

JOHN F. COOK
MAYOR



JOYCE WILSON
CITY MANAGER

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL 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

**August 9, 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 – Police Chaplain Cliff Barnes
Pledge of Allegiance**

MAYOR'S PROCLAMATIONS

- 1. Old Ironsides Day and Jack Costello Day**
- 2. Community Leader: Walgreens Day**
- 3. National Health Center Week**

RECOGNITION:

U.S. Army Sergeants Major Academy

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 August 2, 2011 and the Special City Council Meeting for July 28, 2011 (Budget Wrap up) and the Special City Council Meeting for July 28, 2011, (Levying FY 2012 Taxes) and the Special City Council Meeting Minutes (Budget Wrap up) for August 3, 2011.

[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

Representatives Courtney Niland and Steve Ortega.

3. RESOLUTIONS:

3A. That the City Manager be authorized to sign "Supplemental Lease Agreement No. 1" to Lease No. GS-07B-16867 by and between the City of El Paso and the United States of America regarding the Transportation Security Administration's rental of space in the El Paso International Airport terminal building to accept the tenant improvements as substantially completed and provide for the completion of punch list items, to establish the Commencement date of the lease rental payments, to establish the square footages of the leased space, to provide the annual rental amounts, and to establish the reduction in rent for vacant space.

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

3B. That the City Manager be authorized to sign the Agreement for Professional Services by and between the City of El Paso and Federal Engineering, Inc., a Maryland Corporation, for a project known as "El Paso Metropolitan Statistical Area Communications System" for an amount not to exceed \$200,000 and that the City Engineer be authorized to approve up to \$50,000 in additional services for a total contract amount not to exceed \$250,000. Homeland Security Grant Program, Urban Area Security Initiative (UASI) 2009 Grant. **(All Districts)**

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

3C. A Resolution that the City Manager be authorized to sign an Amendment to the October 3, 1988 Lease Agreement for MDR Building between the City of El Paso and the County of El Paso, Texas to terminate a portion of the lease in the basement of the building located at 800 E. Overland, El Paso, Texas 79901 but retaining 1592.16 square feet for the City's use, effective September 1, 2011.

(District 8) [Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

- 3D.** That the City Manager be authorized to sign Pass-thru Grant No. 582-12-10010 (the "Contract") by and between the City of El Paso and the Texas Commission on Environmental Quality ("TCEQ"), in the amount of \$280,132 for the period of September 1, 2011 through August 31, 2013, to conduct air monitoring for criteria pollutants, data collection and data submittal to TCEQ and the Environmental Protection Agency. City matching funds are required in the amount of \$46,222. The City Manager is authorized to approve necessary budget transfers to designate the required matching funds. **(All Districts)**
[Environmental Services, Ellen A. Smyth, (915) 621-6719]
- 3E.** That the City Manager approve the Interlocal Cooperation Contract between the City of El Paso and the Texas Department of Public Safety Reprographics and Distribution Services which allows the City to purchase supplies for the Police Department's use in conducting driving while intoxicated breath tests. Supplies will be purchased at a later time as needed from September 1, 2011 through August 31, 2013. **(All Districts)** [Police, Eric Shelton, (915) 564-7357]
- 3F.** A Resolution approving that the City Manager be authorized to sign an Agreement to extend the License Agreement by and between the City of El Paso and the New Mexico Department of Transportation for the use of City property located at 400 West San Antonio Street, El Paso, Texas 79901 (the Union Plaza Transit Terminal), 601 Santa Fe Street, El Paso, Texas 79901 (the Bert Williams Downtown Santa Fe Transfer Center) and 7535 Remcon Circle, El Paso, Texas 79912 (the Westside Transfer Center), as bus stops for the New Mexico Park and Ride Bus Service connecting El Paso County, Texas and Doña Ana County, New Mexico entered on September 1, 2009 for a one year renewal under paragraph 2 of the License Agreement, and authorizing the City Manager to enter into future agreements to extend this License Agreement. **(All Districts)**
[Sun Metro, Jay Banasiak, (915) 534-5810]
- 3G.** That the City Manager be authorized to sign the First Agreement to Contract for Professional Services with Delgado Acosta Spencer Linebarger & Perez LLP, for the purpose of amending the contract to provide for collection of demolition, condemnation, and sanitation liens in connection with delinquent tax collection legal services. **(All Districts)** [Tax Department, Juan F. Sandoval, (915) 541-4598]

4. AGREEMENTS:

To authorize the City Manager to sign an extended Services Agreement with El Paso Electric to authorize the Company to administer an incentive program for solar programs for residential and commercial properties in El Paso using funding from additional City franchise fee and Palo Verde Performance Reward Funds. **(All Districts)**
[Environmental Services, Marty Howell, (915) 541-4925]

5. BOARD RE-APPOINTMENTS:

- 5A.** Rene Peña to the City Employees Pension Fund Board of Trustees by Mayor John F. Cook. [Mayor John F. Cook, (915) 541-4145]
- 5B.** Presi Ortega, Jr. to the City Employees Pension Fund Board of Trustees by Mayor John F. Cook. [Mayor John F. Cook, (915) 541-4145]

6. BOARD APPOINTMENTS:

- 6A.** Ann Morgan Lilly to the Animal Shelter Advisory Committee by Mayor John F. Cook. [Mayor John F. Cook, (915) 541-4145]
- 6B.** Steve Tatem to the Retired and Senior Volunteer Program (RSVP) Advisory Council by Mayor John F. Cook. [Mayor John F. Cook, (915) 541-4145]
- 6C.** Jaime Rubinstein to the Empowerment Zone Advisory Board by Mayor John F. Cook. [Mayor John F. Cook, (915) 541-4145]

7. REQUESTS TO ISSUE PURCHASE ORDERS, ETC.:

- 7A.** Request that the Engineering and Construction Management Department be authorized to issue a purchase order to Basic IDIQ, a contractor under the Harris County Department of Education Master Service Interlocal Contract Cooperative Purchasing Program, Contract #09/040JC-03, to re-roof the EPIA Air Cargo Building No. 2. Participation by the City of El Paso in the Harris County Department of Education Master Service Interlocal Contract Cooperative Program was approved by City Council August 18, 2009.

Department: Engineering and Construction Management
 Award to: Basic IDIQ
 Base Bid: \$249,987.18
 Total Estimated Completion: \$249,987.18
 Funding Source: Airport Capital Fund
District: 2

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

- 7B.** Request that the Purchasing Manager, Financial Services, Purchasing Division, be authorized to issue Purchase Orders to Dell Marketing, LLP a State Department of Information Resources (DIR) contractor under Contract No. DIR-SDD-890, for a total amount of \$200,000 for Dell hardware and related accessories for various City Departments as the need arises.

The participation by the City of El Paso in the Department of Information Resources (DIR) was approved by the Mayor and City Council on February 27, 2007.

Department: Information Technology
 Award to: Dell Marketing, LLP
 Round Rock, TX
 Total Estimated Amount: \$200,000
 Account No.: Various
 Funding Source: General Fund
 Reference No: 2011-317
Districts: All

This is a Cooperative, unit price contract.
 [Information Technology, Miguel Gamino, (915) 541-4288]

[Financial Services, Bruce D. Collins, (915) 41-4313]

- 7C.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Sigma Solutions, Inc. a contractor under the Department of Information Resource (DIR) Contract No. DIR-SDD-1385 for wireless access points and related equipment. 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 Department of Information Resource (DIR) Cooperative Purchasing Program was approved by Mayor and City Council on February 27, 2007.

Department:	Libraries
Award to:	Sigma Solutions, Inc. San Antonio, TX
Total Estimated Award:	\$56,565.60
Account No.:	53150073 – 508010 – 07079 – Grant No. 48-42- B10570
Funding Source:	ARRA BTOP Virtual Village
Reference No.:	2011-336
Districts:	All

This is a Cooperative, unit price contract.

[Library, Dionne Mack-Harvin, (915) 543-5413]

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

- 7D.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Apple, Inc., a contractor under the Department of Information Resource (DIR) Contract No. DIR-SDD-891 for the purchase of computers and related equipment. 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 Department of Information Resource (DIR) Cooperative Purchasing Program was approved by Mayor and City Council on February 27, 2007.

Department:	Libraries
Award to:	Apple, Inc. Cupertino, CA
Total Estimated Award:	\$160,437.60
Account No.:	53150073 – 508010 – 07079 – Grant No. 48-42- B10570
Funding Source:	ARRA BTOP Virtual Village
Reference No.:	2011-326
Districts:	All

This is a Cooperative, unit price contract.

[Library, Dionne Mack-Harvin, (915) 543-5413]

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

- 7E. Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Val Brown Interior dba Brown Interior Solutions, a contractor under Coop TXMAS-6-71111060-7 (Special Use Furniture), for Special Use Furniture for the WIC Centers. 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 Texas Procurement and Support Services (TPASS), State Contracts Program, Texas Multiple Award Schedule (TXMAS) was approved by Mayor and City Council on February 27, 2007.

Department:	Public Health
Award to:	Val Brown Interiors dba Brown Interior Solutions El Paso, TX
Annual Estimated Amount:	\$213,401.24
Total Estimated Award:	\$213,401.24 (for 13 WIC Centers)
Account No.:	41150011-503101-06341-G4111AD 41150011-503301-06341-G4111AD
Funding Source:	WIC Administration - Equipment WIC Administration - Furniture
Reference No.:	2011-333
Districts:	All

This is a Cooperative, unit price contract.
 [Public Health, Michael Hill, (915) 771-5702]
 [Financial Services, Bruce D. Collins, (915) 541-4313]

8. CONVENTION AND VISITOR’S BUREAU:

That the City is proud to support the bid to bring either the 2013 or 2014 Conference USA Basketball Tournament to El Paso and is willing, as a contingency plan, to contribute one half of any revenue shortfall (not to exceed \$450,000) to cover the estimated expenses of \$850,000 not covered by ticket sales. Any shortfall to be paid out of the City’s Hotel Occupancy Tax Fund. **(All Districts)**
 [El Paso Convention and Visitor’s Bureau, William Blaziak, (915) 534-0608]

REGULAR AGENDA - INTRODUCTIONS

9. 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.**

- 9A. An Ordinance amending Title 7 (Animals), Chapter 7.14 (Animal Sales, Breeding and Shows), to amend the effective date of certain retail animal sales restrictions; the penalty being as provided in Section 7.04.080 of the El Paso City Code. **(All Districts)** [Public Health, Michael Hill, (915) 771-5702]
- 9B. An Ordinance granting a special privilege license to Mills Plaza Parking, LP, owner and El Paso Community Foundation, lessee for the construction, installation, maintenance, use and repair of one outdoor patio cafe within portions

of City right-of-way along North Oregon Street adjacent to the property located at 401 N. Oregon Street and allowing the sale and service of alcoholic beverages as a permissible activity within the outdoor patio cafe area (SPL10-00006) **(District 8)** [Department of Transportation, Mirian Spencer, (915) 541-4482]

- 9C.** An Ordinance vacating a portion of the alley out of Block 12, Womble Addition, City of El Paso, El Paso County, Texas SUB#10-00250 **(District 3)** [Planning and Economic Development, Justin Bass, (915) 541-4930]

PUBLIC HEARING WILL BE HELD ON AUGUST 16, 2011, FOR ITEM 9A – 9C

- 9D.** An Ordinance changing the zoning of Lots 10 thru 13, Block 2 and a remnant portion of Latta Street, Block 1, Woodlawn Subdivision, City of El Paso, El Paso County, Texas from M-1 (Manufacturing) to C-3 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 3801 Frutas Avenue. Property Owner: Eva and Walter Parker. PZRZ11-00021 **(District 3)** [Planning and Economic Development, Esther Guerrero, (915) 541-4720]

- 9E.** An Ordinance changing the zoning of a portion of Tract 3A, Nellie D. Mundy, Survey No. 240, City of El Paso, El Paso County, Texas from A-2 (Apartment) to A-O (Apartment-Office). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: West of Desert South Boulevard and Southwest of Trade Center Way, Applicant: Canutillo Palms Ltd. PZRZ11-00022 **(District 1)** [Planning and Economic Development, Justin Bass, (915) 541-4930]

- 9F.** An Ordinance granting Special Permit No. ZON11-00004, to allow for infill development and a parking reduction on the property described as Lot 15 and the East ½ of Lot 16, Block 223, Campbell's 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: 910 Texas Street, Property Owner: Don Luciano, ZON11-00004 **(District 8)** [Planning and Economic Development, Arturo Rubio, (915) 541-4633]

- 9G.** An Ordinance amending Title 20 (Zoning), Chapter 20.04 (Administrative Provisions), Article III (Detailed Site Development Plan Approval Process), Section 20.04.150 (Procedure) of the El Paso City Code to allow administrative approval of certain detailed site development plans. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. **(All Districts)** [Planning and Economic Development, Arturo Rubio, (915) 541-4633]

PUBLIC HEARING WILL BE HELD ON AUGUST 30, 2011, FOR ITEM 9D – 9G

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**10. ENGINEERING AND CONSTRUCTION MANAGEMENT:**

- 10A.** Discussion and action on award of Solicitation No. 2011-192 for the Clint Landfill Access Road & Public Drop-Off Area to Saab Site Contractors, L.P., for a total estimated amount of \$902,315.

Department: Engineering and Construction Management
 Award to: Saab Site Contractors, L.P.
 Base Bid: \$902,315
 Total Estimated Completion: \$902,315
 Funding Source: Environmental Services Fund
Districts: All

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-priced contract. Saab Site Contractors, L.P. is the lowest responsible, responsive bidder. It is requested that the City Manager be authorized to sign the reference contract.

[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]
 POSTPONED FROM 8-2-2011

- 10B.** Discussion and action on the award of Solicitation No. 2011-297 for the Northpark Mall Site Demolition to Border Demolition and Environmental Inc. for a total estimated amount of \$1,004,959.

Department: Engineering and Construction Management
 Award to: Border Demolition and Environmental Inc.
 Base Bid I: \$ 594,959
 Base Bid II: \$ 410,000
 Total Estimated Completion: \$1,004,959
 Funding Source: 2009 Certificates of Obligation
District: 4

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.

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, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, without further authorization by City Council.

This is a low bid, lump sum contract. The Engineering and Construction Management Department recommends award as indicated to the lowest responsible, responsive bidder.

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

[Sun Metro, Jay Banasiak, (915) 534-5810]

REGULAR AGENDA – PUBLIC HEARINGS – FISCAL YEAR 2012

11. CITY MANAGER’S OFFICE:

First Public Hearing on the City of El Paso's proposed Fiscal Year 2012 property tax increase. **(All Districts)** [City Manager's Office, Lynly Leeper, (915) 541-4777]

REGULAR AGENDA – PUBLIC HEARINGS

12. ENVIRONMENTAL SERVICES:

12A. An Ordinance granting a non-exclusive franchise to American Disposal Service, to operate and maintain a solid waste collection and hauler service within the City of El Paso subject to the terms and conditions described herein. The penalty as provided in Section 9.04.630 of the El Paso City Code. **(All Districts)**
[Environmental Services, Ellen A. Smyth, (915) 621-6719]

12B. An Ordinance granting a non-exclusive franchise to El Paso Disposal, LP, to operate and maintain a solid waste collection and hauler service within the City of El Paso subject to the terms and conditions described herein. The penalty as provided in Section 9.04.630 of the El Paso City Code. **(All Districts)**
[Environmental Services, Ellen A. Smyth, (915) 621-6719]

12C. An Ordinance granting a non-exclusive franchise to Heist Disposal, to operate and maintain a solid waste collection and hauler service within the City of El Paso subject to the terms and conditions described herein. The penalty as provided in Section 9.04.630 of the El Paso City Code. **(All Districts)**
[Environmental Services, Ellen A. Smyth, (915) 621-6719]

12D. An Ordinance granting a non-exclusive franchise to Moore Service, Inc., to operate and maintain a solid waste collection and hauler service within the City of El Paso subject to the terms and conditions described herein. The penalty as provided in Section 9.04.630 of the El Paso City Code. **(All Districts)**
[Environmental Services, Ellen A. Smyth, (915) 621-6719]

12E. An Ordinance granting a non-exclusive franchise to Sandoval Capital, Inc. d/b/a Bronco Disposal, to operate and maintain a solid waste collection and hauler service within the City of El Paso subject to the terms and conditions described

herein. The penalty as provided in Section 9.04.630 of the El Paso City Code. **(All Districts)** [Environmental Services, Ellen A. Smyth, (915) 621-6719]

- 12F.** An Ordinance granting a non-exclusive franchise to Jose Roman Gonzalez, Jr. d/b/a JRG Disposal Service, to operate and maintain a solid waste collection and hauler service within the City of El Paso subject to the terms and conditions described herein. The penalty as provided in Section 9.04.630 of the El Paso City Code. **(All Districts)** [Environmental Services, Ellen A. Smyth, (915) 621-6719]

13. PLANNING AND ECONOMIC DEVELOPMENT:

An Ordinance changing the zoning of a portion of Tract 2C1, Block 35, Ysleta Grant, City of El Paso, El Paso County, Texas from C-3 (Commercial) and A-M (Apartment/Mobile Home Park) to C-4 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 8482 Alameda Avenue. Applicant: NCJ Development, Inc. and Cash Investments, Inc. ZON10-00093

THIS IS AN APPEAL CASE (District 7)

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

POSTPONED FROM 6-14-2011

14. DEPARTMENT OF TRANSPORTATION:

- 14A.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - parking prohibited at all times on certain streets) of the El Paso City Code to amend and delete some of the existing locations. **(District 8)**

[Department of Transportation, Ted Marquez, (915) 624-6814]

- 14B.** An Ordinance granting a Special Privilege Permit to The Place At Union Plaza, Inc. permitting the encroachment of twelve awnings, one metal façade, and two handicap accessibility ramps within Portions of City rights-of-way on Anthony Street and W. San Antonio Avenue adjacent to the property located at 518 San Antonio Avenue (NESV11-00026) **(District 8)**

[Department of Transportation, Mirian Spencer, (915) 541-4482]

15. EL PASO WATER UTILITIES:

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, (915) 594-5607]

REGULAR AGENDA – OTHER BUSINESS**16. MAYOR AND COUNCIL:**

16A. Discussion and action regarding a Resolution that the Mayor be authorized to submit a proposed resolution for the consideration of the Texas Municipal League (“TML”) Board of Directors urging the State Legislature to conduct a study regarding the impact of requiring disclosure of the sales price of real property would have on the property tax system, property tax revenues and the allocation of property tax burdens among taxpayers.

(All Districts) [Mayor’s Office, Sylvia Borunda Firth, (915) 541-4656]

16B. Discussion and action regarding a Resolution that the Mayor be authorized to submit a proposed resolution for the consideration of the Texas Municipal League (“TML”) Board of Directors urging the Texas Municipal League to conduct a study regarding the negative impact of the State of Texas adding fees to municipal traffic tickets **(All Districts)**

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

16C. Discussion and action regarding a Resolution approving the recommendations of the Board of Directors of the El Paso Downtown Management District for re-appointments and new appointments of directors of the District.

(All Districts) [Mayor’s Office, Sylvia Borunda Firth, (915) 541-4656]

17. PLANNING AND ECONOMIC DEVELOPMENT:

17A. Discussion and action that the City Council submit comments and recommendations made by the Open Space Advisory Board to the U.S. Army Corps of Engineers, Albuquerque District, to consider regarding the construction of a stormwater and sediment detention basin to protect neighborhoods surrounding Sun Valley Drive in northeast El Paso, such comments provided so that the project assists the City in meeting the goals established and adopted in the March 2006 Resolution and to develop an alternative that creates the least amount of degradation to Castner Range. **(All Districts)**

[Planning and Economic Development, David Coronado, (915) 541-4632]

17B. Discussion and action that the City Manager be authorized to execute a Chapter 380 Economic Development Program Agreement by and between the City of El Paso and The Hub of Human Innovation Inc. (the "Applicant) in relation to the Applicant's development of a technology business incubator in El Paso, Texas.

(All Districts) [Planning and Economic Development, Ernesto Gamboa, (915) 541-4811]

18. CITY ATTORNEY’S OFFICE:

18A. Discussion and action regarding Application of El Paso Electric Company for Approval to Revise a Tariff Schedule for a Net Metering Provision (Schedule No. 48). **(All Districts)**

[Bertha Ontiveros, Assistant City Attorney (915) 541-4550]

- 18B.** Discussion and action regarding the request of Texas Gas Service Company, an operating Division on ONEOK, Inc., for an Interim Rate Adjustment dated May 2, 2011 pursuant to Texas Utility Code Sec. 104.301 (GRIP Statute). **(All Districts)** [Bertha Ontiveros, Assistant City Attorney, (915) 541-4550]

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.** Decision of Texas Court of Appeals, Third District in the matter of City of El Paso et al. v. Public Utility Commission of Texas et al., Case No. 03-08-0577-CV (551.071)
[City Attorney's Office, Bertha A. Ontiveros, (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/>