

Oscar Leeser  
Mayor

Tommy Gonzalez  
City Manager



CITY COUNCIL  
Peter Svarzbein, District 1  
Alexandra 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**

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**January 31, 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: 512-652-483#**

Notice is hereby given that a Work Session of the City Council of the City of El Paso will be conducted on January 31, 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: 512-652-483#**

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

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

## **Representative 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. [22-109](#)
  1. Overview (Tommy Gonzalez)
  2. City Attorney Overview (Karla Nieman)
    - a) State Disaster Declarations
    - b) Emergency Ordinances
    - c) Greg Abbott, in his official capacity as Governor of Texas v. City of El Paso and Statewide Mask Mandate Litigation
    - d) Additional Updates
  3. Team Lead Report:
    - a) Health Focus (Hector Ocaranza, M.D.)
    - b) Data Analysis (David Coronado)
    - c) Financial Focus (Robert Cortinas)
    - d) Community Vulnerabilities and Human Services (Nicole Ferrini)
      - 1) Discussion and action authorizing the City Manager or his designee to establish appropriations in the amount of \$9,000,000.00, 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 respond to the COVID-19 public health emergency or its negative economic impacts.
  4. City Manager Wrap-up (Tommy Gonzalez)

**All Districts**  
City Manager's Office, Cary Westin, (915) 212-1063
2. Discussion and action on an Emergency Ordinance re-enacting Emergency Ordinance No. 019035 extending a Disaster Declaration due to a Public Health Emergency. [22-119](#)

**All Districts**  
Fire, Chief Mario D'Agostino, (915) 212-6505
3. Discussion and action on an Emergency Ordinance re-enacting and amending Emergency Ordinance No. 019036 instituting emergency measures, to include that boards and commissions may meet by videoconference if not required to meet in person under state law, as re-enacted, restated and amended by [22-127](#)

Emergency Ordinance No. 019151; and further re-enacted and amended by Emergency Ordinance Nos. 019156, 019169, 019191 and 019278; penalty as provided in Section 8.

**All Districts**

Fire, 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.

[22-97](#)

**All Districts**

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

5. Discussion and action on proposed amendments to the City Charter through a November 2022 Charter Election and to authorize the City Attorney to engage outside counsel to assist with the Charter amendments.

[22-108](#)

**All Districts**

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

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

6. Approve a plan of action for safeguarding the buildings in the Union Plaza Area that are exposed to the elements and continued deterioration due to existing partial demolition. This is following Council directive.

[22-126](#)

**All Districts**

Capital Improvement Department, Sam Rodriguez (915) 212-7301

**EXECUTIVE SESSION**

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

**Representative 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.** Application of El Paso Electric Company to Change Rates, Public Utility Commission of Texas Docket No. 52195. Matter No. 21-1008-174 (551.071) [22-138](#)  
City Attorney's Office, Frances Engelbaum, (915) 212-0033
- EX2.** Discussion regarding the Purchase, Lease, Exchange of Real Property located near Central El Paso, Texas. Matter No. 21-1004-1257 (551.072) [22-139](#)  
Capital Improvement Department, Sam Rodriguez, (915) 212-0065
- EX3.** Economic Incentives for a Manufacturing Company to be located in the City of El Paso. Matter No. 22-1007-2856 (551.087) [22-140](#)  
Economic and International Development, Elizabeth Triggs, (915) 212-0095
- EX4.** Discussion on a potential waste management opportunity. Matter No. 22-1007-2851 (551.071) (551.087) [22-141](#)  
Economic and International Development, Elizabeth Triggs, (915) 212-0095
- EX5.** Economic Incentives for a Mixed-Use Development located in the City of El Paso. Matter No. 21-1007-2803 (551.087) **22-142**  
Economic and International Development, Elizabeth Triggs, (915) 212-0095
- EX6.** Discussion regarding the potential sale/purchase, exchange, lease, or value of real property located in Northeast El Paso. Matter No. 22-1009-1131 (551.071) [22-144](#)  
Capital Improvement Department, Sam Rodriguez, (915) 212-0065

## **ADJOURN**

### **NOTICE TO THE PUBLIC:**

If you need Spanish Translation Services, you must email [CityClerk@elpasotexas.gov](mailto: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

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File #: 22-109, Version: 1

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**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) State Disaster Declarations
  - b) Emergency Ordinances
  - c) Greg Abbott, in his official capacity as Governor of Texas v. City of El Paso and Statewide Mask Mandate Litigation
  - d) Additional Updates
3. Team Lead Report:
  - a) Health Focus (Hector Ocaranza, M.D.)
  - b) Data Analysis (David Coronado)
  - c) Financial Focus (Robert Cortinas)
  - d) Community Vulnerabilities and Human Services (Nicole Ferrini)
    - 1) Discussion and action authorizing the City Manager or his designee to establish appropriations in the amount of \$9,000,000.00, 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 respond to the COVID-19 public health emergency or its negative economic impacts.
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 31, 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 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 Declarations
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3. Team Lead Report:
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  - c) Financial Focus (Robert Cortinas)
  - d) Community Vulnerabilities and Human Services (Nicole Ferrini)
    - 1) Discussion and Action authorizing the City Manager or his designee to establish appropriations in the amount of \$9,000,000.00, 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 respond to the COVID-19 public health emergency or its negative economic impacts.
4. City Manager Wrap-up (Tommy Gonzalez)

**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)

## **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**, City Council has previously appropriated ARPA grant funds on January 18, 2022 and July 27, 2021; 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 ARPA grant funds in the above stated amounts, the City Council approves the appropriation of \$9,000,000 of the grant funds from the CSLFRF to fund services addressing Community Vulnerability: Homelessness and Family Stability in response to the COVID-19 public health crisis.

**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 ARPA grant funds are properly expended in accordance with the requirements stipulated by the American Rescue Plan Act and federal guidelines in the Final Rule.

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

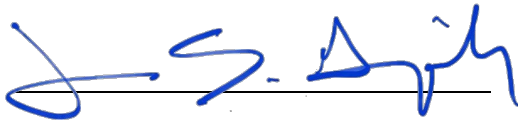
**CITY OF EL PASO:**

\_\_\_\_\_  
Oscar Leeser  
Mayor

**ATTEST:**

\_\_\_\_\_  
Laura D. Prine  
City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_

Juan S. Gonzalez  
Senior Assistant City Attorney

**APPROVED AS TO CONTENT:**

\_\_\_\_\_

Nicole M. Ferrini, Director  
Community & Human Development





El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #: 22-119, Version: 1**

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### **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**

Fire, Chief Mario D'Agostino, (915) 212-6505

#### **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:** January 31, 2022  
**PUBLIC HEARING DATE:** January 31, 2022

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

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

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

**SUBGOAL:** 6.8 Support transparent and inclusive government.

**SUBJECT:**

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

**BACKGROUND / DISCUSSION:**

Emergency Ordinance No. 019277 which re-enacts Emergency Ordinance No. 019035 is set to expire on February 3, 2022.

**PRIOR COUNCIL ACTION:**

Since March 2020, El Paso City Council has re-enacted Emergency Ordinance No. 019035 monthly, with the most recent extension taking place on January 4, 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

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**



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**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 January 4, 2022; and

**WHEREAS**, as of January 20, 2022, the number of COVID-19 active cases in El Paso is over 23,479; and

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

**WHEREAS**, Emergency Ordinance No. 019277 which re-enacts Emergency Ordinance No. 019035 is set to expire on February 3, 2022; and

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

**ORDINANCE NO. \_\_\_\_\_**

20-1052-1069 | PL#1147496 | KMN | JF | KM | CA | Emergency Ordinance Re-enacting Ord. No. 019035  
Extending Disaster Declaration – January 31, 2022

**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 January 2022.**

**THE CITY OF EL PASO, TEXAS**

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Oscar Leoser  
Mayor

**ATTEST:**

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Laura D. Prine  
City Clerk


**APPROVED AS TO FORM:**



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Karla M. Nieman  
City Attorney

**APPROVED AS TO CONTENT:**



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

**ORDINANCE NO.** \_\_\_\_\_

20-1052-1069 | PL#1147496 | KMN | JF | KM | CA | Emergency Ordinance Re-enacting Ord. No. 019035  
Extending Disaster Declaration – January 31, 2022



Legislation Text

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File #: 22-127, Version: 1

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**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**

Fire, 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 and amending Emergency Ordinance No. 019036 instituting emergency measures, to include that boards and commissions may meet by videoconference if not required to meet in person under state law, 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 019278; penalty as provided in Section 8.

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

**AGENDA DATE:** January 31, 2022  
**PUBLIC HEARING DATE:** January 31, 2022

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

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

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

**SUBGOAL:** 6.8 Support transparent and inclusive government.

**SUBJECT:**

Discussion and action on an Emergency Ordinance re-enacting and amending Emergency Ordinance No. 019036 instituting emergency measures, to include that boards and commissions may meet by videoconference if not required to meet in person under state law, 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 019278; penalty as provided in Section 8.

**BACKGROUND / DISCUSSION:**

The City Council desires to implement additional protections for City Employees and appointees of boards, commissions and committees in light of a recent spike in COVID-19 cases by enabling as many meetings as possible to take place remotely and desires to re-enact; and desires to amend Emergency Ordinance No. 019036, as amended, which shall remain in effect 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 January 4, 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

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

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**ORDINANCE NO. \_\_\_\_\_**

**AN EMERGENCY ORDINANCE RE-ENACTING AND AMENDING EMERGENCY ORDINANCE NO. 019036 INSTITUTING EMERGENCY MEASURES, TO INCLUDE THAT BOARDS AND COMMISSIONS MAY MEET BY VIDEOCONFERENCE IF NOT REQUIRED TO MEET IN PERSON UNDER STATE LAW, 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 019278; 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 January 4, 2022; and

**WHEREAS**, pursuant to City Charter Section 3.10, every emergency ordinance shall stand repealed automatically as of the 31<sup>st</sup> 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 implement additional protections for City Employees and appointees of boards, commissions and committees in light of a recent spike in COVID-19 cases by enabling as many meetings as possible to take place remotely; and

**WHEREAS**, the City Council desires to re-enact and amend Emergency Ordinance No. 019036, as amended, which shall remain in effect 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 Section 2 of Emergency Ordinance No. 019036 as previously re-enacted, restated and amended, is hereby amended to read as follows:**

**2. CITY BOARDS AND COMMISSIONS**

- a) Unless required by State law to abide by all provisions of the Texas Open Meetings Act, Texas Government Code Section 551.001 et seq. ("TOMA"), all City of El Paso boards, commissions

**Ordinance No. \_\_\_\_\_**

and committees may meet by videoconference while this ordinance is in effect, suspending only the in-person requirement in any provision in the establishing ordinance, resolution or bylaws that require such board, commission or committee to abide by TOMA.

- b) Any board, commission or committee that must abide by TOMA pursuant to State law must meet in accordance with Texas law, and shall abide by all relevant City requirements to ensure the safety of those in attendance.
2. All other provisions of **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 and 019191**, 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.
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 January, 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, Fire Chief  
El Paso Fire Department

**Ordinance No. \_\_\_\_\_**





Legislation Text

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File #: 22-97, Version: 1

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**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:** Feb. 31, 2022  
**PUBLIC HEARING DATE:** N/A (Work Session)

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** Sam Rodriguez, P.E., City Engineer, 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, and January 4, 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**

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\*\*\*\*\***REQUIRED AUTHORIZATION**\*\*\*\*\*

**DEPARTMENT HEAD:** 

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(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 monthly basis, with the most recent re-enactment taking place on January 5, 2021; and

**WHEREAS**, Governor Abbott has similarly renewed the State's COVID- 19 Disaster Declaration, with the most recent extension taking place on January 5, 2021; 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 January 4, 2022 (Ord. No. 019279) ("**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 | 1145386

Third 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 March 2, 2022 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. 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 Leaser  
Mayor

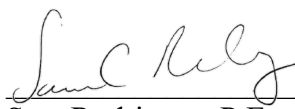
**ATTEST:**

\_\_\_\_\_  
Laura D. Prine  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Karla M. Nieman  
City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Sam Rodriguez, P.E.  
City Engineer

**ORDINANCE NO.** \_\_\_\_\_

20-1052-1069 | 1145386

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

KMN | JSG



Legislation Text

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File #: 22-108, Version: 1

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**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 and to authorize the City Attorney to engage outside counsel to assist with the Charter amendments.

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

**DEPARTMENT:** City Attorney's Office

**AGENDA DATE:** January 31, 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 and to authorize the City Attorney to engage outside counsel to assist with the Charter amendments.

**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:** January 18, 2022, Council began discussions regarding which items to submit to the Charter Committee. 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

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

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Legislation Text

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File #: 22-126, Version: 1

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**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) 212-7301

**AGENDA LANGUAGE:**

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

Approve a plan of action for safeguarding the buildings in the Union Plaza Area that are exposed to the elements and continued deterioration due to existing partial demolition. This is following Council directive.

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

AGENDA DATE: 1.31.22  
PUBLIC HEARING DATE:

CONTACT PERSON(S) NAME AND PHONE NUMBER: Sam Rodriguez (915) 212-7301

DISTRICT(S) AFFECTED:

STRATEGIC GOAL:

SUBGOAL:

**SUBJECT:**

**APPROVE** a plan of action for safeguarding the buildings in the Union Plaza Area that are exposed to the elements and continued deterioration due to existing partial demolition. This is following Council directive.

**BACKGROUND / DISCUSSION:**

Staff is proposing a plan of action to address the current conditions of the buildings in the Union Plaza area, and safeguard them against continued deterioration, or causing a life and safety hazard. This is a follow-up discussion to the meeting on Jan. 17<sup>th</sup>.

**PRIOR COUNCIL ACTION:**

On Jan. 4<sup>th</sup>, Council gave the directive to secure and safeguard the buildings in the Union Plaza area while the proposed MPC RFQ is awarded and the programming is finalized. On Jan. 17<sup>th</sup>, Staff brought a timeline of events and proposed action plan on how to safeguard the structures. Council asked for a revised plan of action, and this is the revision being proposed at this meeting.

**AMOUNT AND SOURCE OF FUNDING:**

If approved, this item will be funded through the General Fund.

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? ☒ YES ☐ NO

PRIMARY DEPARTMENT: Capital Improvement

SECONDARY DEPARTMENT:

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:** *Daniela Quesada* signing for: Sam Rodriguez

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



El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #: 22-138, Version: 1**

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### **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

#### **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)



El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #: 22-139, Version: 1**

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### **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.*

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 regarding the Purchase, Lease, Exchange of Real Property located near Central El Paso, Texas.  
Matter No. 21-1004-1257 (551.072)



El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #: 22-140, Version: 1**

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### **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.*

Economic and International Development, Elizabeth Triggs, (915) 212-0095

#### **AGENDA LANGUAGE:**

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

Economic Incentives for a Manufacturing Company to be located in the City of El Paso. Matter No. 22-1007-2856 (551.087)



El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #: 22-141, Version: 1**

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### **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.*

Economic and International Development, Elizabeth Triggs, (915) 212-0095

#### **AGENDA LANGUAGE:**

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

Discussion on a potential waste management opportunity. Matter No. 22-1007-2851 (551.071) (551.087)



El Paso, TX

300 N. Campbell  
El Paso, TX

Legislation Text

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**File #: 22-142, Version: 1**

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**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.*

Economic and International Development, Elizabeth Triggs, (915) 212-0095

**AGENDA LANGUAGE:**

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

Economic Incentives for a Mixed-Use Development located in the City of El Paso. Matter No. 21-1007-2803 (551.087)



El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #: 22-144, Version: 1**

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### **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.*

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 regarding the potential sale/purchase, exchange, lease, or value of real property located in Northeast El Paso. Matter No. 22-1009-1131 (551.071)