

CITY CLERK DEPT.

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**RESOLUTION**

**WHEREAS**, pursuant to the provisions of Section 1391 of the Internal Revenue Code of 1986, as amended (the "Code"), the Secretary of the United States Department of Housing and Urban Development ("HUD") in 1999 approved the plan and application (the "Strategic Plan") submitted by the City and the State of Texas (the "State") and accordingly designated a specific territorial area (the "Zone Area") within the City as an "empowerment zone," with the meaning and subject to the terms and provisions of Code Sections 1391 through 1397F (the "Act"); and

**WHEREAS**, HUD, the State, and the City executed the 1999 Empowerment Zone Planning and Implementation Grant No. EZ-99-TX-0013 ("Grant Agreement") and a Memorandum of Agreement related to implementation of the Strategic Plan within the Zone Area, pursuant to which the City was given the designation as the "lead entity" with respect to the Grant Agreement and Memorandum of Agreement and the Strategic Plan; and

**WHEREAS**, the City now desires that an advisory board be established to be included in the Implementation Plan of the Zone area and incorporated into the Strategic Plan, as amended, in order to ensure continued community and grass roots participation and community performance assessment in the implementation of the Strategic Plan and in the governance of Zone Area activities, as required under 24 CFR Part 598.

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

**I. NAME**

There is hereby created the Empowerment Zone ("EZ") Advisory Board.

**II. PURPOSE**

The purpose of the EZ Advisory Board is to provide advisory assistance to the Mayor and City Council, City Manager and City personnel, for the implementation of the City of El Paso's Implementation Plan and Strategic Plan for the Empowerment Zone (Round II) Designation, funded by the U.S. Department of Housing and Urban Development (HUD).

**III. MEMBERSHIP**

A. The EZ Advisory Board shall consist of nine (9) members. One (1) member shall be appointed by each City Representative and by the Mayor. The City Council shall coordinate appointments so as to comply with the mandatory membership criteria as follows:

1. At the time of appointment, all EZ Advisory Board members must reside in the Zone area, own a business in the Zone area, or be an employee of a business that is located in the Zone area; and

2. Of the total nine (9) members, five (5) of the individuals must be the owners of or employed by a for-profit business that is located in the Zone area, two (2) of the individuals must be leaders in a non-profit organization or faith-based organization that is located in the Zone area, and two (2) of the individuals must be members of a City Recognized Neighborhood Association within the Zone area.

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#### IV. TERMS AND ELECTION OF OFFICERS

A. The members of the EZ Advisory Board will serve staggered terms.

B. The EZ Advisory Board members' initial terms will be established by lot at the first meeting.

C. The officers of the EZ Advisory Board shall be a Chairperson and Vice-Chairperson. The initial board will be composed of nine members, of which five members, including the Chairperson, will serve for two years and the remaining four members will serve for one year. Each successive term thereafter shall be for a two-year period. Initial terms will all run from the date of the first meeting of the EZ Advisory Board. EZ Advisory Board members shall serve until a qualified successor is appointed unless otherwise provided for in the El Paso City Code. EZ Advisory Board members shall not serve more than two consecutive terms. The members of the EZ Advisory Board shall select a Chairperson and Vice-Chairperson at its first meeting and again annually thereafter. The EZ Advisory Board member chosen as Chairperson at the first meeting shall have an initial term of two years.

#### V. DUTIES

A. The EZ Advisory Board shall perform the following duties:

1. Serve as a liaison between the City and the community at-large, stakeholders, and Recognized Neighborhood Associations and/or Civic Associations within the Zone Area to ensure community and grass roots participation and input in the implementation of the Strategic Plan.

2. Review quarterly and annual program and project progress reports and formulate recommendations thereon for City personnel, to include identification and assessment of the strengths and weaknesses of each program or project, areas for technical assistance, and consistency with the vision, goals, and implementation plan of the Strategic Plan.

3. Provide recommendations on all expenditures, loans, and funding of projects and programs related to the Zone area.

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4. Provide recommendations on policy and strategy, to Mayor and City Council, the City Manager, and City personnel, including advice on policy decisions regarding the Implementation Plan and Strategic Plan and any amendments thereto.
5. Review and provide written comments on the annual performance and evaluation report of the Zone Area, in conjunction with the City's established performance measurement system for evaluating the progress made in implementing the Strategic Plan.
6. Support and participate in the City's annual strategic planning session(s) for purposes of reviewing and/or revising of the Strategic Plan.

#### **VI. VOTING AND MEETING PROCEDURES**

- A. One more than half the current membership of the EZ Advisory Board shall constitute a quorum for the purpose of conducting a meeting. The act of the majority of a quorum present will determine any matter brought before a legal meeting.
- B. The EZ Advisory Board will meet each month and at other times as needed.
- C. The Chairperson shall conduct EZ Advisory Board meetings in a fair and orderly manner, and shall encourage all members to participate in Board discussions.
- D. The EZ Advisory Board may choose to adopt a parliamentary guide such as Robert's Rules of Order.
- E. Meetings will be conducted in accordance with the Texas Open Meetings Act.

#### **VII. CONFLICTS OF INTEREST**

If a member of the EZ Advisory Board is an employee, officer, agent or representative of an agency or business entity submitting an application for Empowerment Zone funding, the EZ Advisory Board shall not consider such application.

#### **VIII. OFFICERS**

- A. The Chairperson shall preside at all meetings of the EZ Advisory Board, call all regular and special meetings, and represent the EZ Advisory Board before the general public.
- B. The Vice-Chairperson shall act in the capacity of the Chairperson in the absence of the Chairperson or in the case of the Chairperson's inability to act. In the event that the Chairperson position becomes vacant during the term, the Vice-Chairperson shall assume the Chairperson position for the balance of the term.

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C. The Director of the Community and Human Development Department shall designate a staff person of that Department to serve as Secretary for the EZ Advisory Board. The Secretary shall be responsible for recording and transcribing the minutes of meetings of the EZ Advisory Board, distributing agendas and supporting materials for the EZ Advisory Board meetings to the members, maintain a permanent roster of the Board membership, ensure that public notice informing citizens where and when the meetings shall be held will also be posted 72 hours before each meeting on the Bulletin Board at City Hall in accordance with the Texas Open Meetings Act.

**IX. STAFF**

A. The City's Community and Human Development Department shall provide administrative support to the EZ Advisory Board.

B. The EZ Coordinator employed by the Community and Human Development Department shall serve as the principal staff person for the EZ Advisory Board. The EZ Coordinator shall be responsible for providing the EZ Advisory Board with the information and data necessary for carrying out the EZ Advisory Board's duties and will assist in implementing activities undertaken by the EZ Advisory Board.

ADOPTED this 14<sup>th</sup> day of August, 2007.

THE CITY OF EL PASO:

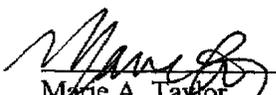
  
\_\_\_\_\_  
John F. Cook  
Mayor

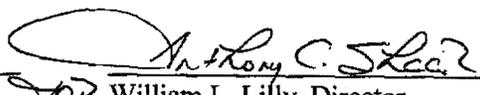
ATTEST:

  
\_\_\_\_\_  
for Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Marie A. Taylor  
Assistant City Attorney

  
\_\_\_\_\_  
for William L. Lilly, Director  
Community and Human Development