

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

**DEPARTMENT:** Fire Department

**AGENDA DATE:** July 6, 2020

**CONTACT PERSON NAME AND PHONE NUMBER:** Mario M. D'Agostino, Fire Chief (915) 212-5610

**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; penalty as provided in Section 8.

**BACKGROUND / DISCUSSION:**

The City Council desires to re-enact and amend its March 17, 2020, Emergency Ordinance No. 019036 as amended by Emergency Ordinance No. 019062, which shall remain in effect until August 5, 2020 or until otherwise terminated, re-enacted, or superseded by a conflicting El Paso Local Health Authority order, or state or federal law or order.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:**

On June 8, 2020, the City Council adopted Emergency Ordinance No. 019062, an Emergency Ordinance Re-Enacting and Amending Emergency Ordinance No. 019036.

**AMOUNT AND SOURCE OF FUNDING:**

N/A

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

**DEPARTMENT HEAD:**

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**AN EMERGENCY ORDINANCE  
AMENDING AND RE-ENACTING EMERGENCY ORDINANCE NO. 019036;  
AS AMENDED AND RE-ENACTED BY  
EMERGENCY ORDINANCE NO. 019062;  
PENALTY AS PROVIDED IN SECTION 8**

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

**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**, on March 30, 2020, the City Council adopted Emergency Ordinance No. 019045, amending Emergency Ordinance No. 019036; and

**WHEREAS**, on April 13, 2020, the City Council adopted Emergency Ordinance No. 019051, an Emergency Ordinance Amending and Re-Enacting Emergency Ordinance No. 019036; and

**WHEREAS**, on May 11, 2020, the City Council adopted Emergency Ordinance No. 019056, an Emergency Ordinance Re-Enacting Emergency Ordinance No. 019036, as amended and

**WHEREAS**, on June 8, 2020, the City Council adopted Emergency Ordinance No. 019062, an Emergency Ordinance Re-Enacting and Amending Emergency Ordinance No. 019036, as amended 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**, Emergency Ordinance No. 019062 which re-enacts Emergency Ordinance No. 019036 is set to expire on July 8, 2020; 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 and amend its March 17, 2020, Emergency Ordinance No. 019036 as amended by Emergency Ordinance No. 019062, which shall

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

20-1052-1069/PL#1004392.2/AS/Re-Enactment of Emergency Ord. No. 019036 (Emergency Measures)(July)

remain in effect until August 5, 2020 or until otherwise terminated, re-enacted, or superseded by a conflicting El Paso Local Health Authority order, or state or federal law or order; and

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

1. That Section 4 (SUSPENSION AND MODIFICATION OF ORDINANCES), paragraph a, sub-paragraph iii, be amended to read as follows:

iii. El Paso City Code Sub-section 12.56.020(F), second sentence of the first paragraph, as stated below is hereby suspended and temporarily replaced with the following:

Parking meter fees shall apply in all areas between the hours of 8:00 a.m. and 6:00 p.m. of every day except on officially designated city holidays and Sundays. The International Bridges Director shall make recommendations to city council for exceptions to the days and times when parking meter fees shall apply, except that, for the duration of the local disaster declaration, the Director of International Bridges or designee may, without recommending to City Council, select as exempt from the parking meter fees those parking meters that enable curbside pick up and take out at restaurants in increments not to exceed 15 minutes.

The Exceptions within 12.56.020(F) are not suspended or amended, and remain in full force and effect.

2. That Section 5 (MOVEMENT OF PEOPLE AND OCCUPANCY OF PREMISES), paragraph b be deleted and reserved.
3. That Section 7 (UTILITIES AND RESIDENCE), paragraph a be amended to read as follows:
  - a) To the extent allowed by law, no local utility shall discontinue the provision of cable, internet, water, gas, waste removal and electric utility services to a residential or commercial customer for lack of payment while this ordinance is in effect.
4. Except as amended herein, Emergency Ordinance No. 019036, as amended by Emergency Ordinance No. 019062, penalty as provided in Section 8, is re-enacted and 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;
5. 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 July, 2020.**

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

20-1052-1069/PL#1004392.2/AS/Re-Enactment of Emergency Ord. No. 019036 (Emergency Measures)(July)

**THE CITY OF EL PASO, TEXAS**

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Dee Margo  
Mayor of the City of El Paso


**ATTEST:**

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Laura D. Prine  
City Clerk

**APPROVED AS TO FORM:**

**APPROVED AS TO CONTENT:**



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For Karla M. Nieman  
City Attorney



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

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20-1052-1069/PL#1004392.2/AS/Re-Enactment of Emergency Ord. No. 019036 (Emergency Measures)(July)