

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
NOVEMBER 17, 2009
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: Susannah M. Byrd, Emma Acosta, Eddie Holguin, Jr., Steve Ortega, and Beto O'Rourke. Late arrivals: Rachel Quintana at 8:36 a.m. during Executive Session deliberations, Ann Morgan Lilly at 8:39 a.m. during Executive Session deliberations, and Carl Robinson at 8:44 a.m. during Executive Session deliberations. Early departures: Eddie Holguin, Jr. at 12:31 p.m. The invocation was given by Police, Fire, & CIMA Chaplain Sam Faraone, followed by the Pledge of Allegiance to the Flag of the United States of America.

MAYOR'S PROCLAMATIONS

- 1. SUN METRO EMPLOYEE APPRECIATION WEEK**
- 2. EL PASO ENTREPRENEURSHIP WEEK**

RECOGNITION

Recognition to the Development Services Department by the Hispanic Builders Alliance

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. Van English
2. Mr. Isaac Perez
3. Mr. Bill Addington
4. Mr. Gery Amundson
5. Ms. Lisa Turner
6. Mr. Randy Graham
7. Mr. Salvador Gomez

1ST MOTION

Motion made by Representative Holguin, seconded by Representative Byrd, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Mr. Addington an additional minute to address the Council.

NOT PRESENT FOR THE VOTE: Representative Quintana

2ND AND FINAL MOTION

Motion made by Representative O'Rourke, seconded by Representative Lilly, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow Ms. Turner an additional minute to address the Council.

NOT PRESENT FOR THE VOTE: Representatives Acosta and Quintana

.....
Motion made by Representative Byrd, 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 listed on the Agenda.

NOT PRESENT FOR THE VOTE: Representatives Lilly, Robinson, Quintana, and O'Rourke

Motion made by Representative Ortega, seconded by Representative Holguin, and unanimously carried to adjourn the Executive Session at 9:24 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representative O'Rourke

.....
EX1. Norma Estrada vs. City of El Paso, Cause No. 2006-4190. (551.071)

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and unanimously carried that the outside counsel for the City of El Paso be authorized **SETTLEMENT AUTHORITY**, to negotiate settlement agreement, and sign all documents to resolve the lawsuit styled Norma Estrada vs. City of El Paso; Cause No. 2006-4190.

.....
EX2. MOMAR L.P. vs. City of El Paso, Cause No. 2007-4830. (551.071)

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and unanimously carried that the item be **POSTPONED** two weeks.

.....
EX3. Tiger Construction; Our File No. 08-C-207. (551.071)

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and unanimously carried that the item be **POSTPONED** two weeks.

EX4. Portions of Lot 1, Block 1, Hawkins Plaza, El Paso, Texas. (551.071 and 551.072)

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Robinson, and unanimously carried that the City Attorney's Office be **AUTHORIZED TO NEGOTIATE** an agreement (1) to pursue mediation with Patriot Place, LTD and pertinent stakeholders utilizing the services of an independent mediator with experience in public policy dispute resolution to negotiate a resolution of disputes pertaining to the Hawkins Plaza leases for portions of Lot 1, Block 1, Hawkins Plaza, City of El Paso, El Paso County, Texas, and 2) to abate Lessee's payment of rent on the Commercial Site Lease pending outcome of the mediation.

NOT PRESENT FOR THE VOTE: Representative Quintana

.....
CONSENT AGENDA

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Ortega, 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

.....
1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of November 10, 2009, and corrected Minutes for October 13, 2009.

.....
2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

NO ACTION was taken on this item.

.....
3A. RESOLUTION

1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE TO THE REGULAR AGENDA**.

2ND AND FINAL MOTION

Motion made by Representative Holguin, seconded by Representative Ortega, and carried to **DENY** the Resolution that the prohibition against landing aircraft within the City limits except upon a regularly established airfield or landing place contained in Section 14.12.080 of the El Paso City Code is hereby waived to permit the El Paso Branch of United States Customs and Border Protection to land a Hughes OH6A Helicopter at the Sun Ridge Middle School campus, 2210 Sun Country Drive, in connection with Career Day activities at the school to be held on November 20, 2009.

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

Representative Holguin commented.

Mr. Bill Addington, citizen, commented.

3B.

***RESOLUTION**

That the City Manager be authorized to sign a Reaffirmation Agreement between the City of El Paso and Jose Enriquez and Myrna Enriquez, which reaffirms the First-Time Homebuyer loan note to the City that financed the purchase of the property located at 11022 Wind Ct., El Paso, Texas.

Mayor Cook and Representative Byrd commented.

Ms. Marie Taylor, Assistant City Attorney, commented.

Ms. Lisa Turner, citizen, commented.

.....
3C.

***RESOLUTION**

That the City Manager be authorized to sign an Interlocal Agreement for services by and between the City of El Paso and The University of Texas At El Paso for the development of a geographic information system Fiber Optics Asset Management System within the City in the amount of \$94,415 and that the City Manager be authorized to approve an extension of the term of the Interlocal Agreement and approve up to \$25,000 in additional services for a total of contract amount not to exceed \$119,415.

Mayor Cook and Representative Byrd commented.

Ms. Joyce Wilson, City Manager, and Mr. Sam Rodriguez, Engineering Division Manager, commented.

Ms. Lisa Turner, citizen, commented.

.....
3D.

***RESOLUTION**

WHEREAS, Vanilla, Brick & Mortar, 1914, Shadow Lounge, and The Garden (hereinafter referred to as "Grantees") are sponsoring an outdoor street festival for a Thanksgiving Block Party (hereinafter referred to as "Event"), on Wednesday, November 25, 2009 to Thursday, November 26, 2009; and

WHEREAS, the Grantees have received administrative approval for a Special Privilege License for a street closure for more than twenty-four (24) hours to temporarily close a portion of sidewalk on Durango Street, Western Street, and the adjacent alley, between South Durango Street and Anthony Street for the use and closure of public rights-of-way from 12:00 pm Wednesday, November 25, 2009, to 5:00 pm Thursday, November 26, 2009, in conjunction with the proposed Event; and

WHEREAS, the City is not a sponsor of the Event and the Grantees assume full responsibility for the planning, coordination, management and production of the Event; and

WHEREAS, the Grantees desire to provide for the sale and serving of alcoholic beverages on public rights-of-way during the Event;

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

That the Grantees be authorized to provide for the sale and serving of alcoholic beverages at the outdoor street festival in the closed portion of sidewalk on Durango Street, Western Street, and the adjacent alley between South Durango Street and Anthony Street from 5:00 pm, Wednesday, November 25, 2009 to 2:00 am, Wednesday, November 26, 2009.

.....
3E.

RESOLUTION

That the Mayor is hereby authorized to sign, on behalf of the City of El Paso, a Termination of Interlocal Agreement between the City of El Paso (the "City") and the El Paso Downtown Management District (the "DMD"), for the purpose of allowing the DMD to pay the City a \$40,000 lump sum payment for the four-month period ending January 31, 2010, and establishing January 31, 2010 as the termination date of the Interlocal Agreement dated December 16, 2008.

Mayor Cook and Representatives Quintana and Acosta commented.

Ms. Joyce Wilson, City Manager, and Ms. Ellen Smyth, Director of Environmental Services, commented.

Mr. Michael E. Breitinger, Executive Director of the Downtown Management District, commented.

Ms. Lisa Turner, citizen, commented.

1ST MOTION

*Motion made, seconded, and unanimously carried to **MOVE TO THE REGULAR AGENDA.**

2ND MOTION

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

.....
3F.

***RESOLUTION**

That the City Manager be authorized to sign the First Amendment to the January 27, 2009, Artist Service Agreement by and between the City of El Paso and Barbara Grygutis Sculpture, LLC, an Arizona limited liability company ("Artist") for the assistance of Artist to design, create, and fabricate public art to be known as the Civic Center Plaza Improvements increasing the contract amount by \$40,000 to \$363,500 and increasing the scope of Artist's service to add two additional sculptures.

Mayor Cook and Representatives Quintana and Byrd commented.

Mr. Sean McGlynn, Director of Museums and Cultural Affairs, commented.

Ms. Lisa Turner, citizen, commented.

.....
3G.

***RESOLUTION**

WHEREAS, on October 6, 2009, the City Council of the City of El Paso approved the tax roll prepared by the Tax Assessor/Collector of the City of El Paso (the "City") entering the amount of tax as provided by Section 26.09(e) of the State Property Tax Code in the appraisal roll, creating a tax roll for entities (except for the two school districts named below), for which the City Tax Assessor/Collector collects taxes, a summary of which is attached hereto and incorporated herein by reference;

WHEREAS, San Elizario Independent School District and Canutillo Independent School District held a rollback election on November 3, 2009 and the tax roll has been revised;

WHEREAS, the tax roll for the entities (including San Elizario Independent School District and Canutillo Independent School District) has been revised and is on file and available for inspection in the City Tax Office; and

WHEREAS, the City Tax Assessor/Collector now submits the revised appraisal roll to the City Council for approval as the 2009 revised tax roll.

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

THAT the appraisal roll is hereby approved as revised and constitutes the 2009 tax roll for all entities (including San Elizario Independent School District and Canutillo Independent School District) which the City Tax Assessor/Collector collects taxes.

.....
4. APPLICATIONS FOR TAX REFUNDS

*Motion made, seconded, and carried that the following tax refunds be **APPROVED**:

- A. USDA rural development in the amount of \$2,528.04 overpayment of 2008 taxes. (PID #H790-000-0180-6000).
- B. LDS Property Tax Solutions in the amount of \$2,987.47 overpayment of 2008 taxes. (PID #L790-000-0010-2000).

.....
5A. PURCHASING REQUEST TO ISSUE PURCHASE ORDER

*Motion made, seconded, and unanimously carried to **AUTHORIZE** the Purchasing Manager for Financial Services, Purchasing Division, to issue a purchase order to REMOTEC, a subsidiary of Northrop Grumman, the sole source manufacturer and distributor for the Andros line of Hazardous Duty Robots for the Bomb Squad Unit. Total estimated amount is \$224,521.

Department:	Police
Annual Estimated Amount:	\$224,521
Account No.:	22150024 – 508035 - 07189
Funding Source:	Urban Area Security Initiative (UASI) Grant
Total Estimated Award:	\$224,521
Sole Source No.:	2010-059

Mayor Cook and Representative Acosta commented.

Ms. Carmen Arrieta-Candelaria, Chief Financial Office of Financial Services, and Assistant Police Chief Eric Shelton, commented.

.....
5B. PURCHASING REQUEST TO ISSUE PURCHASE ORDER, ETC.

*Motion made, seconded, and unanimously carried for the Purchasing Manager to **REJECT** the sole bid submitted for Solicitation No. 2010-016, Detroit Diesel Proprietary Parts and Service, as recommended by Financial Services, Purchasing Division, and Fire Department because bidder did not provide a price list for verification of bid prices.

6. BEST VALUE PROCUREMENT

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2009-244 (Janitorial Services) to The Eagle Janitorial Services for a total estimated award of \$168,393.24.

Department: MCAD – Museum of Art
Award to: The Eagle Janitorial Services
El Paso, TX
Items: All
Option: Two years
Annual Estimated Amount: \$56,131.08
Account No.: 54010249 – 502206 - 01101
Funding Source: Museum of Art Administration–General Fund–Janitorial Services
Total Estimated Award: \$168,393.24 (3 years)

This is a thirty-six month contract.

The Departments of Financial Services, Purchasing Division, and MCAD - Museum of Art recommend award to The Eagle Janitorial Services, the vendor offering the best value bid.

.....
7. BID

*Motion made, seconded, and unanimously carried to **AWARD** Solicitation No. 2010-031 (Graffiti Removal Trucks) to Casa Ford, Inc. for a total award of \$285,453.

Department: General Services – Fleet Division
Award to: Casa Ford, Inc.
El Paso, TX
Items: All
Account No.: 37150068 – 508055 - 27265
Funding Source: Vehicle Replacement Program – Buses and Large Trucks
Total Award: \$285,453 (3 trucks)

This is a fixed-price, single (one-time) purchase.

The Departments of Financial Services, Purchasing Division, and General Services recommend award as indicated to the lowest responsive, responsible bidder.

Representative Quintana commented.

Ms. Joyce Wilson, City Manager, and Mr. Stuart Ed, Director of General Services, commented.

Ms. Lisa Turner, citizen, commented.
.....

8A. – 8D. INTRODUCTIONS

1ST MOTION

Motion made by Representative Robinson, seconded by Representative Holguin, and unanimously carried to **RETIRE** into **EXECUTIVE SESSION** at 10:52 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 (Consultation with Attorney) and 551.072 (Deliberation Regarding Real Property).

2ND MOTION

Motion made by Representative Quintana, seconded by Representative Lilly, and unanimously carried to **ADJOURN** the Executive Session at 11:04 a.m. and **RECONVENE** the meeting of the City Council.

NOT PRESENT FOR THE VOTE: Representatives Acosta, Ortega, and O'Rourke

3RD MOTION

8A.

Motion made by Representative Robinson, seconded by Representative Byrd, and unanimously carried to **DENY** the Introduction of an Ordinance amending Ordinance No. 107219 which authorized the City Manager to sign a Special Warranty Deed and any other necessary documents to convey approximately 35 acres of land being a portion of Section 30, Block 80, Township 1, Texas & Pacific Railway Surveys, City of El Paso, El Paso County, Texas, to EP Plaza Partners, L.P., the highest and sole bidder, for the purpose of extending the closing date to January 8, 2010.

NOT PRESENT FOR THE VOTE: Representative Acosta

Mayor Cook and Representatives Robinson and Byrd commented.

Mr. Charlie McNabb, City Attorney, gave legal advice.

Ms. Lisa Turner commented.

4TH AND FINAL MOTION

Motion made by Representative O'Rourke, 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:

NOT PRESENT FOR THE VOTE: Representative Acosta

8B. An Ordinance changing the zoning of a portion of Lot 27, Block 123, Chaparral Park Unit 33, City of El Paso, El Paso County, Texas, from A-O/C (Apartment-Office/Conditions) to C-1/C (Commercial/Conditions). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

8C. An Ordinance granting Special Permit No. ZON09-00051 to allow for a ground-mounted personal wireless service facility (PWSF) in a residential zoning district and less than ½ mile from another ground-mounted PWSF, for property described as Lot 19, Block 138, Chaparral Park Unit 30, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.455 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code.

8D. An Ordinance granting Special Permit No. ZON09-00052 to allow for a ground-mounted 60' personal wireless service facility on the property described as Lot 4, Block 6, Coronado Country Club Estates,

City of El Paso, El Paso County, Texas, pursuant to Section 20.10.455 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code.

PUBLIC HEARING WILL BE HELD ON DECEMBER 8, 2009, FOR ITEMS 8B – 8D

9. ENGINEERING

Motion made by Representative O'Rourke, seconded by Representative Quintana, and unanimously carried to **AWARD** of Solicitation No. 2009-277 for the Armijo Branch Library Computer Lab Addition & Chihuahuita Community Center HVAC Remodeling to Medlock Commercial Contractors, LLC. for a total estimated amount of \$661,000.

NOT PRESENT FOR THE VOTE: Representative Acosta

Department: Engineering Department
Award to: Medlock Commercial Contractors, LLC.
Account Nos. 71150069 – 508027 – 07884 – G7134CD0014 (Armijo)
71150069 – 508027 – 07892 – G7134CD0021 (Chihuahuita)
99331117 – 508027 – 27263 – PCP06MF001 (ADA)
Funding Source: Community Development Building Grant (CDBG) 34TH year &
2006 Certificate of Obligations
Total Est. Award: \$661,000
Locations: 620 East Seventh & 417 Charles St., El Paso, TX 79901

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

As a part of this award, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000.00 per numbered change order without further authorization by City Council.

This is a lump-sum contract. The Engineering Department recommends award who submitted the highest ranked proposal.

Mr. Sam Rodriguez, Engineering Division Manager, presented a PowerPoint presentation (on file in the City Clerk's office).

10A. FINANCIAL SERVICES

Motion made by Representative Ortega, seconded by Representative Lilly, and unanimously carried to **AUTHORIZE** the Purchasing Manager of Financial Services, Purchasing Division, to issue purchase orders to Checkpoint Services Inc., a State Department of Information Resources (DIR) contractor under DIR State Contract DIR-SDD-890, for a total amount not to exceed \$600,000 for Dell Computers and accessories for various City departments as the need arises throughout the year. Participation by the City of El Paso in the DIR Program was approved by City Council on February 27, 2007.

NOT PRESENT FOR THE VOTE: Representatives Acosta, Holguin, and O'Rourke

Department: Financial Services – Purchasing Division
Account No.: Various

Funding Source: Various
Total Estimated Award: \$600,000
Reference No.: 2010-088

Mayor Cook and Representative Quintana commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Ms. Carmen Arrieta-Candelaria, Chief Financial Office of Financial Services
3. Mr. John Neal, City Manager's Office

Ms. Lisa Turner, citizen, commented.

.....
10B. FINANCIAL SERVICES

Motion made by Representative Byrd, seconded by Representative Ortega, and unanimously carried to **AWARD** Solicitation No. 2010-027 (Traffic Cabinets) to Paradigm Traffic Systems, Inc. for a total estimated amount of \$845,133.

NOT PRESENT FOR THE VOTE: Representatives Acosta, Holguin, and O'Rourke

Department: Street
Award to: Paradigm Traffic Systems, Inc.
Arlington, Texas
Items: All
Annual Est. Amount: \$281,711
Account No.: 32010288 – 503203 – 01101
99331117 – 508027 – 27263 – PCP06ST013
Funding Source: Traffic Signals Maintenance, 2006 Certificate of Obligation
Total Est. Award: \$845,133 (3 year total)

This is a thirty-six month requirements type contract.

The cost under this requirements contract is only an estimated minimum value. The actual cost of this contract may be higher or lower than the total estimated minimum value and will be the sum total at the end of the contract term, so long as increased funds are appropriated in the budget.

The Departments of Financial Services, Purchasing Division, and Streets recommend award as indicated to the lowest responsive, responsible bidder.

Ms. Carmen Arrieta-Candelaria, Chief Financial Office of Financial Services, commented.

.....
11. ORDINANCE 17238

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 19 (SUBDIVISIONS), CHAPTER 19.20 (PARKS AND OPEN SPACE), SECTION 19.20.090 (PROVISION FOR PRIVATE PARK FACILITIES AND PRIVATE OPEN SPACE) AND SECTION 19.20.100 (PROVISION FOR BONUS REDUCTIONS FOR ADDITIONAL LAND OR FACILITIES ON NEW OR EXISTING PUBLIC PARKLANDS), OF THE EL PASO CITY CODE TO AMEND CREDIT PROCEDURES FOR PRIVATE**

PARK FACILITIES AND OFF-SITE PARK FACILITIES. THE PENALTY AS PROVIDED IN CHAPTER 19.42 OF THE CITY OF EL PASO CITY CODE.

Mr. John Neal, City Manager’s Office, and Mr. Mathew McElroy, Deputy Director of Planning, presented a PowerPoint presentation (on file in the City Clerk’s office).

Mayor Cook and Representatives Ortega, Byrd, Lilly, and Robinson commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Ms. Lupe Cuellar, Assistant City Attorney, gave legal advice.
- 3. Assistant Fire Chief Michael Calderazzo
- 4. Ms. Pat Aduato, Deputy City Manager of Development and Infrastructure Services, commented.

Mr. Conrad Conde, representing the developers’ perspective, commented.

Mr. Bill Addington, representing the Sierra Club, commented.

Motion duly made by Representative Ortega, seconded by Representative Byrd, that the Ordinances be **ADOPTED, AS REVISED, DELETING SECTION 1 OF THE ORDINANCE.** Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinances which when so done resulted as follows:

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

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

.....
TAKEN WITH ITEM 16D

12.

ORDINANCE 17239

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING THE FINAL PROJECT PLAN AND FINAL REINVESTMENT ZONE FINANCING PLAN FOR TAX INCREMENT REINVESTMENT ZONE NUMBER FIVE, CITY OF EL PASO; ADOPTING SAID AMENDMENTS AS REQUIRED BY SECTION 311.011(E) TEXAS TAX CODE; ALSO, PROVIDING A SEVERABILITY CLAUSE.**

Motion duly made by Representative O’Rourke, seconded by Representative Byrd, that the Ordinances be **ADOPTED.** Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinances which when so done resulted as follows:

AYES: Representatives Lilly, Byrd, Robinson, Quintana, Ortega, and O’Rourke
NAYS: None
NOT PRESENT FOR THE VOTE: Representatives Acosta and Holguin

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

.....
13.

ORDINANCE 17240

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.030 (SCHEDULE III – PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS) OF THE EL PASO CITY CODE TO PROHIBIT PARKING ON MARCUS URIBE DRIVE BETWEEN LOMA DE COLOR DRIVE AND THE EAST CITY LIMITS, BOTH SIDES, AND SEAN HAGGERTY DRIVE BETWEEN MCCOMBS DRIVE AND THE NORTH CITY LIMITS, WITH THE EXCEPTION OF THE NORTH-SIDE OF THE 5700 BLOCK. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 (VIOLATION - PENALTY) OF THE EL PASO CITY CODE.**

Representatives Ortega and Robinson commented.

Motion duly made by Representative Robinson, seconded by Representative Ortega, that the Ordinances be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinances which when so done resulted as follows:

AYES: Representatives Lilly, Robinson, Quintana, Ortega, and O'Rourke
NAYS: Representative Byrd
NOT PRESENT FOR THE VOTE: Representatives Acosta and Holguin

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

.....
14.

RESOLUTION

WHEREAS, studies in the United States have shown that women make up to 90% of the health care decisions for themselves and their families;

WHEREAS, there are close to fourteen million Hispanic-American and Hispanic women in the United States;

WHEREAS, Hablando de la Salud de la Mujer (The Cleveland Clinic) was established in 2003 to empower the growing number of Hispanic women across the country to make informed decisions about health, well-being and personal safety for themselves and their families;

WHEREAS, The Texas Tech Laura W. Bush Institute for Women's Health has partnered with Hablando de la Salud de la Mujer (The Cleveland Clinic) to bring El Paso the second Hablando de la Salud de la Mujer Conference to be held on October 16th 2010 at the El Paso Convention Center;

WHEREAS, the first Hablando de la Salud de la Mujer Conference held in El Paso in 2008 was a sold out event that that attracted over 650 women from El Paso, Las Cruces and Cd. Juarez and national sponsors that included Walmart, Lifetime, Tylenol and Kleenex; and

WHEREAS, The Texas Tech Laura W. Bush Institute for Women's Health and Hablando de la Salud de la Mujer (The Cleveland Clinic) have requested the assistance of the City of El Paso in promoting the conference.

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

1. That the Mayor and Council fully support The Texas Tech Laura W. Bush Institute for Women’s Health and Hablando de la Salud de la Mujer (The Cleveland Clinic) in their efforts to conduct:

Hablando de la Salud de la Mujer Conference
October 16, 2010

2. That the Mayor and Council authorize the use of the City of El Paso Seal and the listing of the City of El Paso as a sponsor of the conference; and
3. That the Mayor and Council authorize the City Manager to assist in the promotion of the Conference by links from the City’s website.

Mayor Cook commented.

Mr. Roberto Martinez, Texas Tech University Laura W. Bush Institute for Women’s Health Administrator, commented.

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

.....
ITEMS TAKEN TOGETHER:

15. CITY ATTORNEY’S OFFICE AND AIRPORT

- 15A.** Discussion and action on the leases between the City of El Paso and Patriot Place, Ltd. for portions of Lot 1, Block 1, Hawkins Plaza, City of El Paso, El Paso County, Texas.
- 15B.** Discussion and action on a Resolution authorizing the City Manager to sign a First Amendment to Commercial Ground Lease (“Lease”) by and between the City of El Paso (“Lessor”) and Patriot Place, Ltd. (“Lessee”) for the following described property: a portion of Lot 1, Block 1, Hawkins Plaza, City of El Paso, El Paso County, Texas, containing approximately 175,164 square feet of land and municipally known and numbered as 1550 Hawkins Boulevard.
- 15C.** Discussion and action on a Resolution authorizing the City Manager to sign a First Amendment to Commercial Site Lease (“Lease”) by and between the City of El Paso (“Lessor”) and Patriot Place, Ltd. (“Lessee”) for the following described property: a portion of Lot 1, Block 1, Hawkins Plaza, City of El Paso, El Paso County, Texas.

Motion made by Mayor Pro Tempore Acosta, seconded by Representative Byrd, and unanimously carried to **DELETE** the items.

NOT PRESENT FOR THE VOTE: Representative Quintana
.....

TAKEN WITH ITEM 16B AND 16C

16A.

R E S O L U T I O N

WHEREAS, the City Council of the City of El Paso ("City") has previously passed Ordinance No. 017116 on May 26, 2009, electing to participate in the Texas Enterprise Zone Program; and

WHEREAS, the local incentives offered under this Resolution are the same on this date as were outlined in Ordinance No. 017116; and

WHEREAS, pursuant to Chapter 2303, Subchapter F of the Texas Enterprise Zone Act, Texas Government Code ("Act"), Redcats USA, Inc. has applied to the City for designation as an enterprise zone project; and

WHEREAS, the Office of the Governor Economic Development and Tourism ("EDC") through the Economic Development Bank ("Bank") will consider Redcats USA Inc., as an enterprise project pursuant to a nomination and an application made by the City; and

WHEREAS, the City desires to pursue the creation of the proper economic and social environment in order to induce the investment of private resources in productive business enterprises located in the City and to provide employment to residents of enterprise zones and to other economically disadvantaged individuals; and

WHEREAS, the City finds that Redcats USA Inc. meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

1. Redcats USA Inc. is a "qualified business" under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site located in an enterprise zone and at least twenty-five percent (25.0%) of the business' new employees will be residents of an enterprise zone or economically disadvantaged individuals; and
2. There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities within the area; and
3. The designation of Redcats USA Inc. as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

WHEREAS, the City finds that Redcats USA Inc. meets the criteria for tax relief and other incentives adopted by the City and nominates Redcats USA Inc. for enterprise project status on the grounds that it will be located at the qualified business site, will create a higher level of employment, economic activity and stability; and

WHEREAS, the City finds that it is in the best interest of the City to nominate Redcats USA Inc. as an enterprise project pursuant to the Act.

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

1. That Redcats USA Inc. is a "qualified business", as defined in Section 2303.402 of the Act, and meets the criteria for designation as an enterprise project, as set forth in Section 2303, Subchapter F of the Act;

2. That the enterprise zone project shall take effect on the date of designation of the enterprise project by the agency and terminate five years after date of designation; and
3. That the City Manager or her designee be authorized to sign any and all documentation required by EDC to complete the nomination process.

Representative O'Rourke commented.

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

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

.....
 TAKEN WITH ITEM 16A AND 16C
16B.

R E S O L U T I O N

WHEREAS, the City Council of the City of El Paso ("City") has previously passed Ordinance No. 017116 on May 26, 2009, electing to participate in the Texas Enterprise Zone Program; and

WHEREAS, the local incentives offered under this Resolution are the same on this date as were outlined in Ordinance No. 017116; and

WHEREAS, pursuant to Chapter 2303, Subchapter F of the Texas Enterprise Zone Act, Texas Government Code ("Act"), McDonnell Douglas Corporation (to be known as The Boeing Company after January 1, 2010) (hereinafter referred to as "McDonnell Douglas Corporation") has applied to the City for designation as an enterprise zone project; and

WHEREAS, the Office of the Governor Economic Development and Tourism ("EDC") through the Economic Development Bank ("Bank") will consider McDonnell Douglas Corporation, as an enterprise project pursuant to a nomination and an application made by the City; and

WHEREAS, the City desires to pursue the creation of the proper economic and social environment in order to induce the investment of private resources in productive business enterprises located in the City and to provide employment to residents of enterprise zones and to other economically disadvantaged individuals; and

WHEREAS, the City finds that McDonnell Douglas Corporation meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

1. McDonnell Douglas Corporation is a "qualified business" under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site located in an enterprise zone and at least twenty-five percent (25.0%) of the business' new employees will be residents of an enterprise zone or economically disadvantaged individuals; and
2. There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities within the area; and

3. The designation of McDonnell Douglas Corporation as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

WHEREAS, the City finds that McDonnell Douglas Corporation meets the criteria for tax relief and other incentives adopted by the City and nominates McDonnell Douglas Corporation for enterprise project status on the grounds that it will be located at the qualified business site, will create a higher level of employment, economic activity and stability; and

WHEREAS, the City finds that it is in the best interest of the City to nominate McDonnell Douglas Corporation as an enterprise project pursuant to the Act.

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

1. That McDonnell Douglas Corporation is a "qualified business", as defined in Section 2303.402 of the Act, and meets the criteria for designation as an enterprise project, as set forth in Section 2303, Subchapter F of the Act;
2. That the enterprise zone project shall take effect on the date of designation of the enterprise project by the agency and terminate five years after date of designation;
3. That the findings of this Resolution and the City's nomination of the McDonnell Douglas Corporation shall apply without regard to the entity's reorganization or re-naming as The Boeing Company or otherwise; and
4. That the City Manager or her designee be authorized to sign any and all documentation required by EDC to complete the nomination process.

Representative O'Rourke commented.

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

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

.....
TAKEN WITH ITEM 16A AND 16B
16C.

RESOLUTION

WHEREAS, the City Council of the City of El Paso ("City") has previously passed Ordinance No. 017116 on May 26, 2009, electing to participate in the Texas Enterprise Zone Program; and

WHEREAS, the local incentives offered under this Resolution are the same on this date as were outlined in Ordinance No. 017116; and

WHEREAS, pursuant to Chapter 2303, Subchapter F of the Texas Enterprise Zone Act, Texas Government Code ("Act"), Eagle Family Foods, Inc. has applied to the City for designation as an enterprise zone project; and

WHEREAS, the Office of the Governor Economic Development and Tourism ("EDC") through the Economic Development Bank ("Bank") will consider Eagle Family Foods, Inc., as an enterprise project pursuant to a nomination and an application made by the City; and

WHEREAS, the City desires to pursue the creation of the proper economic and social environment in order to induce the investment of private resources in productive business enterprises located in the City and to provide employment to residents of enterprise zones and to other economically disadvantaged individuals; and

WHEREAS, the City finds that Eagle Family Foods, Inc. meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

1. Eagle Family Foods, Inc. is a "qualified business" under Section 2303.402 of the Act since it will be engaged in the active conduct of a trade or business at a qualified business site located in an enterprise zone and at least twenty-five percent (25.0%) of the business' new employees will be residents of an enterprise zone or economically disadvantaged individuals; and
2. There has been and will continue to be a high level of cooperation between public, private, and neighborhood entities within the area; and
3. The designation of Eagle Family Foods, Inc. as an enterprise project will contribute significantly to the achievement of the plans of the City for development and revitalization of the area.

WHEREAS, the City finds that Eagle Family Foods, Inc. meets the criteria for tax relief and other incentives adopted by the City and nominates Eagle Family Foods, Inc. for enterprise project status on the grounds that it will be located at the qualified business site, will create a higher level of employment, economic activity and stability; and

WHEREAS, the City finds that it is in the best interest of the City to nominate Eagle Family Foods, Inc. as an enterprise project pursuant to the Act.

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

1. That Eagle Family Foods, Inc. is a "qualified business", as defined in Section 2303.402 of the Act, and meets the criteria for designation as an enterprise project, as set forth in Section 2303, Subchapter F of the Act;
2. That the enterprise zone project shall take effect on the date of designation of the enterprise project by the agency and terminate five years after date of designation; and
3. That the City Manager or her designee be authorized to sign any and all documentation required by EDC to complete the nomination process.

Representative O'Rourke commented.

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

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

.....
The City Council Meeting **RECESSED** at 12:31 p.m. and **RECONVENED** at 1:21 p.m.
.....

16D.

RESOLUTION

That subject to passage of the Ordinance amending the Final Project Plan and Final Reinvestment Zone Financing Plan related hereto, the City Manager be authorized to execute the First Amendment to Development Agreement by and between the City of El Paso and The El Paso Project, LLC ("Developer"), to provide additional tax increment finance funds in the amount of \$22,000 as reimbursement for additional eligible project costs incurred in Developer's construction of public infrastructure improvements related to its First Avenue Lofts Development Project (Mixed-Use Residential) at 300 S. Florence, El Paso, Texas, to be paid out of the City's tax increment revenue fund for Tax Increment Reinvestment Zone Number 5, City of El Paso, Texas, subject to the terms and conditions provided in the Agreement. The total reimbursement amount under the Agreement is \$50,000.

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

NOT PRESENT FOR THE VOTE: Representatives Acosta and Holguin

.....
16E.

RESOLUTION

WHEREAS, the City of El Paso, Texas ("the City"), and the County of El Paso, Texas ("the County"), established a Joint Revolving Loan Fund, utilizing funds available under the U.S. Department of Commerce, Economic Development Administration ("EDA") Section 209 Economic Adjustment Program, and as provided by the Texas Department of Housing and Community Affairs ("TDHCA"), respectively; and

WHEREAS, the Joint Revolving Loan Fund was established pursuant to the terms of an Interlocal Agreement, dated May 16, 2000, and thereafter amended, between the City and the County, and a Revolving Loan Fund Program Agreement, dated May 16, 2000, and thereafter amended, among the City, the County, the Program Bank, and additional Program Lenders; and

WHEREAS, the Revolving Loan Fund Plan ("RLF Plan") was described in Exhibit A to the above-referenced Interlocal Agreement and Program Agreement; and

WHEREAS, upon submission to the EDA of the program report for the Joint Revolving Loan Fund for the period ending September 30, 2009, 13 C.F.R. §307.14(b) and Part II, Section J.2 of the EDA's Revolving Loan Fund Standard Terms and Conditions require annual certification by the governing board of the grant recipient that the Joint Revolving Loan Fund is being operated in accordance with the RLF Plan; and

WHEREAS, the City Council is the governing body of the City of El Paso, which is the grant recipient of funds from the EDA; and

WHEREAS, having reviewed the performance of the Joint Revolving Loan Fund for the period ending September 30, 2009, City Council finds that: the RLF Plan is consistent with and supportive of the area's current economic adjustment strategy; the Joint Revolving Loan Fund is being operated in accordance with the policies and procedures contained in the RLF Plan; and the loan portfolio meets the standards contained therein.

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

That the performance of the Joint Revolving Loan Fund has been reviewed for the period ending September 30, 2009, and that the City Manager or her designee be authorized to certify the following to the Economic Development Administration:

1. The RLF Plan is consistent with and supportive of the area's current economic adjustment strategy; and
2. The Joint Revolving Loan Fund is being operated in accordance with the policies and procedures contained in the RLF Plan, and the loan portfolio meets the standards contained therein.

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

NOT PRESENT FOR THE VOTE: Representatives Acosta and Holguin

.....
16F. ECONOMIC DEVELOPMENT

Presentation regarding Business Retention & Expansion program results for Fiscal Year 2009.

Mr. Tom Ingle, Business First Coordinator, presented a PowerPoint presentation (on file in the City Clerk's office).

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

Ms. Kathryn Dodson, Director of Economic Development, commented

NO ACTION was taken on the item.

.....
16G.

R E S O L U T I O N

WHEREAS, by resolution dated September 3, 1996, the City of El Paso approved of the creation of the El Paso Downtown Management District ("District");

WHEREAS, pursuant to Chapter 375 of the Texas Local Government Code ("Code") the District was legally created by order of the Texas Natural Resources Conservation Commission on March 10, 1997;

WHEREAS, pursuant to Section 375.064(a) of the Code, the Board of Directors of the District ("Board") convened a meeting open to the public on August 23, 2007 for the purpose of recommending a slate of persons to serve as members of the Board; and

WHEREAS, pursuant to Section 375.064(b) of the Code, the City Council is required to approve or disapprove recommendations submitted by the Board.

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

That the City Council approve the recommendation of the Board of Directors of the El Paso Downtown Management District that the following persons be named directors of the District for the terms indicated:

Bill Hooten	Term expiring August 2012
Mike Dipp, Jr.	Term expiring August 2012
Sal Holland	Term expiring August 2012
Adam Frank	Term expiring August 2012

Mike McQueen	Term expiring March 2012
Henry Seo	Term expiring August 2012
Robert Ayoub	Term expiring August 2011
Marco Bencomo	Term expiring August 2011
Brant Chandler	Term expiring August 2011
Richard Fleager	Term expiring March 2010
Trista Fox	Term expiring March 2010
Paul Gilcrease	Term expiring March 2010
T.J. Karam	Term expiring March 2010

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

NOT PRESENT FOR THE VOTE: Representative Holguin

.....
17A.

RESOLUTION

WHEREAS, the Texas Department of Transportation (TXDOT) has opened a call for Transportation Enhancement projects which go above and beyond traditional transportation projects and which are linked to transportation through either function or impact; and

WHEREAS, The City of El Paso wishes to improve and enhance the safety and efficiency of the movement of people walking or bicycling; and

WHEREAS, The City of El Paso wishes to provide for landscaping and beautification and address water pollution due to highway runoff; and

WHEREAS, the City will propose three Transportation Enhancement Projects all of which will be viable and important assets to the City, schools and local businesses; and,

WHEREAS, The proposed Transportation Enhancement Projects are (1) Bicycle Paths, including designation with signage and striping along Trowbridge, Trawood, Montwood, Viscount, Knights Drive, Yarbrough, Delta and Hunter Drive; (2) Saipan/Ledo –Lincoln Park Pedestrian Amenities, including walking/biking paths at the site and linking Boone Street to Alameda and the EL Paso Zoo as well as recreation amenities to enhance the open space adjacent to Interstate 10; and (3) Downtown Wayfinding and Pedestrian Amenities, including signage to assist pedestrians in locating corridors to the international ports of entry, the downtown transfer center, recreation venues and government facilities in the downtown area; and

WHEREAS, The building of the proposed Transportation Enhancement Projects will accomplish the intention of the City; and

WHEREAS, The Texas Department of Transportation requires the governing body to commit to provide matching funds should the City’s projects be selected.

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

THAT the City of El Paso will apply for funding through the Texas Department of Transportation to make the necessary improvements to accomplish any or all of the three Transportation Enhancement Projects if selected for funding by the Texas Department of Transportation. The City agrees to commit to the projects' development, implementation, construction, maintenance, management and financing. The City further agrees to provide the required local match of 20% or greater of the total project costs, including being responsible for all non-federally fundable items and 100 percent of all cost overruns.

Representatives Quintana, Byrd, and Ortega commented.

Ms. Terry Quezada, Engineering Capital Improvement Program Administrator, commented.

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

NOT PRESENT FOR THE VOTE: Representative Holguin

.....
17B.

RESOLUTION

WHEREAS, on July 22, 2008, the City Council of the City of El Paso (the "City") endorsed the 2008 Comprehensive Mobility Plan (the "2008 CMP") which identified transportation projects vital to improving the region's transportation system by providing multiple modes of transportation and projects that facilitate the safe and reliable movement of goods and people;

WHEREAS, on August 19, 2008, the City entered into a Memorandum of Understanding with the Metropolitan Planning Organization (the "MPO"), TxDOT, and the Camino Real Regional Mobility Authority (the "CRRMA") to work in a cooperative manner to complete the projects identified in the 2008 CMP;

WHEREAS, on December 23, 2008, the City adopted Ordinance No. 017042 establishing Transportation Reinvestment Zone Number One, City of El Paso, Texas (the "Zone") to promote transportation projects described by Section 222.104, Transportation Code, as amended, that cultivate development and redevelopment of the Zone, pursuant to Section 222.106, Transportation Code, as amended (the "Act");

WHEREAS, the City will pay into a Tax Increment Fund an amount equal to the Tax Increment produced by the City, in accordance with Section 222.106(h) of the Act;

WHEREAS, in accordance with Section 222.106(i) of the Act, money deposited to the Tax Increment Fund must be used to fund projects authorized under Section 222.104;

WHEREAS, the City and the CRRMA have determined that it would be desirable and further the public purposes of the Act for the CRRMA to enter into Pass-through Agreements with the Texas Department of Transportation for the development of the projects;

WHEREAS, the City and the CRRMA desire that, effective with the execution and delivery of the Pass-through Agreement by and between the CRRMA and the Texas Department of Transportation, the City pledge, assign and agree to pay to the CRRMA all amounts deposited in the Tax Increment Fund upon receipt to provide the City's share of funding for the four projects identified within the 2008 CMP as recipients of Zone funds.

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

That the Mayor be authorized to sign an Agreement by and between the City of El Paso and the Camino Real Regional Mobility Authority for the assignment of Tax Increment Funds collected from Transportation Reinvestment Zone Number One, City of El Paso, Texas, to provide the City's share of funding for the four projects identified within the 2008 Comprehensive Mobility Plan as recipients of Zone funds.

Ms. Jane Shang, Deputy City Manager of Mobility Services, presented a PowerPoint presentation (on file in the City Clerk's office).

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

Ms. Joyce Wilson, City Manager, commented and Mr. Charlie McNabb, City Attorney, gave legal advice.

Mr. Raymond Telles, Executive Director of CRRMA, and Mr. Chuck Barry, District Engineer with TXDot, commented.

Ms. Heather McMurray, citizen, commented.

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

NOT PRESENT FOR THE VOTE: Representative Holguin

.....
ADDITION TO THE AGENDA

1. MAYOR AND COUNCIL

Discussion and action on re-prioritizing the design, construction, and installation of traffic signals.

Mr. Ted Marquez, Engineering Division Manager, presented a PowerPoint presentation (on file in the City Clerk's office).

Representatives Quintana, Byrd, Robinson, and Acosta commented.

The following City staff members commented:

- 1. Ms. Joyce Wilson, City Manager
- 2. Mr. Daryl Cole, Director of Streets
- 3. Assistant Police Chief Eric Shelton

1ST MOTION

Motion made by Representative Robinson, seconded by Representative Ortega, and unanimously carried to **RETIRE** into **EXECUTIVE SESSION** at 2:20 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 (Consultation with Attorney).

2ND MOTION

Motion made by Representative Quintana, seconded by Representative Robinson, and unanimously carried to **ADJOURN** the Executive Session at 2:25 p.m. and **RECONVENE** the meeting of the City Council.

3RD AND FINAL MOTION

Motion made by Representative Quintana to **ELEVATE** the priority of items 11 and 12 to the forefront of the traffic signal projects. **THE MOTION DIED FOR LACK OF A SECOND.**

NO ACTION, other than the above procedural Motions, was taken on the item.

.....
ADDITION TO THE AGENDA

2.

RESOLUTION

That the City Manager is hereby authorized to submit the attached TIRZ No. 5 Annual Report to the appropriate entities as required by Section 311.016 of the Texas Tax Code.

Representative Ortega commented.

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

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

NOT PRESENT FOR THE VOTE: Representative Holguin

.....
Motion made by Representative Robinson, seconded by Representative Lilly, and unanimously carried to **ADJOURN** this meeting at 2:48 p.m.
.....

APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk