

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
MICHEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

AGENDA FOR REGULAR CITY COUNCIL MEETING

**July 26, 2011
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 – Chaplain Lisle Davis
Pledge of Allegiance**

RECOGNITION:

CITY EMPLOYEES

CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at https://www.elpasotexas.gov/muni_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

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 July 19, 2011 and the Special City Council Meeting of July 20, 2011 (Budget Hearings for Community Development, Museums & Cultural Affairs, Zoo, Library, Parks and Recreation, and Convention & Performing Arts) and the Special City Council Meeting of July 21, 2011 (Budget Hearings for Airport, International Bridges, Department of Transportation, Public Transit - Sun Metro, and Environmental Services).

[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 First Amendment to the State Use Contract for Grounds Maintenance Service by and between the City of El Paso, a Texas home rule municipal corporation ("the City"), and TIBH, Inc. ("TIBH"), a private non-profit corporation and the certifying party, and Border Tm Industries, Inc., the performing party ("Contractor") to extend the contract until November 1, 2011. **(District 3)**

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

3B. A Resolution that the County and the City are proud to support the bid to bring either the 2013 or 2014 Conference USA Basketball Tournament to El Paso and are willing, as a contingency plan, to each contribute one half of any revenue shortfall to cover the estimated expenses of \$850,000 not covered by ticket sales. The City and County will establish by agreement at a future date the amounts to be appropriated, and that the City's share will be paid out of the City's Hotel Occupancy Tax fund. **(All Districts)**

[El Paso Convention and Visitors Bureau, William Blaziek, (915) 534-0608]

3C. That the City Manager be authorized to sign a Temporary Overhead Electrical Easement to the El Paso Electric Company for the purpose of providing electrical service to a temporary concrete batch plant to be located on City property, said easement being more particularly described as a portion of Lots 1 and 2, Block 4, and a portion of Lot 1, Block 5, Christy Tract, City of El Paso, El Paso County, Texas. The temporary easement shall expire on April 30, 2013. **(District 7)**

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

- 3D.** That the City Council approves the expenditure of additional available funding in the amount of \$220,396.72 to Martinez Bros. Contractors, LLC for additional construction costs for Pasodale Subdivision Street and Drainage Improvements Phase III. The change order provides for landscaping of street parkways in compliance with directive from City Council on November 16, 2010 that all projects involving City-owned property comply with Smart Growth principles and design standards, adding 54 days of contract time for Contract Number 2011-079. The new contract sum, including this change order, is \$1,998,018.02. **(District 7)**
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]
- 3E.** That the City Council approves the expenditure of additional available funding in the amount of \$390,270.90 to JAR Concrete, Inc. dba JAR Construction, Inc. for additional construction costs for EPIA Runway 8R-26L & Taxiway L Extension & Reconstruction of Taxiway W. The change order provides for a medium-intensity lighting system with runway alignment indicator lights (MALSR) as requested by the Federal Aviation Administration. At the time the construction contract was awarded the project called for a medium-intensity approach lighting system with Sequenced Flashing Lights (MALSF), adding 54 days of contract time for Contract Number 2010-268. The new contract sum, including this change order, is \$7,629,907.
(All Districts) [Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]
- 3F.** That the City Manager be authorized to sign an Overhead Electrical Easement to the El Paso Electric Company for the purpose of providing upgraded electrical service to a city building at 1725 Arizona Avenue, said easement being more particularly described as a portion of Lots 11 through 17, Block 5, Golden Hill Subdivision, City of El Paso, El Paso County, Texas. **(District 8)**
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]
- 3G.** That the City Manager be authorized to sign Consent to Assignment of the contract by and between the City of El Paso, Envirosolve, Inc. (“Assignor”) and Stericycle Specialty Waste Solutions, Inc. (“Assignee”) with respect to the City of El Paso Contract 2008-128 Household Hazardous Waste Disposal Services and

That the Purchasing Manager, Department of Financial Services, is authorized to notify Stericycle Specialty Waste Solutions, Inc. that the City is exercising the option to extend Contract 2008-128 for Household Hazardous Waste Disposal Services for an additional two years beginning June 17, 2011 and ending June 16, 2013.

| | |
|--------------------------|---|
| Department: | Environmental Services & Code Enforcement |
| Award to: | Stericycle Specialty Waste Solutions, Inc. Tulsa, OK |
| Option: | One [of One] |
| Annual Estimated Amount: | \$ 50,000 |
| Total Estimated Amount: | \$100,000 (2 years) |
| Account No.: | 34010293 – 502204 – 40403 |
| Funding Source: | Environmental Services – Environmental Contracts |
| Districts: | All |

This is a low bid, service contract

[Environmental Services and Code Enforcement, Ellen Smyth, (915) 621-6892]
[Financial Services, Bruce D. Collins, (915) 541-4313]

3H. That the City Manager be authorized to send notice to Murray, Montgomery and O'Donnell of the City's intent to exercise its option to extend the Professional Services Agreement dated March 30, 2010 for one additional year commencing September 1, 2011 and terminating on August 31, 2012. **(All Districts)**

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

3I. That the City Manager be authorized to send notice to Focused Advocacy of the City's intent to exercise its option to extend the Professional Services Agreement dated October 12, 2010 for one additional year commencing October 15, 2011 and terminating on October 14, 2012. **(All Districts)**

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

4. BOARD RE-APPOINTMENT:

Elma Carreto to the City Plan Commission by Mayor John F. Cook.

[Mayor John F. Cook, (915) 541-4145]

5. REQUESTS TO ISSUE PURCHASE ORDERS, ETC.:

5A. Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to EC America Inc. and NetDirect Systems, LLC, contractors under the U.S. General Services Administration's (G.S.A.) Contract Nos. GS-35F-0511T and GS-35F-0697N respectively, for a Riverbed Cascade Appliance for implementation services to install and configure the Cascade Appliance. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

Department: Information Technology
Award to: Vendor 1 EC America, Inc.
McLean, VA
Amount: \$240,767.74

Award to: Vendor 2 NetDirect Systems, LLC
Apex, NC
Amount: \$ 58,500

Total Estimated Award: \$299,267.74
Funding Source: Certificate of Obligations FY 12-13 CIP Plan
Accounting No.: 14400500-508010- 27051 - Project No. PCP12IT01
Reference No.: 2011-307
Districts: All

These are Cooperative, unit price contracts.

[Information Technology, Miguel Gamino, (915) 541-4746]
[Financial Services, Bruce D. Collins, (915) 541-4313]

5B. Request that the City Manager be authorized to execute an Interlocal Agreement by and between the City of El Paso, Texas and Ysleta Independent School District (YISD), whereby both entities agree to combine their efforts, from time to time, for the purchase of goods and services. **(All Districts)**

[Financial Services, Bruce D. Collins, (915) 541-4313]

6. BEST VALUE PROCUREMENTS:

6A. The award of Solicitation No. 2011-223 (Mobile Specialty Technology Vehicle) to Farber Specialty Vehicles, Inc. for an initial term estimated award of \$345,031.

Department: Libraries
 Award to: Farber Specialty Vehicles, Inc.
 Reynoldsburg, OH
 Items: All
 Option: None
 Total Estimated Award: \$345,031
 Account No.: 53150073 – 508006 – 07079 – Grant No. 48-42-B10570
 Funding Source: ARRA BTOP Virtual Village – Vehicular Equipment
Districts: All

This is a Best Value, unit price 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 Financial Services - Purchasing Division and Libraries recommend award as indicated to Farber Specialty Vehicles, Inc., the bidder offering the best value bid.

[Libraries, Dionne Mack-Harvin, (915) 543-5413]
 [Financial Services, Bruce D. Collins, (915) 541-4313]

6B. The award of Solicitation No. 2011-248 for the South El Paso Senior Center Park Improvements to Martinez Irrigation and Landscapes, Inc. for a total estimated amount of \$84,122.

Department: Engineering and Construction Management
 Award to: Martinez Irrigation and Landscapes, Inc.
 Base Bid: \$84,122
 Total Estimated Completion: \$84,122
 Funding Source: Community Development Block Grant (CDBG) 36th Year
District: 8

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, upon the review of the City Attorney, the City Engineer may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the 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 Engineering and Construction Management Department recommends award as indicated to Martinez Irrigation and Landscapes, Inc. the lowest responsible, responsive bidder.
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

7. BID:

The award of Solicitation No. 2011-267 (Aluminum Sign Blanks [Re-Bid]) to Vulcan, Inc. for an initial term estimated award of \$53,926.70 and to Mandel Metals, Inc. for an initial term estimated award of \$60,250.

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|-------------------------------|---|
| Department: | Department of Transportation |
| Award to: | Vulcan, Inc. Foley, AL |
| Items: | Items 1 to 10 |
| Initial Term: | 2 years |
| Option: | None |
| Annual Estimated Award: | \$53,926.70 |
| Initial Term Estimated Award: | \$107,853.40 (2 years) |
| Total Estimated Award: | \$107,853.40 (2 years) |
| | |
| Award to: | Mandel Metals, Inc. Franklin Park. IL |
| Items: | Item 11 |
| Initial Term: | 2 years |
| Option: | None |
| Annual Estimated Award: | \$60,250 |
| Initial Term Estimated Award: | \$120,500 (2 years) |
| Total Estimated Award: | \$120,500 (2 years) |
| Account No.: | 32010287 – 503122 – 01101 |
| Funding Source: | General Fund – Maintenance Supplies/Parts |
| Districts: | All |

This is a low bid, unit price 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 Financial Services - Purchasing Division and Department of Transportation recommend award as indicated to Vulcan, Inc., the lowest responsive, responsible bidder for items 1 to 10 and to Mandel Metals, Inc., the lowest responsive, responsible bidder for item 11.

[Department of Transportation, Daryl W. Cole, (915) 621-6750]
[Financial Services, Bruce D. Collins, (915) 541-4313]

REGULAR AGENDA - INTRODUCTIONS

8. 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.**

- 8A.** An Ordinance granting a Special Privilege License to United Bank of El Paso Del Norte permitting the encroachment of seven canopies and 12 façade encroachments totaling 372.0 square feet over and along portions of City right-of-way located on Main Drive Kansas Street, and Campbell Avenue adjacent to 401 E. Main Drive (NESV11-00022) **(District 8)**.
[Department of Transportation, Mirian Spencer, (915) 541-4482]
- 8B.** An Ordinance establishing deadlines and procedures for placing matters on the agenda for City Council Meetings and repealing Ordinance No. 16086 **(All Districts)** [City Manager, Joyce Wilson, (915) 541-4844]

PUBLIC HEARING WILL BE HELD ON AUGUST 2, 2011, FOR ITEMS 8A – 8B

- 8C.** An Ordinance authorizing the City Manager to sign a Special Warranty Deed conveying to the County of El Paso, land totaling 3.2564 acres of land consisting of a portion of Tracts 6-C and 6-B-1, Block 18, Upper Valley Surveys, El Paso County Texas as shown on a map of Block 18 by JW Carter and dated April 1930, and also being a portion of that parcel recorded in condemnation suit docket 15273 filed December 29, 1950, El Paso County District Clerk's Record. Said land located near Bosque and Campos Roads, in Northwest El Paso County. **(Extraterritorial Jurisdiction)**
[El Paso Water Utilities, Robert D. Andron, General Counsel (915) 594-5607]

PUBLIC HEARING WILL BE HELD ON AUGUST 9, 2011, FOR ITEMS 8C

- 8D.** An Ordinance amending Title 20 (Zoning), Appendix B (Table of Density and Dimensional Standards), Subpart B (Lot and Dwelling size), of the El Paso City Code to revise the density regulations for apartments in the C-5 (Central Business District). The penalty is as provided for in Chapter 20.24 of The El Paso City Code. **(All Districts)**
[Planning and Economic Development, Arturo Rubio, 9915) 541-4633]

PUBLIC HEARING WILL BE HELD ON AUGUST 16, 2011, FOR ITEM 8D

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 Thursday, 7:00 a.m. to 6:00 p.m.

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

9. GENERAL SERVICES:

Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Goodyear Tire and Rubber Company's authorized local distributor as required under The Cooperative Purchasing Network (TCPN) Contract No. R4937 (Automotive Tires) for DuraSeal Technology Tires & Recaps. Goodyear Tire and Rubber Company's authorized local distributor through the TCPN Contract is Wingfoot Commercial Tire System. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in The Cooperative Purchasing Network (TCPN), State Contracts Program was approved by Mayor and City Council on March 27, 2007.

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| Department: | General Services |
| Award to: | Goodyear Tire and Rubber Company Akron, OH |
| Annual Estimated Amount: | \$798,633.20 |
| Total Estimated Award: | \$798,633.20 (for approximately 1,218 tires & recaps as needed) |
| Funding Source: | Gen Services, Intl Serv Fund – Inventory Purch-Mat & Supplies |
| Account No.: | 37370510 – 503131 – 45202 |
| Reference No.: | 2011-106 |
| Districts: | All |

This is a Cooperative, unit price contract.
 [General Services, Stuart Ed, (915) 621-6822]
 [Financial Services, Bruce D. Collins, (915) 541-4313]

10. PARKS AND RECREATION:

Discussion and action on the award of Solicitation No. 2011-253 (Sports Officials [Baseball, Basketball, Football, Hockey, Soccer and Volleyball]) to El Paso Umpires Association (TASO) for an initial term estimated award of \$620,562.

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| Department: | Parks and Recreation |
| Award to: | El Paso Umpires Association (TASO) El Paso, TX |
| Items: | All |
| Initial Term: | 3 years |
| Option: | 2 years |
| Annual Estimated Award: | \$ 206,854 |
| Initial Term Estimated Award: | \$ 620,562 (3 years) |
| Total Estimated Award: | \$1,034,270 (5 years) |
| Account No.: | 51010367 – 502211 – 01101 |
| Funding Source: | FY11 Parks and Recreation Operating Budget |
| Districts: | All |

This is a Best Value, unit price contract.

The cost under this unit price 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 Financial Services - Purchasing Division and Parks and Recreation recommend award as indicated to El Paso Umpires Association (TASO) the bidder offering the best value bid.

[Parks and Recreation, Paula Powell, (915) 351-1320]

[Financial Services, Bruce D. Collins, (915) 541-4313]

11. **ENGINEERING AND CONSTRUCTION MANAGEMENT:**

11A. Discussion and action that the City Engineer is authorized to notify M Lee Corp. of El Paso, Texas, that the City is terminating Contract No. 2011-211 for default pursuant to the provisions of Section 6.9.1 of the General Conditions of the Contract, due to contractor's failure to provide Performance and Payment Bond forms that meet the contract requirements and that the termination shall be effective as of July 26, 2011.

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

11B. Discussion and action that the procurement for the construction of Clint Cell Lining, Cells 7-10 is exempt under state law for the preservation and protection of the public health of the City's residents, and that the City Engineer be authorized to enter into an agreement with JAR Concrete, Inc. dba JAR Construction, Inc. in an amount not to exceed \$3,849,497.65 for construction of the Clint Cell Lining, Cells 7-10. **(All Districts)**

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

REGULAR AGENDA – PUBLIC HEARINGS

12. **PLANNING AND ECONOMIC DEVELOPMENT:**

12A. An Ordinance granting Special Permit No. PZST11-00006, to allow for infill development and a parking reduction on the property described as all of the North ½ of Lots 14, 15, and 16, Block 57, Supplemental Map No. 1, East El Paso Addition, City of El Paso, El Paso County, Texas, pursuant to Section 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: 3620 E. Missouri Avenue. Applicant: Leopoldo Duran. PZST11-00006 **(District 8)**

[Planning and Economic Development, Andrew Salloum, (915) 541-4633]

12B. An Ordinance changing the zoning of all of Tract 5, Block 14, Upper Valley Surveys, City of El Paso, El Paso County, Texas from R-2 (Residential) to G-MU (General-Mixed Use). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: North of Borderland and West of Westside Drive. Property Owner: Rio Valley, LLC PZRZ11-00012

THIS IS AN APPEAL CASE. (District 1)

[Planning and Economic Development, Arturo Rubio, (915) 541-4633]

12C. An Ordinance changing the zoning of all of Lots 16, 17, 18 and 19, Block 2, Hughes Subdivision, City of El Paso, El Paso County, Texas from R-5 (Residential) to S-D (Special Development). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 5625 Frutas Avenue. Property Owner: Ponce Rentals Property, LLC. PZRZ11-00011 **(District 3)**
 [Planning and Economic Development, Esther Guerrero, (915) 541-4720]
 POSTPONED FROM 7-12-2011 AND 7-19-2011

12D. An Ordinance granting Special Permit No. PZST11-00005, to allow for infill development for lot width and lot size reduction on the property described as Lot 39, Block 1, Alexander addition to Ysleta, City of El Paso, El Paso County, Texas, pursuant to section 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: 461 Gonzales. Applicant: Javier Martinez. PZST11-00005 **(District 6)**
 [Planning and Economic Development, Geena Maskey, (915) 541-4192]
 POSTPONED FROM 7-12-2011 AND 7-19-2011

13. PARKS AND RECREATION:

An Ordinance amending Title 13 (Streets Sidewalks and Public Places), Chapter 13.24 (City Parks and Recreation Areas), Section 13.24.050 (Use of Athletic Fields), to broaden the scope to include other types of athletic fields and to allow for designation by City Council of applicable athletic fields, and to create section 13.24.210 (Enforcement). The penalty as provided in City Code Section 13.24.050(c) of the City Code.
(All Districts) [Parks and Recreation, Nanette Smejkal, (915) 541-4283]

REGULAR AGENDA – OTHER BUSINESS

14. MAYOR AND COUNCIL:

Discussion and action on the appointment of either Carl Robinson or Susie Byrd to the Transportation Policy Board of the Metropolitan Planning Organization to fill the seat for an elected official vacated by Beto O'Rourke. **(All Districts)**
 [Mayor John F. Cook, (915) 541-4015]
 POSTPONED FROM 7-19-2011

15. PLANNING AND ECONOMIC DEVELOPMENT:

15A. Discussion and action on a Resolution that the City Manager be authorized to sign an amendment to the May 8, 2007, Development Agreement by and between the City of El Paso, the El Paso Water Utilities-Public Service Board and Rio Valley LLC to change the development to G-MU (General Mixed Use Development), to amend the term and to change the park provisions. Subject Property: North of Borderland Road and West of Westside Drive; Property Owner: Rio Valley LLC. **(District 1)**
 [Planning and Economic Development, Arturo Rubio, (915) 541-4633]

15B. Discussion and action on a Resolution that the City Manager be authorized to sign an amendment to the January 23, 2007, Development Agreement by and between the City of El Paso, the El Paso Water Utilities-Public Service Board and El Paso Jamas, Ltd. and B.A.R. Construction Inc. to extend the term of the Agreement and to amend the park provisions contained in the Agreement.

Subject Property: North of Borderland Road and East of Westside Drive;
Property Owner: El Paso Jamas, Ltd. and B.A.R. Construction Inc. **(District 1)**
[Planning and Economic Development, Arturo Rubio, (915) 541-4633]

16. CITY MANAGER:

Discussion and action on Quarterly Financial Report: 3rd Quarter Financial Report for Fiscal Year 2011. **(All Districts)** [City Manager's Office, William F. Studer, (915) 541-4215]

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 and the Rules of City Council.) 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.** William Benjamin Ellsworth, et al vs. Cheryl Maxine Villa, et al; Cause No. 2010-3381. (551.071)
[City Attorney's Office, Kenneth A. Krohn, (915) 541-4550]
- EX2.** Saul Medrano vs. City of El Paso, Cause No. 2009-1876 (551.071)
[City Attorney's Office, Karla M. Nieman (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 THURSDAY AT THE ADDRESS BELOW:

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