

Oscar Leeser
Mayor

Tommy Gonzalez
City Manager



CITY COUNCIL
Peter Svarzbein, District 1
Alexsandra Anello, District 2
Cassandra Hernandez, District 3
Joe Molinar, District 4
Isabel Salcido, District 5
Claudia L. Rodriguez, District 6
Henry Rivera, District 7
Cissy Lizarraga, District 8

NOTICE OF WORK SESSION OF THE EL PASO CITY COUNCIL

November 07, 2022

**COUNCIL CHAMBERS, CITY HALL, 300 N. CAMPBELL AND VIRTUALLY
9:05 AM**

**THE LOCAL HEALTH AUTHORITY STRONGLY RECOMMENDS THE USE OF
MASKS IN ALL CITY FACILITIES AND INDOOR SPACES**

Teleconference phone number 1-915-213-4096

Toll free number: 1-833-664-9267

Conference ID: 547-374-081#

Notice is hereby given that a Work Session of the City Council of the City of El Paso will be conducted on November 7, 2022 at 9:05 A.M. Members of the public may view the meeting via the following means:

Via the City's website. <http://www.elpasotexas.gov/videos>

Via television on City15,

YouTube: <https://www.youtube.com/user/cityofelpasotx/videos>

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

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

At the prompt please enter Conference ID 547-374-081#

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

<https://elpasotx.seamlessdocs.com/f/SpeakerSignUpFormItem>

A quorum of City Council must participate in the meeting.

AGENDA

1. Presentation and discussion by the COVID-19 Response and Recovery Cross-Functional Team providing information on key activities, efforts, and processes. [22-1451](#)
 1. Overview (Tommy Gonzalez)
 2. City Attorney Overview (Karla Nieman)
 - a) State Disaster Declaration
 - b) Emergency Ordinances
 - c) Greg Abbott, in his official capacity as Governor of Texas v. City of El Paso & Statewide Mask Mandate Litigation
 - d) Additional Updates
 3. Team Lead Report:
 - a) Health Focus (Hector Ocaranza, M.D.)
 - i. COVID-19 update
 - ii. Monkeypox Update
 - iii. Respiratory Infections Update
 4. City Manager Wrap-up (Tommy Gonzalez)

All Districts

City Manager's Office, Chief Mario M. D'Agostino, (915) 212-5605

2. Discussion and action on an Emergency Ordinance re-enacting Emergency Ordinance No. 019035 extending a Disaster Declaration due to a Public Health Emergency. [22-1469](#)

All Districts

City Manager's Office, Chief Mario D'Agostino, (915) 212-5605

3. Discussion and action on an Emergency Ordinance re-enacting Emergency Ordinance No. 019036 instituting emergency measures, as re-enacted, restated and amended by Emergency Ordinance No. 019151; and further re-enacted and amended by Emergency Ordinance Nos. 019156, 019169, 019191 and 019284; penalty as provided in Section 8. [22-1470](#)

All Districts

City Manager's Office, Chief Mario D'Agostino, (915) 212-5605

4. Discussion and action on an Emergency Ordinance re-enacting Emergency Ordinance No. 019241 allowing temporary uses on the public right of way and private property by suspending various City ordinances; Penalty as provided in Section 6. [22-1443](#)

All Districts

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

5. For Notation Only: Formal Report of the Financial Oversight and Audit Committee meeting held on October 20, 2022. [22-1432](#)

1. Discussion and Action on the Update to the City of El Paso's Debt Policy

- Motion made by Representative Hernandez, seconded by Representative Lizarraga and approved by Representative Rivera, Representative Hernandez, Representative Lizarraga and Representative Salcido to accept the Update to the City of El Paso's Debt Policy.

2. Discussion and Action on FY 2021-2022 Audit Plan 4th Quarter Updates

- Motion made by Representative Lizarraga, seconded by Representative Salcido and approved by Representative Rivera, Representative Hernandez, Representative Lizarraga and Representative Salcido to accept the 4th Quarter Update.

3. Discussion and Action on the City of El Paso Internal Audit Charter

- Motion made by Representative Hernandez, seconded by Representative Lizarraga and approved by Representative Rivera, Representative Hernandez, Representative Lizarraga and Representative Salcido to approve the City of El Paso Internal Audit Charter.

4. Discussion and Action to include an audit or review in the 2022-2023 Audit Plan of the expenditures related to the Migrant Humanitarian Crisis Response

- Motion made by Representative Lizarraga, seconded by Representative Salcido and approved by Representative Rivera, Representative Hernandez, Representative Lizarraga and Representative Salcido to approve an audit or review in the 2022-2023 Audit Plan of the expenditures related to the Migrant Humanitarian Crisis Response.

5. Discussion and Action on the FY 2022-2023 Annual Internal Audit Plan

- Motion made by Representative Lizarraga, seconded by Representative Salcido and approved by Representative Rivera, Representative Hernandez, Representative Lizarraga and Representative Salcido to approve the FY 2022-2023 Annual Internal Audit Plan.

6. Discussion on Client Surveys.

All Districts

Members of the City Council, Representative Henry Rivera, (915) 212-0007

6. Discussion and action on an Emergency Ordinance re-enacting Emergency Ordinance No. 019333 authorizing the City Manager to assign personnel and resources to assist in addressing the humanitarian and public safety crisis resulting from a mass migration through El Paso.

[22-1471](#)

All Districts

City Manager's Office, Chief Mario D'Agostino, (915) 212-5605

7. Presentation, discussion and action by the City Manager's Office and Office of Emergency Management providing information on key activities, efforts, and processes related to the migrant crisis:

[22-1455](#)

1. That the City Council ratify the expenditure of \$57,776 associated with the 2023-0231 Migrant Meals Agreement with the Salvation Army for food services; to amend the term of the Agreement for a total of fifteen (15) months; and to increase the total amount of the Agreement to not exceed \$100,000. This agreement will provide food for migrants as needed.

All Districts

City Manager's Office, K. Nicole Cote, (915) 212-1092

Fire, Interim Chief Jonathan P. Killings, (915) 493-5609

Purchasing and Strategic Sourcing, Claudia A. Garcia, (915) 212-1218

8. Discussion and action that the Mayor be authorized to sign a Memorandum of Understanding with the City of Juárez, Chihuahua, México, FSX, LLC and its subsidiary, Transbordador de Carga to explore the development and implementation of a new technology for the movement of cargo through the port of Ysleta-Zaragoza.

[22-1442](#)

All Districts

International Bridges, David A. Coronado, (915) 212-7505

9. Discussion and action on the City of El Paso's Legislative Agenda for the 88th Regular Session of the Texas State Legislature.

[22-1437](#)

All Districts

Economic and International Development, Lindsey Adams, (915) 212-1622

Economic and International Development, Elizabeth Triggs, (915) 212-0094

EXECUTIVE SESSION

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

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES OR SECURITY AUDITS
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS
Section 551.089	DELIBERATION REGARDING SECURITY DEVICES OR SECURITY AUDITS; CLOSED MEETING

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

Discussion and action on the following:

- EX1.** Claim of Norma Alvarado. Matter No. 22-1036-3634 (551.071) [22-1444](#)
City Attorney's Office, Mathew Engelbaum, (915) 212-0033
- EX2.** Texas Gas Service Company, A Division of ONE Gas Inc., Application to Increase Gas Utility Rates. Matter No. 22-1008-198 (551.071) [22-1445](#)
City Attorney's Office, Donald Davie, (915) 212-0033
- EX3.** Application of El Paso Electric Company to Change Rates to Open Access Transmission Tariff, Federal Energy Regulatory Commission (FERC); Docket No. ER22-282-000. Matter No. 21-1008-183 (551.071) [22-1446](#)
City Attorney's Office, Donald Davie, (915) 212-0033
- EX4.** Application of El Paso Electric Company to Change Rates, Public Utility Commission of Texas Docket No. 52195. Matter No. 21-1008-174 (551.071) [22-1448](#)
City Attorney's Office, Matthew Marquez, (915) 212-0033

ADJOURN

NOTICE TO THE PUBLIC:

If you need Spanish Translation Services, you must email CityClerk@elpasotexas.gov at least 72 hours in advance of the meeting.

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

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



Legislation Text

File #: 22-1451, Version: 1

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

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

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

All Districts

City Manager's Office, Chief Mario M. D'Agostino, (915) 212-5605

AGENDA LANGUAGE:

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

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

1. Overview (Tommy Gonzalez)
2. City Attorney Overview (Karla Nieman)
 - a) State Disaster Declaration
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3. Team Lead Report:
 - a) Health Focus (Hector Ocaranza, M.D.)
 - i. COVID-19 update
 - ii. Monkeypox Update
 - iii. Respiratory Infections Update
4. City Manager Wrap-up (Tommy Gonzalez)

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

DEPARTMENT: City Manager's Office

AGENDA DATE: November 7, 2022

CONTACT PERSON NAME AND PHONE NUMBER: Deputy City Manager/Chief Mario M. D'Agostino (915) 212-5605

DISTRICT(S) AFFECTED: All Districts

SUBJECT:

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

1. Overview (Tommy Gonzalez)
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BACKGROUND / DISCUSSION:

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

PRIOR COUNCIL ACTION: N/A

AMOUNT AND SOURCE OF FUNDING: N/A

BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

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

DEPARTMENT HEAD:



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

COVID-19 Response + Recovery

Cross-Functional Team Update

11.7.22

Table of Contents

- 1. Overview (Tommy Gonzalez)**
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as Governor of Texas v. City of El Paso
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 - 4. City Manager Wrap-up (Tommy Gonzalez)**
-

1. Overview

Tommy Gonzalez

2. City Attorney Overview

November 7, 2022

Overview

City Attorney Overview

1. State Disaster Declaration
2. Emergency Ordinances
3. Greg Abbott, in his official capacity as Governor of Texas v. City of El Paso & Statewide Mask Mandate Litigation
4. Additional Updates

State Disaster Declaration



* Anticipated date


**Anticipate Governor Abbott will renew his Disaster Declaration December 18-19, 2022.

Emergency Ordinances

Ordinance	Adoption Date	Most Recent Re-enactment	Expires
Disaster Declaration Ord. No. 019035	3/17/2020	10/10/2022	11/09/2022
Emergency Measures Ord. No. 019036	3/17/2020	10/10/2022	11/09/2022
Public Right of Way Ord. No. 019241	10/11/2021	10/10/2022	11/09/2022

Greg Abbott, in his official capacity as Governor of Texas v. City of El Paso & Statewide Mask Mandate Litigation

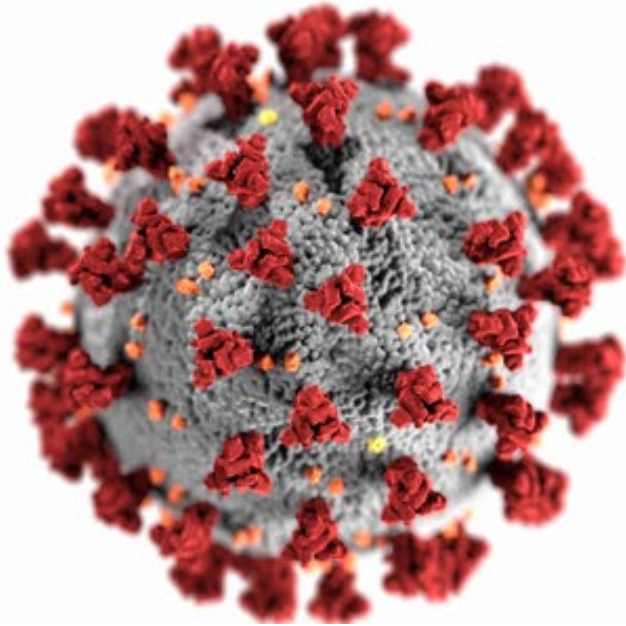
Texas Courts of Appeal

Three concentric semi-circles on the left side of the table. The outermost is orange, the middle is blue, and the innermost is orange.

4 th Tex. App.	<ul style="list-style-type: none">• Abbott v. City of San Antonio
5 th Tex. App.	<ul style="list-style-type: none">• Abbott v. Clay Jenkins
8 th Tex. App.	<ul style="list-style-type: none">• Abbott v. City of El Paso

Additional Updates- Federal Emergency Declaration

- On October 13, 2022, HHS renewed its determination that a public health emergency exists.
- The determination is extended another 90 days.



Texas Supreme Court 57th Emergency Orders Regarding the COVID-19 State of Disaster

- On October 31, 2022, the Texas Supreme Court issued its 57th Emergency Order Regarding the COVID-19 State of Disaster
 - Continues allowing courts to use reasonable efforts to conduct proceedings remotely.
 - Effective as of October 31, 2022 and remains until January 1, 2023



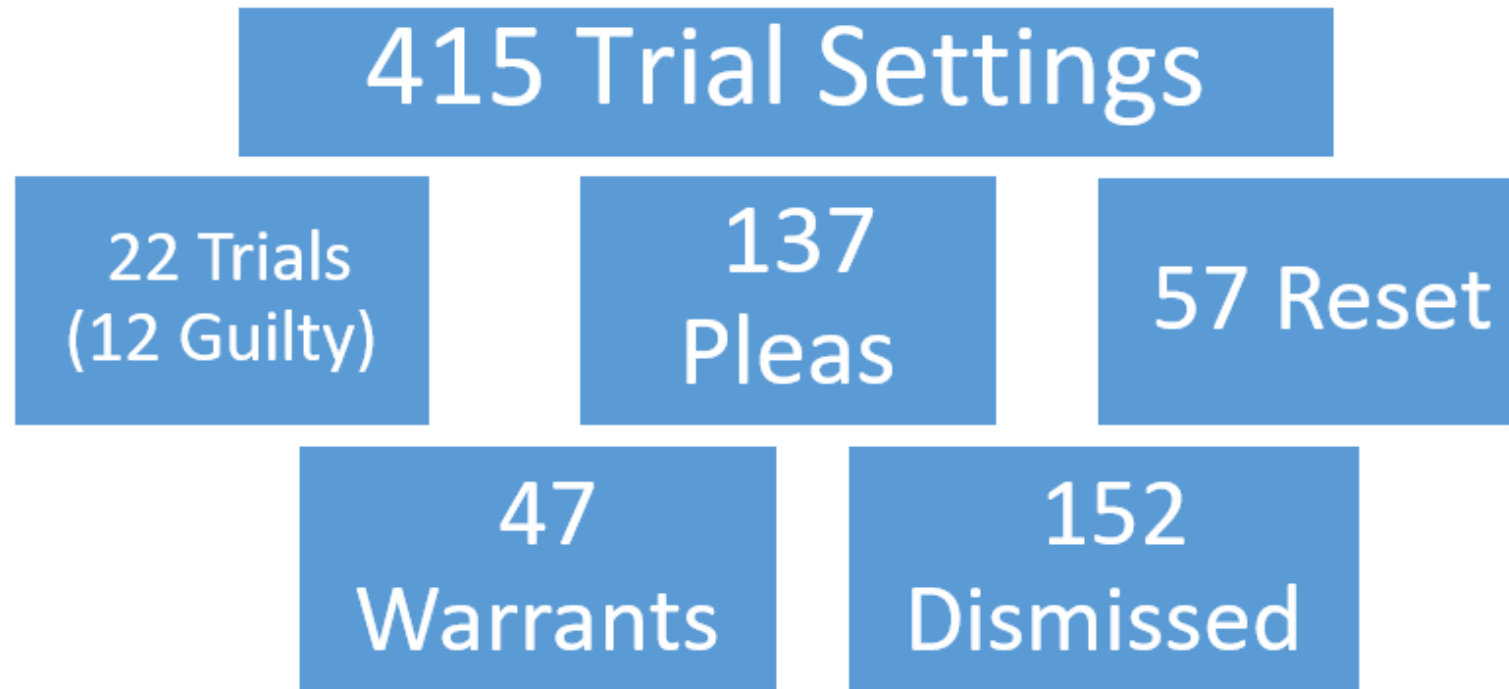
Texas Supreme Court 57th Emergency Orders Regarding the COVID-19 State of Disaster

- On December 1, 2022, three of the five judges at the Municipal Court will require parties to be present at hearing
- The probate, county, and district courts will continue to use a mixture of virtual and in-person depending on the type of hearing.
 - All jury trials are done in-person



Additional Updates –COVID-19 Prosecution Update

Trial Settings on COVID-19 Citations through 11/03/2022 in all 5 Municipal Courts



3. Team Lead Report

a. Health Focus

i- COVID-19 update

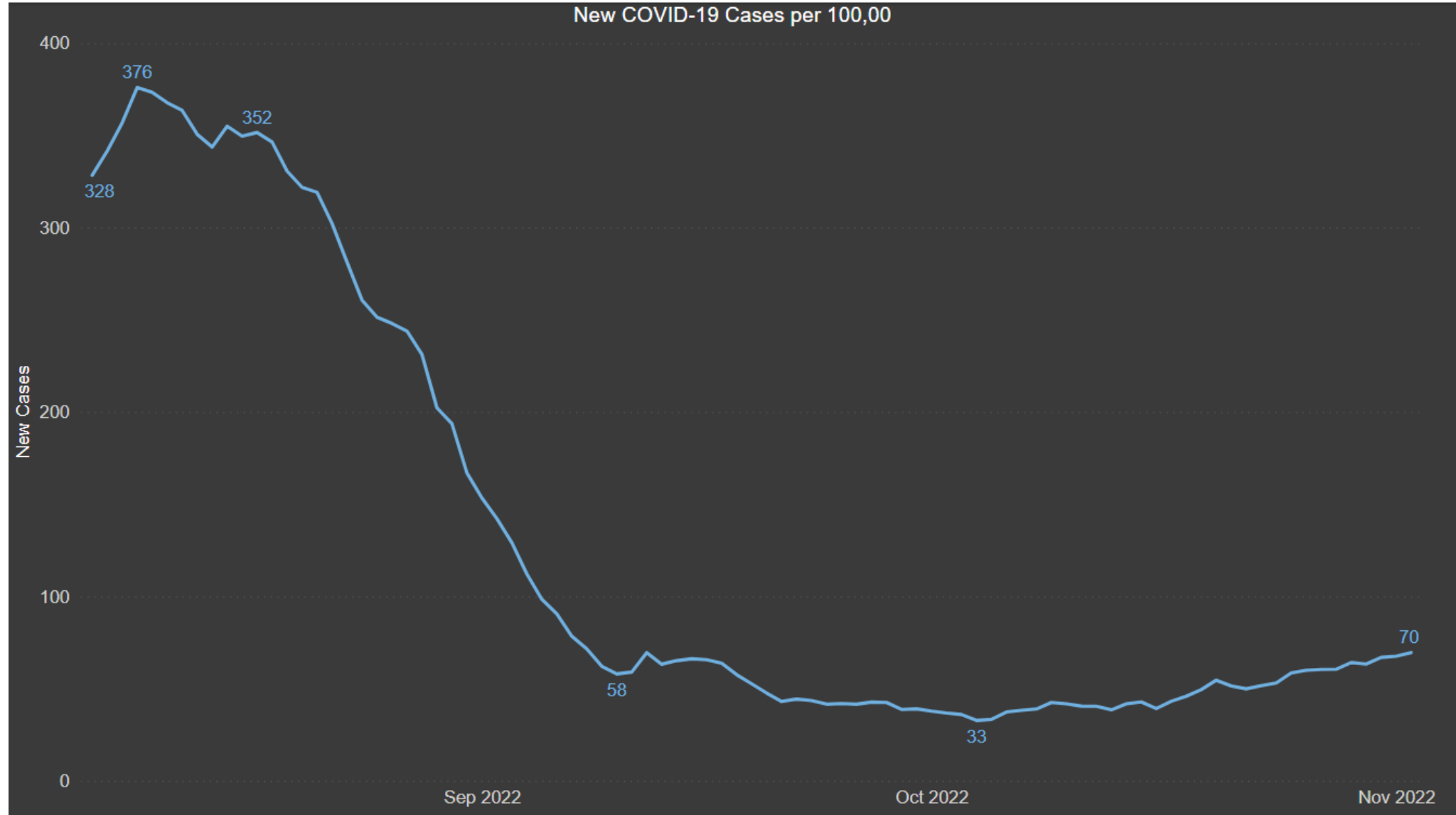
ii- Monkeypox Update

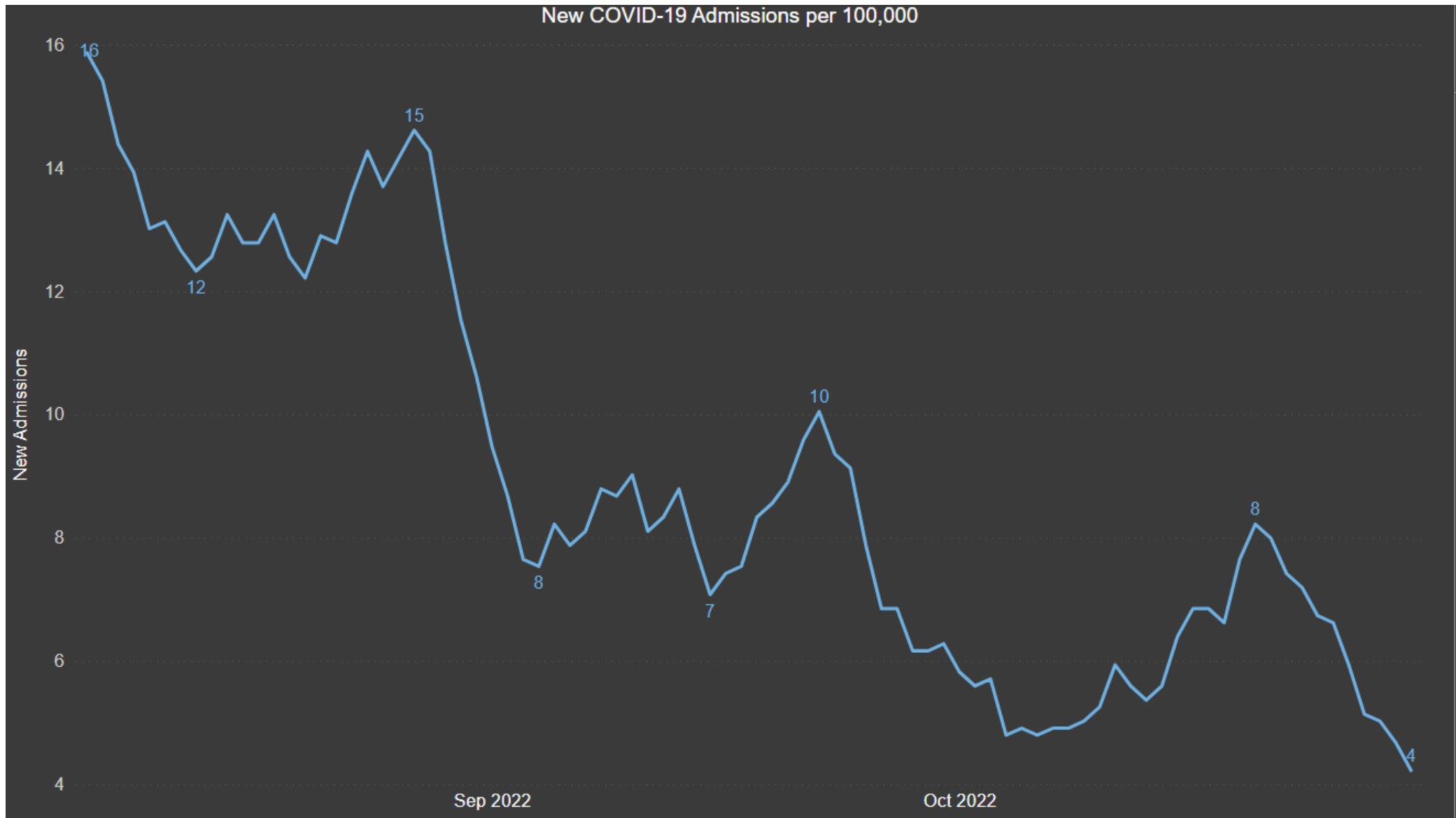
iii-Respiratory Infections Update

Hector I. Ocaranza, M.D.

COVID-19 Update

- COVID-19 activity remains low, but this soon may change
- Hospital admissions begin to rise
- COVID expected to increase activity in the early winter
- Testing available at kiosks on selected locations
- Vaccination still free of charge at COVID clinics

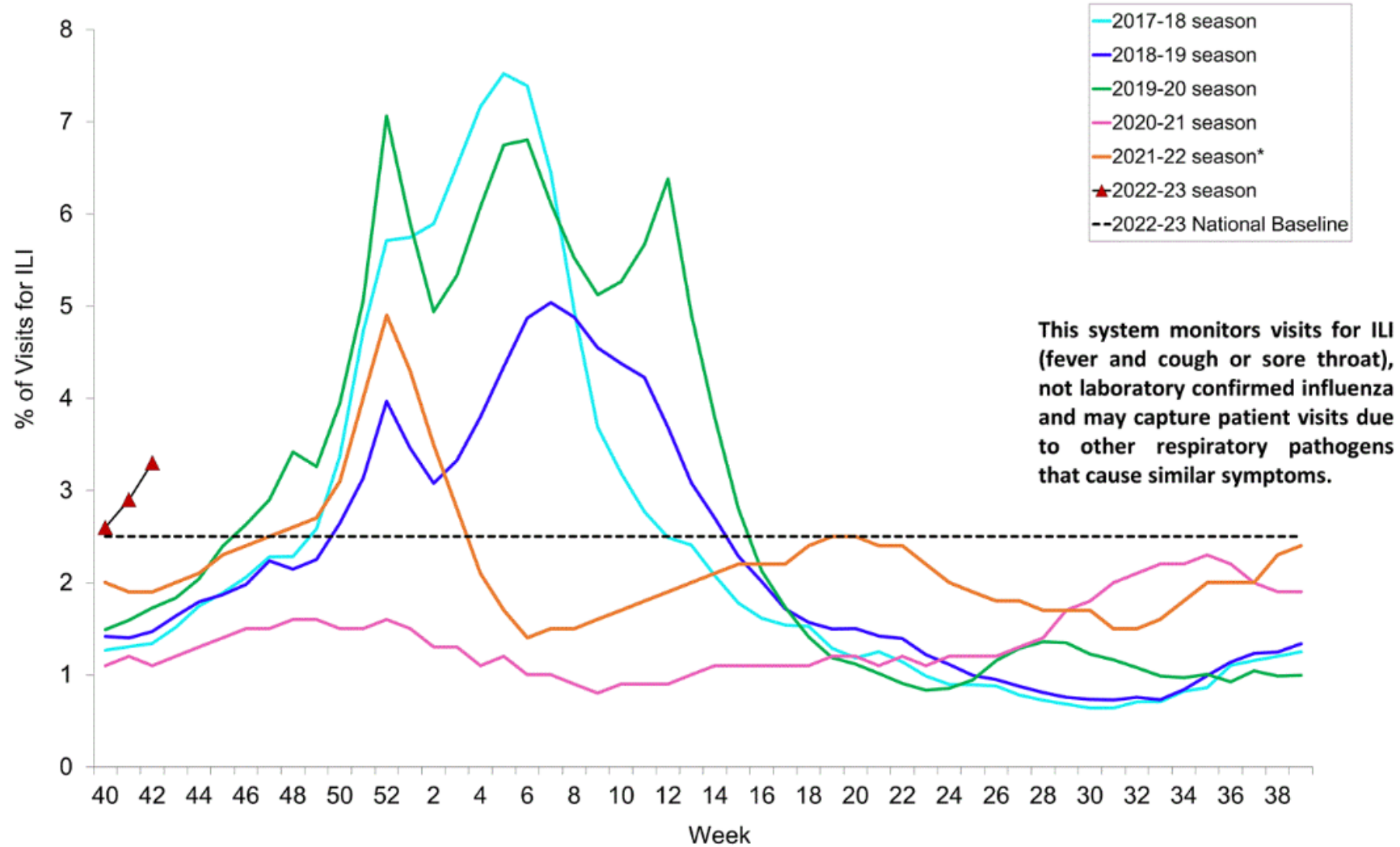




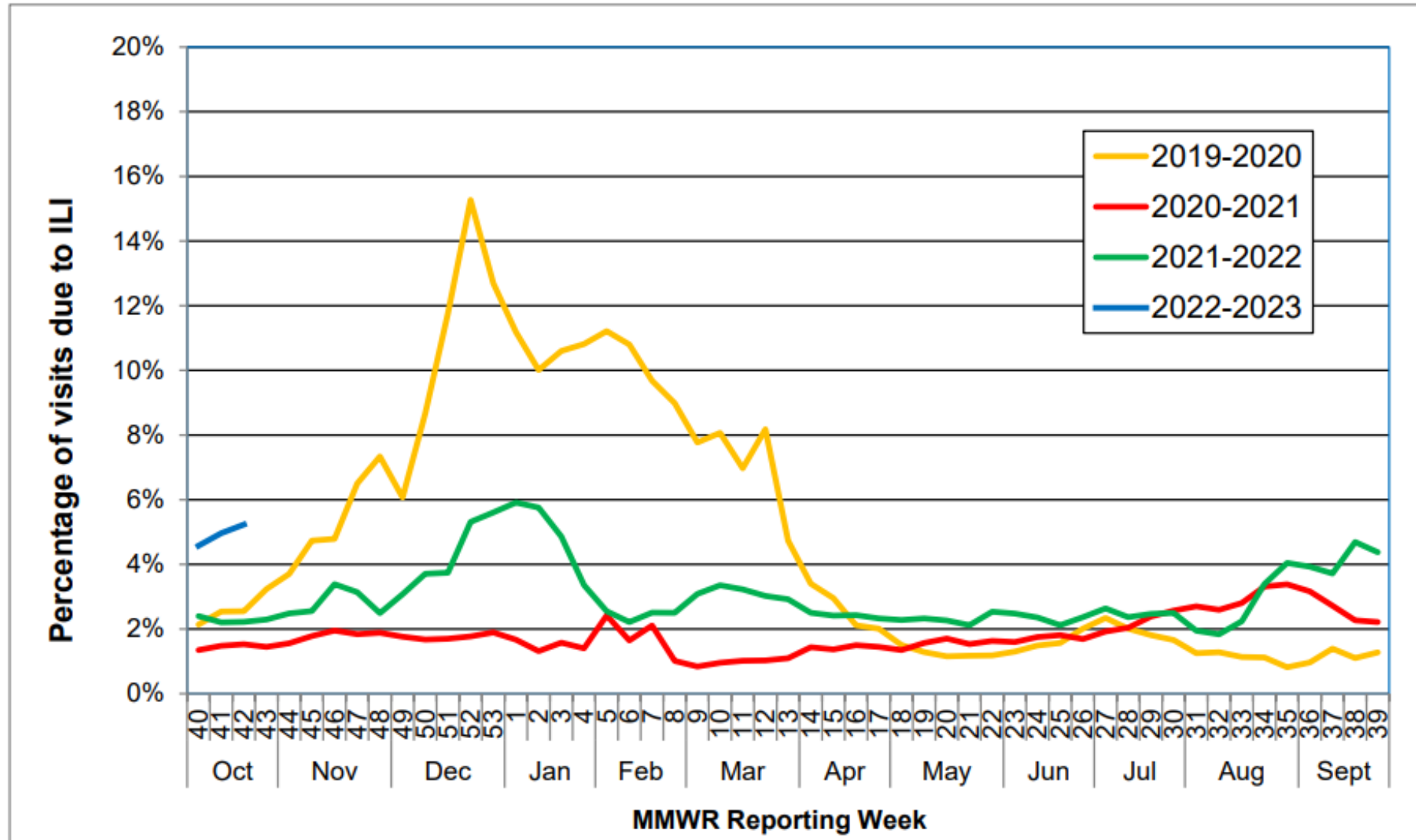
Respiratory Illnesses Update

- Texas reporting high flu activity
- RSV activity across state high during October
- Sharp increase in outpatient visits due to Influenza-Like Illness across the country
- Non-pharmacological preventive measures equally effective for all respiratory viruses
- Infants, children with certain chronic conditions more severely affected
- Flu vaccination ongoing at City Clinics and Pop-Up Events

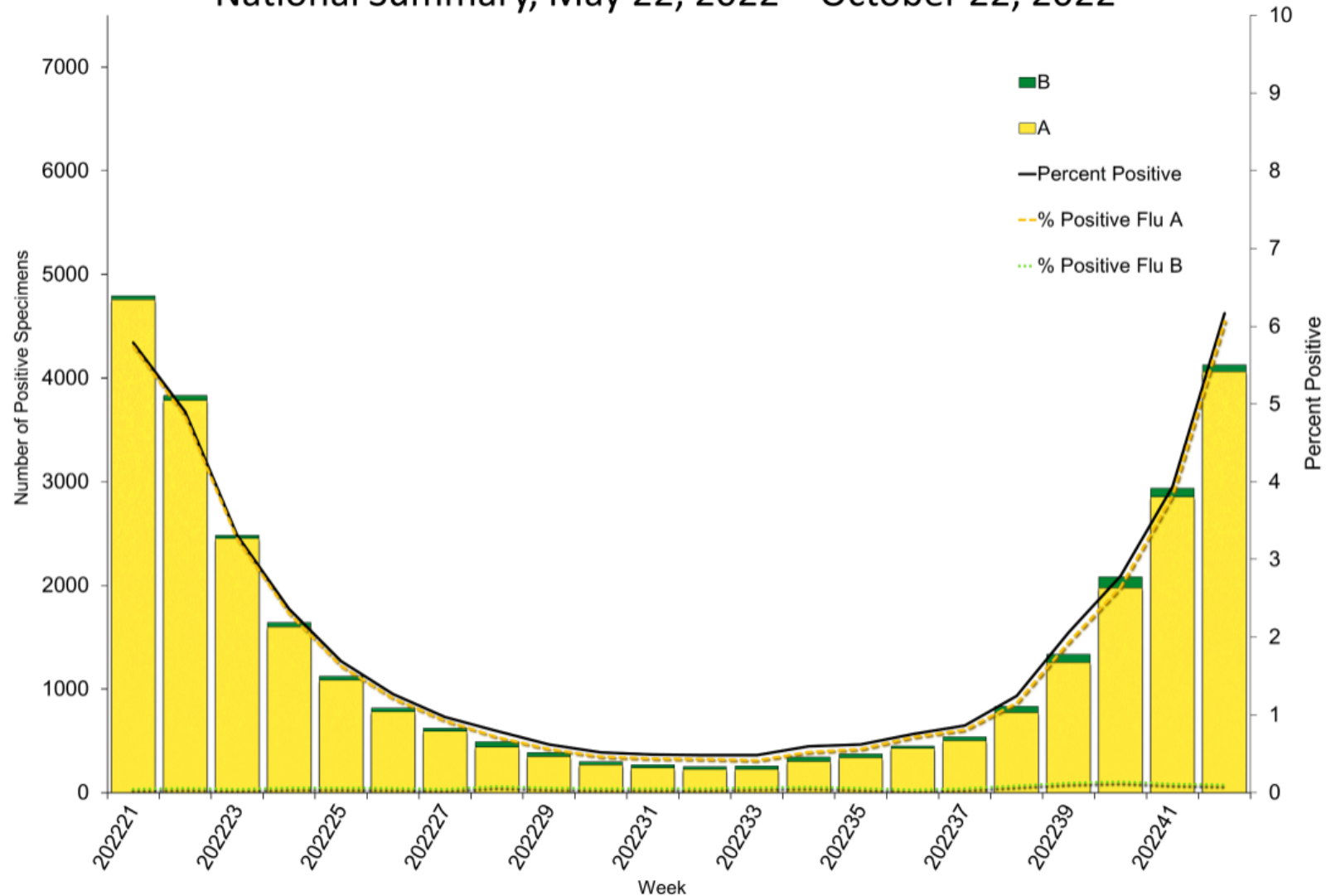
Percentage of Outpatient Visits for Respiratory Illness Reported By The U.S. Outpatient Influenza-like Illness Surveillance Network (ILINet), Weekly National Summary, 2022-2023* and Selected Previous Seasons



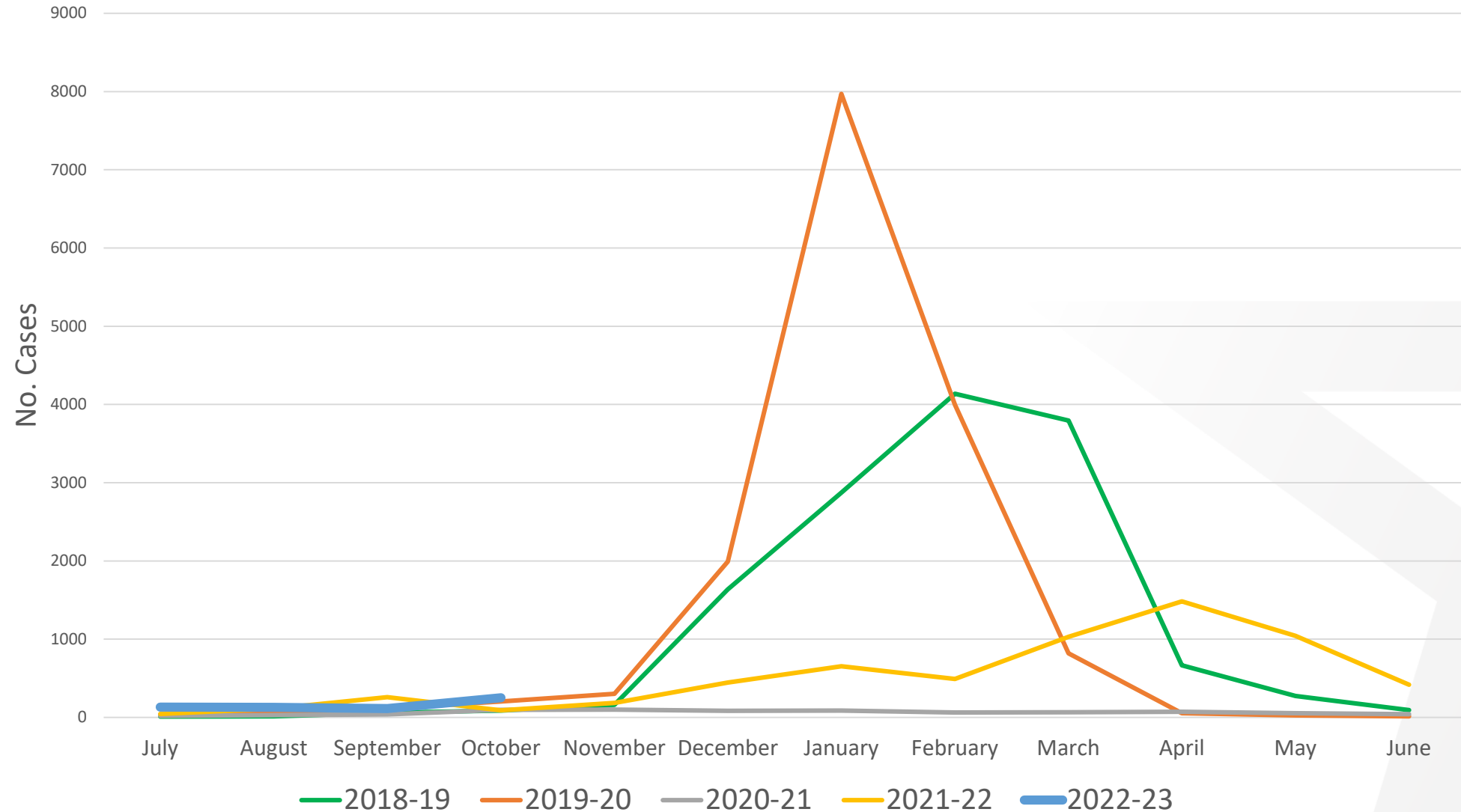
Influenza-like Illness Texas



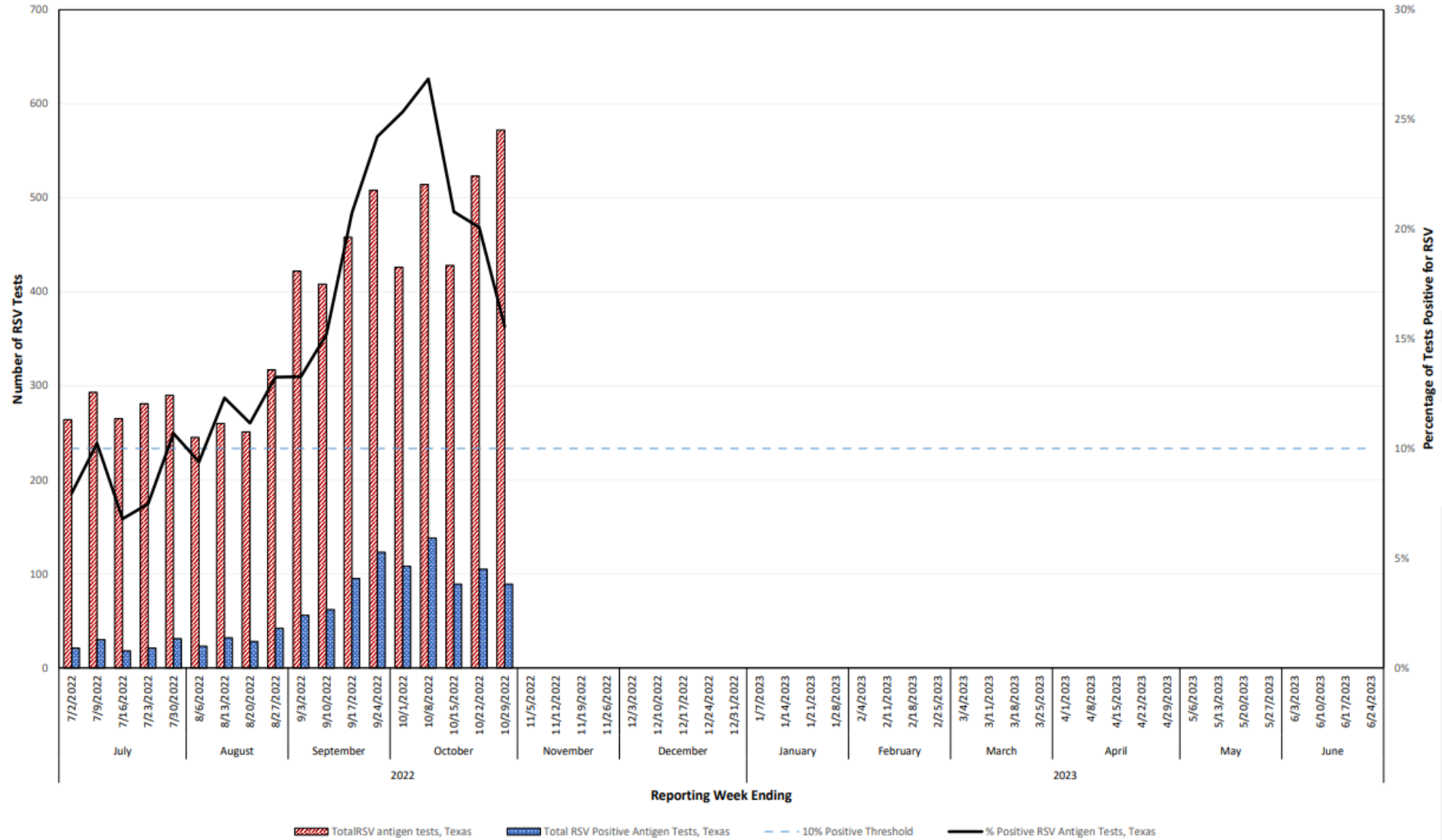
Influenza Positive Tests Reported to CDC by U.S. Clinical Laboratories, National Summary, May 22, 2022 – October 22, 2022



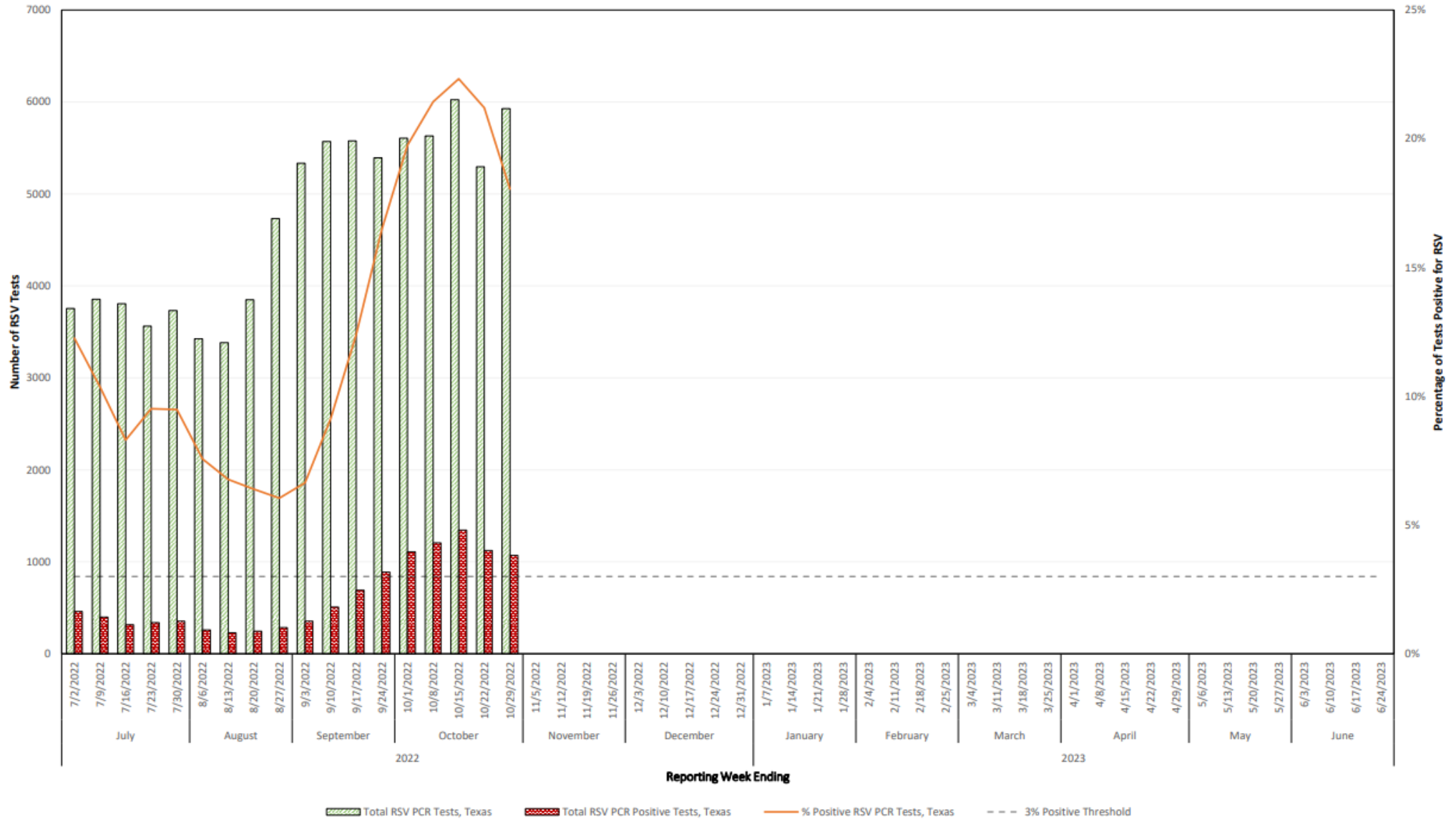
Influenza Activity 2018-22 El Paso, TX



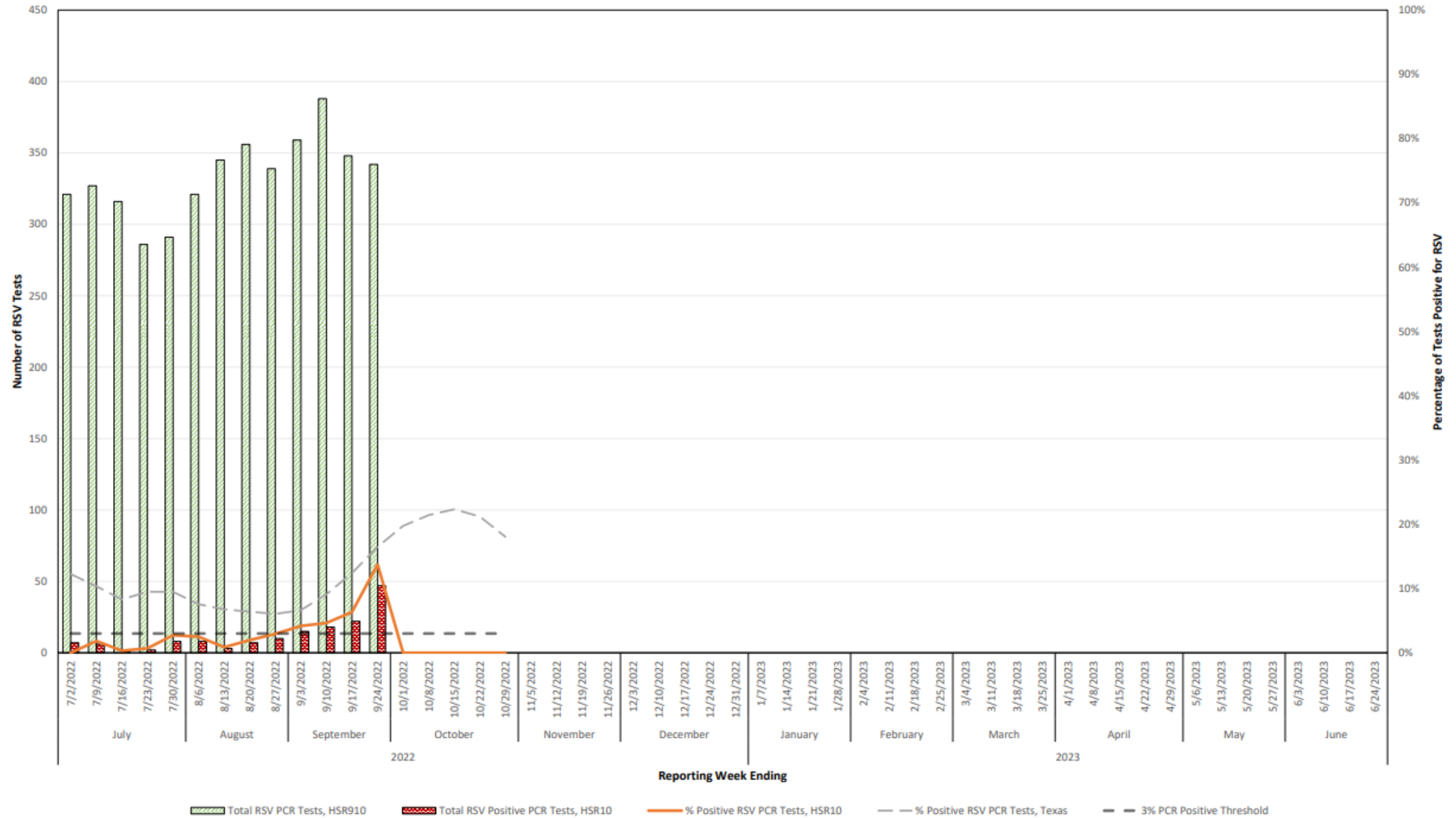
Number & Percentage of Antigen Tests Positive for Respiratory Syncytial Virus (RSV)
All Texas Sites, 2022-2023 Season



Number & Percentage of PCR Tests Positive for Respiratory Syncytial Virus (RSV)
All Texas Sites, 2022-2023 Season



Number & Percentage of PCR Tests Positive for Respiratory Syncytial Virus (RSV) Health Service Region 10 (Upper Rio Grande/El Paso), 2022-2023 Season

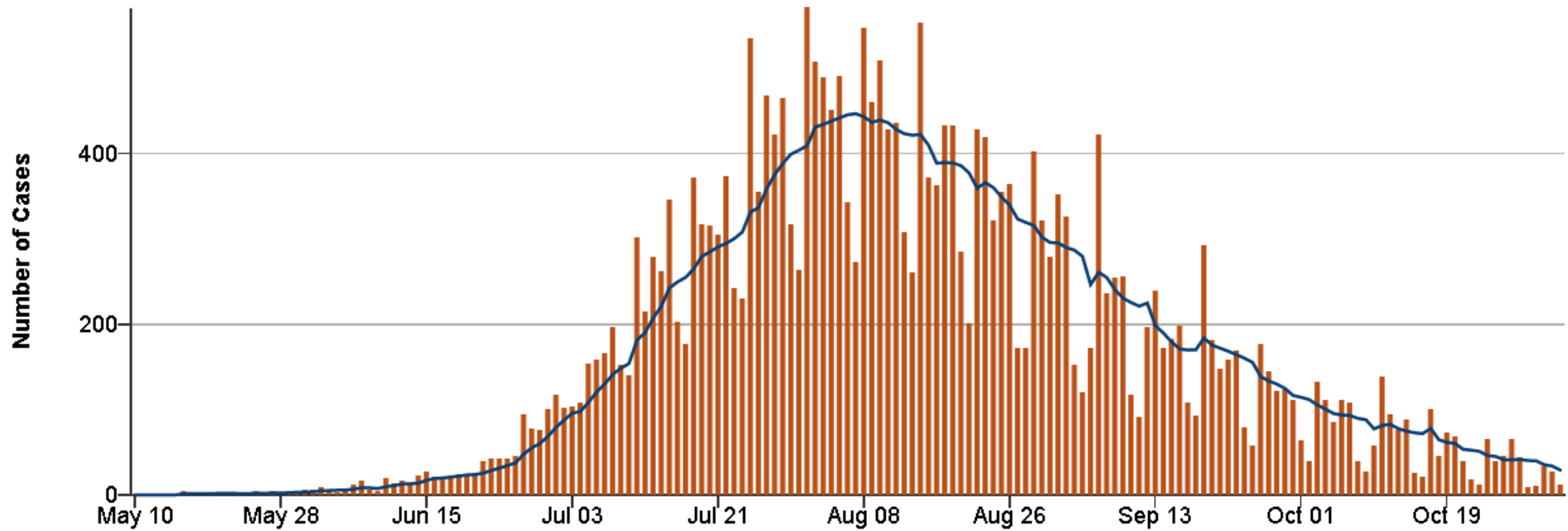


Monkeypox Update

- Monkeypox activity across state low
- No new confirmed cases of monkeypox in our community
- Vaccination continues to anyone who is considered high risk
- So far, we have administered about 500 doses

Monkeypox in the US

Daily Monkeypox Cases Reported* and 7 Day Daily Average



<https://www.cdc.gov/poxvirus/monkeypox/response/2022/mpx-trends.html>

Stop the spread

- Avoid close, skin-to-skin contact with people who have a rash that looks like monkeypox
- Avoid contact with objects and materials that a person with monkeypox has used
- Wash your hands often

4. City Manager Wrap-up

Tommy Gonzalez

A large, thick, orange graphic element on the left side of the slide. It is a stylized arrow pointing towards the right, with a jagged, zig-zag tail. The arrow is composed of several segments, giving it a dynamic, hand-drawn appearance.

Thank you!



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 22-1469, **Version:** 1

CITY OF EL PASO, TEXAS LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

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

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

All Districts

City Manager's Office, Chief Mario D'Agostino, (915) 212-5605

AGENDA LANGUAGE:

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

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

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

AGENDA DATE: November 7, 2022
PUBLIC HEARING DATE: November 7, 2022

CONTACT PERSON NAME AND PHONE NUMBER: Mario M. D'Agostino, DCM (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. 019387 which re-enacts Emergency Ordinance No. 019035 is set to expire on November 09, 2022.

PRIOR COUNCIL ACTION:

Since March 2020, El Paso City Council has re-enacted Emergency Ordinance No. 019035 monthly, with the most recent re-enactment taking place on October 10, 2022.

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:

Mario M. D'Agostino

ORDINANCE NO. _____

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

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

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

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

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

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

WHEREAS, since March 2020, El Paso City Council has re-enacted Emergency Ordinance No. 019035 monthly, with the most recent re-enactment taking place on October 10, 2022; and

WHEREAS, despite local COVID-19 cases continuing to decline, the risk of contracting COVID-19 remains and new variants of the virus are expected to arise; and

WHEREAS, as of October 27, 2022, the number of new COVID-19 active cases reported in El Paso is 87 and the cumulative number is 287,624; 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. 019387 which re-enacts Emergency Ordinance No. 019035 is set to expire on November 09, 2022;

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

ORDINANCE NO. _____

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 November 2022.


THE CITY OF EL PASO, TEXAS

Oscar Leaser
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

ORDINANCE NO. _____



Legislation Text

File #: 22-1470, Version: 1

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

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

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

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All Districts

City Manager's Office, Chief Mario D'Agostino, (915) 212-5605

AGENDA LANGUAGE:

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Discussion and action on an Emergency Ordinance re-enacting Emergency Ordinance No. 019036 instituting emergency measures, as re-enacted, restated and amended by Emergency Ordinance No. 019151; and further re-enacted and amended by Emergency Ordinance Nos. 019156, 019169, 019191 and 019284; penalty as provided in Section 8.

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

AGENDA DATE: November 7, 2022
PUBLIC HEARING DATE: November 7, 2022

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

DISTRICT(S) AFFECTED: All Districts

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

SUBJECT:

Discussion and action on an Emergency Ordinance re-enacting Emergency Ordinance no. 019036 instituting emergency measures, as re-enacted, restated and amended by Emergency Ordinance no. 019151; and further re-enacted and amended by Emergency Ordinance nos. 019156, 019169, 019191 and 019284; penalty as provided in section 8.

BACKGROUND / DISCUSSION:

the City Council desires to re-enact Emergency Ordinance No. 019036, as re-enacted, restated and amended on March 16, 2021 through Emergency Ordinance No. 019151, as further re-enacted and amended on March 29, 2021 through Emergency Ordinance No. 019156, as further re-enacted and amended on April 26, 2021 through Emergency Ordinance No. 019169, as further re-enacted and amended on May 24, 2021 through Emergency Ordinance No. 019191, as further re-enacted and amended on January 31, 2022 through Emergency Ordinance No. 019284, which shall remain in effect for thirty days or until otherwise terminated, re-enacted, or superseded by a conflicting El Paso Local Health Authority order, or state or federal law or order.

PRIOR COUNCIL ACTION:

Since March 2020, City Council has re-enacted Emergency Ordinance No. 019036 monthly, with the most recent re-enactment, re-statement and amendment taking place on March 16, 2021, and with the most recent re-enactment taking place on October 10, 2022; and

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:

Mario M. D'Agostino

ORDINANCE NO. _____

AN EMERGENCY ORDINANCE RE-ENACTING EMERGENCY ORDINANCE NO. 019036 INSTITUTING EMERGENCY MEASURES, AS RE-ENACTED, RESTATED AND AMENDED BY EMERGENCY ORDINANCE NO. 019151; AND FURTHER RE-ENACTED AND AMENDED BY EMERGENCY ORDINANCE NOS. 019156, 019169, 019191 and 019284; PENALTY AS PROVIDED IN SECTION 8

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

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

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

WHEREAS, since March 2020, City Council has re-enacted Emergency Ordinance No. 019036 monthly, with the most recent re-enactment, re-statement and amendment taking place on March 16, 2021, and with the most recent re-enactment taking place on October 10, 2022; 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 re-enact Emergency Ordinance No. 019036, as re-enacted, restated and amended on March 16, 2021 through Emergency Ordinance No. 019151, as further re-enacted and amended on March 29, 2021 through Emergency Ordinance No. 019156, as further re-enacted and amended on April 26, 2021 through Emergency Ordinance No. 019169, as further re-enacted and amended on May 24, 2021 through Emergency Ordinance No. 019191, as further re-enacted and amended on January 31, 2022 through Emergency Ordinance No. 019284, which shall remain in effect for thirty days or until otherwise terminated, re-enacted, or superseded by a conflicting El Paso Local Health Authority order, or state or federal law or order.

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

1. Emergency Ordinance No. 019036, as re-enacted, restated and amended by Emergency Ordinance No. 019151, and as further re-enacted and amended by Emergency Ordinance Nos. 019156, 019169, 019191, and 019284, penalty as provided in Section 8, is hereby re-enacted.
2. Emergency Ordinance No. 019036, as re-enacted, restated and amended by Emergency Ordinance No. 019151, and further re-enacted and amended by Emergency Ordinance Nos. 019156, 019169, 019191, and 019284, penalty as provided in Section 8, shall remain in full force and effect and continue for thirty (30) days unless re-enacted in accordance with City Charter Section 3.10 or until terminated by the City Council, whichever is sooner.

Ordinance No. _____

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

PASSED AND ADOPTED, this ____ day of November 2022.

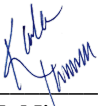
THE CITY OF EL PASO, TEXAS

Oscar Leeser
Mayor

ATTEST:

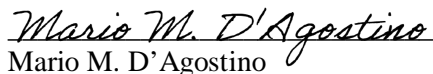
Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Karla M. Nieman
City Attorney

APPROVED AS TO CONTENT:



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

Ordinance No._____



Legislation Text

File #: 22-1443, Version: 1

CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

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

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

All Districts

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

AGENDA LANGUAGE:

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

Discussion and action on an Emergency Ordinance re-enacting Emergency Ordinance No. 019241 allowing temporary uses on the public right of way and private property by suspending various City ordinances; Penalty as provided in Section 6.

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

AGENDA DATE: November 7, 2022
PUBLIC HEARING DATE: N/A

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

DISTRICT(S) AFFECTED: All Districts

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

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

SUBJECT:

Discussion and action on an Emergency Ordinance re-enacting Emergency Ordinance No. 019241; allowing temporary uses on the public right of way and private property by suspending various city ordinances; Penalty as provided in Section 6.

BACKGROUND / DISCUSSION:

This item is to support restaurants and similar establishments in their efforts to safely operate during the COVID-19 pandemic by further facilitating outdoor service and dining opportunities. To achieve this, this item would re-enact Emergency Ordinance No. 019241 for 30 days to continue the suspension of various sections of the El Paso City Code to facilitate temporary uses on the public right of way and private property and continue the pilot program.

PRIOR COUNCIL ACTION:

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

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

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

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

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

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

December 14, 2020, January 5, 2021, February 1, 2021, March 1, 2021, March 29, 2021, April 26, 2021, May 24, 2021, June 21, 2021, July 19, 2021, August 16, 2021, El Paso City Council enacted an Emergency Ordinance Re-Enacting Emergency Ordinance No. 019091.

October 11, 2021, El Paso City Council adopted Emergency Ordinance No. 019241, which suspended various sections of the El Paso City Code to facilitate temporary uses on the public right of way and private property and established a pilot program.

November 8, 2021, December 6, 2021, January 4, January 31, February 28, March 28, April 25, May 23, June 21, July 18, August 28, September 12, and October 10, 2022. El Paso City Council enacted an Emergency Ordinance Re-Enacting Emergency Ordinance No. 019241.

AMOUNT AND SOURCE OF FUNDING:
N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES NO

PRIMARY DEPARTMENT: Capital Improvement Department
SECONDARY DEPARTMENT: Streets and Maintenance, Planning and Inspections

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

DEPARTMENT HEAD:


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

**AN EMERGENCY ORDINANCE
RE-ENACTING EMERGENCY ORDINANCE NO. 019241;
ALLOWING TEMPORARY USES ON THE PUBLIC RIGHT OF WAY AND
PRIVATE PROPERTY BY SUSPENDING VARIOUS CITY ORDINANCES;
PENALTY AS PROVIDED IN SECTION 6.**

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

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

WHEREAS, on March 17, 2020, El Paso City Council adopted Emergency Ordinance No. 019035 extending the City's Disaster Declaration due to a Public Health Emergency; and

WHEREAS, since March 2020, El Paso City Council has re-enacted Emergency Ordinance No. 019035, with the most recent re-enactment taking place on October 10, 2022; and

WHEREAS, Governor Abbott has similarly renewed the State's COVID- 19 Disaster Declaration, with the most recent extension taking place on October 19, 2022; and

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

WHEREAS, the El Paso City Council desires to support restaurants and similar establishments in their efforts to safely operate during the COVID-19 pandemic by further facilitating outdoor service and dining opportunities; and

WHEREAS, on October 11, 2021, City Council enacted an Emergency Ordinance Instituting Emergency Measures to Allow Temporary Uses on the Public Right of Way and Private Property by Suspending Various City Ordinances ("**Emergency Ordinance No. 019241**"); 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, City Council re-enacted Emergency Ordinance No. 019241, with the most recent re-enaction taking place on October 10, 2022 (Ord. No.019389) ("Re-enacting Ordinance"); 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

ORDINANCE NO. _____

20-1052-1069 | 1211788

Fourteenth Re-enactment of Emergency Ordinance No. 019241 Rights of Way

KMN | JSG

WHEREAS, City Council desires to re-enact its October 11, 2021, Emergency Ordinance No. 019241, which shall take effect immediately, and remain in effect until December 7, 2022 until otherwise terminated, re-enacted, or superseded by a conflicting El Paso Local Health Authority order, or state or federal law or order.

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

1. That Emergency Ordinance No. 019241, is re-enacted and shall remain in full force and continue for thirty (30) days unless re-enacted in accordance with City Charter Section 3.10 or until terminated by the City Council, whichever is sooner;
2. This ordinance is adopted as an emergency measure with the unanimous vote of the City Council Representatives present and the consent of the Mayor and pursuant to City Charter Section 3.10.

PASSED AND ADOPTED, this ____ day of _____, 2022.


THE CITY OF EL PASO, TEXAS:

Oscar Leeser
Mayor

ATTEST:

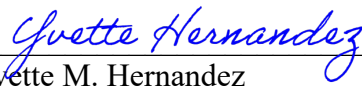
Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Karla M. Nieman
City Attorney

APPROVED AS TO CONTENT:



Yvette M. Hernandez
City Engineer

ORDINANCE NO. _____



Mission

Deliver exceptional services to support a high quality of life and place for our community



Vision

Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government



Values

Integrity, Respect, Excellence, Accountability, People



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



Sun City Safe Program:

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

Strategic Goals:

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

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

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



1. Program Summary

Proposed Pilot Program:

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





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



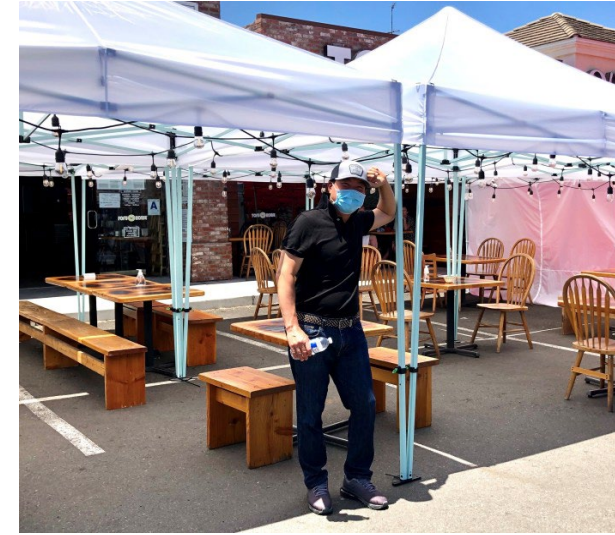
- **[Business]:** Addressing any use of outdoor space within a private property for a business to offer for safe distancing practices; **reduced parking requirements + outdoor seating = increased capacity**



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



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



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



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

Sun City Safe Program Summary:

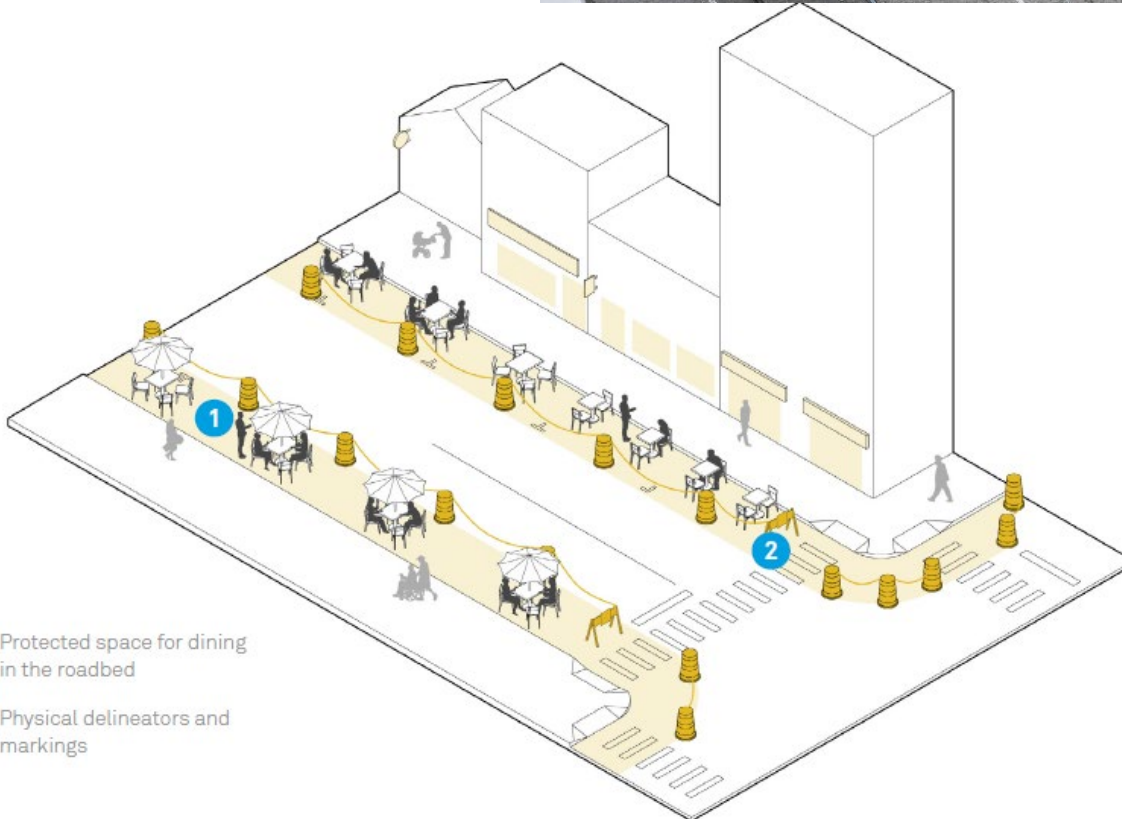


- Sun City Safe program is coordinated as an expedited permit type in response to COVID 19:
 - Pilot process coordinated with multiple user departments
- City Pilot Prototypes are to test-run initiative and finalize application and administrative process:
 - Ped-lane on Campbell Street (between 3rd st.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

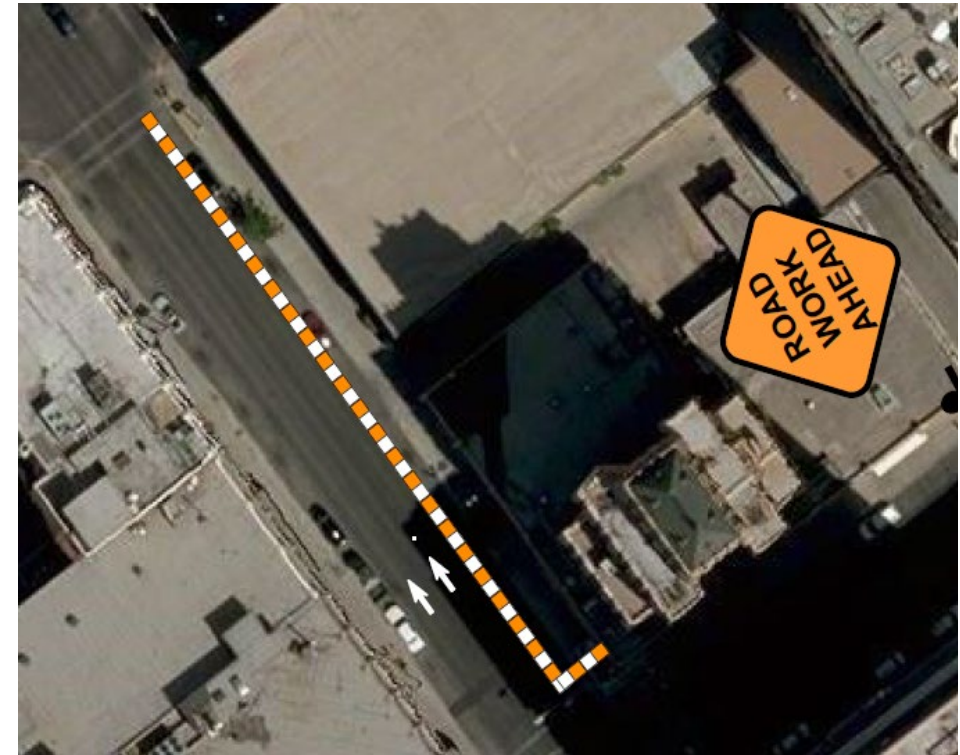


Prototypes

Prototype 1: ROW Cafe



- 1 Protected space for dining in the roadbed
- 2 Physical delineators and markings



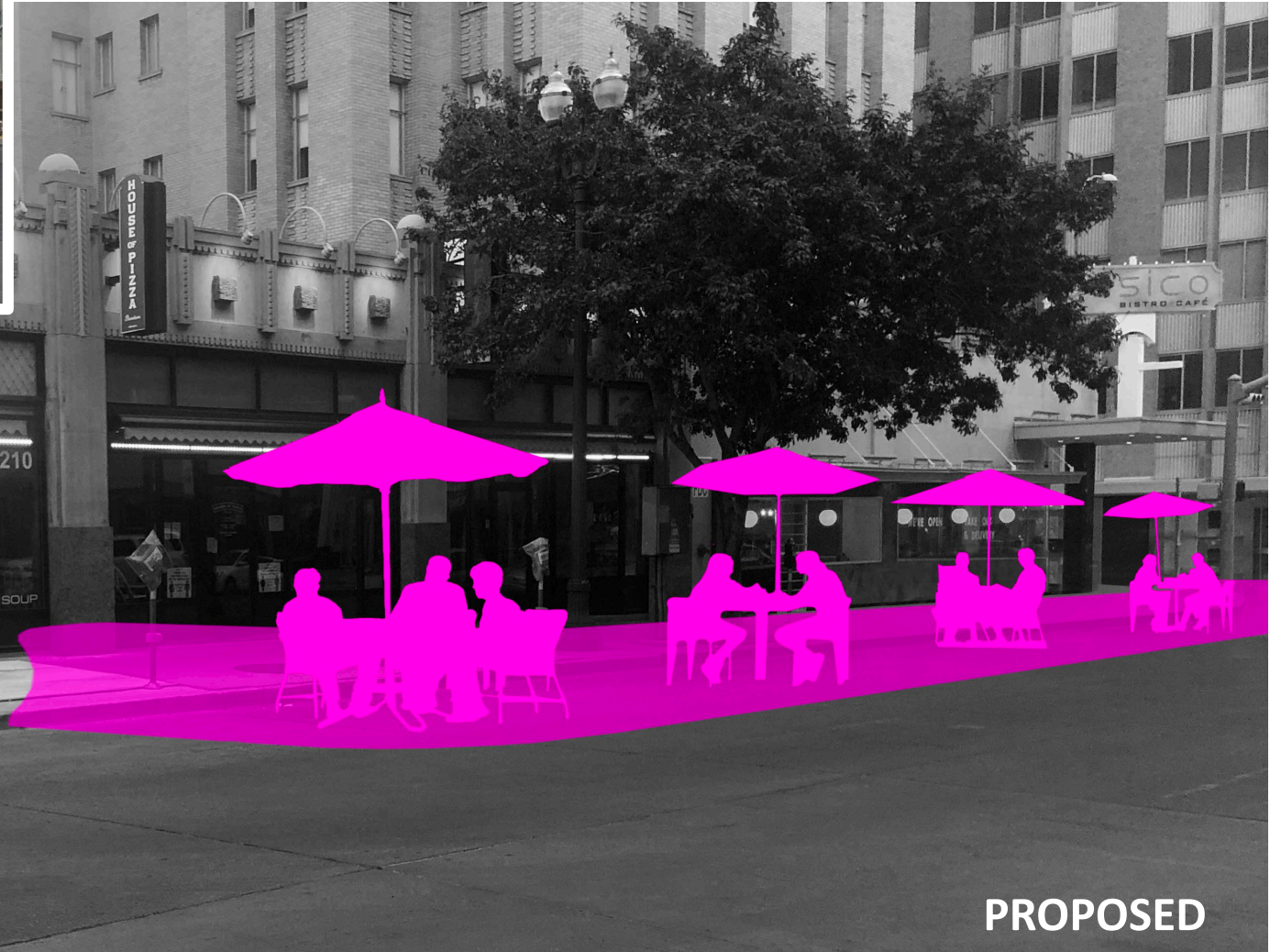
R.O.W Cafe:

Stanton; between Mills and Texas

13

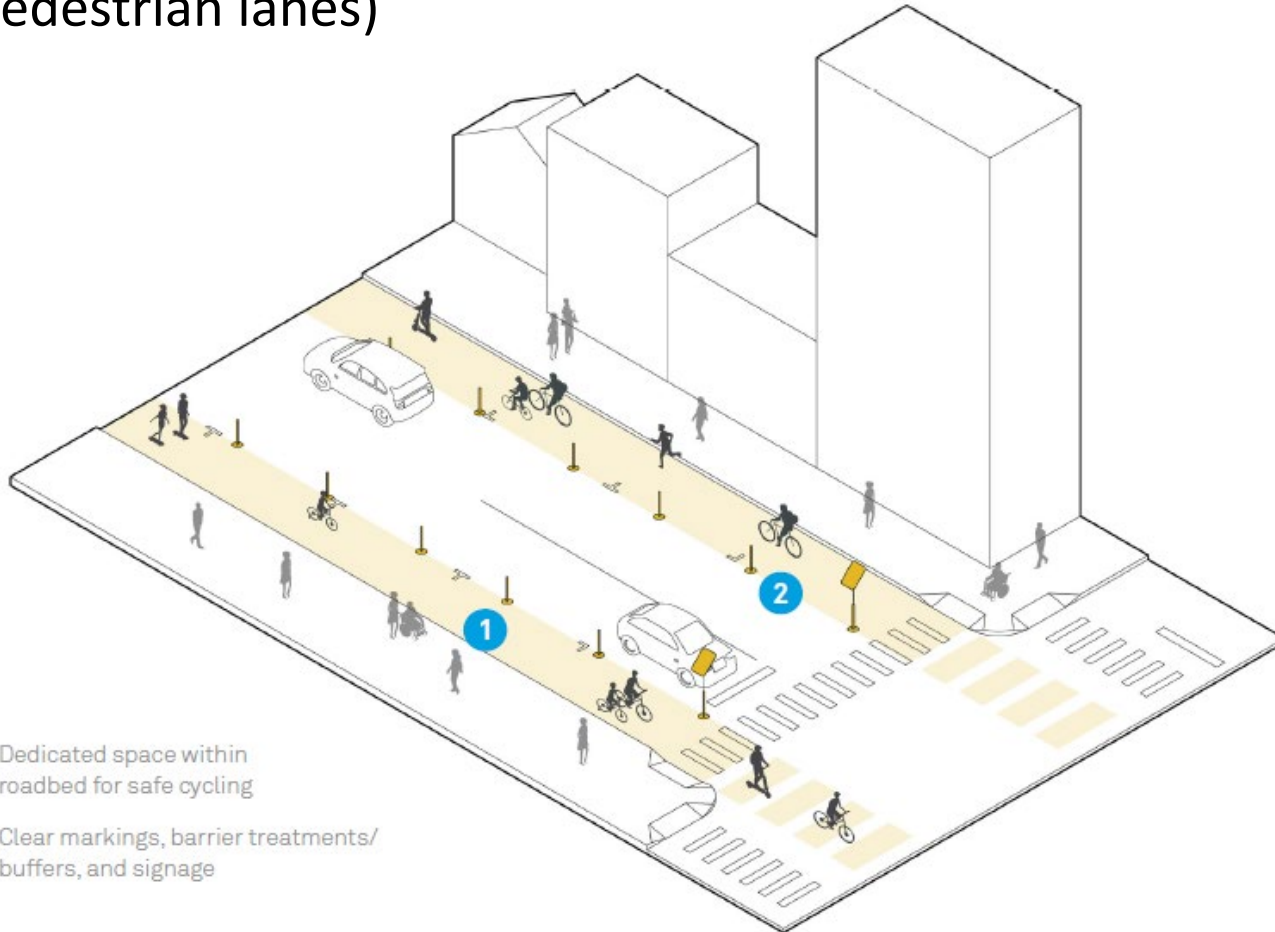
- Street lane closed off to serve as space for outdoor seating
 - Deployed by Streets & Maintenance on Nov. 30th and removed during the week of January 25th





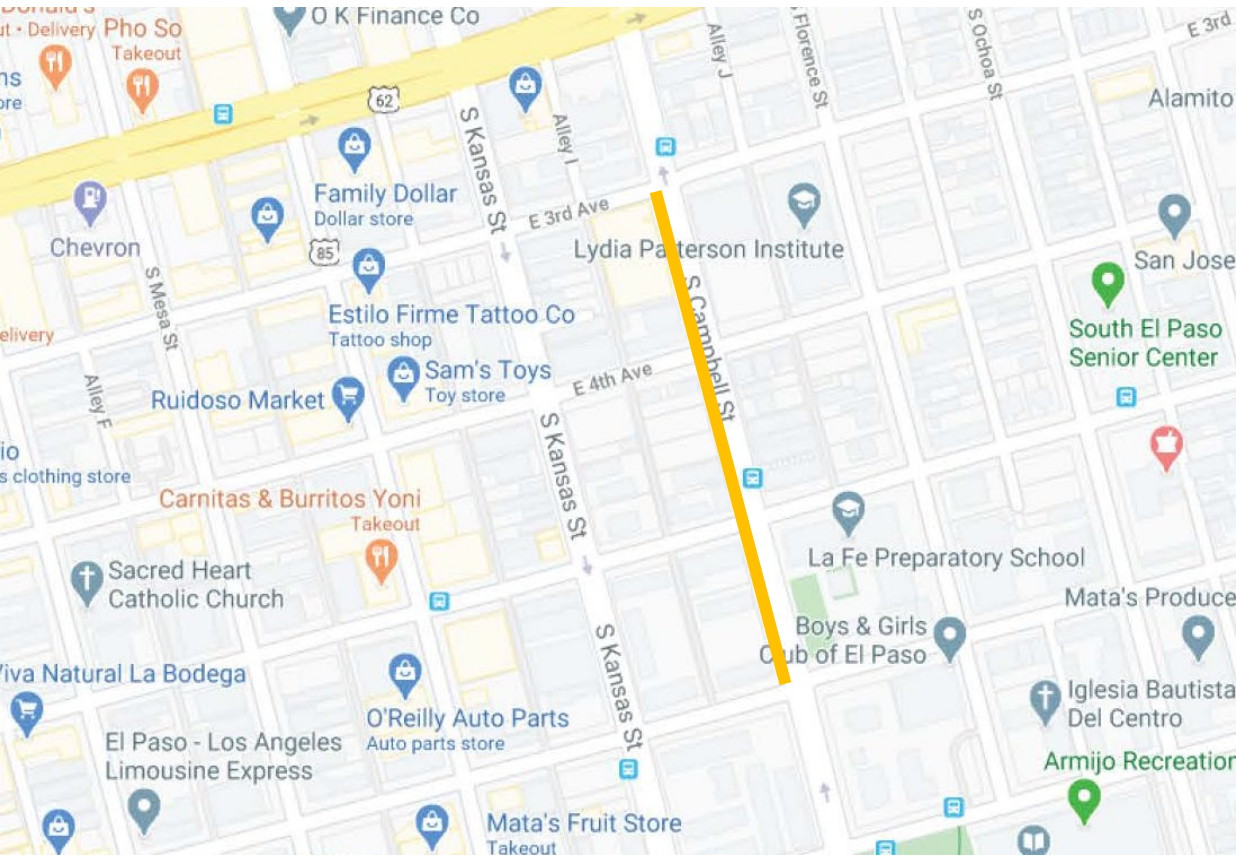
Prototypes

Prototype 2: Ped-way (pedestrian lanes)



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

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

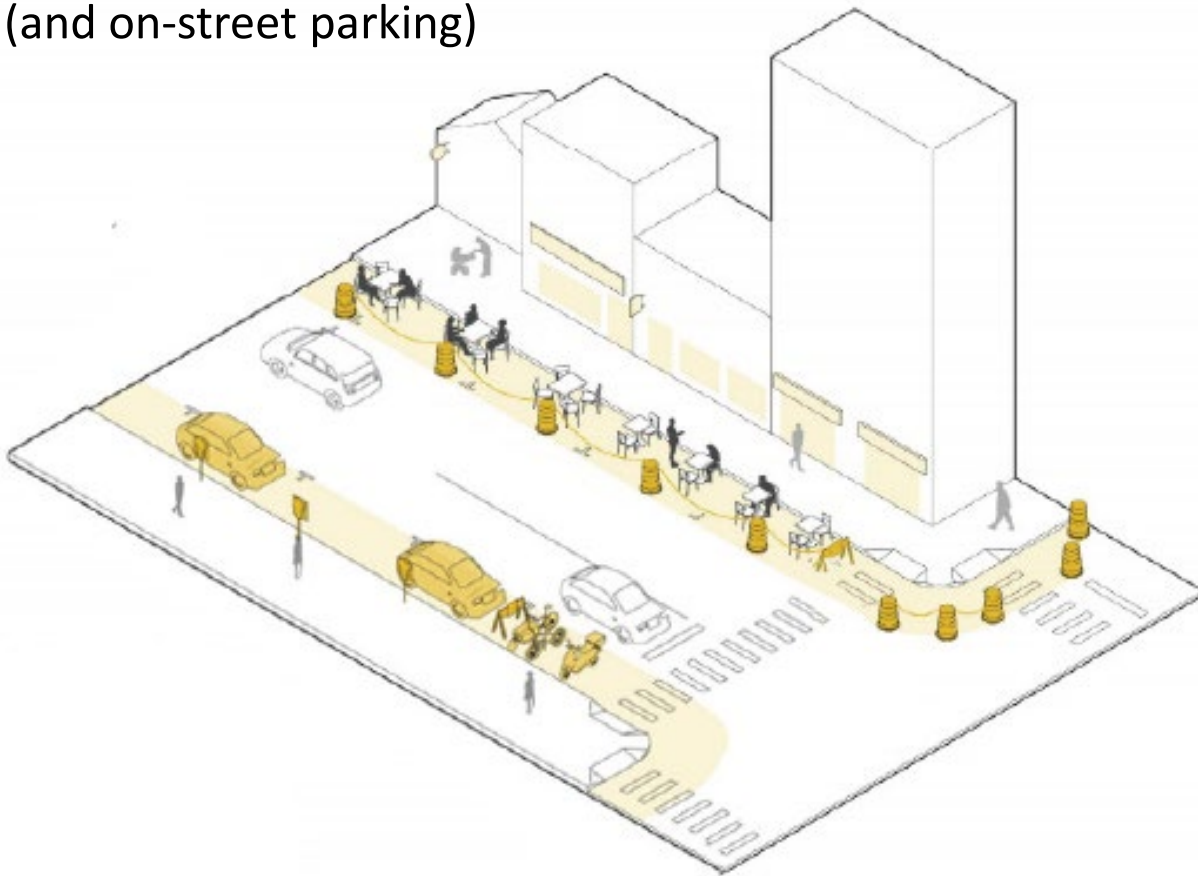






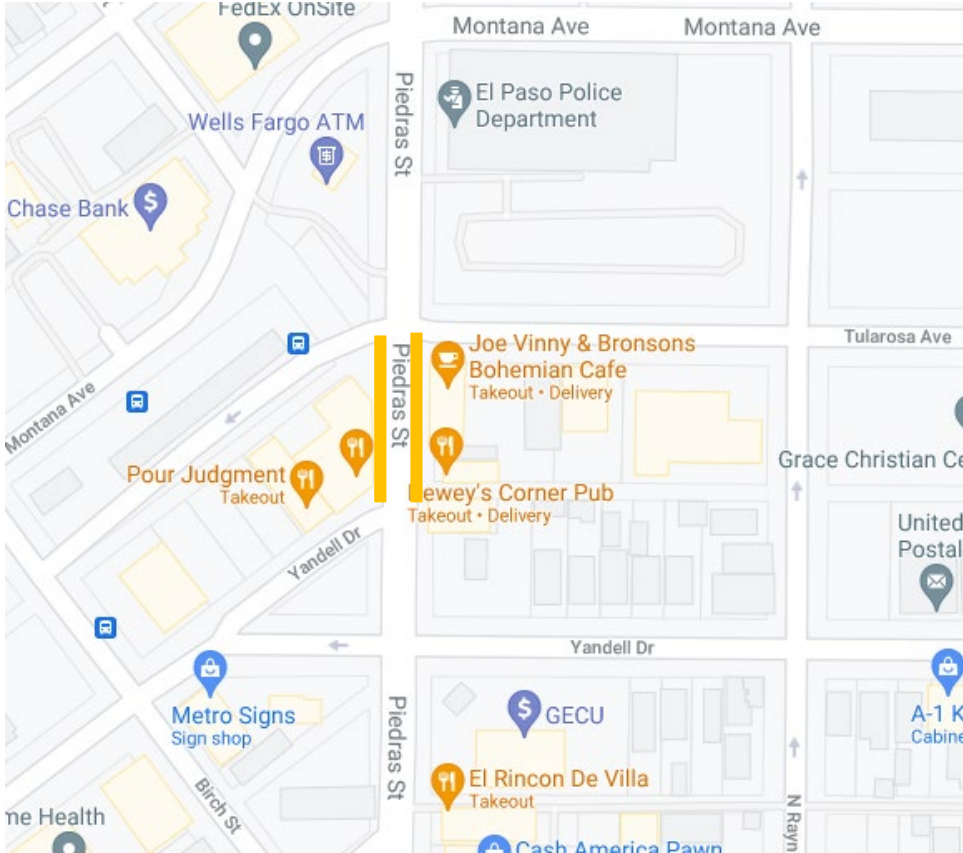
Prototypes

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



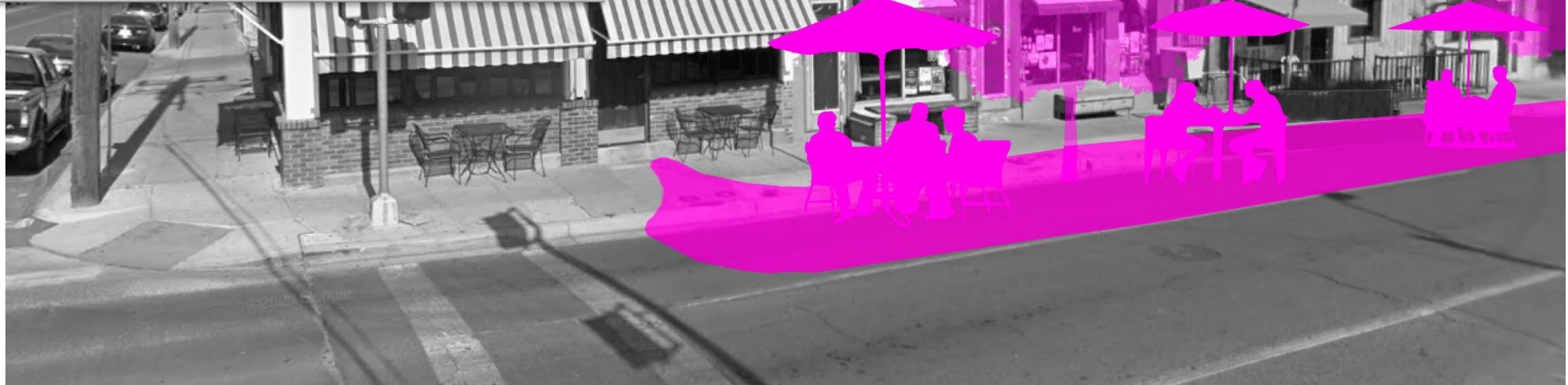
ROW Café : Piedras; between Tularosa and Yandell (alley)

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





EXISTING



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

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



EXISTING

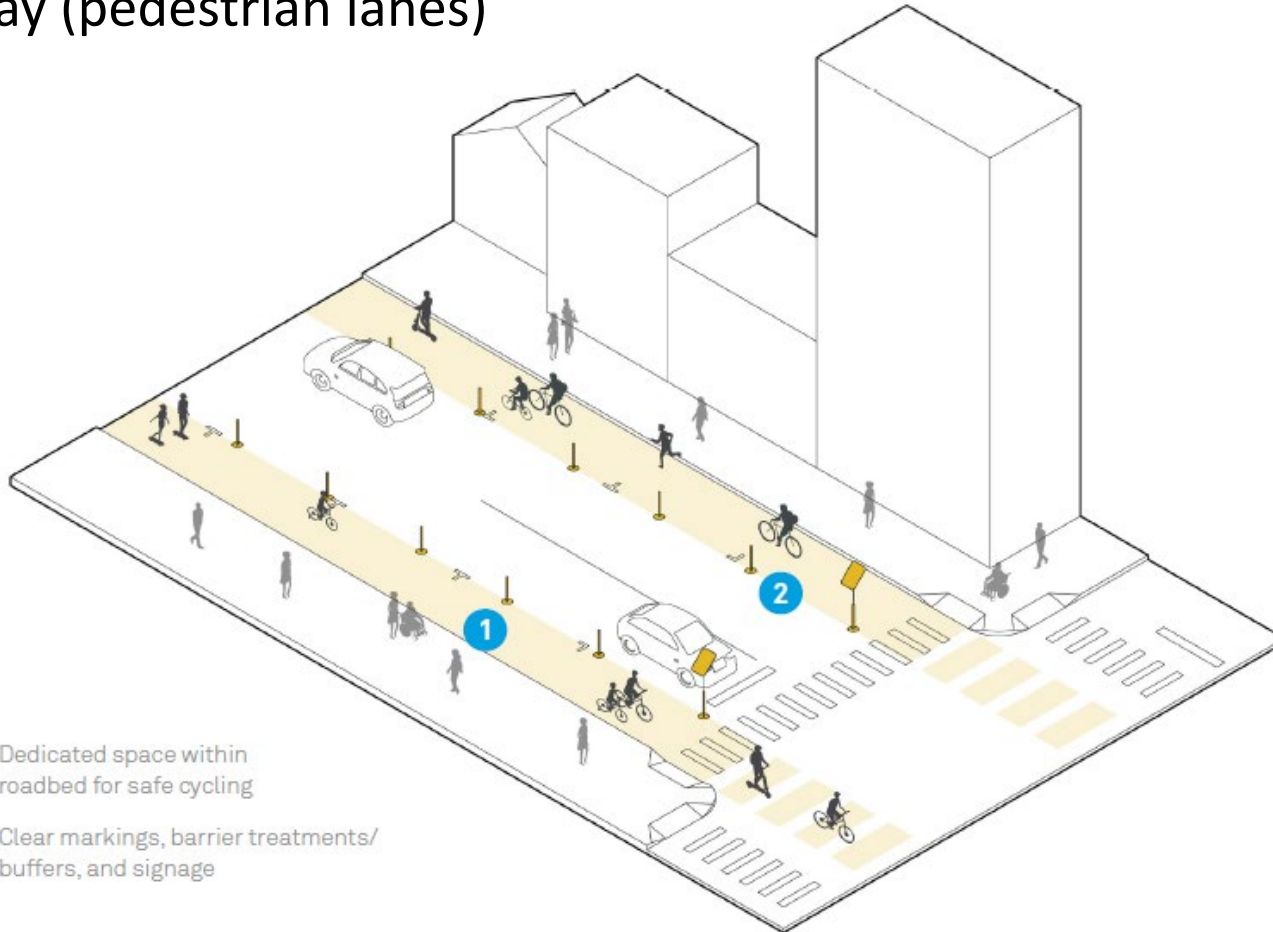


PROPOSED

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

Prototypes

Prototypes 4 & 5: Ped-way (pedestrian lanes)

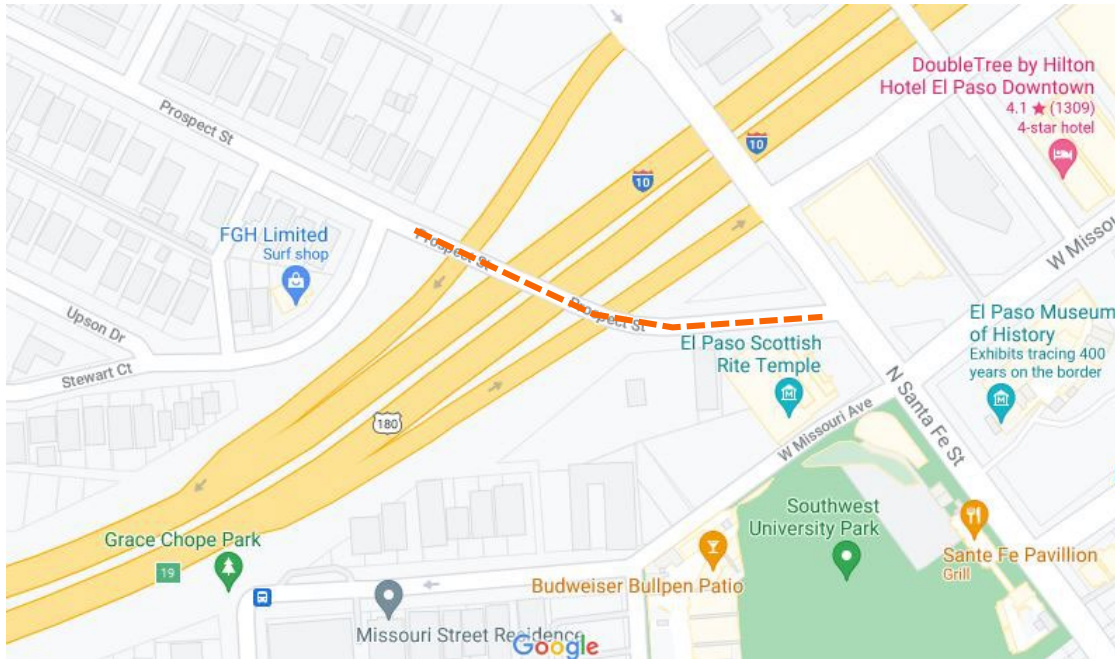


- 1 Dedicated space within roadbed for safe cycling
- 2 Clear markings, barrier treatments/ buffers, and signage

Ped-Way:

Prospect; between Stewart Ct. and Santa Fe St.

- Existing metered parking lanes temporarily closed to allow for protected Bike lanes on both sides of street.
 - Deployed by Streets and Maintenance on March 26th
 - Permit expired April 26th

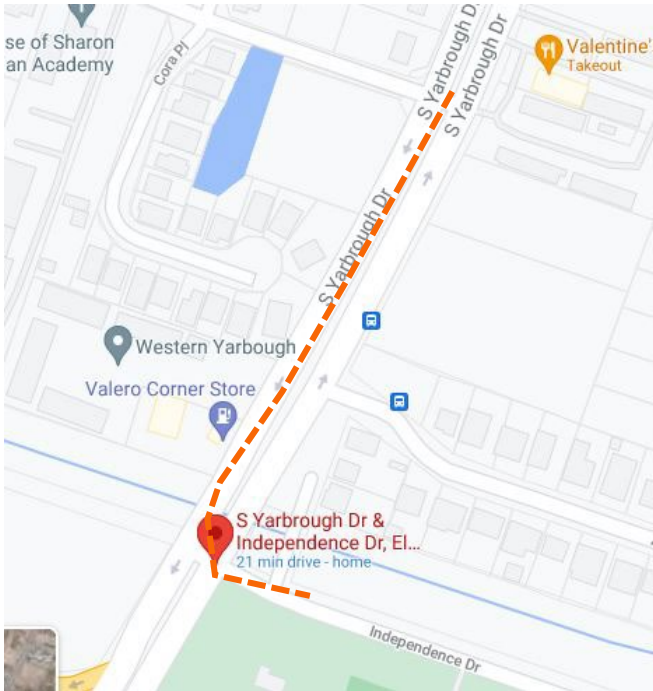


Ped-Way:

Yarborough; between Mansfield Ave. and Independence Dr.

25

- Applicant: American Heart Association for Complete Streets Program. South bound lane closed for protected hike and bike lane, with enhanced crosswalk for connectivity to Playa Drain Trail
 - Deployed by Streets and Maintenance on July 8th
 - Permit expired July 12th



Pre-packaged Online application Process:

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

City of El Paso Homepage

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

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

Search...

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

Create an Application Search Applications

Select a Record Type

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

City Safe Streets

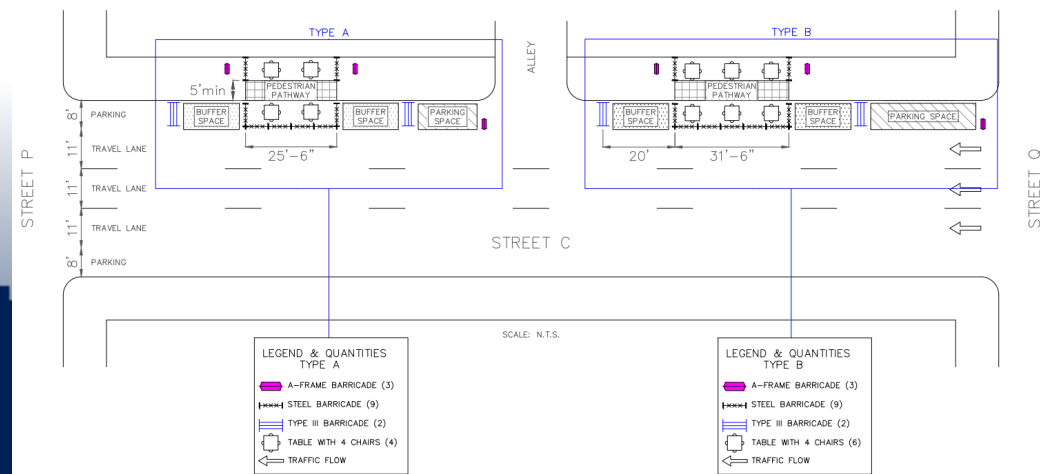
City/Permit/Sun City Safe Streets/NA

Continue Application >



PILOT PROGRAM IN RESPONSE TO COVID19 SAFETY ORDERS

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





Sun City Safe Program Website:

PLANNING AND INSPECTIONS

PROGRAM GUIDELINES AND ELIGIBILITY DOCUMENTS

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

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

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[SHARED USE MOBILITY DEVICES](#) [HISTORIC PRESERVATION](#) [CONTACT US](#)

SUN CITY SAFE PILOT PROGRAM

CITY OF EL PASO SUN CITY SAFE PROGRAM

Approved August 31st, 2020

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

PROGRAM OVERVIEW

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

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

SAFE STREETS

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



<http://www.elpasotexas.gov/planning-and-inspections/sun-city-safe-pilot-program>



Mission

Deliver exceptional services to support a high quality of life and place for our community



Vision

Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government



Values

Integrity, Respect, Excellence,
Accountability, People



Misión

Brindar servicios excepcionales para respaldar una vida y un lugar de alta calidad para nuestra comunidad

Visión

Desarrollar una economía regional vibrante, vecindarios seguros y hermosos y oportunidades recreativas, culturales y educativas excepcionales impulsadas por un gobierno de alto desempeño

Valores

Integridad, Respeto, Excelencia, Responsabilidad, Personas



Legislation Text

File #: 22-1432, Version: 2

CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

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

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

All Districts

Members of the City Council, Representative Henry Rivera, (915) 212-0007

AGENDA LANGUAGE:

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

For Notation Only: Formal Report of the Financial Oversight and Audit Committee meeting held on October 20, 2022.

1. Discussion and Action on the Update to the City of El Paso's Debt Policy
 - Motion made by Representative Hernandez, seconded by Representative Lizarraga and approved by Representative Rivera, Representative Hernandez, Representative Lizarraga and Representative Salcido to accept the Update to the City of El Paso's Debt Policy.
2. Discussion and Action on FY 2021-2022 Audit Plan 4th Quarter Updates
 - Motion made by Representative Lizarraga, seconded by Representative Salcido and approved by Representative Rivera, Representative Hernandez, Representative Lizarraga and Representative Salcido to accept the 4th Quarter Update.
3. Discussion and Action on the City of El Paso Internal Audit Charter
 - Motion made by Representative Hernandez, seconded by Representative Lizarraga and approved by Representative Rivera, Representative Hernandez, Representative Lizarraga and Representative Salcido to approve the City of El Paso Internal Audit Charter.
4. Discussion and Action to include an audit or review in the 2022-2023 Audit Plan of the expenditures related to the Migrant Humanitarian Crisis Response
 - Motion made by Representative Lizarraga, seconded by Representative Salcido and approved by Representative Rivera, Representative Hernandez, Representative Lizarraga and Representative Salcido to approve an audit or review in the 2022-2023 Audit Plan of the expenditures related to the Migrant Humanitarian Crisis Response.
5. Discussion and Action on the FY 2022-2023 Annual Internal Audit Plan
 - Motion made by Representative Lizarraga, seconded by Representative Salcido and approved by Representative

Rivera, Representative Hernandez, Representative Lizarraga and Representative Salcido to approve the FY 2022-2023 Annual Internal Audit Plan.

6. Discussion on Client Surveys.

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

DEPARTMENT: Mayor and Council

AGENDA DATE: Monday, November 7, 2022

CONTACT PERSON NAME AND PHONE NUMBER: City Rep Henry Rivera, District 7- 915.212.0007

DISTRICT(S) AFFECTED: All Districts

STRATEGIC GOAL: 6: Set the Standard for Sound Governance and Fiscal Management

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.

For Notation Only: Formal Report of the Financial Oversight and Audit Committee meeting held on October 20, 2022.

1. Discussion and Action on the Update to the City of El Paso's Debt Policy
 - Motion made by Representative Hernandez, seconded by Representative Lizarraga and approved by Representative Rivera, Representative Hernandez, Representative Lizarraga and Representative Salcido to accept the Update to the City of El Paso's Debt Policy.
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 - Motion made by Representative Hernandez, seconded by Representative Lizarraga and approved by Representative Rivera, Representative Hernandez, Representative Lizarraga and Representative Salcido to approve the City of El Paso Internal Audit Charter.
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 - Motion made by Representative Lizarraga, seconded by Representative Salcido and approved by Representative Rivera, Representative Hernandez, Representative Lizarraga and Representative Salcido to approve the FY 2022-2023 Annual Internal Audit Plan.
6. Discussion on Client Surveys.

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?

4th Quarter Report to Council after FOAC meeting held on 10/20/2022.

PRIOR COUNCIL ACTION:

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

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? N/A Has the item been budgeted? N/A If so, identify funding source by account numbers and description of account. Does it require a budget transfer? N/A

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



Legislation Text

File #: 22-1471, Version: 1

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

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

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

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

All Districts

City Manager's Office, Chief Mario D'Agostino, (915) 212-5605

AGENDA LANGUAGE:

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

Discussion and action on an Emergency Ordinance re-enacting Emergency Ordinance No. 019333 authorizing the City Manager to assign personnel and resources to assist in addressing the humanitarian and public safety crisis resulting from a mass migration through El Paso.

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

AGENDA DATE: November 7, 2022
PUBLIC HEARING DATE: November 7, 2022

CONTACT PERSON 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:

An Emergency Ordinance extending Emergency Ordinance No. 019333 authorizing the City Manager to assign humanitarian and public safety crisis resulting from a mass migration through El Paso.

BACKGROUND / DISCUSSION:

Discussion and action on an Emergency Ordinance re-enacting Emergency Ordinance No. 019333 extending the Emergency Ordinance due the Humanitarian and Public Safety Crisis resulting from a Mass Migration through the City of El Paso as related to the removal of Title 42. Although Title 42 remains in effect at the present time, it is still subject to federal litigation. Furthermore, the CBP statistics show the dramatic increase in apprehensions in the El Paso sector. Additionally, migrants continue to be released leaving many vulnerable and in need of assistance. With the possibility of Title 42 ending abruptly, the City needs a plan in place with a surge of migrants that would exhaust our resources and leave many men, women, and children displaced.

PRIOR COUNCIL ACTION:

Yes, Emergency Ordinance No. 019333 was passed and adopted on May 23, 2022.

AMOUNT AND SOURCE OF FUNDING:

None.

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ☒ YES ☐ NO

PRIMARY DEPARTMENT: Fire Department

SECONDARY DEPARTMENT:

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

DEPARTMENT HEAD:

Mario M. D'Agostino

ORDINANCE NO. _____

**AN EMERGENCY ORDINANCE EXTENDING EMERGENCY
ORDINANCE NO. 019333 AUTHORIZING THE CITY MANAGER TO ASSIGN
PERSONNEL AND RESOURCES TO ASSIST IN ADDRESSING THE
HUMANITARIAN AND PUBLIC SAFETY CRISIS RESULTING FROM A MASS
MIGRATION THROUGH EL PASO**

WHEREAS, on May 23, 2022, the Mayor and City Council of the City of El Paso (the “City”) passed an Emergency Ordinance No. 019333 “Authorizing the City Manager to Assign Personnel and Resources to Assist in Addressing the Humanitarian and Public Safety Crisis Resulting from a Mass Migration through the City of El Paso”; 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, on April 1, 2022, the Centers for Disease Control and Prevention (“CDC”) announced the repeal of the Public Health Services Act, 42 U.S.C. §265 (“Title 42”), which was expected to allow for the inflow of migrants from the southern border; and

WHEREAS, federal litigation ensued to enjoin the CDC from repealing Title 42 on the intended date of May 23, 2022; and

WHEREAS, on June 30, 2022, a United States Supreme Court ruling allowed the President to end the Migrant Protection Protocols, which would allow for the inflow of migrants from the southern border; and

WHEREAS, the Southwest had 207,597 land border encounters in the month of September, 2022; and

WHEREAS, the El Paso sector of CBP had 49,030 land border encounters in the month of September, 2022 and a total of 307,844 encounters for federal fiscal year 2022; and

WHEREAS, when the City faced a migrant surge in March of 2019, the Annunciation House, a local non-governmental organization (“NGO”), was able to establish over thirty hospitality sites throughout the El Paso region, versus today’s fifteen hospitality sites; and

WHEREAS, the primary challenge is that the NGO does not have the volunteer base to sustain or increase current capacity at its current hospitality sites (ten in El Paso, Texas, three in Las Cruces, New Mexico, one in Deming, New Mexico, and another in Albuquerque, New Mexico); and

ORDINANCE NO. _____

22-1006-11694 / PL#1212194v.2

Emergency Ordinance – November Extension – Migrant Wave Surge Staff with Resources & Supplies/KMN/JF/CLA

Page 1 of 5

WHEREAS, although NGO volunteer recruitment efforts will continue, it is not anticipated that the volunteer base will keep up with the current demand, despite the NGO having identified additional facilities that could receive migrants; and

WHEREAS, when the U.S. Customs and Border Protection’s (“CBP”) Central Processing Center is over capacity and NGO space is unavailable, that is when the potential for street releases arises; and

WHEREAS, on May 15, 2022, the federal authorities released 119 single adults on the downtown streets of the City of El Paso; and

WHEREAS, in response to the May 15, 2022, street release, the El Paso City-County Office of Emergency Management (“OEM”) reallocated twenty-nine COVID-19 Operations staff to assist as migrant shelter surge staff, and on May 17, 2022, this staff began orientation training at Casa del Refugiado, the NGO’s largest hospitality site; and

WHEREAS, OEM has created a job specification, for general disaster operations to include humanitarian relief duties to hire and assign staff to assist with NGO capacity with over 40 staff currently assigned; and

WHEREAS, the El Paso City Charter Section 3.10, allows for the adoption of one or more emergency ordinances to meet a public emergency affecting life, health, property, or the public peace; and

WHEREAS, Section 121.003 of the Texas Health & Safety Code states that a municipality may enforce any law that is reasonably necessary to protect public health; and

WHEREAS, Section 122.006 of the Texas Health & Safety Code provides home-rule municipalities express authority to adopt rules to protect the health of persons in the municipality, including quarantine rules to protect the residents against communicable disease; and

WHEREAS, OEM continues to provide COVID-19 isolation and quarantine hotel support to migrant shelters, expanding operations when outbreaks occur in congregate shelter facilities; and

WHEREAS, OEM has provided isolation and quarantine services to over 2,708 migrants in close coordination with NGOs since April 2020; and

WHEREAS, although Title 42 remains in place as a result of the federal litigation, the number of Border Patrol encounters remains high, averaging 1,500 per day; and

WHEREAS, beginning in late August 2022, the El Paso sector experienced a surge of

over 2,000 migrants presenting themselves daily to CBP, primarily made up of unsponsored single adults from Venezuela, resulting in over 1,000 street releases by CBP; and

WHEREAS, due to this high volume, the number of refugees and asylum seekers released to the NGO and the City's Migrant Welcome Center, was over 1,000 on a daily basis; and

WHEREAS, on September 7, 2022, the City and OEM stood up a migrant Welcome Center to assist with transportation assistance providing services to over 19,300 migrants through October 20, 2022, and

WHEREAS, there was over 40,000 community releases to local NGOs and the City during this period; and

WHEREAS, the City's Welcome Center has sponsored 294 charter buses with 13,900 unsponsored migrants aboard to New York City and Chicago as final destinations; and

WHEREAS, Sun Metro buses have transported upwards of 4,800 migrants to the El Paso International Airport, bus stations, the Welcome Center, and shelters; and

WHEREAS, the City has provided over 39,000 meals to migrants at the local facilities, and for travel aboard the outbound charter buses; and

WHEREAS, October 12, 2022, the Department of Homeland Security created a humanitarian immigration pathway giving 24,000 Venezuelan migrants advanced authorization to enter and stay in the country for a period of two years; and

WHEREAS, although the number of Venezuelan migrants has dropped significantly since implementation of the DHS policy, the number of encounters at the border remains high averaging over 1,500 per day and the number of CPB/ICE community releases remains high at 300-600 releases on a daily basis; and

WHEREAS, the release of mass groups of people without access to potable water, food, or shelter exposes the migrants and El Paso residents to the origination and spread of potential and actual disease; and

WHEREAS, there are significant public safety and security concerns related to the wave of migration, including but not limited to the risk to injury or loss of life with migrants in El Paso streets with little or no resources on days that reach hot or cold temperatures and the inherent risks that come with increased demand on local shelters; and

WHEREAS, for these reasons, the City is faced with the imminent threat of widespread

ORDINANCE NO. _____

22-1006-11694 / PL#1212194v.2

Emergency Ordinance – November Extension – Migrant Wave Surge Staff with Resources & Supplies/KMN/JF/CLA

Page 3 of 5

injury or loss of life resulting from a surge in transient migrants traveling to the region during an ongoing global pandemic; and

WHEREAS, there is the potential for loss of property for both residents and migrants due to those who would take financial advantage of this wave of migrants; 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 potential encampment of large groups of migrants on City rights of way and parks poses safety risks to migrants and citizens alike; and

WHEREAS, in awaiting the due support of the federal government, the City finds that the expenditure of public funds for staff to coordinate resources and supplies, serve as shelter surge staff and transport migrants released in the City of El Paso accomplishes a valid public purpose of protecting public infrastructure, and protecting the health, safety and welfare of the citizens of El Paso; and

WHEREAS, in order to protect the health of persons in the municipality, the City Council wishes to continue to assist the local NGO with surge staff, coordination of resources and supplies, and transportation in light of the continued high number of community releases; and

WHEREAS, OEM and the City will continue to prepare and evaluate the need for mass emergency sheltering in anticipation of the eventual repeal of Title 42 and other regional migration surges that may impact the El Paso region; and

WHEREAS, this Ordinance shall remain in effect until otherwise terminated, re-enacted, or superseded by a conflicting ordinance, El Paso Local Health Authority Ordinance, or state or federal law.

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

1. That the Emergency Ordinance No. 019333 passed and adopted by the City Council of the City of El Paso on May 23, 2022 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.

ORDINANCE NO. _____

22-1006-11694 / PL#1212194v.2

Emergency Ordinance – November Extension – Migrant Wave Surge Staff with Resources & Supplies/KMN/JF/CLA

Page 4 of 5

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 November, 2022

THE CITY OF EL PASO, TEXAS

Oscar Leeser
Mayor

ATTEST:

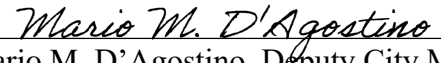
Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Karla M. Nieman
City Attorney

APPROVED AS TO CONTENT:



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

ORDINANCE NO. _____

22-1006-11694 / PL#1212194v.2

Emergency Ordinance – November Extension – Migrant Wave Surge Staff with Resources & Supplies/KMN/JF/CLA

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Legislation Text

File #: 22-1455, Version: 1

CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

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

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

All Districts

City Manager's Office, K. Nicole Cote, (915) 212-1092

Fire, Interim Chief Jonathan P. Killings, (915) 493-5609

Purchasing and Strategic Sourcing, Claudia A. Garcia, (915) 212-1218

AGENDA LANGUAGE:

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

Presentation, discussion and action by the City Manager's Office and Office of Emergency Management providing information on key activities, efforts, and processes related to the migrant crisis:

1. That the City Council ratify the expenditure of \$57,776 associated with the 2023-0231 Migrant Meals Agreement with the Salvation Army for food services; to amend the term of the Agreement for a total of fifteen (15) months; and to increase the total amount of the Agreement to not exceed \$100,000. This agreement will provide food for migrants as needed.

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

AGENDA DATE: November 7, 2022

PUBLIC HEARING DATE: N/A

CONTACT PERSON(S) NAME AND PHONE NUMBER:

K. Nicole Cote, Interim Managing Director, (915) 212-1092

Jonathan P. Killings, Interim Fire Chief, (915) 493-5609

Claudia A. Garcia, Interim Director of Purchasing & Strategic Sourcing, (915) 212-1218

DISTRICT(S) AFFECTED: All

STRATEGIC 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:

Presentation, discussion and action by the City Manager's Office and Office of Emergency Management providing information on key activities, efforts, and processes related to the migrant crisis:

1. That the City Council ratify the expenditure of \$57,776 associated with the 2023-0231 Migrant Meals Agreement with the Salvation Army for food services; to amend the term of the Agreement for a total of fifteen (15) months; and to increase the total amount of the Agreement to not exceed \$100,000. This agreement will provide food for migrants as needed.

BACKGROUND / DISCUSSION:

The actual use and associated cost of the services covered by Contract 2023-0231 are likely to exceed the initial award amount. This contract was executed under of Emergency Ordinance 019333, § 252.022(a)(1) of the Texas Local Government Code, and § 252.022(a)(2) of the Texas Local Government Code and will allow the City to continue to use the Contract to provide transportation to migrants to other cities as may be needed.

Yes, Emergency Ordinance No. 019333 was passed and adopted on May 23, 2022 and reaffirmed on October 11, 2022.

PRIOR COUNCIL ACTION: N/A

AMOUNT AND SOURCE OF FUNDING:

Amount: \$100,000

Funding Source: 522150-322-2720-22130-G2221EFSP

Account: Emergency Food and Shelter

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ☒ YES ☐ NO

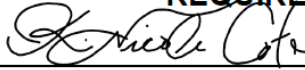
PRIMARY DEPARTMENT: City Manager's Office - Office of Management and Budget

SECONDARY DEPARTMENT: Fire, Purchasing & Strategic Sourcing, All City

Revised 04/09/2021

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

DEPARTMENT HEAD:



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

RESOLUTION

WHEREAS, on May 19, 2022 the Mayor of the City of El Paso issued an Emergency Ordinance due to a new wave of migration through the City of El Paso (“Ordinance 019333”); and

WHEREAS, on September 1, 2022, the City entered into Agreement 2023-0231 Migrant Meals (“Agreement”) with the Salvation Army to provide food services for migrants; and

WHEREAS, the Agreement was executed under the authority of Emergency Ordinance 019333, § 252.022(a)(1) of the Texas Local Government Code, and § 252.022(a)(2) of the Texas Local Government Code; and

WHEREAS, as of October 15, 2022 the City has expended \$57,776 under the 2023-0231 Migrant Meals Agreement; and

WHEREAS, the parties now desire that City Council ratify the expenditure of \$57,776 associated with 2023-0231 Migrant Meals and to amend the term of the Agreement to a total of (15) months, and increasing the total amount of the Agreement to not exceed \$100,000 from September 1, 2022 to December 31, 2023.

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

That the City Council ratify the expenditure of \$57,776 associated with the 2023-0231 Migrant Meals Agreement with the Salvation Army for food services; to amend the term of the Agreement for a total of (15) months; and to increase the total amount of the Agreement to not exceed \$100,000. This agreement will provide food for migrants as needed.

APPROVED this ____ day of _____, 2022.

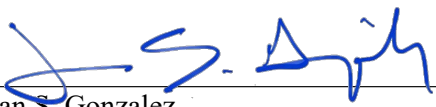
THE CITY OF EL PASO:

Oscar Leoser
Mayor

ATTEST:


Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Juan S. Gonzalez
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



Claudia Garcia, Interim Director
Purchasing and Strategic Sourcing



Update on Migration Crisis

Ongoing Efforts

Current Situation



- **Increase** in CBP Daily Encounters
 - 2,100 (Oct 11)
 - 1,170 (Oct 20)
 - **1,608 (Nov 2)**
- **Increase** in Daily Community Releases
 - 1,128 (Oct 11)
 - 347 (Oct 20)
 - **742 (Nov 2)**
 - **571 last 7-day avg.**
- Street Releases
 - None since Sept 15
- Unsponsored Migrants
 - **Decrease** due to new DHS Policy



2022 Community Release Statistics



Month	Daily	Weekly	Month
April	230	2,200	7,200
May	300-400	2,400-2,700	11,500
June	200-400	2,000-2,900	8,834
July	200-250	1,500-2000	7,982
August	300-350	2,500	9,226
Sept	600-900	6,100+	21,610
Oct	300-1,200	3,600-6,800	21,832

Migrant Crisis - Incident Action Planning



1. Coordination
2. Sheltering
3. Transportation
4. Public Health
5. Healthcare System
6. Public Information
7. Security and Intelligence
8. Cost Recovery



ANNUNCIATION
HOUSE



Cost Recovery



	Estimated Costs	Reimbursement Status	Total Pending reimbursement
1st Quarter (Jan - Mar)	\$157,821	\$157,122 Submitted on 5/05/22 Received on 9/22/22	Completed
2nd Quarter (Apr - Jun)	\$81,703	\$80,424 Submitted on 8/25/2022 Received on 9/21/2022	Completed
3rd Quarter (July - Sept)	\$5.13 million	Submitted on 11/4/2022	\$5.13 million
4 th Quarter (through Oct. 31)	\$4.11 million	\$2 million (received on 10/12)	\$2.11 million
Total	\$9.52 million	\$2,237,946	\$7.28 million

*All costs provided are estimates until expenses have been finalized as part of a reimbursement application.

Reimbursement Application

Submitted on November 4, 2022



3rd Quarter (July - September)

Meals	\$ 97,352.00
Lodging	130,159.68
Transportation	3,658,350.00
Transportation - Local	1,945.71
Personnel	1,195,577.64
Maintenance	47,308.50
Total Requested Reimbursement	\$5,130,693.53

Emergency Food & Shelter National Board Program

Requested \$20 million in advance funding for:

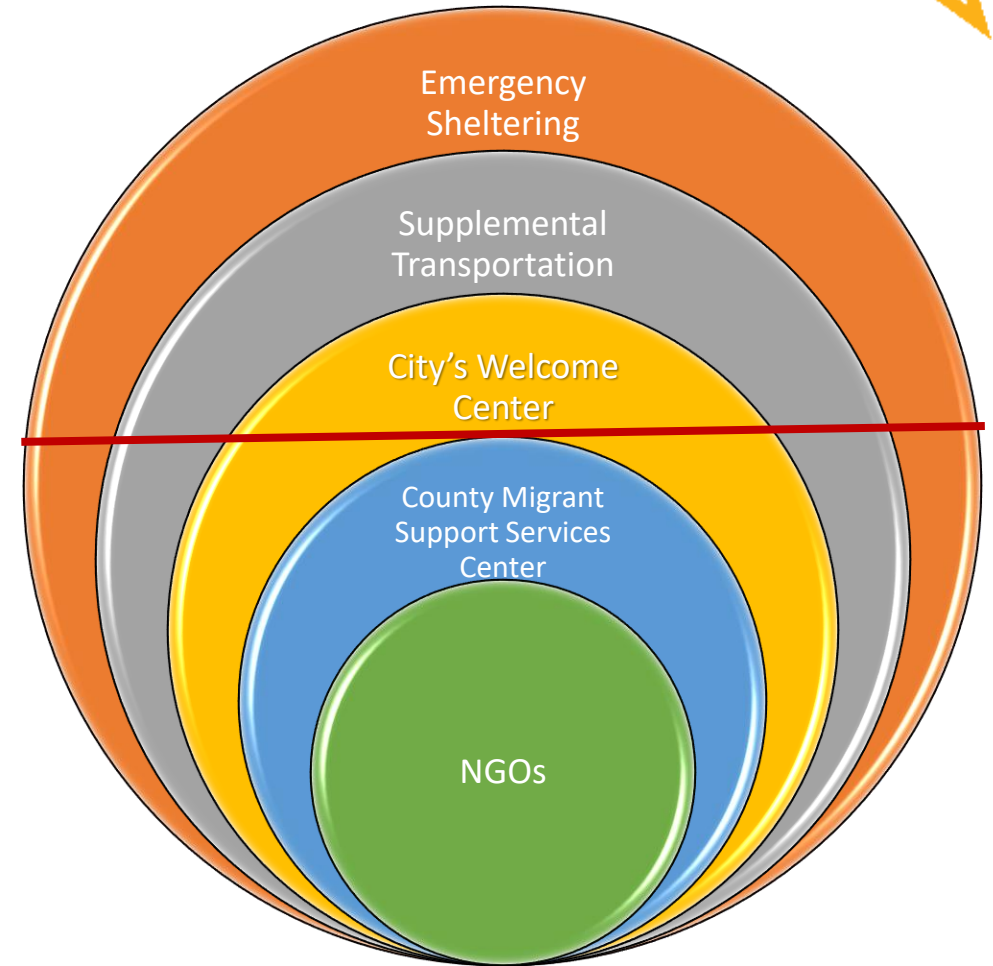
- Continued assistance of our NGOs
- Welcome/Processing Center
- Lodging/Shelter
- Meals
- Transportation
- Support Services



**Crisis Operations
(OEM)**

VS

**Steady State
(Office of New Americans &
NGOs)**





Mission

Deliver exceptional services to support a high quality of life and place for our community



Vision

Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government



Values

Integrity, Respect, Excellence, Accountability, People



Legislation Text

File #: 22-1442, Version: 1

CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

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

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

All Districts

International Bridges, David A. Coronado, (915) 212-7505

AGENDA LANGUAGE:

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

Discussion and action that the Mayor be authorized to sign a Memorandum of Understanding with the City of Juárez, Chihuahua, México, FSX, LLC and its subsidiary, Transbordador de Carga to explore the development and implementation of a new technology for the movement of cargo through the port of Ysleta-Zaragoza.

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

DEPARTMENT: International Bridges Department

AGENDA DATE: Public Hearing: November 7, 2022

CONTACT PERSON/PHONE: David A. Coronado, (915) 212-7505,
CoronadoDA@elpasotexas.gov

DISTRICT(S) AFFECTED: All Districts

STRATEGIC GOAL: Goal #1: Create an environment conducive to strong sustainable economic development

SUBJECT:

That the Mayor be authorized to sign a Memorandum of Understanding with the City of Juárez, Chihuahua, México, FSX, LLC and its subsidiary, Transbordador de Carga to explore the development and implementation of a new technology for the movement of cargo through the port of Ysleta-Zaragoza. Further, that the City Manager, or designee, is authorized to exercise all rights under the memorandum, perform all obligations under the memorandum, and sign any amendments to the memorandum.

BACKGROUND/DISCUSSION:

Starting in 2015, the City of El Paso took the first step to leverage the international bridges for economic development purposes. Since then, the International Bridges Department (IBD) has been managing and facilitating the Bridges Steering Committee (BSC) dedicated to bridge infrastructure and inspection processing improvements at the ports of entry. This new collaborative has created a venue for all regulatory agencies, business groups and other key stakeholders to come together and work on the issues impacting the regional international ports of entry (POE).

In support of the City of El Paso's strategic plan, the IBD is committed to assist in the development of new solutions and technologies to improve and modernize the international bridge system. This memorandum of understanding will allow the City of El Paso, in collaboration with Ciudad Juárez, to work with FSX, LLC and its subsidiary, Transbordador de Carga to explore the proposed FSX project and its implementation in the El Paso/Juárez region.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

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

LEGAL: (if required)

FINANCE: (if required)

DEPARTMENT HEAD: David Coronado, MPA
Managing Director for International Bridges and Economic Development

David A. Coronado

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

RESOLUTION

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

THAT the Mayor of El Paso be authorized to sign a Memorandum of Understanding with the City of Juárez, Chihuahua, México, FSX, LLC and its subsidiary, Transbordador de Carga, to explore the development and implementation of a new technology for the movement of cargo through the port of Ysleta-Zaragoza. Further, that the City Manager, or designee, is authorized to exercise all rights under the memorandum, perform all obligations under the memorandum, and sign any amendments to the memorandum.

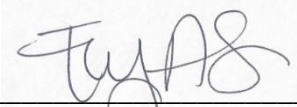
CITY OF EL PASO

Oscar Leeser
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Evy Sotelo
Assistant City Attorney

FREIGHT SHUTTLE CONCEPT

The City of El Paso, Texas and its neighbor Ciudad (Cd.) Juárez, México form the second largest bi-national metro area along the U.S.-México border with a population of approximately 2.4 million people. These two sister cities share a strong cross-border relationship that contribute to strong social and economic ties and that it is witnessed by thousands of daily crossings through the international ports of entry (POEs). For instance, during 2021, the City of El Paso ranked second in personal vehicle crossings (near 8.9 million), second in pedestrian crossings (over 4.0 million) among all land ports in North America and third in cargo crossings (almost 850,000) when compared to other communities along the U.S.-México border (sixth in North America).

Also in 2021, \$84.8 billion was traded through the City of El Paso international ports of entry. Approximately 87% of this trade traveled via commercial trucks and the remaining 13% mainly via rail and pipeline. Needless to say, these regional POEs serve as critical gateways to trade nationally and around the globe.

The City of El Paso Council recognized the importance of the cross-border movement of people and goods in the El Paso-Juárez region. Accordingly, the Strategic Plan adopted by the City Council in 2015 set a new direction to look the international ports of entry as a system and as an economic development tool. Since then, the City of El Paso International Bridges Department (IBD) has gone through a major transformation in terms of its internal structure and regarding its approach, focus areas, priorities, and objectives.

Some of the major steps and accomplishments by the IBD in recent years include the following:

- Successful department restructuring and transformation by adding new personnel
- New approach in managing the City's international bridges as economic development tools
- Adoption of a permanent Public-Private-Partnership (P3) program with U.S. Customs and Border Protection
- Adoption of new comprehensive International Bridges Capital Improvement Program
- Creation of bi-national Bridges Steering Committee (unique in the entire U.S.-México border)
- \$32 million funding secured for new Intelligent Transportation System at BOTA and Ysleta
- Development and implementation of the International Bridges Cross-border Survey to quantify social and expenditure activities and their relationship with the regional economy
- Secured \$12M in federal funding for pedestrian improvements at the port of Ysleta / Zaragoza

It is important to note that the Bridges Steering Committee (BSC) (see Picture 1) has played a key role in most of these accomplishments. This recent collaborative has created a venue for all regulatory agencies, business groups and other key stakeholders to come together and work on the issues impacting the international POEs. This working group is made up of more than 20 bi-national partner agencies and stakeholders, all dedicated to POEs infrastructure and inspection processing improvements. Since 2015, several improvement ideas have been presented and discussed by the BSC, among them, a Freight Shuttle Xpress (FSX) concept that could potentially reduce congestions of cargo vehicles at the POEs and improve cross-border trade.



Picture 1. Bridges Steering Committee

The FSX concept (see Picture 2) was originally initiated at the Texas A&M Transportation Institute. The purpose was to find a low-emissions alternative to moving cargo and ease congestion generated by trucks in heavy freight corridors such as the international POEs. Therefore, this concept could potentially improve the economic competitiveness of our region by improving the movement of freight across the border.



Picture 2. Freight Shuttle Xpress Prototype (Source: FSX)

A few notable facts on this new concept include:

- First-of-its-kind energy efficient, low emission
- New fully automated technology, freight-only transportation system
- Additional security and reliability for cargo shipments
- Electrically powered
- Privately funded

Potential benefits of the concept include:

- Potential to become an economic driver for our region
- Less traffic congestion at the POEs
- May increase capacity at the POEs for additional throughput
- Builds on the momentum gained with City of El Paso investments at POEs
- Facilitates trade and movement of goods
- Alternative technology to the bridge system
- Reduction of emissions and pollution

If successful, the FSX concept has the potential to expand capacity and throughput at the Ysleta-Zaragoza bridge while potentially reducing cargo cross-border wait times. In the long-term, this could help the City of El Paso with industry recruitment efforts by offering an alternative solution to traditional cross-border freight, support advanced manufacturing jobs, and ultimately improving the economic conditions in the region. Accordingly, in alignment with the City of El Paso's Strategic Plan to modernize and improve our competitive advantage among other POEs, a Memorandum of Understanding is being proposed between the City of El Paso, Ciudad Juárez and Freight Shuttle Xpress (FSX) to further explore the development and implementation of the FSX concept for the movement of cargo through the port of Ysleta-Zaragoza (see Picture 3).



Picture 3. Ysleta/Zaragoza Bridge

MOU BASICS: CITY OF EL PASO | CIUDAD JUÁREZ | FREIGHT SHUTTLE XPRESS

As previously mentioned, the proposed MOU involves three parties: City of El Paso, Ciudad Juárez and Freight Shuttle Xpress. The City of El Paso's main role is to serve as a facilitator of discussions with BSC members, assist in coordination meetings, assist FSX in the research of required permits and explore related presidential permit requirements, among a few others. The City of El Paso is not making any financial commitments in this document.

Below is a short list of the main responsibilities each of the parties has as part of this MOU.

City of El Paso role:

- Explore presidential permit requirements
- Assist in bi-national collaboration
- Provide available data
- Facilitate work sessions with bi-national Bridges Steering Committee

Ciudad Juárez role:

- Assist in exploring MX federal government requirements
- Work with FSX to identify economic and quality of life benefits
- Assist in identifying rights of way necessary for project

Freight Shuttle Xpress role:

- Engage in discussions with City of El Paso and Ciudad Juárez
- Work with industry and business community
- Explore financing options
- Responsible for all costs associated with the project



ADDITIONAL CONSIDERATIONS MOVING FORWARD

The international POE system has experienced the impacts of countless socio-economic events in the recent history that have fundamentally transformed and changed the way it operates. These events include, among others, economic recessions, terrorist attacks such as those observed in 9/11, the migrant crisis in 2019, violence in Mexico and exchange rate fluctuations to name a few. In addition to these externalities, the bridge system also faces numerous challenges that hinder its ability to quickly adjust to changing times, technologies, population growth, system capacity, and demand. These factors, in addition to the complexity of a bi-national multi-agency structure, make for new project development and implementation a difficult task.

The progress and investments that the City of El Paso has made in recent years, paired with strong partnerships built with the BSC members, will be useful in exploring the feasibility of this project. However, many other factors will prove to be a challenge such as the required bi-national coordination between federal agencies of both countries headquartered in Washington DC and México City, securing presidential permit requirements and the potential disruption to the long-standing business transportation model in the region. These are just a few of the issues that need to be discussed as the project moves forward and is discussed with all relevant parties.

NEXT STEPS

In support of the City of El Paso's strategic plan, the International Bridges Department is committed to assist in the development of new solutions and technologies to improve and modernize the international POE system. Therefore, this MOU provides an opportunity to explore in greater detail the feasibility of implementing the FSX concept in our border region. These types of long-term investments are worth exploring as they would provide support in addressing operational, safety and infrastructure needs at our ports of entry. The local trade dynamics and the progress that has been accomplished as a result of the City of El Paso's efforts put our bi-national region of El Paso and Ciudad Juárez in a unique position to take advantage of the future implementation of this new emerging technology that would add freight throughput capacity at the Ysleta/Zaragoza POE.

The City of El Paso is committed to continue leading these efforts and working with the members of the Bridges Steering Committee and other regional stakeholders on the implementation of this MOU in addition to exploring new solutions in the short-, medium- and long-term that improve and modernize the international POE system that connects and benefits the Paso Del Norte region.

MEMORANDO DE ENTENDIMIENTO	MEMORANDUM OF UNDERSTANDING
<p>Este Memorando de Entendimiento ("MOU") se hace y se celebra por y entre la Ciudad de El Paso, un Municipio de Texas ("EP"); la Ciudad de Juárez, Chihuahua, México ("Juárez"); y FSX, LLC ("FSX") y su subsidiaria, Transbordador de Carga, y es efectiva en la fecha especificada a continuación.</p> <p>CONSIDERANDO QUE, los puertos de entrada terrestres internacionales ubicados en la frontera entre Estados Unidos y México en el metroplex de El Paso/Juárez ("POEs") son parte integral del bienestar financiero no solo de las dos ciudades, sino también de las economías nacionales; y</p> <p>CONSIDERANDO QUE, los POE ubicados en la región de El Paso / Juárez manejan regularmente fletes valorados en más de \$ 84 mil millones (EE. UU.) anuales; y</p> <p>CONSIDERANDO QUE ambas ciudades han reconocido la necesidad de desarrollar y aplicar nuevas tecnologías y modos de operación para aumentar la capacidad y la eficiencia en el manejo de mercancías transfronterizas de manera segura, protegida y confiable; y</p> <p>CONSIDERANDO QUE, FSX ha desarrollado un método comúnmente conocido como Freight Shuttle ("FS") como un medio para mover carga a través de la frontera internacional y reducir el tráfico de camiones en los POE; y</p> <p>CONSIDERANDO QUE, el desarrollo del Proyecto FS requiere la cooperación de El Paso y Juárez, así como de los gobiernos estatales y federales de México y los Estados Unidos; y</p> <p>CONSIDERANDO QUE, la Ciudad de El Paso, a través de su Departamento de Puentes Internacionales, posee y opera varios cruces internacionales, y los efectos del tráfico de puentes y los retrasos fronterizos son una preocupación crítica para la política regional; y</p> <p>CONSIDERANDO QUE, la región de El Paso y Juárez se beneficia de sólidas actividades sociales y económicas transfronterizas, y</p>	<p>This Memorandum of Understanding ("MOU") is made and entered into by and between the City of El Paso, a Texas Municipality ("EP"); the City of Juárez, Chihuahua, México ("Juárez"); and FSX, LLC ("FSX") and its subsidiary, Transbordador de Carga, and is effective on the date specified below.</p> <p>WHEREAS, the international land ports of entry located at the U.S./México Border in the El Paso/Juárez metroplex ("POE's") are integral to the financial wellbeing of not only the two cities, but the national economies as well; and</p> <p>WHEREAS, the POE's located in the El Paso/Juárez region regularly handle freight valued at over \$84 billion (US) annually; and</p> <p>WHEREAS, both cities have acknowledged the need to develop and implement new technologies and modes of operation to increase capacity and the efficiency of handling transborder freight in a safe, secure and reliable manner; and</p> <p>WHEREAS, FSX has developed a method commonly referred to as Freight Shuttle ("FS") as a means to move freight across the international border and reduce truck traffic at the POE's; and</p> <p>WHEREAS, the development of the FS Project requires the cooperation of El Paso and Juárez as well as the State and Federal governments of México and the U.S.; and</p> <p>WHEREAS, the City of El Paso, through its International Bridges Department, owns and operates several international crossings, and the effects of bridge traffic and border delays is a critical concern for regional policy; and</p> <p>WHEREAS, the El Paso and Juárez region benefits from robust cross-border social and economic activities, and</p>

CONSIDERANDO QUE, la Ciudad de El Paso se compromete a ayudar en el desarrollo del Freight Shuttle y a trabajar con los miembros del Comité Directivo de Puentes y otras partes interesadas regionales para mejorar y modernizar el sistema internacional de puentes que conecta y beneficia a la región de El Paso del Norte; y

CONSIDERANDO QUE, El Paso y Juárez reconocen la importancia de reducir el tráfico de camiones en los POEs y aumentar la eficiencia operativa con respecto al movimiento de carga y han acordado apoyar al socio del sector privado, FSX, en el desarrollo del Proyecto FS;

Y

CONSIDERANDO QUE, el Concejo Municipal de la Ciudad de El Paso considera que el público será atendido al reducir el tráfico de camiones en los POEs, reduciendo así el impacto ambiental adverso que surge del tráfico de camiones sin movimiento, mejorando el movimiento eficiente de carga internacional y promoviendo el desarrollo económico de la región;

AHORA, POR LO TANTO, las partes acuerdan hacer todo lo posible para negociar y trabajar hacia un acuerdo final de la siguiente manera:

1. **Ciudad de El Paso.** Con el fin de avanzar en el desarrollo del Proyecto FS, la Ciudad de El Paso deberá:
 - a. Identificar un punto de contacto responsable de apoyar en las tareas descritas en este MOU.
 - b. Apoyar a FSX a identificar el derecho de vía necesario y los permisos necesarios para establecer el proyecto de cruce internacional FS.
 - c. Apoyar durante el proceso de solicitud si se necesita un Permiso Presidencial (enmendado o nuevo) y después de que FSX haya cumplido con todos los requisitos.
 - d. Identificación y coordinación con otros socios potenciales adecuados, como la Autoridad de Movilidad Regional de El Paso Camino Real (CRRMA) en asuntos relacionados con el Proyecto FS.
 - e. Proporcionar cualquier dato disponible para llevar a cabo un análisis de impacto

WHEREAS, the City of El Paso is committed to assist in the development of the Freight Shuttle and working with the members of the Bridges Steering Committee and other regional stakeholders to improve and modernize the international bridge system that connects and benefits the El Paso del Norte region; and

WHEREAS, El Paso and Juárez recognize the importance of reducing truck traffic at the POE's and increasing operational efficiencies with regard to the movement of freight and have agreed to support the private sector partner, FSX, in the development of the FS Project;

And

WHEREAS, the City Council of the City of El Paso believes that the public will be served by reducing truck traffic on the POE's thereby reducing the negative environmental impact that arises from the idling truck traffic, enhancing the efficient movement of international cargo, and by furthering the economic development of the region;

NOW, THEREFORE, the parties agree to use efforts to negotiate and work towards a final agree as follows:

1. **City of El Paso.** In order to advance the development of the FS Project, the City of El Paso shall:
 - a. Identify a point of contact responsible for assisting in the tasks outlined in this MOU.
 - b. Assist FSX to identify the necessary right of way and permits required to establish the FS international crossing project.
 - c. Assist during the application process if a Presidential Permit (amended or new) is needed and after all requirements have been fulfilled by FSX.
 - d. Identification and coordination with other appropriate potential partners such as the El Paso Camino Real Regional Mobility Authority (CRRMA) on matters regarding the FS Project.
 - e. Provide any available data to conduct an in-depth economic impact analysis of the FS Project which can be used by all parties to accomplish their individual and collective

<p>económico a detalle del Proyecto FS que pueda ser utilizado por todas las partes para lograr sus objetivos individuales y colectivos relacionados con el proyecto. Todas las partes participarán en el diseño del producto final. FSX será responsable de los costos asociados para realizar dicho análisis de impacto económico.</p> <p>f. Facilitar sesiones de trabajo, conferencias y esfuerzos de coordinación con los miembros del Comité Directivo binacional de Puentes para apoyar en el desarrollo del Proyecto FS.</p> <p>g. Trabajar con FSX para identificar los beneficios económicos y de calidad de vida proporcionados a los ciudadanos de El Paso por el proyecto FS y apoyar a comunicar estos beneficios en foros apropiados.</p> <p>2. <u>Ciudad Juárez.</u> Con el fin de avanzar en el desarrollo del Proyecto FS, Ciudad Juárez deberá:</p> <p>a. Identificar un punto de contacto responsable de completar las tareas descritas en este MOU.</p> <p>b. Realizar el trámite necesario con el gobierno federal mexicano y/o concesionario para validar la posibilidad de proporcionar el derecho de vía necesario en el POE de Zaragoza para establecer el cruce internacional FS en el lado mexicano de la frontera internacional. Juárez proporcionará un informe a todas las partes sobre el proceso legal necesario, los costos asociados y otros asuntos pertinentes para lograr este objetivo.</p> <p>c. Trabajar con FSX y otras entidades según sea necesario para identificar los derechos de paso apropiados desde el POE de Zaragoza hasta el (los) sitio (s) seleccionado (s) de Juárez para la (s) terminal (s) de transporte de FS y las instalaciones de inspección.</p> <p>d. Utilizar sus contactos dentro del sector privado de manufactura y transporte de El Paso y Juárez para abrir las puertas para que FSX ofrezca los servicios de FSX.</p> <p>e. Trabajar con FSX para identificar los incentivos económicos y de calidad de vida proporcionados a los ciudadanos de Juárez por el proyecto FS. Identificar posibles incentivos de financiamiento, incluidos, entre otros, el financiamiento</p>	<p>objectives related to the project. All parties will have input into the design of the final deliverable. FSX will be responsible for the associated costs to conduct said economic impact analysis.</p> <p>f. Facilitate work sessions, conversations and coordination efforts with the members of the bi-national Bridges Steering Committee to assist in the development of the FS Project.</p> <p>g. Work with FSX to identify the economic and quality of life benefits provided to the citizens of El Paso by the FS project and assist in communicating these benefits in appropriate forums.</p> <p>2. <u>Ciudad Juárez.</u> In order to advance the development of the FS Project, Ciudad Juárez shall:</p> <p>a. Identify a point of contact responsible for completing the tasks outlined in this MOU.</p> <p>b. Undertake the necessary process with Mexican federal government and/or concessionaire to validate the possibility of providing the necessary right of way at the Zaragoza POE to establish the FS international crossing on the Mexican side of the international border. Juárez will provide a report to all parties as to the necessary legal process, associated costs and other pertinent matters to achieve this objective.</p> <p>c. Work with FSX and other entities as necessary to identify the appropriate rights of way from the Zaragoza POE to the selected Juárez site(s) for the FS transportation terminal(s) and inspection facilities.</p> <p>d. Use its contacts within the private manufacturing/transportation sector of El Paso and Juárez to open doors for FSX to offer FSX's services.</p> <p>e. Work with FSX to identify the economic and quality of life incentives provided to the citizens of Juárez by the FS project. Identify potential financing incentives, including but not limited to municipal bond financing and state and/or federal tax incentives, that will improve the project's cost structure while at same time</p>
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<p>de bonos municipales y los incentivos fiscales estatales y / o federales, que mejorarán la estructura de costos del proyecto y, al mismo tiempo, brindarán una tasa justa de retorno a los ciudadanos de Juárez. Trabajar con FSX para desarrollar un plan de financiamiento del proyecto y presentarlo al Cabildo Municipal para su consideración.</p>	<p>deliver a fair rate of return to the citizens of Juárez. Work with FSX to develop a project financing plan and present it to the City Council for consideration.</p>
<p>3. <u>Transporte de carga (FSX).</u> Con el fin de avanzar en el desarrollo del Proyecto FS, FSX deberá:</p> <ul style="list-style-type: none"> a. Realizar la investigación necesaria y complete todos los requisitos necesarios con respecto a un nuevo (o enmendado) Permiso Presidencial. b. Realizar un análisis a detalle del impacto económico del proyecto y proporcionar resultados a la Ciudad de El Paso y a Ciudad de Juárez. c. Participar en conversaciones con la Ciudad de El Paso con respecto a la adopción de un acuerdo de participación en los ingresos antes de que el proyecto se construya y esté en operación. d. Considerar la posibilidad de construir o permitir que se construya un Sistema FS completo en la zona de El Paso/Juárez, diseñado para transportar cargamentos de punto a punto dentro de la región, y cuando menos tendría las siguientes características: <ul style="list-style-type: none"> - Instalaciones terminales tanto en El Paso como en Juárez que requieran seguridad, inspección y otras amenidades / instalaciones consideradas necesarias de conformidad con un acuerdo, así como las que los gobiernos federales de los Estados Unidos y México consideren necesarias. - El diseño y construcción de guías bidireccionales elevadas y seguras que unirán las instalaciones de la terminal tanto en El Paso como en Juárez. - Vehículos de transporte de carga en el sistema FS que no estarían tripulados y serían impulsados por motores de inducción lineal eléctricos. - Terminación de un vehículo de transporte de producción para un sistema Expreso Transfronterizo 	<p>3. <u>Freight Shuttle (FSX).</u> In order to advance the development of the FS Project, FSX shall:</p> <ul style="list-style-type: none"> a. Perform all the necessary research and complete all necessary requirements regarding a new (or amended) Presidential Permit. b. Conduct an in-depth economic impact analysis of the project and provide results to the City of El Paso and City of Juárez. c. Engage in discussions with the City of El Paso regarding the adoption of a revenue sharing agreement before the project is constructed and in operation. d. Consider the possibility of constructing or causing to be constructed a complete FS System in the El Paso/Juárez area, designed to transport cargo shipments from point to point within the region, and that minimally would have the following characteristics: <ul style="list-style-type: none"> - Terminal facilities in both El Paso and Juárez that would have required security, inspection and other amenities/facilities deemed necessary pursuant to an agreement, as well as those deemed necessary by the federal governments of the US and México. - The design and construction of elevated, secure bi-directional guideways that will link the terminal facilities in both El Paso and Juárez. - Cargo transport vehicles in the FS system that would be unmanned and driven by electric, linear induction motors. - Completion of a production transport vehicle for a Cross-border Express (CBE) System at the El Paso location.

(CBE) en la ubicación de El Paso.

4. **Transbordador de Carga.** Con el fin de avanzar en el desarrollo del Proyecto FSX, Transbordador de Carga deberá:
- Trabajar con funcionarios del gobierno federal, estatal y local para avanzar en el despliegue del Sistema FSX binacional.
 - Coordinar con los funcionarios federales mexicanos que supervisan la Aduana, Aduanas Mexicanas.
 - Coordinar con los funcionarios del Estado de Chihuahua los ingresos por peajes, permisos e impuestos.
 - Trabajar con la industria y la comunidad empresarial para integrar el sistema FSX en la comunidad manufacturera de Ciudad Juárez.
 - Trabajar con el Banco de Desarrollo de América del Norte para organizar el financiamiento internacional para la parte de la deuda del Sistema FSX.
 - Trabajar con inversionistas privados para organizar aportaciones de capital en la estructura de propiedad del Sistema FSX.
5. **Actividades conjuntas.** Una vez que las partes firmen este memorando de entendimiento, acuerdan trabajar juntas para:
- Determinar un cronograma del proyecto y plazos para cada una de las obligaciones que las partes respectivas han asumido.
 - Desarrollar e implementar un proceso para comunicarse con los funcionarios y/o agencias federales apropiados tanto en los Estados Unidos como en México con el objetivo de llevar todo el proyecto a una conclusión exitosa.
 - Desarrollar un plan de implementación para el Proyecto FS que incluya un plan financiero, un plan de permisos y un cronograma y plan de adquisición de Derecho de Vía.
6. **Terminación.** Cualquier parte puede rescindir este MOU con treinta (30) días de anticipación mediante notificación por escrito a las otras partes de la intención de rescindir este MOU.
7. **Idioma.** El texto completo de este MOU ha sido redactado en inglés y español, considerándose ambas versiones oficiales y traducidas para indicar el mismo contenido.

4. **Transbordador de Carga.** In order to advance the development of the FSX Project, Transbordador de Carga shall:
- Work with officials in the federal, State, and local government to advance the deployment of the binational FSX System.
 - Coordinate with Mexican federal officials overseeing Aduana, Mexican Customs.
 - Coordinate with State of Chihuahua officials on tolling revenue, permitting, and taxation issues.
 - Work with industry and the business community to integrate the FSX system into the manufacturing community in Ciudad Juárez.
 - Work with the North American Development Bank to arrange international financing for the debt portion of the FSX System.
 - Work with private investors for arrange for equity contributions into the ownership structure of the FSX System.
5. **Joint Activities.** Once the parties sign this MOU, they agree to work together to:
- Determine a project schedule and timelines for each of the obligations the respective parties have undertaken
 - Develop and implement a process to communicate with the appropriate federal official(s) and/or agencies in both the U.S. and México with the goal of bringing the entire project to a successful conclusion.
 - Develop an implementation plan for the FS Project including a financial plan, permitting plan and ROW acquisition schedule and plan.
6. **Termination.** Any party may terminate this MOU upon thirty (30) days' written notice to the other parties of the intention to terminate this MOU.
7. **Language.** The full text of this MOU has been written in English and Spanish, both versions being considered official and

<p>8. <u>Fecha de entrada en vigor.</u> Este MOU se hace efectivo en la última fecha que acompaña a las firmas a continuación.</p>	<p>translated to state the same content.</p> <p>8. <u>Effective Date.</u> This MOU is made to be effective on the latest date accompanying the signatures below.</p>
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[Signature page for all entities follows]

APPROVED by the City Council, El Paso, Texas in its meeting held on the _____ day of _____, 2022 and executed by its authorized representative.

CITY OF EL PASO

ATTEST:

Oscar Leaser
Mayor


Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Evy A. Sotelo
Assistant City Attorney

APPROVED AS TO CONTENT:



David A. Coronado
Managing Director for International Bridges
and Economic Development

APPROVED by the City of Juárez in its meeting held on the _____ day of _____, 2022 and executed by its authorized representative.

CITY OF JUÁREZ

Lic. Cruz Pérez Cuellar
Presidente Municipal de Juárez Chihuahua

APPROVED by FSX / Transbordador de Carga in its meeting held on the _____ day of _____, 2022 and executed by its authorized representative.

FSX, LLC / Transbordador de Carga

Stephen S. Roop
Founder/CEO

Freight Shuttle Project

Memorandum of Understanding:

- City of El Paso
- Ciudad Juárez
- Freight Shuttle Express



Strategic Alignment

Making data driven decisions guided by our strategic plan

Objective of improving our competitive advantage among other ports of entry

Boost economic development opportunities for our region



- Department restructured
- Advanced statistical analysis
- Reimbursable services agreement with U.S. CBP to stabilize border wait-times
- Established Bridges Steering Committee instrumental for binational collaboration
- Secured \$32M for Intelligent Transportation Systems
- Adoption of 5-yr Capital Improvement Program
- Regional unified preparedness and response to external shocks
- Pursuing several federal funding opportunities

Freight Shuttle Express Overview



<https://www.freightshuttle.com/>



Freight Shuttle

Electrically powered
transportation technology



Provides additional security

Can be operated within
existing right-of-way



No cost to taxpayers

FSX is entirely
privately funded



<https://www.youtube.com/watch?v=vQxrES6-YS0>

Freight Shuttle Model



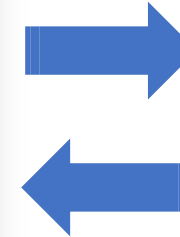
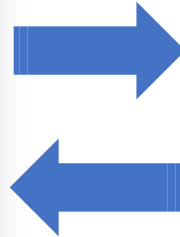
MX Terminal



POE Crossing



US Terminal



Freight Shuttle Potential Benefits



- Potential to become an economic driver for our region
- Less traffic congestion at the POEs
- May increase capacity for additional throughput
- Builds on the momentum gained with City of El Paso investments at POEs
- Facilitates trade and movement of goods
- Alternative technology to the bridge system
- Reduction of emissions and pollution
- First-of-a-kind
- Energy efficient
- New fully automated technology
- Additional security and reliability for cargo shipments
- Electrically powered – zero emissions
- Privately funded





Additional considerations moving forward



**International bridge
system is
complicated**



**US-MX federal
priorities and
coordination**

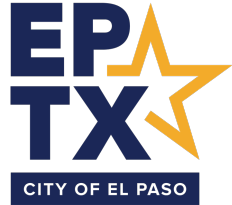


**Presidential permit
requirements and
timeline**



Memorandum of Understanding Overview

(City of El Paso | Ciudad Juárez | Freight Shuttle Express)



City of El Paso:

- ❖ Explore presidential permit requirements
- ❖ Assist in bi-national collaboration
- ❖ Provide available data
- ❖ Facilitate work sessions with bi-national Bridges Steering Committee

Ciudad Juárez:

- ❖ Assist in exploring MX federal government requirements
- ❖ Work with FSX to identify economic and quality of life benefits
- ❖ Assist in identifying rights of way necessary for project

Freight Shuttle Xpress:

- ❖ Engage in discussions with City of El Paso and Ciudad Juárez
- ❖ Work with industry and business community
- ❖ Explore financing options
- ❖ Responsible for all costs associated with the project



Mission

Deliver exceptional services to support a high quality of life and place for our community

Values

Integrity, **R**espect, **E**xcellence,
Accountability, **P**eople



Vision

Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 22-1437, Version: 1

CITY OF EL PASO, TEXAS LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

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

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

All Districts

Economic and International Development, Lindsey Adams, (915) 212-1622

Economic and International Development, Elizabeth Triggs, (915) 212-0094

AGENDA LANGUAGE:

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

Discussion and action on the City of El Paso's Legislative Agenda for the 88th Regular Session of the Texas State Legislature.

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

AGENDA DATE: November 7, 2022

CONTACT PERSON(S) NAME AND PHONE NUMBER: Lindsey Adams, 915-212-1622
Elizabeth Triggs, 915-212-0094

DISTRICT(S) AFFECTED: All Districts

STRATEGIC GOAL: Goal 6: Set the Standard for Sound Governance and Fiscal Management
SUBGOAL: N/A

SUBJECT:

Discussion and action on the City of El Paso's Legislative Agenda for the 88th Regular Session of the Texas State Legislature.

BACKGROUND / DISCUSSION:

Prior to the convening of each biennial State legislative session, the City Council of the City of El Paso identifies policy priorities and legislative initiatives that it would like the Texas Legislature to address during its legislative session. These priorities and initiatives are adopted and compiled into the City's Legislative Agenda which is shared with the City's legislative delegation and additionally used to guide staffs' activity during the legislative session. The legislative team has begun the process of identifying issues for the upcoming 88th Legislative Session, which is set to begin on January 10, 2023, by working with City departments to consider recommendations for inclusion in the draft of the City's proposed legislative agenda. This presentation is an update on items that were postponed from the October 25, 2022 meeting.

PRIOR COUNCIL ACTION:

City Council adopts a Legislative Agenda for each biennial State legislative session and receives regular updates from City staff on legislative activity during the State's regular and special sessions. City Council received a legislative briefing to initiate this process on May 9, 2022, and received an update on August 16, 2022, where the legislative priorities were approved. On October 25, 2022 City Council approved a majority of the Support/Oppose Section.

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ☒ YES ☐ NO

PRIMARY DEPARTMENT: Economic and International Development

SECONDARY DEPARTMENT: City Attorney's Office

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

DEPARTMENT HEAD: Elizabeth Triggs



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



88th Legislative Session & City State Legislative Agenda

November 7, 2022





Purpose & Requested Action

- ☐ Discuss Additional Support/Oppose items
 - Affordable Housing
 - Items brought forward by Farm and City
- ☐ Approve additions to the City of El Paso's State Legislative Agenda for the Texas 88th Legislative Session as presented by City Staff

Support/Oppose Items

Recommended Revisions

Add Affordable Housing Section

- ☐ **Support** legislation that prioritizes viable/feasible transactions for 4% Low Income Housing Tax Credit (LIHTC) Applications
- ☐ **Support** legislation that would repeal the two mile/same year rule for low income housing tax credits or allow municipalities to approve a waiver of the rule
- ☐ **Support** legislation that would limit Housing Finance Corporations to operate only within the municipal city limits

Support/Oppose Items

Recommended Revisions

Add to **Transportation** Section:

- ☐ **Support** expanded uses of the State Highway Fund to support multimodal transportation projects for urban communities
- ☐ **Support** legislation that allows municipalities to reduce the prima facie speed limit on residential streets to 25 MPH without having to perform an engineering or traffic investigation.

Recommended Motion

- ☐ Motion to Approve the additions to the City of El Paso's State Legislative Agenda for the Texas 88th Legislative Session as presented by City Staff

Next Steps

- ☐ Bills can be filed starting November 14, 2022
- ☐ Session begins January 10, 2023
- ☐ Regular updates to Council during Session
- ☐ Resources



Mission

Deliver exceptional services to support a high quality of life and place for our community



Vision

Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government



Values

Integrity, Respect, Excellence, Accountability, People



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 22-1444, Version: 1

CITY OF EL PASO, TEXAS LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

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

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

City Attorney's Office, Mathew Engelbaum, (915) 212-0033

AGENDA LANGUAGE:

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Claim of Norma Alvarado. Matter No. 22-1036-3634 (551.071)



El Paso, TX

300 N. Campbell
El Paso, TX

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File #: 22-1445, Version: 1

CITY OF EL PASO, TEXAS LEGISTAR AGENDA ITEM SUMMARY FORM

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City Attorney's Office, Donald Davie, (915) 212-0033

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Texas Gas Service Company, A Division of ONE Gas Inc., Application to Increase Gas Utility Rates. Matter No. 22-1008-198 (551.071)



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Application of El Paso Electric Company to Change Rates to Open Access Transmission Tariff, Federal Energy Regulatory Commission (FERC); Docket No. ER22-282-000. Matter No. 21-1008-183 (551.071)



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