Oscar Leeser Mayor

Tommy Gonzalez City Manager



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

#### NOTICE OF WORK SESSION OF THE EL PASO CITY COUNCIL

#### July 05, 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: 939-045-998#

Notice is hereby given that a Work Session of the City Council of the City of El Paso will be conducted on July 5, 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: 939-045-998#

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

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

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

#### Representatives Peter Svarzbein and Alexsandra Annello

#### A quorum of City Council must participate in the meeting.

#### **AGENDA**

Presentation and discussion by the COVID-19 Response and Recovery 1. 22-877 Cross-Functional Team providing information on key activities, efforts, and processes. 1. Overview (Tommy Gonzalez) 2. City Attorney Overview (Karla Nieman) a) Greg Abbott, in his official capacity as Governor of Texas v. City of El Paso and Statewide Mask Mandate Litigation b) Additional Updates 3. Team Lead Report: a) Health Focus (Hector Ocaranza, M.D.) 4. City Manager Wrap-up (Tommy Gonzalez) Discussion and action to direct the City Manager and City Attorney create a 2. 22-849 Nondiscrimination Policy and/or amend current City policies to address Housing Discrimination, Discrimination in Public Accommodations, Discrimination Employment Generally, Discrimination in Employment by City Contractors, to prohibit discrimination based on: Reproductive Health Actions Gender Identification Sexual Orientation Hair Style and/or Texture 3. Discussion and action to direct the City Manager and City Attorney to create the 22-851 appropriate Ordinance and/or City Policy which honors and protects the right of pregnant women/individuals, to include the following: 1. Taxpayer dollars will not be used frivolously for programs or efforts to criminalize women/individuals who seek abortion. 2. City funds will not be used to solicit, catalog, report, or investigate reports of abortion. 3. Police should make investigating abortion their lowest priority.

Discussion and action on the proposed programs and projects for inclusion as

part of the Community Progress Bond.

4.

22-886

5. Discussion and action to review and amend the employment agreement for the City Attorney and City Manager in alignment with the City's Strategic Plan Goal of setting the standard for sound governance and fiscal management. 22-847

#### **EXECUTIVE SESSION**

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

#### Representatives Peter Svarzbein and Alexsandra Annello

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

#### **ADJOURN**

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

If you need Spanish Translation Services, you must email CityClerk@elpasotexas.gov at least 48 hours in advance of the meeting.

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

http://www.elpasotexas.gov/

#### El Paso, TX

#### Legislation Text

File #: 22-877, Version: 1

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

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

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

#### **All Districts**

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

#### AGENDA LANGUAGE:

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

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

- 1. Overview (Tommy Gonzalez)
- 2. City Attorney Overview (Karla Nieman)
  - a) Greg Abbott, in his official capacity as Governor of Texas v. City of El Paso and Statewide Mask Mandate Litigation
  - b) 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: July 5, 2022

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

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

**BOARD / COMMISSION ACTION:** 

Enter appropriate comments or N/A

**DEPARTMENT HEAD:** 

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



# COVID-19 Response + Recovery

Cross-Functional Team Update

7.5.22

### **Table of Contents**

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



# 1. Overview

Tommy Gonzalez



# 3. City Attorney Overview

July 5, 2022

#### **Overview**

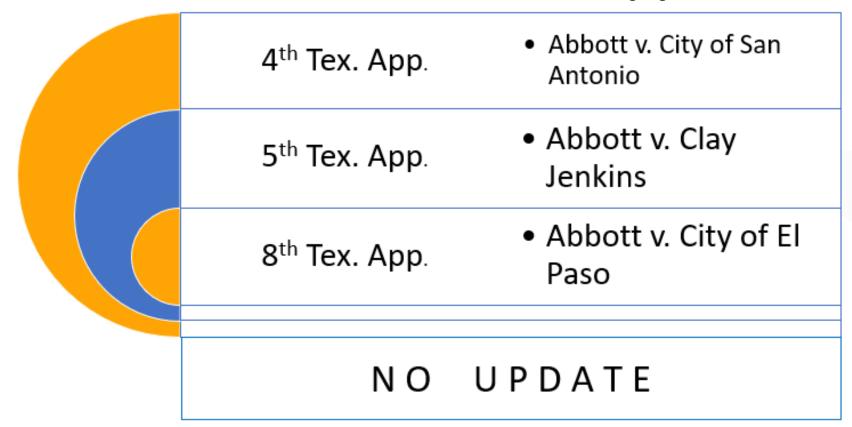
- Greg Abbott, in his official capacity as Governor of Texas v. City of El Paso
   & Statewide Mask Mandate Litigation
- 2. Additional Updates





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

# **Texas Courts of Appeal**





# **FRADDITION Additional Updates** Texas Supreme Court Emergency Order

52nd Emergency Order Regarding COVID-19

• Effective July 1, 2022- September 1, 2022

Continues to allow for remote hearings in all cases except some criminal jury proceedings

Relaxes health protocols for holding court proceedings

Allows for courts to continue holding virtual hearings





# Additional Updates ' Federal Worker Vaccine Mandate

 Federal Worker Vaccine mandate is blocked pending further hearing on that case







# 4. Team Lead Report



# a. Health Focus

Hector I. Ocaranza, M.D.



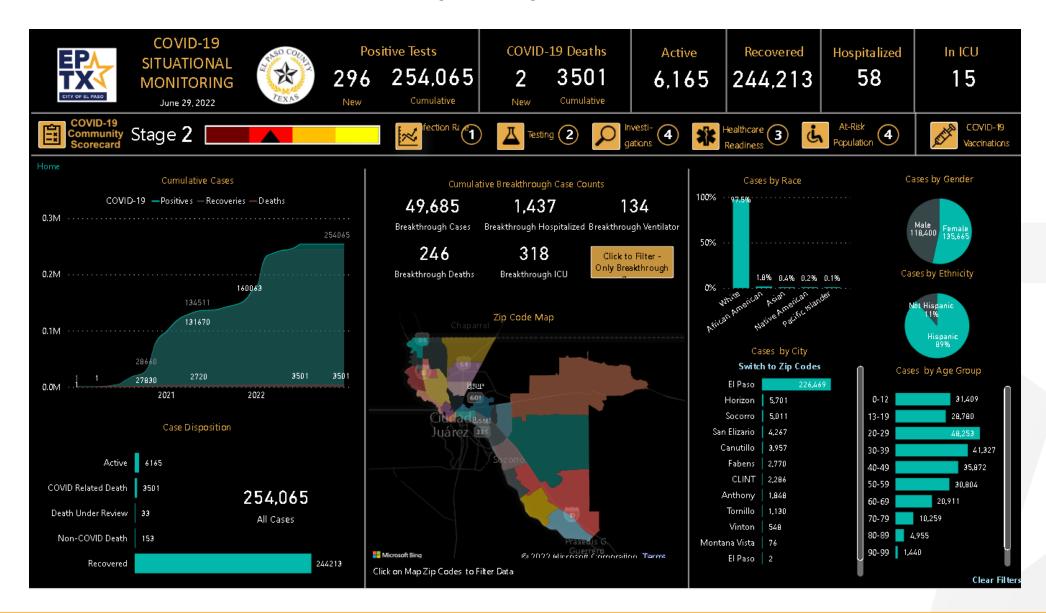
# COVID-19 SUMMARY

- Currently on High Community Level due to increased hospitalizations
- New cases continue on the rise
- Recommend individuals considered High-risk to assess their risk and avoid unnecessary risk
- Strongly recommend getting boosted (if not done so yet), wearing mask indoors, practice hygiene
- Now administering vaccine to children 6 mo 5 years





# Data Dashboard (Old)

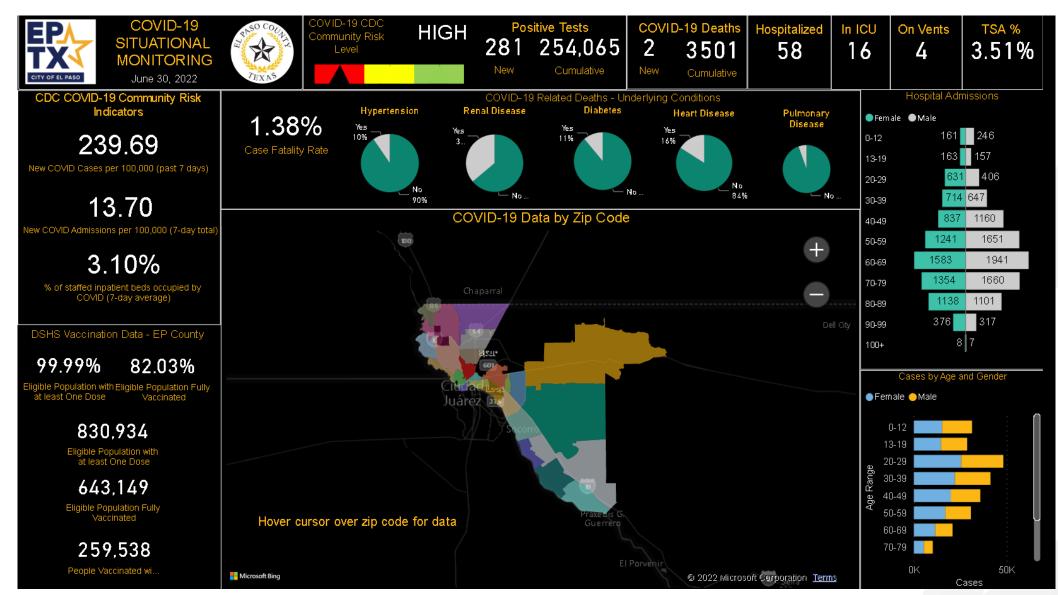








# Data Dashboard (New)



**12** 



# 5. City Manager Wrap-up

Tommy Gonzalez



# Thank you!

#### El Paso, TX

#### Legislation Text

File #: 22-849, Version: 1

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

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

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

#### **All Districts**

Members of the City Council, Representative Alexsandra Annello, (915) 212-0002 Members of the City Council, Representative Henry Rivera, (915) 212-0007

#### AGENDA LANGUAGE:

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

Discussion and action to direct the City Manager and City Attorney create a Nondiscrimination Policy and/or amend current City policies to address Housing Discrimination, Discrimination in Public Accommodations, Discrimination in Employment Generally, Discrimination in Employment by City Contractors, to prohibit discrimination based on:

Reproductive Health Actions Gender Identification Sexual Orientation Hair Style and/or Texture

#### **CITY OF EL PASO, TEXAS**

#### <u>ageNDA ITEM</u> agenda SUMMARY FORM

**DEPARTMENT:** MAYOR AND COUNCIL

AGENDA DATE: July 5, 2022

#### **CONTACT PERSON NAME AND PHONE NUMBER:**

City Representative Alexsandra Annello, 915-212-0002

City Representative Henry Rivera, 915-212-0007

**DISTRICT(S) AFFECTED:** All

**STRATEGIC GOAL:** (Goal 8 - Nurture and Promote a Healthy, Sustainable Community)

#### SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

Discussion and Action to direction City Manager and City Attorney create a Nondiscrimination Policy and/or amend current city policies to address Housing Discrimination, Discrimination in Public Accommodations, Discrimination in Employment Generally, Discrimination in Employment by City Contractors to prohibit discrimination based on:

Reproductive Health Actions Gender Identification Sexual Orientation Hair Style and/or Texture

#### **BACKGROUND / DISCUSSION:**

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

N/A

#### PRIOR COUNCIL ACTION:

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

N/A

#### **AMOUNT AND SOURCE OF FUNDING:**

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

N/A

#### El Paso, TX

#### Legislation Text

File #: 22-851, Version: 1

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

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

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

#### **All Districts**

Members of the City Council, Representative Alexsandra Annello, (915) 212-0002 Members of the City Council, Representative Henry Rivera, (915) 212-0007

#### AGENDA LANGUAGE:

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

Discussion and action to direct the City Manager and City Attorney to create the appropriate Ordinance and/or City Policy which honors and protects the right of pregnant women/individuals, to include the following:

- Taxpayer dollars will not be used frivolously for programs or efforts to criminalize women/individuals who seek abortion.
- 2. City funds will not be used to solicit, catalog, report, or investigate reports of abortion.
- 3. Police should make investigating abortion their lowest priority.

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

**DEPARTMENT:** MAYOR AND COUNCIL

AGENDA DATE: July 5, 2022

#### **CONTACT PERSON NAME AND PHONE NUMBER:**

City Representative Alexsandra Annello, 915-212-0002

City Representative Henry Rivera, 915-212-0007

DISTRICT(S) AFFECTED: All

**STRATEGIC GOAL:** (Goal 2 - Set the Standard for a Safe and Secure City)

(Goal 8 - Nurture and Promote a Healthy, Sustainable Community)

#### SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

Discussion and Action to direct the City Manager and City Attorney to create the appropriate Ordinance and/or City Policy which honors and protects the right of pregnant women/individuals, to include the following:

- 1. Taxpayer Dollars will not be used frivolously for programs or efforts to criminalize women/individuals who seek abortion.
- 2. City funds will not be used to solicit, catalog, report, or investigate reports of abortion.
- 3. Police should make investigating abortion their lowest priority.

#### **BACKGROUND / DISCUSSION:**

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

N/A

#### PRIOR COUNCIL ACTION:

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

N/A

#### AMOUNT AND SOURCE OF FUNDING:

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

N/A

Discussion and Action to direct the City Manager and City Attorney to create the appropriate Ordinance and/or City Policy which honors and protects the right of pregnant women/individuals, to include the following:

- 1. Taxpayer Dollars will not be used frivolously for programs or efforts to criminalize women/individuals who seek abortion.
- 2. City funds will not be used to solicit, catalog, report, or investigate reports of abortion.
- 3. Police should make investigating abortion their lowest priority.

It is the policy of the City that, except to the extent otherwise required by state or federal law, City resources, including, for example, funds, personnel, or hardware, will not be used to:

- Create any record of any information related to an individual seeking abortion, miscarriage, or any other event that could be prosecuted as a violation of state law criminalizing or creating civil liability for pregnancy outcomes.
- Provide information to any other governmental body or agency about pregnancy outcomes, unless such information is provided to defend the patient's right to reproductive care, including abortion care, or the healthcare provider's right to provide such care; and
- Conduct surveillance or use any electronic surveillance device, hardware, or software that is capable of collecting, capturing, recording, retaining, processing, intercepting, analyzing, monitoring, or sharing audio, visual, digital, location, thermal, biometric, behavioral, or similar information or communications specifically associated with, or capable of being associated with, any specific individual or group; or any system, device, or vehicle

that is equipped with an electronic surveillance device, hardware, or software for the purpose of determining whether an abortion has occurred, except for the collection of aggregated data without personally identifying information or personal health information for purposes unrelated to criminal investigation, enforcement, or prosecution.

It is the intention of the City of El Paso that this policy will not apply in cases of conduct that is criminally negligent to the health of the pregnant person seeking care or where coercion or force is used against the pregnant person.

It is the further policy of the City of El Paso that investigation of or support for the prosecution of any allegation, charge, or information relating to a pregnancy outcome or any party thereto will be the lowest priority for enforcement and the use or assignment of resources and personnel, except in cases of conduct that is criminally negligent to the health of the pregnant person seeking care, where coercion or force is used against the pregnant person, or where the pregnancy outcome is not the crime being investigated but evidence of another crime, such as sexual assault.

The City Manager is directed to take appropriate steps to create, implement, and to provide an oral presentation and written report to Council on the passage of this item, including changes to policies and procedures, within 60 days, and to provide a written report to Council on the implementation of this item by September 1, 2022. The City Manager may return to the council for authorization of any needed policy clarifications or changes in the event of future changes to federal law, state law, or technology that affect this item.

#### El Paso, TX

#### Legislation Text

File #: 22-886, Version: 1

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

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

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

#### **All Districts**

Capital Improvement Department, Yvette Hernandez, (915) 212-1860

#### AGENDA LANGUAGE:

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

Discussion and action on the proposed programs and projects for inclusion as part of the Community Progress Bond.

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

**DEPARTMENT:** Capital Improvement Department

AGENDA DATE: July 5, 2022

CONTACT PERSON(S) NAME AND PHONE NUMBER: Yvette Hernandez P.E., City Engineer, 212-1860

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

**STRATEGIC GOAL:** Goal 3 -Promote the Visual Image of the City,

Goal 4- Enhance El Paso's Quality of Life through Recreational, Cultural and

**Educational Environments** 

Goal 7-Enhance and Sustain El Paso's Infrastructure Network Goal 8- Nurture and Promote a Healthy, Sustainable Community

#### SUBJECT:

Discussion and action on the proposed programs and projects for inclusion as part of the Community Progress Bond.

#### **BACKGROUND / DISCUSSION:**

On December 2, 2021, Mayor and Council adopted an updated Strategic Plan. As part of this action, five additional strategic goals were included to be part of an overall 30 strategic goals to be implemented by 2030. One of the new strategic goals identified within the Strategic Plan is:

"Develop a bond package focused on addressing identified community priorities and needs aligned with targeted areas of investment."

To implement this goal, a proposed strategy and timeline to accomplish this was brought forward on January 2022. Finally, on April 26, 2022, the results of the public engagement and program recommendations based on these findings were presented and accepted by City Council.

On June 22, 2022, the City Council directed staff to make modifications to the proposed program by making the following motions:

- Focus on Streets and Infrastructure projects that include the Reconstruction, Resurfacing and Lighting (Top 50) and residential streets based on the PCI study, Connectivity, and Intersection Safety – Traffic Signals.
- 2. Direct staff to return in two weeks with a revised plan for Parks and Open Space projects that include all abilities playgrounds, shade structures, and NIP.
- 3. Direct staff to return in two weeks with a refined proposition that addresses a Climate Action and Urban Energy Plan and Implementation.

This item proposes to amend the previously-presented program in accordance with the above-stated motions.

#### PRIOR COUNCIL ACTION:

Adoption of an updated Strategic Plan, December 2, 2021.

#### **AMOUNT AND SOURCE OF FUNDING:**

N/A

Revised 08/06/2021

#### 

**DEPARTMENT HEAD:** 

Gvette Hernandez

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

#### El Paso, TX

#### Legislation Text

File #: 22-847, Version: 1

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

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

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

#### **All Districts**

Members of the City Council, Representative Henry Rivera, (915) 212-0007 Members of the City Council, Representative Cassandra Hernandez, (915) 212-0003 Members of the City Council, Representative Claudia L. Rodriguez, (915) 212-0006

#### AGENDA LANGUAGE:

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

Discussion and action to review and amend the employment agreement for the City Attorney and City Manager in alignment with the City's Strategic Plan Goal of setting the standard for sound governance and fiscal management.

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

**DEPARTMENT:** Mayor and Council

AGENDA DATE: Tuesday, July 5, 2022

#### **CONTACT PERSON NAME AND PHONE NUMBER:**

City Representative Henry Rivera, District 7- 915.212.0007

City Representative Cassandra Hernandez, District 3- 915.212.0003

City Representative Claudia L. Rodriguez, District 6- 915.212.0006

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

#### STRATEGIC GOAL:

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

#### SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

Discussion and action to review and amend the employment agreement for the City Attorney and City Manager in alignment with the City's Strategic Plan Goal of setting the standard for sound governance and fiscal management.

#### **BACKGROUND / DISCUSSION:**

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

It is under the purview of the City Council to oversee and adjust any agreements related to the employment of the City Attorney.

#### PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one? Yes, on 5/24/22 a similar item was placed on the agenda.

#### AMOUNT AND SOURCE OF FUNDING:

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

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