

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 CITY COUNCIL OF THE CITY OF EL PASO

January 18, 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: 828-656-044#

Notice is hereby given that a Work Session of the City Council of the City of El Paso will be conducted on January 18, 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: 828-656-044#

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

<https://www.elpasotexas.gov/city-clerk/meetings/city-council-meetings>

and

http://legacy.elpasotexas.gov/muni_clerk/Sign-Up-Form-Monday-Work-Session.php

The following members of City Council will be present via video conference:

Representatives Alexsandra Annello and Cassandra Hernandez

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. [22-71](#)

1. Overview (Tommy Gonzalez)
2. City Attorney Overview (Karla Nieman)
 - a) Emergency Measures Ordinance Amendment
 - b) Greg Abbott, in his official capacity as Governor of Texas v. City of El Paso and Statewide Mask Mandate Litigation
 - c) Federal Vaccine Mandate
3. Team Lead Report:
 - a) Health Focus (Hector Ocaranza, M.D.)
4. City Manager Wrap-up (Tommy Gonzalez)

All Districts

City Manager's Office, Cary Westin, (915) 212-1063

2. Presentation, discussion and action related to: [22-50](#)

- a) FY 2022 - First Quarter Financial Report
- b) Resolution authorizing the City Manager or his designee to establish appropriations in the amount of \$7,821,018, whereas the City of El Paso is the recipient of the American Rescue Plan Act ("ARPA") grant funds in the amount of \$154,365,135, the City Council approves the appropriation of the grant funds from the Coronavirus State and Local Fiscal Recovery Funds in accordance with the requirements stipulated by the American Rescue Plan Act and federal guidelines in the Final Rule to cover expenses incurred to respond to the COVID-19 public health crisis.

All Districts

Office of Management and Budget, K. Nicole Cote, (915) 212-1092

3. Discussion and action on proposed amendments to the City Charter through a November 2022 Charter Election. [22-78](#)

All Districts

City Attorney's Office, Karla M. Nieman, (915) 212-0033

City Attorney's Office, Kristen Hamilton-Karam, (915) 212-0033

4. Discussion and action on activating the City of El Paso Ad Hoc Charter Advisory Committee for the purpose of a City Charter Amendment Special Election to be held in November 2022. [22-61](#)

All Districts

Communications and Public Affairs, Laura Cruz-Acosta, (915) 212-1061

5. For discussion and action, the Capital Improvement Department will provide a plan to further secure the Union Plaza area from winter weather. [22-81](#)

All Districts

Capital Improvement Department, Sam Rodriguez, (915) 212-1845

EXECUTIVE SESSION

The following members of City Council will be present via video conference:

Representatives Alexsandra Annello and Cassandra Hernandez

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.** Max Grossman v. City of El Paso; Texas Supreme Court, Case No. 21-1105. Matter No. 17-1001-171.001.001 (551.071) [22-72](#)

City Attorney's Office, Karla M. Nieman, (915) 212-0033

- EX2.** Application of El Paso Electric Company to Change Rates, Public Utility Commission of Texas Docket No. 52195. Matter No. 21-1008-174 (551.071) [22-73](#)

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

City Attorney's Office, Juan Gonzalez, (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) [22-74](#)

City Attorney's Office, Frances Engelbaum, (915) 212-0033
City Attorney's Office, Juan Gonzalez, (915) 212-0033

- EX4.** Supplemental Compliance Filing Re: Order 864 of El Paso Electric Company, Federal Energy Regulatory Commission (FERC); Docket No. ER22-392-000. Matter No. 21-1008-183.001 (551.071) [22-75](#)

City Attorney's Office, Frances Engelbaum, (915) 212-0033
City Attorney's Office, Juan Gonzalez, (915) 212-0033

- EX5.** City of Dallas v. Oxley Leasing North Loop, LLC, Case No. 05-21-00241-CV. Matter No. 22-1003-1253 (551.071) [22-87](#)

City Attorney's Office, Karla M. Nieman, (915) 212-0033

ADJOURN

NOTICE TO THE PUBLIC:

If you need Spanish Translation Services, you must email CityClerk@elpasotexas.gov at least 48 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 #: 22-71, 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, Cary Westin, (915) 212-1063

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) Emergency Measures Ordinance Amendment
 - b) Greg Abbott, in his official capacity as Governor of Texas v. City of El Paso and Statewide Mask Mandate Litigation
 - c) Federal Vaccine Mandate
3. Team Lead Report:
 - a) Health Focus (Hector Ocaranza, M.D.)
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: January 18, 2022

CONTACT PERSON NAME AND PHONE NUMBER: Senior Deputy City Manager, Cary Westin
(915) 212-1063

DISTRICT(S) AFFECTED: All Districts

SUBJECT:

Presentation and discussion by the COVID-19 Response + 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 ten 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

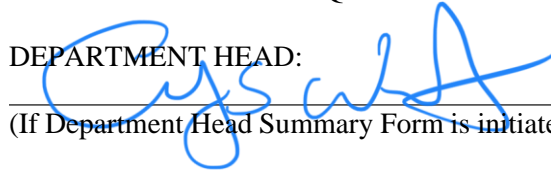
AMOUNT AND SOURCE OF FUNDING: N/A

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

1.19.22

Table of Contents

1. Overview (Tommy Gonzalez)
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-

1. Overview

Tommy Gonzalez

2. City Attorney Overview

January 18, 2022

Overview

1. Emergency Measures Ordinance Amendment
2. Greg Abbott, in his official capacity as Governor of Texas, v. City of El Paso & Statewide Mask Mandate Litigation
3. Federal Vaccine Mandate

Karla Nieman



Emergency Measures Ordinance Amendment

- Proposed for January 31, 2022
- Virtual meetings if possible unless required by state law
- Flexibility if majority of board chooses to meet in person



Greg Abbott, et al. V. Harris County, et. al.

- ❖ January 6th, 2022- 3rd COA (Austin) issued opinion against the Governor
- ❖ “the Governor does not possess absolute authority under the Texas Disaster Act to preempt orders issued by local governmental entities or officials that contradict his executive orders.”
- ❖ No direct impact on City of El Paso case at 8th Court of Appeals

Federal Vaccine Mandate

- OSHA Vaccine-or-Test Mandate
 - Applicability: 100+ employees
 - Law: (1) Mandatory Vaccine; **OR** (2) Weekly testing **AND** masks at work
 - Disposition: Blocked by SCOTUS on 1/13/22
- Health Care Facility Vaccine Mandate
 - Applicability: Health Care Workers at Facilities accepting Medicare/Medicaid
 - Law: Mandatory Vaccination for Health Care Workers
 - Disposition: Upheld by SCOTUS on 1/13/22

3. Team Lead Report

a. Health Focus

Hector I. Ocaranza, M.D.

COVID-19 Summary



COVID-19
SITUATIONAL
MONITORING

January 13, 2022



Positive Tests

645

New

186,830

Cumulative

COVID-19 Deaths

6

New

3110

Cumulative

Active

11,796

Recovered

171,738

Hospitalized

494

In ICU

134



COVID-19
Community
Scorecard

Stage 2



Infection
Rate

1



Testing

3



Investi-
gations

3



Healthcare
Readiness

1



At-Risk
Population

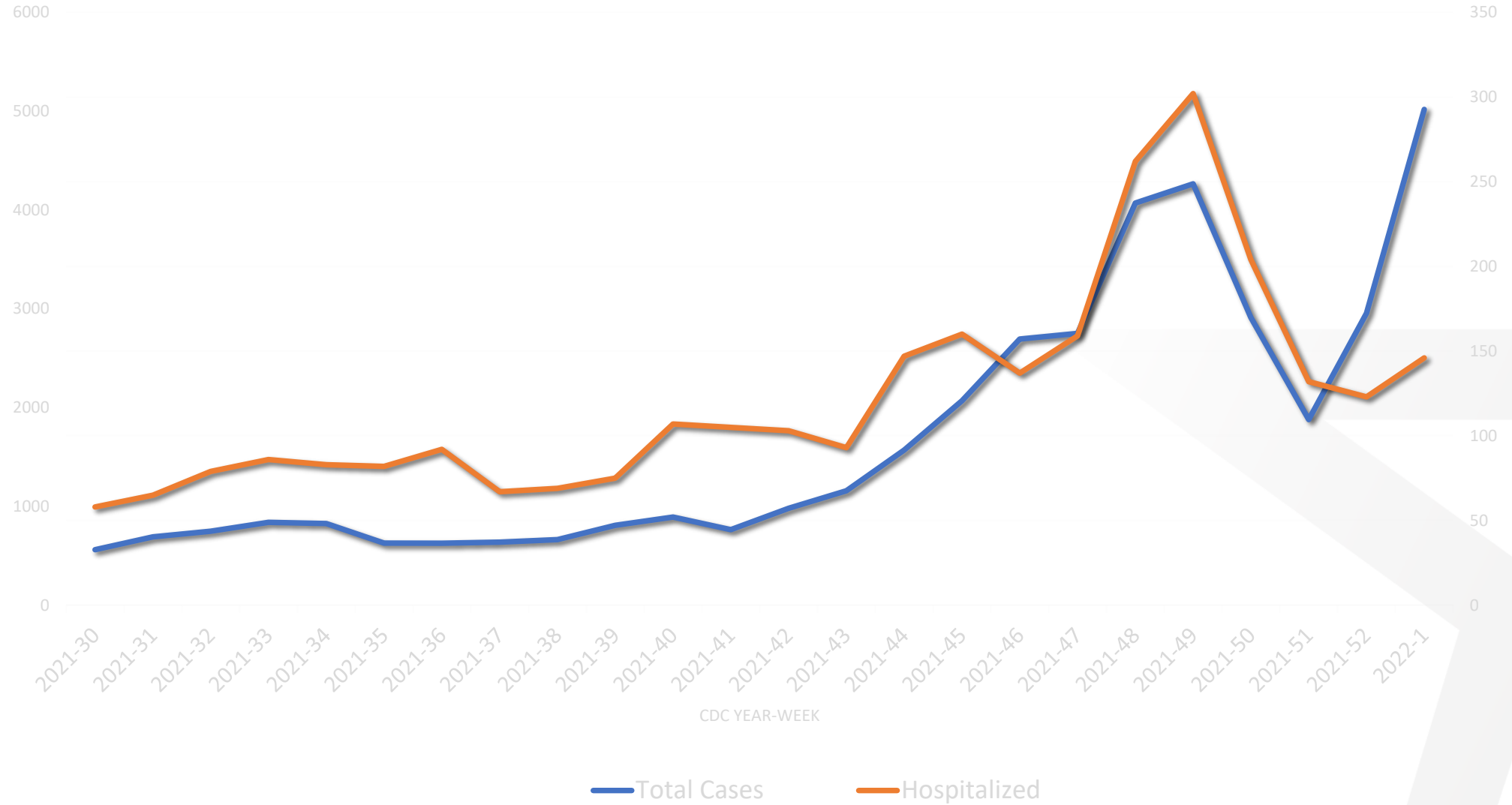
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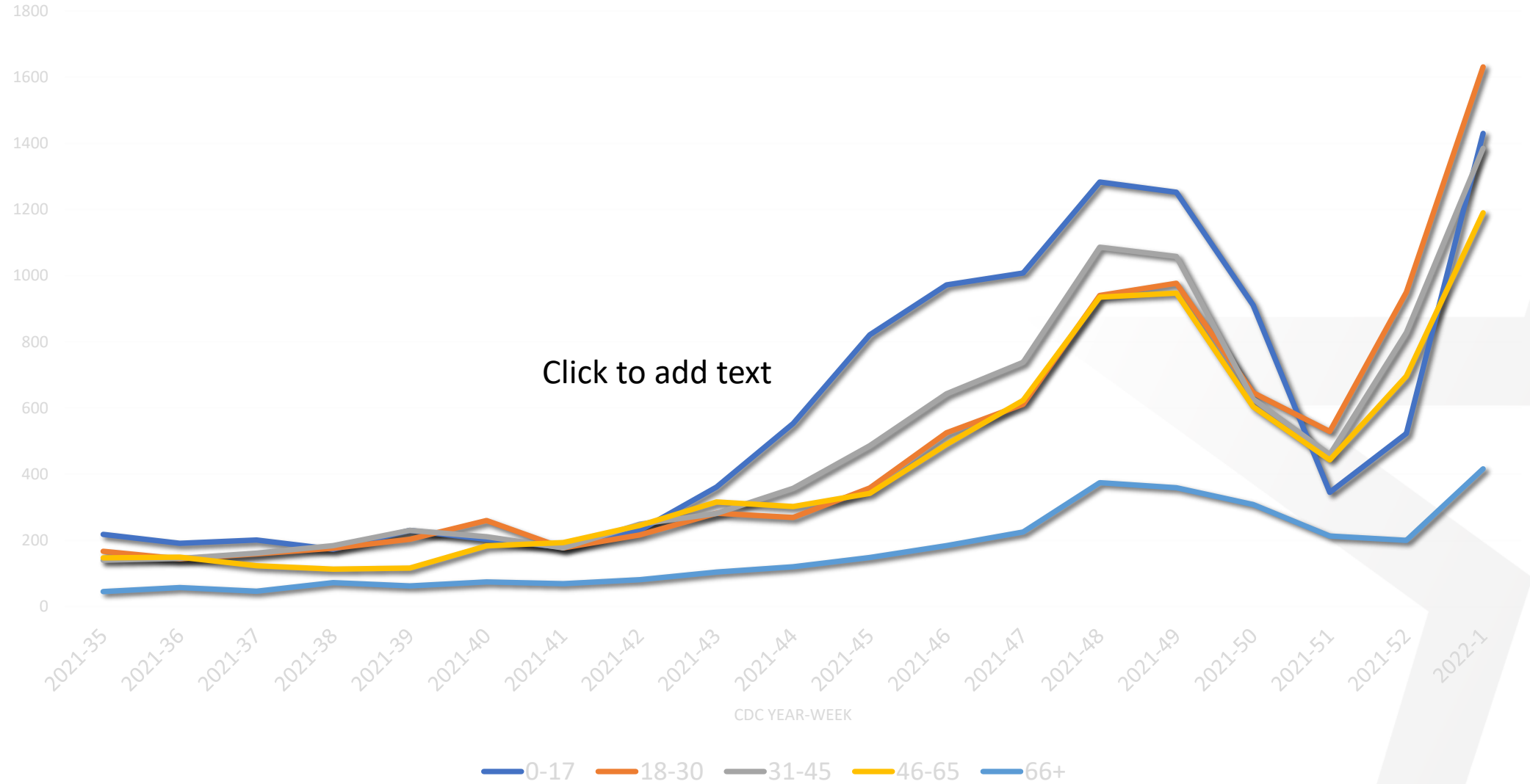
COVID-19
Vaccinations

- ❖ Very sharp rise in positive cases seen after holidays due to Omicron variant
- ❖ Hospitalized patients are slowly increasing but much slower rate than positive cases.
- ❖ Fatalities have passed 3,100 and our CFR 1.67 (a decline from 2.2 in Oct 2020)
- ❖ Isolation and Quarantine guideline updated and aligns with CDC
- ❖ We STRONGLY continue recommending practicing prevention with vaccination and non-pharmacological interventions

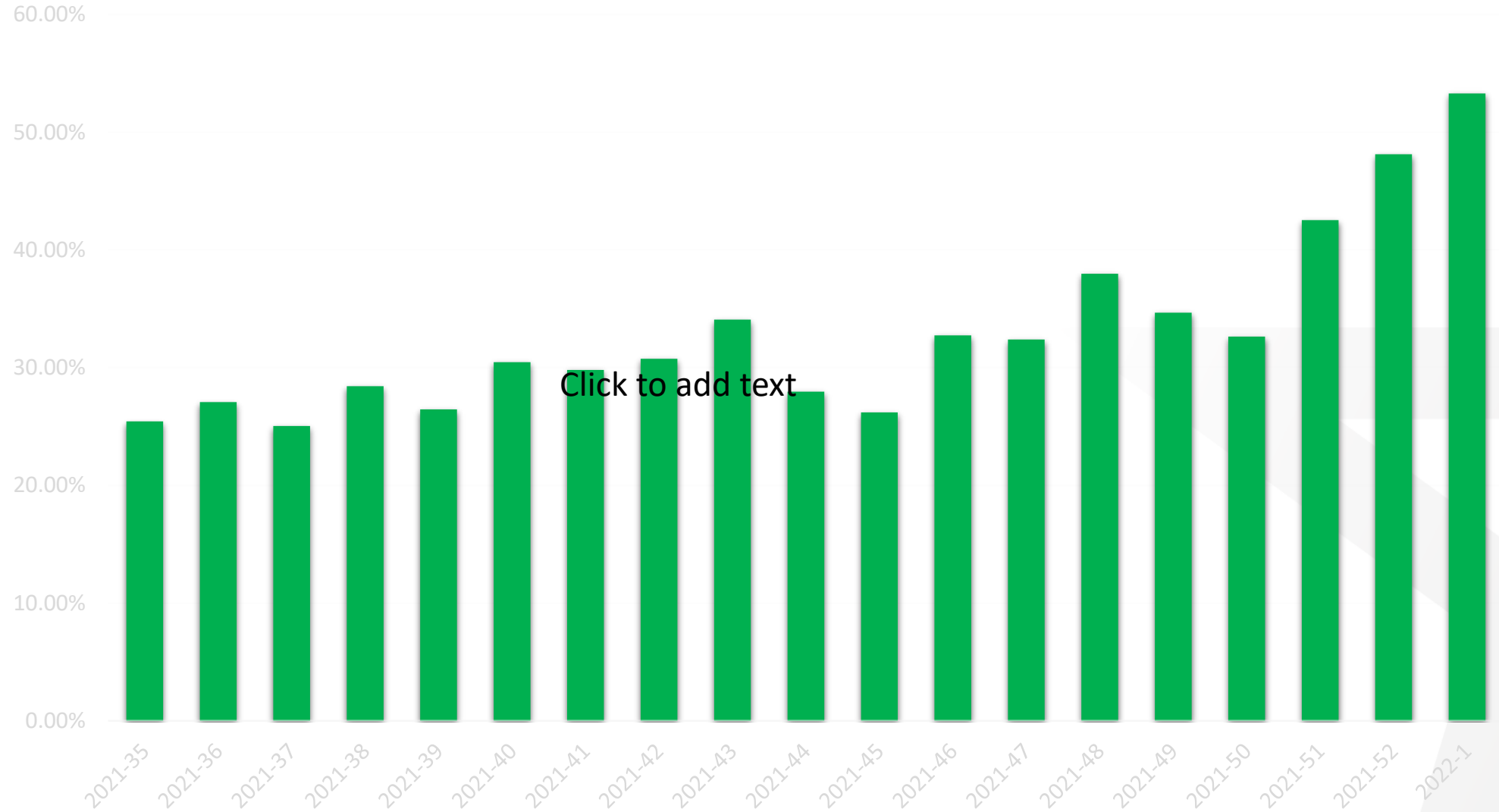
Cases/Hospitalizations



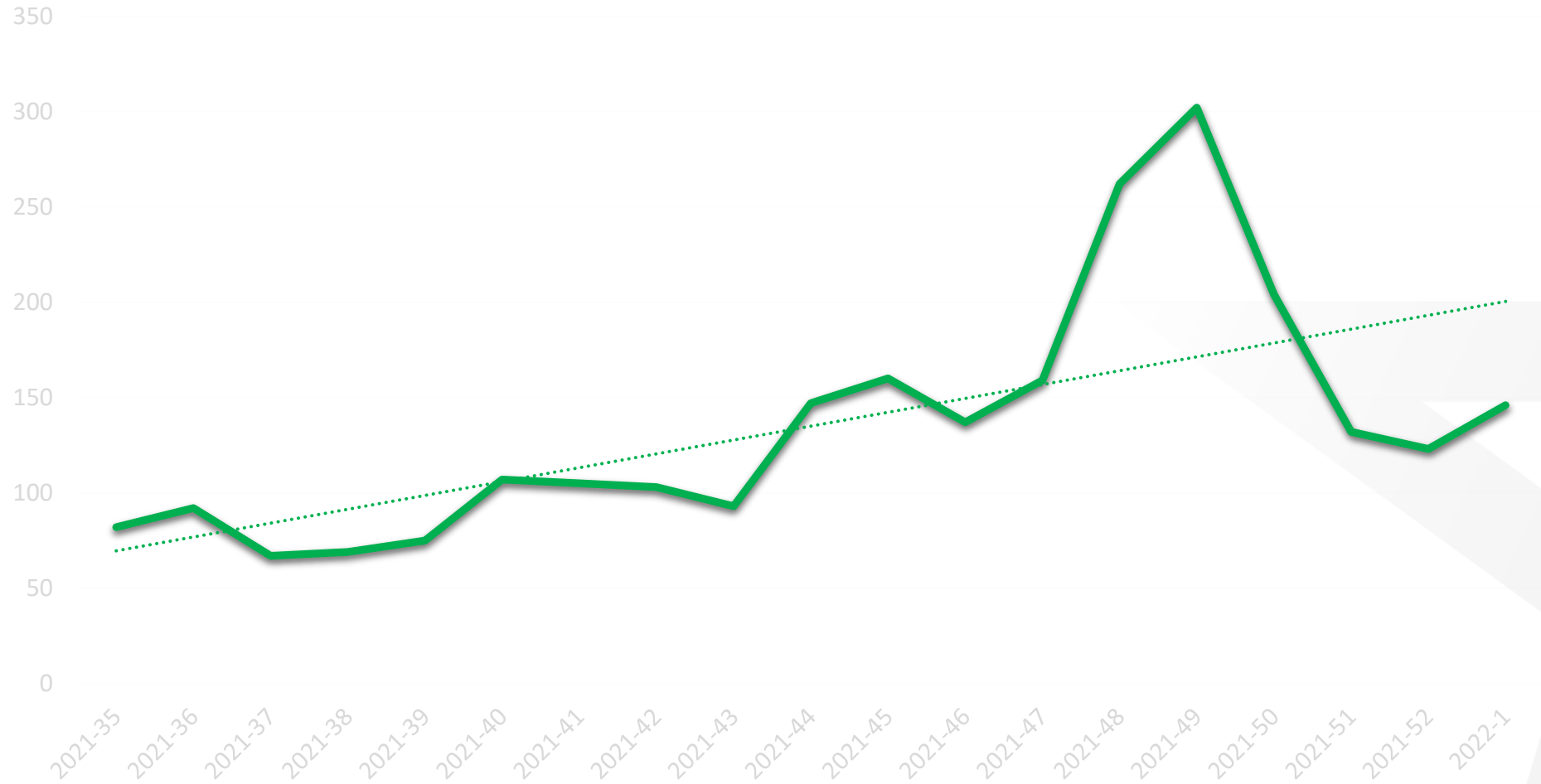
Cases by Age Group



% Vaccinated Cases



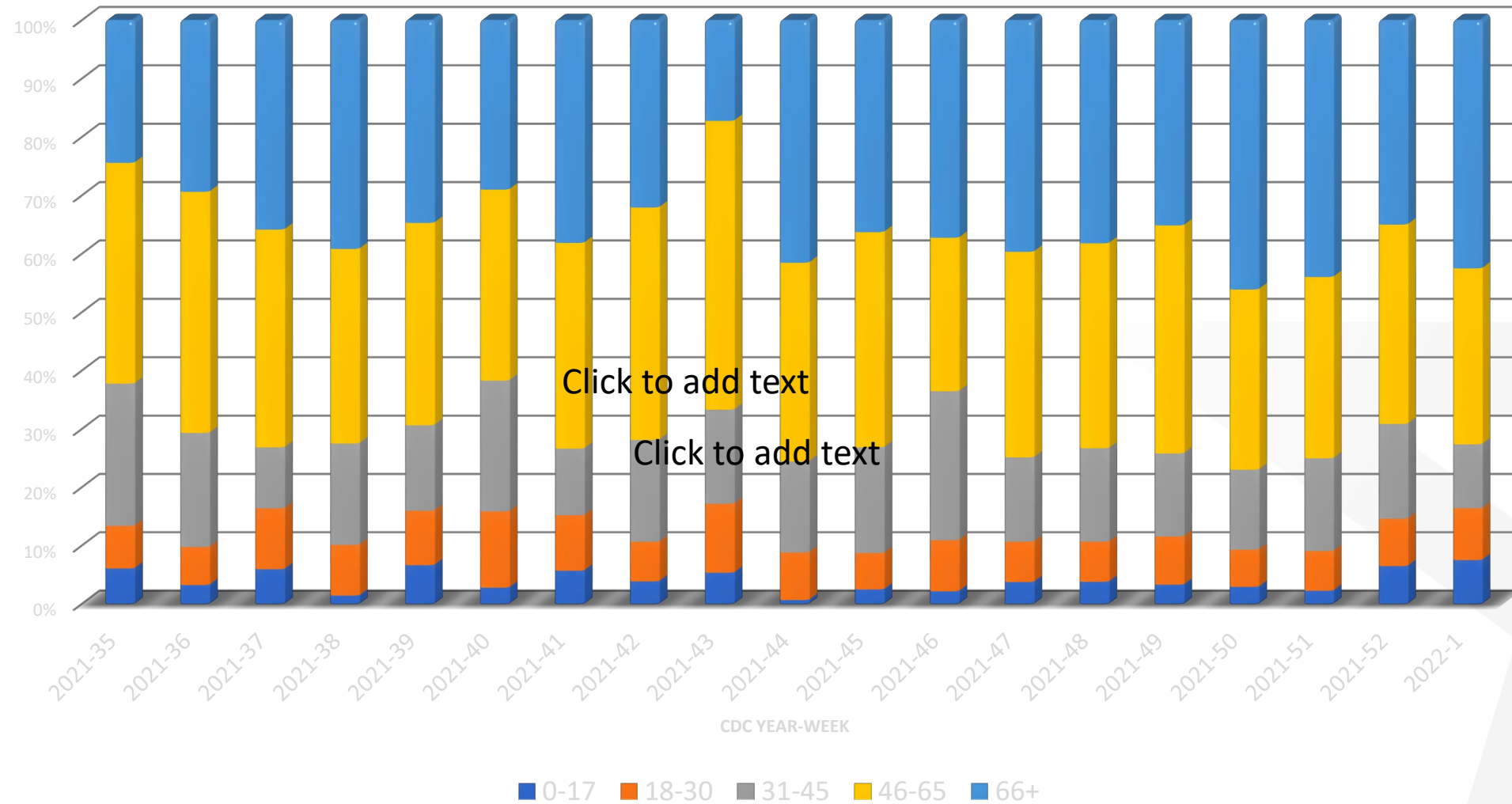
Hospital New Admissions



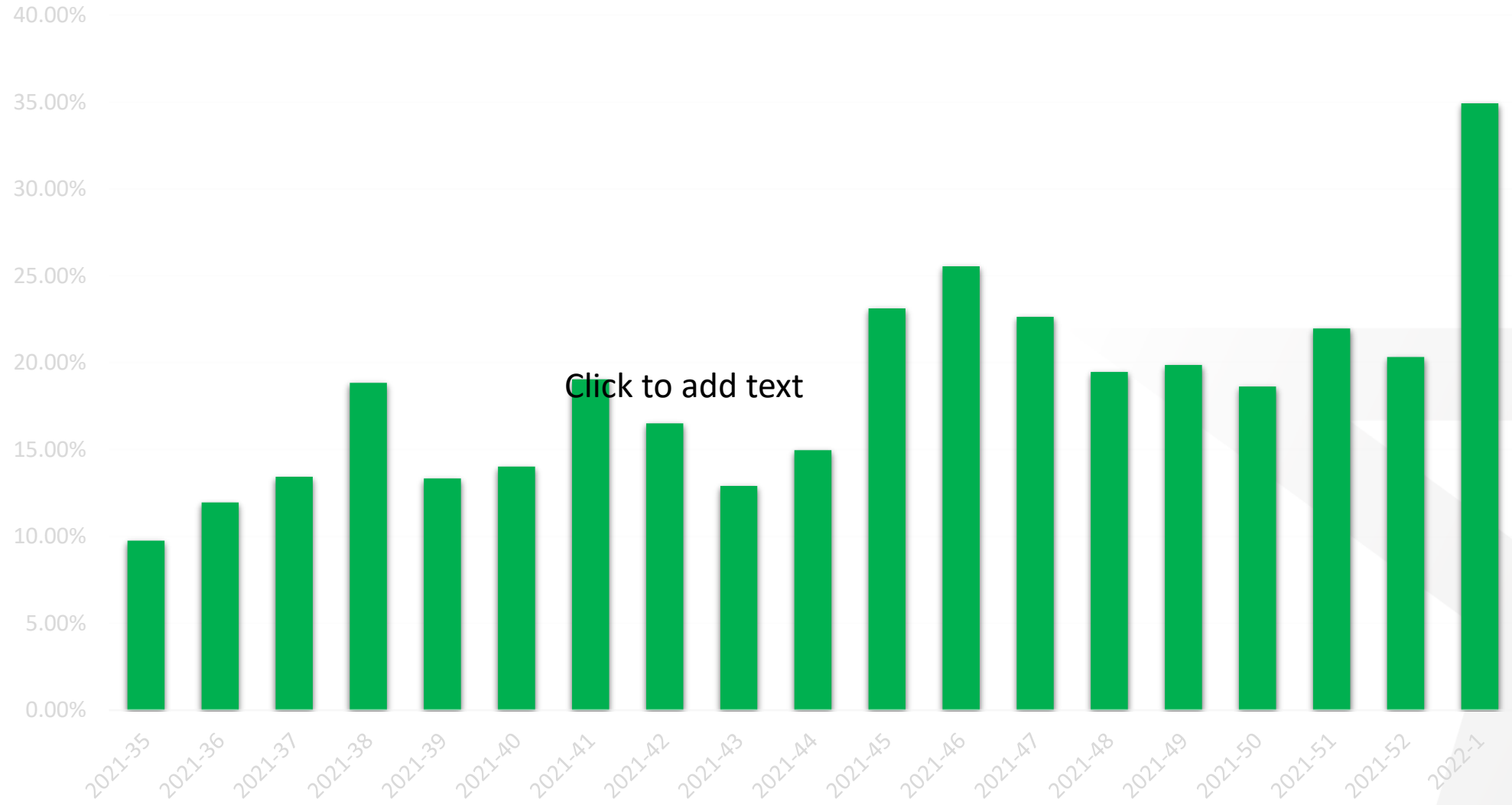
% Hospitalized



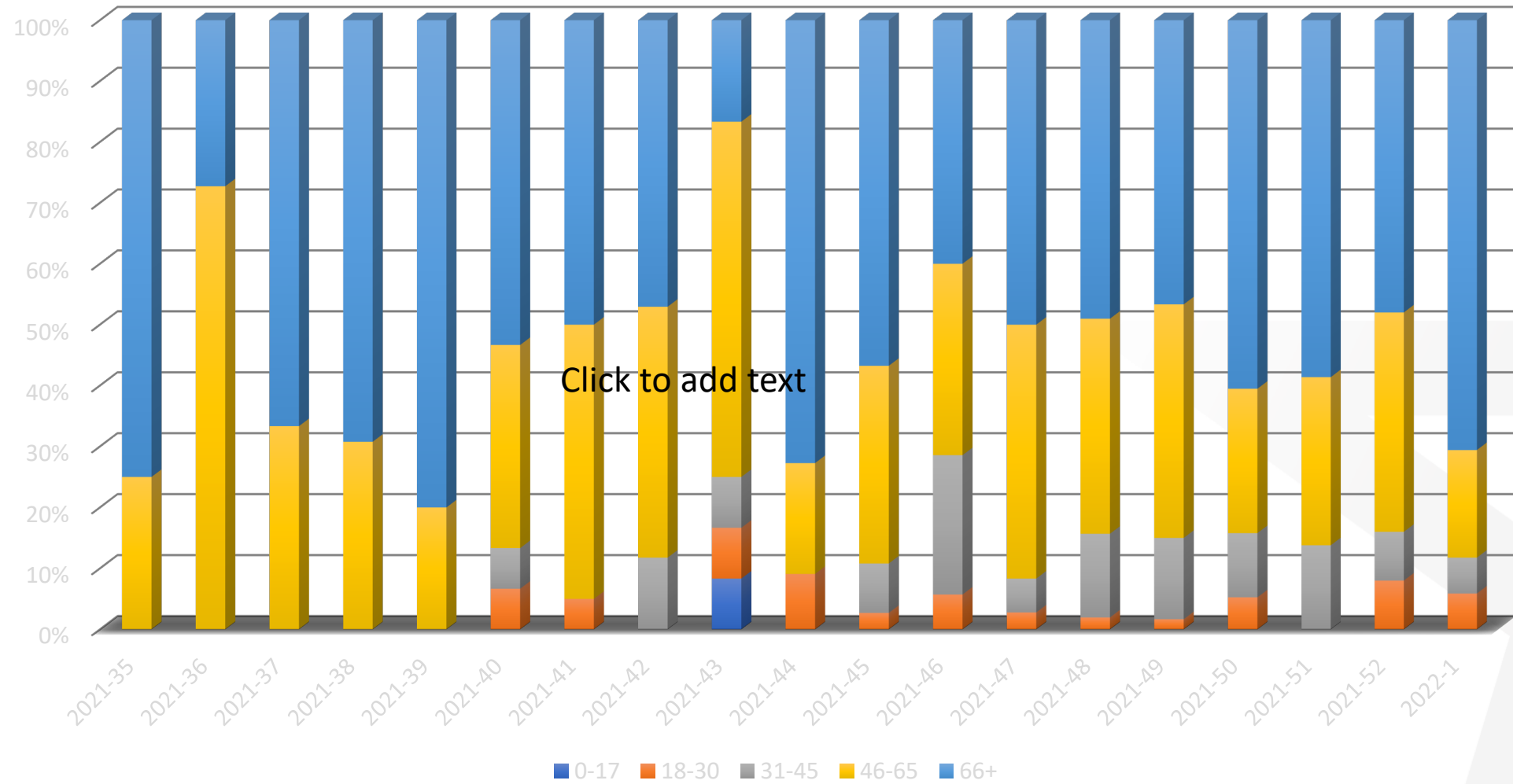
Hospitalization Age Distribution



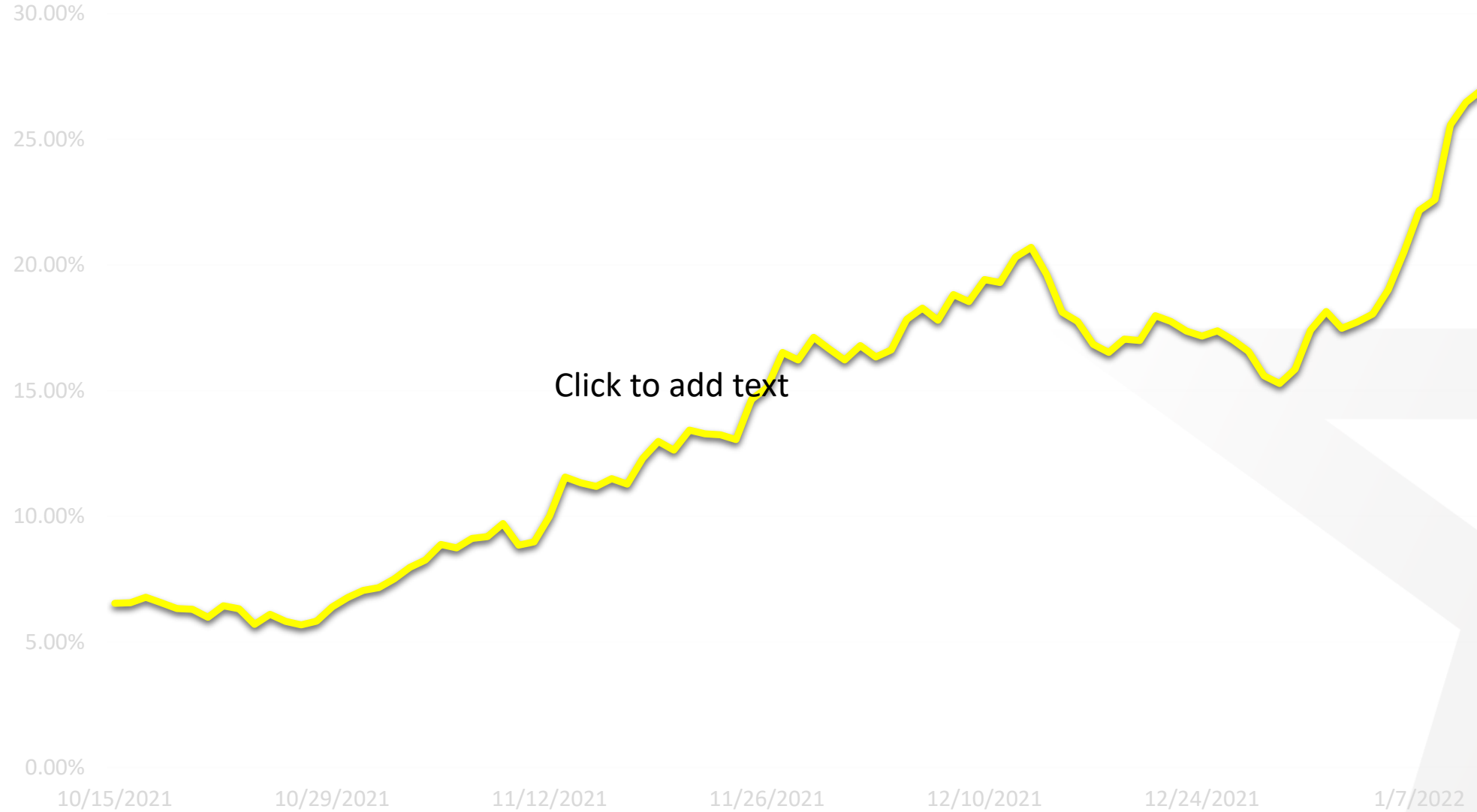
% Vaccinated Hospitalized



Fully Vaccinated Hospitalized

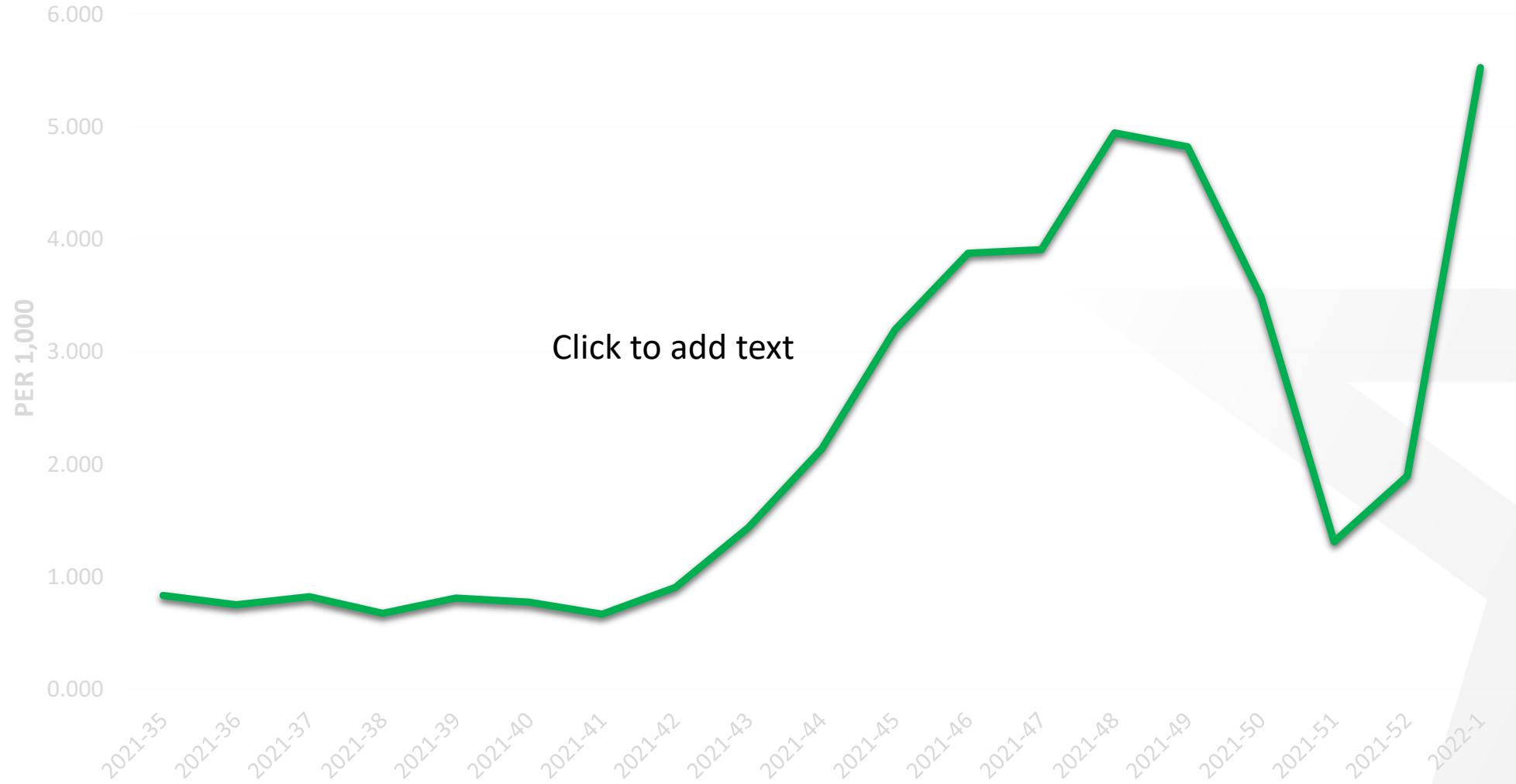


% COVID Hospitalization TSA

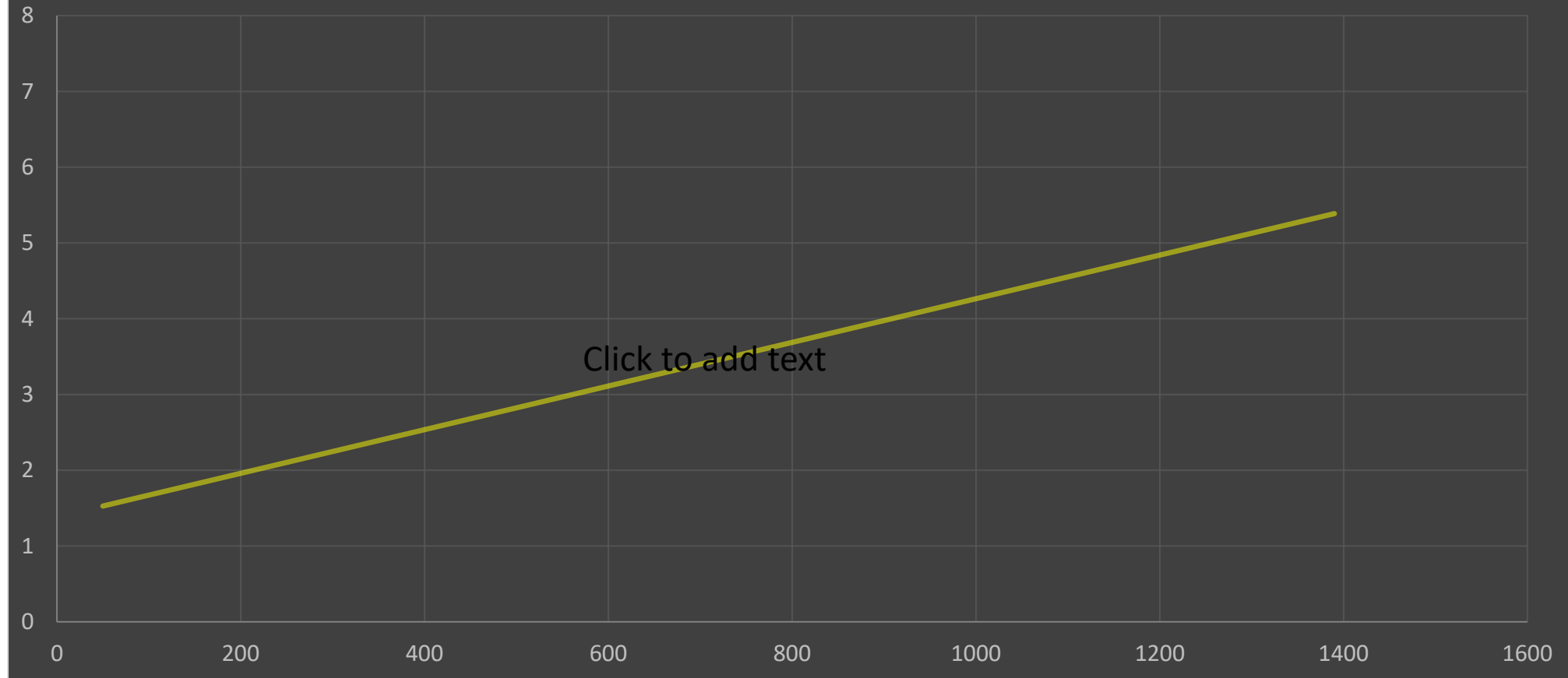


Click to add text

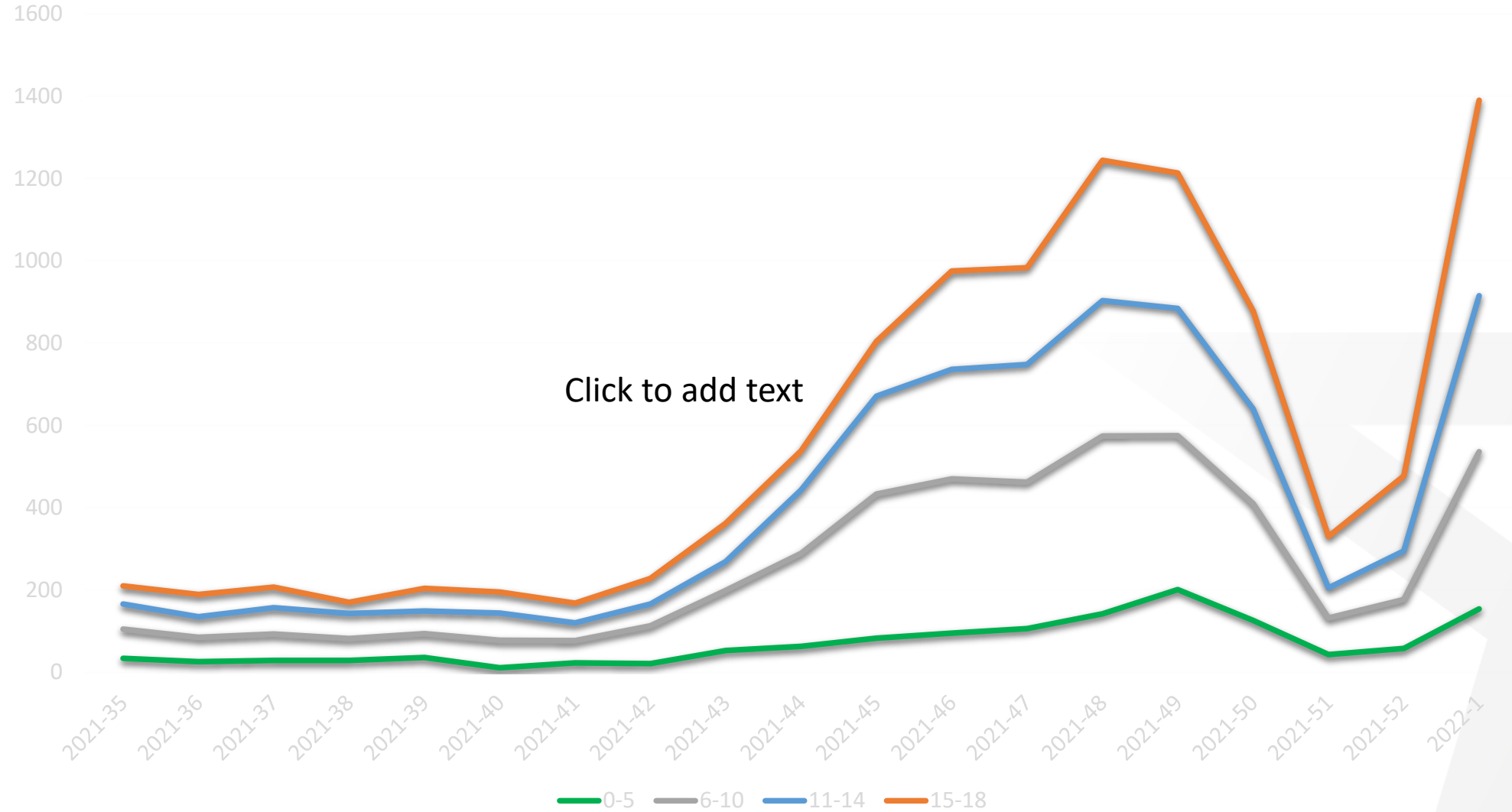
Pediatric Cases per Capita



Pediatric Cases / Hospitalizations CDC Week 27-52



School Age Children Cases



4. City Manager Wrap-up

Tommy Gonzalez

A large, stylized orange star graphic is located on the left side of the slide. It is composed of several thick, angular lines that form a star shape, pointing towards the center of the slide.

Thank you!



Legislation Text

File #: 22-50, Version: 1

CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

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All Districts

Office of Management and Budget, K. Nicole Cote, (915) 212-1092

AGENDA LANGUAGE:

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Presentation, discussion and action related to:

- a) FY 2022 - First Quarter Financial Report
- b) Resolution authorizing the City Manager or his designee to establish appropriations in the amount of \$7,821,018, whereas the City of El Paso is the recipient of the American Rescue Plan Act ("ARPA") grant funds in the amount of \$154,365,135, the City Council approves the appropriation of the grant funds from the Coronavirus State and Local Fiscal Recovery Funds in accordance with the requirements stipulated by the American Rescue Plan Act and federal guidelines in the Final Rule to cover expenses incurred to respond to the COVID-19 public health crisis.

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

AGENDA DATE: January 18, 2022

PUBLIC HEARING DATE:

CONTACT PERSON(S) NAME AND PHONE NUMBER: K. Nicole Cote, Director of the Office of Management and Budget (915) 212-1092

DISTRICT(S) AFFECTED: All

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

SUBGOAL: N/A

SUBJECT:

A resolution authorizing the City Manager or his designee to establish appropriations in the amount of \$7,821,018, whereas the City of El Paso is the recipient of the American Rescue Plan Act ("ARPA") grant funds in the amount of \$154,365,135, the City Council approves the appropriation of the grant funds from the Coronavirus State and Local Fiscal Recovery Funds in accordance with the requirements stipulated by the American Rescue Plan Act and federal guidelines in the Final Rule to cover expenses incurred to respond to the COVID-19 public health crisis.

BACKGROUND / DISCUSSION:

On March 11, 2021, the federal government enacted the American Rescue Plan Act ("ARPA") which established the Coronavirus State Fiscal Recovery Fund and Coronavirus Local Fiscal Recovery Fund ("CSLFRF"). The City is a recipient of ARPA grant in the amount of \$154,365,135.

PRIOR COUNCIL ACTION: On July 27, 2021, the City Council appropriated \$15,000,000 of ARPA grant funds for the COVID-19 public health crisis.

AMOUNT AND SOURCE OF FUNDING: \$154,365,135 American Rescue Plan Act ("ARPA") grant funds

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES NO

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

SECONDARY DEPARTMENT: All City

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

DEPARTMENT HEAD:



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

RESOLUTION

WHEREAS, on March 13, 2020 the President of the United States declared a national emergency, Governor of the State of Texas declared a state of disaster, and the Mayor of the City of El Paso declared a local state of disaster in relation to Coronavirus Disease 19 (COVID-19); and

WHEREAS, on March 17, 2020 City Council issued an Emergency Ordinance Instituting Emergency Measures due to a Public Health Emergency (“Emergency Ordinance”); and

WHEREAS, on May 11, 2020 City Council approved appropriations for the CARES Act funds received by the City for eligible expenses from March 1, 2020 through August 31, 2021; and

WHEREAS, the City has on going COVID-19 related expenditures that have continued into FY 2022; and

WHEREAS, the COVID-19 pandemic is a public health crisis that has required immediate action from the City to relieve the emergency necessity of the municipality’s residents and to protect the health and safety of the community, resulting in expenditures by the City to respond to the COVID-19 public health emergency; and

WHEREAS, on March 11, 2021, the federal government enacted the American Rescue Plan Act (“ARPA”) which established the Coronavirus State Fiscal Recovery Fund and Coronavirus Local Fiscal Recovery Fund (“CSLFRF”); and

WHEREAS, the City is a recipient of ARPA grant in the amount of \$154,365,135 from the fund to be received in two tranches, with the first received on May 12, 2021 in the amount of \$77,172,567.50, and the second half of equal value is expected to be received on or about May 12, 2022; and

WHEREAS, on July 27th, 2021 the City Council appropriated \$15,000,000 of ARPA grant funds; and

WHEREAS, the City Council desires to appropriate the ARPA grant funds in accordance with the requirements stipulated in the U.S. Department of Treasury’s Final Rule (“Final Rule”).

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

THAT as the recipient of the American Rescue Plan Act (“ARPA”) grant funds in the amount of \$154,365,135, the City Council approves the appropriation of \$7,821,018 of the grant funds from the Coronavirus State and Local Fiscal Recovery Funds in accordance with the requirements stipulated by the American Rescue Plan Act and federal guidelines in the Final Rule to cover expenses incurred to respond to the COVID-19 public health crisis.

THAT, the above appropriation was obligated during the period starting March 3, 2021, and ending December 31, 2021.

THAT, the instant and previous appropriations are made in compliance with the Final Rule.

THAT, future appropriations of the remaining CSLFRF funds shall be appropriated in a manner aligning to the needs and requirements of the City and in compliance with the Final Rule guidance.

THAT, the City Manager, or designee, be authorized to effectuate any budget transfers and execute any contracts and/or related documents necessary to ensure that the American Rescue Plan Act (“ARPA”) grant funds are properly expended to respond to the COVID-19 public health emergency.

APPROVED this _____ day of _____, 2022.


CITY OF EL PASO:

Oscar Leaser
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Frances M. Maldonado Engelbaum
Assistant City Attorney

APPROVED AS TO CONTENT:



K. Nicole Cote, Director
Office of Management & Budget

FY 2022 1st Quarter Financial Report

January 18, 2022

FY 2022 1st Quarter Summary

- Sales tax performing well – big box retailers, online sales
- Bridges performing well – reopened in Nov
- COVID response costs have been posting to GF
- Vacancies and attrition – increased overtime
- Monitoring increases in contracts, fuel, and utilities

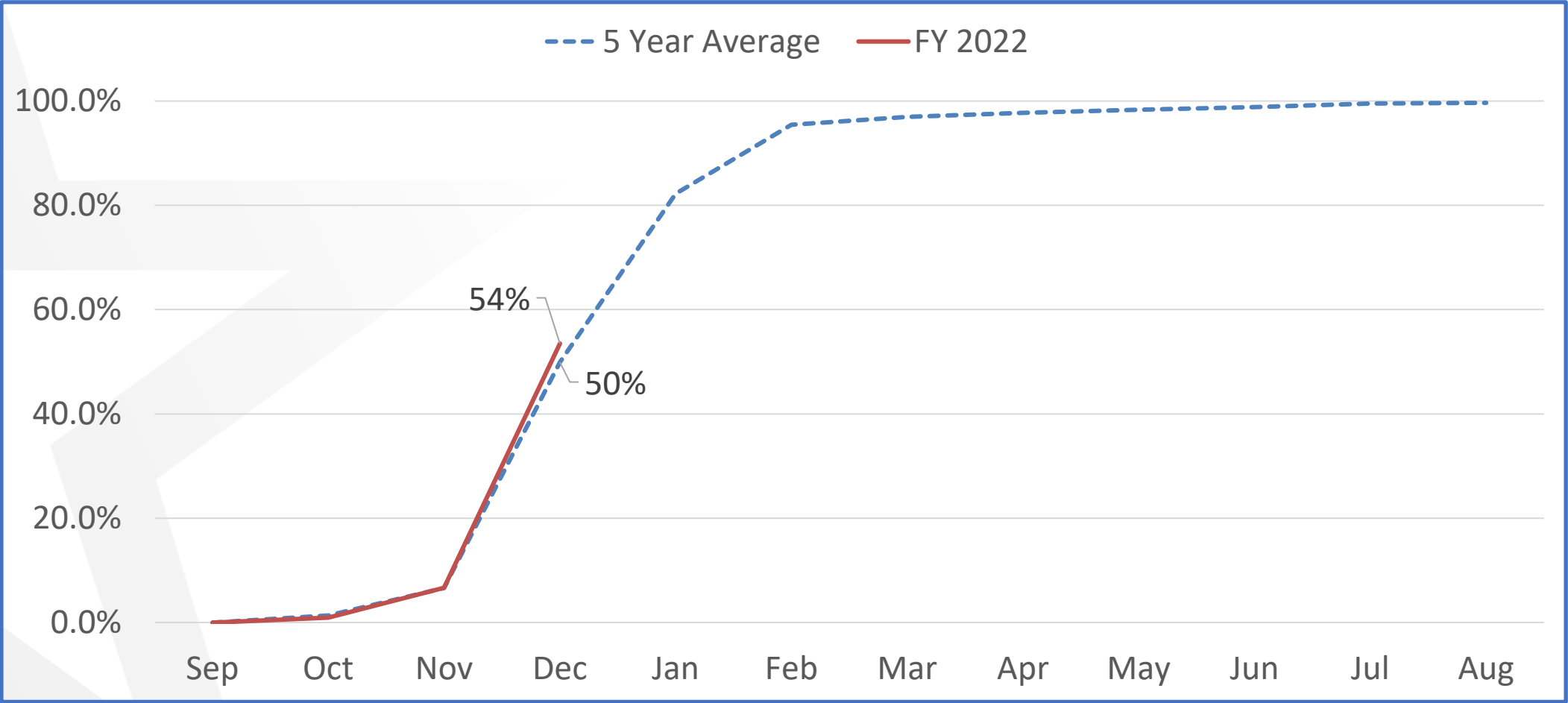
GENERAL FUND SUMMARY

As of Period 3, Ended November 2021

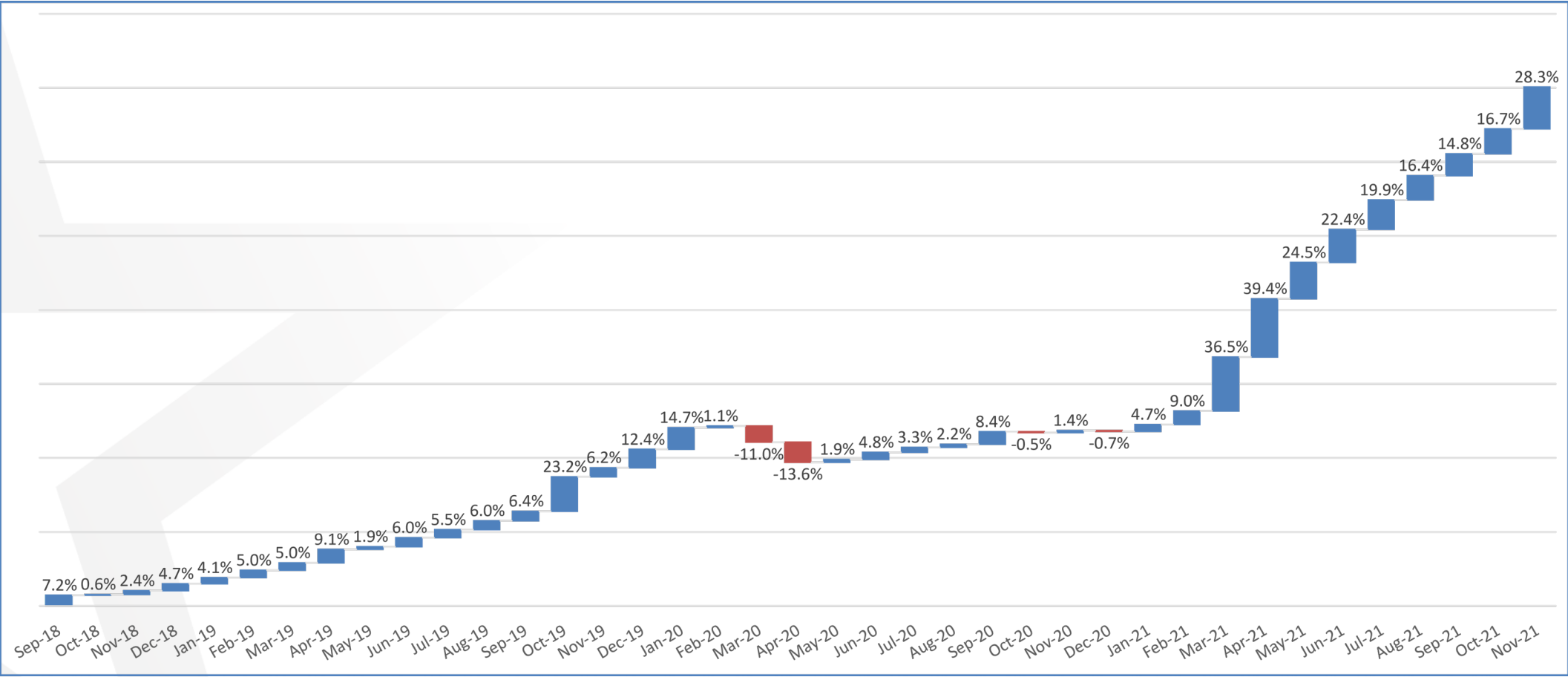
Category	FY 2022 Budget	FY 2022 Actuals	FY 2022 % of Budget	FY 2021 Actuals	FY 2022/2021 Actuals Change	FY 2022/2021 % Change
<u>Revenue</u>						
Property Taxes.....	235,929,354	\$13,511,964	5.7%	\$15,795,787	(\$2,283,822)	-14.5%
Sales Taxes.....	105,957,017	30,124,967	28.4%	25,409,893	4,715,074	18.6%
Franchise Fees.....	49,750,000	13,046,545	26.2%	13,634,308	(587,763)	-4.3%
Charges For Services.....	28,636,083	6,443,245	22.5%	6,169,358	273,886	4.4%
Other Sources (Uses).....	34,031,208	9,839,098	28.9%	15,618,460	(5,779,362)	-37.0%
Licenses And Permits.....	12,743,122	3,560,471	27.9%	2,942,582	617,889	21.0%
Fines And Forfeitures.....	5,653,301	1,932,544	34.2%	1,345,922	586,622	43.6%
Rents And Other.....	2,236,970	522,219	23.3%	264,528	257,691	97.4%
Intergovernmental	1,168,809	683,204	58.5%	31,430	651,775	2073.8%
Interest.....	125,000	11,042	8.8%	20,102	(9,060)	-45.1%
Total Revenue	\$476,230,863	\$79,675,298	16.7%	\$81,232,369	(\$1,557,071)	-1.9%
<u>Expenditures</u>						
Personal Services	\$347,760,554	\$73,506,960	21.1%	\$75,913,729	(\$2,406,770)	-3.2%
Contractual Services.....	41,286,664	6,930,963	16.8%	6,522,133	408,830	6.3%
Materials & Supplies.....	23,493,167	2,744,363	11.7%	1,574,319	1,170,044	74.3%
Operating.....	25,758,358	6,221,612	24.2%	5,078,754	1,142,858	22.5%
Non-Operating.....	1,624,207	598,836	36.9%	465,132	133,704	28.7%
Intergovernmental.....	1,610,978	59,388	3.7%	36,800	22,588	61.4%
Transfers.....	34,245,034	2,274,405	6.6%	7,788,288	(5,513,883)	-70.8%
Capital.....	451,901	67,680	15.0%	40,269	27,411	68.1%
Total Expenditures.....	\$476,230,863	\$92,404,207	19.4%	\$97,419,424	(\$5,015,217)	-5.1%

Property Tax Collections - % Collected

September – December



City Sales Tax Collections



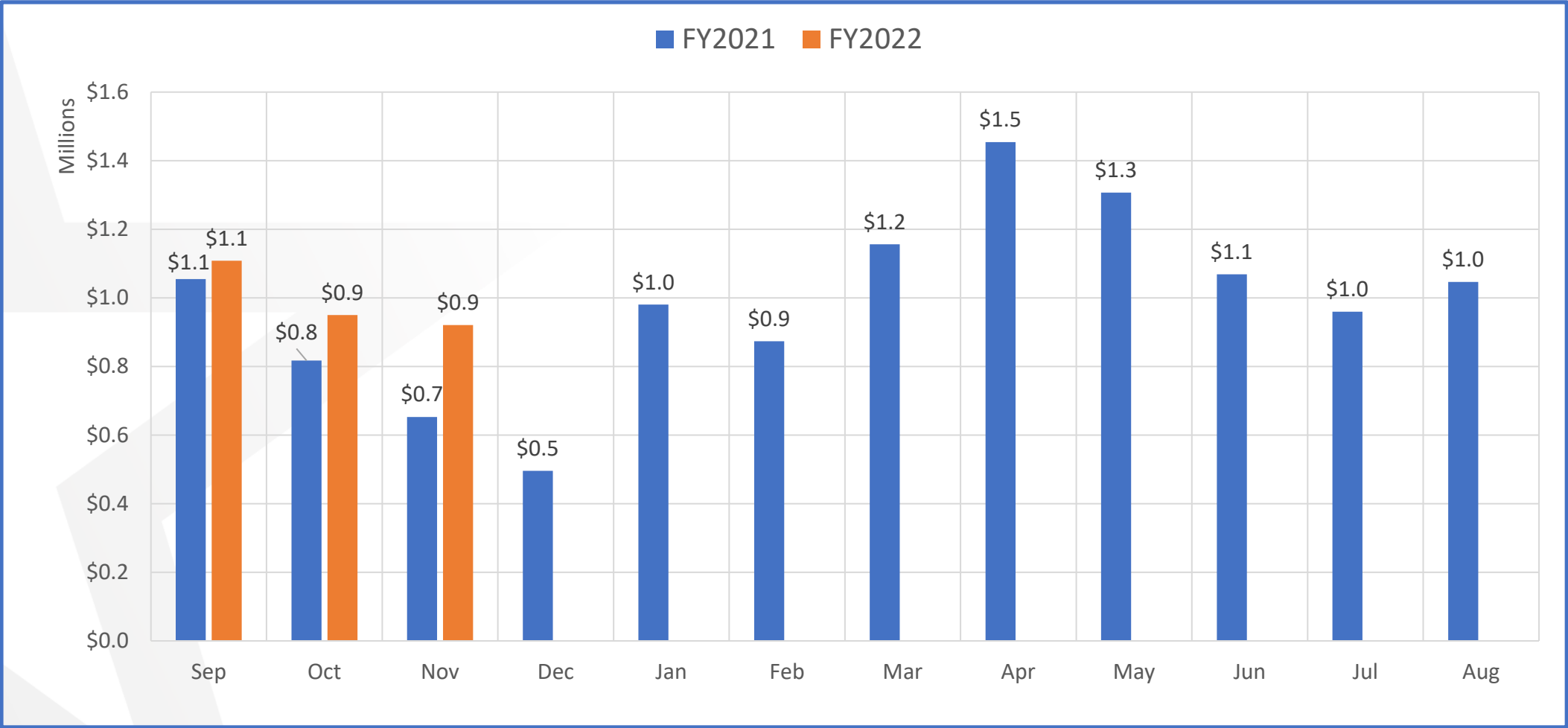
City Sales Tax Collections

Historical Performance					
	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Annual Total	\$85,008,642	\$89,525,918	\$93,852,294	\$97,597,554	\$111,621,362
\$ Increase	\$1,932,093	\$4,517,276	\$4,326,376	\$3,745,260	\$14,023,808
% Increase	2.3%	5.3%	4.8%	4.0%	14.4%

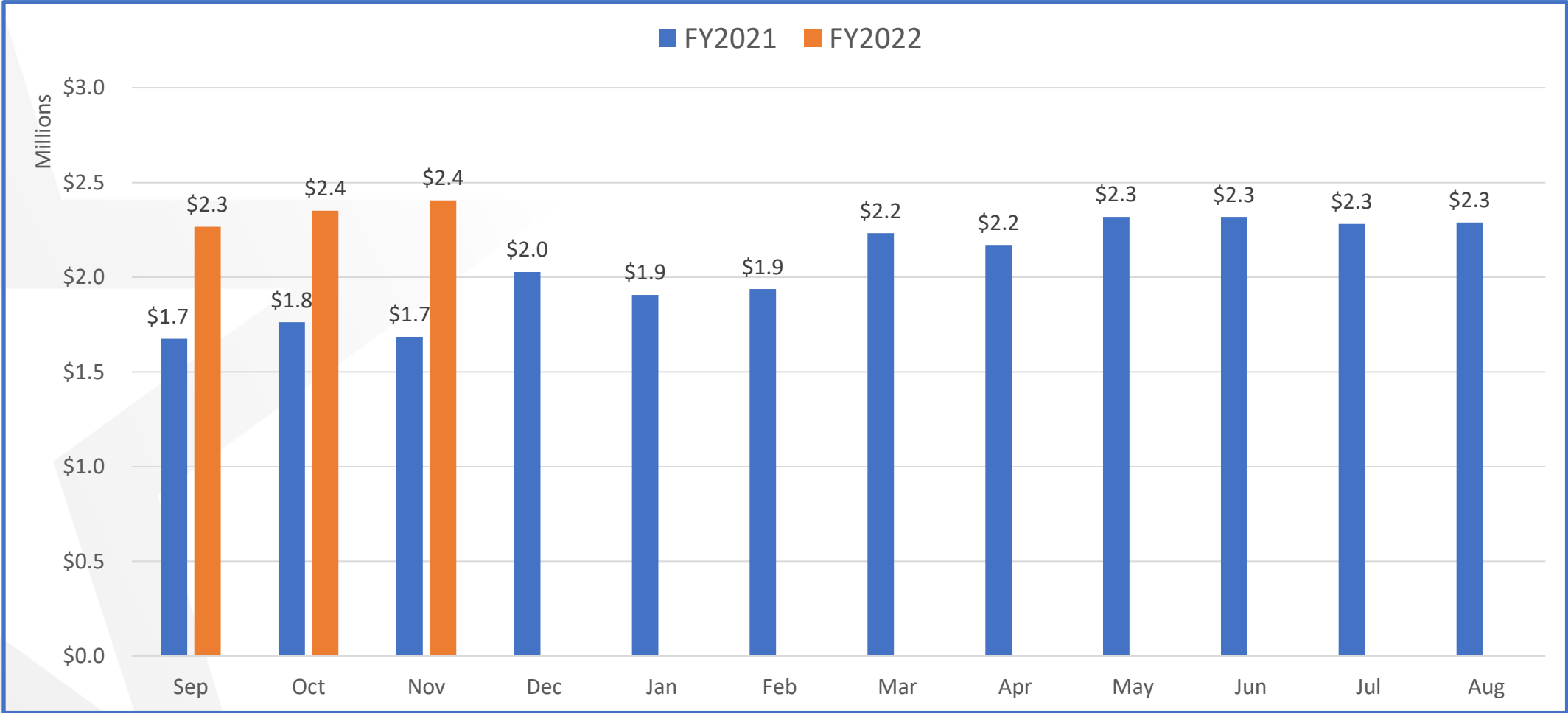
Current Performance FY 2022 1 st Quarter (Sep-Nov)				
	FY 2021	FY 2022	\$ Increase	% Increase
Sep - Nov	\$25,516,696	\$30,547,677	\$5,030,981	19.7%

Licenses and Permits

Planning & Inspections Dept.



Bridge Crossing Revenue



General Fund Expenditures

Strategic Goal	FY 2022 Budget	FY 2022 Actuals	FY 2022 % of Budget	FY 2021 Actuals	FY 2022/2021 Actuals Change	FY 2022/2021 % Change
Economic Development.....	1,961,689	290,612	14.8%	302,283	(11,670)	-3.86%
Public Safety.....	290,553,847	58,529,074	20.1%	58,982,889	(453,815) ¹	-0.77%
Visual Image.....	6,950,879	1,502,329	21.6%	1,579,573	(77,243)	-4.89%
Quality of Life.....	53,429,275	8,689,301	16.3%	7,182,703	1,506,598 ²	20.98%
Communication.....	21,442,986	3,917,221	18.3%	6,065,449	(2,148,228) ³	-35.42%
Sound Governance.....	41,569,626	9,980,471	24.0%	14,284,695	(4,304,224) ⁴	-30.13%
Infrastructure.....	52,567,893	8,207,788	15.6%	7,981,508	226,280	2.84%
Healthy, Sustainable Community.	7,754,668	1,287,410	16.6%	1,040,324	247,086	23.75%
Total Expenditures.....	\$476,230,863	\$92,404,207	19.4%	\$97,419,424	(\$5,015,217)	-5.15%

1 Police vehicle maintenance is down 34%, or \$233K, compared to 1st quarter last year and timing delay of healthcare costs posting

2 Increase due to restoration and reopening of City services

3 Decrease due to Council-approved early pay-off of P25 public safety radio system in prior year (savings reinvested in street resurfacing projects)

4 Decrease due to prior year \$2.8M for budget stabilization and prior year one-time lump sums budgeted in Non-Departmental

Departmental Vacancies

10% increase compared to Pre-COVID



	January 2020	Filled	Vacant	% Vacant	January 2022	Filled	Vacant	% Vacant
Goal 1 - Sustainable Ec. Dev	313.60	271.10	42.50	13.6%	315.60	242.50	73.10	23.2%
Aviation	228.60	201.60	27.00	11.8%	223.60	172.00	51.60	23.1%
Economic Development	17.00	11.00	6.00	35.3%	21.00	13.00	8.00	38.1%
International Bridges	68.00	58.50	9.50	14.0%	71.00	57.50	13.50	19.0%
Goal 2 - Safe and Secure	2,755.05	2,589.45	165.60	6.0%	3,229.05	2,707.90	521.15	16.1%
Fire	1,146.80	1,101.00	45.80	4.0%	1,535.80	1,222.00	313.80	20.4%
Municipal Court	95.65	87.45	8.20	8.6%	96.65	80.90	15.75	16.3%
Police	1,512.60	1,401.00	111.60	7.4%	1,596.60	1,405.00	191.60	12.0%
Goal 3 - Visual Image	124.00	99.00	25.00	20.2%	139.00	103.00	36.00	25.9%
Planning and Inspections	124.00	99.00	25.00	20.2%	139.00	103.00	36.00	25.9%
Goal 4 - Quality of Life	958.17	692.17	266.00	27.8%	905.09	509.83	395.26	43.7%
Library	165.50	147.25	18.25	11.0%	171.00	102.50	68.50	40.1%
MCAD	56.25	43.75	12.50	22.2%	53.50	35.00	18.50	34.6%
Parks and Recreation	590.92	376.67	214.25	36.3%	546.09	270.33	275.76	50.5%
Zoo	145.50	124.50	21.00	14.4%	134.50	102.00	32.50	24.2%
Goal 5 - Communication	92.00	75.00	17.00	18.5%	86.50	74.00	12.50	14.5%
Information Technology	92.00	75.00	17.00	18.5%	86.50	74.00	12.50	14.5%

	January 2020	Filled	Vacant	% Vacant	January 2022	Filled	Vacant	% Vacant
Goal 6 - Sound Governance	271.00	227.74	43.26	16.0%	275.50	228.25	47.25	17.2%
City Attorney	43.50	36.50	7.00	16.1%	45.50	41.50	4.00	8.8%
City Clerk	7.00	6.00	1.00	14.3%	8.00	7.00	1.00	12.5%
City Manager	45.50	37.00	8.50	18.7%	44.50	37.00	7.50	16.9%
Human Resources	52.00	49.00	3.00	5.8%	55.00	43.00	12.00	21.8%
Mayor and Council	24.00	15.74	8.26	34.4%	24.00	18.75	5.25	21.9%
NonDepartmental	8.00	7.00	1.00	12.5%	7.00	6.00	1.00	14.3%
Office of the Comptroller	38.00	32.00	6.00	15.8%	38.00	35.00	3.00	7.9%
Purch. and Str. Sourcing	28.00	21.00	7.00	25.0%	29.00	18.00	11.00	37.9%
Tax	25.00	23.50	1.50	6.0%	24.50	22.00	2.50	10.2%
Goal 7 - Infrastructure	1,307.75	1,095.25	212.50	16.2%	1,230.75	902.75	328.00	26.7%
Capital Imprv. Department	86.00	76.00	10.00	11.6%	87.00	73.00	14.00	16.1%
Streets and Maintenance	502.00	435.00	67.00	13.3%	520.00	365.00	155.00	29.8%
Sun Metro	719.75	584.25	135.50	18.8%	623.75	464.75	159.00	25.5%
Goal 8 - Healthy, Sust. Comm.	887.90	766.75	121.15	13.6%	998.30	743.85	254.45	25.5%
Animal Services	147.50	131.00	16.50	11.2%	141.50	109.50	32.00	22.6%
Comm. and Human Dev.	46.30	36.00	10.30	22.2%	56.30	34.00	22.30	39.6%
Environmental Services	405.50	362.90	42.60	10.5%	395.90	330.60	65.30	16.5%
Public Health	288.60	236.85	51.75	17.9%	404.60	269.75	134.85	33.3%
Grand Total	6,709.47	5,816.46	893.01	13.3%	7,179.79	5,512.08	1,667.71	23.2%

Goal 1 - Aviation is evaluating current vacancies, Economic Development currently reorganizing and in the process of recruitment, International Bridges seeing difficulty in hiring toll collectors

Goal 2 - Fire includes COVID operations, starting a new academy in January and continuous recruitment of communicators, Municipal Court seeing difficulty in recruiting and hiring, Police seeing difficulty in finding eligible applicants

Goal 3 - Actively recruiting positions addressing attrition seen the combo inspector and plans examiner

Goal 4 - Library actively recruiting and hiring applicants, MCAD actively recruiting and hiring, Parks and Recreation seeing difficulty in recruitment/seasonal employees

Goal 5 - Actively recruiting and filling positions addressing normal attrition

Goal 6 - Actively recruiting and filling positions addressing normal attrition, difficulty in filling positions in purchasing and Tax

Goal 7 - CID difficulty in finding applicants, SAM difficulty finding eligible applicants, Sun Metro difficulty in finding applicants

Goal 8 - Animal Services actively recruiting and filling positions to address attrition and seeing reduction in eligible applicants, Community Development difficulty finding eligible applicants, Environmental Services difficulty in hiring heavy equipment operators and drivers, Public Health includes 54 vacancies added due to new grants and difficulty in recruiting and hiring for various healthcare positions.

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

CAPITAL IMPROVEMENT PROGRAM (CIP)

BUDGET TRANSFER REPORT

FIRST QUARTER FY 2022

Date Completed	Fund	Amount	Project	BT #	Justification	Funding Source
9/14/2021	4710 4800	(\$53,984) (\$41,908) (\$4,517) (\$50,127) (\$4,517) (\$109,090) (\$91,751) (\$38,140) (\$5,700) (\$7,084) \$406,818	PCP13PRKA01 PCP13PRKA03 PCP13PRKA13 PCP13PRKA23 PCP13PRKA27 PCP13PRKA29 PCP13PRKC07 PCP13PRKD01 PCP19PRK05 PCP20MUS02 PCPBALANCE	2022-0004	Budget transfer project savings from QOL and other funds in to PCPBALANCE. (Projects Complete Parks-Museum)	CO 2009 ISSUE 2012 QUALITY OF LIFE
9/14/2021	4530 4743 4950	\$0	PCP18TRAN06	2022-0014	To balance as per the budget summary for Alabama Bridge - PCP18TRAN06, no change to overall project budget	CO 2011 ISSUE CO ISSUE FY18 CAPITAL PROJECTS - TXDOT
9/14/2021	4743	\$581,331 (\$581,331)	G20COVIDTR	2022-0015	Transfer budget allocation from PHS37 (Regional Test Vaccination Clinics) into PHS15 (Railroad Covid Labs) to complete the Alberta Lab project at Railroad.	CO ISSUE FY18
9/29/2021	4510	\$31,717 (\$31,717)	PCP22TRAN01 PCPBALANCE	2022-0072	To setup the budget for Lee Trevino Channelization - PCP22TRAN01	CO 2010 ISSUE
9/30/2021	4510 4741	\$0	PCP10TRAN110	2022-0058	To balance Winn Road PCP10TRAN110, no overall change to project budget	CO 2010 ISSUE CO 2017 ISSUE
10/4/2021	4741 4800	\$15,612 \$55,000 (\$70,612)	PCP13LIBA08 PCP22PRK01 PCPBALANCE	2022-0032	Budget transfer project savings PCPBALANCE into Jose Cisneros Lib and Clark and Cleveland Park PH 2.	CO 2017 ISSUE 2012 QUALITY OF LIFE
10/4/2021	4741	\$748,312 (\$748,312)	PCP19TRAN01 PCPBALANCE	2022-0033	To setup the budget for Montana Widening Phase I - PCP19TRAN01	CO 2017 ISSUE
10/4/2021	4800	\$106,625 (\$106,625)	PCP20NIPD2C PCP20NIP001	2022-0034	Transfer within NIP program from PCP20NIP001 (NIP RND 4 ENG COST) into PCP20NIPD2C (Manhattan Heights Archway) to complete project.	2012 QUALITY OF LIFE
10/6/2021	4740 4746	\$280,862 (\$280,862)	PCPBALANCE PCP20PRK02	2022-0042	Transfer project savings from Hawkins Aquatic Center re-roof into PCPBALANCE.	2013 STREET INFRASTRUCTURE 2020 CAPITAL FUNDING PLAN
10/6/2021	4741	\$167,239 (\$167,239)	PCP13LIBA01 PCPBALANCE	2022-0048	Budget Transfer to set up allocation for PCP13LIBA01 (Armijo Library Improvements) from Fund 4741 PCPBALANCE	CO 2017 ISSUE
10/6/2021	3305 4740 4741 4743	\$0	PCP14IB001	2022-0053	To adjust the budget to balance with the budget summary for Paso Del Norte Roundabout - PCP14IB001, no overall change to project budget	Internatl Bridges Maintenance 2013 STREET INFRASTRUCTURE CO 2017 ISSUE CO ISSUE FY18

CAPITAL IMPROVEMENT PROGRAM (CIP)

BUDGET TRANSFER REPORT

FIRST QUARTER FY 2022

Date Completed	Fund	Amount	Project	BT #	Justification	Funding Source
10/6/2021	4690	\$0	PCP10TRAN020	2022-0057	To balance Carolina Recon Bridge - PCP10TRAN020, no overall change to project budget	CO 2006 ISSUE
10/6/2021	4950	\$0	PCP21TRAN02	2022-0064	To balance the budget for Ysleta Middle School - PCP21TRAN02 to the budget summary, no overall change to project budget	CAPITAL PROJECTS - TXDOT
10/6/2021	4740	\$307,309 (\$307,309)	PCP19ST014 PCPBALANCE	2022-0065	Transfer project savings PCPBALANCE into Sunglow Landscape Improvements PCP19ST014 to complete project.	2013 STREET INFRASTRUCTURE
10/6/2021	4741	\$0	PCP17MF002	2022-0080	To Transfer budget from Capital to Expense Account to cover Parking Lot Lease Agreement with River Elms, LLC, no overall change to project budget	CO 2017 ISSUE
10/6/2021	4800	\$2,491 (\$2,491)	PCP13PRKE01C PCPBALANCE	2022-0086	Transfer project savings from PCPBALANCE into Tierra Del Este Trail PCP13PRKE01C to complete project QOL.	2012 QUALITY OF LIFE
10/14/2021	4510 4530 4560 4710 4740 4741 4743 4745 4746 4800	\$3,124,820	PCP13CULT01I	2022-0039	Transfer Investment Interest to complete the MACC project approved on CC 09-13-21. \$3,124,819.68	CO 2010 ISSUE CO 2011 ISSUE FY12-13 CO'S CIP PLAN CO 2009 ISSUE 2013 STREET INFRASTRUCTURE CO 2017 ISSUE CO ISSUE FY18 2019 CAPITAL PLAN 2020 CAPITAL FUNDING PLAN 2012 QUALITY OF LIFE
10/14/2021	4510 4530 4740 4743 4745 4746 4800	\$1,094,969 (\$1,094,969)	PCP13CULT01 PCPBALANCE	2022-0040	Transfer PCPBALANCE to complete the MACC project approved on CC 09-13-21. \$1,094,969.15	CO 2010 ISSUE CO 2011 ISSUE 2013 STREET INFRASTRUCTURE CO ISSUE FY18 2019 CAPITAL PLAN 2020 CAPITAL FUNDING PLAN 2012 QUALITY OF LIFE
10/14/2021	4530 4746	\$2,000,000 (\$1,745,081) (\$254,919)	PCP13CULT01 PCP11MT050 PCP11MT050B	2022-0041	Transfer Project Savings (Montana RTS) to complete the MACC project approved on CC 09-13-21. \$2,000,000 out of the \$3.1 million	CO 2011 ISSUE 2020 CAPITAL FUNDING PLAN
10/14/2021	4746	\$124,000 (\$124,000)	PCP13CULT01 PCP11MT050	2022-0073	Transfer Project Savings (Montana RTS) to complete the MACC project approved on CC 09-13-21. \$124,000 (Part of the approve)	2020 CAPITAL FUNDING PLAN

CAPITAL IMPROVEMENT PROGRAM (CIP)

BUDGET TRANSFER REPORT

FIRST QUARTER FY 2022

Date Completed	Fund	Amount	Project	BT #	Justification	Funding Source
10/14/2021	4740	\$976,000 (\$976,000)	PCP13CULT01 PCPBALANCE	2022-0084	Allocate budget to the MACC from PCPBALANCE Project Savings approved on CC 09-13-21 \$976,000 (Final)	2013 STREET INFRASTRUCTURE
10/18/2021	4746	\$0	PCP20MPOMATCH	2022-0082	To reclassify expense accounts with the project in PCP20MPOMATCH, no overall change to project budget	2020 CAPITAL FUNDING PLAN
10/18/2021	4741	\$99,232 (\$99,232)	PCPBALANCE PCP17MF003	2022-0092	Transfer project savings from Cohen Stadium Canopy PCP17MF003 into PCPBALANCE, project has been completed	CO 2017 ISSUE
10/25/2021	4737	\$1,412,776 \$16,796 \$90,000	PIFSWUPARK1 PIFSWUPARK2 PIFSWUPARK3	2022-0087	Set-up Budget for the Southwest University Ballpark for FY21 Capital Improvement Plan. CC 01-05-21	Ball Park Capital Improvements
10/27/2021	4741	\$60,000 (\$60,000)	PCP17MF002 PCPBALANCE	2022-0102	Transfer project savings for PCP17MF002 to complete PD parking lot project from PCPBALANCE.	CO 2017 ISSUE
10/27/2021	4741 4743	\$177,780 (\$177,780)	PCPBALANCE PCP17PRK03	2022-0103	Align budget for Cohen Water Park D4 PCP17PRK03 and transfer project savings into PCPBALANCE.	CO 2017 ISSUE CO ISSUE FY18
10/27/2021	4740	\$51,471 (\$51,471)	PIF20MF010 PCPBALANCE	2022-0106	Transfer project savings from PCPBALANCE Fund 4740 into FY20 City Wide Facilities PIF20MF010 (City 1 HVAC Upgrade) to complete project.	2013 STREET INFRASTRUCTURE
10/27/2021	4930	\$0	PCP13PRKC01	2022-0108	Align budget for Chelsea Water Park D2 and reclassify accounts for proper expenditures, no overall change to project budget	Capital Projects - Internal
10/27/2021	4740	\$253,042 (\$253,042)	PCPBALANCE PCP18ST006	2022-0112	Align budget for Rich Beem Lighting PCP18ST006 and transfer project savings into PCPBALANCE	2013 STREET INFRASTRUCTURE
10/27/2021	4740	\$60,352 (\$60,352)	PCPBALANCE PCP17ST003	2022-0113	Align budget for James St Recon PCP17ST003 and transfer project savings into PCPBALANCE	2013 STREET INFRASTRUCTURE
10/27/2021	4741	\$16,017 (\$16,017)	PCPBALANCE PCP17TRAN01	2022-0138	Transfer budget savings from PCP17TRAN01 University Ped and Bicycle Enhancement into PCPBALANCE	CO 2017 ISSUE
10/27/2021	4710 4741 4800	\$82,453 (\$82,453)	PCP13LIBA13 PCPBALANCE	2022-0144	Transfer project savings from PCPBALANCE into PCP13LIBA13 Westside Library to complete project.	CO 2009 ISSUE CO 2017 ISSUE 2012 QUALITY OF LIFE
10/27/2021	4740	\$260,000 (\$260,000)	PCP17ST001 PCPBALANCE	2022-0145	Transfer project savings from PCPBALANCE into PCP17ST001 Robinson Phase II to complete project.	2013 STREET INFRASTRUCTURE

CAPITAL IMPROVEMENT PROGRAM (CIP)

BUDGET TRANSFER REPORT

FIRST QUARTER FY 2022

Date Completed	Fund	Amount	Project	BT #	Justification	Funding Source
11/4/2021	4800	\$185,204 (\$18,261) (\$52,112) (\$9,254) (\$5,746) (\$99,831)	PCP13PRKG01 PCP20NIPD1A PCP20NIPD1C PCP20NIPD3A PCP20NIPD3B PCP20NIPD8B	2022-0017	Budget transfer project savings from QOL NIPs in to PCP13PRKG01- Master NIP (Projects Complete)	2012 QUALITY OF LIFE
11/4/2021	4741 4800	\$93,356 (\$93,356)	PCPBALANCE PCP13PRKC04	2022-0115	Align budget for Lion Forti Water Park and transfer project savings into PCPBALANCE	CO 2017 ISSUE 2012 QUALITY OF LIFE
11/4/2021	4800	\$71,788 (\$22,232) (\$2,218) (\$26,616) (\$256) (\$17,051) (\$2,135) (\$1,280)	PCP13PRKG01 PCP15NIPD1A PCP15NIPD2B PCP15NIPD3C PCP15NIPD7B PCP16NIP001 PCP16NIPD5A PCP16NIPD7B	2022-0116	Align budget for NIP projects and transfer project savings into the Master NIP PCP13PRKG01	2012 QUALITY OF LIFE
11/4/2021	4740	\$59,250 (\$30,634) (\$9,673) (\$207) (\$18,735)	PCPBALANCE PCP13ST002RSY5 PCP16ST002 PCP16TRAN02 PCP17ST014	2022-0152	Transfer project savings from Street Projects in Fund 4740 into PCPBALANCE (RESUFACING 2014-UNIVERSITY PED-RIVER BEND-EDGEMERE TRAIL)	2013 STREET INFRASTRUCTURE
11/16/2021	4746	\$218,207 (\$218,207)	PCPBALANCE PIF20AS010	2022-0089	Transfer project savings from Animal Services Pet Mobile PIF20AS010 into PCPBALANCE.	2020 CAPITAL FUNDING PLAN
11/17/2021	4820	\$179,314 (\$179,314)	PCP22FS05RENOV1 PCP20FDRENOMSTR	2022-0178	Setup budget for Fire Station #5 for a concrete slab from the PCP20FDRENOMSTR Fire Dept Renovations Master	Public Safety Bond
11/17/2021	4740 4970	\$499,914 (\$499,914)	PCP20ST010 PCPBALANCE	2022-0180	Transfer budget from PCPBALANCE Fund 4740 into Canterbury Trail PCP20ST010	2013 STREET INFRASTRUCTURE Other Outside Sources



American Rescue Plan Act (ARPA)

January 18, 2022

Agenda

- Requested Council Action
- American Rescue Plan Act
- Public Health Response
- Next Steps

American Rescue Plan Act

Coronavirus State and Local Fiscal Recovery Funds

- Permits funds to be used to cover costs incurred beginning on March 3, 2021
- Costs can be obligated by December 31, 2024 but must be expended by December 31, 2026
- Received 1st Tranche on May 12, 2021 and we are expected to receive the 2nd Tranche on or about May 20, 2022
- Due to the increase in COVID-19 cases and the associated response, at this time we are only requesting approval for costs related to Public Health emergency.



Requested Council Action

Approve the appropriation of \$7,821,018 from the Coronavirus State and Local Fiscal Recovery Funds in accordance with the requirements stipulated by the American Rescue Plan Act and federal guidelines in the Final Rule.



Public Health and Safety COVID-19 Operations

Description	FY2021 (March - Aug)	FY2022 (Sept - Dec)	Total Expenditures
Logistics	275,895	119,581	395,476
Isolation & quarantine	667,950	35,522	703,472
Compliance & Education	938,352	673,841	1,612,192
EOC & response	773,773	174,833	948,606
Lab testing & collection	4,030,441	1,739,390	5,769,831
Epidemiology & contact tracing	4,742,798	2,074,175	6,816,974
Preparedness & vaccinations	3,117,589	2,890,173	6,007,762
Re-open El Paso – City facilities	398,076	113,504	511,580
Total	\$ 14,944,873	\$ 7,821,018	\$ 22,765,891

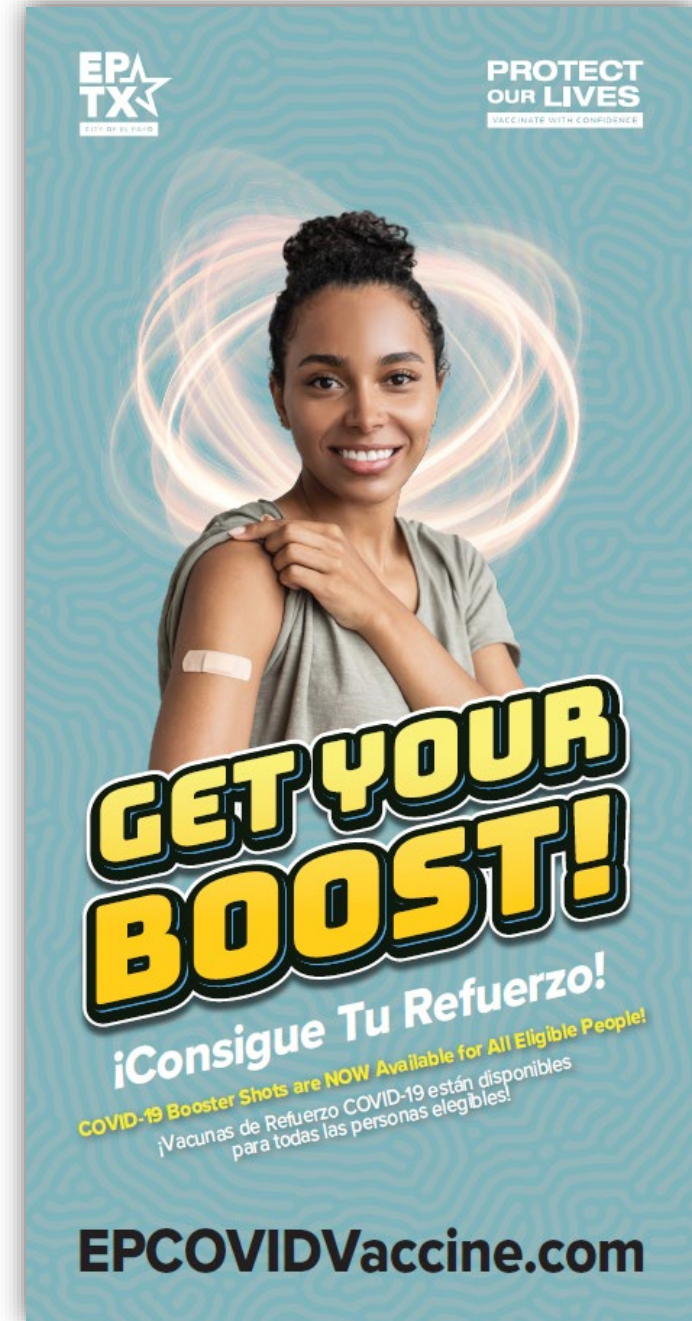
\$15 million of ARPA funding was approved by City Council on July 27, 2021



Vaccinations

- Ages 5 and older 1st and 2nd Dose available by appointment at the following locations:
 - El Paso Convention Center
 - COVID-19 Clinics:
 - 220 S. Stanton (corner of First and Stanton)
 - 7380 Remcon
 - 9566 Railroad
 - City Pop-Events (18 and Older) No appointment needed

3rd Dose and Boosters available for 18 and older
Pending Boosters for 12 and older



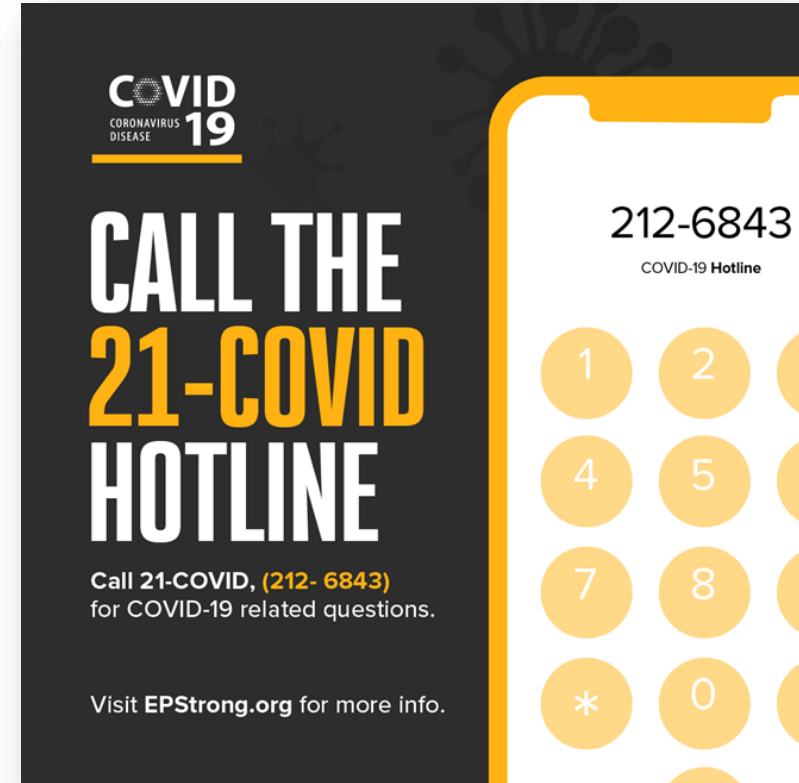
Testing

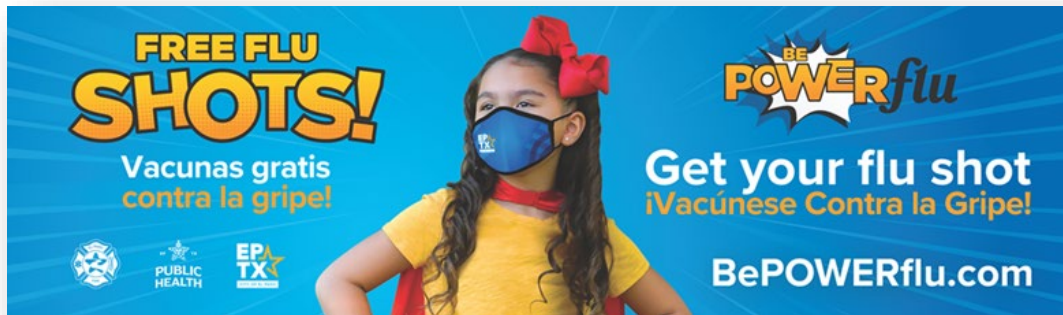
- Multi-Purpose Testing Centers
- LTS
 - UTEP
 - EP County Sports Park
 - Nations Tobin Park
 - Don Haskins Recreation Center
- City
 - COVID 19 Clinics (3)
 - Ysleta Health Center
 - Chamber of Commerce
 - Outlet mall



Contact Tracing and Epidemiology

- Added 323 positions to assist with contact tracing
- Cross training
 - Contact tracing
 - Outreach
 - COVID Hotline
 - Testing
 - Vaccinations
 - Support



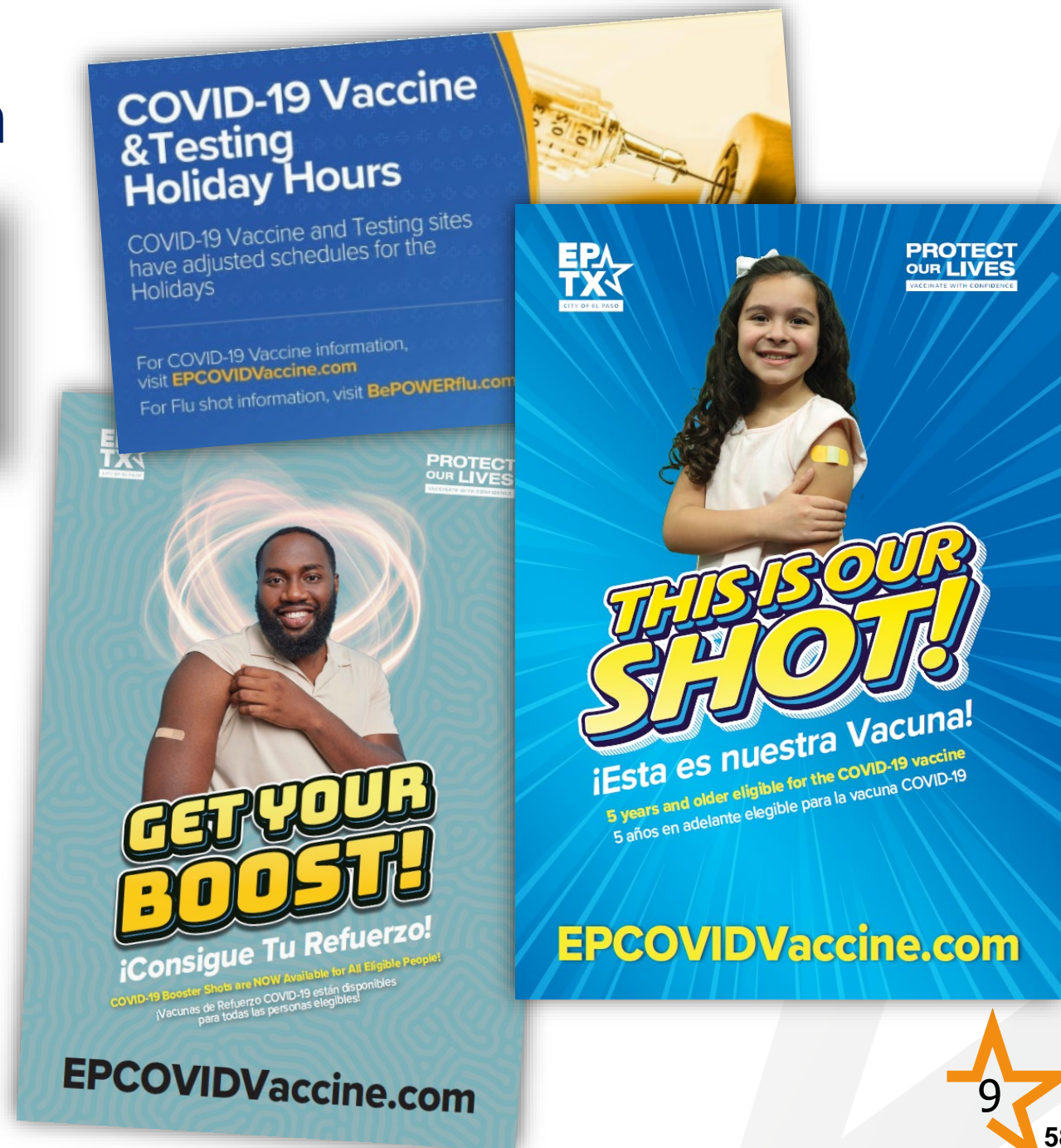


ARPA Funding Opportunities:

- Newspaper Ads
- Radio Ads
- Billboards
- Online Ads
- Flyers
- Bus placards
- TV Ads and PSAs
- Storefront signage
- A-Frames
- Brochures
- Promotional items
- Posters

Ongoing In-House Work:

- Press Release
- Media Advisory
- Media Availability
- Talking points
- Websites
- Social Media
- Community meetings + events
- Interviews
- Story pitching
- Photos



PROTECT OUR LIVES

VACCINATE WITH CONFIDENCE

EPCovidVaccine.com or Call (915) 212-6843



Vacúnese por
Completo



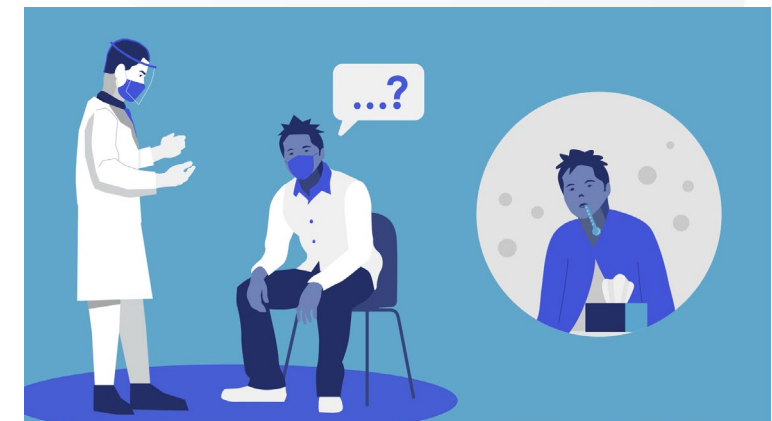
Obtenga la Vacuna
de Refuerzo



Utilice
Cubrebocas



Lávese las Manos



City Facilities

Phase I – Remote working for non-essential workers

Continued COVID-19 Safety measures -

- Purchase of PPE for non-uniform employees; serve as a backup to uniform
- Fogging Team Equipment/Materials/Chemicals/and Temps
- Materials to support physical measures; stickers, wall signage, floor signage, physical separations and modifications
- Components and materials to support the Plasma Air and UV systems in City facilities
- Materials to support the inventorying of PPE and cleaning equipment specific to COVID safety

COVID-19 Public Health and Safety Response Forecast

12

- Uncertain COVID-19 variants
- Public health and safety response efforts are critical for our community
- Continued response efforts lead by the City of El Paso
- Dynamic response includes increased operations, FY 2022 projection is \$30.4 million

FY 2022 Estimates

Description	Monthly Avg.
Logistics	\$50,000
Isolation & quarantine	131,000
Compliance & Education	218,000
EOC & response	32,600
Lab testing & collection	476,095
Epidemiology & contact tracing	770,053
Preparedness & vaccinations	765,852
Re-open El Paso – City facilities	88,000
Total	\$2,531,600

Requested Council Action and Next Steps...

Approve the appropriation of \$7,821,018 from the Coronavirus State and Local Fiscal Recovery Funds in accordance with the requirements stipulated by the American Rescue Plan Act and federal guidelines in the Final Rule:

Continue to monitor public health and safety costs and include in future COVID CFT reports.

Bring forth full ARPA recommendation once COVID cases and demand for services begins to stabilize.



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 #: 22-78, 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 Attorney's Office, Karla M. Nieman, (915) 212-0033

City Attorney's Office, Kristen Hamilton-Karam, (915) 212-0033

AGENDA LANGUAGE:

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

Discussion and action on proposed amendments to the City Charter through a November 2022 Charter Election.

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

DEPARTMENT: City Attorney's Office

AGENDA DATE: January 18, 2022

CONTACT PERSON NAME AND PHONE NUMBER: Karla M. Nieman, (915) 212-1115

DISTRICT(S) AFFECTED: ALL

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 proposed amendments to the City Charter through a November 2022 Charter Election.

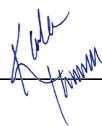
BACKGROUND / DISCUSSION: Discussion and action on a presentation relating to proposed City Charter amendments to be reviewed by the Ad Hoc Charter Committee and submitted to the voters in the November 2022 election.

PRIOR COUNCIL ACTION: April 27, 2021, City Council directed the City Attorney to work with Council and staff to come up with a list of City Charter amendments for a November 2022 election.

AMOUNT AND SOURCE OF FUNDING: None

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

DEPARTMENT HEAD:



Karla M. Nieman City Attorney



2022 Charter Amendment Process

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

City Attorney Karla M. Nieman

Purpose | Charter Amendments



- **Focus on Sound Governance** deploying resources more efficiently and reducing cost of doing business
- **Align** with current high performing operational model of our organization
- **Streamline processes** and eliminate roadblocks to future progress – time is money

Presentation | Overview



Commence Charter Amendment Process

- History and Home Rule City Overview
- Charter Amendment Process
- City Charter Outline
- Proposed 2022 Charter Amendments
- **Next Steps**



History | City of El Paso



- Incorporated on **May 17, 1873** under special law of the legislature
 - S.B. No. 254 = a special legislative charter
- Inefficient for State to manage all city charters
- Texas – Home rule amendment to Texas Constitution in 1912
- El Paso's first local charter was adopted in 1917

Home Rule City Overview

- Cities of > 5,000 may adopt or amend a home rule charter by majority vote of its citizens.
- No city charter can be altered, amended, or repealed more often than every two years.
- No provision allowed if inconsistent with the Texas Constitution or state law.

*Texas Constitution,
Article XI,
Section 5*

“Home Rule Amendment” of 1912

Limitations on home rule authority (examples)

- Council vacancy must be filled by election if term is more than two years (Tx. Constitution)
- Elections for governing body must be on uniform election date (except to fill a vacancy required by Constitution)
- All Council meetings must be open to the public except as allowed by the Open Meetings Act
- State law establishes a municipal court in every municipality of the state
- Municipal finances are heavily regulated by state law

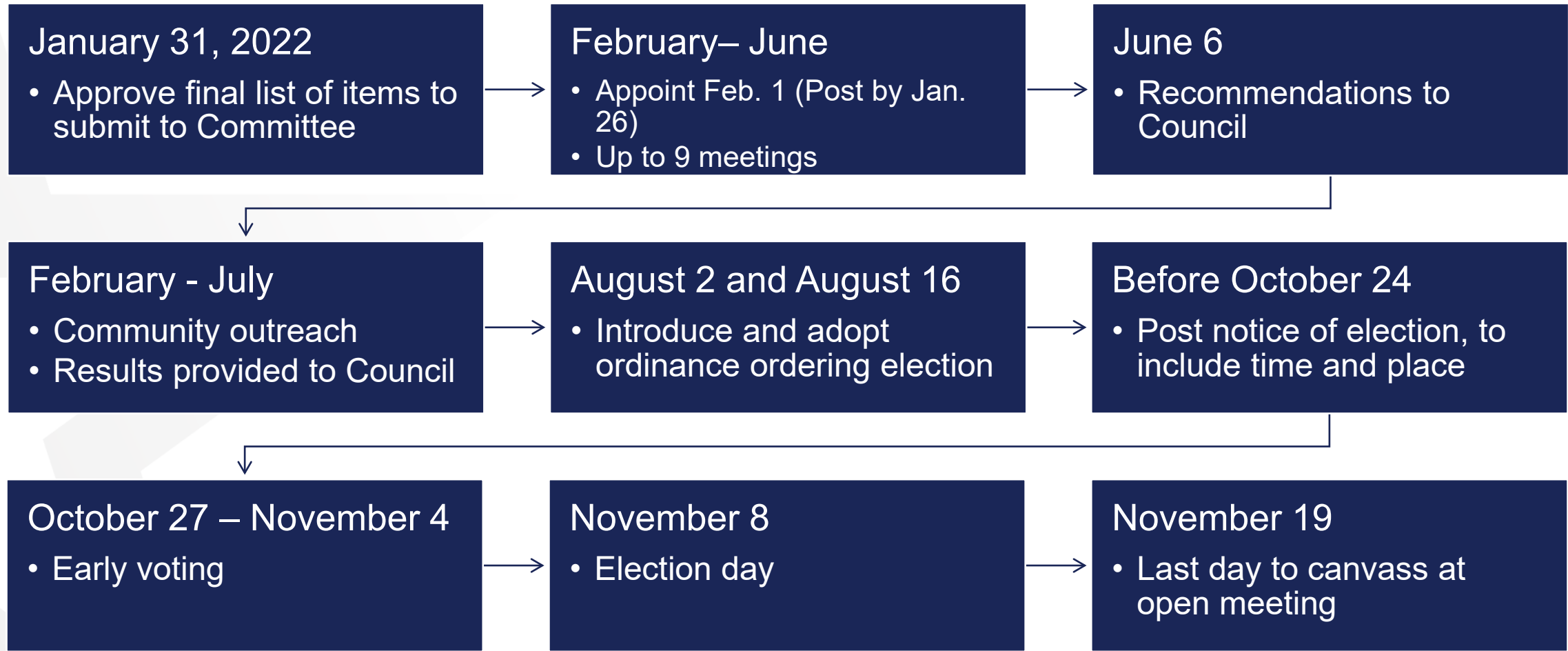
Inherent powers of home rule cities (examples)

- Municipal organization and structure
- Annexation of adjacent unincorporated areas, if authorized by charter
- Initiative, referendum, and recall, if authorized by charter

Benefits of Home Rule

- Allows direct governing of a city by its citizens
- Establishes powers to enable municipalities to meet demands for services
- Avoids interference in local government by state legislature
- Gives cities the opportunity to reflect their own cultures, traditions and other preferences

Overview | Amendment Process



Overview | Current Charter



- **Our Charter** defines the organization, powers, functions and essential procedures of the City government
- **General Structure of Charter**
 - Incorporation and Powers
 - Nominations and Elections
 - City Council
 - Mayor
 - City Manager
 - Civil Service
 - Public Finance
 - Adoption and Transition
- **Last Amended** in 2018 to adjust Members of Council's annual base salaries



Benchmarking | Texas Cities



- Fort Worth
- Plano
- Corpus Christi
- San Antonio
- Dallas
- Houston
- Austin
- Arlington
- Laredo



Proposed Amendments

1. Regular Council Meeting Schedule
2. Emergency Ordinance Requirements
3. Clean-up regarding printed copies of City Ordinances
4. Members of Council Salaries
5. Civil Service Review
6. Real Estate

*There is no legal prohibition against any of these amendments

Regular Council Meeting Schedule

Article 3.5A

**Provide flexibility to
adjust for emergency or
holiday**

- Current: Must meet every two weeks
- Amend to allow Council to adjust for emergency or City holidays

**Allow Special City Council
meetings to be called by
Mayor or less than a
majority of council**

- Current: Only Mayor or Majority of Council may call special meetings.
- Concerns regarding Texas Open Meetings law
- Amend to allow less than a majority to call special meetings

Notice for Emergency Ordinance



Article 3.10B

Current

Requires 2 hours

State Law

Requires 1 hour

Amend

Align to State Law

Printing of Ordinances

Article 3.9B

Current

Clerk must make a reasonable number of copies of all ordinances available

Amend

Make available electronically

Council Member Salary

Article 3.2

Current

Tied to El Paso County Median Household Income according to HUD

Amend

Prevent decrease in income and provide across the board increases



Civil Service Commission Member Qualifications

Article 6.1-4

Current

Language is broad in the selection criteria of eligible appointees

Amend

Add clarification for professional or managerial qualifications to expand eligible appointees

Civil Service Hearing Officers

Article 6.1-12

Current

Process is not clearly defined

Amend

Clarify solicitation process through city procurement

Civil Service – Division of City Services



Article 6.2

Current

Unclassified employees are defined in charter by job title

Amend

Clarify definition and positions considered unclassified and align to best practices

Civil Service – Examinations/Promotions

Article 6.7-1; 6.8-1

Current

Examinations are currently required for every classified position

Amend

- Streamline process to be competitive in the market.
- Remove examinations requirement to align with best practices.

PD/FD Pension Cap | Article 6 Continued

Section 6.13-11

Current

City's contribution to Police and Fire pension is capped at 18%

Amendment

Eliminate the cap

Goal

Align to State Statute establishing fund/allow for changes to City contribution in accordance with State Law

Civil Service Commission Summary

- Priority Focus Recruitment – Process Improvements
- Will ensure fairness and consistency for employees
- Protections will be maintained and improved upon to ensure consistency

Real Estate

Article 3.8

Current

Ownership and control of city property is inalienable except by ordinance

Amend

Make it more transparent, identifying which real estate transactions are by resolution, such as easement under \$50,000, certain leases and review any other transactions that are allowed

Communications | Outreach Plan Summary



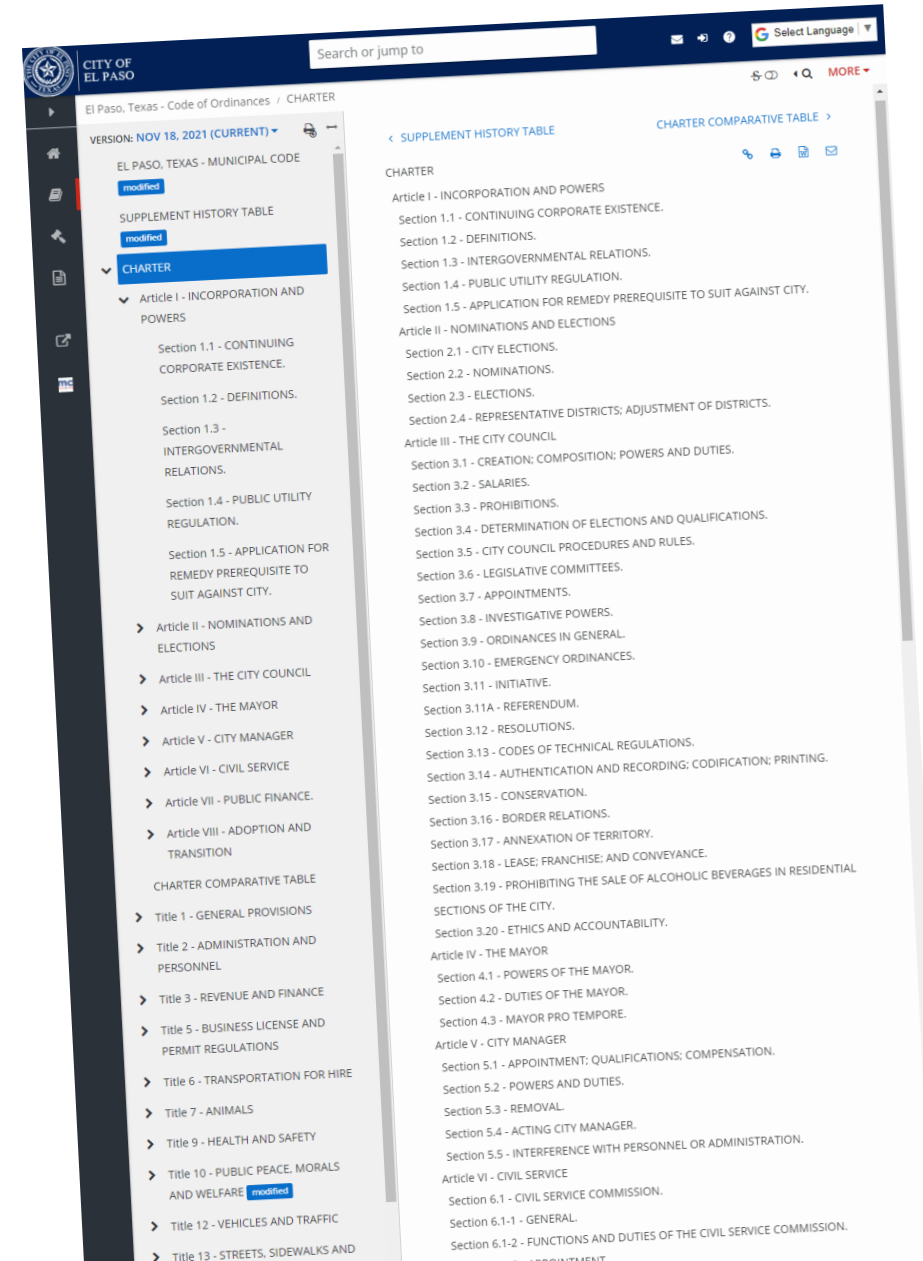
- Dedicated Website
- Press Releases
- Social Media
 - Postings
 - Geographic ads (paid)
- Traditional Media
 - Interviews
 - Story Pitches
- Communities of Excellence Partners
- City TV
 - Your City in 5
 - Fact Friday
- Neighborhood Associations
- Community Meetings
- TV / Radio PSAs
- Council Newsletters

Communications | Charter Amendments Website



What the website will include:

- About the Charter
- About the Charter Ad Hoc Committee
- Calendar of Meetings
- Timeline
- Announcements
- Establishing Resolution
- How to Review Proposed Amendments
- How to Propose Amendments
- Contact Us



Council discussion and feedback

- Questions on staff proposals
- Council members' recommended Charter amendments
- Action on Charter provisions and proposed amendments to submit to committee

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



2022 CHARTER AMENDMENT PROPOSALS

REP. CISSY LIZARRAGA, DISTRICT 8

**AMEND SECTION 2.4
(ALLOW FOR THE
ADDITION OF A DISTRICT
REPRESENTATIVE BASED
ON A POPULATION OF
900,000)**

SECTION 2.4 - REPRESENTATIVE DISTRICTS; ADJUSTMENT OF DISTRICTS. A. NUMBER OF DISTRICTS.

Proposal: Replacement of language as follows: At such time when the results of a decennial United States census shows the population of the City to be ~~one million~~ nine hundred thousand or more, the Council may take the appropriate action to increase the number of District Representatives from eight to ~~ten~~ nine.

SECTION 2.4 - REPRESENTATIVE DISTRICTS; ADJUSTMENT OF DISTRICTS. A. NUMBER OF DISTRICTS.

- The current language can create a situation in which each Representative represents a constituency approaching 125,000 before there is an adjustment.
- This proposed amendment will serve to maintain a smaller number of constituents per Representative, allowing constituents better access to their elected representatives.

AMEND SECTION 3.1 (STAFF APPOINTMENTS)

SECTION 3.1 - CREATION; COMPOSITION; POWERS AND DUTIES.

Proposal: Each Representative shall have the discretion and sole authority to appoint and remove a ~~legislative aide~~ Chief of Staff (or other similar employee to carry out the management of their office) and all other district office employees

SECTION 3.1 - CREATION; COMPOSITION; POWERS AND DUTIES.

- This proposed amendment would change the title of Legislative Aide to Chief of Staff to better reflect the job function of the position and to provide clarity to the public, who are more inclined to have general familiarity with the title and role of Chief of Staff.
- This proposed amendment would also stipulate that all City Council district office employees would be employed directly by the office of the respective elected official, as is currently the case for the Legislative Aide but not the case for other positions within the Mayor and Council Department e.g. Administrative Support Associate and Administrative Specialist, thereby separating the powers of the City Manager from those of the elected officials.

**AMEND SECTION 6.2-2-K
(AMEND AND EXPAND THE
UNCLASSIFIED SERVICES
FOR CITY COUNCIL STAFF)**

SECTION 6.2-2 - UNCLASSIFIED SERVICES.

The unclassified services shall include only the following positions:

Proposal: K. A person hired solely as a District Representative's ~~legislative aide~~ Chief of Staff or other district office employee for the limited period of the term of office for that District Representative.

SECTION 6.2-2 - UNCLASSIFIED SERVICES.

- See discussion for proposed revision of Section 3.1, concerning the employees of City Representatives.
- This amendment would be made to clean up language in the case of the passage of the earlier proposed amendment of Section 3.1.
- What is the procedure for this type of scenario, where one amendment necessitates cleanup in another section of the Charter?
- Would or could these proposed amendments be bundled on the ballot?

Questions?



Legislation Text

File #: 22-61, 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

Communications and Public Affairs, Laura Cruz-Acosta, (915) 212-1061

AGENDA LANGUAGE:

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

Discussion and action on activating the City of El Paso Ad Hoc Charter Advisory Committee for the purpose of a City Charter Amendment Special Election to be held in November 2022.

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

DEPARTMENT: Office of Strategic Communications

AGENDA DATE: January 18, 2022

CONTACT PERSON NAME AND PHONE NUMBER:

Laura Cruz-Acosta, Strategic Communications Director – 915-212-1071

DISTRICT(S) AFFECTED: All districts

STRATEGIC GOAL: #5 – Promote transparent and consistent communication amongst all members of the community. #6 – Set the standard for sound governance and fiscal management

SUBJECT:

Discussion and action on activating the City of El Paso Ad Hoc Charter Advisory Committee for the purpose of a City Charter Amendment Special Election to be held in November 2022.

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.

BACKGROUND / DISCUSSION:

Discussion and action on activating the City of El Paso Ad Hoc Charter Advisory Committee for the purpose of a City Charter Amendment Special Election to be held in November 2022.

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?

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?

Has the item been budgeted?

If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

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

RESOLUTION

WHEREAS, the City Council is expecting to call a Special Election in November of 2022 in order to make certain amendments to the City Charter; and

WHEREAS, the City Council desires the assistance of members of the public to review and make recommendations on potential charter amendments for the special election.

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

1. That there is hereby created a 2022 Ad Hoc Charter Advisory Committee (the “Committee”) composed of nine members who are representative of the community and residents of El Paso. The Members of City Council shall each recommend one Committee member, to be appointed in the manner provided by the City Charter Section 3.7(B).
2. The Committee shall begin its work as soon as a quorum of members are appointed.
3. The Committee shall appoint a Chair and a Vice-Chair by a simple majority vote of members present at its first meeting. The Chair shall establish such procedures as are appropriate for the orderly consideration of the business of the committee and shall preside over the meetings.
4. The Committee will review proposed charter amendments approved by a majority vote of the City Council to be submitted to the Committee; and shall consider public input regarding potential amendments to the Charter.
5. The Committee shall strive to meet at least once every two weeks, but in no instance meet less than once per month.
6. The Committee shall be subject to any federal, state or local emergency guidance, proclamation, ordinance and City Policy relating to the meeting of Boards and Commissions.
7. The Committee will present its final recommendations to the City Council no later than July 5, 2022. The committee may be required to provide status reports to City Council at regular intervals leading up to its final recommendations report.
8. All meetings of the Committee shall be open to the public in the manner required by any applicable City Council Ordinance or rule, and notice of all meetings shall be posted at least seventy-two hours prior to the meeting.
9. The City Manager shall provide staffing and administrative assistance to the Committee for the purpose of scheduling and giving notice of the meetings, the preparation of minutes of each meeting, and the provision of other reasonable support services.

10. The members of the Committee shall not be subject to the financial disclosure requirements of Section 2.92.050 of the City Code, but shall otherwise be subject to all other applicable provisions of City Code Chapter 2.92 (Ethics Ordinance), including completing the training required by section 2.92.090 and any other required training.
11. The Ad Hoc Charter Advisory Committee shall automatically dissolve upon the completion of its business.

DATED this _____ day of _____, 2022.

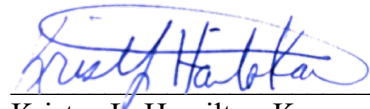
CITY OF EL PASO

Oscar Leaser, Mayor

ATTEST:

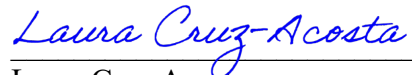
Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Kristen L. Hamilton-Karam
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



Laura Cruz Acosta
Strategic Communications Director



Legislation Text

File #: 22-81, 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) 212-1845

AGENDA LANGUAGE:

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

For discussion and action, the Capital Improvement Department will provide a plan to further secure the Union Plaza area from winter weather.

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

AGENDA DATE: January 18, 2022
PUBLIC HEARING DATE: N/A
CONTACT PERSON(S) NAME AND PHONE NUMBER: Sam Rodriguez PE, (915) 212-1845
DISTRICT(S) AFFECTED: All Districts
STRATEGIC GOAL: No.2: Set the standard for a Safe and Secure City
SUBGOAL: N/A

SUBJECT:

For discussion and action, the Capital Improvement Department will provide a plan to further secure the Union Plaza area from winter weather.

BACKGROUND / DISCUSSION:

The City is currently working with on-call consultant to determine best practice for protection of the buildings within the Union Plaza. To provide update on securing consultant for feasibility study and economic impact analysis.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ___ YES ___ NO

PRIMARY DEPARTMENT: Capital Improvement Department

SECONDARY DEPARTMENT:

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

DEPARTMENT HEAD:



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

Union Plaza Building Assessment and Safeguarding

Agenda:

1. Timeline of Events
2. RFP for Safeguarding Buildings



Timeline of Events:

- Nov. 9th, 2021

Motion made by Representative Salcido, seconded by Representative Rivera, and unanimously carried to **DIRECT** the City Manager or designee to hire a consultant such as architects, urban designers, engineers and to include studies such as an economic impact analysis and programming operations; execute all contracts and amendments to develop the following information: Project concept; partnership opportunity guidelines including public-private partnership specifications; and financial model to include estimate of capital costs and operating costs which is in compliance with all court rulings and legal decisions to incorporate preservation of historic buildings and to preserve historic character and to **DIRECT** staff to return with recommendations on how to safeguard damaged buildings and options for funding sources in ways to align with the Temporary Restraining Order (TRO).

ACTION: Staff started the development of the RFQ in order to accomplish the directive from City Council to include the safeguarding of damaged buildings.

Nov. 10th 2021: 8th Court of Appeals reverses 384th District Court decision the TRO was lifted

Timeline of Events:

- **Nov. 22nd , 2021**

Briefed City Council on the court decision and received direction on litigation.

ACTION: Staff continued coordination on the RFQ with outside attorneys to ensure all legal requirements are incorporated into the scope of work.

December 18, 2021: the City of El Paso entered into an Rule 11 agreement with Dr. Grossman: the city has agreed to postpone the archaeological work permitted by the Texas Historical Commission until the parties reach an agreement or the City obtains judgement in its favor from the Texas Supreme Court.

December 22, 2021: Petition for Review filed with Texas Supreme Court

Timeline of Events:

- January 4, 2022

Motion made by Representative Annello, seconded by Representative Rodriguez, and unanimously carried to **DIRECT** staff to return at the January 18, 2022 Work Session with a plan to secure Union Plaza area during winter months from winter weather and potential fire damage.

ACTION: Staff continued coordination on the RFQ with outside attorneys to ensure all legal requirements are incorporated into the scope of work. **Final RFQ issued on 1/14/2022.**

Staff has separated the scope of work for safeguarding the buildings into a separate task for on-call contract.

Plan of action:

- Capital Improvement Department (CID) created a draft **Request for Qualifications** that has been released to meet the requirements of the direction from the Nov 8th City Council Meeting.
- In 2021, the City completed full structural analysis of six buildings to establish structural integrity and Since Council's directive, staff has been developing options to cover up the openings within the structures.
- Same consultant will field verify any further deterioration of the conditions and update recommendations on structural stability and **safeguarding** the buildings.
- The city will continuously address the security of the site with **weekly inspections** to examine the security fencing and create an additional presence within Union Plaza.

RFP for Safeguarding Buildings:

SCOPE OF WORK:

Complete an update to the previous assessment and cost estimate to safely secure the properties listed to protect against further damage from being open to the elements. The securing is to consider preserving architectural integrity of the buildings, to not cause further damage in the process of winterizing:

325 Chihuahua

315 Chihuahua

309 Chihuahua

306 Overland

305 & 303 Chihuahua

212 Overland

RFP for Safeguarding Buildings:

Specifically, the conditions assessment update will do a site visit to re-assess and evaluate the following:

Structural systems to include foundations and structural framing of wall, columns, intermediate floors, roofs and all building elements contributing to structural stability.

- Any danger to life safety in the form of lacking structural integrity is to be identified and documented
- A proposed temporary repair plan is to be provided for each repair identified.

Building envelope including roofing systems, exterior finishes, stairs and steps, exterior doors and windows, and all building elements affecting envelope performance.

- Retention of the historic fabric is of utmost importance, thus details to be preserved and/or repaired are to be identified and documented
- The updated report must include a plan for each of the repairs identified in the building envelope.

RFP for Safeguarding Buildings:

Interior building components In addition, the presence of hazardous materials or conditions is to be identified and documented in any interior space, and included in the plan for removal if necessary.

A report for each of the buildings/structures shall be developed that includes photo documentation of observations and other supporting material as appropriate that describes what needs to be repaired, and secured immediately to ensure no further deterioration of the buildings by being exposed to the elements, in addition to fire protection. A cost estimate for performing the work is also to be included.

A large, light grey arrow originates from the left edge of the slide and points horizontally towards the right, ending just before the word "Questions?".

Questions?

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

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, **R**espeto, **E**xcelencia,
Responsabilidad, **P**ersonas



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 22-72, Version: 1

CITY OF EL PASO, TEXAS AGENDA ITEM SUMMARY FORM

City Attorney's Office, Karla M. Nieman, (915) 212-0033

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.

Max Grossman v. City of El Paso; Texas Supreme Court, Case No. 21-1105. Matter No. 17-1001-171.001.001 (551.071)



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 22-73, 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, Frances Engelbaum, (915) 212-0033

City Attorney's Office, Juan Gonzalez, (915) 212-0033

AGENDA LANGUAGE:

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

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



Legislation Text

File #: 22-74, Version: 1

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

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

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

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

City Attorney's Office, Juan Gonzalez, (915) 212-0033

AGENDA LANGUAGE:

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

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)



Legislation Text

File #: 22-75, Version: 1

CITY OF EL PASO, TEXAS
LEGISTAR AGENDA ITEM SUMMARY FORM

DISTRICT, DEPARTMENT, CONTACT INFORMATION:

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

City Attorney's Office, Juan Gonzalez, (915) 212-0033

AGENDA LANGUAGE:

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Supplemental Compliance Filing Re: Order 864 of El Paso Electric Company, Federal Energy Regulatory Commission (FERC); Docket No. ER22-392-000. Matter No. 21-1008-183.001 (551.071)



El Paso, TX

300 N. Campbell
El Paso, TX

Legislation Text

File #: 22-87, 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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City Attorney's Office, Karla M. Nieman, (915) 212-0033

AGENDA LANGUAGE:

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

City of Dallas v. Oxley Leasing North Loop, LLC, Case No. 05-21-00241-CV. Matter No. 22-1003-1253 (551.071)