

JOHN F. COOK  
MAYOR



JOYCE WILSON  
CITY MANAGER

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

## **AGENDA FOR REGULAR CITY COUNCIL MEETING**

**January 29, 2008  
Council Chambers, City Hall  
8:30 a.m.**

After the meeting is convened, the City Council shall consider the following items in the following order no sooner than the designated times, but may consider them at a later time.

8:30 a.m.: Roll call and Executive Session\*  
9:00 a.m.: Invocation and Pledge of Allegiance  
9:00 a.m.: Ceremonial items followed by all other items posted on the Agenda

\*At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.

**Invocation – Police Chaplain Carlos Flores  
Pledge of Allegiance**

### **RECOGNITIONS**

- 1. CONQUISTADOR AWARD TO TEDD F. RICHARDSON**
- 2. CITY EMPLOYEE RECOGNITIONS**

### **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](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.

### **NOTICE TO THE PUBLIC**

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been

taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

**CONSENT AGENDA**

**1. APPROVAL OF MINUTES:**

Approval of Minutes for the Regular City Council Meeting of January 22, 2008.  
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

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

**3. RESOLUTIONS:**

**3A.** That the City Manager be authorized to sign the Lease Agreement by and between the City of El Paso ("City") and the El Paso Electric Company ("EPE") with respect to the City's use of EPE property in exchange for EPE's use of the City's property, both of which are located near the Lone Star Golf Club. **(District 3)** [Airport, Patrick Abeln, (915) 780-4724]

**3B.** That Kern Place Merchants Association be authorized to provide for the sale and serving of alcoholic beverages at an outdoor street festival in the closed portions of Baltimore Avenue, the adjacent alley, and Cincinnati Street between Stanton Street and North Mesa Street from 6:00 p.m., February 5, 2008, to 2:00 a.m., February 6, 2008. **(Districts 1 and 8)**  
[Development Services/Planning, Mirian Spencer, (915) 541-4192]

**3C.** That the New O.P.E.P. be authorized to provide for the sale and serving of alcoholic beverages at an outdoor street festival in the closed portion of Ochoa Street between First Street and Paisano Avenue from 8:00 pm, February 5, 2008, to 2:00 am, February 6, 2008. **(District 8)**  
[Development Services/Planning, Mirian Spencer, (915) 541-4192]

**3D.** A Resolution that the City Council hereby renames the southern portion of the street currently known as Belvidere Street, which is located south of Mesa Street (as identified in Exhibit "A"), and authorizes the City Manager to take the necessary steps to change the name from Belvidere Street to Desert Pass Street. This is located within the City of El Paso, El Paso County, Texas. Applicant: City of El Paso. **(District 8)**  
[Development Services/Planning, Michelle Padilla, (915) 541-4903]

**3E.** That the solid waste liens on the attachment posted with this agenda be approved. (See Attachment A) **(Districts 1, 2, 3, 4, 6, 7, and 8)**  
[Environmental Services, Ellen A. Smyth, (915) 621-6719]

**3F.** Approve a Resolution authorizing the City Manager to approve to electronically submit a grant proposal to the Criminal Justice Division (Office of the Governor of the State of Texas) for the JABG grant program in the amount of \$18,311.34 with a local cash match of \$9,350.06 for a total of \$27,661.40. Cash match

requirement of \$9,350.06 is being provided from the General Fund #21010050-01101-506000. **(All Districts)** [Police Department, Tom Whitten, (915) 564-7304]

**4. BOARD RE-APPOINTMENTS:**

- 4A.** Henry Stokes to the Parks and Recreation Advisory Board by Mayor John F. Cook. [Mayor John F. Cook, (915) 541-4145]
- 4B.** George Ingram to the City Employees Pension Board of Trustees by Mayor John F. Cook. [Mayor John F. Cook, (915) 541-4145]
- 4C.** Daniel Barnes to the International Bridge Commission by Representative Melina Castro, District 4. [Representative Melina Castro, (915) 541-4400]

**5. BOARD APPOINTMENTS:**

- 5A.** Rodolfo A. Troncoso to the Parks and Recreation Advisory Board by Representative Eddie Holguin, Jr., District 6. [Representative Eddie Holguin, (915) 541-4178]
- 5B.** Sandra Chiquito to the Public Utility Regulation Board by Representative Eddie Holguin, Jr., District 6. [Representative Eddie Holguin, (915) 541-4178]
- 5C.** Josiah Heyman to the Museum of Archaeology Advisory Board by Mayor John F. Cook. [Mayor John F. Cook, (915) 541-4145]
- 5D.** Tommy J. Razloznic to the Building and Standards Commission by Mayor John F. Cook. [Mayor John F. Cook, (915) 541-4145]
- 5E.** Steven R. Silver to the Brownfields Redevelopment Board, filling an unexpired term, by Representative Melina Castro, District 4. [Representative Melina Castro, (915) 541-4400]
- 5F.** Albert Martinez, III, to the Fair Housing Task Force by Representative Rachel Quintana, District 5. [Representative Rachel Quintana, (915) 541-4701]
- 5G.** David Short to the Information Technology Advisory Board by Representative Melina Castro, District 4. [Representative Melina Castro, (915) 541-4400]
- 5H.** Anibal Olague to the Building and Standards Commission, as a regular member under the Community Affairs appointment, by Representative Melina Castro, District 4. [Representative Melina Castro, (915) 541-4400]
- 5I.** Melissa C. Brandrup to the Historic Landmark Commission by Representative Melina Castro, District 4. [Representative Melina Castro, (915) 541-4400]
- 5J.** Mary Russell to the Museum of Archaeology Advisory Board by Representative Melina Castro, District 4. [Representative Melina Castro, (915) 541-4400]

**6. PURCHASING REQUESTS TO ISSUE PURCHASE ORDER:**

Request that the Purchasing Manager issue a purchase order to extend the existing contract to Clear Channel to provide outdoor billboard advertising promoting El Paso, Texas, through February 2008 for an additional \$6,100 for a total of \$56,001. Effective September 1, 2007, under Local Government Code Section 252-022(16), advertising is exempt, other than legal notices, from competitive bidding requirements.

Department: Economic Development  
Account No.: 15010721 – 15462 – 15000  
Funding Source: Economic Development/City Manager  
Total Estimated Award: \$56,001  
Reference No.: 2008-125  
**Districts: All**  
[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

**REGULAR AGENDA - INTRODUCTIONS**

**7. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

**Public comment typically is not taken during the introduction of ordinances.  
Public comments are invited at the date of the scheduled public hearing.**

- 7A.** An Ordinance granting Special Permit No. ZON06-00148 to allow for an infill development to allow reduced lot depth and setbacks on the property described as a portion of Tracts 8 and 9, Block C, Christy Tract, City of El Paso, El Paso County, Texas, pursuant to Section 20.08.030.C of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 536 James Street. Applicant: Rodolfo Gonzalez. ZON06-00148 **(District 7)** [Development Services/Planning, Melissa Kellum, (915) 541-4730]
- 7B.** An Ordinance changing the zoning of Lots 9 and 10, Block 28, Cotton Addition, City of El Paso, El Paso County, Texas, from R-4 (Residential) to A-O(Apartment/Office) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 2419 Grant Avenue. Applicant: Aqua Investments. ZON07-00119 **(District 8)** [Development Services/Planning, Mirian Spencer, (915) 541-4192]
- 7C.** An Ordinance changing the zoning of lots 28, 29, and 30, Block 12, Sahara Addition, City of El Paso, El Paso County, Texas, from R-4 (Residential) to R-5 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 5701 Saluki Drive and the abutting Lot 28, east of 5701 Saluki Drive. Applicant: Timothy A. Gamwell. ZON07-00128 **(District 4)** [Development Services/Planning, Ernesto Arriola, (915) 541-4723]
- 7D.** An Ordinance changing the zoning of a portion of Tract 1, Section 16, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-F (Ranch and Farm) to M-1 (Light Manufacturing) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 1500 ft. north of Dyer Street and west of

Odonnell Street. Applicant: Jobe Materials, L.P. ZON07-00157 (District 4)  
[Development Services/Planning, Christina Valles, (915) 541-4930]

**PUBLIC HEARING WILL BE HELD ON FEBRUARY 19, 2008, FOR ITEMS 7A – 7D**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9:00 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk’s office, 2 Civic Center Plaza, Monday through Friday, 8:00 a.m. to 5:00 p.m.

**REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS**

**8. FINANCIAL SERVICES:**

**8A.** Discussion and action on the award of Solicitation No. 2008-051 (Concrete Intersection Improvements Phase I: Pellicano @ Lomaland & McCombs @ Railroad) to C.F. Jordan, L.P., for a total estimated minimum amount of \$1,597,133.

Department:	Street
Award to:	C.F. Jordan, L.P. El Paso, Texas
Items: Pellicano @ Lomaland:	Base Bid I: \$605,045 Alternate I: \$75,600 Base Bid III A: \$41,701 Base Bid III B: \$4,040
McCombs @ Railroad:	Base Bid II: \$788,152 Alternate II: \$44,840 Base Bid IV A: \$36,955 Base Bid IV B: \$800
Total Estimated Minimum Award:	\$1,597,133
Account No:	PCP06ST005 and PCP06ST008 – 99331117 – 27263 - 508027
Funding Source:	2006 Certificates of Obligation
<b>Districts:</b>	<b>4 and 7</b>

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.

Work under this unit price contract is only an estimated minimum value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated minimum value and will be the sum total of unit prices at the end of the contract term.

As part of the award of this contract, the City Engineer may, without further authorization from City Council, approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, which are in accordance with applicable law and which do not make changes to the unit price and increased funds are appropriated in the budget.

This is a low bid, unit-price contract.

The Departments of Financial Services, Purchasing Division, and Engineering recommend award as indicated to the lowest responsive, responsible bidder. [Engineering, R. Alan Shubert, (915) 541-4423]

- 8B.** Discussion and action on the award of Solicitation No. 2008-073 (Storm 2006: Upper Valley Drainage Improvements Phase I) to C.F. Jordan, L.P., El Paso, Texas, for an estimated minimum total amount of \$10,427,250.

Department: Engineering  
Award to: C.F. Jordan, L.P.  
El Paso, Texas  
Items: Base Bid I: \$3,517,345  
Base Bid II: \$5,872,080  
Base Bid III: \$257,080  
Base Bid IV: \$780,745  
Total Est. Min. Award: \$10,427,250  
Account No: PSTM06PW26-0 – 27264 – 14200500 - 508027  
Funding Source: Storm 2006 Bond Issue  
**District: 1**

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.

Work under this unit price contract is only an estimated minimum value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated minimum value and will be the sum total of unit prices at the end of the contract term.

As part of the award of this contract, the City Engineer may, without further authorization from City Council, approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, which are in accordance with applicable law and which do not make changes to the unit price and increased funds are appropriated in the budget.

This is a low bid, unit-price contract.

The Departments of Financial Services, Purchasing Division, and Engineering recommend award as indicated to the lowest responsive, responsible bidder. [Engineering, R. Alan Shubert, (915) 541-4423]

- 8C.** Discussion and action on the award of Solicitation No. 2008-070 (EPIA – Reconstruction of Taxiway J and Taxiway M) to C.F. Jordan, L.P., for a total estimated minimum amount of \$10,999,150.

Department: El Paso International Airport  
Award to: C.F. Jordan, L.P.  
El Paso, Texas  
Items: Alternate Bid I: \$9,657,330  
Alternate Bid II: \$1,341,820  
Total Est. Min. Award: \$10,999,150  
Account No: G620AIP0025 – 62620031 – 11514 - 508027  
Funding Source: FAA AIP Grants & Airport Enterprise Fund  
**District: 2**

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.

Work under this unit price contract is only an estimated minimum value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated minimum value and will be the sum total of unit prices at the end of the contract term.

As part of the award of this contract, the City Engineer may, without further authorization from City Council, approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, which are in accordance with applicable law and which do not make changes to the unit price and increased funds are appropriated in the budget.

This is a low bid, unit-price contract.

The Departments of Financial Services, Purchasing Division, Engineering, and El Paso International Airport recommend award as indicated to the lowest responsive, responsible bidder.

[R. Alan Shubert, (915) 541-4423]

**REGULAR AGENDA – PUBLIC HEARINGS**

**9. DEVELOPMENT SERVICES:**

- 9A.** An Ordinance changing the zoning of a portion of Tract 14A, A.F. Miller Survey No. 210, and a portion of Tract 3-B-3-A, John Whittaker Survey No. 134, City of El Paso, El Paso County, Texas, from R-3 (Residential) to R-4 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: south of Dianjou Drive and west of Bartlett Drive. Applicants: Mountain Valley Homes. ZON07-00129 **(District 1)**  
[Development Services/Planning, Arturo Rubio, (915) 541-4633]
- 9B.** An Ordinance changing the zoning of a portion of Block 5, Fiesta Hills Unit One, City of El Paso, El Paso County, Texas, from C-1 (Commercial) to C-3 (Commercial) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 5375 North Mesa Street. Applicant: Edward Abraham. ZON07-00131 **(District 8)**  
[Development Services/Planning, Mirian Spencer, (915) 541-4192]
- 9C.** An Ordinance changing the zoning of Lot 14, Block 63, East El Paso, City of El Paso, El Paso County, Texas, from R-5 (Residential) to C-1 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Applicant: Laura and Gary Monteleone. ZON07-00130 **(District 8)**  
[Development Services/Planning, Ernesto Arriola, (915) 541-4723]
- 9D.** A Resolution approving a Detailed Site Development Plan for a portion of Lot 4, Block 3, Sunland Business Center, City of El Paso, El Paso County, Texas, pursuant to a special contract condition imposed by contract dated January 28, 1985. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: north of Doniphan Park Circle, south of Interstate 10. Applicant: Sunland Business Center Partners, LP. ZON07-00134 **(District 8)** [Development Services/Planning, Esther Guerrero, (915) 541-4720]  
POSTPONED FROM 01-02-08, 01-15-08, AND 01-22-08

**10. MAYOR AND COUNCIL:**

An Ordinance limiting the use of the power of eminent domain on non-blighted private property in the Redevelopment Districts of the Downtown 2015 Plan. **(District 8)**  
[Representative Melina Castro, (915) 541-4400]

**11. MUNICIPAL COURT:**

An Ordinance amending Ordinance No. 016428 to change the three divisions of Municipal Court Number Four to be divisions of Municipal Court Number Five. **(All Districts)** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

**12. FINANCIAL SERVICES:**

An Ordinance authorizing the City of El Paso to sell 11,057 square feet, more or less, being a portion of Block 17, Anson Mills Map of the City of El Paso, El Paso County, Texas, commonly known as 319 - 327 Oregon Street, to Mills Acquisition Company LP n/k/a Mills Plaza Properties LP. **(District 8)** [Financial Services, Gonzalo Cedillo, (915) 541-4074]

**REGULAR AGENDA – OTHER BUSINESS**

**13. FINANCIAL SERVICES:**

Discussion and action that the El Paso City Council consents to the assignment by Mills Acquisition Company LP, n/k/a Mills Plaza Properties LP, of its interest in the sale of a portion of City property within Block 17, Anson Mills Map of the City of El Paso, El Paso County, Texas, commonly known as 319 - 327 Oregon Street, to Mills Plaza Parking LP. **(District 8)** [Financial Services, Gonzalo Cedillo, (915) 541-4074]

**14. MAYOR AND COUNCIL:**

**14A.** Discussion and action on authorizing the City Manager and staff to install street lights at 18 identified locations in south El Paso.  
[Representative Beto O'Rourke, (915) 541-4123]

1. On east side of Park, a few yards before Cesar Chavez Hwy
2. Intersection of 8th Ave and the alley between Park & Tays
3. Alley between Tays & Hills and Father Rahm & 6<sup>th</sup>
4. Alley between Tays & Hills and 6<sup>th</sup> & 7<sup>th</sup>
5. Alley between Tays & Hills and 6<sup>th</sup> and Father Rahm
6. Alley between 7<sup>th</sup> & 8<sup>th</sup> and Hills & St. Vrain
7. Alley between 8<sup>th</sup> & 9<sup>th</sup> and Hills and St. Vrain
8. Alley between Father Rahm & 6<sup>th</sup> and St. Vrain & Virginia
9. Alley between 6<sup>th</sup> & 7<sup>th</sup> and St. Vrain & Virginia
10. At the intersection of Virginia and 9<sup>th</sup>
11. Alley between Virginia & Ochoa and 6<sup>th</sup> and Father Rahm
12. Alley between 8<sup>th</sup> & 9<sup>th</sup> and Virginia & Ochoa (possibly on pole #1009)
13. On Hills, between Paisano and Delta
14. Intersection between 8<sup>th</sup> Ave and the alley between Mesa and Oregon (north corner of the intersection).
15. West side of Mesa, between 6<sup>th</sup> and Father Rahm
16. Alley between Oregon & Mesa and 4<sup>th</sup> & 3<sup>rd</sup> (east side of alley)

- 17. Alley between Stanton & Kansas and 8<sup>th</sup> & 7<sup>th</sup>
- 18. Intersection of Father Rahm and Campbell (either of the north corners)

**14B.** Discussion and action on authorizing the City Manager and staff to install street lights at the following identified locations in East El Paso.

[Representative Rachel Quintana, (915) 541-4701]

- 1. 2827 Chaswood Street
- 2. 10235 Blackwood Street
- 3. 3451 Buffalo Gap Street
- 4. 2225 Frank Beard
- 5. 2205 Anise
- 6. 11354 Lake Loy
- 7. 11374 Lake Loy
- 8. 11237 Thundercloud Dr.
- 9. 11207 Thundercloud Dr.
- 10. Intersection of Sam Snead and Red Sails
- 11. 11671 Tom Fiore
- 12. Intersection of Edgemere and East Glen
- 13. 12600 Tierra Dura
- 14. 11349 Lake Nemi

**14C.** Discussion and action regarding a Resolution that the City Manager be authorized to sign a Professional Services Agreement by and between the City of El Paso and Patricia A. Shipton for legislative and lobbying services in Austin, Texas. The term of the Agreement is for the period of January 29, 2008, through January 28, 2009, with two consecutive renewal terms of one year each. Compensation for each year will not exceed \$100,000.

[Mayor's Office, Sylvia Borunda Firth, (915) 541-4656]

**14D.** Discussion and action on a Resolution appointing three members to the Camino Real Regional Mobility Authority Board. [Mayor John F. Cook, (915) 541-4145]

<u>Position 1</u>	<u>Position 3</u>	<u>Position 5</u>
1. David Marcus (Incumbent)	1. Scott McLaughlin	1. Ralph Adame (Incumbent)
2. Belen Robles	2. Keith Mahar	2. Monica Vargas
3. Wayne Windle	3. Marisa Barrio	3. Brenda Ehrlich

**14E.** Appointment of one of the following individuals to the Public Service Board. [Mayor John F. Cook, (915) 541-4145]

- Ruben E. Guerra
- Anthony Joseph Tarquin
- Elma Carreto

**15. MUNICIPAL CLERK:**

Discussion and action on a Resolution calling for a Special Election for the election in the City of El Paso of a District Representative for District No. 3 on May 10, 2008. **(District 3)** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

**16. PARKS AND RECREATION:**

Discussion and action on a Resolution the Mayor and City Council accept the recommendation from the Parks and Recreation Advisory Board to rename Shawver Pool to the "William W. Cowan Pool." **(District 7)**

[Parks and Recreation, Nanette Smejkal, (915) 541-4283] **POSTPONED FROM 01-22-08**

**17. CITY MANAGER:**

City Manager's report of current events and issues:

**17A.** For discussion and action; presentation by UTEP on Customer Service Survey.  
[Office of Management and Budget, David Almonte, (915) 541-4777]

**17B.** Discussion and action on Capital Improvement Program, including:

1. Status Report of fund balances
2. Highlights of Storm 2006 & other capital projects
3. Reprogramming recommendations to address emerging, unfunded capital needs
4. Proposed process for FY 2009 - 2010 bond authorization  
[Development & Infrastructure Services, Patricia D. Adauto, (915) 541-4853]  
[Development Services/Engineering, R. Alan Shubert, (915) 541-4423]

**EXECUTIVE SESSION**

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

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 following:

- EX1.** Intervention on behalf of the City for the Petition of El Paso Electric Company for Fuel Surcharge before the Public Utility Commission of Texas Petition of El Paso Electric Company, Docket No. 35204. (551.071)  
[City Attorney's Office, Bertha A. Ontiveros, (915) 541-4550]
- EX2.** Charles Roger Krieger vs. City of El Paso, et al; Cause No. EP-07-CA-0281-KC. (551.071) [City Attorney's Office, Jennifer F. Callan, (915) 541-4550]
- EX3.** Claim of Lluvia Juarez, Our File No. 07-C-184. (551.071)  
[City Attorney's Office, Jennifer F. Callan, (915) 541-4550]

- EX4.** Discussion and action regarding the following cases: Jose Fong, et. al. vs. City of El Paso, Cause No. 2007-2900; E.B.S. Enterprises, Inc., et. al. vs. City of El Paso, Cause No. 2007-5238, and City of El Paso vs. El Paso Entertainment, et. al., Cause No. EP07CA0380KC. (551.071) [City Attorney's Office, Hadley Huchton, (915) 541-4550]
- EX5.** Discussion and action on City Attorney settlement authority regarding general bankruptcy matters. (551.071) [City Attorney's Office, Marie Taylor, (915) 541-4550]  
POSTPONED FROM 01-22-08
- EX6.** 710, Inc. vs. The El Paso Central Appraisal District and The City of El Paso, Cause No. 2003TX350. (551.071) [City Attorney's Office, Jennifer F. Callan, (915) 541-4550]  
POSTPONED FROM 01-15-08 AND 01-22-08
- EX7.** Discussion and action regarding strategies and options related to Asarco litigation, bankruptcy, TCEQ permit process, and other legal matters involving Asarco. (551.071) [City Attorney's Office, Raymond L. Telles, (915) 541-4550]

**NOTICE TO THE PUBLIC:**

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print, or audiotape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

**ALL REGULAR CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY AT THE ADDRESS BELOW:**

<http://www.elpasotexas.gov/>