

JOHN F. COOK  
MAYOR



JOYCE WILSON  
CITY MANAGER

CITY COUNCIL  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
EMMA ACOSTA, 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**

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**February 24, 2009  
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.

Roll call and Executive Session\*  
Invocation and Pledge of Allegiance  
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 – Reverend Lisle Davis  
Pledge of Allegiance**

### **MAYOR'S PROCLAMATIONS**

- 1. NATIONAL TRIO DAY**
- 2. SPAY DAY 2009**

### **RECOGNITION AND WELCOME:**

**DELEGATION FROM THE CITY OF IRVING LED BY MAYOR HERBERT A. GEARS**

### **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 February 16, 2009.  
[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: (i) file an application in the amount of \$20,634,000 with the Federal Aviation Administration (FAA) authorizing the continuation of the Passenger Facility Charge (PFC) at the El Paso International Airport (the Airport); (ii) expend revenues from the PFC at the Airport in accordance with the Airport's Capital Improvement Program; (iii) submit all required assurances, understandings, and related documentation contained in the application or requested by the FAA; and (iv) designate the Acting Director of Aviation as the authorized representative of the City of El Paso to act in connection with the application. **(All Districts)**

[Airport, Monica Lombrana, (915) 780-4724]

**3B.** That the City Manager be authorized to file an Amendment to Passenger Facility Charge (PFC) Application No. 06-03-C-00-ELP with the Federal Aviation Administration (FAA) authorizing: i) the decrease of \$6,154,172 in the PFC Impose and Use Authority of El Paso International Airport (EPIA); (ii) submission of all and related documentation contained in the amendment or requested by the FAA; and (iii) designate the Acting Director of Aviation as the authorized representative of the City of El Paso to act in connection with the amendment.

**(All Districts)** [Airport, Monica Lombrana, (915) 780-4724]

**3C.** That the City Manager be authorized to sign a Second Amendment to Business Concession Agreement by and between the City of El Paso ("Lessor") and Traveler America Inc. ("Concessionaire") together with related documents for the concession located in the terminal building at the El Paso International Airport.

**(District 3)** [Airport, Monica Lombrana, (915) 780-4724]

**3D.** Placing a condemnation lien on the following properties (legal description on file with the City Clerk) and in the following amount for work performed by the City

pursuant to Section 18.50 (Unsafe Structures and Conditions) of the El Paso Municipal Code:

1. 3830 Johnson Avenue                      \$9,389.79                      Veronica S. Jarosz  
**(District 2)**

2. 1921 Arizona                                  \$1,981.29                      Charles G. Clark  
**(District 8)**

[Development Services, Victor Q. Torres, (915) 541-4557]

**3E.** That the City Manager be authorized to sign and accept on behalf of the City a Public Right-of-Way Dedication Deed from AAV Developing & Construction, LLC, dedicating to the City a piece of land to be used as a public right-of-way, described as being a portion of Lot 1, Block 2, San Carlos Addition, City of El Paso, El Paso County, Texas. The area is 229.58 square feet in size, which will be added to the abutting right-of-way in order for the existing portion of Amigo Drive to align with the portion within the proposed Alborada Palms Estates Subdivision and being more fully described by metes and bounds in Exhibit "A" and survey in Exhibit "B" of the Dedication Deed. Subject property: east of Link Drive and south of North Loop Drive. Applicant: AAV Development & Construction, LLC. **(District 7)**

[Development Services/Planning, Raul Garcia, (915) 541-4935]

**3F.** That the City Manager accept on behalf of the City a Street Dedicatory Certificate from the El Paso Electric Company granting to the City as an easement and dedication of real property for use of public right-of-way located within Montecillo Unit 3 Subdivision, and more particularly described as being a portion of Tracts 1, and 19 (El Paso Electric Co. ROW) John Barker Survey No. 10, City of El Paso, El Paso County, Texas. Subject property: north of I-10 and west of Mesa Street. Applicant: El Paso Electric Company. **(District 1)**

[Development Services/Planning, Eddie Garcia, (915) 541-4638]

**3G.** That the City expend additional available funding in the amount of \$78,339.15 to Blair-Hall Company Inc. to fund additional labor and materials (sod price increases for the sports fields) for Contract Number 2006-186, Westside Sports Complex Project. The approval of this additional amount will increase the contract amount from \$4,202,794.65 to \$4,281,133.80. **(District 1)**

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

**3H.** That Jay Banasiak, Director of the Sun Metro/Mass Transit Department of the City of El Paso, be appointed to the Transportation Policy Board for the Metropolitan Planning Organization as the Sun Metro/Mass Transit Department representative in lieu of Tim Omick, effective immediately. **(All Districts)**

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

**3I.** That the City Manager be authorized to sign the Interlocal Agreement entitled Temporary Advertising Services Agreement between the City of El Paso and the County of El Paso, Texas, ("County") for support of marketing and advertising services for October 1, 2008 – September 30, 2009 Cultural Heritage Tourism Marketing for the Museum of Art and the Museum of History which will be partly funded by way of reimbursement awarded by the County from the County Hotel Occupancy Tax funds. **(All Districts)**

[Museums and Cultural Affairs, Sean McGlynn, (915) 541-4896]

**4. BOARD RE-APPOINTMENTS:**

- 4A. Raymundo Rodriguez to the Ethics Review Commission by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4416]
- 4B. Oscar Perez as an alternate member to the Zoning Board of Adjustment by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4416]
- 4C. Irasema Coronado to the Committee on Border Relations by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4416]

**5. BOARD APPOINTMENTS:**

- 5A. Alisa Jorgensen as a regular member to the Zoning Board of Adjustment by Representative Beto O'Rourke, District 8. [Representative Beto O'Rourke, (915) 541-4123]
- 5B. Gracia M. Sandoval to the Ethics Review Commission by Representative Beto O'Rourke, District 8. [Representative Beto O'Rourke, (915) 541-4123]
- 5C. Charles S. Wakeem as an alternate member to the Zoning Board of Adjustment by Representative Beto O'Rourke, District 8. [Representative Beto O'Rourke, (915) 541-4123]
- 5D. Alejandro F. Ganem to the Committee on Border Relations by Representative Beto O'Rourke, District 8. [Representative Beto O'Rourke, (915) 541-4123]
- 5E. Julio Norman to the Retired and Senior Volunteer Program Advisory Council (RSVP) by Representative Beto O'Rourke, District 8. [Representative Beto O'Rourke, (915) 541-4123]

**6. MAYOR AND COUNCIL:**

**6A. DISCRETIONARY FUNDS:**

Request authorization to allocate the use of District 4 discretionary funds in the amount of \$1775.52 to purchase four trash receptacles and have them secured at Todd Ware Park. (Dept. ID #01010004; Account #504420; Fund #01101; Class #01001). [Representative Melina Castro, (915) 541-4400]

**6B. NOTATION OF CAMPAIGN CONTRIBUTION:**

For notation pursuant to Section 2.92.110 of the City Code; receipt of campaign contributions by Mayor John Cook on February 14, 2009, in the amount of \$1,000 from Ronald and Esther Costa and \$500 from Bain Construction, Inc. [Mayor John F. Cook, (915) 541-4145]

**7. APPLICATIONS FOR TAX REFUND:**

That the tax refunds listed on the attachment posted with this agenda be approved. (See Attachment A). **(All Districts)** [Tax Office, Juan Sandoval, (915) 541-4369]

**8. BEST VALUE PROCUREMENTS:**

- 8A.** The award of Solicitation No. 2009-063 (Armored Car Services) to Trans America Protection Corporation for a total estimated award of \$216,000.

Department: International Bridges  
 Award to: Trans America Protection Corporation  
 El Paso, TX  
 Items: All  
 Option: One year  
 Annual Estimated Amount: \$72,000  
 Account No.: 64010283 – 502212 – 40272  
 Funding Source: International Bridge Revenue – Security Contracts  
 Total Estimated Award: \$216,000 (3-year total)  
**Districts: All**

This is a 36-month services type contract for Armored Car Services.

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 International Bridges recommend award to Trans America Protection Corporation, the vendor offering the best value bid.

[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

- 8B.** The award of Solicitation No. 2009-084 (Electric Cart Operator Services) to Goodwill Industries of El Paso Inc. for a total estimated award of \$212,418.38.

Department: Airport  
 Award to: Goodwill Industries of El Paso Inc.  
 El Paso, TX  
 Items: All  
 Option: One year  
 Annual Estimated Amount: \$ 69,071.88 (1<sup>st</sup> Year)  
 \$ 71,673.25 (2<sup>nd</sup> Year)  
 \$ 71,673.25 (3<sup>rd</sup> Year)  
 Account No.: 62620005 – 502215 – 40101  
 Funding Source: Airport Operating Funds  
 Total Estimated Award: \$212,418.38 (3-year total)  
**Districts: All**

This is a 36-month 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 Airport recommend award to Goodwill Industries of El Paso, Inc., the vendor offering the best value bid. [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

**9. COMPETITIVE SEALED PROPOSAL:**

Request that the City be authorized to enter into negotiations with Blair-Hall Co., Inc. who submitted the highest ranked proposal for the Central Recreation Center as per recommendations from the Engineering Department, Parks and Recreation Department, and the City's design consultant. This project was bid as a Competitive Sealed Proposal and the statute allows contract negotiations regarding the scope and price of a project with the selected offeror.

Department: Parks and Recreation  
 Project No.: PMF08002  
 Funding Source: 2008 Reprogramming  
 Proposal No.: 2009-078  
**District: 8**  
 [Engineering, R. Alan Shubert, (915) 541-4423]

**REGULAR AGENDA - INTRODUCTIONS**

**10. 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.**

- 10A.** An Ordinance vacating a twenty-foot wide alley located between Zaragoza Road and Depot Street within Block 45 of Ysleta Grant, City of El Paso, El Paso County, Texas. Subject property: north of Alameda Avenue and east of Harris Street. Applicant: City of El Paso. **(District 7)**  
 [Development Services/Planning, Eddie Garcia, (915) 541-4638]
- 10B.** An Ordinance amending Ordinance No. 8961, an Ordinance creating a City Accessibility Advisory Committee, to revise the criteria for membership and the definition of a quorum; and repealing Ordinance Nos. 11194 and 11525, relating to the name and number of members of the committee.  
**(All Districts)** [Engineering, William Bennett, (915) 541-4243]
- 10C.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.44 (Vehicles and Traffic), Section 12.44.160 A. (Parking in Alleys), of the El Paso City Code by applying the regulations of Section 12.44.160 A. to all alleys; the penalty being as provided in Section 12.84.010 (Violation - Penalty) of the El Paso City Code.  
**(All Districts)** [Engineering/Traffic Division, Ted Marquez, (915) 541-4035]

**PUBLIC HEARING WILL BE HELD ON MARCH 3, 2009, FOR ITEMS 10A – 10C**

Public Hearings will be held as part of the regular City Council meeting that 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 – PUBLIC HEARING**

**11. INTRODUCTION AND PUBLIC HEARING – FINANCIAL SERVICES:**

An Ordinance authorizing the issuance of “City of El Paso, Texas, Taxable General Obligation Pension Bonds, Series 2009;” and resolve matters which are necessary to effectuate said issuance, including a delegation of authority. **(All Districts)**

[Financial and Administrative Services, William F. Studer, Jr., (915) 541-4215]

[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]

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

**12. FINANCIAL SERVICES:**

**12A.** Discussion and action on the award of Solicitation No. 2009-059 (Concrete Intersection Improvements Artcraft-Upper Valley and Artcraft-Westside Road) to Mesquite Construction Company LLC for a total estimated amount of \$883,226.80.

Department:	Engineering
Award to:	Mesquite Construction Co., LLC
	El Paso, TX
Base Bid I:	\$232,716.00
Base Bid II:	\$ 62,320.00
Base Bid III:	\$ 500.00
Base Bid IV:	\$587,690.80
Account No.:	99331117-508027-27263-PCP06ST012B
Funding Source:	2006 Certificates of Obligation
Total Estimated Award:	\$883,226.80
<b>District:</b>	<b>1</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 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 value and will be the sum total of unit prices at the end of the contract term.

As a part of this award, 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 project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

This is a low bid, unit-price contract. The Financial Services, Purchasing Division, and Engineering Department recommend award as indicated to the lowest responsive, responsible bidder. Mesquite Construction Company LLC (2<sup>nd</sup> lowest bid), is the lowest responsive, responsible bidder. Engineering

recommends that Armor Construction Company Inc. (the lowest bid) be deemed a non-responsive and non-responsible bidder because Armor Construction Company Inc. and its subcontractor failed to provide documentation that showed experience on projects of similar size and scope.  
[Engineering, R. Alan Shubert, (915) 541-4423]

- 12B. Discussion and action on the award of Solicitation No. 2009-003 (Reverse Telephone Alert System) to Federal Signal Corporation for a total amount of \$570,450.

Department: Fire  
Award to: Federal Signal Corporation  
University Park, IL  
Items: All  
First Year Total: \$257,050  
Option: 5 years (6 thru 10)  
Account No.: 22150024 – 508035 – 07185 – G220803  
Funding Source: Fire – Urban Area Security Initiative Grant  
Total Award: \$570,450 (includes years 2 thru 5 Maintenance)  
**Districts: All**

The Departments of Financial Services, Purchasing Division, and Fire recommend award to Federal Signal Corporation, the vendor offering the best value bid. [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

**REGULAR AGENDA – PUBLIC HEARINGS**

**13. DEVELOPMENT SERVICES:**

- 13A. An Ordinance changing the zoning of a portion of tract 1A5, Section 45, Block 79, Township 2, Texas and Pacific Railroad Surveys, City of El Paso, El Paso County, Texas, from A-2 (Apartment) to C-1 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: north of Pebble Hills and east of Tierra Blanda Drive. Applicant: JNC Land Inc. ZON08-00099 **(District 5)**

[Development Services/Planning, Andrew Salloum, (915) 541-4027]

- 13B. An Ordinance repealing Title 17 (Housing), Chapter 17.16 (Inspections and Certificates) of the El Paso City Code. **(All Districts)**

[Development Services, Victor Q. Torres, (915) 541-4557]

**14. HUMAN RESOURCES:**

An Ordinance amending Ordinance 8064 (Classification and Compensation Plan) to amend the Classification and Compensation Plan in its entirety. **(All Districts)**

[Human Resources, Linda Ball Thomas, (915) 541-4509]

**REGULAR AGENDA – OTHER BUSINESS****15. COMMUNITY AND HUMAN DEVELOPMENT:**

- 15A.** Discussion and action on a Resolution authorizing the Community and Human Development Department Director to approve, cancel, or deny Empowerment Zone business loan restructure/modification requests provided such actions are in accordance with the Empowerment Zone Division's delinquent business loan procedures for the Revolving Loan Fund; and authorizing the City Manager to execute standard restructuring/modification agreements and any related documents, in accordance with the delinquent business loan procedures, with the review and approval of the City Attorney's Office. **(Districts 1, 3, 6, 7, and 8)**  
[Community and Human Development, William Lilly, (915) 541-4643]
- 15B.** Discussion and action on a Resolution approving the September 2008 – August 2009, U.S. Department of Housing and Urban Development Empowerment Zone Planning and Implementation Grant Program Administrative Budget (Agreement No. EZ-99-TX-0013) in accordance with 24 CFR Part 598. **(Districts 1, 3, 6, 7, and 8)**  
[Community and Human Development, William Lilly, (915) 541-4643]

**16. DEVELOPMENT AND INFRASTRUCTURE SERVICES:**

Discussion and action to direct that the City Manager City-initiate the right-of-way vacation for a portion of a 20-foot wide alley, Block 1, Mills Map, El Paso County, Texas, for the purpose of supporting the Downtown revitalization project known as "Mills Plaza." **(District 8)** [Development & Infrastructure Services, Patricia D. Adauto, (915) 541-4853]

**17. DEVELOPMENT SERVICES:**

- 17A.** Discussion and action on an appeal by property owners of the Manhattan Heights Historic District regarding a decision rendered by the Historic Landmark Commission (HLC) in HLC Case: HPC09-00005; 3200 Wheeling, El Paso, Texas, on February 2, 2009, to approve a Certificate of Appropriateness for the referenced property. **(District 2)** [Development Services, Victor Q. Torres, (915) 541-4557]
- 17B.** Discussion and action on a Resolution that the City Manager be authorized to sign an amendment to the May 6, 2008, Development Agreement by and between the City of El Paso, the El Paso Water Utilities - Public Service Board, and Haciendas Del Rio Partners, LP to amend Exhibit B, Development Plan, to increase the residential lots from 118 to 188 and to modify the cross section to delete the sidewalks. The density will not exceed 2.5 dwelling units per acre as required by the development agreement. Subject property: Strahan Southeast of Moore. Applicant: Haciendas del Rio Partners, LP. **(West ETJ, near District 1)**  
[Development Services/Planning, Christina Ainsworth, (915) 541-4930]

**18. ECONOMIC DEVELOPMENT:**

Presentation to City Council regarding the unveiling of the New Downtown Website. **(District 8)** [Economic Development, Kathryn B. Dodson, (915) 541-4872]

**19. ENGINEERING:**

Discussion and action on Resolutions authorizing the City Manager to sign the Agreements for Engineering Services by and between the City of El Paso and

- Landscape Architectural Services for a project known as “Landscaping, Open Space And Park Design Consultant Services” for an amount not to exceed \$100,000 and that the City Engineer be authorized to approve up to \$25,000 in additional services for a total contract amount not to exceed \$125,000 and;
- Parkhill, Smith and Cooper for a project known as “Electrical Engineering Consulting” for an amount not to exceed \$100,000 and that the City Engineer be authorized to approve up to \$25,000 in additional services for a total contract amount not to exceed \$125,000 and;
- Bath Engineering for a project known as “Mechanical Engineering Consulting Services” for an amount not to exceed \$100,000 and that the City Engineer be authorized to approve up to \$25,000 in additional services for a total contract amount not to exceed \$125,000 and;
- GA Architecture Inc. for a project known as “Architectural Consulting Services” for an amount not to exceed \$300,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$350,000 and;
- Mijares Mora Architects Inc. for a project known as “Architectural Consulting Services” for an amount not to exceed \$300,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$350,000 and;
- Quantum Engineering Consultants Incorporated for a project known as “Civil Engineering Consulting Services” for an amount not to exceed \$300,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$350,000 and;
- Moreno Cardenas Inc. for a project known as “Civil Engineering Consulting Services” for an amount not to exceed \$300,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$350,000 and;
- AIA Engineers, Ltd. for a project known as “Civil Engineering Consulting Services” for an amount not to exceed \$300,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$350,000 and;
- Martinez Engineering Group for a project known as “Traffic Engineering Services” for an amount not to exceed \$300,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$350,000 and;

- Walter P. Moore and Associates for a project known as “Traffic Engineering Services” for an amount not to exceed \$300,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$350,000 and;
- Huitt-Zollars Inc. for a project known as “Traffic Engineering Services” for an amount not to exceed \$300,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$350,000.

**(All Districts)** [Engineering, R. Alan Shubert, (915) 541-4423]

**20. OFFICE OF MANAGEMENT AND BUDGET:**

Discussion and action to establish appropriations for Parks and Recreation capital equipment requirements (\$265,200) using user fee fund balance.

Decrease	\$265,200	from	User Fee Fund Balance
Increase	\$265,200	to	Parks Admin DP Equipment

**(All Districts)**

[Office of Management and Budget, David Almonte, (915) 541-4777]

[Parks and Recreation, Nanette Smejkal, (915) 541-4283]

POSTPONED FROM 02-16-09

**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.** Jimmy Lee Sweed vs. the City of El Paso, et. al., Cause No. 2008-159. (551.071)  
[City Attorney's Office, Jennifer F. Callan, (915) 541-4550]
- EX2.** Claim of G.O.T. Supply Inc., Our File No. 08-C-221. (551.071)  
[City Attorney's Office, Jennifer F. Callan, (915) 541-4550]
- EX3.** Rafael Gardon vs. City of El Paso; Cause No. 2003-493. (551.071)  
[City Attorney's Office, Jennifer F. Callan, (915) 541-4550]

- EX4.** 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, Laura P. Gordon, (915) 541-4550]
- EX5.** Claim of Jorge Valenzuela Jr., Our File No. 08-C-177. (551.071)  
[City Attorney's Office, Laura P. Gordon, (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/>