively simple to open a business, there is a gap in communication and front-end education between the City and new owners about expectations for operation



GOVERNANCE STRENGTHS

One Stop Shop and Pre-Application Meetings

The One Stop Shop centralizes permits and payments with staff guidance on the design, review, and inspection phases of development. In-person pre-application meetings are encouraged to review zoning, permits and licenses for large developments (City of El Paso, 2024).

Downtown Management District (DMD)

The DMD, El Paso's Downtown Business Improvement District (BID), represents and advocates on behalf of business interests.

Accela Database System

Fire, Code, some Police, and Planning and Inspections all use the Accela database, making information sharing and routing possible.

Zoning Tools Considered for Emerging Areas

Zoning changes are being discussed for new, emerging mixed-use areas to mitigate anticipated impacts by spreading out licensed establishments and increasing distance from residences.

County Nuisance Abatement Team (NAT)

The most effective tool available to the City (via the County), NAT uses civil litigation by filing a nuisance abatement lawsuit to mitigate illegal activity and public nuisances occurring on commercial properties. The purpose of the lawsuit is to prove that the business/property owner allowed the illegal activity to occur and failed to make reasonable attempts to stop it.

GOVERNANCE CHALLENGES

Lack of Review Process for Alcohol Licenses

TABC applications are brought to the City's One Stop Shop to certify that a business's proposed location is in compliance with zoning code. Yet this does not trigger a discretionary/qualitative review of an alcohol application to examine the potential for negative externalities (sound, parking, crowds). In part, this is due to lack of routing and the limited protest window.

Gap in Internal Notification of TABC Licenses

Police, Code Enforcement, and Fire are not notified of the application nor issuance of alcohol licenses by the One Stop Shop. City Council is not notified either unless the business is proposed within a distance of sensitive uses e.g. church, school, hospital. There is a limited window that allows protest from key stakeholders, including the Mayor, City Council and City Manager.

City Alcohol License a Forgotten Step

Venues that serve alcohol are required to obtain a city alcohol license after obtaining their state alcohol license, but this step is often skipped. Efforts are underway to cross-check the state's alcohol license records with the City's, and if there is no valid license, a citation can be issued.

Lack of Centralized Data on Alcohol Licensees

Safety agencies in the City struggle with a lack of data on how many businesses currently sell and serve alcohol for on-premise consumption. There are disparate systems for tracking businesses in the City: a secretary of state certificate, a county "assumed name certificate," a TABC license and City Alcohol License. TABC refers City staff to conduct a manual export of their online database and to cross-reference with the previous month's list to identify new businesses.

Gap in Operating Conditions for Venues

Due to the absence of an entertainment permit or operating license, there is no mechanism to require businesses to submit a safety and security plan or sound impact plan prior to opening to mitigate potential impacts. Only bars over 50 need an assembly license.

Noise Ordinance Needs Improvement

While a noise ordinance exists, it treats the entire city the same regarding noise thresholds and violations, and there are no alternative ways in which to hold venues accountable for a standard of operation.

Outdoor Amplified Sound Ordinance

There are loopholes in this tool: The DMD is exempt; the rules only apply between 10pm-12am; only amplified equipment located outside applies (i.e. doesn't cover indoor amplified sound with an open door). Further, most qualifying venues did not apply for the permit.

System of Noise Violation Litigation

Violation of the noise ordinance and the Outdoor Amplified Sound Permit are addressed in the criminal justice system as Class C misdemeanor criminal violations. This requires attorneys and appearances by City staff, venue owners and witnesses in Municipal Court. Cases sometimes have fines reduced or punishments are deferred as part of a plea agreement. While there is an initiative by the City attorney to educate judges on the importance of the criminal prosecution of these cases, businesses consider defending them a cost of doing business. When cases are dismissed, the county attorney cannot use the case as evidence to establish non-compliance.

Limitations of the Nuisance Abatement Team

While effective, the NAT lawsuits are not a proactive approach. Multiple safety violations have to be habitual for action to be taken. It can take up to six months.

No Representative Body for Cincinnati Area

Unlike the DMD, there is no organized entity to advocate on behalf of business interests or serve as a central contact with the City, which makes it difficult to connect with property and business owners.

Gap in Methodology to Protect Residences

There is no requirement for a business to submit proof of community engagement; this remains voluntary. Bars are allowed in all five commercial zoning districts in the City, and there is no process to evaluate whether land uses that potentially conflict (i.e. residences) should be allowed. Historic zoning rules do not create strong buffers between residents and social venues that serve alcohol, have amplified sound and operate past 10pm, as is the case in Kern Place, created in the 1950s.



Mobility amenities exist, but usage is stymied by limited public awareness. There is a need to address impacts to the community from DWI to ensure safe rides home.



MOBILITY STRENGTHS

Transit Resources for Daytime, Early Evening

Sun Metro’s Mesa Brio line, among others, goes from Downtown to the West Side, but only from 8am-6:40pm on weekends. The Streetcar loops between Cincinnati and Downtown, providing a resource for patrons of events at UTEP and Downtown, but ends at 11pm.

Rideshare Voucher Program to Curb DWIs

The District Attorney’s office received a grant to provide \$20 Uber vouchers, valid from 8am on Friday to Monday morning at 5am, updating weekly to allow multiple uses. The program will run from late December 2023 until September 2024.

Ample Supply of Downtown Parking Available

Downtown has a surplus of parking in lots, garages and on- and off-street parking (WGI, 2019). Most Downtown garages service daytime hours, but those closest to hotels stay open in the evening hours. Park 915 is an app to pay for on-street parking meters.

Mesa Street Garage Well-Lit and Free at Night

The Mesa Street/Glory Road garage has ample parking with 404 spots and is well lit. Parking is free after 8pm unless there is a special event. The max fee for overnight parking is \$10 so people can leave their car overnight.

Safety Improvements to Infrastructure

Compared to years past, traffic fatalities have decreased in the Cincinnati area. There is increased lighting on some sidewalks, and traffic calming devices, a raised median and a guard rail on Mesa.

Uptown Parking Benefit District

In 2018, 122 parking meters were installed in the Cincinnati area. Members of the Kern Place Association determine how to use funds, which must be applied to “security services, street maintenance, sidewalk improvements, lighting...use of public transit or (to) promote alternate...transportation” (Ramirez, 2018).

MOBILITY CHALLENGES

Gap in Nighttime Transit Options

The car-centric culture and gap in nighttime transit poses a safety risk for people returning home from venues and events, as well as a contributor to DWI. There is interest in extending streetcar hours past 11pm on Fridays and Saturdays, but past precedent in 2010 showed a lack of ridership when the trolley ran 11pm-3am.

DWI, Traffic and Pedestrian Fatalities

Between 2021-2023, there were 233 fatal traffic collisions in the city with 30% alcohol-related. There were 60 pedestrian fatalities with 48% alcohol-related during the same period (EPPD, 2024).

Mesa Street Garage is Under-Utilized

Despite ample parking spaces and proximity to Cincinnati area venues, crossing Mesa Street is a barrier to increased use. There is concern about the crosswalk’s dim lighting, reckless drivers, and past collisions with pedestrians.



Barriers to Increased Rideshare Use

Three to four parking spots on Stanton Street are intended for rideshare vehicles, but police cars tend to occupy them at night. Rideshare drivers and riders are not aware of the dedicated spots due to unclear signage (“loading zone”).

Ineffective Deterrents to Patron Parking

A Residential Permit Parking (RPP) system was set up in the Kern Place neighborhood to deter venue patrons from parking. Parking citations are reportedly ignored, with no immediate consequence for failure to pay, and towing is rare. Parking Enforcement can request tows, but they are not deployed at night. Code Enforcement can only issue citations, not call a tow. Wait times can be 1-2 hours for a City-contracted towing company.

Connectivity and Night Uses Downtown

Despite ample supply of parking, several garages do not allow nighttime parking. Remote parking areas are used by event patrons, yet better lighting and sidewalk maintenance are needed improvements.



STRENGTHS & CHALLENGES



QUALITY
OF LIFE

Residents enjoy the many amenities of El Paso – culinary diversity, cultural fusion and a family-oriented community. Yet many express frustration over the perceived prioritization of business interests and rights over residents' quality of life.



QUALITY OF LIFE STRENGTHS

Cultural Heritage and History of El Paso

Year-round seasonable weather, multi-cultural offerings as a border city, and preservation of historical architecture are among the reasons residents enjoy living in El Paso. Public art and murals also showcase local pride and cultural heritage.

Family-Oriented Community Events

El Paso is known for its close-knit, multi-generational families, who enjoy attending community-oriented events and festivals Downtown. UTEP and the Don Haskins Center also host excellent events for sports, the arts, music and theater.

Responsive Police Department

Residents report strong support for the El Paso Police Department due to timely resolution after calls are made for service.

Kern Place Association

Mobilization and advocacy of residents who live at Kern Place resulted in heightened focus on Cincinnati venue clusters by elected officials and law enforcement resources to curb negative impacts to quality of life.

QUALITY OF LIFE CHALLENGES

Affordability for Residents

Affordability overall is a growing concern for residents. There is a desire to maintain ability of locals to patronize social venues and events for dining and entertainment. Some feel that Downtown especially caters more to visitors than locals.

Residents Struggle with Pro-Business Systems

There is a general perception among some residents that their quality of life is secondary to state-wide, pro-business systems that protect social venues operating in an unsafe manner and generating impacts.

Insufficient Radius for Notification Systems

TABC requires that residential addresses or established neighborhood associations be notified of alcohol licensing changes within a 300-foot radius of the business property line. For the City's Outdoor Amplified Sound Permit, notification is required within 350 feet. There is a protest radius of 150 feet measured from the center of the building for the City's Outdoor Amplified Sound Permit. Residents say those residents outside of the 350 feet radius are also impacted.



Negative Impacts to Kern Place Residents

The source of disruptive impacts stems primarily from venue patrons parking in the neighborhood. Patrons can be loud when returning to cars, urinate on people's lawns, litter, vandalize and damage property, and sometimes engage in violence. Businesses with outdoor patios playing amplified sound can also create sound disturbances.

Venue Sound Impacts Hotel Guests

Some Downtown hotel guests complain about sound from social venues coming from outdoor or back patios, as well as rooftops. Note: DMD is exempt from the outdoor amplified sound ordinance but must still abide by the noise ordinance.

Trash Management

Some dumpsters used by Cincinnati area businesses overflow prior to pick-up. There is also illegal waste dumping and trash placed outside of receptacles.

Inadequate 311 Platform

Residents emphasize the need for a more comprehensive 311 platform to address issues effectively. The current lack of departmental connection results in unresolved problems, leading to perceptions of inefficiency.





Collaborative partnerships exist among City, County, State and Federal law enforcement agencies. Elimination of the current mandatory overtime police deployment model has emerged as an urgent need.



PUBLIC SAFETY STRENGTHS

Multi-Agency Safety Partnerships and Tech

There are strong working relationships among City's Health, Code Enforcement, Fire and Police Departments as well as Fort Bliss. Joint inspections are conducted quarterly. Fire may empty a venue if observed to be over-capacity. Technology such as Body Worn Cameras (BWCs) and security cameras assist in investigations.

Code Enforcement Team Deployed at Night

El Paso deploys a team of five nuisance Code officers until 11pm Wed-Thu and until 2am Fri-Sat. They conduct sound readings of venues and house parties and address parking violations as dispatched by 311 complaints or PD Dispatch.

Downtown's Police Metro Unit

Composed of 40 on-duty officers assigned seven days/week with three shifts of about 10-12 people, many of whom comprise a bike unit. Their primary purview is the ballpark, Southwest University Park, but they also deploy for events, protests and traffic control.



Coordination Between City and Military

Military leadership liaise with police to coordinate deployment during peak celebrations in social districts. Military Police (MPs) conduct joint patrols of the Cincinnati area on weekend nights and also partner on criminal investigations. When military personnel commit a Class C infraction (e.g. disorderly conduct, public intoxication, fighting, underage drinking), City police turn them over to MPs to face further military consequences/actions. Repeat offenders do not get turned over.

PUBLIC SAFETY CHALLENGES

Safety Issues Associated with Venue Clusters

Concerns and complaints include commission of serious crime, traffic and pedestrian safety, businesses out of compliance with state law and City ordinances, noise and nuisances, along with congestion and overcrowding. Between 2021-2023, the Cincinnati area generated 319 crimes against persons e.g. aggravated assault, disorderly conduct, public intoxication; 1,955 citizen calls for service; and 1,753 officer calls for service (EPPD, 2024). Nearly half of all crimes against persons that occurred within citywide social districts (which include 5 Points, Airway Blvd, Zaragoza Rd, Sunrise Plaza, Cincinnati) took place in the Cincinnati area.

Open Carry of Weapons in Texas

A permit or training is not required to openly carry a handgun in public for adults 18 and up. Although not allowed inside alcohol venues, weapons have been brandished and fired in public space near venues. Inadequate security checks at venues adds to the public safety challenges.



Mandated Overtime in Cincinnati Area

Since 2021, police mandated overtime for 20-24 officers and 3 supervisors on weekend nights based on a rotating schedule. Initially deployed both Fridays and Saturdays, the current schedule is Saturdays from 9pm-3am. Officers report low morale and burnout; residents find the current approach to be ineffective. Inconsistent staffing does not lead to relationship-building with venue staff. Officers do not receive specialized training on alcohol-related regulations. Between April 2021-July 2022, overtime costs exceeded \$1.1 million (EPPD).

Mandated Overtime for Events

For large events like parades, if there are not enough off-duty officers signed up, a mandatory draft is triggered which requires officers to work overtime to ensure public safety. Events generate other costs beyond off-duty officers, for it takes on-duty officers to process arrests, transport people to jail and conduct injury paperwork for off-duty officers. Busiest event season is between November and January.

Identification of Property Owners is Difficult

Public safety staff struggle to identify brick-and-mortar property and business owners due to LLCs. Police need permission from private property owners to install security cameras to monitor public spaces.



STRENGTHS & CHALLENGES



VENUE
SAFETY

Some venue operators communicate on problem patrons and conduct in-house trainings. However, the gap in City or State requirements for common best practices for venue security leads to inconsistent safety procedures.



VENUE SAFETY STRENGTHS

Mix of Patrons on Cincinnati

Patrons in the Cincinnati area are described as a combination of UTEP college students, local residents, out-of-state residents (from New Mexico) young adults from Juarez and military personnel from Fort Bliss.

Some Vigilant Door Security

Door security at some venues were observed by RHI staff to deny entrance to intoxicated patrons who were acting in an aggressive manner.

Signage Prohibiting Guns in Bars

TABC requires bars and restaurants that “derive 51% or more of its income from the sale of alcoholic beverages for on-premises consumption must post a red ‘51%’ sign...that says possession of a handgun on the premises is unlawful” (TABC, 2024).

Effective Communication Among Venues

Some venue operators are part of a Facebook messenger group to advise about problem patrons.



Active Shooter Training

The LGBTQ+ business community provides trainings on active shooters and conflict de-escalation for venue staff in Pride Square. The Police Department also provides active shooter training.

Seller/Server Training Incentives

TABC maintains a database of servers who have completed certificates. Incentives for businesses to require all staff undergo training include lighter penalties for first violations of sales to minors.

Meetings with Venues and Law Enforcement

New precedent was set for collaboration and discussion of best practices for venue safety in January 2024 through a meeting with about 30 venue owners, safety stakeholders, and residents.

“Off Limits” List for Military Exists

Active-duty military personnel are prohibited from patronizing certain bars included on the “off limits” list determined by the Quarterly Armed Forces Disciplinary Control Board. This list is generated when high-risk locations are identified where altercations have taken place involving military personnel.

VENUE SAFETY CHALLENGES

Restaurant and Bar Association Not Active

The association disbanded or is no longer active.

Inconsistency in Venue Security Procedures

There are no City or State requirements for venue safety best practices, so practices vary. Law enforcement reports that weapons are regularly found inside venues due to inadequate security checks, occupancy exceeds capacity, and minors are able to consume alcohol in some venues. There are glaring gaps in dedicated door security at some venues. The responsibility of some business owners is lacking when checking critical components such as verifying IDs, searching bags for weapons, and counting occupants.

Voluntary Server Training and Over-Service

The gap in mandated server training by TABC, and lack of widespread participation in voluntary training, was identified as a contributing factor to over-service.

Gap in Compliance with Closing Time Rules

Some venues do not adhere to closing times and create sound disturbances past legal operating hours.

Gap in Proactive Collaboration with Safety

Current interactions between safety agencies and venues stem from violations rather than a space of education and guidance on how to reach compliance.

Perceived Heavy-Handed Sound Enforcement

The current approach to sound enforcement is perceived as targeting with multiple violation notices and multiple staff to issue a single noise violation.

Military Involved in Safety Challenges

Military personnel were involved in 28% of serious incidents in bar clusters citywide between 9/1/22-9/1/23, including aggravated assault with a deadly weapon, assault causing bodily injury, murder and unlawful carrying of weapons. (Crime Prev., 2023). Military data indicates that soldiers who are ending their tour of service early (i.e. “chaptering out” due to misconduct) tend to engage in higher-risk behavior.



STRENGTHS & CHALLENGES



SOCIAL VENUES

El Paso is an excellent place to open and expand social venues for dining and entertainment, yet some venue operators struggle with the gap in collaboration and proactive engagement with government, military and City entities, especially law enforcement.



SOCIAL VENUE STRENGTHS

Excellent Dining Options and Authentic Cuisine

El Paso's dining scene boasts nationally recognized restaurateurs and an authentic Mexican dining experience. Downtown is comprised of mostly independently owned restaurants. There are over 1,400 establishments citywide that serve food, employing 32,000 people per the Texas Restaurant Association.

Multiple Options for Socializing

Cincinnati area offers smaller-scale, more intimate social spaces that are excellent for pre-and post-event socializing, as well as some family-friendly restaurants for lunch and dinner. Downtown offers upscale, contemporary dining and social spaces, as well as a dedicated live music venue. Pride Square is especially welcoming to the LGBTQ+ community. Locals especially value dog-friendly and family-friendly venues.

Business Expansion and Growth Opportunities

Operators value the City's growth potential and expansion opportunities.

Partnerships to Advocate for Venues

There is robust collaboration between Texas Restaurant Association (TRA), DMD, Visit El Paso, County Health, and TABC on behalf of businesses.

Visit El Paso Centralizes Event Information

The Visit El Paso website is an excellent resource for upcoming special events not only in public space but at multiple venue types (social venues, theaters, Don Haskins Center, UTEP, etc.)

SOCIAL VENUE CHALLENGES

Hospitality Venues Still in a State of Recovery

Many hospitality businesses remain in a state of recovery from the pandemic. Food-serving establishments still struggle with labor shortages and cost inflation.

Social Venues Missing in Citywide Marketing

Opportunities for dining and entertainment are invaluable to the visitor experience, yet the Visit El Paso website does not mention bars and restaurants except in reference to music venues and LGBTQ+ nightlife.

Gap in Trust and Proactive Engagement

It is perceived by many venue operators that touch points with government are limited to when businesses are possibly in violation of City ordinances or state laws. There is a perception that venue owners are not involved in decision-making about new City regulations, and that new rules are imposed without adequate education or notification.

Inconsistent Fire Dept. Inspection Procedures

Business owners expressed frustration with the Fire Department's inspection process, citing shifting requirements that result in revenue loss.



Perception of Unfairness with Noise Violations

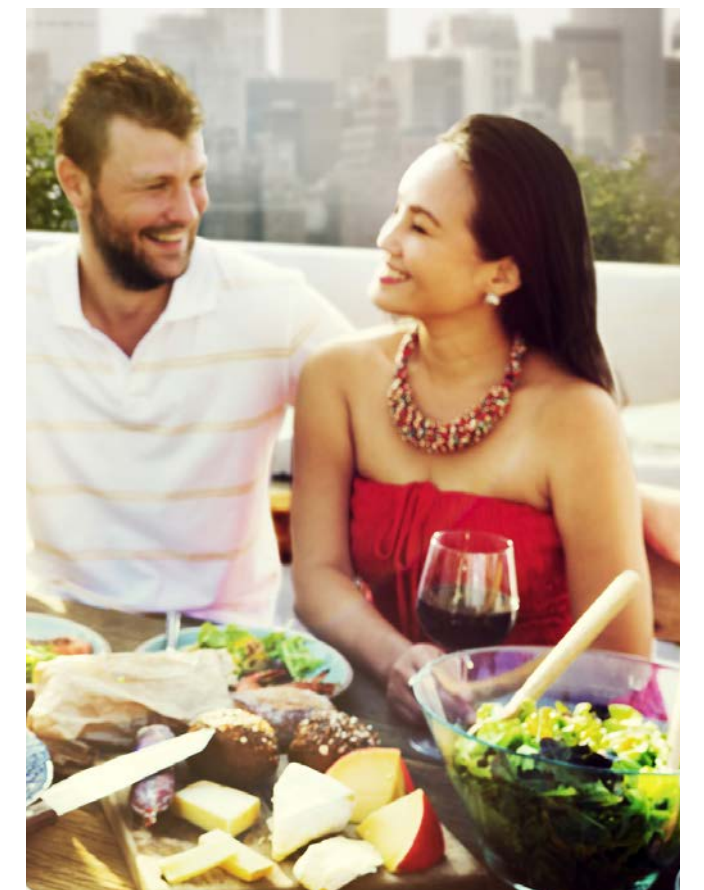
Venues perceive noise violations as unfair due to difficulty in pinpointing the source of sound when multiple adjacent businesses are all generating sound. Also, criminal infractions for noise violations require legal assistance and court appearances, which cost time and money, creating an adversarial environment among venues and with government.

Identification of Resources for Soundproofing

Business owners identified the challenge of finding reliable companies to soundproof buildings, which would assist with addressing sound violations.

Entertainment Gaps for Teens

Concerns were raised about the lack of social activities for teens and minors under 21 years. Locals believe this gap may contribute to minors accessing social venues illegally and involvement in crime and nuisance behavior.

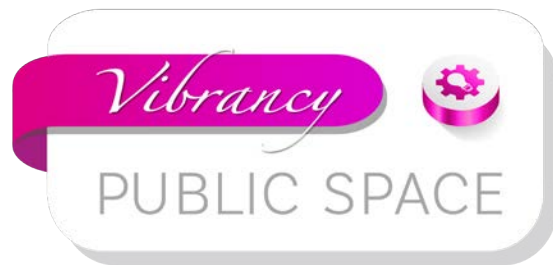


STRENGTHS & CHALLENGES



PUBLIC SPACE

Events foster community cohesion and are a major driver of Downtown vibrancy, yet securing sufficient security is a growing concern. Public spaces are generally clean and well-lit, but dead zones inhibit the pedestrian experience.



PUBLIC SPACE STRENGTHS

Central Business Corridors Well Lit

The Downtown core, especially El Paso Street, is very well lit and aesthetically pleasing with decorative tree lighting in some places. Cincinnati Street is also well lit.

Fifty-two Percent of Visitors Come Downtown for Events

Types of Downtown events attracting visitors include #1 theater events (31%), #2 sporting events (27%), #3 street festivals (13%), and #4 arts and farmers market (10%), and restaurant crawls (6%) (DMD, 2023).



Event Planning Process and Review Team

The One Stop Shop website hosts event procedures for parades, temporary, and special events lasting more than 24 hours. Applications are reviewed by nine City departments, including Police, Fire, and Streets and Maintenance.

DMD Takes the Lead on Downtown Events

DMD coordinates several Downtown events and conducts stakeholder engagement with event organizers and property owners, whose permission is required. DMD also convenes an annual education meeting with TABC on how business owners can serve alcohol in the designated event area.

Events Generate Minimal Sound Complaints

Events that have a City-issued permit are exempt from the noise ordinance and from the Outdoor Amplified Sound Permit requirements. Ballpark fireworks generate some complaints from hotel guests, but overall events aren't associated with sound concerns.

Welcome Ambassador Program

DMD funds a team of welcome daytime ambassadors in purple uniforms to assist visitors between May-September and November-January (DMD, 2024).

Downtown Cleanliness and Amenities

Locals appreciate the clean, well-maintained public spaces Downtown thanks to DMD's sanitation team, as well as the modern, well-maintained, secure restroom at the Downtown Visitors Center, which is open until 10pm.

Parklets and Outdoor Dining

A process is underway by the City's Planning and Inspections department to streamline the permit process to allow more parklets and sidewalk cafes. Barriers will need to be addressed re: cost of build-outs and infrastructure for heat and cold (misters, heaters).

PUBLIC SPACE CHALLENGES

Cost and Officer Shortage for Event Security

The cost of hiring off-duty officers is a minimum of \$25/hour and after the Walmart tragedy, can cost \$50-\$125/hour. Due to higher demand for off-duty police work and insufficient sign-ups, some event organizers must hire sheriff's deputies and constables, who are not as well-versed in event security practices.

Dead Zones Impact Pedestrian Experience

Some Downtown event attendees park in remote parking lots and on the street, where lighting is dim from vacant buildings and non-operational streetlights on Texas Avenue. Inconsistent lighting in alleys and parking lots in the Cincinnati area also negatively impact perceptions of safety.

Accessibility Barriers Inhibit Event Attendance

People who are differently abled or use wheelchairs have reported difficulty in attending events Downtown due to limited nearby parking accessibility and a gap in wheelchair accessible portable restrooms.

Aggressive Behavior in Public Space

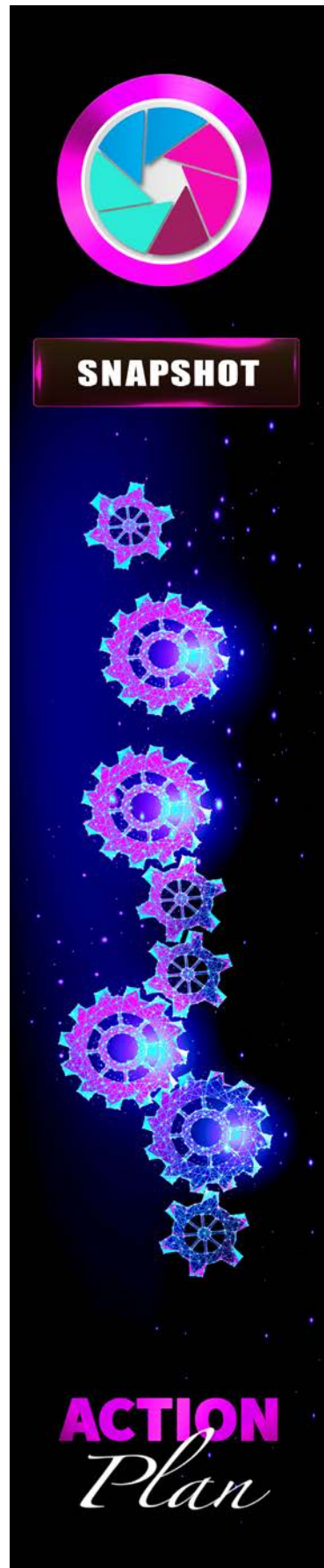
Visitors and employees have reported concerns about unsheltered, mentally ill and substance users behaving in an aggressive manner downtown.

Presence of Migrants in Public Space

At the time of this project, migrants gathered in public spaces and sometimes slept in the street. Many participants of this process expressed concern about their safety due to migrants' presence. Law enforcement indicates that while some crime has occurred, migrants have been mostly cooperative. Some migrants have locked themselves in restrooms during cold weather and have stolen toilet paper from fast food restaurants.

No Public Restrooms in Cincinnati Area

Walgreens offers a public restroom but only until a certain time at night.



ACTION SNAPSHOT

A QUICK REFERENCE GUIDE FOR YOUR SOCIABLE CITY

GOVERNANCE

Hire a Nighttime Economy Manager

- ~ Create a Position Dedicated to Social Economy Governance

Enhance TABC License Review

- ~ Route Notifications to Safety Agencies

Elevate Local Alcohol License

- ~ Place Conditions to Ensure High Standards of Operation

Establish Systems of Proactive Engagement

- ~ Provide Up-Front Educational Resources to Venues at Opening

Enhance Systems of Local/State Collaboration

- ~ Between TABC, Venues and the City

Revise the Noise Ordinance

- ~ Mitigate Sound Proactively and Enhance Consistency for Enforcement

Revise the Outdoor Amplified Sound Ordinance

- ~ Close Loopholes and Expand Scope

MOBILITY

Create a Rideshare Hub

- ~ Promote Safe Rides Home

Increase Use of Mesa Street Garage

- ~ Cincinnati Area Patrons and Employees

Strengthen Parking Enforcement

- ~ Deter Patrons from Parking in Kern Place

QUALITY OF LIFE

Expand Notification Area for Residents

- ~ Alcohol Licenses and Outdoor Amplified Sound Ordinance

Coordinate More Frequent Trash Pick-Ups

- ~ Enhance Cleanliness of Cincinnati Area

PUBLIC SAFETY

Create a Specialized Hospitality Unit

- ~ Community Policing for Social Clusters

Establish Quarterly Forums

- ~ Facilitate Safety and Venue Communication

Continue Connectivity between City and Fort Bliss

- ~ Newcomers Briefs and Leadership Events

Create Bar Check Protocol for Police

- ~ Create a Partnership-based Approach to Venue Safety

Establish a No Loitering Ordinance

- ~ Facilitate Closing Time Egress in Social Clusters

VENUE SAFETY

Develop Baseline Venue Safety Standards

- ~ Elevate Professionalism and Enhance Patron Safety

Sexual Violence Prevention Program for Venues

- ~ Support Women's Safety in Social Venues

SOCIAL VENUES

Create an El Paso Nightlife Association

- ~ Advocate for Change with a Unified Voice

Promote Social Venues to Visitors

- ~ Engage Visit El Paso to Enhance Marketing of the Social Economy

Facilitate Recreational Activities for Youth

- ~ Engage Under 21s in Social Activities

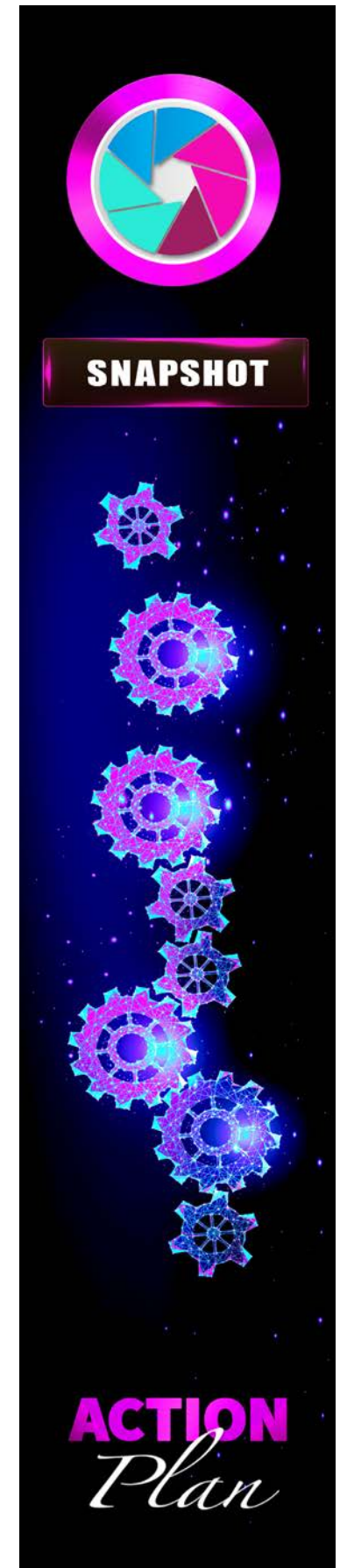
PUBLIC SPACE

Balance Event Vibrancy with Safety Needs

- ~ Leverage Safety Resources and Proactive Education

Enhance the Pedestrian Experience Downtown

- ~ Strategic Lighting and Parking Garage Improvements





GOVERNANCE



ACTION
Plan



ACTION

HIRE A NIGHTTIME ECONOMY MANAGER

Create a Position Dedicated to Social Economy Governance

Nighttime sociability is a major driver of the local economy and of tourism, yet current interactions between venues and government agencies are limited to enforcement of violations. The creation of a dedicated staff position (i.e. Nighttime Economy Manager) will be central to the City of El Paso's commitment to sustaining a safe, vibrant, and well-managed social economy.

The position will serve as a liaison between government (licensing and public safety), community stakeholders and social venue operators to build trust, mediate disputes and establish an open line of communication. A Nighttime Economy Manager can change the currently adversarial dynamic so that government provides proactive support, engagement and educational resources to help this key industry segment succeed and stay in compliance from the onset.

Follow-through on the ideas generated in this report will be a critical function of this position. Additionally, positions like these are operating in at least 15 U.S. cities and are widely regarded as best practice.



ACTION

ENHANCE TABC LICENSE REVIEW

Route Notifications to Safety Agencies

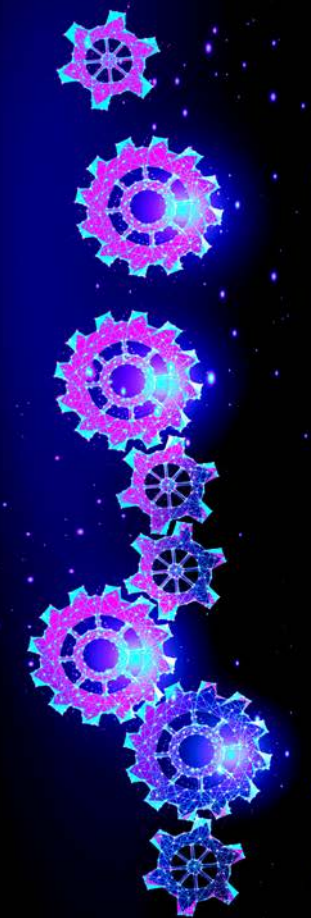
The City of El Paso's One Stop Shop plays a critical role in coordinating with TABC to approve state-issued on-premise alcohol license applications and issue a City alcohol license. This City entity is the only municipal touch point for alcohol license applicants at the time of application and issuance of an alcohol license.

As a result of the February 2024 roundtables facilitated by RHI, the One Stop Shop initiated a request to the City's IT department to route both alcohol license applications and issuance to the Code Enforcement, Fire and Police Departments via Accela. Because all Code Enforcement staff have access to Accela, while not all PD officers do, Code has taken the lead to ensure key police representatives are forwarded notifications. Additional stakeholders to consider routing to include City Council offices and City Manager. Notification to safety agencies can possibly trigger a more robust review process where City stakeholders can weigh in on approval of that business or imposition of conditions (if a system is developed to do so).

Routing of applications also addresses the issue of contact information for business owners, as the One-Stop Shop receives articles of incorporation with contact information for both the applicant and business owner. At renewal time every two years, there is a request for updated contact information, which will now be sent to key safety agencies, closing the gap in intra-municipal communication.



GOVERNANCE



ACTION
Plan



GOVERNANCE



ACTION
Plan



ACTION

ELEVATE LOCAL ALCOHOL LICENSE

Place Conditions to Ensure Standards of Operation

Key stakeholders in the City have expressed a sense of powerlessness in swiftly addressing high-risk licensed venues operating out of compliance and/or generating public safety impacts. The prevalent perception is that it is easy to acquire an alcohol license, but it is very difficult to suspend or revoke that license privilege, even in the face of egregious violations.

The City of El Paso may have an opportunity to mitigate challenges at the front-end prior to issuance of alcohol licensing and/or renewal by using its own local license as a tool for greater compliance. The City has clearly stated its opposition to SB 577 and is continuing to issue its own local alcohol licenses (Texas Legislature Online, 2023; Springer & Harris, 2023).

It is best practice to issue a local permit that regulates the operation of the business as it pertains to sound, public safety, good neighbor policies, etc. This license may serve a purpose by providing the vehicle to create enforceable conditions. The change will also allow compliance efforts by serving as a place to interact early with new business owners before operation.

The local alcohol license process could be updated to require submission of a business plan, security plan, and sound mitigation plan, and include review by City Manager or City Council. It might also require input from local residents, public safety officials, and other impacted stakeholders.



ACTION

ESTABLISH SYSTEMS OF PROACTIVE ENGAGEMENT

Provide Up-Front Educational Resources to Venues at Opening

Prior to a business opening, the City can and should deliver expectations for how a social venue that includes alcohol and entertainment should operate. This is a key period for engagement between venues, City government and law enforcement where relationships can be fostered.

Currently, the only substantive touch point is enforcement if a violation occurs, long after a business has begun operations. Government should serve as a proactive partner to help ensure businesses understand rules and best practices in advance with resources provided up front. This will not only help facilitate better rates of compliance, but also greater trust and collaboration between venues and government with the mutual goal of safe and vibrant social spaces.

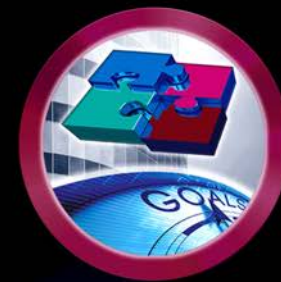
The Planning and Inspections Department's One-Stop Shop, as well as the soon to be launched Economic Development Department's Business One-Stop Shop (BOSS), can both serve this role in conveying expectations and providing educational resources. If a position of Nighttime Economy Manager is created, this is a place for earliest engagement.

ENHANCE SYSTEMS OF LOCAL/STATE COLLABORATION

Between TABC, Venues and the City

TABC is highly responsive to requests for engagement and education, but the status quo has been for this to occur in an ad-hoc, one-on-one manner. Numerous resources are available online at TABC's website. However, there is benefit for regularly scheduled educational forums for current TABC license holders, prospective applicants and local law enforcement agencies.

More systematic communication, coordination and partnership is needed on an efficient, group-forum basis. This can also be an opportunity for TABC to clarify their role and limitations in addressing at-risk businesses.



GOVERNANCE



ACTION
Plan



GOVERNANCE



ACTION
Plan



REVISE THE NOISE ORDINANCE

Mitigate Sound Proactively and Enhance Consistency

Commercial Sound in El Paso is regulated by Municipal Code Chapter 9.40 Noise Ordinance, which covers all types of sound citywide. It is currently an ineffective tool to address sound complaints made by residents and hotel guests about social venues. Further, noise ordinances should be part of a compliance program for social districts, yet it serves as the only mechanism available for the City to regulate venue operations.

The current cycle of issuing multiple noise violations to venues, then having fines reduced or punishments deferred is frustrating and time-consuming for the hospitality industry and law enforcement alike. There is a need to refine this tool and more appropriately use it for achieving sound compliance.

Institute proactive education and training for social venue operators on how to contain sound and test operations to determine limits for each venue. Taking an ambient reading of sound in each social district will determine the baseline for that area.

The City should also consider changing violations for noise to administrative violations, similar to a parking ticket. Development of an administrative scheme with an appeals process will eliminate the need for Municipal Court interaction, attorneys and witnesses. Administrative fines can trigger escalating penalties, and can be extremely effective in changing behavior as they can be quite expensive if ignored. Police and Code Enforcement should develop a policy to ensure that sound reading and citation issuance methods remain consistent.

Review Appendix for a historical overview and outline of limitations of the current legislation.



REVISE THE OUTDOOR AMPLIFIED SOUND ORDINANCE

Close Loopholes and Expand Scope

The current Outdoor Amplified Sound Permit criteria is too limited to address community concerns. There is an opportunity to broaden the scope of the permit and use it as a tool to convey conditions of operation for a social venue. Any business with outdoor amplified sound should be required to obtain a permit for this activity, regardless of where the nearest sensitive use might be (the current permit is only required if within 350' of a residence, motel, or hotel).

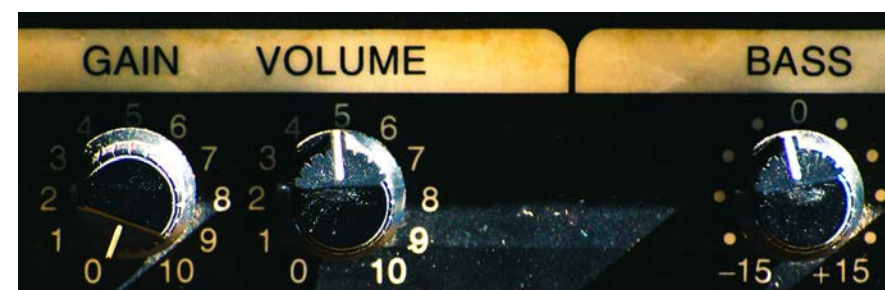
While it is clear that businesses located in close proximity to current residential neighbors are more at risk for complaints, El Paso continues to grow and build housing. The DMD exemption should be removed to make the scope of the permit equitable. Other loopholes that need to be addressed include the hours for outdoor sound only applying to 10pm-12am when many bars are open until 2am. A broader expansion of scope could include the entire premises if open doors and windows allow sound (from interior amplified sound) to escape outside.

Review Appendix for a historical overview and outline of limitations of the current legislation.



Detailed Checklist for Governance

Review goal statements and checklists with recommended steps for each action item on a separate page.



GOVERNANCE



ACTION
Plan

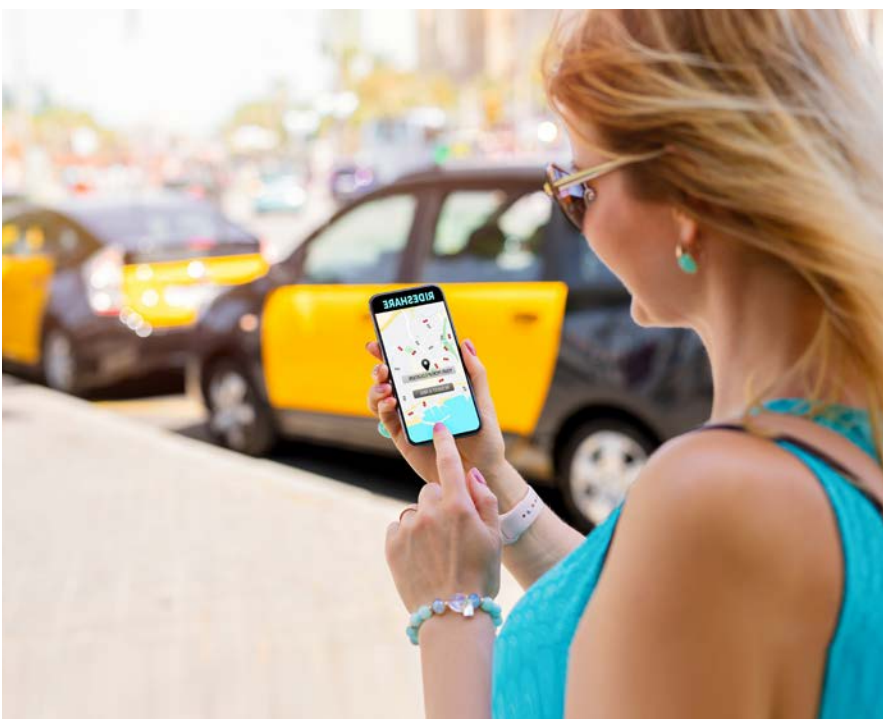


CREATE A RIDESHARE HUB

Promote Safe Rides Home

While many patrons still drive personal vehicles, rideshares are typically the most common mode of alternative transportation for nighttime venue patrons due to their availability at night and early morning. There is little to no mass transit available. The district attorney created a rideshare voucher program, however, there is limited awareness among patrons or venue operators.

Designated locations for rideshare vehicles currently exist in Cincinnati area, on Stanton and Cincinnati streets, with space for three to four vehicles to queue without impeding traffic. However, law enforcement vehicles occupy the spaces and the signage ("loading zone") is unclear. There is an opportunity to promote rideshare vouchers to venue patrons and to establish clearly signed, dedicated pick-up locations for rideshare vehicles to incentivize ease of use by both patrons and rideshare drivers. A robust marketing and education campaign will require support and engagement from venue operators and rideshare companies.



INCREASE USE OF MESA STREET GARAGE

By Cincinnati Area Patrons and Employees

The quality of life impact and sound disturbances to Kern Place residents at night can be significantly reduced by having venue patrons stop parking in their neighborhood and instead, use an under-utilized nearby asset: the Mesa Street garage on Glory Road. However, legitimate safety concerns exist when asking patrons to cross a four-lane state highway (Mesa St.). Safety improvements to infrastructure are critical.

Participants suggested researching traffic calming devices, better lighting, increasing crosswalk time, installation of flashing lights, and possibly a designated crossing guard staff position. Once safety issues are addressed, awareness will need to be enhanced about the garage's features (ample parking, excellent lighting, free after 8pm, and overnight parking as an option for \$10 max). Educational materials can inform people about other initiatives, including the rideshare voucher if they are intoxicated. Venue operators will play a key role in messaging to encourage patrons to use the garage.



STRENGTHEN PARKING ENFORCEMENT

Deter Patrons from Parking in Kern Place

A consistent enforcement approach involving towing of vehicles may be needed to keep venue patrons from parking in the Kern Place residential permit parking area and move those cars into the Mesa Street garage. A notification "grace" period can be used for several weeks to notify violators that enforcement will begin on a specific date. The flyers can also promote the rideshare voucher and the Mesa Street garage as the designated location where they should park when patronizing Cincinnati area. Coordination of multiple tow trucks could begin to tow vehicles to a nearby, temporary holding location to quickly tow as many vehicles as possible out of the neighborhood, then move them to an overnight holding location.

Buy-in and coordination among Parking Enforcement, Code Enforcement, police, residents and venue owners and managers will be critical to the success of this initiative. Towing of vehicles was deemed to be a more effective consequence than parking citations, as these are reportedly ignored or dismissed by municipal court. Further, the lack of parking enforcement and towing in a Residential Permit Program (RPP) area further heightens the environment of permissiveness and perception that rules do not need to be followed.



Detailed Checklist for Mobility

Review goal statements and checklists with recommended steps for each action item on a separate page.



EXPAND NOTIFICATION AREA FOR RESIDENTS

Alcohol Licenses and Outdoor Amplified Sound Ordinance

Residents would like to see an expanded notification area for TABC’s alcohol licensing (currently 300’). They would also ask for an increased notice area for the City’s Outdoor Amplified Sound Permit (currently 350’ for notification and 150’ for protest). An increase in distance requirements would enable greater resident awareness and input to be provided, as potential impacts to the neighborhood may extend beyond the current threshold. Expanding the set of stakeholders will also ensure broader awareness. The current system with TABC only notifies property owners, which misses other key stakeholders, including renters and neighborhood associations. The One Stop Shop mails out postcards, but an additional step could be email notifications to the neighborhood association.

Ideally, there would be an opportunity to submit feedback and lodge a potential protest. Residents are currently constrained by state rules that limit citizen protests except in narrow circumstances. According to TABC’s Application Protest Policy, only citizens who live within 300’ of the proposed premises are allowed to lodge a protest, yet they are not allowed to protest an application for a mixed beverage permit if there is a subordinate Food and Beverage certificate. Citizens further do “not have a right to protest any renewal application unless it is a sexually-oriented business” (TABC, 2024). One possible avenue is more robust communication between residents and City Council, which does have standing to protest, by expanding the distribution list from the One Stop Shop to include Council members.



COORDINATE MORE FREQUENT TRASH PICK-UPS

Enhance Cleanliness of Cincinnati Area

Food and beverage businesses consistently generate significant waste, especially on Friday and Saturday nights. During the height of the COVID pandemic, when waste production was lower, two to three businesses began to share dumpsters in Cincinnati area to reduce costs. Sharing of dumpsters is still beneficial due to limited alley space in the district, but the increase in business activity, and therefore trash, has led to reconsideration of current procedures. Some businesses leave trash on the side of the curb while others are unsafely storing dumpsters in garages and loading areas, which is a fire hazard.

Consequently, residents often report trash piled up in alleys and overflowing dumpsters, which impacts the perception of area cleanliness and hinders the ability to host daytime events on weekends. There is a need for greater coordination of trash storage among businesses and more frequent pick-ups by the several private companies that provide waste management. Finally, coordinated education and enforcement among Environmental Services Department (oversees dumpsters) and Code Enforcement Bureau (oversees overflowing trash) with businesses is needed to ensure compliance with new trash policies.



Detailed Checklist for Quality of Life

Review goal statements and checklists with recommended steps for each action item on a separate page



PUBLIC SAFETY



ACTION
Plan



ACTION

CREATE A SPECIALIZED HOSPITALITY UNIT

Community Policing for Social Clusters

Social clusters throughout the city (Cincinnati, Five Points, Airway Blvd, Zaragoza Rd.), especially on the westside, are resource intensive on weekend nights and require a new paradigm for policing. The current use of mandated overtime is not ideal nor sustainable and is perceived to be ineffective by the community. Between April 2021-July 2022, more than \$1.1 million was spent on overtime police in Cincinnati area.

Creation of an on-duty police unit dedicated to social districts with specialized training on alcohol laws can help EPPD align with community policing methodology and national best practice. Transitioning to a new approach can reduce costs, lower the number of officers deployed and lift officer morale. During the week and daytime hours, the unit can engage in relationship-building with key stakeholders, including venue operators, security staff, residents and TABC, as well as conduct proactive compliance training. On Friday and Saturday nights, the unit can be deployed in a roving manner to provide coverage of the city's most active social clusters, surrounding neighborhood and parking areas.



ACTION

ESTABLISH QUARTERLY FORUMS

Facilitate Safety and Venue Communication

Build upon the successful turnout of the January 2024 meeting between safety agencies and venue operators to schedule quarterly forums. Continue to include safety stakeholders such as TABC, police, code enforcement, and the county attorney. The agenda can include open dialogue on priorities and concerns. These meetings are an opportunity for law enforcement to convey best practices for social venues and to foster collaboration.



ACTION

CONTINUE CONNECTIVITY: CITY AND FORT BLISS

Newcomers Briefs and Leadership Events

After the first series of meetings held by RHI for El Paso's Sociable City Assessment, military representatives have already taken a series of actions to strengthen connectivity between the City and Fort Bliss. The military representatives in attendance extended an open invitation to El Paso Police Department and the City's Public Information Officer to attend weekly in-processing meetings that take place with new military recruits.

These Newcomers Briefs are an excellent opportunity for EPPD to proactively share the City's expectations for military personnel's behavior off-post and to share past precedent for crimes involving military in bars and social districts. (Military personnel were involved in 28% of serious incidents in bar clusters citywide between 9/1/22-9/1/23, per EPPD). Speakers can be regularly rotated until a more formal video can be developed and shown during meetings. An additional outcome from meetings held by RHI is the introduction of a new event series, a Senior Law Enforcement Conference, coordinated by Fort Bliss to assure seamless continuity between the City, outgoing and incoming military leadership on priorities.



PUBLIC SAFETY



ACTION
Plan



PUBLIC SAFETY



ACTION
Plan



CREATE BAR CHECK PROTOCOL FOR POLICE

Create a Partnership-based Approach to Venue Safety

Venue operators report that current procedures for law enforcement inspections are intimidating and adversarial with many staff (Police, Code Enforcement, Fire, Health, Planning and Inspections, Building Departments) entering at the same time during venues' busiest hours. Businesses may be cited for violations of existing rules or new policies of which they are not aware. As the mutual goals are compliance and safety, a more collaborative environment should be fostered.

Prior to inspections being conducted, educational forums can help businesses understand the purpose of inspections and what will be examined so that venues have the opportunity to take corrective measures in advance. This will help alleviate the "gotcha" mentality that is perceived.

While some checks will likely need to continue at random, and multiple staff may still need to enter premises simultaneously for officer safety and efficiency, the manner in which they enter can be improved. Businesses and police should collaborate on protocols for bar checks for clarity and trust building. Venue staff can then be trained on the mutual protocols and appropriate responses and procedures to assist officers. Wherever possible, inspections of physical premises (e.g. by fire department, building inspectors) that do not require observation of a business in full operation with patrons present should be scheduled during non-peak hours.



ESTABLISH A NO LOITERING ORDINANCE

Facilitate Closing Time Egress in Social Clusters

Creation of a narrowly defined "no loitering" ordinance may assist law enforcement with facilitating patron egress after closing time in social clusters. The only tool currently available is a sidewalk ordinance, where patrons cannot be on the sidewalk after closing time, which forces them into the roadway. A "no loitering" ordinance can give police the authority to further move people along to clear the area, where many currently linger. The faster an area is cleared, the less opportunity for fights and noise disturbances to be generated.

A model for this is San Francisco's Police Code Section 121, which prohibits loitering around nightclubs (as defined) between 9pm and 3am when the venue is open for business. A person loiters outside a nightclub when "the person remains as a pedestrian for a period of over three (3) minutes within ten (10) feet from the entrance to the nightclub or within ten (10) feet from any point on any lines formed at the entrance to a nightclub." This doesn't include anyone waiting in line, smoking or engaging in any other lawful activity. A warning is then required by venue security, to allow for compliance. After this, Police can cite or arrest.



Detailed Checklists for Public Safety

Review goal statements and checklists with recommended steps for each action item on a separate page.



PUBLIC SAFETY



ACTION
Plan



DEVELOP BASELINE VENUE SAFETY STANDARDS

Elevate Professionalism and Enhance Patron Safety

It is in the best interest of the City to encourage and facilitate as many educational opportunities and resources for venues to manage safe environments to prevent public safety impacts. Operators should develop and promote baseline standards for venue operations and security of businesses that serve and sell alcohol. Programs exist that can be modeled after, such as Dallas' Copper Star Certification program, as well as best practice guides for nightlife venues.

Common venue safety practices include stationing security at the door to greet guests and check bags for weapons, use of technology such as ID scanners and security cameras, occupancy counters to track capacity, and conducting training for staff on conflict de-escalation and incident response. Incentives can be developed for participation in such educational programs, such as marketing and possible discounts on insurance costs.

The City, as a show of good will and to foster partnership with venues, can host or underwrite quarterly seller/server trainings with TABC-certified third-party providers.

Due to the current regulatory environment in the state, rewards and incentives are the only available mechanism to encourage voluntary participation. Unlike in other states, TABC does not mandate seller/server training; instead, they strongly encourage the training and offer reduced fines for initial violations if all staff have seller/server training certificates.

Likewise, the City of El Paso does not currently have a mechanism to proactively require venues, upon opening, to enact certain operating conditions that are stricter than or that contraindicate state rules. There are systems in place to require venues to upgrade security measures (e.g. armed guards) after violations are reported at the behest of TABC and the Nuisance Abatement Team. RHI suggests a change in philosophy to raise baseline standards for all venues, rather than only imposing higher security and operational standards only on businesses that are not in compliance.



SEXUAL VIOLENCE PREVENTION PROGRAM FOR VENUES

Support Women's Safety in Social Venues

There is a need to focus on women's safety in social venues due to a deeply rooted cultural tradition of machismo and the highly masculine cultural identity of the military, which comprise a large percentage of social venue patronage. There was a general lack of familiarity with national women's safety campaigns specific to hospitality businesses among venue staff and patrons. Further, there is a need to counteract victim-blaming and victim-shaming when incidents do occur and to create a safer socializing environment for women.

National and global campaigns already exist for prevention of sexual harassment and sexual violence in social venues. A coalition of stakeholders in El Paso can adopt, customize and implement the campaigns that are deemed most effective for the local environment. Staff training on how to identify potential signs of predatory behavior and procedures for how to intervene, coupled with social marketing and education of the public, are key aspects of sexual violence prevention in nighttime social settings. Education on the concepts of consent and bystander intervention ensures a safer environment for all to socialize, especially women, members of the LGBTQ+ community and other vulnerable populations.



Detailed Checklists for Venue Safety

Review goal statements and checklists with recommended steps for each action item on a separate page.





SOCIAL VENUES



ACTION
Plan



ACTION

CREATE AN EL PASO NIGHTLIFE ASSOCIATION

Advocate for Change with a Unified Voice

Nighttime social venues are independent entrepreneurs who often operate in isolation but share many of the same concerns and challenges. When safety incidents affect one venue, they can negatively impact everyone. Venues “sink or swim” together and therefore need to solidify cooperation and collaboration. Creation of a nighttime business association, whether in collaboration with the Texas Restaurant Association or separately, can help operators communicate with a unified voice.

Creation of a formal group of venue operators can provide a way for the City and DMD to coordinate with the industry on new initiatives and services. One potential agenda item is to make a formal request for how revenue generated from the alcohol sales tax can be used to fund initiatives or programs that are a priority to venue operators to provide safe, well-managed places to socialize. Another would be to conduct an economic analysis of the sector to quantify its importance in terms of overall revenue and local jobs.



ACTION

PROMOTE SOCIAL VENUES TO VISITORS

Engage Visit El Paso to Enhance Marketing of the Social Economy

El Paso has an abundance of social clusters (e.g. Cincinnati area, Downtown, Zaragoza Rd., Five Points) and excellent venues to dine, dance and be entertained. Going out to socialize is a key part of the El Paso experience, yet bars and clubs are not explicitly promoted on the Visit El Paso website outside of the category of LGBTQ+ nightlife. The “Dining and Drinking” sub-category on the website can be expanded with more information about restaurants and bars alike. While events and festivals are heavily promoted, there is a missed opportunity to educate visitors and residents alike on where to go to access unique social experiences inside brick and mortar locations.



ACTION

FACILITATE RECREATIONAL ACTIVITIES FOR YOUTH

Engage Under 21s in Social Activities

El Paso’s under 21 population are too young to enter licensed premises but account for a large number of people who are looking for places to socialize (e.g. young residents, UTEP students and Ft. Bliss recruits). This group deserves equitable access to age-appropriate opportunities to connect with friends and peers and to learn how to do so safely. Currently, youth create their own gatherings at house parties or attempt to illegally drink at social venues. Some use alternative IDs, and in some cases, are not asked to show proof of age to enter venues without door staff. Since the Texas state ban on cities’ use of juvenile curfews in September 2023, curfews are not a viable option. Ignoring this population will only continue to have impacts on social venues and public space. Greater parental involvement is key, but there is recognition that many parents are low income and work multiple jobs to support their families. Military members and college students are no longer under the care of their parents.

Providing recreational opportunities can help facilitate socializing in safer settings and reduce youth involvement in crime. Featuring guest speakers who are influencers in film, sports, and gaming, as well as dance-a-thons, movie nights, etc. are ways to attract youth. While many programs already exist, there is limited awareness of these events, and cost and transportation can also be barriers. A coordinated initiative to engage youth in El Paso and Juarez both in English and Spanish will ideally involve youth in the planning and marketing to ensure interest and attendance. Investing in this population will pay dividends for the future of the City of El Paso.



CHECKLIST

Detailed Checklists for Social Venues

Review goal statements and checklists with recommended steps for each action item on a separate page.



SOCIAL VENUES



ACTION
Plan



PUBLIC SPACE



ACTION
Plan



ACTION

BALANCE EVENT VIBRANCY WITH SAFETY NEEDS

Leverage Safety Resources and Proactive Education

Events and festivals are a major contributor to the city's vibrancy, yet there are growing concerns by law enforcement regarding adequate provision of staff. The consistent gap in availability of off-duty officers for events can be filled by leveraging non-police resources provided they receive event safety training. These may include county sheriffs' deputies, constables (peace officers), retired police officers (if sponsored by the PD or a community college), DPS state troopers, college police and school resource officers. This may alleviate the current challenge of police department mandating overtime or drafting officers to work events when there are insufficient volunteers.

Development of systems to track and analyze the economic benefit and costs of each event will assist all parties with smarter resourcing. This should include regular after-action meetings between City departments and event organizers to review any incidents and to ensure long term success. Positive safety records should allow the City to consider reductions in security costs where possible.

Producers also requested greater transparency and guidelines on what to expect for security needs. While some factors for security are discretionary (e.g. history of the event producer, national security events), certain event components consistently trigger higher security needs, such as anticipated attendance and whether alcohol is served. In addition, event producers would benefit from greater proactive, educational resources and engagement opportunities.

The City should re-institute pre-event meetings to ensure a better planned event and create an Event Production guide with best practices for operations, management and safety to help event organizers produce consistently safe, well-managed events.



ACTION

ENHANCE THE PEDESTRIAN EXPERIENCE DOWNTOWN

Strategic Lighting and Parking Garage Improvements

The Downtown core is well-lit and inviting, especially El Paso Street due to decorative tree lighting and placemaking banners. There is an opportunity to make the pedestrian experience safe and seamless by activating the more remote parking areas on the periphery of the Downtown core (e.g. North of Mesa, Mill Street, Paisano), where there are less pedestrians, lighting is dim, and there are vacant businesses and neglected properties.

The addition of decorative lighting in currently dark paths and dead zones may help deter crime and nuisance activity. There is a more strategic opportunity to address targeted areas e.g. Texas Street, where streetlights are reported as consistently non-operational. There is also a need to address safety concerns associated with the parking garage located at Overland and Santa Fe, a forgotten asset run by the Convention Center, which is avoided by locals due to lack of cleanliness and presence of unsheltered.



CHECKLIST

Detailed Checklists for Public Space

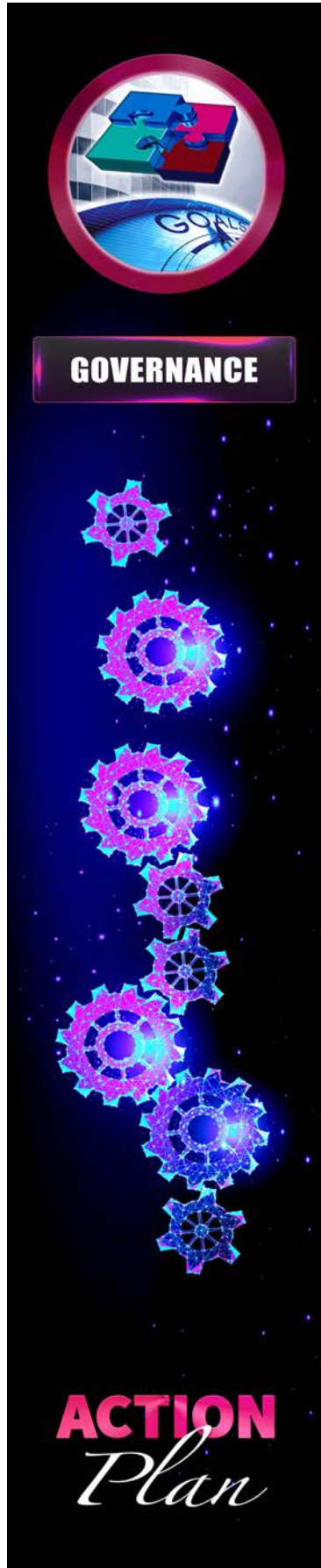
Review goal statements and checklists with recommended steps for each action item on a separate page.



PUBLIC SPACE



ACTION
Plan



HIRE A NIGHTTIME ECONOMY MANAGER

Create a Position Dedicated to Social Economy Governance

GOALS

Serve as a liaison between government and venue operators to convey new rules, and procedures; act as a communication hub between government agencies; develop and disseminate educational resources; mediate disputes between residents and venue operators; and establish transparency and consistency in interactions with key stakeholders.

STEPS: DETERMINE PLACEMENT AND FUNDING

- ☐ Create an advisory group to discuss pros and cons of different placement options and funding sources for the Nighttime Economy Manager position.
- ☐ Placement within government may be difficult but will give the position much greater authority to coordinate departments. Placement outside of government (e.g. within the Downtown Management District) may be viewed more positively by the hospitality industry, but the role may be limited in scope to one district versus citywide.

STEPS: SHORT-TERM STEPS ONCE THE POSITION IS CREATED

- ☐ Compile contact information for venue staff (owners, managers, servers) and set up an E-Newsletter that features educational content, notification of new rules/policies, and resources available.
- ☐ Set up trainings on relevant topics e.g. active shooter response, procedures for addressing an overdose, and use of Narcan.
- ☐ Develop resources for hospitality industry, including “how-to” guides.
- ☐ Facilitate monthly, then quarterly meetings among nightlife venue operators to discuss concerns and challenges.
- ☐ Facilitate monthly, then quarterly meetings among government agencies e.g. Police, Fire, Code Enforcement to discuss shared challenges and priorities.
- ☐ Schedule occasional educational forums (“Town Halls”) among venue operators and government agencies to discuss policy updates.
- ☐ Create a mediation program similar to NYC’s MEND program.



ENHANCE TABC LICENSE REVIEW

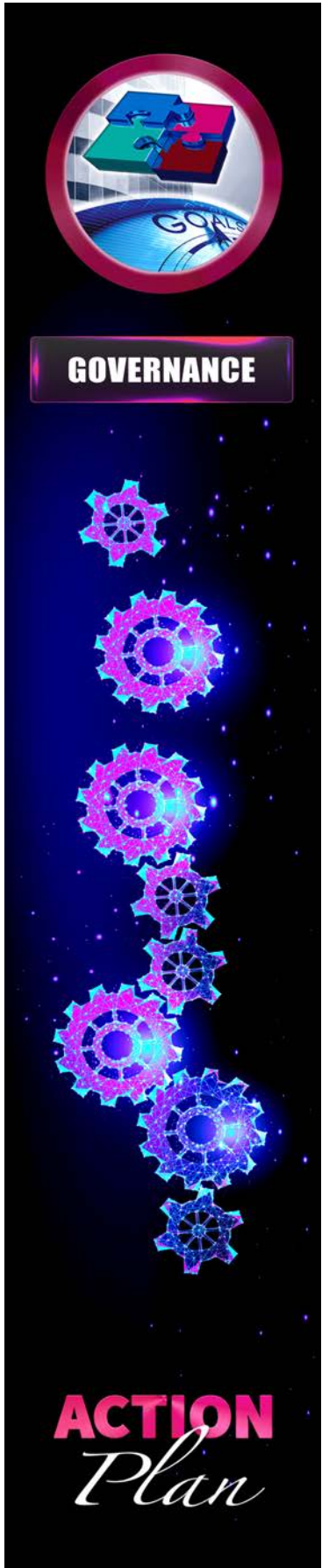
Route Notifications to Safety Agencies

GOALS

Close the identified gap in notification and awareness about new alcohol license applicants by safety stakeholders by creating automatic routing. Help safety agencies plan and update resource deployment based on new businesses in a social district. Add further review at City Council or City Management level to allow local input.

STEPS

- ☐ ALREADY DONE: One-Stop Shop staff opened an IT ticket to request new routing procedures. TABC Licensing Application Summaries and issuance notifications for both on-premise and off-premise service and sale of alcohol are now automatically routed to key stakeholders, including: Fire Department, Police Department and Code Enforcement Bureau.
- ☐ Consider additional routing by One-Stop Shop to council members’ offices or City Manager.
- ☐ When Code Enforcement staff receive TABC application summaries and issuance notifications to forward to Police Department’s regional command staff and any other key police stakeholders without an Accela account.
- ☐ Secure additional Accela software licenses for Police Department’s regional command staff and facilitate training of police on Accela.
- ☐ Explore additional information sources for a business owner’s contact information. Foster City/county partnership to ensure One-Stop Shop communicates the need for a county-issued Assumed Name Certificate, which is supposed to be renewed every 10 years. Identify how to access the county’s certificate information. Accela also has information on the business manager.
- ☐ If deemed necessary, initiate a review and protest process during the allowable TABC window: within 15 days after original application, 60 days before issuance and, and within 60 days of expiration for license renewals.





GOVERNANCE



ACTION
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CHECKLIST

ELEVATE LOCAL ALCOHOL LICENSE

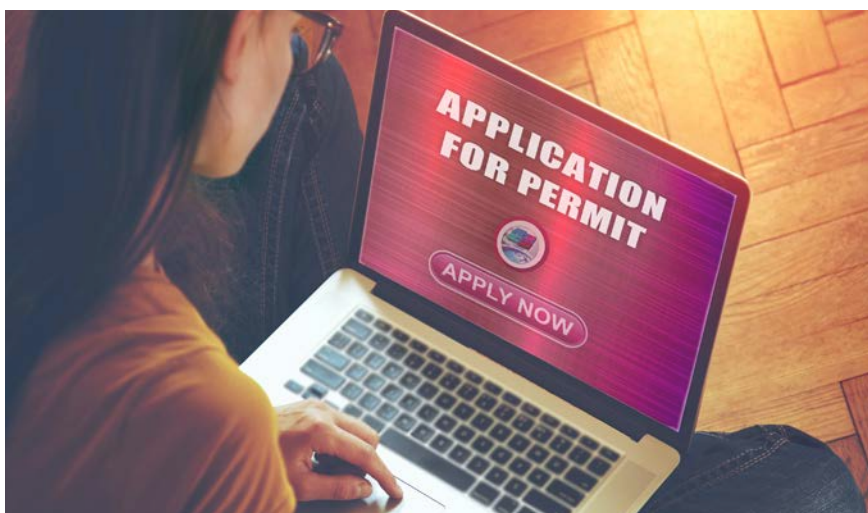
Place Conditions to Ensure High Standards of Operation

GOALS

Create a system for robust local input on new local alcohol license applications by safety and community stakeholders to communicate the City's expectations and conditions for operation.

STEPS

- ☐ Create a Local Alcohol License Review Process. Determine how to review individual licenses (sub-committee, staff review, etc.).
- ☐ Require the submission of business plan, security plan, neighborhood outreach, and sound mitigation with the application.
- ☐ Request Chief of Police to identify appropriate officer for reviews of new and renewing alcohol license applications and create timely turnaround deadlines.
- ☐ Create a list of neighborhood organizations and create an outreach process to ensure opportunity for input with a timely turnaround deadline.
- ☐ Consider creating a review committee (much like Special Event review meetings) where multiple government department representatives may discuss applications together if time allows.



CHECKLIST

ESTABLISH SYSTEMS OF PROACTIVE ENGAGEMENT

Provide Up-Front Educational Resources to Venues at Opening

GOALS

Increase awareness among new and established business owners about the City's expectations for their operations. Provide educational resources to help operators stay in compliance. Create trust between businesses and the City.

STEPS

- ☐ Economic Development Department's Business One-Stop Shop (BOSS) and current One Stop Shop staff to be trained on how to discuss business plan development with bars and restaurants.
- ☐ Police, Code Enforcement and Fire Department to collaborate on development of an educational safety guide on City, county and state rules and best practices in English and Spanish for venue operators to set them up for success.
- ☐ Develop a training video in English and Spanish on how to open a bar or restaurant with best practices on safe operations. Use the existing model of free online training for convenience stores.
- ☐ Distribute safety resources and training video to both the One-Stop Shop and the BOSS.
- ☐ Hold an annual forum where One-Stop Shop, BOSS and safety departments present about safety requirements and best practices.



GOVERNANCE



ACTION
Plan



GOVERNANCE



ACTION
Plan



CHECKLIST

ENHANCE SYSTEMS OF LOCAL/STATE COLLABORATION

Between TABC, Venues and the City

GOALS

Enhance communication between TABC, license holders, and a broader set of municipal decision makers. Recognize the mutual desire by City and TABC for businesses to operate safely and in compliance. Identify and address high-risk businesses in a collaborative and efficient manner.

STEPS: ESTABLISH ALCOHOL LICENSE DATABASE REVIEW PROCEDURES

- ☐ Request that TABC conduct a tutorial with the Police Department's data analysis teams on how best to export reports on license holders from <https://apps.tabc.texas.gov/publicinquiry/RosterLocation.aspx>
- ☐ Assign City staff a monthly database export and cross-reference with the previous month's listing to identify active business applicants that are new, as well as any TABC suspensions or revocations. Route this information in a monthly report to key City agencies (Police, Fire, Code).
- ☐ Communicate requests for improvements to the TABC database system, including the ability to filter out "blue sign" (restaurants where less than 51% of revenue is derived from alcohol sales) and "red sign" (bars where more than 51% of revenue is derived from alcohol sales) holders to better understand the number of restaurants and bars. Communicate what other information would be helpful.

STEPS: SCHEDULE GROUP MEETINGS AND TRAININGS

- ☐ Create a schedule of mutually agreed upon dates in-person, virtually and/or hybrid forums between City stakeholders, venue operators, and TABC.
- ☐ Pre-schedule an annual training ("refresher" and update to rules.)



CHECKLIST

REVISE THE NOISE ORDINANCE

Mitigate Sound Proactively and Enhance Consistency

GOALS

Identify proactive ways to mitigate sound. Increase transparency in sound readings and enhance consistency of enforcement.

STEPS

- ☐ Institute up-front education and training for new (and operating) social venue operators on sound requirements and rules. This may include training on sound meters and how they work.
- ☐ Require sound containment for social venues and include an inspection or test before operation begins. This will allow operators to understand where their limits are from the start.
- ☐ Set sound levels (dBA and dbC) for each venue by using sound technician or other trained staff to test sound system at highest volumes and lower to find the levels that do not violate higher than 10dBA above the ambient at the property line. This requires taking an ambient reading before levels are set.
- ☐ Consider setting sound levels at a district level, if venue level is not possible. Ensure consistent procedures for noise violation enforcement by Code and Police. Be clear that interaction needed with operator on site and also where reading will be taken (consistent property line).
- ☐ Consider changing violations for noise to administrative violations, like a parking ticket. Develop an administrative scheme with appeals process. This will eliminate the need for Municipal Court interaction, even outcomes, attorneys and witnesses. Administrative fines can trigger escalating penalties and can be extremely effective in changing behavior as they can be quite expensive if ignored.
- ☐ Consider changing violations for noise to administrative violations, like a parking ticket. Develop an administrative scheme with appeals process. This will eliminate the need for Municipal Court interaction, even outcomes, attorneys and witnesses. Administrative fines can trigger escalating penalties and can be extremely effective in changing behavior as they can be quite expensive if ignored.



GOVERNANCE



ACTION
Plan



GOVERNANCE



ACTION
Plan



CHECKLIST

REVISE THE OUTDOOR AMPLIFIED SOUND ORDINANCE

Close Loopholes and Expand Scope

GOALS

Remove loopholes in the current ordinance and make it more equitable to all areas of a city, anticipating the growth in housing.

STEPS

- ☐ Change permit application to allow for outdoor sound at all hours during operation if permitted with sound impact plan and mitigation.
- ☐ Inspect locations with permits prior to opening to ensure compliance.
- ☐ Consider using the permit more broadly to cover the entire premises if doors and windows allow sound to leave the premises.
- ☐ Remove the DMD exemption.
- ☐ Eliminate the 350-foot rule and apply permit to ALL venues with outdoor amplified equipment.
- ☐ Set up educational and financial assistance for venues to help soundproof and purchase equipment that is appropriate for the venue.
- ☐ Ensure compliance agency has the capacity to manage permittees and clear rules and guidelines that can be fairly applied across the city.



CHECKLIST

CREATE A RIDESHARE HUB

Promote Safe Rides Home

GOALS

Reduce DWIs and lower both vehicle and pedestrian collisions and fatalities involving alcohol consumption. Improve traffic safety and pedestrian safety. Alleviate traffic congestion to clear the Cincinnati area faster at closing time. Provide a reliable, safe way for venue patrons to return home from venues.

STEPS

- ☐ ALREADY UNDERWAY: A proposal by EPPD for more parking along Stanton for rideshare vehicles.
- ☐ Confirm existing curb-cut area on Stanton and Cincinnati area can be used for the rideshare hub.
- ☐ Update signage to clearly mark the location as a rideshare hub. Include hours of operation.
- ☐ Inform law enforcement about the hub so vehicles no longer occupy spaces dedicated to rideshares.
- ☐ Initiate contact with Uber and Lyft to discuss the plan. Explore geo-fencing to restrict pick-ups to the designated location.
- ☐ Identify and address safety concerns or barriers such as lighting, queue management, wayfinding, etc.
- ☐ Launch an educational campaign to provide venue operators with the rideshare voucher QR code and information about the hub. Request venues share information on social media, newsletters, and other marketing campaigns.



MOBILITY



ACTION
Plan



MOBILITY



ACTION
Plan



CHECKLIST

STRENGTHEN PARKING ENFORCEMENT

Deter Patrons from Parking in Kern Place

GOALS

Discourage parking in the Kern Place neighborhood by venue patrons by providing an effective “stick” (enforcement) while also educating patrons about their parking options.

STEPS

- ☐ Convene meetings with venue operators, residents, Code Enforcement, Police and Parking Enforcement, and representatives of City-contracted towing companies to discuss the plan.
- ☐ Develop educational flyers that can be distributed digitally and on parked cars.
- ☐ During the education and notification phase, place flyers on every Friday-Saturday night for a certain number of weeks in the Kern Place neighborhood warning their car will be ticketed and towed starting on a certain date. Include information on the rideshare voucher and available parking at the Mesa Street garage.
- ☐ After the grace period, deploy enforcement officers.
- ☐ Coordinate with towing companies to designate a temporary holding location near Cincinnati area to bring vehicles to efficiently drop off a large number of vehicles. Ensure a rotation of tow trucks and companies. Explore whether UTEP’s parking lot could be used for this purpose.
- ☐ Identify ordinance changes to allow tow companies and Code Enforcement to authorize tows without police officers being dispatched.



CHECKLIST

INCREASE USE OF MESA STREET GARAGE

Cincinnati Area Patrons and Employees

GOALS

Promote use of Mesa Street garage as the preferred parking location for Cincinnati area patrons and address barriers and concerns with crossing Mesa Street.

STEPS

- ☐ Explore infrastructure upgrades with the Texas Department of Transportation to address safety concerns with crossing the state highway. Ideas include traffic calming devices, better lighting, increasing crosswalk time beyond 15 seconds, and installation of flashing lights. An ideal model is close to the Don Haskins Center.
- ☐ Re-initiate exploration of installation of an above-ground bridge similar to the pedestrian overpass on Montana Street as well as the pedestrian bridge located in the NE used to cross Dyer Street to Chapin High School.
- ☐ Identify non-police staffing ideas for a crossing guard to facilitate crossings.
- ☐ Develop marketing materials to distribute digitally and in flyers to venue operators and patrons. Information should inform people that the parking garage is well-lit, ample spots are available, parking is free after 8pm (except on event days), and that overnight parking is an option for a max of \$10 if a patron cannot safely drive home. The rideshare voucher can also be included.
- ☐ Create an objective measurement system to track the number of people parking in the garage to evaluate metrics of use.
- ☐ Identify whether private security currently monitors the garage.
- ☐ Explore signage needs to assist with wayfinding of pedestrians leaving the garage to access Cincinnati area. (Currently, the garage funnels pedestrians to the Don Haskins Center).



MOBILITY



ACTION
Plan



QUALITY OF LIFE



ACTION
Plan



CHECKLIST

EXPAND NOTIFICATION AREA FOR RESIDENTS

Alcohol Licenses and Outdoor Amplified Sound Ordinance

GOALS

Increase distance (if possible) of notification of TABC applications to residents to be more inclusive of the broader neighborhood that may be impacted. Suggest notice to include City Council. Enhance the reach of notice to include renters, not just property owners.

STEPS

- ☐ Explore how to increase distance requirements for TABC's alcohol license issuance and renewal and the City's outdoor amplified sound ordinance e.g. through a law, code or policy.
- ☐ Clarify discrepancy in notification area for the City's Amplified Sound Permit application: Municipal Code Chapter 5.03.040, subsection (B) (1) indicates that the City will notice property owner and neighborhood associations within a 350' radius, but also indicates in subsection (B)(3) that "the permit official shall notify every abutting residential property owner and any other residential property owner(s) within a one hundred fifty-foot radius, measured from the center point of the outdoor area of the establishment, for the purpose of securing a written response from each notified property owner."
- ☐ Recommend to the TABC an additional requirement that business owners must show proof of notification to the local neighborhood association, if one exists.
- ☐ Engage the Kern Place Neighborhood Association with the One Stop Shop on improvements to current notification procedures. e.g. provision of digital communication (email) to neighborhood associations in proximity to new or renewing TABC licensees as well as for the outdoor amplified sound ordinance.
- ☐ Explore how residents can interact with City Council with respect to TABC protest standing.



CHECKLIST

COORDINATE MORE FREQUENT TRASH PICK-UPS

Enhance Cleanliness of Cincinnati Area

GOALS

Achieve higher standards for cleanliness in Cincinnati area by ensuring trash is placed in appropriate receptacles and consistently picked up at a frequency that ensures dumpsters do not overflow. Ensure that businesses are given time to adjust to new requirements and schedules.

STEPS

- ☐ Identify all private companies that provide trash disposal and waste management services (e.g. El Paso Disposal, Heist Disposal etc.).
- ☐ Identify which businesses are contracted with which trash disposal company and which are currently sharing dumpsters. Identify which businesses are not contracted with a trash disposal company.
- ☐ Review pick-up dates for trash and identify how to increase frequency to address increased trash production on Friday and Saturday nights.
- ☐ Distribute educational materials on rules for dumpster storage and use. Encourage users to add locks to deter unauthorized people from using their receptacles.
- ☐ Educate first, and then enforce with consistency.



QUALITY OF LIFE



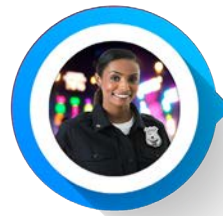
ACTION
Plan



PUBLIC SAFETY



ACTION
Plan



CHECKLIST

CREATE A SPECIALIZED HOSPITALITY UNIT

Community Policing for Social Clusters

GOALS

Engage in proactive community policing methodology. Facilitate consistency in officers, who will be specially trained and subject matter experts in rules related to alcohol serving businesses. Reduce costs by transitioning from mandated overtime to on-duty straight time. Address officer burn-out.

STEPS: ESTABLISH THE UNIT

- ☐ Engage police association.
- ☐ Create a straight time unit with on-duty officers deployed to social districts. Unit can originate out of police headquarters, then as needed, develop region-based units for each regional command station.
- ☐ Determine number of supervisors, patrol officers and shift schedule.
- ☐ Identify the scope of the unit to include active social clusters such as Cincinnati, Five Points, 1200 block of Airway, 1400 block of Zaragoza, etc.
- ☐ Daytime weekday duties may include community policing i.e. stakeholder engagement with community members, City departments such as One Stop Shop, landlords, and venue operators. Educational trainings may also be scheduled with venue staff.
- ☐ Nighttime weekend duties (Friday/Saturday nights) may include inspections when venues are operating and check-ins with venue staff.
- ☐ Base the selection of officers on a specific interview and evaluation of character traits and experience levels. It is critical that the officers are interested and enthusiastic about being assigned to a social cluster.

“My hope for the Sociable City Assessment is to foster a vibrant community where open connections thrive, echoing the warmth and diversity of El Paso’s social economy. I love how our city embraces cultural richness and fosters inclusivity. I also aspire to see improved infrastructure for communal spaces, organized governing processes, and enhanced support for local businesses without sacrificing our beloved residential communities.”

~ Tonya Shields, Lieutenant, El Paso Police Department

STEPS: CREATE TRAINING CURRICULUM

- ☐ Specialized and comprehensive training should be required for social cluster officers beyond what is provided during the regular academy and in service classes. This should apply to any units that interact with social venues, including the on-duty Hospitality Unit and the Downtown Metro Unit.
- ☐ Develop specialized training for social clusters. Topics: de-escalation, military jurisdiction, alcohol license rules, TABC rules, conducting bar checks, etc.
- ☐ County prosecutor will develop a guide on how to document observations that can be used for the Nuisance Abatement Team.



PUBLIC SAFETY



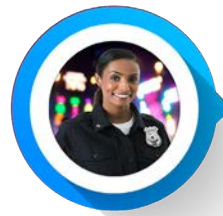
ACTION
Plan



PUBLIC SAFETY



ACTION
Plan



CHECKLIST

ESTABLISH QUARTERLY FORUMS

Facilitate Safety and Venue Communication

GOALS

Create trust-building opportunity between government and business operators. Move the narrative towards compliance instead of enforcement.

STEPS

- ☐ Schedule quarterly meetings in advance.
- ☐ Inform business owners about meetings.
- ☐ Broaden stakeholder invitations to include Downtown, Cincinnati, Zaragoza and other active social clusters.
- ☐ Develop a best practices guide based on content delivered in trainings.
- ☐ Curriculum can include any new policy or ordinance updates from police, fire, code that affects venues.
- ☐ Conduct meetings in a neutral facility such as a community room (not City Hall or law enforcement offices).
- ☐ Identify incentives the City can offer for venues to voluntarily participate in best practices. For example, if all a venue's staff is seller/server certified, there could be a reduction in permit fees, lower renewal or bond fees, etc.



CHECKLIST

CONTINUE CONNECTIVITY: CITY AND FORT BLISS

Newcomers Briefs and Leadership Events

GOALS

Provide multiple opportunities for the City and Fort Bliss to collaborate. Educate military personnel about behavioral expectations off-base and when patronizing social venues

STEPS

- ☐ Engage police and the Public Information Officer (PIO) to develop consistent messaging about behavioral expectations for military personnel in relation to social districts, discuss DWIs and the off-limits bar list.
- ☐ Identify police representatives as speakers and coordinate with the PIO on weekly presentations.
- ☐ Police and the PIO to develop a video that can be played at Fort Bliss's in-processing meetings.
- ☐ Prepare for upcoming Senior Law Enforcement Conference to discuss priorities for partnerships between the City and Fort Bliss and to ensure smooth transition when military leadership turns over every two years.



PUBLIC SAFETY



ACTION
Plan



PUBLIC SAFETY



ACTION
Plan



CHECKLIST

CREATE BAR CHECK PROTOCOL FOR POLICE

Create a Partnership-based Approach to Venue Safety

GOALS

Foster a more collaborative, partnership-based approach to bar inspections with transparent communication about what is being observed. Facilitate opportunities for more up-front education prior to enforcement. Ensure consistency in procedures across law enforcement and City departments involved in bar checks.

STEPS

- ☐ Develop educational resources for law enforcement and City departments to communicate in advance to venue operators the kinds of violations they are looking for and how to address them to achieve compliance. (See action: Establish Quarterly Forums: Facilitate Safety and Venue Communication).
- ☐ Wherever possible, conduct inspections at times that are not the peak time for business operations such as inspection of ice machines, temperature controls, exits, etc.
- ☐ Co-create a protocol for Bar Checks, including standard procedures for a police supervisor to ask to speak to the bar manager or owner and inform them that they are about to do a bar check. When possible, inform venue staff about what they are looking for.
- ☐ Venue operators to develop training and protocols for venue staff on how to respond to a bar check and interact with law enforcement.
- ☐ Model police's protocols on Fire and TABC, which are noted as excellent models for being forthcoming on why an inspection is being conducted.
- ☐ Review NYC's "Coordinating a United Resolution with Establishments" (CURE) model (details in Model Practices), which provides multiple opportunities for correction prior to enforcement.



CHECKLIST

ESTABLISH A NO LOITERING ORDINANCE

Facilitate Closing Time Egress in Social Clusters

GOALS

Empower law enforcement with a tool to assist with district egress after closing time. Reduce potential sound and safety impacts by clearing a district faster.

STEPS

- ☐ Police should meet with City Attorney and policy makers to create the no loitering ordinance if allowed.
- ☐ Clearly define what constitutes a social venue, bar or nightclub.
- ☐ Educate and train venue operators and security on the use of the ordinance and its purpose. Educate police officers who may use the ordinance on proper methodology.
- ☐ Require signage on relevant venues that can be useful for patrons and security for warning prior to citation or arrest.
- ☐ Create marketing campaign to educate patrons and younger populations that may be impacted by this ordinance.



PUBLIC SAFETY



ACTION
Plan



CHECKLIST

DEVELOP BASELINE VENUE SAFETY STANDARDS

Elevate Professionalism and Enhance Patron Safety

GOALS

Elevate professionalism in the nighttime social economy. Provide educational resources to teach staff how to prevent and de-escalate problems inside and outside venue.

STEPS

- ☐ Host a series of discussions between law enforcement (Police, Fire, Code Enforcement, TABC, County prosecutor) and venue owners, operators and staff about best practices for safety and operations of venues that serve and sell alcohol.
- ☐ This group can review existing best practice guides (see RHI’s Model Practices section) and adapt for El Paso.
- ☐ Adopt and implement 24 Hour Dallas’s Copper Star Certification program. Explore using “Buy El Paso” as a communication mechanism to promote venues that participate in the certification program.
- ☐ The City can pay for a TABC-certified third-party trainer to provide seller/server training at no cost for venue operators every quarter.
- ☐ Identify security training companies for social venues. Explore whether incentives can be introduced such as reduced fines or penalties for participation.
- ☐ Police department to provide free trainings on venue security/safety.
- ☐ Engage insurance companies to identify premium reductions if businesses participate in security trainings.
- ☐ Explore ways to provide financial incentives for business expenses.



CHECKLIST

SEXUAL VIOLENCE PREVENTION PROGRAM FOR VENUES

Support Women’s Safety in Social Venues

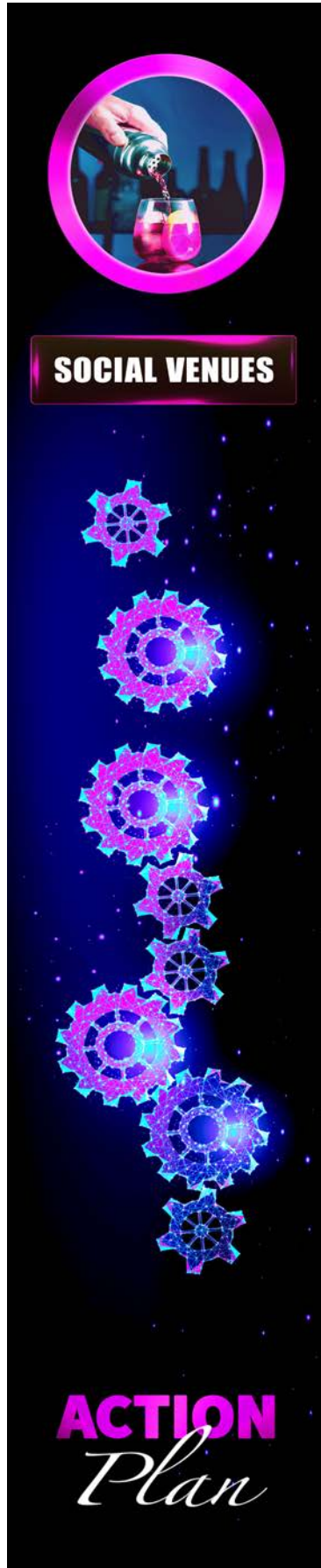
GOALS

Raise public awareness of the need for sexual violence prevention in nightlife environments; educate venue ownership, management and staff about how to prevent sexual violence; educate bystanders on how to intervene in situations of sexual violence in social venues; and change social norms around sexual violence in nightlife settings.

STEPS

- ☐ Form an advisory group on prevention of sexual violence in venues.
- ☐ Identify and engage relevant stakeholders representing women’s health, sexual assault response, crisis advocacy, and the university.
- ☐ Gather baseline data for if/when sexual violence has been reported associated with a social venue.
- ☐ Review Women’s Safety Charter model (London and Bristol, England) for an existing model for citywide commitment and educational training.
- ☐ Develop messaging and graphic design to best engage the target audience (young adults 18-24) in crafting messaging and imagery that resonates with them.
- ☐ Develop and distribute educational materials for social venues to post in key locations e.g. bathrooms, dance floors
- ☐ Develop and launch social media messaging campaign with handle, hashtags, etc.
- ☐ Engage local advocacy and support resources, such as The EmpOURmentProject (Centro Contra la Violencia Sexual Y Familiar).





CREATE AN EL PASO NIGHTLIFE ASSOCIATION

Advocate for Change with a Unified Voice

GOALS

Create a unified voice to advocate for changes in policy and compliance. Establish a mechanism for self-regulation, peer mentorship, and education before enforcement action. Increase professionalization of the industry.

STEPS

- ☐ Compile a list of stakeholders to invite citywide. Engage the TRA, Visit El Paso, and DMD to identify all qualified venue owners.
- ☐ Formalize the group as a trade association or simple organization.
- ☐ Schedule regular meetings to determine priority areas.
- ☐ Organize group trainings to professionalize staff at all levels.
- ☐ Find support for an economic impact study of the industry.
- ☐ Advocate for desired application of the alcohol sales tax revenue (contributions are made to the City, county and state) to fund initiatives or programs that will benefit safety and management of social venues that generate the revenue.

PROMOTE SOCIAL VENUES TO VISITORS

Engage Visit El Paso to Enhance Marketing of the Social Economy

GOALS

Raise awareness among visitors about key social districts where they can find clusters of social venues, as well as unique bars and clubs.

STEPS

- ☐ Engage with Visit El Paso to develop a marketing and branding campaign around El Paso's social economy, highlighting nighttime social experiences in bars and clubs.
- ☐ Identify other organizations that market El Paso online or with social media. Use the same branding and marketing.
- ☐ Tie in marketing to businesses participating in the Copper Star Program. (See Venue Safety actions).



FACILITATE RECREATIONAL ACTIVITIES FOR YOUTH

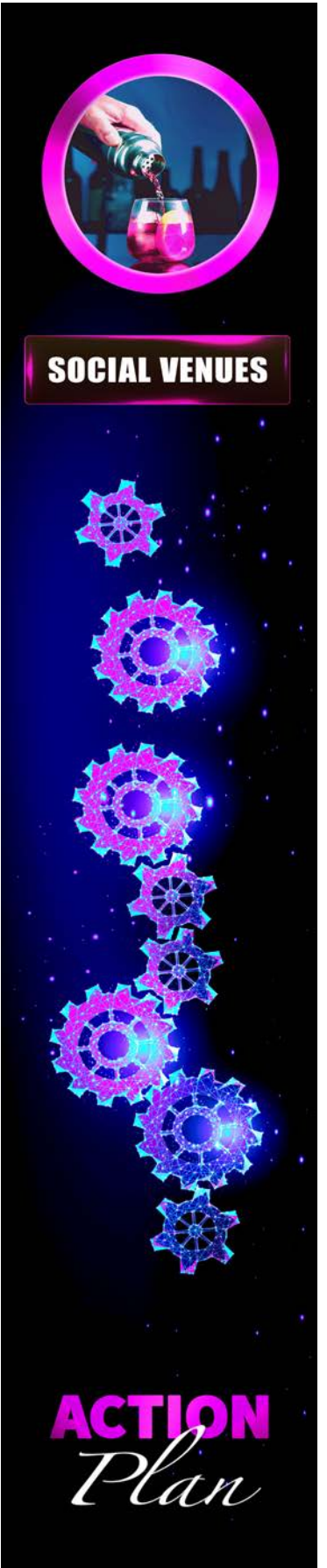
Engage Under 21s in Social Activities

GOALS

Provide social opportunities for under 21 residents. Engage youth in advocating and planning recreational programming. Reduce the incidence of youth involved in crimes, juvenile detentions and prosecutions. Better promote existing options to a broader network.

STEPS

- ☐ Engage existing youth-oriented groups with youth programming on evenings and weekends. e.g. Community In Schools; Project Vida; Salvation Army - Music and Arts Conservatory; El Paso Public Libraries; La Familia Del Paso; El Paso Center for Children; Borderland Rainbow Center; Youth Opera Of El Paso; El Paso Jazz Girls; Borderland Family Ties; Paso Del Norte Children's Development Center; Fab Lab El Paso.
- ☐ Provide a calendar of upcoming events to distribute online or in person. Promote activities at schools, libraries and parenting classes.
- ☐ Make announcements through social media platforms the intended audience uses i.e. Tik Tok and Instagram, etc.
- ☐ Involve youth in design and planning. Involve them in promotional materials and social media marketing.
- ☐ Ideas may include (for pop-ups, events, temporary activations, etc.): youth dance nights, dance-athons, movie nights, roller skating, guest speakers, athletes and influencers whom youth are interested in; Twitch seminars on how to start your own Twitch channel; gaming seminars on how to become a pro-gamer.
- ☐ Involve Youth Councils or student government.
- ☐ Ensure program information is provided in both English and Spanish.
- ☐ Coordinate communications with stakeholders both in El Paso and Juarez, as kids live in both cities. Address barriers such as cost and transportation. Develop activities in regional locations.
- ☐ Engage the City's Communications officer to promote activities and help identify grants and incubation opportunities.





PUBLIC SPACE



ACTION
Plan



CHECKLIST

BALANCE EVENT VIBRANCY WITH SAFETY NEEDS

Leverage Safety Resources and Proactive Education

GOALS

Balance benefits of events with costs for safety resources. Create systems to facilitate appropriate safety staffing for events. Help event organizers produce consistently safe, well managed events.

STEPS

- ☐ Develop a system to gather and analyze data on event benefits, including revenue to the City (permit application, parking revenue) and indirect revenue (hotel stays, eating out), and actual attendance.
- ☐ Track the percentage of how many large-scale events were not able to meet security requirements.
- ☐ Analyze data about the costs of events: City government staffing for safety e.g. if police needed to draft officers to work the event, mandated overtime, cost of performing arrests and transports to jail, as well as increase in calls for service (311 and 911).
- ☐ Examine need and cost for dedicated on-duty police resources for events i.e. 1-2 police supervisors, 1 located inside, and 1 outside an event.
- ☐ Investigate training for non-police security resources to be available and trained to provide event security. e.g. College police, DPS (state troopers), County Sheriff's deputies, school resource officers, constables (peace officers), and retired police officers (if sponsored by an agency like PD or community college).
- ☐ Request additional budget be allocated to police dept for: consistent development of after-action reports for large scale events and staff participation in after-action meetings in follow-up to an event.
- ☐ Engage event producers in pre-event meetings with government departments and after-action meetings with law enforcement, especially if an event generated safety challenges. (Currently after-action meetings take place internally with police).
- ☐ Develop an event production guide outlining best practices for event management and criteria for an event that may require extra security needs. Host trainings for event producers on a biannual basis.



CHECKLIST

ENHANCE THE PEDESTRIAN EXPERIENCE DOWNTOWN

Strategic Lighting and Parking Garage Improvements

GOALS

Increase lighting Downtown to make the pedestrian experience more inviting, deter crime and nuisance behavior. Encourage more businesses to open in the periphery to further activate those areas.

STEPS

- ☐ Identify key parking garages and strategic pathways where visitors park to attend events and social venues.
- ☐ Engage the Streets and Maintenance and Building and Safety departments to review lighting (and possible capital) improvements in strategic pathways from remote parking areas to the Downtown core.
- ☐ Facilitate a meeting with The Electric Company and Streets and Maintenance department to mediate dispute over responsibility for keeping Texas Avenue's streetlights operational.
- ☐ Implement ambient lighting in key passageways with twinkle or string lighting that runs parallel to the street, especially from parking garages to the Downtown core.
- ☐ Engage DMD and Convention Center staff to do a walk-through at night of the parking garage at Overland and Santa Fe (southside of Hotel Paso del Norte). Identify improvements to cleanliness to make the garage more appealing and revenue-generating. After naming the garage, market and promote it. Track increased use.
- ☐ Identify and partner with private property owners with vacant buildings to add exterior lighting. Introduce the DMD's lighting grant program as a resource.
- ☐ Explore whether private property owners can be mandated to provide exterior lighting at night if buildings are neglected and not well-maintained as part of nuisance abatement or the abandonment and vacant building standard enforced by Building and Safety Department.
- ☐ Explore whether the City can require tenants to add lighting fixtures to their adjacent alleyways.



PUBLIC SPACE



ACTION
Plan

Cities from around the world have overcome challenges in the social economy. This section of the report shares strategies to consider as models when implementing RHI's recommended action plan for your community.



GOVERNANCE

Sound Ordinance and Implementation of Admin Fines

San Francisco, CA Police Code, Article 29: Sound Ordinance

General sound regulation for commercial businesses is codified in the police code. “No person shall produce or allow to be produced by any machine, or device, music or entertainment or any combination of same, on commercial or industrial property over which the person has ownership or control, a noise level more than eight dBA above the local ambient at any point outside of the property plane.” Noise or music associates with licensed places of entertainment must also not “exceed the low frequency ambient noise level...by more than 8 dBC.” URL: https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_police/0-0-0-6461#JD_Article29

Administrative Violations for Commercial Sound

San Francisco, CA Entertainment Commission (SFEC)

Sound violations by venues with entertainment permits are measured by sound technicians under the auspices of the Entertainment Commission. The levels for each venue are set by a technician before the venue is open for business. The level is then delivered in writing via an Entertainment Permit, which indicates max dBA and dBC inside. Violations then can be measured outside at the curb, or inside at the venue. The San Francisco Municipal Code, Chapter 100, sets procedures for all administrative fines (not just sound). Chapter 100 is clear in the scope and findings that the City of San Francisco has a significant interest in encouraging compliance with its laws. To that end, City Codes often include a variety of remedies, including the right of City departments to issue citations to violators and to require such persons to pay an administrative fine. Moreover, the imposition of administrative fines is not intended to be punitive in nature, but is instead intended to compensate the public for the injury and damage caused by the prohibited conduct. The fines are intended to be

reasonable and not disproportionate to the damage or injury to the City and the public caused by the prohibited conduct. URL: https://codelibrary.amlegal.com/codes/san_francisco/latest/sf_admin/0-0-0-21404#JD_Chapter100.

Sound Ordinance Example

Austin, Texas

Austin (similar to El Paso) has only a permit for outdoor sound at venues. They use general sound ordinance language to enforce commercial sound levels overall. Their general sound ordinance high level is set at 85dBA measured at the property line. Chapter 9.2 of Austin’s Muni Code is Noise and Amplified Sound. Section 9-2-4 outlines restrictions on decibel levels and times of day and night for operational businesses. Additionally, music at outdoor venues uses language that speaks to three distinct social districts and makes allowances for those areas. See Section 9-2-30 for how this is implemented URL: https://library.municode.com/tx/austin/codes/code_of_ordinances?nodeId=TIT9PRAC_CH9-2NOAMSO

Office of Nightlife and Night Manager Position

Texas: Austin and Dallas

The gold standard in social economy management is to establish an Office of Nightlife and a Night Manager position (i.e. Executive Director of the office). Seventeen U.S. cities have created such positions, which communicates City leaders’ investment in safe, vibrant nightlife and ensures continuity and sustainability of social economy governance. The position serves a liaison between businesses and government, allowing all City agencies one point of contact and businesses a direct contact inside “City Hall.” These Night Managers interact with neighbors and neighborhood associations, working to mediate conflict and resolve sound and nuisance issues. This can drastically lighten the load for elected officials who often bear the brunt of neighbor complaints. While the position is often located (with best results) within City government to oversee citywide social clusters, it could be considered under a BID or other non-profit.

Nighttime Governance Analysis Report by RHI

San Francisco, Pittsburgh, New York and DC

A report generated by RHI, funded by Milwaukee Downtown BID21, provides an analysis of what makes a successful nighttime governance system. Research was conducted of four case study cities, which have a combination of staff positions, Offices of Nightlife, and/or Advisory Boards. The report includes the methodology for establishing an office, sample job descriptions of the position, sample enabling legislation and success metrics. URL: https://sociablecity.info/services/milwaukee/rhi_milwaukee_2022_report_final.pdf

NITECAP ALLIANCE

Network of Nighttime Economy Professionals

The NITECAP Alliance is a network of professionals responsible for nighttime economy advocacy, planning and management in US cities to share experience, policies and practices; raise awareness about nighttime economy and culture across disciplines; and highlight the value and importance of this role within City government. They connect with related professionals and other nighttime economy champions to build broader alliances that support the development of vibrant nighttime economy and culture. URL: <https://www.nite-cap.org/>

New Business Orientation and CPTED Review

Milwaukee, WI

Once an alcohol license is applied for, key stakeholders provide an informal orientation. The community prosecutor (assistant district attorney) and police department’s community liaison officer conduct an informal meeting to orient the business operator to the downtown environment, how to keep their employees safe, and even conduct a Crime Prevention Through Environmental Design (CPTED) review of the interior and exterior (e.g. lighting, parking) of the business to provide suggestions. Business Improvement District (BID) staff also conducts an application review with the community liaison officer to orient operators to their neighborhood.



STRATEGIES

MOBILITY

Rideshare Hub Pilot Program

Orlando, FL

Downtown Orlando launched a Rideshare Hub Pilot program to coordinate safe rides home at closing time. Two rideshare hubs are in operation on Fridays and Saturdays from midnight to 3:00 a.m. The hubs not only centralize where nightlife patrons pick up their Lyft or Uber ride, but also include food trucks, public restrooms and dedicated security. URL: https://sociablecity.info/resources/case_studies/orlando_hub.pdf

Pick-up/Drop-off (PUDO) Zones

Washington, DC

“Pick up/Drop-Off (PUDO) Zones” are 24 hour/day designated curbside locations for taxis and ride-share vehicles to pick-up and drop-off passengers. Parking is not allowed in these commercial loading areas, designed to reduce the number of vehicles that stop in travel lanes, bike lanes and crosswalks, thereby reducing traffic congestion and pedestrian injuries. URL: <https://www.youtube.com/watch?v=FQSmHfQ3e1Y> and <https://www.parkdc.com/pages/programs> centralize where nightlife patrons pick up their Lyft or Uber ride, but also include food trucks, public restrooms and dedicated security. URL: https://sociablecity.info/resources/case_studies/orlando_hub.pdf

South Side Parking Enhancement District

Pittsburgh, Pennsylvania

The South Side, Pittsburgh’s most active social district, which generates the most safety incidents, does not have a Business Improvement District. As a source of funding, the neighborhood launched a Parking Benefit District. As of 2023, the district brought in an average of \$20k in revenue per month, \$15k of which is used to pay a cleaning team. Remaining funds are used for safety expenditures including police cameras and officer training to attend annual RHI’s Sociable City Summit.




STRATEGIES

PUBLIC SAFETY

RHI’s Public Safety and Policing Guide

Best Practices for Nightlife Districts

RHI produced this comprehensive guide in cooperation with police input and based upon a decade of research and collection of practices among police departments worldwide. This guide contains ten sections highlighting nighttime public safety practices in officer selection, recruitment incentives, deployment strategies, specialized training topics, application of CPTED and SARA, as well as data collection for data-driven decision making in nightlife settings. The guide has been presented at Major Cities Chiefs Association.

ENGLISH: https://sociablecity.info/cms/resources/publications/rhi_originals/rhi_nightlife_policing_safety_guide.pdf.

SPANISH: https://sociablecity.info/cms/resources/publications/rhi_originals/garantizar_la_seguridad.pdf

Police Entertainment Team (E-Team)

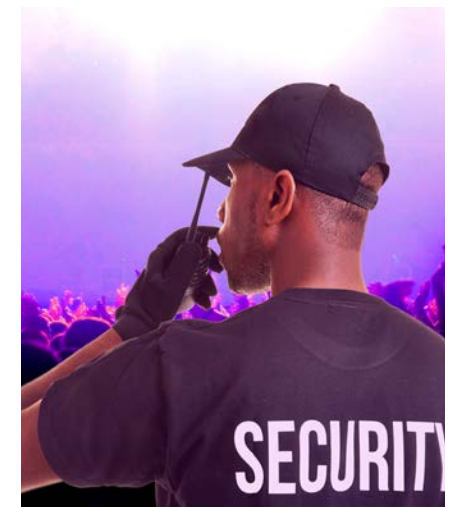
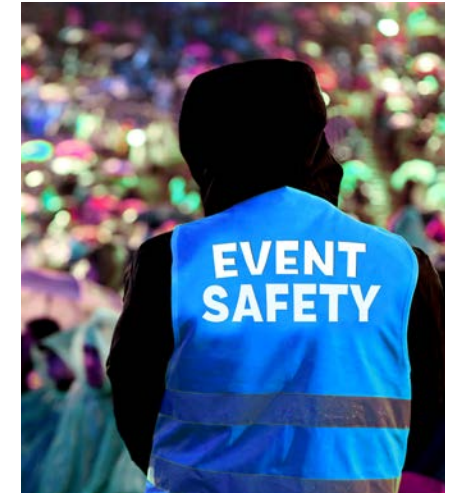
Sacramento, California

The E-Team has five members, all on-duty and dedicated to entertainment venues: four officers and one sergeant (supervisor). Shifts go from 5:00 p.m. until 3:00 a.m. They drive to different social clusters (responding to calls for service along the way), then park and interact in an informal, friendly manner with venue staff and managers. Officers are each assigned a cluster of venues to establish proactive relationships. They do preventative check-ins, follow up on complaints, review prior calls for service, and conduct crime investigations. The E-Team works closely with code enforcement officers and fire inspectors to proactively ensure compliance with City code and operating conditions.

Specialized Training for Police in Nightlife

Edmonton, Alberta, Canada

Edmonton’s police department has a 3-day training for officers assigned to entertainment districts, some of which takes place inside a nightlife venue. Topics include: Alcohol Regulations and Licensing; Fire Safety and Occupancy; Sound and Conflict Resolution; Responsible Beverage Service; Code Enforcement; Response to Drugs, Gangs and Motorcycle Gangs; Active Shooter Scenario Inside a club; Defensive Tactics; De-Escalation; Crowd Management, etc.





PUBLIC SAFETY (CONTINUED)

Public Safety Compliance Team (PSCT)

Edmonton, Alberta, Canada

The PSCT is a multi-agency team designed to coordinate the efforts of the municipal and provincial agencies involved in the licensing, regulation and enforcement of licensed business establishments. Members include police, fire, health, and the state liquor commission. Functions include: “meeting with establishment owners and staff to offer information and education about safety and regulations; addressing community concerns about licensed establishments; conducting unscheduled visits to licensed establishments...to ensure compliance with legislation, regulations and safety standards; conducting follow-up visits to ensure compliance with current regulations and legislation and to ensure best practices are in place. Member agencies may issue fines or administrative sanctions for non-compliance, then recommend operating conditions on an establishment’s business license or supporting the closure of a venue for continued non-compliance to necessary changes.”

Coordinating a United Resolution with Establishments

New York, NY

CURE brings together the NYPD, Small Business Services, and the Office of Nightlife to improve public safety responses to nightlife establishments and better engage business owners by focusing on compliance and education, not punitive enforcement. This is a program that illustrates the City’s commitment to moving from an enforcement, or gotcha, mindset to one that prioritizes compliance and issue resolution. URL: https://ra.co/news/79998?fbclid=PAAab2if-DHG9_1FjgcgEtdwL1LjhKGn0ibll3_fXarzL5MB8RnPr8FhXdR-U_aem_t5s3IalFLnqjUzP1G6fvuEJiXUodhU9xjpyMnsPcAPLSHkKDnTJZ5Uh9IX2VY8



VENUE SAFETY

Nightlife Venue Best Practice Guides

RHI’s Compilation of Model Practices

RHI has compiled nearly a dozen examples of guides that address the distinct safety and security needs of nightlife venues. Cities that have developed best practice guides in cooperation with police and social venues include New York City, San Francisco, Seattle, Washington, DC, Boston, and Providence. Topics include how to prevent underage drinking, over consumption of alcohol, drug sales and violence. URL: <https://www.sociablecity.org/media/resources/venue-guides>

Guide for Opening a Nightlife Business

Seattle, WA

The City of Seattle and the Office of Film + Music created a Nightlife Establishment Handbook as a guide for starting or expanding a nightlife business. The handbook provides a resource directory and outlines various rules and regulations, as well as guidance on business plan development. Best practices are also included on how to mitigate noise, maintaining neighborhood relations, and safety operations. URL: <https://www.seattle.gov/filmandmusic/nightlife/nightlife-handbook>

Quarterly Pubs, Clubs and Bars Meetings

Sacramento, CA and Dallas, TX

Pubs, bars and clubs meetings are an opportunity for safety stakeholders to meet with venue owners, managers and security staff and to have an open dialogue about shared challenges and concerns. Guest speakers provide training and share useful information

Alcohol Law Education & Regulatory Training

Montgomery County, MD ABS

“ALERT is designed to educate...servers, sellers, managers and owners in alcohol beverage regulatory compliance. Participants will learn how to develop responsible alcohol policies, review issues identified by County and State enforcement agencies and have an opportunity to meet and network with peers and county officials. This training complements the state certified training, it does not replace it.” The training is also intended to assist businesses achieve compliance when there are violations. Trainings are free and held virtually for 2 hours twice a month. (Montgomery County, Maryland Alcohol Beverage Services, 2024). URL: [https://www.montgomerycountymd.gov/ABS/education/trainingprogressive dinners, mural tours and literature tours downtown](https://www.montgomerycountymd.gov/ABS/education/trainingprogressive-dinners,-mural-tours-and-literature-tours-downtown).





STRATEGIES

VENUE SAFETY (CONTINUED)

24 Hour Dallas Alliance

Dallas, TX

A 501(c)(3) non-profit, 24HourDallas has the following mission: Let's create a safe, vibrant, and diverse nighttime culture for businesses, residents, and guests. Members include representatives of bars, clubs and live music venues, Visit Dallas, and the Texas Restaurant Association. Although it is a "private sector led nighttime commission, it does have representation from Dallas City Hall among our team members. Rather than exclude, we believe we create better buy-in and better outcomes through inclusion." The non-profit convenes Pubs, Bars and Clubs meetings and organizes trainings on various safety topics. URL: <https://24hourdallas.org/>

Copper Star Certification Program

Dallas, TX

24HourDallas coordinates a voluntary certification program for social venues that host customers between 6 p.m. and 6 a.m. Participating venues undergo training on safety, inclusivity and community relations. "The Copper Star Certification Program aims to recognize and train up Dallas' outstanding nighttime businesses who are powering our nighttime economy. A business becoming Copper Star Certified means that, by the end of the program, they have met international standards and implemented best practices in safety, operations, community relations, safety & creating a welcoming environment." Graduates of the program are promoted as "stars of Dallas at night." "A key pillar of our Good Neighbor Initiative is the means for 24HourDallas to recognize and promote businesses that stand out in Dallas' nighttime economy." URL: <https://24hourdallas.org/copper-star/>

Sexual Violence Prevention Campaigns

RHI's Sociable City Guide for College Communities

An interactive e-learning curriculum with case studies, news reports and innovative strategies, examples are provided of sexual violence prevention campaigns for nightlife with the purpose of training staff, empowering bystanders to intervene with predators, and ultimately help change social norms for appropriate behavior. URL: https://rise.articulate.com/share/oBK-S_OOuFh4xdOn

"Enhancing the safety of women employees and patrons will make social spaces safer for other vulnerable populations. Social venues should be places where people can fully and comfortably exist without fear of being harassed or discriminated against because of their biological sex, race/ethnicity, sexual orientation, gender identity or expression, cultural background, religious affiliation, age, or physical or mental ability."

~ Alicia Scholer, Vice President, Responsible Hospitality Institute

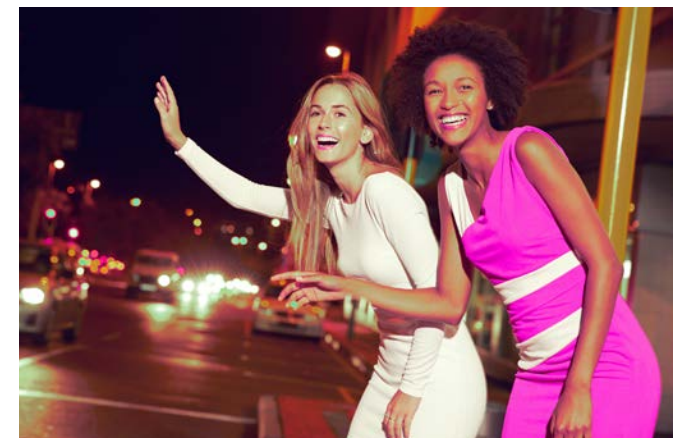
~ Carly Heath, Night Time Economy Advisor for Bristol, England



Women's Safety Charter

London and Bristol, England; Dallas, TX

The charter is part of the London Mayor's Tackling Violence Against Women and Girls Strategy and London's commitment to the UN Women Safe Cities and Safe Public Spaces global initiative. Participating businesses must: nominate a champion (staff person) who actively promotes women's night safety; demonstrate to staff and customers that they women's safety at night seriously; remind customers and staff to report if they experience harassment; train staff to ensure that all women who report are believed; train staff to ensure that all reports are recorded and responded to; and design public spaces and work places to make them safer for women at night. URL: <https://www.london.gov.uk/programmes-strategies/arts-and-culture/24-hour-london/womens-night-safety-charter> and <https://24hourdallas.org/we-support-womens-safety/>



RHI conducted a focus group with women at different life stages to gain insights on El Paso's social economy. Their insights have been incorporated into the Core Measures analysis of strengths and challenges.

RESOURCES

WOMEN'S PERSPECTIVES ON THE SOCIAL ECONOMY

Women Decide Where to Live, Work and Play

Women are the primary decision makers on where to live, work and play. Yet men are the ones who design downtowns and own social spaces. Women are under-represented in the fields that design downtowns: 37 percent of urban planners, 24 percent of working architects, ten percent of civil engineers and three percent of all engineers. Ownership of restaurants, bars and clubs remains a male-dominated industry, yet women comprise the majority of servers in food and beverage (71 percent).



Wish List for Social Venues

Focus group participants identified six key areas for improvement

1

RESTROOMS

Clean, well-stocked restrooms with a safe, well-lit route to access

2

RELAXED SPACES

Open spaces like food courts and beer gardens

3

FAMILY FRIENDLY

Spaces where kids are welcomed with games and activities

4

ENHANCE SECURITY

Door hosts with official attire and professional demeanor

5

ACTIVE SOCIALIZING

Places where you can play games like trivia and bowling

6

WOMEN'S SAFETY

Staff protocols for keeping women safe if over-served or passed out



RESOURCES

EL PASO COUNTY NUISANCE ABATEMENT TEAM (NAT)

Overview of the Approach

“The El Paso County Attorney’s Nuisance Abatement Team (NAT), uses civil legislation....to mitigate and/or combat common and public nuisances occurring on properties....The purpose of a nuisance abatement lawsuit is not (to) charge a person with a crime, but rather prove that the business/property owner allowed the illegal activity to occur on their property and failed to make reasonable attempts to stop it.... When law enforcement prosecutes, it can seek only criminal penalties, such as prison or probation. By using civil law, the NAT can seek other creative remedies designed to provide community members with relief tailored to the specific harms created by the nuisance property.” (El Paso County Attorney, 2024).

Cases go to a District Court judge as ex-parte hearings where both parties are not required to attend. Documentation of observed criminal activities (e.g. drug dealing, over-serving, underage access to alcohol) is required, but the threshold of evidence is lower than for a criminal case. This initiates an intervention meeting between the county prosecutor, the venue and the landlord. This is a system of holding property owners accountable for tenants operating irresponsibly. In 2023, the NAT led to the closure of seven venues that had committed egregious safety violations.



Outcomes and Consequences

Results include a Temporary Restraining Order (TRO) where the business must shut down for 14 days, which must occur within 48 hours. (Note: only the county attorney can issue a TRO.). When a TRO is issued, a notice is posted on the property indicating “closure by court order.” The business owner, property owner, and/or attorneys must call to discuss how the business can open again. County attorney negotiates terms of the settlement using a set of reasonable restrictions/conditions. If they agree to the conditions, then the temporary injunction hearing can be avoided.

If a bar wants to stay open with reasonable restrictions in place, they may have to post a \$5,000-10,000 bond. If they demonstrate a willingness to cooperate, the bond amount can be lowered. They must post bond within 90 days or prior to reopening. Conditions may include working security cameras and armed security guards. Conditions are routed to the police

department’s regional command center (PD) and TABC. County attorney attends police shift meetings to communicate about the new conditions.

Before reopening, a hearing is held where the business must provide evidence of meeting the conditions prior to reopening. This process can take as little as 1 month or as many as 6 months.

If the business violates the conditions, the county attorney can file a Notice of Violation and Motion for Contempt, which results in fines and fees. The judge has great leeway regarding movement forward, including cutting off electricity or access to the business, for instance. Additionally, a permanent injunction can close a business for 1 year. The space cannot be rented to anyone for any purpose unless the county attorney agrees.



RESOURCES

EL PASO NOISE ORDINANCE

Overview of 9.40 Noise Ordinance

Changes to Chapter 9.40 were made in 2019 with the goal of streamlining the process. In July 2020, to further address these changes the City’s Code Compliance team moved into the Police Department (previously under Environmental Services). While there was some pushback to proposals from the Texas Restaurant Association (TRA) and social venues, amendments were made by council, and the decibel limit was raised to 70 dB. However, COVID hindered implementation.

A new revision of this ordinance was brought to Council in 2022. It identified a number of issues and discrepancies in the code. There were 4 public meetings held in March 2022 regarding potential amendments. City Council heard possible changes to the current code on June 22, 2022, but did not make any changes. City Council again heard possible changes to the ordinance on June 6, 2023 but took no action. Specifically, suggestions included the creation of 3 categories of violations: 1) noise higher than 70 dBA between 10 pm and 7 am; 2) violating a reasonable sensibilities standard; and, 3) including a vibration (dBC) standard. Additionally, sound levels were to be tested at the property line of the receiver and not the producer of the sound. Violations were capped with a max fine of \$500/day.

Gaps and Limitations

NO UPFRONT EDUCATION: Venues currently begin operations without any City inspection or education regarding their sound systems or plans to operate them. The need for a sound impact plan at this stage is clear although there is no current method for this to be submitted by an applicant.

NO REQUIREMENT FOR SOUND CONTAINMENT: Venues are allowing doors and windows to remain open while in operation, sometimes to advertise their business and often because of poor ventilation. This creates challenges for Code Enforcement when trying to determine which business is creating the sound in venue-dense areas like Cincinnati, along with a chaotic environment on the street. Amplified Sound Permit (below) is triggered only if amplification equipment is on the outside of the building.

Venues are allowing doors and windows to remain open while in operation, sometimes to advertise their business and often because of poor ventilation. This creates challenges for Code Enforcement when trying to determine which business is creating the sound in venue-dense areas



INCONSISTENT NOTICING METHODS: Both the Police and Code are enforcing the sound ordinance and methods are reported as inconsistent. Some police officers are interacting with operators in real time and code officers are simply sending violations in the mail.

SINGLE SOUND STANDARD CITYWIDE IS TOO LIMITED: A singular dBA level (70) is not workable across all venues and all districts. The sound levels at venues are determined by the circumstances around the venue, especially the ambient sound dictated by other sound sources nearby (trains, cars, buses, people, etc.). 70 dBA at the property line is not possible without concurrent measure outlined above and can set social venues up for failure.

SOUND READINGS TAKEN AT RECEIVER: It is unclear whether sound readings relative to the Chapter 9.40 are taken at the receiver or at the property line. It can be unsafe for code officers to enter someone’s home or property to take a sound reading.

CRIMINAL VIOLATIONS/INFRACTIONS ARE COMPLICATED TO IMPLEMENT: According to both venues and Code officers, the current system of issuing Class C Infractions requires issuance to a person, and a witness to be party to the violation. When infractions move through the Municipal Court, they are routinely deferred by judges or fines are reduced, which eliminates incentive to comply. Staff time, as well as witnesses, are required to be present at hearings, and lawyers are retained by operators at great cost. Often witnesses indicate that they are heard after a judgement has been made. Citations for sound violations should be used to obtain compliance, rather than to simply punish. This is not the outcome that has been reported.

RESOURCES

OUTDOOR AMPLIFIED SOUND PERMIT ORDINANCE

Overview of Amplified Sound Permits

Municipal Code Chapter 5 Amplified Sound Permits require venues with outdoor amplification on patios and rooftops to acquire a permit to operate in that area. Some changes to Chapter 5 were passed in Feb 2019. They included adding the rule that a qualifying business must be 350 feet+ from a residence; excluded the boundaries of the entire DMD; and, brought appeal directly to City Council. Additional changes were proposed in October 2019 but not passed: to allow for outdoor amplified sound between 10pm and 2am with a sound impact plan and mitigation equipment. COVID then stalled all activity until 2022.

A new revision of this ordinance was brought to Council in 2022. There were 4 public meetings held in March 2022 regarding other potential amendments to both the general sound ordinance and outdoor amplified sound ordinance. City Council heard potential changes to the current code on June 22, 2022, but did not make any changes. City Council again heard possible changes to the ordinance on June 6, 2023 but took no action. The current (as of March 2024) rule allows permit holders to have amplified sound outdoors capped at 70 dBA from 10pm to midnight with a maximum fine of \$2k per day.

Gaps and Limitations

LACK OF APPLICATION FOR THE PERMIT: After distribution of 70 application packets to qualifying businesses with outdoor amplification equipment, only 1 application was received. It is unclear whether a violation can be issued if the business is operating without the appropriate permit.

PERMIT IS TOO LIMITED: permit only applies to outdoor amplified sound. Does not apply to indoor sound, which can also be the source of sound complaints.

DMD IS EXEMPT FROM THIS ORDINANCE. While it is understandable that the DMD would like to encourage more businesses within its boundaries, this exemption creates an unfair playing field and many of the unresolved sound conflicts are occurring downtown without resolution.

Gaps and Limitations (Cont.)

CURRENTLY THE PERMIT IS FOR TWO HOURS ONLY (10PM-12AM.): Closing time in El Paso is 2am, and therefore the idea that operations will cease at midnight seems unenforceable. By definition, venues may have amplified sound outdoors up until 10pm without a permit. Operators are clearly not incentivized to participate and are willing to take their chances.

350-FOOT RULE DOESN'T ANTICIPATE FUTURE HOUSING. The current permit is only required if within 350' of a residence. While it is clear that businesses located in close proximity to current residential neighbors are more at risk for complaints, El Paso continues to grow and build housing.

INSPECTIONS AND ENFORCEMENT UNCLEAR: Currently, Planning and Inspections is the agency that check on general compliance once an outdoor amplified sound permit is issued, with Police and Code enforcing dBA limits. There is a real question of capacity in that department which has only issued one permit to date.



"Downtown El Paso offers something for everybody. From symphonic concerts, fine arts and Broadway productions, to sports, dining, nightlife, shopping, activities and people watching, there are always opportunities to enjoy yourself in Downtown El Paso. As our Downtown continues to develop and evolve, we must maintain our diversity and accessibility. There is a place for every El Pasoan in our Downtown, and we must work to make sure that is always the case."

~ Joe Gudenrath, Executive Director, Downtown Management District

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“El Paso, Texas has all the great qualities to make it a wonderful visitor destination; making all visitors and the local population feel safe while enjoying El Paso.”

~ Danny Soto, Code Manager
Code Enforcement Bureau

“While a vibrant nightlife is important for our social economy, much can be said about other daytime activities. Our great weather and bountiful sunny days provide ample outdoor activities from an easy stroll along the Rio Grande River Trail to more strenuous mountain biking in our Franklin Mountains State Park or world-class rock climbing at Hueco Tanks State Park.”

~ Michael Bray, Realtor,
Greater El Paso Association of Realtors

EL PASO, TEXAS



**2024 ASSESSMENT
SUMMARY REPORT**

OUR CLIENTS

Since 1983, five countries and 80+ cities have engaged RHI Services. Our clients include Business Improvement Districts, Main Street programs, non-profit organizations, as well as city and county governments' departments of planning, police and economic development



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ASSISTING BUSINESSES AND COMMUNITIES TO PLAN SAFE AND VIBRANT PLACES TO SOCIALIZE