

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL ROBINSON, DISTRICT 4
RACHEL QUINTANA, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
JANUARY 6, 2011
8:30 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:35 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Rachel Quintana, Eddie Holguin, Jr., Steve Ortega, and Beto O'Rourke. Late arrivals: Carl Robinson at 8:37 a.m. and Emma Acosta at 8:40 a.m. during Executive Session deliberations. The invocation was given by Police Chaplain Carlos Flores, followed by the Pledge of Allegiance to the Flag of the United States of America.

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MAYOR'S PROCLAMATIONS

CRIME STOPPERS MONTH

CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at https://www.elpasotexas.gov/muni_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

The following members of the public commented:

1. Mr. Jerry Thiedt
2. Mr. Matt Carroll
3. Mr. Ray Bannon
4. Mr. Jorge Artalejo
5. Ms. Robin Bottjen

Mayor Cook and Representative Robinson commented.

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Motion made by Representative Quintana, seconded by Representative Holguin, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 8:36 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

- 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
- Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the Executive Session items on the Agenda:

NOT PRESENT FOR THE VOTE: Representatives Acosta and Robinson

Motion made by Representative Quintana, seconded by Representative Robinson, and unanimously carried to adjourn the Executive Session at 9:00 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representative Byrd

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EX1. Ronald G. Martin, Jr., et. al. vs. The City of El Paso, Texas; Cause No. 2010-4936 (551.071)

NO ACTION was taken on this item.

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CONSENT AGENDA

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, 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 Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, Ortega and O'Rourke
 NAYS: None

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1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of December 21, 2010.

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2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

NO ACTION was taken on this item.

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3A.

***RESOLUTION**

A Resolution approving a detailed site development plan for all of Lot 3, Block 20, Mesa Hills Unit Seven MA Homes, LLC City of El Paso, El Paso County, Texas, pursuant to Section 20.04.150. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

WHEREAS, on September 25, 1990, City Council rezoned the property described as All of Lot 3, Block 20, Mesa Hills Unit Seven, City of El Paso, El Paso County, Texas, from PR-II (Planned Residential II) to A-O Apartment/Office/Condition) and as part of the rezoning imposed a condition that prior to the

issuance of any building permits, a detailed site development plan must be approved by the Commission and the Mayor and City Council; and,

WHEREAS, the property owner, MA Homes, LLC (the "Owner") is ready to proceed with development and has submitted a detailed site development plan for review; and,

WHEREAS, the detailed site development plan is subject to the development standards in the A-O/c (Apartment Office/condition) District regulations and subject to the approved Detailed Site Development Plan signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission; and,

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application; and,

WHEREAS, the City Plan Commission has approved and herein recommends Council approval of the subject detailed site development plan; and

WHEREAS, the City Council finds that the detailed site development plan meets all applicable requirements of the El Paso City Code;

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

1. Pursuant to requirements imposed on the property described as All of Lot 3, Block 20, Mesa Hills Unit Seven, City of El Paso, El Paso County, Texas, the City Council hereby approves the detailed site development plan. The detailed site development plan is subject to the development standards in the A-O/c (Apartment Office/condition) District:
2. A copy of the approved detailed site development plan, signed by the Applicant, the City Manager and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "A" and incorporated herein by reference.
3. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the A-O/c (Apartment Office/condition) District regulations.
4. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the A-O/c (Apartment Office/condition) District. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.
5. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

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3B.

***RESOLUTION**

A Resolution approving a detailed site development plan for Lot 1, Block 1, Power Point Village, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.150. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

WHEREAS, on August 15, 1989, City Council rezoned the property described as Lot 1, Block 1, Power Point Village, City of El Paso, El Paso County, Texas, from R-3 (Residential) to C-1/c (Commercial/condition) and A-O/c (Apartment Office/condition) and as part of the rezoning imposed a condition that prior to the issuance of any building permits, a detailed site development plan must be approved by the Commission and the Mayor and City Council; and,

WHEREAS, the property owner, The Broker Company (the "Owner") is ready to proceed with development and has submitted a detailed site development plan for review; and,

WHEREAS, The detailed site development plan is subject to the development standards in the C-1/c (Commercial/condition) and A-O/c (Apartment Office/condition) District regulations and subject to the approved Detailed Site Development Plan signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission; and,

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application; and,

WHEREAS, the City Plan Commission has approved and herein recommends Council approval of the subject detailed site development plan; and

WHEREAS, the City Council finds that the detailed site development plan meets all applicable requirements of the El Paso City Code;

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

1. Pursuant to requirements imposed on the property described as Lot 1, Block 1, Power Point Village, City of El Paso, El Paso County, Texas by Ordinance No. 009789 passed and approved August 15, 1989, the City Council hereby approves the detailed site development plan submitted by the Applicant. The detailed site development plan is subject to the development standards in the C-1/c (Commercial/condition) and A-O/c (Apartment Office/condition) District.
2. A copy of the approved detailed site development plan, signed by the Applicant, the City Manager and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "A" and incorporated herein by reference.
3. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the C-1/c (Commercial/condition) and A-O/c (Apartment Office/condition) District regulations.
4. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the C-1/c (Commercial/condition) and A-O/c (Apartment Office/condition) District. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.
5. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

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3C.

***RESOLUTION**

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

That the Mayor is authorized to sign a letter in support of the nomination of the Mills Building, located at 303 North Oregon Street, El Paso, Texas, 79901, to the National Register of Historic Places.

Representative Ortega commented.

Ms. Providencia Velazquez, Historic Preservation Officer, commented.

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4. APPLICATIONS FOR TAX REFUND

*Motion made, seconded, and carried that the following tax refunds be **APPROVED**, subject to auditor approval:

- A. Rocky Mountain Mortgage Co., in the amount of \$3,034.28 overpayment of 2009 taxes. (PID #C340-999-0530-1500).
- B. Rio Bravo Title, LLC in the amount of \$5,892.53 overpayment of 2010 taxes. (PID #C214-999-0020-2400).
- C. HSBC in the amount of \$3,999.63 overpayment of 2009 taxes. (PID #H771-000-0070-0400).
- D. Donna Peinado in the amount of \$3,330.71 overpayment of 2010 taxes. (PID #V893-999-1710-5900).
- E. Jean E. Heavens in the amount of \$5,037.18 overpayment of 2010 taxes. (PID #T287-999-0860-3200).
- F. BBVA Compass Bank in the amount of \$5,478.46 overpayment of 2010 taxes. (PID #V667-999-0010-1500).

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5A. - 5H. INTRODUCTIONS

Motion made by Representative Quintana, seconded by Representative Byrd, and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, Ortega, and O'Rourke
NAYS: None

- 5A.** An Ordinance amending Title 12 (Vehicles and Traffic) of the El Paso City Code by adding a new Chapter 12.30 (Temporary Traffic Control) requiring a temporary traffic control permit for work performed in the public-right-of-way and other uses of the right-of-way; establishing criteria of the issuance of the permit, bond and insurance requirements and duties and obligations of the permittees; establishing fees and providing for stop work orders and enforcement authority; the penalty being as provided in Section 12.30.115 of the El Paso City Code.
- 5B.** An Ordinance revising the process of obtaining a permit to cut or excavate in the city right-of-way and drill monitoring wells by amending Title 13 (Streets, Sidewalks and Public Places), Chapter 13.08 (Excavations) requiring permits to make a cut or excavation in the city right-of-way and to drill monitoring wells; requiring insurance and bonds; providing the authority to issue citations; and providing for permit and inspection fees and Chapter 13.04 (Street and Sidewalks Construction and Maintenance), Section 13.04.010 (Permit Required) of the El Paso City Code concerning sidewalk construction permits; and amending Title 15 (Public Services), Chapter 15.08 (Public Services), Section 15.08.120 (Special Privilege Licenses and Permits) of the El Paso City Code to exclude monitoring well permits from Special Privilege Permits; the penalty being as provided in Section 13.08.140 (Violation-Penalty) of the El Paso City Code.
- 5C.** An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.30 (Construction and Board of Appeals), Section 2.30.010 (Purpose), Section 2.30.060 (Powers) and Section 2.30.070 (Appeals) of the El Paso City Code by adding appeals from the City Engineer in connection with

permits issued under Chapter 18.44 (Grading), Chapter 13.08 (Excavation) and Section 13.04.010 (Sidewalk and Curb Permit Required); specifying appeal procedures and repealing Section 2.30.090; the penalty being as provided in Chapter 1.08 (General Penalty) of the El Paso City Code.

- 5D. An Ordinance granting to Paul Berube a non-exclusive franchise for litter receptacles on sidewalks and other City property.
- 5E. An Ordinance authorizing the City Manager to sign a contract of sale and any other necessary documents between the City of El Paso and the George L. Hermann Living Trust which will allow the City to convey a portion of Block 302, Pierce Findley Addition, together with vacated portions of Pierce Street and an alley adjacent to the identified portion of Block 302, Pierce Finley Addition, an Addition to the City of El Paso, El Paso County, Texas.
- 5F. An Ordinance vacating a 0.132 acre of land being a dedicated portion of Caufield Place Right-of-Way, City of El Paso, El Paso County, Texas.

PUBLIC HEARING WILL BE HELD ON JANUARY 18, 2011, FOR ITEMS 5A – 5F

- 5G. An Ordinance amending Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions); Chapter 20.06 (Zoning Districts and Maps); Chapter 20.10 (Supplemental Use Regulations); and Appendix A (Table of Permissible Uses) of the El Paso City Code, to amend the definition for Open Space and Natural Open Space, amend the Natural Open Space District; amend standards for Supplemental Uses in Natural Open Space; and to amend the Permissible Use Standards in Natural Open Space Districts. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.
- 5H. An Ordinance granting Special Permit No. ZON10-00080, to allow for infill development on the property described as Lots 17 to 23, and the East 5 feet of Lot 24, Block 110, Amended Map of Morningside Heights Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.320 of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON JANUARY 25, 2011, FOR ITEMS 5G – 5H

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6A.

ORDINANCE 17477

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON10-00084, TO ALLOW FOR INFILL DEVELOPMENT ON THE PROPERTY DESCRIBED AS LOTS 13-20, AND THE WEST 75.75 FEET OF THE SOUTH 2 FEET OF LOT 11 AND THE WEST 75.75 FEET OF LOT 12, BLOCK 135 CAMPBELL ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.320 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Mr. Mathew McElroy, Deputy Director of Planning, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Cook and Representatives O'Rourke and Byrd commented.

Ms. Lupe Cuellar, Assistant City Attorney gave legal advice.

Motion duly made by Representative O'Rourke, seconded by Representative Quintana, 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 Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, Ortega and O'Rourke
NAYS: None

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

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6B.

ORDINANCE 17478

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOT 48, BLOCK B, BASSETT ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-3 (APARTMENT) TO C-1 (COMMERCIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

Mr. Mathew McElroy, Deputy Director of Planning, presented a PowerPoint presentation (copy on file in City Clerk's office).

Motion duly made by Representative O'Rourke, seconded by Representative Ortega, 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 Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, Ortega and O'Rourke
NAYS: None

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

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6C.

ORDINANCE 17479

The City Clerk read an Ordinance entitled: **AN ORDINANCE ANNEXING THE FOLLOWING REAL PROPERTY DESCRIBED AS A PORTION OF SUBSECTION 46, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS.**

Mr. Mathew McElroy, Deputy Director of Planning, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representatives Quintana, Robinson and Byrd commented.

Motion duly made by Representative Quintana, seconded by Representative Holguin, 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 Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, Ortega and O'Rourke
NAYS: None

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

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6D.

ORDINANCE 17480

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL) CHAPTER 2.22 (OPEN SPACE ADVISORY BOARD), OF THE EL PASO CITY CODE TO DELETE THE EX-OFFICIO MEMBER, TO ALLOW SUBCOMMITTEES, AND TO AMEND STAFF SUPPORT FOR THE BOARD.**

Mr. Mathew McElroy, Planning and Economic Development, presented a PowerPoint presentation (copy on file in City Clerk’s office).

Representative Quintana commented.

Motion duly made by Representative Byrd, seconded by Representative Lilly, 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 Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, Ortega and O’Rourke
NAYS: None

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

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7.

ORDINANCE 17481

The City Clerk read an Ordinance entitled: **AN ORDINANCE TO AMEND TITLE 5 (BUSINESS TAXES, LICENSES AND REGULATIONS), CHAPTER 5.84, BY ADDING SECTION 5.84.215 (AUTHORITY TO ISSUE CITATIONS); THE PENALTY AS BEING PROVIDED IN CHAPTER 5.84.220 OF THE EL PASO CITY CODE.**

Mayor Cook and Representatives Ortega, Holguin, Quintana, Byrd, and Robinson commented.

The following staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Ms. Zina Silva, Police Commander
3. Mr. Eric Shelton, Assistant Police Chief
4. Ms. Richarda Duffy Momsen, Municipal Clerk
5. Mr. John Batoon, Assistant City Attorney, gave legal advice.

Ms. Lisa Turner, citizen, commented.

1ST MOTION

Motion made by Representative O’Rourke, seconded by Representative Quintana, and unanimously carried to **SUSPEND THE RULES** of to allow for additional speakers after the sign up period.

2ND MOTION

Motion duly made by Representative Byrd, seconded by Representative Lilly, 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 Lilly, Byrd, Acosta, Robinson, Quintana, Ortega and O'Rourke
NAYS: Representative Holguin

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

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8.

RESOLUTION

WHEREAS, in El Paso, Texas 29% percent of adults reported themselves obese and another 37% reported themselves as overweight according to the Behavioral Risk Factor Surveillance System; and

WHEREAS, obesity and overweight are primarily a consequence of poor nutrition and physical inactivity; and

WHEREAS, improved nutrition and physical activity have benefits beyond weight control; and

WHEREAS, infants who are breastfed are less likely to become obese children or adults; and

WHEREAS, individual effort alone is insufficient to combat obesity's rising tide and significant societal and environmental changes are needed to support individual efforts to make healthier choices; and

WHEREAS, improvements to the "built environment"— including, bike and pedestrian friendly streets, adequate public transportation, access to healthy food retailers, access to parks, trails and grocery stores, or the lack thereof – have a significant impact on obesity rates;

NOW, THEREFORE, BE IT RESOLVED, that the City of El Paso hereby recognizes that poor nutrition and lack of physical activity are serious threats to the health and well-being of adults, children, and families in El Paso. As a result, the City of El Paso makes obesity prevention a priority, commits to developing programs geared to improve nutrition and increase physical activity, make policy recommendations toward obesity prevention, and directs the City Manager or designee to implement the five-year Obesity Prevention Action Plan attached hereto as Exhibit "A", and report progress annually to City Council.

Mr. Michael Hill, Director of Public Health and Mr. Mathew McElroy, Deputy Director of Planning, presented at PowerPoint presentation (copy on file in City Clerk's office).

Mayor Cook and Representative Acosta, Robinson, O'Rourke, Lilly, Ortega, Holguin, and Byrd commented.

Ms. Joyce Wilson, City Manager, commented.

The following citizens commented:

- 1. Mr. Don Disney
- 2. Mr. Jerry Thiedt
- 3. Ms. Maria Duarte-Gardea
- 4. Ms. Maria T. Cerqueira
- 5. Mr. Kevin Pearson
- 6. Ms. Lisa Turner,

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and carried to **APPROVE AS REVISED** the Resolution.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Ortega and O'Rourke
NAYS: Representative Holguin

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9. MAYOR AND COUNCIL

Motion made by Representative Holguin, seconded by Representative Ortega, and unanimously carried to **APPROVE AS REVISED** the item regarding the Interlocal Agreement establishing the El Paso Mental Health and Mental Retardation Center and potential changes to the Agreement, that the County take over completely and that the City would contribute in kind services and CDBG funding, The CDBG funding would be dealt directly with MHMR.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Holguin Ortega and O'Rourke
NAYS: None

Mayor Cook and Representatives Acosta, Ortega, Robinson, Byrd, O'Rourke, Lilly, and Holguin commented.

Ms. Joyce Wilson, City Manager, commented.

Ms. Elaine Hengen, Assistant City Attorney, gave legal advice.

Mr. Gary Larcenaire, El Paso, Mental Health and Mental Retardation CEO, commented.

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10. RESOLUTION

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

That the City Manager be authorized to sign Amendment # 1 to the Professional services Contract, dated May 17, 2010, between the City of El Paso and Johnson Controls, Inc., a Wisconsin Corporation to perform certain building improvements to City buildings to implement the City-wide Energy Operational Savings (Improvement Measures #1) for an amount not to exceed three million ninety seven thousand seven hundred twenty four and No/100 Dollars (3,097,724.00) and for optional measurement and verification services over a seventeen year period not to exceed five hundred twenty nine thousand forty six and No/100 Dollars (\$529,046.00), for a total not to exceed three million six hundred twenty six thousand seven hundred seventy and No/100 (\$3,626,770.00) This authorization is subject to final approval by the City Attorney's office of the Attachments and Exhibits to Amendment #1.

Mr. Stuart Ed, Director of General Services, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Cook and Representative O'Rourke commented.

Motion made by Representative Byrd, seconded by Representative Lilly, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, Ortega and O'Rourke
NAYS: None

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11A.

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 City Manager be authorized to execute a Chapter 380 Economic Development Program Agreement ("Agreement") by and between the City of El Paso ("City") and Bohannon Development Corporation, a Texas corporation ("Applicant") in relation to the Applicant's construction of a large-scale housing development in El Paso, Texas.

Ms. Kathryn Dodson, Director of Planning and Economic Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Cook and Representatives Quintana, O'Rourke, Ortega, and Byrd commented.

Ms. Marie Taylor, Assistant City Attorney, gave legal advice.

Mr. Richard Schechter, and Ms. Lisa Turner, citizens commented.

Motion made by Representative Lilly, seconded by Representative Quintana, and unanimously carried to **APPROVE AS REVISED** the Resolution.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Ortega and O'Rourke
NAYS: Representative Holguin

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11B.

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 City Manager be authorized to sign a Memorandum of Understanding among the City of El Paso, Ciudad Juárez, Chihuahua, México, El Paso Regional Economic Development Corporation (REDCo), and Freight Shuttle Partners, LLC, regarding the feasibility of a Universal Freight Shuttle.

Ms. Kathryn Dodson, Director of Planning and Economic Development, commented.

Mr. Bob Cook, President and Chief Executive Officer of the El Paso Regional Economic Development Corporation (REDCO), commented.

Mr. Rafael Aldrete with Texas A & M, and Mr. Robert Radovan and Mr. Bill Criswell, with Universal Freight Shuttle Partners, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Cook and Representative Ortega, Robinson, and O'Rourke commented.

Ms. Lisa Turner, citizen, commented.

Motion made by Representative Robinson, seconded by Representative Ortega, and unanimously carried to **APPROVE** the Resolution.

AYES: Representatives Lilly, Byrd, Acosta, Robinson, Quintana, Holguin, Ortega and O'Rourke
NAYS: None

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12. CITY MANAGER

*Motion made, seconded, and unanimously carried to **DELETE** the item regarding a briefing by TxDOT and discussion on Environmental Assessment for Transmountain Highway Project.

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Motion made by Representative Lilly, seconded by Representative Quintana, and unanimously carried to **ADJOURN** this meeting at 1:12 p.m.
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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk