

Oscar Leaser  
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**

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**March 28, 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: 562-137-365#**

Notice is hereby given that a Work Session of the City Council of the City of El Paso will be conducted on March 28, 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: 562-137-365#

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)

**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. [22-336](#)
  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.)
  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. [22-356](#)

**All Districts**  
Fire, Chief Mario D'Agostino, (915) 212-5605
3. Discussion and action on an Emergency Ordinance re-enacting Emergency Ordinance No. 019036 instituting emergency measures, as re-enacted, restated and amended by Emergency Ordinance No. 019151; and further re-enacted and amended by Emergency Ordinance Nos. 019156, 019169, 019191 and 019284; penalty as provided in Section 8. [22-357](#)

**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. [22-348](#)

**All Districts**  
Capital Improvement Department, Sam Rodriguez, (915) 212-0065
5. Presentation and discussion by the Police Department (Safe and Secure City) Cross-Functional Team providing information on key activities, efforts, and processes. [22-337](#)

1. CFT Operations (Dionne Mack)
2. Team Lead Reports:  
Composition and scope of the El Paso Discipline Review Board and the Shooting Review.

Presenters:

- Dionne Mack (City Manager's Office)
- Eric Gutierrez (City Attorney's Office)
- Samantha Singleton (Border Network for Human Rights Police Accountability Taskforce)

**All Districts**

City Manager's Office, Dionne Mack, (915) 212-1064

6. Presentation and discussion on a Street Infrastructure Comprehensive Update. [22-328](#)

**All Districts**

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

7. Presentation and discussion on the Capital Improvement 2nd quarter update for active, programmed, and completed capital projects. [22-329](#)

**All Districts**

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

8. Discussion on first complete draft of "Onward Alameda" Corridor Plan for Alameda Ave. from downtown to the east side city limit. [22-359](#)

**Districts 3, 6, 7, and 8**

Capital Improvement Department, Joaquin Rodriguez, (915) 328-8731

9. Discussion of an ordinance amending various sections of Title 19 (Subdivision and Development Plats), to adopt the El Paso Street Design Manual, to update references to the design standards for construction to the street design manual, and to update standards of construction for streets. [22-361](#)

**All Districts**

Capital Improvement Department, Joaquin Rodriguez, (915) 328-8731

10. Discussion of an ordinance amending the 2025 proposed thoroughfare system, as incorporated into "Plan El Paso" to add context area classifications to all included thoroughfares and to make minor changes to the thoroughfare system based on existing conditions and development patterns. [22-362](#)

**All Districts**

Capital Improvement Department, Joaquin Rodriguez, (915) 328-8731

**EXECUTIVE SESSION**

The City Council of the City of El Paso may retire into EXECUTIVE SESSION pursuant to Section

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

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

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

### **Discussion and action on the following:**

- EX1.** Celia Sanchez, et al v. City of El Paso, Texas et al. Matter No. 17-1026-8443 [22-363](#)  
(551.071)  
City Attorney's Office, Nicole Anchondo, (915) 212-0033
- EX2.** Max Grossman Lawsuit v. City of El Paso; Texas Supreme Court, Case No. [22-364](#)  
21-1105 Matter No. 17-1001-171.001 (551.071)  
City Attorney's Office, Karla M. Nieman, (915) 212-0033
- EX3.** Application of El Paso Electric Company to Change Rates, Public Utility [22-365](#)  
Commission of Texas Docket No. 52195. Matter No. 21-1008-174 (551.071)  
City Attorney's Office, Frances Engelbaum, (915) 212-0033
- EX4.** Avoided Costs Exception | Petition of the PUC Staff for a Good Cause [22-366](#)  
Exception to §25.181(D)(3)(A) and to set the Avoided Cost of Energy Under  
§25.181(D)(3)(A) for 2022 Electric Utility Energy Efficiency Programs; Public  
Utility Commission of Texas Docket No. 52871. Matter No. 21-1008-184  
(551.071)  
City Attorney's Office, Frances Engelbaum, (915) 212-0033
- EX5.** Economic Incentives for a Transit-Oriented Development located in the City of [22-372](#)  
El Paso. Matter No. 21-1007-2869 (551.087)  
Economic and International Development, Elizabeth Triggs, (915) 212-0095
- EX6.** Economic Incentives for a Transit-Oriented Development located in the City of [22-373](#)  
El Paso. Matter No. 21-1007-2870 (551.087)  
Economic and International Development, Elizabeth Triggs, (915) 212-0095

- EX7.** Economic Development Incentives for a Convention Center Hotel to be located in the City of El Paso. Matter No. 22-1007-2853 (551.087) [22-374](#)  
Economic and International Development, Elizabeth Triggs, (915) 212-0095
- EX8.** Economic Incentives for a Mixed-Use Development located in the City of El Paso. Matter No. 22-1007-2878 (551.087) [22-375](#)  
Economic and International Development, Elizabeth Triggs, (915) 212-0095
- EX9.** City of El Paso v. Joseph C. Pickett; 8th Court of Appeals, Case No. 08-21-00147-CV. Matter No. 21-1007-268.001 (551.071) [22-368](#)  
City Attorney's Office, Evan Reed, (915) 212-0033
- EX10.** Comptroller Sales & Use Tax Audit. Matter No. 21-1063-175 (551.071) [22-369](#)  
City Attorney's Office, Donald Davie, (915) 212-0033

### **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 #: 22-336, 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.)
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: March 28, 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)
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 & Statewide Mask Mandate Litigation
  - d) Additional Updates
3. Team Lead Report:
  - a) Health Focus (Hector Ocaranza, M.D.)
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

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BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

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

DEPARTMENT HEAD:

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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 #: 22-356, 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 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:** March 28, 2022  
**PUBLIC HEARING DATE:** March 28, 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. 019302 which re-enacts Emergency Ordinance No. 019035 is set to expire on March 30, 2022;

**PRIOR COUNCIL ACTION:**

Since March 2020, El Paso City Council has re-enacted Emergency Ordinance No. 019035 monthly, with the most recent re-enactment taking place on February 28, 2022; and

**AMOUNT AND SOURCE OF FUNDING:**

None.

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?** ☒ YES ☐ NO

**PRIMARY DEPARTMENT:** Fire Department

**SECONDARY DEPARTMENT:** Department of Public Health

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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 February 28, 2022; and

**WHEREAS**, as of March 16, 2022, the number of COVID-19 active cases in El Paso is over 1,170; 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. 019302 which re-enacts Emergency Ordinance No. 019035 is set to expire on March 30, 2022;

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

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

20-1052-1069 | PL#1158816\_2 | KMN | JF | KM | CA | Emergency Ordinance Re-enacting Ord. No. 019035 Extending Disaster Declaration – March 28, 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 March 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#1158816\_2 | KMN | JF | KM | CA | Emergency Ordinance Re-enacting Ord. No. 019035 Extending Disaster Declaration – March 28, 2022



Legislation Text

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File #: 22-357, 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 Emergency Ordinance No. 019036 instituting emergency measures, as re-enacted, restated and amended by Emergency Ordinance No. 019151; and further re-enacted and amended by Emergency Ordinance Nos. 019156, 019169, 019191 and 019284; penalty as provided in Section 8.

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

**AGENDA DATE:** March 28, 2022  
**PUBLIC HEARING DATE:** March 28, 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. 019036 instituting emergency measures, as re-enacted, restated and amended by Emergency Ordinance No. 019151; and further re-enacted and amended by Emergency Ordinance Nos. 019156, 019169, 019191 and 019284; penalty as provided in Section 8.

**BACKGROUND / DISCUSSION:**

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

**PRIOR COUNCIL ACTION:**

Since March 2020, City Council has re-enacted Emergency Ordinance No. 019036 monthly, with the most recent re-enactment, re-statement and amendment taking place on March 16, 2021, and with the most recent re-enactment and amendment taking place on February 28, 2022; and

**AMOUNT AND SOURCE OF FUNDING:**

None.

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?** ☒ YES ☐ NO

**PRIMARY DEPARTMENT:** Fire Department

**SECONDARY DEPARTMENT:** Department of Public Health

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

**DEPARTMENT HEAD:**

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

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

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

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

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

**WHEREAS**, since March 2020, City Council has re-enacted Emergency Ordinance No. 019036 monthly, with the most recent re-enactment, re-statement and amendment taking place on March 16, 2021, and with the most recent re-enactment taking place on February 28, 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 re-enact Emergency Ordinance No. 019036, as re-enacted, restated and amended on March 16, 2021 through Emergency Ordinance No. 019151, as further re-enacted and amended on March 29, 2021 through Emergency Ordinance No. 019156, as further re-enacted and amended on April 26, 2021 through Emergency Ordinance No. 019169, as further re-enacted and amended on May 24, 2021 through Emergency Ordinance No. 019191, as further re-enacted and amended on January 31, 2022 through Emergency Ordinance No. 019284, which shall remain in effect for thirty days or until otherwise terminated, re-enacted, or superseded by a conflicting El Paso Local Health Authority order, or state or federal law or order.

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

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

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

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

**PASSED AND ADOPTED, this \_\_\_\_ day of March 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 #: 22-348, 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:** March 28, 2022  
**PUBLIC HEARING DATE:** N/A

**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, January 4, January 31 2022, and February 28 2022, El Paso City Council enacted an Emergency Ordinance Re-Enacting Emergency Ordinance No. 019241.

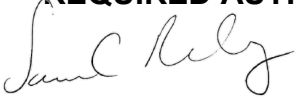
**AMOUNT AND SOURCE OF FUNDING:**  
N/A

**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, with the most recent re-enactment taking place on February 28, 2022; and

**WHEREAS**, Governor Abbott has similarly renewed the State's COVID- 19 Disaster Declaration, with the most recent extension taking place on February 21, 2022; and

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

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

**WHEREAS**, on October 11, 2021, City Council enacted an Emergency Ordinance Instituting Emergency Measures to Allow Temporary Uses on the Public Right of Way and Private Property by Suspending Various City Ordinances ("**Emergency Ordinance No. 019241**"); and

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

**WHEREAS**, City Council re-enacted Emergency Ordinance No. 019241, with the most recent re-enaction taking place on February 28, 2022 (Ord. No. 019304) ("**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

**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 April 27, 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 Leeson  
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



Legislation Text

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File #: 22-337, 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, Dionne Mack, (915) 212-1064

**AGENDA LANGUAGE:**

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

Presentation and discussion by the Police Department (Safe and Secure City) Cross-Functional Team providing information on key activities, efforts, and processes.

1. CFT Operations (Dionne Mack)
2. Team Lead Reports:  
Composition and scope of the El Paso Discipline Review Board and the Shooting Review.

Presenters:

- Dionne Mack (City Manager's Office)
- Eric Gutierrez (City Attorney's Office)
- Samantha Singleton (Border Network for Human Rights Police Accountability Taskforce)

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

**DEPARTMENT:** City Manager's Office

**AGENDA DATE:** March 28, 2021

**CONTACT PERSON NAME AND PHONE NUMBER:** Deputy City Manager, Dionne Mack (915) 212-1064

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

**SUBJECT**

Presentation and discussion by the Police Department (Safe and Secure City) Cross-Functional Team providing information on key activities, efforts, and processes.

1. CFT Operations (Dionne Mack)
2. Team Lead Reports:
  - Composition and scope of the El Paso Discipline Review Board and the Shooting Review
    - Presenters:
    - Dionne Mack (City Manager's Office)
    - Eric Guiterrez (City Attorney's Office)
    - Samantha Singleton (Border Network for Human Rights- Police Accountability Taskforce)

**BACKGROUND / DISCUSSION:**

The Police Department (Safe and Secure City) Cross-Functional Team is comprised of five multi-disciplinary teams focused on conducting research, planning and development actions supporting best practices aligned with the "El Paso Strong Resolution No.1" adopted by City Council and supporting the continuing strategic goal to set the standard for a safe and secure city. Ongoing updates will be provided to share key information and key upcoming items.

**PRIOR COUNCIL ACTION:**

Approval of the El Paso Strong Resolution adopted on June 23, 2020

No Action was taken on this item on September 14, 2020, February 15, 2021, and March 29, 2021.

**AMOUNT AND SOURCE OF FUNDING: N/A**

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**BOARD / COMMISSION ACTION:**

Enter appropriate comments or N/A

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

**DEPARTMENT HEAD:**



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# Safe and Secure City Cross-Functional Team *Update*

*ITEM #5*  
*City Council Work Session*  
*March 28, 2022*

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# El Paso Strong Resolution

**Adopted: June 23, 2020**

*"El Paso Strong" resolution establishes new reporting to encourage elimination of racial disparities in arrests and other law enforcement resolution, calls for various methods for reporting use of force and deadly force incidents, the percent of officers with a history of sustained use of force incidents, and the number of complaints and provides report analyses prepared by City staff, adopting applicable recommendations and reforming policy in pursuit of racial justice.*



# Table of Contents

## **1. CFT Operations (Dionne Mack)**

## **2. Team Lead Reports:**

- **Composition and scope of the El Paso Discipline Review Board and the Shooting Review**
  - **Presenters:**
  - **Dionne Mack (City Manager's Office)**
  - **Eric Gutierrez (City Attorney's Office)**
  - **Samantha Singleton-Sherman (Border Network for Human Rights - Police Accountability Taskforce)**

# El Paso Strong Resolution

6. The City Council directs the City Manager to research and study best practices for the composition and scope of the El Paso Discipline Review Board and the Shooting Review Board.

- The City Manager is directed to **work with the current composition of the Discipline Review Board and Shooting Review Board to implement strategies** and provide quarterly updates.
- These strategies and goals should be vetted and reviewed by the Internal Affairs Division (IAD) and the Risk Management Section of the El Paso Police Department.
- The **Discipline Review Board and the Shooting Review Board will provide recommendations to the Chief of Police** for additional or different metrics, improvements on existing metrics and reporting, data collection methods, or other analytical improvements to maintain the highest quality and accuracy of the analysis of progress toward this goal. Such recommendations may include, but are not limited to, reporting of race by those with whom EPPD officers interact as required by Federal and State law.

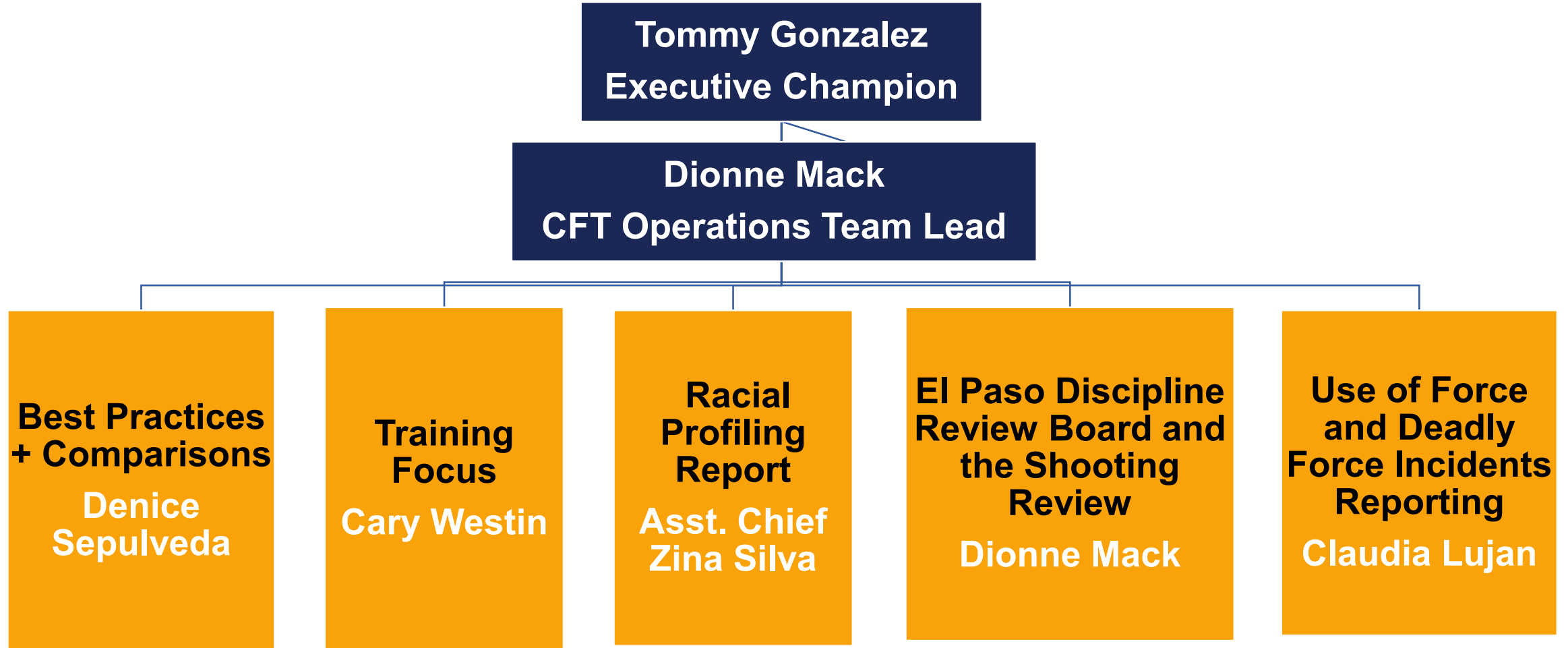
# El Paso Strong Resolution

4. Utilize various methods for reporting use of force and deadly force incidents, the percent of officers with a history of sustained use of force incidents, the number of complaints; and
5. Recommendations on the implementation of best practices in policing, in comparison to no less than five (5) cities of similar size and demographics, and/or the top ten (10) safest cities, including progress on the dashboard of metrics and indicators, analysis of the alignment of strategies with policies implemented since the adoption of this resolution, and recommendations to prioritize strategies.
6. Research and study best practices for the composition and scope of the El Paso Discipline Review Board and the Shooting Review Board

# El Paso Strong Resolution

1. Provide a detailed update on the current status of the Police Department and lead a discussion at several future City Council Work Sessions;
2. These updates should include implementation of best practices in policing in comparison to no less than five (5) cities of similar size and demographics, and/or the top ten (10) safest cities including tools for use in evaluating the policies and practices of each City department and their impact on equity, with a goal of informing the budgeting and policymaking processes to relieve racial and socioeconomic inequities; and
3. Continue reporting on racial profiling to encourage the elimination of racial disparities in arrests and other law enforcement actions; and

# Team Organizational Chart



# What we will cover

Identified Opportunities for Improvement Update

Composition and Scope of the *El Paso Discipline Review Board* and the *Shooting Review Board*

- Review analysis of Shooting and Discipline Review Boards to include Police Oversight Models
- Review analysis of Training provided for Discipline Review Board Members
- Border Network for Human Rights Police Accountability Recommendations
- Recruitment Best Practices Model

Next Steps

# Identified Opportunities for Improvement



- Officer Training program enhanced in areas of greatest community concern
- Develop new tools to expand ability to review quarterly Use of Force data
- Continue to update policies and procedures in alignment with best practices
- Enhance website to increase availability of policy and data for the public
- Enhance Discipline/Review Board member training
- Continue to look for innovative ways to recruit Discipline Review Board Civilian members
- Enhance community-wide volunteer recruitment efforts to ensure diversity/representation of varied demographics

# RE-CAP and RESULTS

## Short Term:

- Observation of Disciplinary Review Board (DRB) hearing – El Paso Case Study
  - Review written procedures of DRB hearing
  - Review discipline matrix and applicability
  - Actionable recommendations come directly from proceedings
  - Established database of comparative cities focused on Board Composition, Policy, and Citizen Participation
- Status: **Completed**

## Mid Term:

- Comparative analysis of civilian oversight review boards
- Identified possible constraints with implementing citizen-led boards
- Legal analysis, and civilian training analysis
- Conferred with El Paso Police Association
- Status: **Completed**



# Review Boards Scope + Functions

## Disciplinary Review Board

- Review administrative cases investigated and/or handled by Internal Affairs
- Recommended disposition and propose adjudication of each case to the Chief of Police.
- The boards may also offer insight to improve or review current organizational processes.

## Shooting Review Board

- Convened when there is an officer related shooting
- Recommended disposition and propose adjudication of each case to the Chief of Police.
- The boards may also offer insight to improve or review current organizational processes.



# Discipline/Shooting Review Board

	Review Board(s) Composition	Policy	Citizen Participation
Anaheim, CA	Department Leadership (No citizens)	Major Incident Review Team	None
Albuquerque, NM	5 Staff Voting Members SRB: None	Force Review Board SRB: Internal Review	None
San Antonio, TX	Citizen Advisory Board (6 Voting) & Police Advisory Board (5 Voting)	Complaint and Administrative Review Board	Yes
Tucson, AZ**	7 Staff Voting Members & 2 Citizen Voting Members*** SRB: Minimum 8 Voting Members – Includes Community Representatives	Sentinel Event Review Board SRB: Force Review Board***	Yes
Phoenix, AZ	5 Staff Voting Members & 2 Citizen Voting Members SRB: 3 Staff Voting Members & 3 Citizen Voting Members	Disciplinary Review Board SRB: Use of Force Review Board	Yes
Virginia Beach, VA	Comprised of all department captains*	Captain's Board SRB: Firearms Discharge Review Board	None
El Paso, TX	5 Uniformed Personnel, Assistant Chief, HR Director of PD Personnel and 6 civilians	Discipline Review Board Shooting Review Board	Yes

\* The decision of the Captain's Board is advisory only

\*\* Information updated 6/14/21

\*\*\* Community Police Advisory Review Board (CPARB) Chair serves on this Board. CPARB consists of a minimum of 10 community representatives

\*\*\*\* FRB membership may vary by incident in order to accommodate subject matter experts from relevant fields or representatives from important constituency groups.

## Citizen Participation in Disciplinary Process

Citizen Participation	Citizen Selection	Board Term	Disciplinary Authority	Investigative Authority	Ordinance/ Policy	Legislative/ Contractual
<ul style="list-style-type: none"> <li>• 6 civilians + 1 PDHR rep + 5 uniform personnel</li> <li>• Assistant Chief is a non-voting member</li> <li>• Quarterly Rotation of citizens and Assistant Chiefs</li> </ul>	<ul style="list-style-type: none"> <li>• Fill out Background pamphlet through Volunteer Program</li> <li>• Background Check               <ul style="list-style-type: none"> <li>• Outstanding Warrant Check</li> </ul> </li> <li>• Training – 4 hours               <ul style="list-style-type: none"> <li>• Use of Force Policy and Use of Force Case Law</li> <li>• Scenarios (Shoot/Don't Shoot, Decision-Making)</li> <li>• HICKS (Defensive Tactic Training)</li> </ul> </li> <li>• Entered into board eligibility pool by Internal Affairs</li> </ul>	No term limits	<ul style="list-style-type: none"> <li>• Majority vote based on the preponderance of the evidence</li> <li>• Citizens vote first then lowest ranking officer until reach commander</li> <li>• Recommendation to the Chief of Police</li> </ul>	<ul style="list-style-type: none"> <li>• No investigative authority</li> <li>• Can request further investigation</li> <li>• Can request for accused officer(s) to be present</li> <li>• IA follows up</li> </ul>	<ul style="list-style-type: none"> <li>• El Paso Police Department Procedures Manual               <ul style="list-style-type: none"> <li>• 903 Disciplinary Matrix and Penalty Table</li> </ul> </li> <li>• 932 Discipline Review Boards</li> </ul>	<ul style="list-style-type: none"> <li>• CBA               <ul style="list-style-type: none"> <li>• Article 14</li> <li>• Article 21</li> <li>• Article 30</li> </ul> </li> <li>• Texas Government Code, Title 6</li> <li>• Civil Service Rules</li> </ul>

# Case Study - Staff

## August 12, 2020 Disciplinary Review Board (DRB)

- Members of CFT were able to observe an actual hearing
  - Process was well-defined and execution was consistent with written policy and procedure
  - Internal Affairs presented facts of the investigation
  - DRB Meetings are twice a month
  - Board comprised of 5 uniformed personnel, 1 PDHR rep, and 6 civilians
- **There are opportunities within the DRB that could be leveraged by Police Department**
  - Explore the application of additional training regulations (per current DRB members)
  - Explore the board composition, application process, regulations, and diversity

# Training Comparison for Discipline Review Board/Shooting Review Board

City	Board	Length of Training
Anaheim, CA (Oversight)	Police Review Board	Training at commencement of new term (no set length of training) Annual thirty (30) hours of training
Albuquerque, NM (Oversight)	Civilian Police Oversight Agency Board	Training at commencement of new term (24 hours) Annual eight (8) hours of training
San Antonio, TX (DRB)	Complaint and Administrative Review Board The combined Citizen Advisory Action Board and Police Advisory Action Board	Training at commencement of new term (24 hours)
Tucson, AZ	Community Police Advisory Review Board (CPARB), Force Review Board (FRB) and Sentinel Event Review Board (SERB)	<u>Community Police Advisory Review Board (CPARB)</u> Training at commencement of new term (no set length of training) Annual forty-eight (48) hours of training  <u>No set training requirements for FRB and SERB</u>
Phoenix, AZ	Disciplinary Review Board  Use of Force Review Board	<u>Disciplinary Review Board</u> Training at commencement of new term (4 hours) Renews every three (3) years.  <u>Use of Force Review Board</u> Training at commencement of new term (4 hours) Renews every three (3) years.
Austin, TX	Community Police Review Commission	Training at commencement of new term (3-4 days)
El Paso, TX	Disciplinary Review Board/Shooting	Training at commencement of new term (4 hours)  <b>PD RECOMMENDATIONS:</b> Estimated training time would be sixteen (16) hours plus ride along between five to ten (5-10) hours (full shift)

City	Anaheim, CA (Oversight)	Albuquerque, NM (Oversight)	San Antonio, TX (DRB)	Tucson, AZ	Phoenix, AZ	Austin, TX	El Paso, TX
(ABQ Specific) DOJ Settlement Agreement Training		✓					
Bomb and SWAT						✓	✓
Civil Rights Training/4th Amendment		✓		✓	✓		✓
Crisis Intervention Team Training						✓	✓
Critical Decision Making Training			✓	✓			✓
Defensive Tactics Training				✓			✓
Equity and Cultural Sensitivity Training		✓		✓			✓
Firearms Simulation Training		✓	✓	✓		✓	✓
Internal Affairs Training	✓	✓	✓		✓	✓	✓
K-9 Use				✓			✓
Officer Involved Shootings						✓	✓
Police Association Presentation						✓	✓
Police Training Academy		✓	✓	✓		✓	✓

City	Anaheim, CA (Oversight)	Albuquerque, NM (Oversight)	San Antonio, TX (DRB)	Tucson, AZ	Phoenix, AZ	Austin, TX	El Paso, TX
Response to Resistance			✓		✓	✓	✓
Ride Alongs	✓	✓	✓	✓		✓	✓
Special Investigations Unit						✓	✓
Training on Board Expectations	✓	✓	✓		✓		✓
Training on State and Local laws		✓			✓		✓
Use of Force Training	✓	✓	✓		✓		✓
Video Forensics (Body Cameras)				✓			✓
Demonstrations and scenario role playing exercises				✓	✓		✓
What to consider when reviewing cases					✓		✓
Department De-Escalation Policy					✓		✓
Dynamics of Stress in Officer Involved Critical Incidents							✓

# Discipline/Shooting Review Board

## PD Civilian Training Expansion Recommendation

- Estimated total training time: 16 hours
  - **Estimated additional 12 training hours**
- **Additional 5-10 hours for ride along**
- All recommended trainings are relevant to potential board members
  - Trainings would need to be completed prior to sitting on the board
  - Multiple options for board members to attend the training
  - Utilized recently deployed robust workforce learning platforms to enhance and manage training efforts



## Community Policing that fosters trust and communication

### Current EPPD Programs

### 1. Communication and Transparency Strategies:

#### Neighborhood Watch Program

- Next Door App

#### Citizen Advisory Board

- Citizen and Youth Academy
- National Night Out
- Explorer Program

#### Code Watch

#### Social Media

#### New – Camera Registration Program

#### Volunteer Programs

- Victim Response Teams
- Disabled Parking Enforcers
- Chaplain Program
- Discipline Review/ Shooting Review Boards
- **New - Volunteers in Patrol (VIP)**
- Underage Drinking Initiative

## Community Policing that fosters trust and communication

### Across all 5 Top Cities

#### 2. Focus on:

- Community Partnerships with Civic groups and Neighborhood associations
- Continuous and active engagement
- Adequately identifying issues/strategies of Collaboration

### Innovative Strategies

#### 3. Next Steps to Explore:

- [PD website with current Police Policies that affect PD contact with Public](#)
- Open Data Dashboard – detailing activity, race/ethnicity data

## Border Network - El Paso Police Accountability Task Force

- Organizations:
  - Border Network for Human Rights (BNHR) | Paso del Sur | Border Agricultural Workers Project | Raza Organize | Chicano Pre-law Society at UTEP | Reform Immigration for Texas Alliance (RITA) | El Paso Chicano(a)x History Project | The El Paso Chapter, The Links, Incorporated | El Paso Young Democrats | UTEP M.E.Ch.A. | National Lawyers Guild- El Paso | Grupo Dignidad | El Paso Grassroots | Community First Coalition | Volar | League of United Latin American Citizens (LULAC) | Top Ladies of Distinction Incorporated | Prince of Peace Christian Fellowship
- Individuals:
  - Pastor Michael E. Grady, Diane Williams, Avemaria Smart, Carmen Rodriguez, Jose Rodriguez, Ouisa Davis
- Point of Contact: Samantha Singleton-Sherman, Coordinator

## Border Network - El Paso Police Accountability Task Force

Ongoing meetings beginning October 2020.

- Topics: Discipline Review Boards (DRB), Officer Training Curriculum, Community Engagement, Communications strategies with Community groups and residents, and transparency of the Officer Involved Reporting Processes
- Ongoing discussion about current DRB board, feedback, and recommendations

Border Network members attended:

- ½ day *Use of Force/Stress Inoculation* training at PD Academy
- ½ day Observed Discipline Review Board session/ Q&A with Internal Affairs staff/ Q&A with Discipline Review Board members
- Northeast Regional Command Virtual Townhall Meeting
- City Council Meeting spoke in support of Body Camera funding and implementation

## Border Network - El Paso Police Accountability Task Force

- **2 recommendations:** 1: Separate budget allocated for independent accountability commission; 2: recommendations to changes to current Discipline Review Board
- Reports of findings and recommendations
- Key items recommended:
  - Discipline Recommendation to Chief
  - *Revisiting/Updating current Disciplinary Matrix*
  - Community Input: 11 civilian board members (cannot currently or formerly be employed by EPPD or have immediate family employed by EPPD)

# Limitations on DRBs

## City Charter Article 6, Civil Service Commission

- City Manager establishes HR policies and procedures.
- City Manager may delegate to department directors the execution of the functions, duties, and responsibilities in this Article.

## Civil Service Commission Rules, Rule 11

- Department Head may suspend, discharge or demote any employee for insubordination, for failure to comply with departmental rules and regulations, for failure to comply with the Rules of the Commission or for failure to obey any lawful order of a superior officer.

## Police CBA (2019-2023), Article II, Section 2

- City has exclusive authority to discharge, suspend, demote, reprimand or otherwise discipline employees and to make such rules and regulations as may be necessary or desirable for the operation of the City.

# Border Network For Human Rights' Recommendations



	Current DRB	BNHR Proposal	Recommendation
Board Composition	<b>12:</b> 6 citizens, 1 PDHR rep, and 5 uniformed officers	<b>15:</b> 11 citizens and 4 uniformed officers	Continue with current composition
Term Limit	No term limits	2 years	2 years or until replacement
Disciplinary Matrix	In place with current structure	Provided matrix to BNHR	Revisit with BNHR
Board Participation	Board can request additional investigation/follow-up, consider additional disciplinary action	Board can request additional evidence, consider additional disciplinary action	Consistent with Current Board
Civilian Training	16 hours (initial) + 12 hours (ongoing)	20 hours + suggested topics	16 hours (initial) + 12 hours (ongoing) + 10 hour ride-along + confirmed inclusion of suggestions
Board Selection	Chief of Police	City Council	City Management based on panel recs (see slide 19)

# Recruitment Best Practices

## SAMPLE- STAFF RECOMMENDATION

### Outreach

Print Media  
Advertisements  
Social Media  
Other Tools



### Application

Residents fill out online application



### Review

3-4 Community Member Panel selected and approved by City Manager  
**Blind review of each applicant is conducted**  
Candidates scored based on evaluation tool



### Interviews

Applicants selected for City Manager, City Leadership, and Community Leadership virtual interviews  
Virtual interviews conducted



### Selection

Interview Panel recommends finalists to the City Manager for appointment



# RE-CAP and RESULTS

## Short Term:

- Observation of Disciplinary Review Board (DRB) hearing – El Paso Case Study
  - Review written procedures of DRB hearing
  - Review discipline matrix and applicability
  - Actionable recommendations come directly from proceedings
  - Established database of comparative cities focused on Board Composition, Policy, and Citizen Participation
- Status: **Completed**

## Mid Term:

- Comparative analysis of civilian oversight review boards
- Identified possible constraints with implementing citizen-led boards
- Legal analysis, civilian training analysis, and community collaboration
- Status: **Completed**

## Next Steps:

- Continue to collaborate on improvement of recruitment strategy and implementation of training plan
- Continue to refine our internal process in terms of the best practices (collaboration/outreach)
- Status: **In Progress/Under Consideration**

# Questions?

## Mission

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

## Values

Integrity, **R**espect, **E**xcellence,  
**A**ccountability, **P**eople

## Vision

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



El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #: 22-328, 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.*

Presentation and discussion on a Street Infrastructure Comprehensive Update.

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

**AGENDA DATE:** March 28, 2022  
**PUBLIC HEARING DATE:** N/A

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

**DISTRICT(S) AFFECTED:** ALL

**STRATEGIC GOAL:** 7: Enhance and Sustain El Paso's Infrastructure Network

**SUBGOAL:** 7.2: Improve competitiveness through infrastructure improvements impacting the quality of life

**SUBJECT:**

Presentation and Discussion on a Street Infrastructure Comprehensive Update Presentation.

**BACKGROUND / DISCUSSION:**

This presentation will include information on the following:

- Current Funded Programs: 2012 Street CIP, \$3 M Collector Resurfacing, \$7 M Residential Resurfacing
- **FY 24/25 Proposed Resurfacing List**
- Detailed Program Slides: 2017, 2018, 2019 and 2020 Capital Plans
- MPO and CDBG Projects

**PRIOR COUNCIL ACTION:**

June 26, 2012 – El Paso City Council approved the 2012 Street CIP

March 8, 2016 – El Paso City Council approved the recalibration of street projects

August 7, 2017 – El Paso City Council approved accelerating the resurfacing program and to reallocate \$21.6 million to resurface arterial candidates

December 18, 2017 – El Paso City Council approved accelerating the reconstruction program

July 27, 2021 – El Paso City Council approved \$9.2 additional funding for the Residential Street Resurfacing Program.

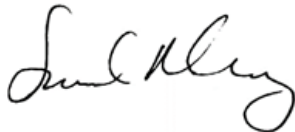
**AMOUNT AND SOURCE OF FUNDING:**

N/A

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?** \_\_\_ YES X NO

**PRIMARY DEPARTMENT:**

**SECONDARY DEPARTMENT:**



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

**DEPARTMENT HEAD:**

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



Legislation Text

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File #: 22-329, Version: 1

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**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.*

**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.*

Presentation and discussion on the Capital Improvement 2nd quarter update for active, programmed, and completed capital projects.

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

**AGENDA DATE:** March 28, 2022  
**PUBLIC HEARING DATE:** N/A

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

**DISTRICT(S) AFFECTED:** ALL

**STRATEGIC GOAL:** 4: Enhance El Paso's Quality of Life through Recreational, Cultural, and Educational Environments

7: Enhance and Sustain El Paso's Infrastructure Network

**SUBGOAL:** N/A

**SUBJECT:**

Presentation and discussion on the Capital Improvement 2<sup>nd</sup> quarter update for active, programmed, and completed capital projects.

**BACKGROUND / DISCUSSION:**

This presentation will provide an update on FY 2022 second quarter developments for active, programmed, and completed capital projects.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?** \_\_\_ YES X NO

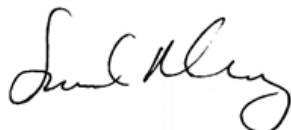
**PRIMARY DEPARTMENT:**

**SECONDARY DEPARTMENT:**

---

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

**DEPARTMENT HEAD:**



Summary Form is initiated by Purchasing, client department should sign also)





Legislation Text

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**File #: 22-359, 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.*

**Districts 3, 6, 7, and 8**

Capital Improvement Department, Joaquin Rodriguez, (915) 328-8731

**AGENDA LANGUAGE:**

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

Discussion on first complete draft of "Onward Alameda" Corridor Plan for Alameda Ave. from downtown to the east side city limit.

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

AGENDA DATE: March 28, 2022 – Work Session  
PUBLIC HEARING DATE: N/A

CONTACT PERSON(S) NAME AND PHONE NUMBER: Joaquin Rodriguez, 915-328-8731

DISTRICT(S) AFFECTED: 8, 3, 7, 6

STRATEGIC GOAL: Goal 3 – Promote the Visual Image of El Paso

SUBGOAL: 3.2 - Set one standard for infrastructure across the city

**SUBJECT:**

**DISCUSSION** on first complete draft of “Onward Alameda” Corridor Plan for Alameda Ave. from downtown to the east side city limit.

**BACKGROUND / DISCUSSION:**

The Onward Alameda Corridor Plan seeks to gather big-picture input from the citizens of El Paso and establish a long-term vision for the future of the Alameda Corridor area and how it should evolve in the coming years. A master plan establishes priorities for public-sector action while at the same time providing direction for complementary private-sector decisions. The plan and its guidelines serve as a tool to evaluate new development proposals, direct capital improvements, and guide public policy in a manner that realizes the vision and reflects community values and needs.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?** XXX YES \_\_\_ NO

PRIMARY DEPARTMENT: Capital Improvement Department

SECONDARY DEPARTMENT: N/A

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

**DEPARTMENT HEAD:**

*Cfvette Hernandez*

For

(Sam Rodriguez, P.E.)

CID Grant Funded Programs Director



Legislation Text

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File #: 22-361, 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, Joaquin Rodriguez, (915) 328-8731

**AGENDA LANGUAGE:**

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

Discussion of an ordinance amending various sections of Title 19 (Subdivision and Development Plats), to adopt the El Paso Street Design Manual, to update references to the design standards for construction to the street design manual, and to update standards of construction for streets.

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

**AGENDA DATE:** March 28, 2022 - work session  
**PUBLIC HEARING DATE:** N/A

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** Joaquin Rodriguez, 915-328-8731

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

**STRATEGIC GOAL:** Goal 3 – Promote the Visual Image of El Paso

**SUBGOAL:** 3.2 - Set one standard for infrastructure across the city

**SUBJECT:**

Discussion of an ordinance amending various sections of Title 19 (Subdivision and Development Plats), to adopt the El Paso Street Design Manual, to update references to the design standards for construction to the street design manual, and to update standards of construction for streets.

**BACKGROUND / DISCUSSION:**

**Street Design Manual Adoption:** The City of El Paso Street Design Manual adopts new design standards for street construction related to new development and street reconstruction projects. The new standards are characterized by context sensitive standards and a kit of parts approach informed by the future land use map to build street cross sections in a context sensitive manner.

In general, the new standards prioritize pedestrian safety and a complete streets approach to street design. Additional standards are included to implement the city's adopted bike plan.

**PRIOR COUNCIL ACTION:**

City Plan Commission Recommendation – Dec 2, 2021: Approval (7-0)

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?** XXX YES \_\_\_ NO

**PRIMARY DEPARTMENT:** Capital Improvement Department

**SECONDARY DEPARTMENT:** Planning & Inspections

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

**DEPARTMENT HEAD:**

*Gvette Hernandez*

CID Grant Funded Programs Director

For (Sam Rodriguez, P.E.)



Legislation Text

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File #: 22-362, 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, Joaquin Rodriguez, (915) 328-8731

**AGENDA LANGUAGE:**

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

Discussion of an ordinance amending the 2025 proposed thoroughfare system, as incorporated into "Plan El Paso" to add context area classifications to all included thoroughfares and to make minor changes to the thoroughfare system based on existing conditions and development patterns.

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

**AGENDA DATE:** March 28, 2022 - work session

**PUBLIC HEARING DATE:** n/a

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** Joaquin Rodriguez, 915-328-8731

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

**STRATEGIC GOAL:** Goal 3 – Promote the Visual Image of El Paso

**SUBGOAL:** 3.2 - Set one standard for infrastructure across the city

**SUBJECT:**

Discussion of an ordinance amending the 2025 proposed Major Thoroughfare Plan. Amending the MTP, as incorporated into "*Plan El Paso*" to add context area classifications to all included thoroughfares and to make minor changes to the thoroughfare system based on existing conditions and development patterns.

**BACKGROUND / DISCUSSION:**

The proposed amended thoroughfare plan establishes Rural, Drivable Suburban, and Compact Urban context areas. These context areas are a necessary component of the proposed Street Design Manual which relies on context area classifications to build cross sections based on contextual guidance.

**PRIOR COUNCIL ACTION:**

City Plan Commission Recommendation – Dec 2, 2021: Approval (7-0)

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?** XXX YES \_\_\_ NO

**PRIMARY DEPARTMENT:** Capital Improvement Department

**SECONDARY DEPARTMENT:** Planning & Inspections

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

**DEPARTMENT HEAD:**

*Gvette Hernandez*

CID Grant Funded Programs Director

For (Sam Rodriguez, P.E.)



El Paso, TX

300 N. Campbell  
El Paso, TX

Legislation Text

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**File #: 22-363, 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.*

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City Attorney's Office, Nicole Anchondo, (915) 212-0033

**AGENDA LANGUAGE:**

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

Celia Sanchez, et al v. City of El Paso, Texas et al. Matter No. 17-1026-8443 (551.071)





El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #: 22-364, Version: 1**

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

#### **DISTRICT, DEPARTMENT, CONTACT INFORMATION:**

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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.*

Max Grossman Lawsuit v. City of El Paso; Texas Supreme Court, Case No. 21-1105 Matter No. 17-1001-171.001 (551.071)



El Paso, TX

300 N. Campbell  
El Paso, TX

Legislation Text

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**File #: 22-365, 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.*

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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 #: 22-366, 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.*

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

#### **AGENDA LANGUAGE:**

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Avoided Costs Exception | Petition of the PUC Staff for a Good Cause Exception to §25.181(D)(3)(A) and to set the Avoided Cost of Energy Under §25.181(D)(3)(A) for 2022 Electric Utility Energy Efficiency Programs; Public Utility Commission of Texas Docket No. 52871. Matter No. 21-1008-184 (551.071)



El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #: 22-372, 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.*

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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 Transit-Oriented Development located in the City of El Paso. Matter No. 21-1007-2869 (551.087)



El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #: 22-373, 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 Transit-Oriented Development located in the City of El Paso. Matter No. 21-1007-2870 (551.087)



El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #: 22-374, 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.*

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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 Development Incentives for a Convention Center Hotel to be located in the City of El Paso. Matter No. 22-1007-2853 (551.087)



El Paso, TX

300 N. Campbell  
El Paso, TX

Legislation Text

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**File #: 22-375, 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. 22-1007-2878 (551.087)



El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #: 22-368, Version: 1**

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

#### **DISTRICT, DEPARTMENT, CONTACT INFORMATION:**

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City Attorney's Office, Evan Reed, (915) 212-0033

#### **AGENDA LANGUAGE:**

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

City of El Paso v. Joseph C. Pickett; 8th Court of Appeals, Case No. 08-21-00147-CV. Matter No. 21-1007-268.001 (551.071)





El Paso, TX

300 N. Campbell  
El Paso, TX

## Legislation Text

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**File #: 22-369, Version: 1**

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

#### **DISTRICT, DEPARTMENT, CONTACT INFORMATION:**

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

#### **AGENDA LANGUAGE:**

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Comptroller Sales & Use Tax Audit. Matter No. 21-1063-175 (551.071)