

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

AGENDA DATE: April 26, 2021
PUBLIC HEARING DATE: April 26, 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 and amending Emergency Ordinance No. 019036, as re-enacted, restated and amended by Emergency Ordinance No. 019151; and further amended by Emergency Ordinance No. 019156; penalty as provided in Section 8.

BACKGROUND / DISCUSSION:

The City Council desires to re-enact and amend Emergency Ordinance No. 019036, as re-enacted, restated and amended on March 29, 2021 (Emergency Ordinance No. 019156) which shall remain in effect for thirty days or until otherwise terminated, re-enacted, or superseded by a conflicting El Paso Local Health Authority order, or state or federal law or order.

PRIOR COUNCIL ACTION:

Since March 2020, El Paso City Council has re-enacted Emergency Ordinance No. 019036 monthly, with the most recent extension taking place on March 29, 2021.

AMOUNT AND SOURCE OF FUNDING:

None.

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ☒ YES ☐ NO

PRIMARY DEPARTMENT: Fire Department

SECONDARY DEPARTMENT: Department of Public Health

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

DEPARTMENT HEAD:



**AN EMERGENCY ORDINANCE
RE-ENACTING AND AMENDING EMERGENCY ORDINANCE NO. 019036,
AS RE-ENACTED, RESTATED AND AMENDED BY EMERGENCY ORDINANCE NO.
019151; AND FURTHER AMENDED BY EMERGENCY ORDINANCE NO. 019156;
PENALTY AS PROVIDED IN SECTION 8**

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

WHEREAS, by proclamation issued on March 13, 2020, the Mayor declared a local state of disaster for the City of El Paso resulting from a public health emergency; and

WHEREAS, on March 17, 2020, the City Council, pursuant to City Charter Section 3.10, adopted Emergency Ordinance No. 019036 to meet a public emergency affecting life, health, property or the public peace; and

WHEREAS, since March 2020, City Council has re-enacted Emergency Ordinance No. 019036 monthly, with the most recent re-enactment, re-statement and amendment taking place on March 29, 2021; and

WHEREAS, pursuant to City Charter Section 3.10, every emergency ordinance shall stand repealed automatically as of the 31st day following the date on which it was adopted, but may be re-enacted if the emergency still exists; and

WHEREAS, a disaster continues to exist and requires that certain emergency measures be taken to meet a public emergency affecting life, health, property or the public peace; and

WHEREAS, the City Council desires to amend Emergency Ordinance No. 019036 to amend Section 4 Suspension and Modification of Ordinances and Rules; and

WHEREAS, the City Council desires to amend Emergency Ordinance No. 019036 to amend Section 4 “Suspension and Modification of Ordinances and Rules”, Subsection 4(a)(iv) to delete and mark as “Reserved” the section regarding City Council meeting times, to no longer suspend the provisions of the Resolution Amending the Rules of Order for the El Paso City Council (the “Rules of Order”) Revised, as effective March 3, 2020, as amended and reiterated on February 2, 2021, as may be amended, regarding meeting start times, so that City Council meetings shall begin no earlier than 9:00am beginning on May 10, 2021; and

WHEREAS, the City Council desires to re-enact and amend Emergency Ordinance No. 019036, as re-enacted, restated and amended on March 29, 2021 (Emergency Ordinance No. 019156) which shall remain in effect for thirty days or until otherwise terminated, re-enacted, or superseded by a conflicting El Paso Local Health Authority order, or state or federal law or order.

Ordinance No. _____

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

1. Emergency Ordinance No. 019036, as re-enacted, restated and amended by Emergency Ordinance No. 019156, penalty as provided in Section 8, is hereby re-enacted.
2. That Section 4 (Suspension and Modification of Ordinances and Rules), subsection a, paragraph iv be amended to read as follows:

iv. [Reserved].
3. Except as amended herein, Emergency Ordinance No. 019036, as re-enacted, restated and amended by Emergency Ordinance No. 019156, penalty as provided in Section 8, shall remain in full force and effect and continue for thirty (30) days unless re-enacted in accordance with Charter Section 3.10 or until terminated by the City Council, whichever is sooner.
4. This ordinance is adopted as an emergency measure with the unanimous vote of the City Council Representatives present and the consent of the Mayor, pursuant to City Charter Section 3.10.

PASSED AND ADOPTED, this ____ day of April, 2021.


THE CITY OF EL PASO, TEXAS

ATTEST:

Oscar Leeser
Mayor

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Karla M. Nieman
City Attorney

APPROVED AS TO CONTENT:



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

Ordinance No. _____