

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSIE BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL L. ROBINSON, DISTRICT 4
MICHIEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
June 19, 2012
8:30 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:34 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Emma Acosta, Carl Robinson, Michiel R. Noe, Eddie Holguin, Jr., Steve Ortega, and Cortney Carlisle Niland. Late arrival: Ann Morgan Lilly at 8:44 a.m. Excused: Susannah Byrd. The invocation was given by Police Chaplain Carlos Flores, followed by the Pledge of Allegiance to the Flag of the United States of America.

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MAYOR'S PROCLAMATIONS

1. Dump the Pump Day
2. Southwest Airlines Week
3. International Day Against Drug Abuse and Illicit Trafficking
4. El Paso Night Shift Nights

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 8:30 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. Salvador Gomez
2. Ms. Lisa Turner

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CONSENT AGENDA

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Acosta, 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, Acosta, Robinson, Noe, Holguin, Ortega, and Niland
NAYS: None
ABSENT: Representative Byrd

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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 June 12, 2012.

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2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

*Motion made, seconded, and unanimously carried to **EXCUSE** Representative Susie Byrd from the Regular Council Meeting of June 19, 2012.

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3.

***RESOLUTION**

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

That the City Council declares that the expenditure of District 5 discretionary funds in an amount not to exceed SIX THOUSAND AND NO/100 DOLLARS (\$6,000.00) to pay towards the costs of equipment rental, license fees for a series of movies, permits, staff time and other related items necessary for the support of the first "Movies in the Park" event, a series of movie nights in parks located within District 5 or any parks adjacent to District 5, and this expenditure serves the municipal purpose of providing recreational and cultural activities to the residents of and visitors of the City of El Paso, which benefits the community and instills community pride, and is authorized; and

That the City Manager be authorized to accept donations for sponsorship of the events, to negotiate and sign contracts as approved by the City Attorney, and to appropriate and ensure that the funds are properly expended for the municipal purpose.

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4A. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Joe Rosales to the Capital Improvement Advisory Committee by Representative Emma Acosta, District 3.

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4B. BOARD APPOINTMENT

*Motion made, seconded, and unanimously carried to **APPOINT** Veronica Carbajal to the Fair Housing Task Force as an advocate for human/civil rights within the community by Representative Susie Byrd, District 2.

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5A. INTRODUCTIONS

Motion made by Representative Ortega, seconded by Representative Niland, and carried to **DELETE** the Introduction on an Ordinance amending City Code Title 2 (Administration and Personnel) Chapter 2.40 (Museums and Cultural Affairs Department) Section 2.40.070 (Art in Municipal Places) Subsection 2.40.070 (C) (Funding of the Public Art Program) to exclude the City of El Paso Street Infrastructure Capital Plan for FY 2013-2019 as a funding source.

AYES: Representatives Acosta, Robinson, Holguin, Ortega, and Niland
NAYS: Representatives Lilly and Noe
ABSENT: Representative Byrd

- 5A. An Ordinance amending City Code Title 2 (Administration and Personnel) Chapter 2.40 (Museums and Cultural Affairs Department) Section 2.40.070 (Art in Municipal Places) Subsection 2.40.070 (C) (Funding of the Public Art Program) to exclude the City of El Paso Street Infrastructure Capital Plan for FY 2013-2019 as a funding source. **(All Districts)**

Mayor Cook and Representatives Lilly, Acosta, Ortega, and Niland commented.

Ms. Joyce Wilson, City Manager, commented.

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

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5B. INTRODUCTIONS

Motion made by Representative Acosta, seconded by Representative Robinson, 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:

AYES: Representatives Lilly, Acosta, Robinson, Noe, Holguin, Ortega, and Niland
NAYS: None
ABSENT: Representative Byrd

- 5B. An Ordinance amending the Master Zoning Plan approved on August 12, 2008, by Ordinance No. 016959 for the rezoning to GMU of Sections 9, 10, 15, 16, 17, and 18, Block 81, Township 1, Texas & Pacific Railway Company Surveys; and a portion of Sections 11, 14, and 19, Block 81, Township 1, Texas & Pacific Railway Company Surveys; and a portion of Sections 11, 12, 13, 14, 19, 20, and 21, Block 81, Township 1, Texas & Pacific Railway Company Surveys; and a portion of Sections 7, 17, 18, 19, 20, and 30, Block 80, Township 1, Texas & Pacific Railway Company Surveys, 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: north of U.S. 54 and east of McCombs Street. Property owner: El Paso Water Utilities - Public Service Board and City of El Paso. PZRZ12-00008

PUBLIC HEARING WILL BE HELD ON JULY 17, 2012, FOR ITEM 5B

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6. PLANNING AND ECONOMIC DEVELOPMENT

Motion made, seconded, and unanimously carried to **POSTPONE** two weeks the Public Hearing on an Ordinance changing the zoning of Tracts 9A1, 9A1A and 9A2, Block 79, Section 32, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas from R-3 (Residential) to C-4 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: south of Montana Avenue and west of Dominican Street. Property Owner: Acala Investments, LLC. PZRZ12-00001. **THIS IS AN APPEAL CASE**

AYES: Representatives Lilly, Acosta, Robinson, Noe, Holguin, Ortega, and Niland
NAYS: None
ABSENT: Representative Byrd

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7.

ORDINANCE 17815

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.20 (TRAFFIC-CONTROL DEVICES), SECTION 12.20.190 (SCHOOL FLASHER SIGNAL INSTALLATIONS), OF THE EL PASO CITY CODE, TO AMEND THE FINANCIAL RESPONSIBILITY FOR THE DESIGN AND INSTALLATION OF A SCHOOL FLASHER SIGNAL, THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO CITY CODE.**

Representatives Acosta, Robinson and Ortega commented.

Mr. Rafael Padilla, Socorro Independent School District, commented.

Ms. Lisa Turner, citizen, commented.

Motion duly made by Representative Ortega, seconded by Representative 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, Robinson, Noe, Holguin, Ortega, and Niland
NAYS: None
ABSENT: Representative Byrd

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.

ORDINANCE 17816

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE CITY MANAGER TO SIGN A SPECIAL WARRANTY DEED TO CONVEY 0.971 ACRES OF CITY LAND, AN EL PASO WATER UTILITIES PUBLIC SERVICE BOARD WATER WELL SITE NUMBER 25, AND A DRAINAGE EASEMENT FOR HIGHWAY PURPOSES OF 0.032 ACRES (1,394 SQUARE FEET) ON ADJACENT PARCEL 49E, BOTH UNDER THE JURISDICTION OF THE EL PASO WATER UTILITIES PUBLIC SERVICE BOARD, TO THE STATE OF TEXAS, ACTING BY AND THROUGH ITS TEXAS DEPARTMENT OF TRANSPORTATION FOR THE LOOP 375 TRANSMOUNTAIN ROAD PROJECT, FROM U.S. 54 (PATRIOT FREEWAY) TO BU 54 (DYER STREET), JUST EAST OF RUSHING ROAD, EL PASO, EL PASO COUNTY, TEXAS AND AUTHORIZING THE CITY MANAGER TO SIGN ANY AND ALL NECESSARY DOCUMENTATION TO COMPLETE THE CONVEYANCE AND PROVIDING AN EFFECTIVE DATE.**

Mr. Jim Shelton, El Paso Water Utilities, presented a PowerPoint presentation, (copy on file in City Clerk's office).

Mayor Cook and Representative Robinson commented.

Ms. Lisa Turner, citizen, commented.

Motion duly made by Representative Robinson, seconded by Representative 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, Robinson, Noe, Holguin, Ortega, and Niland
NAYS: None
ABSENT: Representative Byrd

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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9A. CITY DEVELOPMENT

*Motion made, seconded, and unanimously carried to **POSTPONE** one week the item regarding an application to name the Reynolds Street overpass (located south of Durazno and north of Alameda Avenue) as "Regent Francis Overpass" and that the City provide funding for the application to be processed.

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9B. CITY DEVELOPMENT

Discussion and presentation on a report submitted by the Center for Regional Economic Competitiveness and the University of North Texas' Center for Economic Development and Research that assesses the City of El Paso's incentive programs and policies and provides a list of recommendations on how to better leverage current incentive programs. **(All Districts)** [City Development, Mathew McElroy, (915) 541-4193]

Dr. Ken Poole, Center for Regional Competitiveness, presented a PowerPoint presentation, (copy on file in City Clerk's office).

Mayor Cook and Representatives Lilly, Acosta, Robinson, Ortega, and Niland commented.

Ms. Joyce Wilson, City Manager, commented.

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

NO ACTION was taken on this item

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10.

RESOLUTION

1ST MOTION

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Niland, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 10:58 a.m.

2ND MOTION

Motion made by Representative Robinson, seconded by Mayor Pro Tempore Lilly, and unanimously carried to adjourn the Executive Session at 11:10 a.m. and **RECONVENE** the meeting of the City Council.

3rd AND FINAL MOTION

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

That the City Manager be authorized to sign a Contract of Sale between the CITY OF EL PASO and ANDRE KARAM COMPANY, a Texas general partnership, for the purchase of the property commonly known as 120 W. San Antonio, El Paso, Texas more particularly described as a portion of Lot E and a portion of Lot F, Block 15, Mills Addition, an Addition to the City of El Paso, El Paso County, Texas, according to the records thereof, recorded in Volume 2103, Page 0972 of the Official Records of El Paso County, Texas of El Paso County, Texas.

And that the City Manager, or her designee, be authorized to sign any necessary documents and make any necessary and appropriate budget transfers to accomplish the intent of this Resolution.

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

- AYES: Representatives Lilly, Acosta, Noe, Holguin, Ortega, and Niland
- NAYS: Representative Robinson
- ABSENT: Representative Byrd

Ms. Carmen Arrieta-Candelaria, Chief Financial Officer, Financial Services, presented a PowerPoint presentation (copy on file in City Clerk’s office).

Representatives Acosta, Robinson, Noe, Ortega, and Niland commented.

Ms. Joyce Wilson, City Manager, commented.

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

Ms. Lisa Turner, citizen, commented.

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11A. MAYOR AND COUNCIL

Discussion and action pertaining to the Issuance of the Request for Qualification (RFQ) for the Transit Oriented Development (TOD) of the site formerly known as North Park Mall located at Dyer and Diana. **(District 4)**

Ms. Joyce Wilson, City Manager, presented a PowerPoint presentation (copy on file in City Clerk’s office).

Mayor Cook and Representative Robinson commented.

NO ACTION was taken on this item.
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11B. MAYOR AND COUNCIL

Motion made by Representative Noe, seconded by Representative Niland, and unanimously carried to **DIRECT** City Manager to clarify or amend central preparation facility requirements in Title 9 of the El Paso City Code.

AYES: Representatives Lilly, Acosta, Robinson, Noe, Holguin, Ortega, and Niland
NAYS: None
ABSENT: Representative Byrd

Mayor Cook and Representative Noe commented.

Mr. Michael Hill, Director, Public Health, commented.

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11C. MAYOR AND COUNCIL

Discussion and action regarding the El Paso Water Utilities concern regarding water conservation at the City of El Paso’s parks.

Mayor Cook and Representatives Robinson, Ortega, and Niland commented.

Ms. Christina Montoya, El Paso Water Utilities, commented.

NO ACTION was taken on this item.

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11D. MAYOR AND COUNCIL

Motion made by Representative Niland, seconded by Representative Ortega, and unanimously carried to **APPROVE** the removal of the chain link fence around the park located at the corner of Doniphan and Country Club Road in the Upper Valley and turn it into a community Park/Pond public space that community can enjoy and to **DIRECT** city staff to create a list for other Park/Pond recommendations thru out the City.

Representative Niland presented a PowerPoint presentation (copy on file in City Clerk’s office).

Mayor Cook and Representatives Acosta, Robinson, Noe, Holguin, and Ortega commented.

Ms. Joyce Wilson, City Manager, commented.

Mr. R. Alan Shubert, City Engineer, commented.

Mr. Daniel Avila, El Paso Water Utilities, commented.

Ms. Lisa Turner, citizen, commented.

AYES: Representatives Lilly, Acosta, Robinson, Noe, Holguin, Ortega, and Niland
NAYS: None
ABSENT: Representative Byrd

11E.

RESOLUTION

WHEREAS, on April 17, 2012, Jabin Akeem Bogan, a 27 year old Dallas based trucker was arrested by Mexican customs officials at the Juarez, Chihuahua, port of entry;

WHEREAS, Jabin Akeem Bogan was immediately transported to Mexico City and subsequently placed in federal prison in Villa Aldama, Veracruz, where he remains incarcerated to this date;

WHEREAS, on May, 2012, an 'auto formal de prision' (commitment order/formal charge) was issued charging Mr. Bogan with violating Article 84, Section 1 of the Mexican Federal Firearm Act of 1972 for "clandestinely introducing arms into Mexico used exclusively by the military," punishable by 5 to 30 years term of imprisonment (See attached document Resolution to Initiate Preliminary Investigation, marked as Exhibit A);

WHEREAS, on April 17, 2012, at approximately noon, Mexican customs agents indicated in their preliminary investigation that Mr. Bogan's ". . . tractor trailer entered national territory ending up positioned a little before the entry lanes to the grounds of the Cordova-Americas International Free Bridge, TRYING TO MANUEVER A RETURN THROUGH A NON-AUTHORIZED ROUTE . . ." (See attached Resolution to Initiate Preliminary Investigation, marked as Exhibit B);

WHEREAS, on May 14, 2012, Federal Judge Carlos Miguel Garcia Trevino of the 5th Judicial District of the State of Chihuahua also concluded that Mr. Bogan attempted to return to the U.S. upon concluding he entered Mexico (See attached Mexican Legal Document C.P. 94/2012-1-2, page 3, last paragraph, marked as Exhibit C)

WHEREAS, on May 29, 2012, Ms. America Zubia Saenz, Chief of X-Ray Department assigned to the Customs office declared under oath before Judge Carlos Miguel Garcia Trevino that she was one of the arresting and investigating officers and that in unequivocal terms the ammo was not hidden and did not and does not consider the ammo to be hidden (clandestine) (See attached statement of America Zubia Saenz, marked as Exhibit D);

WHEREAS, on May 29, 2012, Mexican Customs Officer, Federico Arturo Anaya Camarena, Merchandize Verifier, assigned to the Juarez Customs office testified under oath before Federal District Judge Carlos Miguel Garcia Trevino that the ammo was on pallets with plastic coverings but did not consider them to be concealed, or hidden or clandestine (See attached statement marked as Exhibit F);

WHEREAS, on May 29, 2012, Mexican Customs Foreign Officer, Adriana Ramirez Magallanes who was one of the investigating officers present at the time of Mr. Bogan's arrest that the ammo was in open view and not considered to be hidden or concealed (See attached statement marked as Exhibit G);

WHEREAS, family, friends, community organizations and federal representatives have worked tirelessly for the immediate resolution and release of Mr. Bogan;

WHEREAS, said organizations respectfully request that Mexican Federal Judge Carlos Miguel Garcia Trevino resolve this matter judiciously in accordance with the facts of this case; and

WHEREAS, supporters of Mr. Bogan request that the Mexican Attorney General's office review the facts of this case and release Mr. Bogan without political considerations;

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

THAT the Mayor and City Council request a vigorous review of the facts and conditions of the continuing incarceration of Mr. Bogan; and

THAT the Mayor and City Council strenuously urge the American Ambassador to Mexico and the State Department to help resolve the release of Mr. Bogan.

Representatives Lilly, Acosta, and Robinson commented.

Mr. Carlos Spector, Attorney for Mr. Bogan, commented.

Mr. Harold Howell, NAACP, commented.

Mr. Michael P. Grady, commented.

Ms. Lisa Turner, citizen, commented.

1st MOTION

Motion made by Representative Robinson, seconded by Mayor Pro Tempore Lilly and unanimously carried to **SUSPEND THE RULES** of Council to allow for additional speakers after the sign up period.

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

- AYES: Representatives Lilly, Acosta, Robinson, Noe, Holguin, Ortega, and Niland
- NAYS: None
- ABSENT: Representative Byrd

12. CITY MANAGER

Discussion and action on a presentation by TxDOT on the Loop 375 Border Highway West Extension Project, alignment options, project limits, access to the downtown area and update on agency and public scoping meetings.

Mr. Eduardo Calvo, TxDOT Engineer, presented a PowerPoint presentation (copy on file in City Clerk's office)

Mayor Cook and Representatives Ortega and Niland commented.

Ms. Joyce Wilson, City Manager, commented.

Ms. Jane Shang, Deputy City Manager, commented.

NO ACTION was taken on this item.

13. COMMUNITY AND HUMAN DEVELOPMENT

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Acosta, and unanimously carried to **CLOSE** the Public Hearing on program performance and on the Proposed Annual Action Plan 2012-2013 of the Consolidated Plan for 2010-2015, and adoption of a Final Action Plan for 2012-2013, including the 38th Year (2012-2013) Community Development Block Grant Program, and the 2012-2013 Emergency Solutions Grant Program, HOME Investment Partnerships Program and Housing Opportunities for Persons with AIDS Budgets.

AYES: Representatives Lilly, Acosta, Robinson, Noe, Holguin, Ortega, and Niland
NAYS: None
ABSENT: Representative Byrd

Ms. Stephanie Karr, citizen, commented.

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14A.

RESOLUTION

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

That, the City Council having herein conducted a public hearing in order to receive comments on program performance and on the Proposed Annual Action Plan 2012-2013 of the Consolidated Plan for 2010-2015 hereby adopts a Final Action Plan for 2012-2013, attached hereto as Exhibit "A," including the 38th Year (2012-2013) Community Development Block Grant Program, and the 2012-2013 Emergency Solutions Grant Program, HOME Investment Partnerships Program and Housing Opportunities for Persons with AIDS Program Budgets, all attached hereto as Exhibit "B."

Mayor Cook and Representative Holguin commented.

Mr. William Lilly, Director, Community and Human Services, commented.

1ST MOTION

Motion made by Representative Robinson, seconded by Mayor Pro Tempore Lilly, and unanimously carried to **APPROVE** a Resolution that the City Council, having conducted a public hearing in order to receive comments on program performance and on the Proposed Annual Action Plan 2012-2013 of the Consolidated Plan for 2010-2015, hereby adopts a Final Action Plan for 2012-2013, including the 38th Year (2012-2013) Community Development Block Grant Program, and the 2012-2013 Emergency Solutions Grant Program, HOME Investment Partnerships Program and Housing Opportunities for Persons with AIDS Program Budgets with exception of the Salvation Army.

AYES: Representatives Lilly, Acosta, Robinson, Noe, Holguin, Ortega, and Niland
NAYS: None
ABSENT: Representative Byrd

2nd AND FINAL MOTION

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Acosta, and carried to **APPROVE** a Resolution that the City Council, having conducted a public hearing in order to receive comments on program performance and on the Proposed Annual Action Plan 2012-2013 of the Consolidated Plan for 2010-2015, hereby adopts a Final Action Plan for 2012-2013, including the 38th Year (2012-2013) Community Development Block Grant Program, and the 2012-2013 Emergency Solutions Grant Program,

HOME Investment Partnerships Program and Housing Opportunities for Persons with AIDS Program Budgets.

AYES: Representatives Lilly, Acosta, Noe, Holguin, Ortega, and Niland

NAYS: None

ABSENT: Representative Byrd

ABSTAIN: Representative Robinson

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14B.

RESOLUTION

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Niland, and unanimously carried to **APPROVE** a Resolution authorizing the City Manager or the Mayor to sign and submit to the Department of Housing and Urban Development (HUD) the Annual Action Plan 2012-2013; Form SF-424, and all certifications contained therein; and to sign all documents related to the implementation and performance of the activities covered by the 2012-2013 Annual Action Plan and corresponding programs.

AYES: Representatives Lilly, Acosta, Robinson, Noe, Holguin, Ortega, and Niland

NAYS: None

ABSENT: Representative Byrd

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Motion made by Representative Niland , seconded by Representative Ortega, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 1:04 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

- Section 551.071 CONSULTATION WITH ATTORNEY
- Section 551.072 DELIBERATION REGARDING REAL PROPERTY
- Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS
- Section 551.074 PERSONNEL MATTERS
- Section 551.076 DELIBERATION REGARDING SECURITY DEVICES
- Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the Executive Session items listed on the Agenda.

NOT PRESENT FOR THE VOTE: Representative Byrd

Motion made by Mayor Pro Tempore Lilly, seconded by Representative Ortega, and unanimously carried to adjourn the Executive Session at 1:26 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representative Byrd

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EX1. Interim Rate Adjustment Request filed by Texas Gas Service Company, a division of ONEOK, Inc., on April 2, 2012. (551.071)

NO ACTION was taken on this item.

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EX2. Application of El Paso Electric Company to amend its Certificate of Convenience and Necessity for Five Solar Power Generation Projects, Public Utility Commission of Texas Docket No. 39973 (551.071)

NO ACTION was taken on this item.

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Motion made by Representative Robinson, seconded by Representative Niland, and unanimously carried to
ADJOURN this meeting at 1:44 p.m.
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APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk