

DEE MARGO  
MAYOR

TOMMY GONZALEZ  
CITY MANAGER



CITY COUNCIL  
PETER SVARZBEIN, DISTRICT 1  
ALEXSANDRA ANNELLO, DISTRICT 2  
CASSANDRA HERNANDEZ, DISTRICT 3  
SAM MORGAN, DISTRICT 4  
ISABEL SALCIDO, DISTRICT 5  
CLAUDIA L. RODRIGUEZ, DISTRICT 6  
HENRY RIVERA, DISTRICT 7  
CISSY LIZARRAGA, DISTRICT 8

## MINUTES FOR REGULAR COUNCIL MEETING

May 12, 2020  
COUNCIL CHAMBERS, CITY HALL  
9:00 AM

Due to the temporary suspension of Open Meetings laws due to the COVID-19 emergency this meeting was conducted via telephonic and videoconference platforms.

### ROLL CALL

The City Council of the City Council met on the above time and date via videoconference. Meeting was called to order at 9:03 a.m. Mayor Dee Margo present and presiding and the following Council Members answered roll call: Peter Svarzbein, Alexsandra Anello, Cassandra Hernandez, Sam Morgan, Isabel Salcido, Claudia Rodriguez, Henry Rivera, and Cissy Lizarraga.

### NOTICE TO THE PUBLIC

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Rivera, and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the Consent Agenda unless otherwise noted. (Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {\*}).

AYES: Representatives Svarzbein, Anello, Hernandez, Morgan, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

### CONSENT AGENDA - APPROVAL OF MINUTES:

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

- 1.1. \*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes of the Regular City Council Meeting of April 28, 2020 and the Agenda Review Meeting of April 27, 2020.

**CONSENT AGENDA - REQUEST TO EXCUSE ABSENT CITY COUNCIL  
MEMBERS:**

2. **REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

NO ACTION was taken on this item.

**CONSENT AGENDA - RESOLUTIONS:**

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

3.1. **\*R E S O L U T I O N**

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

That the Mayor be authorized to sign an amendment to an Interlocal Agreement between the City of El Paso and Emergence Health Network.

**CONSENT AGENDA - APPLICATIONS FOR TAX REFUNDS:**

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

4.1. \*Motion made, seconded, and unanimously carried to **APPROVE** the tax refund listed below.

1. Lereta Tax & Flood Services, in the amount of \$4,463.93, made an overpayment on December 16, 2019 of 2019 taxes. (Geo. #V89799908902600)
2. Mills Escrow Company, in the amount of \$11,399.84, made an overpayment on January 13, 2020 of 2019 taxes. (Geo. #M29699900100100)
3. Nicholas Bombach, in the amount of \$12,318.03, made an overpayment on February 20, 2020 of 2019 taxes. (Geo. #P32799900601000)

**CONSENT AGENDA - NOTICE FOR NOTATION:**

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

5.1. \*Motion made, seconded, and unanimously carried to **ACCEPT** the notation on the following donations: \$2,500 from Marathon Petroleum, \$1,000 from El Paso Disposal, 350 rolls of toilet paper from Food City, \$500 from El Paso Electric, and facemasks from Excel Garment Manufacturing Inc. for the purpose of providing care items to seniors, vulnerable citizens impacted by COVID-19 and other aid initiatives in District 3.

5.2. \*Motion made, seconded, and unanimously carried to **ACCEPT** the notation on the disclosure of City Representative Henry Rivera, District 7 of a bi-weekly donation of \$105.00 to the El Pasoans Fighting Hunger Food Bank's new Home Delivery Pilot Project, which will be donated by the Representative from his salary as a City Council member. The program is set to deliver emergency food boxes to vulnerable people who

may be quarantined due to COVID-19 or who may be shut-in due to age or disability and have limited ability to get food on their own.

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**CONSENT AGENDA - BIDS:**

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**6. Goal 7: Enhance and Sustain El Paso's Infrastructure Network**

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- 6.1.** \*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2020-735 Galvanized Sign Posts to Centerline Supply for an initial term estimated award of \$212,647.76. The award is to include a one (1) year optional amount of \$212,647.76 for a total two (2) year estimated award of \$ 425,295.52. The approval of this contract would allow for the purchase of sign posts and hardware required for the continual replacement or repair of aging or damaged street signs throughout the city.

Contract Variance:

The difference in cost, based on comparison to one (1) year of the previous contract is as follows: A decrease of \$58,580.24, a 21.6% decrease due to reductions in quantities.

Department:	Streets & Maintenance
Award to:	Centerline Supply
	Grand Prairie, TX
Item(s):	All
Initial Term:	1 year
Option to Extend:	1 year
Annual Estimated Award:	\$212,647.76
Total Estimated Award:	\$425,295.52 (2 years)
Account No.:	532 – 32020 - 531220 – 1000 – P3254
Funding Source:	General fund – Maintenance Supplies Parts
Districts:	All

This is a low bid, unit price contract.

The Purchasing & Strategic Sourcing Department and Streets & Maintenance Department recommend award as indicated to Centerline Supply, the lowest responsive, responsible bidder.

In accordance with this award the City Manager or designee is authorized to exercise future options if needed.

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The Regular City Council meeting was **RECESSED** at 10:30 a.m. in order to convene the Mass Transit Department Board meeting.

The Regular City Council meeting was **RECONVENED** at 10:56 a.m.

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**CALL TO THE PUBLIC – PUBLIC COMMENT**

The following members of the public commented:

1. Mr. Jud Burgess

2. Mr. Jose Gaston Barriga

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**REGULAR AGENDA - FIRST READING OF ORDINANCES**

Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Rivera, and unanimously carried that the following Ordinance, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

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**7. Goal 3: Promote the Visual Image of El Paso:**

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- 7.1. An Ordinance changing the zoning of Lots 80 and 81, Sunrise Acres No. 2, 4805 Atlas Avenue and 4806 Titanic Avenue, City of El Paso, El Paso County, Texas, from RMU (Residential Mixed Use) to R-4 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. The proposed rezoning meets the intent of the Future Land Use designation for the property and is in accordance with Plan El Paso, the City's Comprehensive Plan. Subject Property: 4805 Atlas Ave. and 4806 Titanic Ave. Owner: Adobe Haciendas, Inc. PZRZ20-00004

**PUBLIC HEARING WILL BE HELD ON JUNE 9, 2020**

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**REGULAR AGENDA – PUBLIC HEARINGS AND SECOND READING OF ORDINANCES**

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**8. Goal 3: Promote the Visual Image of El Paso**

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**8.1. ORDINANCE 019057**

The City Clerk read an Ordinance entitled: **AN ORDINANCE APPROVING A DETAILED SITE DEVELOPMENT PLAN FOR A PORTION OF TRACT 1A, SECTION 31, BLOCK 80, TOWNSHIP 1, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.150. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: SOUTH OF SEAN HAGGERTY DRIVE AND EAST OF MCCOMBS STREET. PROPERTY OWNER: NORTHTOWNE VILLAGE JOINT VENTURE. PZDS19-00037**

Motion duly made by Representative Morgan, seconded by Representative Salcido, and carried that the Ordinance be **ADOPTED**.

Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

8.2.

**ORDINANCE 019058**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACT 30, BLOCK 29, YSLETA, 8149 ALAMEDA AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO C-1 (COMMERCIAL) AND IMPOSING A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. THE PROPOSED REZONING MEETS THE INTENT OF THE FUTURE LAND USE DESIGNATION FOR THE PROPERTY AND IS IN ACCORDANCE WITH PLAN EL PASO, THE CITY'S COMPREHENSIVE PLAN. SUBJECT PROPERTY: 8149 ALAMEDA AVENUE; OWNER: YOLANDA E. CALDERON; PZRZ19-00035.**

Mr. Raul Garcia, Planning Program Manager, read a floor amendment into the record.

Motion duly made by Representative Rivera, seconded by Representative Morgan, and carried that the Ordinance be **ADOPTED, AS REVISED**.

Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED, AS REVISED**.

8.3.

**ORDINANCE 019059**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 20 (ZONING), APPENDIX A (TABLE OF PERMISSIBLE USES);TITLE 20 (ZONING), CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS), SECTION 20.10.455 (PERSONAL WIRELESS SERVICE FACILITIES), SUBSECTION D; AND TITLE 20 (ZONING), CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS), SECTION 20.10.455 (PERSONAL WIRELESS SERVICE FACILITIES) SUBSECTION F OF THE EL PASO CITY CODE TO UPDATE THE TABLE OF PERMISSIBLE USES AND UPDATE THE SUPPLEMENTAL USE REGULATIONS FOR PERSONAL WIRELESS SERVICE FACILITIES. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Mr. Jeff Howell, Project Manager, presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Representatives Svarzbein, Annello, Hernandez, Rodriguez, Rivera, and Lizarraga commented.

The following City staff members commented:

1. Mr. Cary Westin, Senior Deputy City Manager of Economic Development and Tourism
2. Mr. Philip Etiwe, Planning and Inspections Director

The following members of the public commented:

1. Mr. Andrew Dominguez
2. Mr. Mark Smith
3. A letter from Ms. Cindy Ramos-Davidson was read into the record.

Motion duly made by Representative Rivera, seconded by Representative Morgan, and carried that the Ordinance be **ADOPTED**.

Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Mayor Margo and Representatives Svarzbein, Morgan, Salcido, Rivera

NAYS: Representatives Annello, Hernandez, Rodriguez, and Lizarraga

**Mayor Margo broke the tie by voting “Aye”.**

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

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### **REGULAR AGENDA - OTHER BUSINESS**

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#### **9. Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development**

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##### **9.1. RESOLUTION**

**WHEREAS**, on July 12, 2005, the City of El Paso awarded Bid No. 2005-219R for Golf Course Trail Management Firm to Kemper Sports Management, Inc. (hereafter “Contractor”) for a project known as Butterfield Trail Golf Club (“Golf Course”), located at 1858 Cottonwood Dr., El Paso, Texas; and

**WHEREAS**, on July 8, 2008, the parties exercised the option to extend available in Bid No. 2005-219R for a three (3) year period; and

**WHEREAS**, on April 26, 2011, the City awarded Solicitation No. 2011-127R for Golf Course Management Firm to Kemper Sports Management, Inc. for a period of three (3) years with a three-year option to extend; and

**WHEREAS**, on April 29, 2014, the parties executed a First Amendment to the Golf Course Management Agreement to extend the agreement for an additional three (3) year period; and

**WHEREAS**, on September 1, 2017, the parties entered into the current Golf Course Management Agreement (hereafter “Agreement”) pursuant to RFP 2017-919R, for a term of five (5) years with the option to extend for a five (5) year period; and

**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 a global pandemic involving COVID-19; and

**WHEREAS**, on March 13, 2020, the City of El Paso issued a Local Declaration of Emergency which was extended by an Ordinance which was subsequently amended and later re-enacted and amended on April 13, 2020; and

**WHEREAS**, on April 15, 2020, a Notice to Terminate was sent to Kemper Sports Management, Inc., citing the force majeure provision in Section 10.03 of the Agreement resulting from the downturn in the airline industry thanks to the COVID-19 pandemic; and

**WHEREAS**, the Director of Aviation has determined that the downturn in the aviation industry resulting from COVID-19 requires the El Paso International Airport to focus its limited resources on core airport issues, rendering it impossible for EPIA to continue to subsidize the Golf Course for the remainder of the term of the Agreement; and

**WHEREAS**, in accordance with general Texas law principles, the parties are excused from fulfilling their obligations under the Agreement, and the City may terminate the contract in question.

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

1. The City Manager or designee is authorized to terminate the Golf Course Management Agreement dated September 1, 2017, for The Butterfield Trail Golf Club, with termination to occur on May 31, 2020, and to notify Kemper Sports Management, Inc. of said termination, unless an additional wind down period is necessary, in which case the effective date of termination shall be June 15, 2020. The parties shall be relieved of their obligations due to the force majeure event, namely the downturn in aviation industry thanks to the worldwide travel restrictions in place because of the global pandemic COVID-19, which have rendered performance under the contract impossible, impractical and/or fruitless.
2. The City Manager or designee is authorized to execute any appropriate documents in fulfillment of said contract termination.
3. The Golf Course Manager shall be provided with a copy of this resolution, which shall serve as written notice of the City’s intent to terminate Bid No. 2017-919R.

Mayor Margo and Representative Svarzbein commented.

The following City staff members commented:

1. Ms. Monica Lombraña, Chief Operations and Transportation Officer

2. Mr. Tommy Gonzalez, City Manager

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Rivera, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

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

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**10.1.**

**R E S O L U T I O N**

**WHEREAS**, in 2007, the 80th Texas Legislature passed House Bill 2391, which amended the Texas Code of Criminal Procedure Section 14.06 relating to the appearance of certain misdemeanor offenders before a magistrate; and

**WHEREAS**, House Bill 2391 authorizes a peace officer charging a person with certain Class A or Class B misdemeanors to issue a citation with written notice of a later time and place to appear before the magistrate instead of taking the person immediately before the magistrate if that person resides in the county where the offense occurred ("cite and release"); and

**WHEREAS**, House Bill 2391 enumerated certain misdemeanors to include Class A and Class B misdemeanor possession of marijuana; and

**WHEREAS**, arrests for misdemeanor possession of marijuana result in a significant drain on the police department, requiring countless man hours and tax dollars to arrest, transport, and book each alleged offender; and

**WHEREAS**, the City Council still seeks to further the goals of reducing jail population for non-violent offenders and reducing the time officers spend on jail processing procedures, a cite and release program for Class A and Class B misdemeanor possession of marijuana is in the best interest of the City of El Paso and its citizens.

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

**SECTION 1.** That the City Manager is directed to implement a cite and release program under Texas Code of Criminal Procedure Section 14.06(c) for Class A and B misdemeanor possession of marijuana violations. Said program is to be implemented no later than September 1, 2020.

**SECTION 2.** That the City Manager and Police Staff continue conversations with the El Paso District Attorney's Office, the El Paso Sheriff's Office, County Courts, and other stakeholders with respect to the implementation of the cite and release program and provide an update to City Council in July 2020.



**SECTION 3.** That the City Manager provide quarterly reports to City Council regarding the cite and release program for the purposes of transparency and to provide data regarding citations being issued and when discretionary arrests are used in lieu of citation. Said reports must be submitted within 45 days after the end of the quarter for 24 months after the implementation of the program. The report should not include any information that would jeopardize any ongoing criminal investigation or prosecution, or include any sensitive, witness, or crime tip information. The report should include the following data for each instance:

1. The documented reason for the stop or arrest;
2. The reason for the discretionary use of arrest (including but not limited to: outstanding warrants, intoxicated individual, uncooperative individual, not a resident of the County of El Paso, habitual offender);
3. The race and ethnicity of the person; and
4. The general location, such as the region or zip code of the incident.

Assistant Police Chief Victor Zarur presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Margo and Representatives Svarzbein, Annello, Hernandez, and Rivera commented.

The following City staff members commented:

1. Police Chief Greg Allen
2. Mr. Tommy Gonzalez, City Manager
3. Ms. Karla Nieman, City Attorney

The following members of the public commented:

1. Mr. Colt DeMorris
2. Mr. Cedric Jackson
3. Mr. Michael Castro
4. Ms. Diana Camarena
5. Mr. Chris Sandoval
6. Ms. Jessica Balderas
7. Ms. Valerie Hubbard
8. Mr. Bruce Griego
9. Mr. Chris Hernandez

Motion made by Representative Annello, seconded by Representative Rivera, and carried to **APPROVE** the Resolution, **AS REVISED**, and to **DIRECT** the City Manager and staff to continue conversations with the District Attorney, Speaker Pro Tempore Joe Moody, and the Sheriff's Department and to return in July with an update.

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Salcido, Rivera, and Lizarraga

NAYS: None

ABSTAIN: Representative Rodriguez

## 11. MAYOR AND COUNCIL

ITEMS 11.1., 11.2., 11.5. WERE CONSOLIDATED WITH ITEM 11.8.

11.1. Discussion and action on developing a Temporary Rental/Mortgage Assistance program to benefit residents and small businesses, within the City of El Paso, that are unable to pay their rent/mortgage as a result of job loss and small businesses closing or operating at reduced capacities as a result of COVID-19. To direct the City Manager to allocate CARES Act COVID-19 funding and any other funding that is available for this program and to further develop implementation strategies, guarantee the program is user friendly and ensure that the public is informed via social media platforms, media PSA's, print media, the city website, and any other resources that are available.

11.2. Discussion and action to develop a utility temporary program to assist residents with electric utility payment assistance as a result of being impacted with an economic hardship from the COVID-19 pandemic; and direct the City Manager, Tommy Gonzalez, to allocate CARES Act COVID-19 funding, additional federal funding from the Low Income Home Energy Assistance Program (LIHEAP) or any other available federal funding to this program. To further develop implementation strategies, guarantee the program is user friendly and ensure that the public is informed via Social media platforms, media PSA's, print media, the city website, and any other resources that are available.

The Regular City Council meeting was **RECESSED** at 2:51 p.m.

The Regular City Council meeting was **RECONVENED** at 2:57 p.m.

### 11.3. RESOLUTION

**WHEREAS**, the Mayor of the City El Paso ("City") recently declared El Paso a disaster area in need of immediate assistance due to the COVID-19 pandemic; and

**WHEREAS**, on March 17, 2020 City Council Issued an Emergency Ordinance Instituting Emergency Measures Due to A Public Health Emergency ("Emergency Ordinance"); and

**WHEREAS**, some local businesses have been ordered to cease operations due to national and local regulations related to the COVID-19 pandemic, causing a large number of lay-offs, economic strain, and the immediate need for food supplies for some residents; and

**WHEREAS**, the effects of the COVID-19 pandemic requires immediate action from the City to relieve the emergency necessity of the municipality's residents and to protect the health and safety of the community; and

**WHEREAS**, El Pasoans Fighting Hunger ("EPFH") is supporting our local needy residents to provide immediate food assistance; and

**WHEREAS**, on March 31, 2020, pursuant to the City Manager's or his designee's authority delegated in the Emergency Order, the City entered into a Memorandum of Understanding with EPFH to assist EPFH in maintaining services and providing supplies

to the City residents in need by reimbursing EPFH up to \$100,000.00 for the performing the services; and

**WHEREAS**, the City Council Representative for District 6 desires to allocate the savings from the General fund generated by an unfilled administrative position in the office of City Council District 6 Representative in the amount of \$11,984.00 to the reimbursement of the City to EPFH pursuant to the Memorandum of Understanding; and

**WHEREAS**, the City Council finds that the allocation of the savings generated by unfilled administrative position in the office of the City Council District 6 Representative from the General Fund serves a municipal purpose of relieving the emergency necessity of the municipality's residents and protecting the health and safety of the community and desires to approve the expenditure in the amount of \$11,984.00.

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

**THAT** the City Council declares that the expenditure of General Fund savings generated from the unfilled administrative position in the office of the City Council District 6 Representative in the amount not to exceed \$11,984.00, to reimburse El Pasoans Fighting Hunger pursuant to the Memorandum of Understanding dated March 31, 2020, serves the municipal purpose of relieving the emergency necessity of the municipality's residents and protecting the health and safety of the community as a result of the COVID-19 crisis and approves the expenditure; and

**THAT** the City Manager, or designee, be authorized to effectuate any budget transfers and execute any contracts and/or related documents necessary to ensure that the funds are properly expended for such purpose.

Motion made by Representative Rodriguez, seconded by Representative Lizarraga, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Svarzbein, Anello, Hernandez, Morgan, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

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**11.4.** Presentation by Dr. Ogechika Alozie, board certified in infectious disease specialist, on COVID-19 entitled "COVID-19: Flying the Plane".

\*Motion made, seconded, and unanimously carried to **MOVE** the **item** to the Forefront of the Regular Agenda.

Dr. Alozie presented a PowerPoint presentation (copy on file in the City Clerk's Office).

Mayor Margo and Representatives Svarzbein, Hernandez, and Rivera commented.

Mr. Bruce Collins, Purchasing and Strategic Sourcing Director, commented.

Mr. Jose Gaston Barriga, citizen, commented.

**NO ACTION** was taken on this item.

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**ITEMS 11.1., 11.2., 11.5. WERE CONSOLIDATED WITH ITEM 11.8.**  
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- 11.5.** Discussion and action to direct the City Manager to research and allocate eligible CARES Act COVID-19 funding, and any other funding that is available for contact tracing, hiring of contract tracing personnel, and other measures conducted to address the spread of COVID-19 in El Paso.

- .....  
**11.6.** Discussion and action for additional recommendations for the use of CARES Act COVID-19 funding allocated to the City of El Paso. To Direct the City Manager to determine the cost of each of the following recommendations and the implementation methods to be used; and any new program or augmentation of any new city program allocated/ incur CARES Act funding should consider the rehiring of City furloughed employees:

A. Implement and augment the existing infrastructure for City Wide Wi-Fi capabilities so that residents may stay informed about COVID-19 issues, so that unemployment services may be accessed, residents and businesses are able to access online payment for utilities, etc. and all level of students from kindergarten to colleges have access to educational material.

B. Implement and augment the Welfare Check Program for individuals that are being self-quarantined by rehiring, retraining, and/or implementing an on the job training for city employees who have been furloughed.

C. Implement and augment the Contact Tracer Program for individuals that have tested positive for COVID-19 by rehiring, retraining, and/or implementing an on the job training for city employees who have been furloughed.

D. Implement and augment a City Disinfecting System to clean all city facilities every day where people congregate such as bus stops, park walking paths, public sidewalks, library drop off boxes, etc.

E. Implement Free Wellness Centers at fire stations, police command centers, and/or city "neighborhood" facilities to provide temperature checks and other COVID-19 symptoms that people may believe they have by rehiring, retraining, and/or implementing an on the job training for City employees who have been furloughed.

F. Establish a "City Employees Furloughed Compensation Fund" to assist employees affected by furlough in the form of funds and/or monthly grants.

Mayor Margo and Representatives Svarzbein, Annello, Hernandez, Rodriguez, Rivera, and Lizarraga commented.

The following City staff members commented:

1. Mr. Robert Cortinas, Chief Financial Officer
2. Mr. Tommy Gonzalez, City Manager
3. Ms. Nicole Ferrini, Community and Human Development Director
4. Fire Chief Mario D'Agostino
5. Ms. Karla Nieman, City Attorney

The following members of the public commented:

1. Ms. Patricia Robinson
2. A Letter from Ms. Michelle Luevano was read into the record.

**1<sup>ST</sup> MOTION**

Motion made by Representative Rivera, seconded by Representative Rodriguez, and unanimously carried to **DIRECT** the City Manager to report back to Council with his findings on these recommendations.

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

**2<sup>ND</sup> AND FINAL MOTION**

Motion made by Mayor Pro Tempore Svarzbein, seconded by Representative Hernandez to call for a Special Meeting to include a general COVID-19 update on Thursday, May 21, 2020 at 9:00 a.m.

AYES: Representatives Svarzbein, Annello, Hernandez, Rivera

NAYS: Mayor Margo and Representatives Morgan, Salcido, Rodriguez, and Lizarraga

**Mayor Margo broke the tie by voting “Nay”.**

**THE MOTION FAILED.**

11.7.

**RESOLUTION**

**WHEREAS**, the Mayor of the City El Paso (“City”) recently declared El Paso a disaster area in need of immediate assistance due to the COVID-19 pandemic; and

**WHEREAS**, on March 17, 2020 City Council Issued an Emergency Ordinance Instituting Emergency Measures Due to A Public Health Emergency (“Emergency Ordinance”); and

**WHEREAS**, some local businesses have been ordered to cease operations due to national and local regulations related to the COVID-19 pandemic, causing a large number of lay-offs, economic strain, and the immediate need for food supplies for some residents; and

**WHEREAS**, the effects of the COVID-19 pandemic requires immediate action from the City to relieve the emergency necessity of the municipality’s residents and to protect the health and safety of the community; and

**WHEREAS**, El Pasoans Fighting Hunger (“EPFH”) is supporting our local needy residents to provide immediate food assistance; and

**WHEREAS**, on March 31, 2020, pursuant to the City Manager’s or his designee’s authority delegated in the Emergency Order, the City entered into a Memorandum of

Understanding with EPFH to assist EPFH in maintaining services and providing supplies to the City residents in need by reimbursing EPFH up to \$100,000.00 for the performing the services; and

**WHEREAS**, the City Council Representative for District 7 desires to allocate the savings from the General fund generated by the office of City Council District 7 Representative in the amount of \$15,000.00 to the reimbursement of the City to EPFH's *El Pasoans Fighting Hunger Food Home Delivery Service program, a pilot program for those who are quarantined due to diagnosis or pending diagnosis of covid-19*, pursuant to the Memorandum of Understanding; and

**WHEREAS**, the City Council finds that the allocation of the savings generated by unfilled administrative position in the office of the City Council District 7 Representative from the General Fund serves a municipal purpose of relieving the emergency necessity of the municipality's residents and protecting the health and safety of the community and desires to approve the expenditure in the amount of \$15,000.00.

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

**THAT**, the City Council declares that the expenditure of General Fund savings generated by the office of the City Council District 7 Representative in the amount not to exceed \$15,000.00, to reimburse El Pasoans Fighting Hunger pursuant to the Memorandum of Understanding dated March 31, 2020, for the services provided under the *El Pasoans Fighting Hunger Food Home Delivery Service program*, serves the municipal purpose of relieving the emergency necessity of the municipality's residents and protecting the health and safety of the community as a result of the COVID-19 crisis and approves the expenditure; and

**THAT**, the City Manager, or designee, be authorized to effectuate any budget transfers and execute any contracts and/or related documents necessary to ensure that the funds are properly expended for such purpose.

Ms. Susan Goodell, Chief Executive Officer for El Pasoans Fighting Hunger, commented.

Motion made by Representative Rivera, seconded by Representative Salcido, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

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**ITEMS 11.1., 11.2., 11.5. WERE CONSOLIDATED WITH ITEM 11.8.**

**11.8.**

**R E S O L U T I O N**

**WHEREAS**, on March 24, 2020 the Mayor issued a Local Emergency Directive, more commonly known as the "Work Safe, Stay Home" Directive; and

**WHEREAS**, the County Judge and the Mayor of El Paso have repeatedly urged El Pasoans to follow social distancing and CDC guidelines;

**WHEREAS**, on May 1, 2020 Congresswoman Veronica Escobar and Dr. Anthony Fauci, the nation's top expert on infectious diseases, discussed El Paso as a vulnerable community in regards to spreading the Coronavirus;

**WHEREAS**, Dr. Fauci stated minority communities, such as El Paso, have been disproportionately impacted and based on our underlying health and socio-economic conditions of population, El Paso is a high risk community;

**WHEREAS**, concerns over reopening Texas prematurely is concerning to experts in the White House, especially in El Paso where virus testing rates are low, while number of cases and hospitalization are currently on the rise;

**WHEREAS**, the recommendation from Dr. Fauci is to significantly increase testing and contact tracing;

**WHEREAS**, the City of El Paso has increased testing to all residents with COVID-19 related symptoms at our local drive through testing site;

**WHEREAS**, the federal government has opened up additional testing sites for symptomatic patients and health workers, in a partnership with private labs;

**WHEREAS**, the City and County of El Paso are planning on moving towards the states rapid testing and have a plan to integrate antibody testing by the summer of 2020;

**WHEREAS**, the Governor of Texas, Greg Abbott, stated on April 27, 2020, "We need to see two weeks of data to confirm no flare-up of COVID-19," in response to his first round of reopening the Texas economy;

**WHEREAS**, over the past several days, Abbott has warned the state could see a jump in cases as it reopens, both due to the increased testing and the transmission that comes with allowing more people out into the open.

**WHEREAS**, Governor Abbott said the state's surge response teams will be prepared to address any spikes. The teams will be spearheaded by the Texas Division of Emergency Management, the state Health and Human Services Commission and the National Guard. The teams will be able to do things like provide more personal protection equipment and testing supplies, as well as work with local officials to put in place additional standards to contain the outbreak.

**WHEREAS**, the State of Texas has one of the lowest documented testing rates in the United States and El Paso, County testing rates are less than 2% of our population and the State of Texas will begin to reopen the economy in phases

**WHEREAS**, the City Council desires to initiate policy directives in its entirety to read as follows:

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF EL PASO, ON MAY 12, 2020 HEREBY FIND AND DIRECT:**

1. The City of El Paso, Mayor and City Council urges residents to continue to practice social distancing, wear face coverings, avoid public and social gathering and to adhere to CDC guidelines;
2. Direct the City Manager to develop testing strategies and contact tracing to increase the testing to 5% of the population within the next 45 days and show exponential testing growth thereafter.
3. Direct the City Manager to bring stakeholder activities and updates bi-weekly to City Council meetings.
4. Direct the City Manager and City Attorney to report any and all COVID-19 information, activities, efforts, and processes to City Council within reasonable time.
5. Direct the City Manager to receive input from stakeholders and City Council regarding the use of CARES Act funding to support persons who have been impacted financially and who are experiencing financial hardship, in accordance with the CARES Act and the U.S. Department of Treasury Guidelines, to include but not limited to:
  - a. Rental assistance support
  - b. Utility assistance support
  - c. Wage assistance support
  - d. Grocery assistance support
  - e. Small business grant and loan support
  - f. Testing expansion and access
  - g. Hiring and training contact tracers at volumes recommended by White House Guidelines
  - h. Any public health projects that would qualify for funding

Representatives Svarzbein, Anello, Morgan, Rodriguez, and Rivera commented.

The following City staff members commented:

1. Mr. Robert Cortinas, Chief Financial Officer
2. Mr. Tommy Gonzalez, City Manager
3. Ms. Nicole Ferrini, Community and Human Development Director

The following members of the public commented:

1. Mr. Eloiso De Avila
2. Mr. Demetrio Jimenez
3. Mr. Scott Lynch
4. Mr. Alonso Mendoza
5. Mr. Dylan Corbett
6. Ms. Eva M. Moya
7. Ms. Hilda Villegas
8. Mr. Nicholas Natividad
9. Mr. Gregory S. Schober
10. Mr. Daniel Avitia
11. Ms. Cemeli de Aztlan
12. Mr. Sami DiPasquale



13. Mr. Robert E. Mosher
14. Ms. Yadira Vasquez
15. Mr. Adriano Perez
16. Ms. Hannah Hollanbyrd
17. Ms. Xochitl Rodriguez
18. Mr. Jeremy Slack
19. Ms. Linda Rivas
20. Ms. Marisa Limon Garza
21. Ms. Gloria Amesquite
22. Ms. Melissa Lopez
23. Ms. Mary Lou Quintana
24. Mr. Felix Castaneda
25. Ms. Beatriz Medina
26. Mr. Jaime Flores
27. Ms. Zuri Villarreal
28. Ms. Sylvia Acosta

**1<sup>ST</sup> MOTION**

Motion made by Representative Annello, seconded by Representative Hernandez, and unanimously carried to **AMEND** the Resolution to change the number of days in Section 2 to read 45 days instead of 30 days and Section 4 to add “processes” to read “Direct the City Manager and City Attorney to report any and all COVID-19 information, activities, efforts, and processes to the City Council within reasonable time.”

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

**2<sup>ND</sup> AND FINAL MOTION**

Motion made by Representative Annello, seconded by Representative Rivera, and carried to **APPROVE** the Resolution.

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Salcido, Rivera, and Lizarraga

NAYS: Representative Rodriguez

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**ADJOURN**

Motion made by Alternate Mayor Pro Tempore Lizarraga, seconded by Representative Salcido, and unanimously carried to **ADJOURN** the Regular City Council meeting at 4:02 p.m.

AYES: Representatives Svarzbein, Annello, Hernandez, Morgan, Salcido, Rodriguez, Rivera, and Lizarraga

NAYS: None

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**APPROVED AS TO CONTENT:**

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Laura D. Prine, City Clerk