

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**

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**September 13, 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. LIFE INSURANCE AWARENESS MONTH**
- 2. NATIONAL SUICIDE PREVENTION WEEK**
- 3. 18<sup>TH</sup> ANNUAL CELEBRATION OF OUR MOUNTAINS**
- 4. MARCH OF DIMES - "BE A HERO FOR BABIES' DAY"**

### **CALL TO THE PUBLIC – PUBLIC COMMENT**

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

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

Requests to speak must be received by 9:00 a.m. on the date of the meeting.  
30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

### **NOTICE TO THE PUBLIC**

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the

audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

**CONSENT AGENDA**

**1. APPROVAL OF MINUTES:**

Approval of Minutes for the Regular City Council Meeting of August 30, 2011 and the Special City Council Meeting Minutes of August 30, 2011 (Executive Session – Javier E. Avila). [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

**2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

Mayor John F. Cook and Mayor Pro Tempore Ann Morgan Lilly

**3. RESOLUTIONS:**

**3A.** That the Director of Aviation be authorized to sign and submit a grant application 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. 3-48-0077-031-2011; 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; and that the City Manager be authorized to approve and sign any budget transfers needed to establish appropriations in connection with this grant.  
**(All Districts)** [Airport, Monica Lombrana, (915) 780-4724]

**3B.** That the City Manager be authorized to sign a Lessor’s Approval of Assignment by and among the City of El Paso (“Lessor”); Donald G. Vise (“Assignor”), Vise/El Paso Property, LLC (“Assignee”), and Donald G. Vise (“Guarantor”) for the following described property: A portion of Lot 1, Block 10, Butterfield Trail Industrial Park Unit 2, City of El Paso, El Paso County, Texas, which is municipally known and numbered as #26 Butterfield Trail, El Paso, Texas.  
**(All Districts)** [Airport, Monica Lombrana, (915) 780-4724]

**3C.** That the City Manager be authorized to sign a Second Amendment to the Temporary Land Use Lease between the City of El Paso and DTG Operations, Inc., dba Dollar Rent A Car dba Thrifty Car Rental, to revise the identified time period for the Lessee to exercise an option to extend this Lease through August 31, 2014 (“Second Option Period”) for the following described property: A portion of Tract 4A26, Block 2, Ascarate Grant, and a portion of Block 1D, El Paso International Airport Tracts, Unit 5, City of El Paso, El Paso County, Texas.  
**(District 3)** [Airport, Monica Lombrana, (915) 780-4724]

- 3D.** That the City Manager be authorized to sign a Third Amendment to the Maintenance Facility and Land Lease for Auto Rental Concession between the City of El Paso and DTG Operations, Inc., dba Dollar Rent A Car dba Thrifty Car Rental, to revise the identified time period for the Lessee to exercise an option to extend this Lease through August 31, 2014 (“Third Option Period”) for the following described property: Lot 4, Block 1-B, El Paso International Airport Tracts, City of El Paso, El Paso County, Texas, municipally known as 6511 Allegheny Dr., El Paso, Texas. **(District 3)** [Airport, Monica Lombrana, (915) 780-4724]
- 3E.** That Centro Cultural Mexicano Paso Del Norte and Bel Air Optimist Club be authorized to utilize San Jacinto Plaza from 10:00 p.m. Thursday, September 15, 2011, to 1:00 a.m. Friday, September 16, 2011, and to provide for the sale and serving of alcoholic beverages at the outdoor street festival in the closed portions of City rights-of-way on Oregon Street between Texas Avenue and Franklin Avenue, Main Drive between Mesa Street and Oregon Street, Oregon Street between Texas Avenue and Franklin Avenue, and in San Jacinto Plaza from 5:00 p.m. Thursday, September 15, 2011, to 12:00 a.m. Friday, September 16, 2011. NESV11-00034 **(District 8)**  
[Department of Transportation, Mirian Spencer, (915) 541-4482]
- 3F.** That the City Manager be authorized to sign an Agreement for the Temporary Closure of State Right-of-Way (FORM TEA 30A), made by and between the State of Texas, acting by and through the Texas Department of Transportation, and the City of El Paso, for the temporary closure and use of State-owned and operated highways within the City of El Paso for the purpose of Vivamos Mexico, Mexico Independence Day (September 15, 2011 - September 16, 2011), found by the City to serve a public purpose and the event is scheduled to exceed four hours in length. **(District 8)** [Department of Transportation, Mirian Spencer, (915) 541-4482]
- 3G.** That the City Manager be authorized to sign the following two licenses from the El Paso County Water Improvement District Number 1, to the City of El Paso:
1. License L-1202: A six foot by six foot concrete box culvert and headwall structure with concrete roadway surface crossing at La Union East Lateral Canal Station 471+48 for a 50 year term at a total cost to the City of \$26,500.
  2. License L-1203: A six foot by six foot concrete box culvert and headwall structure with concrete roadway surface crossing at La Union East Lateral Canal Station 459+92 for a 50 year term at a total cost to the City of \$23,500.
- The developer will pay all costs for both items, Ranchos Real VIII, Ltd.  
**(District 1)** [Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]
- 3H.** That the City Manager be authorized to sign a Developer Participation Agreement between the City of El Paso and Ranchos Real VIII, Ltd. for the construction of two crossings over the El Paso County Water Improvement District No. 1 irrigation lateral and right-of-way improvements on Westside Road, for the purpose of gaining access to the Artcraft Estates Subdivision. **(District 1)**  
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]
- 3I.** That the City Manager be authorized to sign the lease by and between the City of El Paso and Centro Artistico Y Cultural-Buena Vista, an Internal Revenue Code, Section 501(c)(3) public charity, for the use of the following described City



- 3Q. That the Mayor be authorized to sign an Interlocal Government Agreement between the City of El Paso and the County of El Paso/District Attorney, 34<sup>th</sup> Judicial District of the State of Texas, for services to the City and its Police Department relating to arrests and prosecution of cases in connection with the District Attorney's Information Management System and program from September 1, 2011 through August 31, 2012, in an amount not to exceed \$208,500. **(All Districts)** [Police, Gregory Allen, (915) 564-7302]
- 3R. That the Mayor be authorized to sign a contract by and between the City of El Paso and the Paseo del Este Municipal Utility District No.5 to join various other entities for whom the City acts as property tax assessor/collector. **(All Districts)** [Tax Office, Juan Sandoval, (915) 541-4369]
- 3S. That the Mayor be authorized to sign a contract by and between the City of El Paso and the Paseo del Este Municipal Utility District No.6 to join various other entities for whom the City acts as property tax assessor/collector. **(All Districts)** [Tax Office, Juan Sandoval, (915) 541-4369]
- 3T. That the Mayor be authorized to sign a contract by and between the City of El Paso and the Paseo del Este Municipal Utility District No.7 to join various other entities for whom the City acts as property tax assessor/collector. **(All Districts)** [Tax Office, Juan Sandoval, (915) 541-4369]

**4. BOARD RE-APPOINTMENTS:**

- 4A. Laurie Paternoster to the Greater El Paso Civic, Convention and Tourism Advisory Board by Mayor John F. Cook. [Mayor John F. Cook, (915) 541-4145]
- 4B. Susan Goodman Novick to the Museums and Cultural Affairs Advisory Board by Representative Cortney Carlisle Niland, District 8. [Representative Cortney Carlisle Niland, (915) 541-4123]
- 4C. Daniel Ortiz to the Empowerment Zone Advisory Board by Representative Steve Ortega, District 7. [Representative Steve Ortega, (915) 541-4124]

**5. BOARD APPOINTMENT:**

Everett L. Barnett to the Retired and Senior Volunteer Program Advisory Council by Representative Ann Morgan Lilly, District 1. [Representative Ann Morgan Lilly, (915) 541-4151]

**6. REQUESTS TO ISSUE PURCHASE ORDERS:**

- 6A. Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City's option to extend current Contract 2005-173R (Building Space Rental – Lee Trevino Health Clinic) with GGIA II, Limited for three additional years pursuant to the provisions of an award approved by Board of Health on April 20, 2005, and assigned to the City on December 26, 2008. The extended contract period will be from October 1, 2011 to September 30, 2014.

Department: Public Health  
Award to: GGIA II, Limited  
El Paso, TX

Option: Two [of Two]  
 Annual Estimated Amount: \$54,567  
 Total Estimated Amount: \$163,701 (3 years)  
 Account: 41150011 – 502400 – 06341 – G4111AD  
 41150011 – 502400 – 06343 – G4111NE  
 Funding Source: WIC Administration & WIC Nutrition-Building Leases  
**District:** 6

This is an RFP, services contract.

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

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

[Engineering and Construction Management, Liza Ramirez-Tobias, (915) 541-4074]

- 6B.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City’s option to purchase additional vehicles under current Contract 2010-276 (Vehicles – City Fleet) with Casa Ford, Inc. pursuant to the provisions of the solicitation and the award approved by the City Council on November 9, 2010. General Services requests the purchase of seven Midsize Sedans, 4 Door Hybrid vehicles.

Department: General Services – Fleet Division  
 Award to: Casa Ford, Inc.  
 El Paso, TX  
 Item: Group I Item 2 (Midsize Sedan, 4-door – Ford Fusion)  
 Total Estimated Amount: \$185,102.96  
 Account No.: 37150068-508054-27265-PFLESVC01  
 37150067-508006-05590-GEECBG02  
 Funding Source: General Services - Cars, Pickup, Vans, SUVs  
 General Services - Green Fleet Vehicles, Vehicular Equipment

**Districts:** All

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

[General Services, Stuart Ed, (915) 621-6822]

- 6C.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Environmental Systems Research Institute, Inc. (ESRI), a contractor under Department of Information Resources (DIR) Contract# DIR-SDD-1637, for the renewal of the annual License and Software Maintenance Contract. 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: Information Technology  
 Award to: Environmental Systems Research Institute, Inc. (ESRI)  
 Redlands, CA  
 Total Estimated Award: \$102,878.14  
 Account No.: 39010351 – 502202 – 01101  
 Funding Source: General Fund, Information Technology  
**Districts:** All

Reference No.: 2012-009

This is a cooperative service and unit price type contract.

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

[Information Technology, Miguel Gamino, (915) 541-4288]

**7. REQUEST FOR PROPOSAL:**

The award of Solicitation No. 2011-257R (Las Villitas Exhibit Fabrication) to Capitol Exhibit Services, Inc. for a total estimated award of \$164,319.

Department:	Museums and Cultural Affairs
Award to:	Capitol Exhibit Services, Inc. Manassas, VA
Items:	All
Initial Term:	Estimated Completion December 2011
Total Estimated Award:	\$164,319
Account Nos.:	54150080 – 508011 – 07085 – G560903 04202501 – 508011 – 27203 – PMB0002130 99010273 – 508011 - 01101
Funding Sources:	Museum of History Restricted Funds – Cultural Works 2001 Certificates of Obligation - Cultural Works Special Items General Fund – Cultural Works
<b>Districts:</b>	<b>All</b>

This is a RFP, one-time purchase.

The review committee based on evaluation factors established for this procurement, recommend award to the highest ranked proposer.

The Departments of Financial Services, Purchasing Division, and Museums and Cultural Affairs recommend award as indicated.

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

[Museums and Cultural Affairs, Sean McGlynn, (915) 541-4898]

**8. BIDS:**

**8A.** The award of Solicitation No. 2011-319 for the Cleveland Square Park Improvements to Karlsruhe, Inc. dba CSA Constructors for a total estimated amount of \$102,191.63.

Department:	Engineering and Construction Management
Award to:	Karlsruher, Inc. dba CSA Constructors
Base Bid:	\$102,191.63
Total Estimated Completion:	\$102,191.63
Funding Source:	Public Art Program
<b>District:</b>	<b>8</b>

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total of unit prices at the end of the contract term.

As a part of this award, 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 the lowest responsible bidder.

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

- 8B.** That the City Engineer is authorized to notify Smart Con, LLC of El Paso, Texas, that the City is terminating Contract No. 2011-221 for default pursuant to the provisions of Section 6.9.1 of the General Conditions of the Contract, due to contractor's failure to enter into a contract within 14 consecutive calendar days after receiving notice from the City of the acceptance of the bid and that the termination shall be effective as of September 13, 2011. **(District 6)**  
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

- 8C.** The award of Solicitation No. 2011-221 for the Blackie Cheshier Handball Court to Allen Concrete, Inc., for a total estimated amount of \$118,748.17.

Department:	Engineering and Construction Management
Award to:	Allen Concrete, Inc.
Base Bid:	\$118,748.17
Total Estimated Completion:	\$118,748.17
Funding Source:	Community Development Block Grant (CDBG) 36 <sup>th</sup> Year
<b>District:</b>	<b>6</b>

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total of unit prices at the end of the contract term.

As a part of this award, 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 the lowest responsible bidder. A companion item on the City Council agenda requests the City Council to terminate Contract No. 2011-221. Smart Con, LLC, the company

originally awarded the Blackie Chesher Handball Court project on July 5, 2011 was unable to perform the work for the offered price.

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

**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 granting a Special Privilege License to Sprint Communications Company L.P. for the construction, installation, maintenance, and repair of 1,428 linear feet of subsurface fiber optic conduit and cables for long-distance telecommunications systems within portions of City right-of-way along Mesa Hills Drive between Mesa Street and Doniphan Park Drive for a term of five years with two renewable five year terms. SPL10-00034 **(Districts 1 and 8)**

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

**9B.** An Ordinance to preserve in its natural state and in perpetuity acreage legally described as Parcel 1, Nellie D. Mundy Survey 246, City of El Paso, El Paso County, Texas; Parcel 2, A portion of S.J. Larkin Survey, Abstract 10070, Tract 1, City of El Paso, El Paso County, Texas and Parcel 3, A portion of S.J. Larkin Survey, Abstract 10070, Tract 1-A, City of El Paso, El Paso County, Texas.

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

**PUBLIC HEARING WILL BE HELD ON SEPTEMBER 20, 2011, FOR ITEMS 9A – 9B**

**9C.** An Ordinance changing the zoning of Lot 1, Block 1, Paisano Green Community, City of El Paso, El Paso County, Texas from A-3 (Apartment) to G-MU (General Mixed Use). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 4000 Paisano Drive. Property Owner: Housing Authority of the City of El Paso. PZRZ11-00030 **(District 8)**

[Planning and Economic Development, Esther Guerrero, (915) 541-4720]

**9D.** An Ordinance granting Special Permit No. PZST11-00008, to allow for a ground-mounted 75 foot Personal Wireless Service Facility on the property described as Tract 1M, Section 28, Block 81, Township 1, Texas and Pacific Railway Surveys, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.455 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 5301 Wadsworth Avenue. Applicant: Verizon Wireless. PZST11-00008 **(District 4)**

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

**PUBLIC HEARING WILL BE HELD ON OCTOBER 4, 2011, FOR ITEMS 9C – 9D**

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. FINANCIAL SERVICES:**

**10A.** Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Chastang's Bayou City Autocar, a contractor under Houston Galveston Area Council (HGAC) Contract # HT11-09 (Medium and Heavy Trucks & Truck Bodies), for 20 Automated Side Loaders for use by Environmental Services Department. 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 Houston Galveston Area Council (HGAC) was approved by Mayor and City Council on May 8, 2007.

Department: Environmental Services Department  
 Award to: Chastang's Bayou City Autocar  
 Houston, TX  
 Total Estimated Award: \$4,936,480 (for 20 units)  
 Account No.: 34010289-508029-40499-PSWM0017  
**Districts: All**  
 Reference No.: 2012-007

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

**10B.** Discussion and action on the award of Solicitation No. 2011-286 (23-Yard Elevating Scraper) to Wagner Equipment Co., for a total award of \$730,290.

Department: General Services – Fleet Division  
 Award to: Wagner Equipment Co.  
 El Paso, TX  
 Items: All  
 Option: No Option Offered  
 Payment Terms: Net 30  
 Total Estimated Award: \$730,290  
 Account: 40499-34010289-508029-PSWM0017-ESD, Heavy  
 Off Road Equipment  
 Funding Source: Environmental Services Department, Heavy  
 Off Road Equipment  
**Districts: All**

This is a low bid, single (one-time) purchase.

The Financial Services - Purchasing Division and General Services – Fleet Division recommend award as indicated to Wagner Equipment Co., the sole bidder.  
 [Financial Services, Bruce D. Collins, (915) 541-4313]  
 [General Services, Stuart Ed, (915) 621-6822]

**REGULAR AGENDA – OTHER BUSINESS**

**11. MAYOR AND COUNCIL:**

**Legislative Review Committee Report:**

1. For notation: Formal Report of the Health, Safety and Community Services Legislative Review Committee meeting held on August 18, 2011, as submitted by Eddie Holguin, Chair; and,
2. Discussion pertaining specifically to any of the agenda items, as posted on the agenda of said Legislative Review Committee meeting, as follows:
  - A) Discussion and action on public health’s recommendation to remove language from Title 9 that requires a photo ID card for food handlers and managers; ID card to be replaced with a paper certificate.  
[Public Health, Michael Hill, (915) 771-5702]

**12. CITY ATTORNEY:**

- 12A.** Discussion and action on Application of El Paso Electric Company for discounted rate tariff rider for churches using Rate Schedule 24. **(All Districts)**  
[City Manager’s Office, William F. Studer, Jr. (915) 541-4215]  
[City Attorney’s Office, Bertha Ontiveros, (915) 541-4550]  
**POSTPONED FROM 8-30-2011**
- 12B.** Discussion and action regarding El Paso Electric Company operating results for the twelve months ended June 30, 2011 and the reasonableness of electric rates within the City of El Paso.  
[City Manager’s Office, William F. Studer, Jr. (915) 541-4215]  
[City Attorney’s Office, Bertha Ontiveros, (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.** City of El Paso, Texas vs. Magnolia 2720 LLC, Cause No. 2011-490, County Court No. 3, El Paso County, Texas (551.071)  
[City Attorney’s Office, Marie Taylor, (915) 541-4550]

**EX2.** Danny Sander Construction, Inc. vs. The City of El Paso; Cause No. 2011-2716  
(551.071) [City Attorney's Office, Kenneth A. Krohn (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/>