

**OSCAR LEESER**  
MAYOR

**TOMMY GONZALEZ**  
CITY MANAGER



**CITY COUNCIL**  
ANN MORGAN LILLY, DISTRICT 1  
LARRY ROMERO, DISTRICT 2  
EMMA ACOSTA, DISTRICT 3  
CARL L. ROBINSON, DISTRICT 4  
MICHEL R. NOE, DISTRICT 5  
CLAUDIA ORDAZ, DISTRICT 6  
LILY LIMÓN, DISTRICT 7  
CORTNEY CARLISLE NILAND, DISTRICT 8

## **MINUTES FOR REGULAR COUNCIL MEETING**

**September 16, 2014**  
**COUNCIL CHAMBERS, CITY HALL**  
**8:00 AM**

The City Council met in regular session at the above place and date. Meeting was called to order at 8:06 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Cortney Carlisle Niland, Larry Romero, Emma Acosta, Carl Robinson, Michiel R. Noe, Claudia Ordaz, and Lilia Limón. The invocation was given by Police, Fire and CIMA Chaplain Carlos Clugy-Soto, followed by the Pledge of Allegiance to the Flag of the United States of America.

### **ROLL CALL**

### **INVOCATION BY CIMA CHAPLAIN CARLOS CLUGY-SOTO**

### **PLEDGE OF ALLEGIANCE**

**Douglas Elementary School**

**Carolina Zuñiga**  
**Angel Rios**  
**Mark Rodriguez**  
**Tanisha Conner**  
**Issabel Rodriguez**  
**Damian Gomez**

### **8:00 A.M. – 8:30 A.M. CALL TO THE PUBLIC – PUBLIC COMMENT**

The following members of the public commented:

1. Mr. Richard Schechter
2. Mr. Jack Bradford
3. Ms. Wally Cech
4. Ms. Lisa Turner

Mayor Leaser commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager, commented.
2. Ms. Sylvia Firth, City Attorney, gave legal advice.

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**MAYOR'S PROCLAMATIONS**

1. **Manhattan Heights Centennial Week**
2. **National Preparedness Month**
3. **El Paso Hispanic Cultural Center Week**

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**NOTICE TO THE PUBLIC**

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**CONSENT AGENDA**

**1<sup>ST</sup> MOTION**

Motion made by Representative Robinson, seconded by Representative Limón, and unanimously carried to **SUSPEND** the rules of council to allow for additional speakers after the sign-up deadline.

**2<sup>ND</sup> MOTION**

Motion made by Mayor Pro Tempore Niland, seconded by Representative Lilly, 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, Romero, Acosta, Robinson, Noe, Ordaz, Limón, and Niland

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 September 9, 2014.

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**2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

**NO ACTION** taken on this item.

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**3. RESOLUTIONS:**

- 3.1.** \*Motion made, seconded, and unanimously carried to **POSTPONE** two weeks a Resolution authorizing the City Manager to sign a Multiple Use Agreement between the City of El Paso, on behalf of the El Paso Water Utilities, and the State of Texas by and between the Texas Department of Transportation to permit the construction, maintenance and operation of a public park pond on state highway right-of-way US 54, such land being located east of Pollard Street from Sacramento Drive to Fort Blvd.

3.2.

**\*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 that certain Waste Exchange Agreement by and between the City of El Paso and El Paso Disposal, LP and Camino Real Environmental Center, Inc. joined for approval purposes by its parent company Waste Connections, Inc., to allow, on a quarterly basis and at no tipping fee except in certain circumstances, for the City to deposit up to 20,000 tons of acceptable waste in the Camino Real Landfill and to allow for El Paso Disposal, LP to deposit up to 20,000 tons of acceptable waste in the Greater El Paso Landfill.

**4. BOARD RE-APPOINTMENTS:**

- 4.1. \*Motion made, seconded, and unanimously carried to **RE-APPOINT** Pifas Silva to the Greater El Paso Civic, Convention and Tourism Advisory Board by Representative Lily Limón, District 7.

**5. BOARD APPOINTMENTS:**

- 5.1. \*Motion made, seconded, and unanimously carried to **APPOINT** Melissa Lugo to the Bicycle Advisory Committee by Representative Lily Limón, District 7.
- 5.2. \*Motion made, seconded, and unanimously carried to **APPOINT** Guy Wayne Johnsen to the Animal Shelter Advisory Committee by Representative Lily Limón, District 7.
- 5.3. \*Motion made, seconded, and unanimously carried to **APPOINT** Cesar Martinez to the Bicycle Advisory Committee by Representative Claudia Ordaz, District 6.

**6. NOTICE FOR NOTATION:**

- 6.1. \*Motion made, seconded and unanimously carried to **APPROVE** for notation the donation of \$300 from Clear Channel Outdoor for Movies in the Park in District 5.
- 6.2. \*Motion made, seconded and unanimously carried to **APPROVE** for notation the donation of \$2,500.00 from Richard Castro, Castro Enterprises, Inc. dba McDonald's for the Economic Development Familiarization Tours.
- 6.3. \*Motion made, seconded and unanimously carried to **APPROVE** for notation the donation of \$500 from Texas Gas Service for Summer Fun Program, District 7.
- 6.4. \*Motion made, seconded and unanimously carried to **APPROVE** for notation the donation of \$500 from Texas Gas Service for Movies in the Park in District 8.

**REGULAR AGENDA - INTRODUCTIONS**

**7. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE**

## **EL PASO CITY CHARTER:**

Motion made by Mayor Pro Tempore Niland, seconded by Representative Acosta, and unanimously carried that the following Ordinance, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

- 7.1. An Ordinance granting Special Permit No. PZST13-00025, to allow for a 55 percent parking reduction, on the property described as Lots 27-32, Block 118, Supplemental Map No. 1 of East El Paso Addition, 3500, 3504, and 3506 Pershing Drive, City of El Paso, El Paso County, Texas, pursuant to Sections 20.14.070, 20.04.150, and 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. Subject Property: 3500, 3504, and 3506 Pershing Drive. Property Owner: Faith United Methodist. PZST13-00025.
- 7.2.1. An Ordinance changing the zoning of a portion of Lots 21 and 26 and all of Lots 22 through 25, Block 9, Eastside Industrial District Unit One, 6966 Market Avenue, City of El Paso, El Paso County, Texas from M-1/sc (Light Manufacturing/special contract) to M-2/c (Heavy Manufacturing/condition), and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 6966 Market Avenue. Property Owner: HW McKinney Jr. Wrecking, Inc. PZRZ14-00032
- 7.2.2. An Ordinance releasing all conditions placed on property by Resolution approved on October 23, 1956 which changed the zoning of a portion of Lots 21 and 26 and all of Lots 22 through 25, Block 9, Eastside Industrial District Unit One, 6966 Market Avenue, City of El Paso, El Paso County, Texas. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 6966 Market Avenue. Property Owner: HW McKinney Jr. Wrecking, Inc. PZCR14-00006.

## **REGULAR AGENDA – PUBLIC HEARINGS**

### **8. CITY DEVELOPMENT:**

- 8.1. \*Motion made, seconded, and unanimously carried to **POSTPONE** four weeks the public hearing on an Ordinance changing the zoning of a portion of Section 28 and 33, Block 79, Township 2, Texas and Pacific Railway Company Surveys, North of Montana Avenue and East of Purple Heart Boulevard, City of El Paso, El Paso County, Texas from C-4 (Commercial) to R-MU (Residential-Mixed Use) and approving a Master Zoning Plan. The penalties are as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: North of Montana Avenue and East of Purple Heart Boulevard. Property Owner: River Oaks Properties, LTD. PZRZ14-00023

### **8.2. ORDINANCE 018242**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 1, BLOCK 1, MIRAMONTE INDUSTRIAL PARK UNIT 1, REPLAT "A", CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM P-I/SC (PLANNED-INDUSTRIAL/SPECIAL CONTRACT) TO C-4/SC (COMMERCIAL/SPECIAL CONTRACT). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: WEST OF DONIPHAN & SOUTH OF MONTOYA. PROPERTY OWNER: RDG-PDI CENTER, LLC. PZRZ13-00038**

Motion duly made by Representative Lilly, seconded by Mayor Pro Tempore Niland, 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, Romero, Acosta, Robinson, Noe, Ordaz, Limón, and Niland  
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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**8.3.**

**ORDINANCE 018243**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF TRACT 56, S.A. & M.G.R.R. SURVEY NO. 267, 144 THORN AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO A-O (APARTMENT/OFFICE). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE. SUBJECT PROPERTY: 144 THORN AVENUE. PROPERTY OWNER: TRANS-AMERICAN COMMUNICATIONS, INC. PZRZ14-00025**

Motion duly made by Representative Lilly, seconded by Mayor Pro Tempore Niland, 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, Romero, Acosta, Robinson, Noe, Ordaz, Limón, and Niland  
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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**8.4.**

**ORDINANCE 018244**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.02 (GENERAL PROVISIONS AND DEFINITIONS) CREATING A NEW CREDIT ACCESS BUSINESS AND PAWNSHOP USE AND DEFINITION, AMENDING CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS) TO ADD APPROPRIATE STANDARDS AND REGULATIONS FOR CREDIT ACCESS BUSINESSES AND AMENDING APPENDIX A (TABLE OF PERMISSIBLE USES) TO ALLOW CREDIT ACCESS BUSINESSES IN COMMERCIAL DISTRICTS BY SPECIAL PERMIT AND APPENDIX C (PARKING REGULATIONS) OF THE EL PASO CITY CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

Representatives Romero, Acosta, Ordaz, Noe, Niland, and Robinson commented.

Ms. Sylvia Firth, City Attorney, gave legal advice.

The following members of the public commented:

1. Mr. Saul Frank
2. Mr. Gabe Frank

Motion duly made by Representative Ordaz, seconded by Mayor Pro Tempore Niland, 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, Acosta, Noe, Ordaz, Limón, and Niland

NAYS: Representatives Romero and Robinson

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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8.5.

**ORDINANCE 018245**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.02 (DEFINITIONS) TO AMEND THE DEFINITION OF MONUMENT SIGN; CHAPTER 20.18 (SIGN REGULATIONS), ARTICLE II (ADMINISTRATION) SECTION 20.18.140 (PROHIBITED SIGNS) TO REMOVE THE PROHIBITION OF ROOF SIGNS AND ROOF-MOUNTED SIGNS; ARTICLE IV (ON-PREMISE SIGN REGULATIONS), SECTION 20.18.400 (GENERAL) TO ADD ADMINISTRATIVE PROCEDURES FOR EXCEPTIONS TO SIGN STANDARDS; SECTION 20.18.440 (COP, C-1, P-C, P-I, R-MU, G-MU, AND I-MU DISTRICTS) TO AMEND THE REQUIREMENTS FOR WALL SIGNS AND TO ADD PERPENDICULAR SIGN STANDARDS; SECTION 20.18.450 (C-2, C-3, C-4, Q, M-1, M-2 AND M-3 DISTRICTS) TO AMEND THE DEFINITION OF INTERSTATE OR FREEWAY FRONTAGE, TO AMEND THE REQUIREMENTS FOR WALL SIGNS, AND TO ADD ROOF AND PERPENDICULAR SIGN STANDARDS; SECTION 20.18.455 (C-2, C-3, C-4, Q, M-1, M-2 AND M-3 DISTRICTS) CREATING A NEW SECTION TO ADD REQUIREMENTS FOR SHOPPING CENTER SIGN PLANS; AND 20.18.460 (C-5 DISTRICT) TO ADD ROOF SIGN STANDARDS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

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

The following members of the public commented:

1. Mr. Stephen Ellsesser, El Paso Chamber of Commerce
2. Mr. Charlie McNabb

Motion duly made by Representative Noe, seconded by Representative Ordaz, 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, Romero, Acosta, Robinson, Noe, Ordaz, Limón, and Niland  
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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**8.6. ORDINANCE 018246**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 15 (PUBLIC SERVICES), CHAPTER 15.08. (STREET RENTALS), SECTION 15.08.120 (SPECIAL PRIVILEGE LICENSES AND PERMITS), TO INCLUDE A NEW TYPE OF ENCROACHMENT FOR SIDEWALK RETAIL VENDING IN TABLE 1-1, AND TO ADD SUBSECTION R (SIDEWALK RETAIL VENDING) TO ALLOW FOR AND ESTABLISH STANDARDS FOR SIDEWALK RETAIL VENDING. PENALTY IS AS PROVIDED IN SECTION 15.08.125 OF THE EL PASO CITY CODE.**

Representatives Niland, Limón, and Noe commented.

Mr. Mathew McElroy, Director of City Development, commented.

Ms. Patricia Reyes, Central Business Association, commented.

Motion duly made by Mayor Pro Tempore Niland, seconded by Representative Lilly, that the Ordinance be **ADOPTED, AS REVISED**. 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, Romero, Acosta, Robinson, Noe, Ordaz, Limón, and Niland  
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, AS REVISED**.

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**9. ENGINEERING AND CONSTRUCTION MANAGEMENT:**

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**9.1. ORDINANCE 018247**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING PARAGRAPH 2 OF ORDINANCE 017959 TO READ AS FOLLOWS: USE OF PROCEEDS. THE CITY SHALL USE THE NET PROCEEDS FROM THE SALE OF THE PROPERTY MUNICIPALLY KNOWN AND NUMBERED AS 800 S. PIEDRAS AKA 2914 E. PAISANO FOR THE DESIGN AND CONSTRUCTION OF A ROUNDABOUT AT THE INTERSECTION OF FINDLEY AND S. RAYNOR STREET IN THE AREA AROUND BARRIO PARK.**

Ms. Irene Ramirez, Interim City Engineer, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Representatives Niland, Robinson, and Noe commented.

Ms. Sylvia Firth, City Attorney, gave legal advice.

Motion duly made by Mayor Pro Tempore Niland, 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, Romero, Acosta, Robinson, Ordaz, Limón, and Niland  
NAYS: Representative Noe

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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## **REGULAR AGENDA - OTHER BUSINESS**

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### **10. CITY ATTORNEY:**

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#### **10.1. Discussion and action on the Final Draft of the City of El Paso State Legislative Priorities for the 84th Legislative Session.**

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##### **1<sup>ST</sup> MOTION – ECONOMIC DEVELOPMENT INCENTIVES**

Motion made Mayor Pro Tempore Niland, seconded by Representative Lilly, and unanimously carried to **APPROVE** City staff and authorized representatives to:

- Seek passage of legislation that clearly authorizes municipalities to contribute publicly owned land in economic development incentive packages (specifically 380 agreements).
- Seek passage of legislation that clearly authorizes privately owned land to be included in public-private partnership proposals.

##### **2<sup>ND</sup> MOTION – PUBLIC INFRASTRUCTURE FUNDING**

Motion made Mayor Pro Tempore Niland, seconded by Representative Noe, and carried to **APPROVE** City staff and authorized representatives to:

- Seek passage of legislation that authorizes the City of El Paso to increase the local sales tax by one cent to fund local capital improvement projects and reduce the burden of property taxes for homeowners and businesses.

AYES: Representatives Lilly, Romero, Acosta, Robinson, Noe, Ordaz, and Niland  
NAYS: Representative Limón

##### **3<sup>RD</sup> MOTION**

Motion made by Representative Limón, seconded by Representative Noe, and unanimously carried to **RECONSIDER** the vote.

##### **4<sup>TH</sup> MOTION – PUBLIC INFRASTRUCTURE FUNDING**

Motion made Mayor Pro Tempore Niland, seconded by Representative Noe, and unanimously carried to **APPROVE** City staff and authorized representatives to:

- Seek passage of legislation that authorizes the City of El Paso to increase the local sales tax by one cent to fund local capital improvement projects and reduce the burden of property taxes for homeowners and businesses.

##### **5<sup>TH</sup> MOTION –SUPPORT FT. BLISS**



Motion made Mayor Pro Tempore Niland, seconded by Representative Robinson, and unanimously carried to **APPROVE** City staff and authorized representatives to:

- Working in partnership with other Texas cities that are home to military installations, seek funding for the State's Defense Economic Adjustment Assistance Grant Program to fund military value projects that strengthen Texas bases.

#### **6<sup>TH</sup> MOTION – TRANSPORTATION FUNDING**

Motion made Mayor Pro Tempore Niland, seconded by Representative Lilly, and unanimously carried to **APPROVE** City staff and authorized representatives to:

- Working in partnership with other transportation advocates and stakeholders to seek legislation that provides additional funding options for local transportation projects.

#### **7<sup>TH</sup> MOTION – APPRAISAL DISTRICT REFORM**

Motion made Mayor Pro Tempore Niland, seconded by Representative Lilly, and unanimously carried to **APPROVE** City staff and authorized representatives to:

- Seek passage of legislation that establishes increased minimum qualifications for members serving on the Appraisal Review Board.

#### **8<sup>TH</sup> MOTION – KEEP EL PASO CLEAN**

Motion made Mayor Pro Tempore Niland, seconded by Representative Lilly, and unanimously carried to **APPROVE** City staff and authorized representatives to:

- Seek passage of legislation that authorizes the City of El Paso to improve local enforcement efforts and the associated penalties regarding illegal tire disposal and tire recycling.

#### **9<sup>TH</sup> MOTION**

Motion made Mayor Pro Tempore Niland, seconded by Representative Acosta, and carried to seek legislation to **AUTHORIZE** the City of El Paso the ability to impose an EMS fee which revenue would be solely dedicated to equipment, supplies and personnel cost. **THE MOTION FAILS.**

AYES: Representatives Lilly, Romero, Acosta and Niland

NAYS: Mayor Leeser and Representatives Robinson, Noe, Ordaz and Limón

Mayor Leeser broke the tie, voting Nay.

#### **10<sup>TH</sup> MOTION**

Motion made Mayor Pro Tempore Niland, seconded by Representative Acosta, and carried to **SEEK** legislation that opens the dialog for all members (Fort Bliss, City, and Military) together, to allow for discussion to either cap or share this subsidy burden with El Paso Electric Company. **THE MOTION FAILS.**

AYES: Representatives Lilly, Acosta, Ordaz and Niland

NAYS: Mayor Leeser and Representatives Romero, Robinson, Noe and Limón

Mayor Leeser broke the tie, voting Nay.

#### **11<sup>TH</sup> AND FINAL MOTION**

Motion made Mayor Pro Tempore Niland, seconded by Representative Lilly, and

unanimously carried to **OPPOSE** legislation and make it a priority that removes the cities original jurisdiction of the rate setting process for gas and electric service and/or removes cities ability to recover expenses associated with conducting or intervening in gas or electric rate cases.

Ms. Brie Franco, Assistant City Attorney, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Leeser and Representatives Niland, Noe, Limón, Lilly, Robinson, Ordaz, Acosta commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Ms. Sylvia Firth, City Attorney, gave legal advice.
3. Fire Chief Samuel Pena

The following members of the public commented:

1. Mr. Richard Schechter
2. Ms. Lisa Turner
3. Ms. Mary Beth Stevens, EPEC
4. Mr. Brandon Aghamalian
5. Mr. Snapper Carr

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## **11. COMMUNITY AND HUMAN DEVELOPMENT:**

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### **11.1.**

#### **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 following Community Housing Development Organization (CHDO) affordable rental housing developments are approved for funding commitments, as recommended by the Director of Community and Human Development, as listed below:

Project Name:	PV Community Development Corporation
Project Type:	Land acquisition and construction of ten (10) Rental Units
Project Address:	4418 Sunrise
Funding Amount:	\$1,100,000
District:	2

Project Name:	PV Community Development Corporation
Project Type:	Land acquisition and construction of ten (10) Rental Units
Project Address:	4420 Sunrise
Funding Amount:	\$1,050,000
District:	2

That the City Manager, on behalf of the City, be authorized to sign the Community Housing Development Organization (CHDO) HOME Written Agreement, in a form substantially similar to the form contract attached as Exhibit "A", by and between the City and PV Community Development Corporation, as well as any related contract documents necessary to effectuate the awards and to secure and protect the

City's lien interest.

Ms. Veronica Soto, Director of Community and Human Development, commented.

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

NOT PRESENT FOR THE VOTE: Representative Niland

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**12. EL PASO WATER UTILITIES:**

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- 12.1.** \*Motion made, seconded, and unanimously carried to **POSTPONE** two weeks a Resolution granting the El Paso Water Utilities Public Service Board President/CEO the authority to apply for Texas Water Development Board (TWDB), State Water Implementation Fund of Texas and State Water Implementation Revenue Fund for Texas, low-cost financing for water projects to include the authority to manage such projects. In such matters, the President/CEO shall be considered as acting on behalf of the City of El Paso, Texas.
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**13. INTERNATIONAL BRIDGES:**

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- 13.1.** \*Motion made, seconded, and unanimously carried to **DELETE** the item for discussion on Quarterly Report presentation of Section 560 - Public Private Partnership (PPP) with Customs and Border Protection (CBP) Reimbursable Program.
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**14. PARKS AND RECREATION:**

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- 14.1.** \*Motion made by Representative Romero, seconded Representative Limón, and unanimously carried to **APPROVE** the updated Parks and Recreation Master Plan.

Mr. Tracy Novak, Director of Parks and Recreation, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Representatives Niland, Robinson, Noe, and Limón commented.

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**15. MAYOR AND COUNCIL:**

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- 15.1.** Update and discussion of expenditures to date on Eastside Regional Park Project to include itemized description of expenditures and budgeted expenses, and update and discussion on Quality of Life Three Year Program Budget Report.

Mayor Leeser and Representatives Niland, Acosta, Robinson, Noe, and Limón commented.

The following City staff members commented:

1. Mr. Tommy Gonzalez, City Manager
2. Ms. Irene Ramirez, Interim City Engineer
3. Mr. Tracy Novak, Director of Parks and Recreation
4. Ms. Sylvia Firth, City Attorney

**NO ACTION** taken on this item.

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**15.2. Financial Audit and Oversight Committee Report:**

1. For Notation Only: Formal Report of the Financial Audit and Oversight Committee meeting held on September 03, 2014.
2. Discussion and action pertaining specifically to any of the Agenda Items on the September 03, 2014 Agenda of such Financial Audit and Oversight Committee, as follows:
  - a. Discussion on Audit Plan Updates.
  - b. Discussion and action on Client Surveys.
  - c. Discussion on the impact of the 2014-2015 Budget on the Internal Audit Office.
  - d. Discussion on Impact of GASB Statements 67 and 68 on Financial Reporting for the City of El Paso.

Mr. Edmundo Calderon, Internal Auditor, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Leeser and Representatives Acosta and Robinson commented.

**NO ACTION** taken on this item.

**ADDITION TO THE AGENDA**  
**REGULAR AGENDA – OTHER BUSINESS**  
**ITEMS TAKEN TOGETHER 1.1 AND 1.2**

**1. ECONOMIC AND INTERNATIONAL DEVELOPMENT:**

**1.1. 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 an Amendment of the Chapter 380 Grant Agreement dated December 11, 2012 by and between the **CITY OF EL PASO, TEXAS**, a home-rule municipality of El Paso County, Texas and **ADP, INC.**, a Delaware Corporation, for the construction of a new facility and expansion of its operations within the city limits of the City of El Paso.

Mr. Cary Westin, Director of Economic and International Development, presented a PowerPoint presentation (copy on file in City Clerk's Office).

Mayor Leeser and Representatives Acosta, Limón, Niland, and Robinson commented.

The following members of the public commented:

1. Mr. Jerry Magrean
2. Mr. Richard Schechter

Motion made by Mayor Pro Tempore Niland, seconded by Representative Lilly, and

unanimously carried to **APPROVE** the Resolution.

1.2.

## **R E S O L U T I O N**

### **A RESOLUTION NOMINATING ADP, INC. AS A TEXAS STATE ENTERPRISE ZONE PROJECT**

**WHEREAS**, the City Council of the City of El Paso ("City") passed Ordinance No. 017116 on May 26, 2009, electing for the City 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"), ADP, 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 ADP, Inc. as an enterprise zone 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 ADP, Inc. meets the criteria for designation as an enterprise project under Chapter 2303, Subchapter F of the Act on the following grounds:

1. ADP, 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 inside an enterprise zone and at least twenty-five percent (25%) 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 ADP, 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 ADP, Inc. meets the criteria for tax relief and other incentives adopted by the City and agrees to nominate ADP, Inc. for enterprise zone 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 ADP, 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 ADP, Inc., to be known as the ADP Expansion Project, 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 documents required by EDC to complete the nomination process.

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

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**ADJOURN**

Motion made by Representative Robinson, seconded by Representative Lilly, and unanimously carried to **ADJOURN** this meeting at 3:28 p.m.

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**APPROVED AS TO CONTENT:**

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Richarda Duffy Momsen, City Clerk