

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

AGENDA DATE: May 23, 2022

PUBLIC HEARING DATE:

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

DISTRICT(S) AFFECTED: All Districts

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

SUBGOAL: 2.1 Maintain standing as one of the nation's top safest cities

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.

AN EMERGENCY ORDINANCE OF THE CITY OF EL PASO, TEXAS EXTENDING A DISASTER DECLARATION DUE TO A HUMANITARIAN, SECURITY AND ECONOMIC CRISIS RESULTING FROM MASS MIGRATION THROUGH EL PASO.

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?

As back up to the Emergency Ordinance, provide update on current migrant crisis situation and review U.S. Customs and Border Patrol statistical data for Southwest Land Border Encounters and Southwest Land Border Encounters (By Component) as related to the removal of Title 42.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

Previous motion on migrant support in 2019.

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

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ☒ YES ☐ NO

PRIMARY DEPARTMENT:

SECONDARY DEPARTMENT:

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

DEPARTMENT HEAD:



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

**AN EMERGENCY ORDINANCE OF THE CITY OF EL PASO, TEXAS
EXTENDING A DISASTER DECLARATION DUE TO A
HUMANITARIAN, SECURITY, AND ECONOMIC CRISIS
RESULTING FROM A MASS MIGRATION THROUGH EL PASO**

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

WHEREAS, on May 19, 2022 the Mayor of the City of El Paso issued a Declaration of Disaster due to a new wave of migration through the City of El Paso (the “City”); and

WHEREAS, the Centers for Disease Control and Prevention has announced the repeal of Title 42, allowing for the inflow of migrants from the southern border; and

WHEREAS, thousands of migrants from Latin America have already gathered at or near the U.S.- Mexico border in hopes that President Biden will ease immigration restrictions that will make it easier to enter the United States; and

WHEREAS, because of war between Russia and Ukraine and the political situation in Turkey, Ukrainians, Russians, and Turks are arriving at the Southern border for admission to the United States; and

WHEREAS, upon the migrants’ arrival into the United States, they are held by CBP who process, set for hearing and then release migrants onto El Paso streets with little to no resources; and

WHEREAS, the City lacks an extensive transportation infrastructure to facilitate the movement of migrants out of the region further increasing demand on shelters; and

WHEREAS, the City lacks the resources to address a new surge in migration as it did in recent years, in addition to an ongoing global pandemic; and

WHEREAS, state and federal infrastructure and support is critical to support local efforts to effectively and safely care for mass groups of migrants entering the City; and

WHEREAS, Customs and Border Protection (CBP) has surged its personnel and resources along the southern border to increase processing capacity to ensure a humane environment for those being processed; and

WHEREAS, for federal fiscal year 2022, Southwest encounters were at 1,216,173 of which 631,942 were Title 42.

WHEREAS, the Southwest had 234,088 land border encounters in the month of April, 2022; and

WHEREAS, the El Paso sector of CBP had 29,838 land border encounters in the month of April, 2022 and a total of 143,124 encounters for federal fiscal year 2022; and

WHEREAS, in the month of May 2022, approximately 3000 migrants have been arriving weekly; and

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22-1006-11694/PL#1177040/Emergency Ordinance/2022 Migrant Crisis/JF/CA

WHEREAS, Texas Governor Abbott issued a disaster proclamation in 2021 for multiple counties due to the number of migrant crossings along the South Texas border; and

WHEREAS, the Governor implemented Operation Lone Star to combat the smuggling of people and drugs, and expanded it in response to an increase in the number of migrants crossing into the state; and

WHEREAS, the City of El Paso is home to 4 of the 28 international ports of entry between Texas and Mexico; and

WHEREAS, based on mass migration events in the recent past, the City anticipates significant delays at the international ports-of-entry to include trade; and

WHEREAS, the City on the 23rd day of May, 2022, is encountering the imminent threat of widespread injury or loss of life and property resulting from a surge in transient migrants traveling to the region during an ongoing global pandemic; and

WHEREAS, the Mayor of the City of El Paso has determined that extraordinary measures must be taken to protect all people in and coming through the City.

WHEREAS, §418.108(b) of the Texas Government Code provides that a local state of disaster may not be continued for a period in excess of seven days without the consent of the governing body of the political subdivision; and

WHEREAS, City Charter Section 3.10 allows for the City Council to adopt an emergency ordinance to meet a public emergency affecting, life, health, property or the public peace; and

WHEREAS, the condition necessitating declaration of a state of disaster continues to exist.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF EL PASO, TEXAS:

1. That the state of disaster proclaimed for the City of El Paso by the Mayor on May 19, 2022 shall continue for thirty (30) days unless re-enacted in accordance with City Charter Section 3.10 or until terminated by order of the City Council, whichever is sooner.
2. This ordinance is adopted as an emergency measure with the unanimous vote of the City Council Representatives present and the consent of the Mayor and pursuant to City Charter Section 3.10.

PASSED AND ADOPTED, this 23rd day of May, 2022

[Signatures on the following page]

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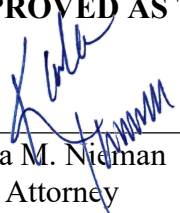
THE CITY OF EL PASO, TEXAS

Oscar Leeser
Mayor

ATTEST:

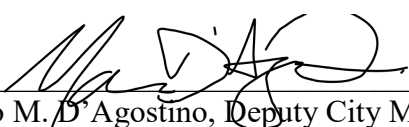
Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Karla M. Nieman
City Attorney

APPROVED AS TO CONTENT:



Mario M. D'Agostino, Deputy City Manager
Public Health & Safety

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