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

DEPARTMENT: **Fire Department**

AGENDA DATE: **February 1, 2021**

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

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

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

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

BACKGROUND / DISCUSSION:
Emergency Ordinance No. 019125 which re-enacts Emergency Ordinance No. 019035 is set to expire on February 4, 2021.

PRIOR COUNCIL ACTION:
Since March 2020, El Paso City Council has re-enacted Emergency Ordinance No. 019035 monthly, with the most recent extension taking place on January 5, 2021.

AMOUNT AND SOURCE OF FUNDING:
None.

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

DEPARTMENT HEAD:



AN EMERGENCY ORDINANCE
RE-ENACTING EMERGENCY ORDINANCE NO. 019035
EXTENDING A DISASTER DECLARATION DUE TO A
PUBLIC HEALTH EMERGENCY

WHEREAS, on March 13, 2020, the Governor of the State of Texas declared a state of disaster and the President of the United States of America declared a national emergency in relation to COVID-19; and

WHEREAS, on March 13, 2020, the Mayor signed a Local Emergency Declaration and requested the aid of the State Government pursuant to Texas Government Code Section 418.108; and

WHEREAS, pursuant to El Paso City Code Section 2.48.020(C), a local state of disaster declaration may not be continued or renewed for a period in excess of seven days except by or with the consent of City Council; and

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

WHEREAS, on March 17, 2020, the City Council adopted Emergency Ordinance No. 019035, Extending a Disaster Declaration Due to a Public Health Emergency; and

WHEREAS, since March 2020, El Paso City Council has re-enacted Emergency Ordinance No. 019035 monthly, with the most recent extension taking place on January 5, 2021; and

WHEREAS, on January 5, 2021, Governor Abbott similarly renewed the State's COVID-19 Disaster Declaration; and

WHEREAS, on December 3, 2020, the CDC Director predicted and the U.S. Surgeon General agreed that the next few months, specifically December, January and February, "are going to be the most difficult time in the public history of this nation"; and

WHEREAS, the number of COVID-19 active cases in El Paso is over 35,422; and

WHEREAS, El Paso is currently considered to be in an area with high hospitalizations according to Governor Abbott's Executive Order GA-32; and

WHEREAS, pursuant to City Charter Section 3.10, every emergency ordinance shall stand repealed automatically as of the 31st day following the date on which it was adopted, but may be re-enacted to continue a Disaster Declaration; and

WHEREAS, Emergency Ordinance No. 019125 which re-enacts Emergency Ordinance No. 019035 is set to expire on February 4, 2021; and

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

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

1. That the state of disaster proclaimed for the City of El Paso by the Mayor on March 13, 2020, and extended by Emergency Ordinance No. 019035, is hereby re-enacted and shall continue for thirty (30) days unless re-enacted in accordance with City Charter Section 3.10 or until terminated by City Council, whichever is sooner.

2. This ordinance is adopted as an emergency measure with the unanimous vote of the City Council Representatives present and the consent of the Mayor and pursuant to City Charter Section 3.10.

PASSED AND ADOPTED, this ___ day of February, 2021.

THE CITY OF EL PASO, TEXAS

_____
Oscar Leeser
Mayor

ATTEST:

_____
Laura D. Prine
City Clerk

APPROVED AS TO FORM:

_____
Karla M. Nieman
City Attorney

APPROVED AS TO CONTENT:

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