

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  
MICHEL NOE, DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
CORTNEY NILAND, DISTRICT 8

SPECIAL MEETING OF THE CITY COUNCIL MINUTES  
COUNCIL CHAMBERS  
May 16, 2013

The City Council met at the above place and date. Meeting was called to order at 10:12 a.m. Mayor John F. Cook, present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Emma Acosta, and Carl Robinson. Late arrivals: Steve Ortega at 10:14 a.m. and Michiel Noe at 10:16 a.m. Absent: Eddie Holguin, Jr. and Cortney Niland requested to be excused.

.....

1. Discussion and action on the Analysis of Availability/Demand for Type A Accessible Housing in the City of El Paso report prepared by The University of Texas at El Paso (UTEP) Institute for Policy and Economic Development.

Representative Acosta questioned, "Why Phoenix has up to 6% Type A housing.

Mr. Lilly explained the rest of City is 2%, only the areas around the light rail system are 2%.

Representative Acosta questioned, "Bus Rapid Transit (BRT) corridors or major transit area, Cielo Vista, Westside, Five Points there we could have the 3%. Suggested using 3% in the transit area and reduce it in the other areas.

Mr. Gallinar replied recommendation is to leave it at 3% City-wide.

Mr. Maguire replied cannot provide exact number of new apartments, but others know there is a large amount of activity in construction and multi-family housing.

Representative Noe still not convinced that there is sufficient affordable Type A Housing at the locations where people with disabilities want to live. He does fear though that an increase for instance to 6% like Phoenix's will decrease the builders' incentives to build. Would like to see ways that the City can incentivize Type A affordable housing to be built around transportation nodes.

Representative Noe does not believe we are doing everything we need to do.

Ms. Wilson replied if the initial study was not detailed to identify the geographic areas of need I will work with Community Development to see if federal housing dollars can be used in those areas to build affordable housing, may need to expand the study, maybe able to transfer the tax credits to different areas.

Representative Robinson believes 3% is adequate at this point in time. In District 4 there are multiple units that are being built. Does not see any need to change at this point. Staff, developers, and Council have worked together to meet the common goal. He agrees to keep it at 3%.

Representative Byrd replied it really is an affordability issue, not an availability issue. The majority of the people who need these units make under \$24,000 and the average cost of the unit is \$780. Would like to see ways to offer housing assistance to developers to make affordable housing.

Mr. Lilly replied rents would be set at four levels for a specific period of time.

Representative Byrd replied the existing units are well out of range of affordability for the target population.

Representative Acosta questioned William Lilly about providing incentives to developers and apartment owners to convert some of their units to Type A, and set affordable price with a set rental price ceiling.

Mr. Lilly replied, also, if no people with disabilities want the unit, the owners should be able to rent it to others at the same set rental rate.

Mr. Lilly replied 3% is high for border cities.

Mr. Ray Baca, Monterrey Asset for El Paso Apartment Association, commented these 20 units only four are occupied; only two by people with wheelchair needs. The majority of the Type A new units are not being used. 7, 8, 9 hundred dollars. Type A Units are the last ones to rent, the first ones to vacate.

Most properties are at the extremities of the City. Maybe one bus line runs through there. The UTEP study tells Council when the apartment owners moved to free them a year ago. Supply of Type A's exceeds demand. Does not want an increase in percent required.

Representative Lilly questioned, "Phoenix's rental market. Are their 6% Type A Affordable Units?"

Mr. Baca did not know.

Representative Robinson questioned, "Did we identify where the vacancies are? Are they in the high demand areas?"

Mr. Lilly replied UTEP study did not look at the vacancies as to their particular location in the city just the total.

Representative Robinson would like study expanded to get a true picture of where the vacancies are and how many there are. Wants to see numbers, wants UTEP to cooperate with and contact the property owners.

Mr. Baca, Apartment Association, will do their best to get apartment areas to cooperate.

Mr. Rick Soto, Executive Officer of Apartment Association, gets feedback from owners that Type A Units are vacant. Incentives would help the Cielo Vista area.

Ms. Kristin Sizemore, Bohannon Development, presented a PowerPoint presentation (copy on file in City Clerk's office) and spoke of the Type A Units available in the market. 23 vacant accessible departments vacant 13 days to 343 days, longest days vacant are in for East El Paso Edgemere and Zaragosa.

Representative Acosta questioned, "Appendix E, page 38, does this include all properteries?"

Mr. Gallinar answered, "Yes, with his understanding will go back and verify list with UTEP.

Mr. Mark Salazar commented 2009 audit this is what information was based on, information incomplete. Housing by City is a national issue for Accessible Housing, need for more. Mayor will be writing a letter to solve problems and give more reliable data.

Representative Acosta commented 96 apartments in 79925 zip codes only four on list. Need to contact rest and incentivize owners. People are profiling against disabled.

Mr. Frank Lozano questioned, "Expanded survey. Affordable, accessible, intergraded housing for individuals' social change.

Mr. Tom Bohannon commented affordability and location are key issues making progress.

Mr. Luis Chew report received does not reflect the entire community, data incorrect.

Mr. Ted Untereker commented high demand for Type A Housing. Affordable housing is a Civil Rights issue.

Mayor questioned, "Are units affordable, need to make them affordable?"

Representative Byrd questioned, "Census data available, accessible communities?"

Motion made by Representative Robinson, seconded by Representative Noe, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow additional speakers to address the Council after the signup period.

Motion made by Representative Acosta, seconded by Representative Noe, and unanimously carried to **ACCEPT** study's recommendations and leave the Type A Accessible Housing at 3%.

Mayor answered need better data requesting no action.

Representative Acosta replied must present accurate data before decision is made, withdrew motion.

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

Mayor Cook and Representatives Byrd, Acosta, Robinson, and Noe commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. William Lilly, Director of Community and Human Development
3. Mr. Carlos Gallinar, Deputy Director for Planning, City Development
4. Mr. Tom, Maguire, Building Inspector

The following members of the public commented:

1. Mr. Ray Baca, El Paso Apartment Association
2. Ms. Kristin Sizemore, Bohannon Development
3. Mr. Tom Bohannon, Bohannon Development
4. Mr. Marc Salazar, Volar
5. Mr. Frank Lozano, Adapt
6. Mr. Ted Untereker, Paso Del Norte Civil Rights
7. Mr. Luis Chew, Volar
8. Mr. Rick Soto, Executive Officer of Apartment Association
9. Mr. Timothy Flores, Dessert Adapt
10. Ms. Catalina Eshala

.....  
2. Presentation and discussion on the Sustainability Annual Progress Report.

Mr. Marty Howell, Sustainability Program Manager, City Manager's office, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representative Acosta questioned Marty Howell on Solar Roof Top Program and credits.

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

.....  
3. Presentation and discussion on the progress of the Virtual Village: Digital El Paso's Pathway to Success project funded by the American Recovery and Reinvestment Act Broadband Technology Opportunities Program grant for Public Computer Centers.

Ms. Dionne Mack, Director for Libraries, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representative Acosta questioned, "When grant expires, will you continue program?"

Ms. Mack answered, "Looking at how to continue classes. Surveys with public to see what is wanted, depends on budget.

Motion made by Representative Holguin, seconded by Representative Niland, and unanimously carried to **APPROVE** the item.

.....  
Motion made by Representative Robinson, seconded by Representative Noe, and unanimously carried to **ADJOURN** this meeting at 12:06 p.m.

.....  
Motion made by Representative Acosta, seconded by Representative Noe, and unanimously carried to **RECONSIDER** the item.

Motion made by Representative Byrd, seconded by Representative Noe, unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 12:06 p.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

Motion made by Representative Robinson, seconded by Representative Noe, and unanimously carried to adjourn the Executive Session at 12:22 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

.....  
**EX1.** Economic development incentives in addition to Sustainable City Centers Program for proposed redevelopment project including housing in Downtown. (551.087)

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

Motion made by Representative Robinson, seconded by Representative Noe, and unanimously carried to **ADJOURN** this meeting at 12:22 p.m.

.....  
**APPROVED AS TO CONTENT:**

---

Richarda Duffy Momsen, City Clerk