

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

REVISED **AGENDA FOR REGULAR CITY COUNCIL MEETING**

August 19, 2008
Council Chambers, City Hall
8:30 a.m.

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

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

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

Invocation – Reverend Lisle Davis
Pledge of Allegiance

MAYOR'S PROCLAMATIONS

- 1. EL PASO POSTMASTER SEVERO GARZA DAY**
- 2. BOY SCOUTS OF AMERICA MONTH**

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 12, 2008.

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

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

3. RESOLUTIONS:

3A. That the City Manager be authorized to sign a Industrial Site Lease by and between the City of El Paso ("Lessor") and Luis And Yolanda Casillas ("Lessee") regarding the following premises: east 100 feet of Lot 10, Block 8, El Paso International Airport Tracts, City of El Paso, El Paso County, Texas, which is municipally known and numbered as 7729 Lockheed, El Paso, Texas.

(District 3) [Airport, Patrick Abeln, (915) 780-4724]

3B. That the Director of Aviation be authorized to sign and submit grant applications and related documentation to the Federal Aviation Administration (FAA), and be designated the official representative of the City of El Paso to act in connection with the application process for the Airport Improvement Program (AIP), Project No. 3-48-0077-25-08; that upon approval and issuance of such grant by the FAA, the City Manager be authorized to accept and sign the grant agreement, and other necessary documents when the form and substance of those documents has been reviewed and approved by the City Attorney's Office; provided that such authorization shall include the ability to accept and sign multiple agreements and documents, as the FAA grant may be issued in various disbursements; that the City Manager be authorized to approve and sign any budget transfers needed to establish appropriations in connection with this grant; and that the total grant amount shall include a not-to-exceed federal share of \$1,302,079 and a not-to-exceed local share of \$145,651, and will be utilized for the following project: Reconstruction of Taxiway "J" and "M" - this project will provide for the total reconstruction of portions of El Paso International Airport's Taxiways "J" and "M" and includes the removal of existing asphalt concrete pavement and replacement with Portland cement concrete pavement.

(District 2) [Airport, Patrick Abeln, (915) 780-4724]

3C. That the City Manager be authorized to sign an agreement granting an underground electrical easement with transformer site to the El Paso Electric Company for the purpose of providing electrical service to the Municipal Services Center at 7968 San Paulo Drive. Said property being more particularly described as a portion of Lot 2, Block 1, Municipal Center Subdivision, El Paso County, Texas. **(District 7)** [Engineering, R. Alan Shubert, (915) 541-4423]

- 3D. That the Solid Waste liens on the attachment posted with this agenda be approved. (See Attachment A) **(Districts 1, 2, 3, 4, 5, 6, and 8)**
[Environmental Services, Ellen A. Smyth, (915) 621-6719]
- 3E. That the City adopts the revised and restated Environmental Services Department Refund Policy Regarding Solid Waste Services. **(All Districts)**
[Environmental Services, Ellen A. Smyth, (915) 621-6719]
- 3F. That the City Manager be authorized to sign a Memorandum of Understanding by and between the City of El Paso and Rio Grande Safe Communities Coalition, a Division of R.E. Thomason Hospital, to provide funding for a project addressed to prevent underage drinking and promote awareness activities. **(All Districts)**
[Police Department, Marco Spalloni, (915) 564-7141]

4. BOARD RE-APPOINTMENT:

William Stafford Thurmond to the Public Utility Regulation Board by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4416]

5. APPLICATIONS FOR TAX REFUND:

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

6. PURCHASING REQUESTS TO ISSUE PURCHASE ORDERS, ETC.:

Request to approve the selection of F.T. James Construction, Inc. as the offeror that offers the best value for the City for the construction of Civic Center Plaza Renovation (Solicitation No. 2008-215), as per recommendations from Convention and Performing Arts Center and Engineering Department; and that the City Engineer and staff be authorized to proceed with negotiations of a contract in accordance with Section 271.116, Texas Local Government Code. **(Districts 6)**
[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

7. BID:

The award of Solicitation No. 2008-078 (Antifreeze) to Western Refining Wholesale for a total estimated award of \$150,000.

Department: General Services
Award to: Western Refining Wholesale
El Paso, TX
Items: 1A, 1B, 2A and 2B
Annual Est. Amount: \$50,000
Account No.: 37370510 – 503121 – 45202
Funding Source: Fleet Services Division and Sun Metro
Total Est. Award: \$150,000
Districts: All

This is a 36 month requirements type contract for Antifreeze.

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 General Services recommend award as indicated to the lowest responsive, responsible bidder.
[Financial Services/Purchasing, Terrence Freiburg, (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 to amend Title 2 (Administration and Personnel), Chapter 2.08 (City Plan Commission), Section 2.08.010 (Creation - Membership), to restate the appointment process for the membership to be in conformity with the charter. **(All Districts)** [Development Services, Victor Q. Torres, (915) 541-4557]
- 8B.** An Ordinance to amend Title 2 (Administration and Personnel); Chapter 2.38 (Building and Standards Commission); to amend Section 2.38.020 D (Appointment), to name the Development Services Department as a department to work with the Commission. **(All Districts)**
[Development Services, Victor Q. Torres, (915) 541-4557]
- 8C.** An Ordinance to amend Title 5 (Business Taxes, Licenses and Regulations) to amend various sections thereunder pertaining to the duties and structure of the Development Services Department, and the duties of staff; the penalty being as provided in Sections 5.08.180, 5.30.010, 5.32.160, 5.34.010, 5.44.270, 5.48.260, 5.54.160, 5.60.040, 5.72.120; 5.76.080, 5.84.250, 5.90.100, 5.100.100, 5.94.010, and 1.08.010 – 1.08.030 of the El Paso City Code. **(All Districts)**
[Development Services, Victor Q. Torres, (915) 541-4557]
- 8D.** An Ordinance to amend Title 9 (Health and Safety) to amend various sections pertaining to the duties and structure to the Development Services Department, and the duties of the staff; the penalty being as provided in Sections 9.12.890, 9.32.150, 9.48.260, 9.50.130, 1.08.010 – 1.08.030, and throughout Chapter 9.52 of the El Paso City Code. **(All Districts)**
[Development Services, Victor Q. Torres, (915) 541-4557]
- 8E.** An Ordinance to amend Title 12 (Vehicles and Traffic) to amend Chapter 12.44 (Stopping, Standing, and Parking Generally), Section 12.44.190 C (Off-Street Parking Requirements for Foreign Consulates and Appurtenant Exhibition Halls), relating to the duties of the Development Services Department and staff; the penalty being as provided in Section 12.84.010 of the El Paso City Code. **(All Districts)** [Development Services, Victor Q. Torres, (915) 541-4557]
- 8F.** An Ordinance to amend Title 13 (Streets, Sidewalks, and Public Places) to amend various sections thereunder pertaining to the duties and structure of the Development Services Department, and the duties of the staff; the penalty being

as provided in Sections 13.08.180, 13.12.260, 13.20.040, and 1.08.010 – 1.08.030 of the El Paso City Code. **(All Districts)**

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

- 8G.** An Ordinance to amend Title 15 (Public Services) to amend Chapter 15.08 (Street Rentals), Section 15.08.120 (Special Privilege Licenses), relating to duties assigned to the Development Services Department and the duties of the staff; the penalty being as provided in Sections 15.08.125 and 1.08.010 – 1.08.030 of the El Paso City Code. **(All Districts)**
[Development Services, Victor Q. Torres, (915) 541-4557]
- 8H.** An Ordinance to amend Title 17 (Housing) to amend various sections pertaining to the duties and structure of the Development Services Department, and the duties of the staff; the penalty being as provided in Sections 17.04.080 and 1.08.010 – 1.08.030 of the El Paso City Code. **(All Districts)**
[Development Services, Victor Q. Torres, (915) 541-4557]
- 8I.** An Ordinance to amend Title 18 (Building and Construction) to amend various sections pertaining to the duties structure of the Development Services Department, and the duties of the Building Official and other staff; and to amend Chapter 18.44 (Grading), and sections thereunder, to provide for the input and enforcement authority of the City Engineer; the penalty being as provided in Sections 18.44.240, 18.46.180, and 1.08.010 – 1.08.030 of the El Paso City Code, and throughout each of the technical codes as adopted by Title 18. **(All Districts)** [Development Services, Victor Q. Torres, (915) 541-4557]
- 8J.** An Ordinance repealing Ordinances Nos. 015703 and 016420 for the purpose of abolishing the Brownfields Redevelopment Board. **(All Districts)**
[Environmental Services, Ellen A. Smyth, (915) 621-6719] **POSTPONED FROM 08-05-08**
- 8K.** An Ordinance to amend Title 13 (Streets, Sidewalks, and Public Places), Chapter 13.36 (Parades and Public Assemblies); to amend Sections 13.36.030 C (Permit Application) and 13.36.050 C (Costs and Fees) to clarify the provisions for refunding overpayments; the penalty being as provided in Sections 1.08.010 - 1.08.030 of the El Paso City Code. **(All Districts)**
[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]
[Development Services, Victor Q. Torres, (915) 541-4557]
- 8L.** An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.77 (City Tree Board), Section 2.77.010 (Committee Established - Membership), Section 2.77.030 (Duties), Section 2.77.040 (Members Shall Hold No Other Public Office nor Receive Compensation for Their Service), Section 2.77.050 (Quorum-Final Action). **(All Districts)**
[Parks and Recreation, Joel McKnight, (915) 541-4354]
- 8M.** An Ordinance amending Title 13 (Streets, Sidewalks, Public Places), Chapter 13.25 (El Paso Zoo), Section 13.25.010 (El Paso Zoo Fees); establishing Zoo Admission, Special Events and Facility Rental Fees and creating Special Education Programs; adding spouses of active military to Military Admission Fee Reduction; adding Special Education Program Fees; and limiting block advanced ticket purchases; with penalties not to exceed \$500 per day per violation as provided in section 13.08.180 of the El Paso City Code. **(All Districts)**
[Zoo, Steve Marshall, (915) 521-1850]

PUBLIC HEARING WILL BE HELD ON AUGUST 26, 2008, FOR ITEMS 8A – 8M

- 8N.** An Ordinance granting Special Permit No. ZON08-00038 to allow for retail uses within the SRR (Special Residential Revitalization) Zoning District on the property described as Lot 11, Block 87, Campbell Addition, City of El Paso, El Paso County, Texas, more commonly known as 700 South Oregon Street, pursuant to Section 20.04.270 (Zoning) of the El Paso City Code. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Applicant: A&R Urbina. ZON08-00038 **(District 8)**
[Development Services/Planning, Mirian Spencer, (915) 541-4192]
- 8O.** An Ordinance changing the zoning of Tract 23-A-3, A.F. Miller Survey No. 214, City of El Paso, El Paso County, Texas, from C-3 (Commercial) to R-5 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: De Leon Drive north of Fiesta Drive and south of Mesa Street. Applicant: Albert Gomez Builders, Inc. ZON08-00014 **(District 8)**
[Development Services/Planning, Mirian Spencer, (915) 541-4192]
- 8P.** An Ordinance granting Special Permit No. ZON08-00048 to allow for a planned residential development with reduced setbacks, and reduced lot depth on Tract 23-A-3, A.F. Miller Survey No. 214, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.270 (Zoning) of the El Paso City Code, and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: De Leon Drive north of Fiesta Drive and south of Mesa Street. Applicant: Albert Gomez Builders, Inc. ZON08-00048 **(District 8)**
[Development Services/Planning, Mirian Spencer, (915) 541-4192]
- 8Q.** An Ordinance changing the zoning of a portion of Section 39, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas, from R-3 (Residential) to C-3 (Commercial) and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: North Zaragoza Road at Rich Beem Drive. Applicant: River Oaks Properties, LTD. ZON08-00015 **(District 5)**
[Development Services/Planning, Mirian Spencer, (915) 541-4192]

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 9, 2008, FOR ITEMS 8N – 8Q

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 – OTHER BIDS, CONTRACTS, PROCUREMENTS

9. FINANCIAL SERVICES:

- 9A.** Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to exercise the City's option to extend Contract 2004-088R (800MHz Trunked Simulcast Radio System/800 MHz Conventional System Fixed Equipment Maintenance) which was awarded on August 29, 2006, to Motorola, Inc., for one additional year, from September 1, 2008, through August 31, 2009. **(All Districts)**
[Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

- 9B.** Discussion and action on the award of Solicitation No. 2008-219 (Citywide Unpaved Street Improvements Phase III) to Martinez Bros. Contractors, L.L.C., for a total estimated amount of \$680,699.17.

Department: Engineering
Award to: Martinez Bros. Contractors, L.L.C.
El Paso, TX
Base Bid I: \$627,653.65
Base Bid II: \$ 46,660.52
Base Bid III: \$ 6,385.00
Account No.: 14200403 – 508027 – 29152 – PBE04ST136
Funding Source: FY 2004 General Obligation Bonds
Total Est. Award: \$680,699.17
Districts: 1 & 3

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 Departments of Financial Services, Purchasing Division, and Engineering recommend award as indicated to the lowest responsive, responsible bidder. [Financial Services/Purchasing, Terrence Freiburg, (915) 541-4313]

REGULAR AGENDA – PUBLIC HEARINGS

10. DEVELOPMENT SERVICES:

An Ordinance amending Title 18 (Building and Construction), Chapter 18.10 (Residential Code), Section 18.10.310 (Appendix G, Swimming Pools, Spas, and Hot Tubs) of the El Paso City Code to establish standards for swimming pools, spas, and hot tubs by adding barrier requirements for residential swimming pools, spas, and hot tubs and entrapment protection for residential swimming pool and spa suction outlets; providing for a one year period to bring certain existing swimming pools, spas, and hot tubs into compliance; with penalties not to exceed \$2,000 per day per violation as provided in Section 18.02.107 of the El Paso City Code. **(All Districts)** [Development Services, Larry F. Nichols, (915) 541-4557]

11. ENGINEERING:

An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.44 (Stopping, Standing and Parking Generally), Section 12.44.160 (Parking in Alleys) of the El Paso City Code, to allow parking in all alleys. The penalty being as provided in Section 12.44.160(C) of the El Paso City Code. **(All Districts)**

[Engineering/Traffic Division, Ted Marquez, (915) 541-4035] **POSTPONED FROM 08-05-08**

12. FINANCIAL AND ADMINISTRATIVE SERVICES:

An Ordinance amending Title 2 (Administration and Personnel) to amend Chapter 2.110 (City Organizational Structure); to revise the structure of the Departments known as the City Manager's Office and Development Services; authorize the City Manager to designate departments and staff to perform duties pursuant to City ordinances; and to delete duplicate provisions relating to departmental authorization. **(All Districts)**

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

13. PARKS AND RECREATION:

A Resolution that the Service and Assessment Plan for the El Paso Public Improvement District No. 1 (Thunder Canyon) approved on April 17, 2007, as described in Ordinance No. 016603, has been reviewed annually as required by Chapter 372 of the Texas Local Government Code, and the City Council finds that there is no need to revise the adopted Service and Assessment Plan, and, as a result, there is no need to update the annual budget and all assessments shall remain the same as described in Ordinance No. 016603. **(District 1)** [Parks and Recreation, Shamori Whitt, (915) 541-4020]

14. PUBLIC HEALTH:

14A. An Ordinance amending Title 9 (Health and Safety), Chapter 9.12 (Food and Food Handling Establishments) to amend Section 9.12.125 regarding the adoption and display of fees charged under Chapter 9.12. The penalty being as provided in Section 9.12.890 of the El Paso City Code. **(All Districts)**

[Public Health, Michael Hill, (915) 771-5702]

14B. An Ordinance amending Title 9 (Health and Safety), Chapter 9.12 (Food and Food Handling Establishments) to amend Section 9.12.830 (Inspection – Frequency) to establish a fee for a food establishment re-inspection. The penalty being as provided in Section 9.12.890 of the El Paso City Code. **(All Districts)**

[Public Health, Michael Hill, (915) 771-5702]

15. STREET DEPARTMENT:

15A. An Ordinance amending Title 13 (Streets, Sidewalks, and Public Places) to create Chapter 13.02 (Street and International Bridges Departments), and sections thereunder, in the El Paso City Code to create and establish the functions of the departments known as the Street Department and the International Bridges Department. **(All Districts)**

[Street Department, Daryl Cole, (915) 621-6750]

15B. An Ordinance to amend Title 12 (Vehicles & Traffic), Chapter 12.78 (International Bridges), to amend Section 12.78.010 (Tolls for International Bridges), Subsection G, to change the duties from the Street Department to the

International Bridges Department. The penalty being as provided in Section 12.84.010 of the El Paso City Code. **(All Districts)**
[International Bridges, Said Larbi-Cherif, (915) 858-3842]

- 15C.** An Ordinance amending Ordinance numbers 011598, 011902, and 015748 for the purpose of naming the department head or designee for the City of El Paso's International Bridges Department as secretary to the International Bridge Commission. **(All Districts)** [International Bridges, Said Larbi-Cherif, (915) 858-3842]

REGULAR AGENDA – OTHER BUSINESS

16. OFFICE OF MANAGEMENT AND BUDGET:

Discussion and action on a Resolution that the Proposed Budget for the City of El Paso, filed by the City Manager with the City Clerk on June 30, 2008, is hereby approved and adopted by the City Clerk, as amended, as the Annual Budget for Fiscal Year 2009 for the City of El Paso, Texas. **(All Districts)**

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

REGULAR AGENDA – PUBLIC HEARINGS

17. OFFICE OF MANAGEMENT AND BUDGET:

An Ordinance levying 2009 taxes. **(All Districts)**

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

REGULAR AGENDA – OTHER BUSINESS

18. MAYOR AND COUNCIL:

18A. Discussion and action on directing the City Manger to establish the appropriate course of action in addressing the concerns relating to the Love Road neighborhood. [Representative Beto O'Rourke, (915) 541-4123]

18B. Discussion and action on a request from the Mexican Consulate in El Paso for City sponsorship on the Mexican Independence Day Celebration in downtown El Paso. [Mayor John F. Cook, (915) 541-4145]

18C. Discussion and action on a Resolution that the City Council will select nine Regular Appointees and nine Alternates to the Stormwater Utility Advisory Board from the list of qualified nominees provided to the Council by the Public Service Board. Alternates are eligible to attend the meeting in the absence of a Regular Appointee whenever the Regular Appointee is unable to attend. An Alternate may be called by the Board Chair to sit for any absent Regular Member when it is necessary to make a quorum. [Representative Rachel Quintana, (915) 541-4701]

19. ECONOMIC DEVELOPMENT:

Discussion and action on a Resolution authorizing the Mayor to sign a Memorandum of Understanding between the City of El Paso and the Upper Rio Grande Workforce

Development Board, Inc. d/b/a Workforce Solutions Upper Rio Grande, in its capacity as a regional governmental entity, for the City to serve as a project manager on completion of a regional workforce plan and sub-recipient of the Upper Rio Grande's Department of Labor Regional Innovative Grant WDB-TX; Project TX-X4, Grant No. EM-17293-08-06-A-48. **(All Districts)** [Economic Development, Kathryn B. Dodson, (915) 541-4760]

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.** George DeAngelis vs. City of El Paso, et al; Cause No. EP-05-CA-01113-DB. (551.071)
[City Attorney's Office, Jennifer F. Callan, (915) 541-4550]
- EX2.** Discussion and action on the acquisition of the following real property: 214 - 218 West Franklin Street and 417 - 419 North El Paso Street, El Paso, El Paso County, Texas. (551.071 and 551.072) [City Attorney's Office, Theresa Cullen, (915) 541-4550]
- EX3.** The Petition of El Paso Electric Company for authority to increase fuel factor, for fuel surcharge, and for related good-cause exception before the Public Utility Commission of Texas, Docket No. 35856, SOAH No.473-08-3762. (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 FRIDAY AT THE ADDRESS BELOW:

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