

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  
RACHEL QUINTANA, DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

## **AGENDA FOR REGULAR CITY COUNCIL MEETING**

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**September 28, 2010  
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**

### **MAYOR'S PROCLAMATIONS**

- 1. SOUTHWEST MINORITY SUPPLIER DEVELOPMENT COUNCIL WEEK**
- 2. DOWN SYNDROME AWARENESS MONTH**
- 3. McCALL NEIGHBORHOOD CENTER 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 September 21, 2010.  
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

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

Representative Ann Morgan Lilly

**3. RESOLUTIONS:**

**3A.** That Plum City Lounge, LLC be authorized to provide for the sale and service of alcoholic beverages at the outdoor concert in the closed portion of the alley between Durango Street and Anthony Street from 9:00 p.m. Saturday, October 2, 2010 to 2:00 a.m. Sunday, October 3, 2010. (SPL10-00022) **(District 8)**  
[Department of Transportation, Mirian Spencer, (915) 541-4482]

**3B.** That the Mayor be authorized to sign an Interlocal Agreement by and between the City of El Paso and the El Paso County Community College District (EPCC) wherein EPCC will pay the City for installation of conduit and fiber optics serving the EPCC facility at 918 North Oregon Street, El Paso, Texas. Installation will be by City's Contractor, who is presently constructing the city project known as the Oregon Street Reconstruction. Payment by EPCC will be for all charges by the contractor for the construction work required by EPCC, which shall be at no cost to the City. **(District 8)**  
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

**3C.** That the City Council approves the expenditure of additional available funding by a change order in the amount of \$45,315.04 to CF Jordan Construction, LLC for additional construction costs for the Oregon Street Rehabilitation project. The change order provides for the purchase and installation of fiber optic cable to serve the El Paso County Community College (EPCC) facility at 918 Oregon, El Paso, adding no days of contract time for Contract Number 2010-117. EPCC will enter into an Interlocal agreement with the City that provides for EPCC to pay for all costs of this change order upon approval by the City Council of the Interlocal agreement. The new contract sum, including the change order approved herein, is \$5,684,660.60. **(District: 8)**  
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

**3D.** That the City Manager, or her designee, be authorized to sign, the Contract of Sale and all other documents approved by the City Attorney, or his designee, necessary and proper to consummate the purchase of the following described

property: the North 87.50 feet of Lots 15 and 16, Block 1, Franklin Heights Addition, municipally known and numbered as 1030 Myrtle, El Paso, El Paso County, Texas **(District 8)** [Financial Services, Liza Ramirez-Tobias, (915) 541-4074]

- 3E.** That the City Manager is authorized to sign the lease and Interlocal Governmental Agreement by and between the City of El Paso (City) and Ysleta Independent School District (District) attached to this resolution to allow the City of El Paso to construct and maintain a park-like recreational facility for the benefit of citizens of El Paso and constituents of the Ysleta Independent School District on the following property owned by Ysleta Independent School District: A tract of land being a part of the El Paso County Water Improvement District No. 1, South Side Feeder Canal containing 35,605.89 square feet of land or 0.8173 acre, El Paso, El Paso County Texas located adjacent to South Loop Elementary School. **(District 6)** [Financial Services, Liza Ramirez-Tobias, (915) 541-4074]
- 3F.** That the City of El Paso accepts the American Recovery and Reinvestment Act Broadband Technology Opportunities Program grant for Public Computer Centers (Award No. 48-42-B10570) and that the City Manager be authorized to sign documentation, including agreements and documents accepting the terms of the grant and allocation of the funds related to the American Recovery and Reinvestment Act Broadband Technology Opportunities Program grant for Public Computer Centers (Award No. 48-42-B10570) in the amount of \$8,395,752 for the Virtual Village: Digital El Paso's Pathway to Success project, expanding the range of technology resources available to the citizens of El Paso, with a non-cash, in-kind match of \$3,435,829 made by the City of El Paso. The City's in-kind match will consist of building space, computer equipment, staffing, utilities, communications, janitorial costs and security at the computer centers. **(All Districts)** [Library, Carol Brey-Casiano, (915) 543-5406]

**4. BOARD RE-APPOINTMENT:**

Jose Melendez to the Zoning Board of Adjustment, as a Regular Member, by Representative Steve Ortega. [Representative, Steve Ortega (915) 541-4108]

**5. BOARD APPOINTMENTS:**

- 5A.** Estrella Escobar to the Museums and Cultural Affairs Advisory Board by Mayor John F. Cook  
[Mayor John F. Cook, (915) 541-4145]
- 5B.** William E. Moody to the Museums and Cultural Affairs Advisory Board by Mayor John F. Cook.  
[Mayor John F. Cook, (915) 541-4145]
- 5C.** Ruben Ray Valencia to the Museums and Cultural Affairs Advisory Board by Representative Rachel Quintana, District 5.  
[Representative Rachel Quintana (915) 541-4701]
- 5D.** Anna Pilhoefer to the Museums and Cultural Affairs Advisory Board by Representative Steve Ortega, District 7 [Representative, Steve Ortega (915) 541-4108]

**6. APPLICATIONS FOR TAX REFUNDS:**

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

**7. REQUESTS TO ISSUE PURCHASE ORDERS, ETC.:**

**7A.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order(s) to the El Paso County Hospital District dba University Medical Center of El Paso (UMCEP) to purchase medical supplies and pharmaceutical drugs in conjunction with the ongoing Interlocal Agreement/Resolution between the City of El Paso and the El Paso County Hospital District approved by City Council on April 25, 1989.

Department: Fire  
 Total Estimated Amount: \$200,000  
 Funding Source: General Fund – Clinical/Medical Supplies  
 Reference No. 2000-153  
**Districts: All**  
 [Financial Services/Purchasing, Bruce D. Collins, (915) 541-4313]  
 [Fire Department, Manuel Chavira, (915) 771-1002]

**7B.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order(s) to Moore Medical, LLC, a contractor under the Region 19 Cooperative Purchasing Program Contract No. 09-6357, for Medical Supplies.

The participation by the City of El Paso in the Region 19 Cooperative Purchasing Program was approved by Mayor and City Council on March 4, 2008.

Department: Fire  
 Total Estimated Award: \$200,000  
 Funding Source: General Fund – Clinical/Medical Supplies  
 Reference No.: 2011-028  
**Districts: All**  
 [Financial Services/Purchasing, Bruce D. Collins, (915) 541-4313]  
 [Fire, Manuel Chavira, (915) 771-1002]

**7C.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order(s) to eCivis, Inc., the creator and sole provider of eCivis Grants Research and Grants Tracking and Reporting software, with the stipulation that the vendor provides an updated sole source letter and affidavit each year. This purchase is for the license and service of this software in the estimated amount of \$288,225 beginning October 1, 2010, and ending September 30, 2013.

Department: Financial Services  
 Annual Estimated Amount \$96,075  
 Total Estimated Award: \$288,225 (3-year)  
 Funding Source: General Fund-Computer Related Leases and Police Confiscated Funds-Outside Contracts

Sole Source No.: 2011-022  
**Districts:** All

It is requested that the City Attorney's Office review and that the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this award.

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

[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]

- 7D.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City's option to extend current Contract 2008-009 (General Vehicle Accessories & Installation) with Alamo Industries, Inc. d/b/a Alamo Auto Supply for two additional years pursuant to the provisions of an award approved by the City Council on October 30, 2007. The extended contract period will be from October 30, 2010 to October 29, 2012.

Department: General Services - Fleet Division  
 Option: One [of One]  
 Annual Estimated Amount: \$60,000  
 Total Estimated Amount: \$120,000 (2 years)  
 Funding Source: General Services Internal Service Fund  
**Districts:** All

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

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

- 7E.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City's option to extend current Contract 2008-069 (Janitorial Services - El Paso Department of Public Health Facilities) with Total Cleaning Services and The Eagle Janitorial Services for two additional years pursuant to the provisions of an award approved by the City Council on October 14, 2008. The extended contract period will be from December 1, 2011 to November 30, 2013.

According to contract language, the Option to Extend must be exercised within two years of the initial award date (October 14, 2008); hence the apparently "early" exercise of the option to extend.

The originally awarded amount of \$726,496.28 will be sufficient to cover the additional costs of the remaining two years; hence the request to approve the extension is without an additional dollar amount.

Department: Department of Public Health  
 Option: One [of One]  
 Funding Source: Maintenance Services Contracts-Janitorial  
**Districts:** All

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

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

**8. BEST VALUE PROCUREMENT(S):**

The award of Solicitation No. 2010-247 (Mobile Desktop Live Scan Systems) to Identix Incorporated for a total award of \$80,000.

Department: Police  
Award to: Identix Incorporated  
Bloomington, MN  
Items: All  
To purchase 100% at the same unit price if exercised within 180 days from date of award  
Total Award: \$80,000  
Funding Source: COPS Technology FY06 Grant  
**Districts: All**

This is a fixed-price, single (one-time) purchase.

The Financial Services - Purchasing Division and Police Department recommend award as indicated to Identix Incorporated, the bidder offering the best value bid.

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

[Police, Eric Shelton, (915) 564-7301]

**9. BIDS:**

**9A.** The award of Solicitation No. 2010-199 (Bulk Waste Crane Trucks) to Stewart and Stevenson Truck Holdings, LLC dba On the Border Freightliner of El Paso for a total award of \$317,262.

Department: General Services – Fleet Division  
Award to: Stewart and Stevenson Truck Holdings, LLC dba  
On the Border Freightliner of El Paso  
El Paso, TX  
Items: All  
Option: To purchase 100% at the same unit price if exercised within 180 days from date of award  
Unit Amount: \$164,631 (per unit, with options)  
Trade-In Allowance: \$12,000 total  
Total Award: \$317,262 (for 2 units)  
Funding Source: Environmental Services – Heavy Off Road Equipment  
**Districts: All**

This is a fixed-price, single (one-time) purchase.

The Financial Services - Purchasing Division and Financial Services recommend award as indicated to Stewart and Stevenson Truck Holdings, LLC dba On the Border Freightliner of El Paso, the lowest responsive, responsible bidder.

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

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

**9B.** The award of Solicitation No. 2010-261 (Veterinary Ultrasound Machine) to UMS Solutions, Inc. DBA Universal Ultrasound (BioSound MyLab 5 Unit) for a total award of \$50,000.

|                   |   |
|-------------------|---|
| Department:       | Zoo   |
| Award to:         | UMS Solutions, Inc. DBA Universal Ultrasound<br>Bedford Hills, NY |
| Items:            | All   |
| Option:           | None  |
| Unit Amount:      | \$50,000 (BioSound MyLab 5 Unit)                                  |
| Total Award:      | \$50,000 (BioSound MyLab 5 Unit)                                  |
| Funding Source:   | Zoo Gate Operations – Medical Scientific Equipment                |
| <b>Districts:</b> | <b>All</b>  |

This is a fixed-price, single (one-time) purchase.

The Financial Services - Purchasing Division and Zoo recommend that UMS Solutions, Inc. DBA Universal Ultrasound (EXAGO Unit) be disqualified as non-responsive and the contract be awarded as indicated to UMS Solutions, Inc. DBA Universal Ultrasound (BioSound MyLab 5 Unit), the lowest responsive, responsible bidder.

[Financial Services/Purchasing, Bruce D. Collins, (915) 541-4313]  
[Zoo, Steve Marshall, (915) 521-1850]

### **REGULAR AGENDA - INTRODUCTIONS**

#### **10. 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.**

**10A.** An ordinance amending Title 19 (Subdivisions), Appendix 111 (Mountain Area Defined), of the El Paso City Code to delete a portion of mountain area within the Mountain Development Area (MDA). The penalty is as provided for in Section 19.42 of the El Paso City Code. **(District 1)**

[Planning & Economic Development, Raul Garcia, (915) 541-4935]

**10B.** An Ordinance amending Title 3 (Revenue and Finance), Chapter 3.04 (Property Taxes), 3.04.035 (Exemption – Historically Significant Sites) of the El Paso City Code to allow for an exception for a specified period of years on the City's portion of property taxes on historically significant properties that are renovated. **(All Districts)**

[Planning & Economic Development, Kathryn Dodson, (915) 541-4670]

#### **PUBLIC HEARING WILL BE HELD ON OCTOBER 5, 2010, FOR ITEM 10A – 10B**

**10C.** An ordinance granting Special Permit No. ZON10-00058, to allow for a ground level helistop on the property described as Lot 2, Block 1, Del Sol Medical, 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: East of Sumac Drive and North of Vista Del Sol Drive. Property Owner: El Paso Healthcare System. ZON10-00058 **(District 7)**

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

- 10D.** An ordinance releasing conditions placed on property by Ordinance No. 16065 which changed the zoning of a portion of Lot A, Block 179, Eastwood Heights Unit K, City of El Paso, El Paso County, Texas, and which imposed conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 2655 Yarbrough Drive. Property Owner: ABAJO, LP. ZON10-00049 **(District 5)**  
[Planning and Economic Development - Esther Guerrero (915)541-4720]
- 10E.** An ordinance changing the zoning of Parcel of land out of the Original Survey from the Southern Pacific Railroad Reserve and out of Blocks 232, 233, 234, and 235 and the closed and vacated portions of the alleys within said Blocks and the closed and vacated portions of Franklin Street, Florence Street, Ochoa Street, and Virginia Street of Campbell's Addition to the City of El Paso, El Paso County, Texas from M-1/H (Light Manufacturing/Historic) to C-3/H (Commercial/Historic). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 420 N. Campbell Street. Property Owner: William D. Abraham. ZON10-00061 **(District 8)**  
[Planning and Economic Development, Andrew Salloum, (915) 541-4633]
- 10F.** An Ordinance granting Special Permit No. ZON10-00062, to allow for infill development on the property described as Lots 6 to 8, Block 98, 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: 3007 Montana Avenue. Property Owner: Esau Halow. ZON10-00062 **(District 8)**  
[Planning and Economic Development, Andrew Salloum, (915) 541-4633]
- 10G.** An Ordinance amending a condition placed on property by Ordinance No. 15891 which changed the zoning of Tract 2 Block 1, Upper Valley Surveys, City of El Paso, El Paso County, Texas, and imposed conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Property Owner: Landford Family/ Real Estate, LLC and Vee K. Ross, Location: 1110 Sunland Park Avenue. ZON10-00052 **(District 8)**  
[Planning and Economic Development, Arturo Rubio, (915) 541-4633]

**PUBLIC HEARING WILL BE HELD ON OCTOBER 19, 2010, FOR ITEMS 10C – 10G**

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**

**11. ENGINEERING AND CONSTRUCTION MANAGEMENT:**

Discussion and action on award of Solicitation No. 2010-268 for EPIA Runway 8R-26L and Taxiway L Extension & Reconstruction of Taxiway W to J.A.R. Construction, Inc., for a total estimated amount of \$6,752,736.10.

Department:

Engineering and Construction Management

Award to: J.A.R. Construction, Inc.  
 Base Bid: \$6,752,736.10  
 Total Estimated Amount: \$6,752,736.10  
 Funding Source: Federal Aviation Administration Grant, Passenger Facility Charges  
**District: 2**

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 Department recommends award as indicated to the lowest responsible bidder.

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

## 12. FINANCIAL SERVICES:

Discussion and action on the award of Solicitation No. 2010-162 (Grounds Maintenance for El Paso City Parks – Mowing) to Ledesma's for an initial term estimated award of \$2,002,278.75.

Department: General Services - Land Management  
 Award to: Ledesma's  
 El Paso, TX  
 Items: All  
 Initial Term: 3 years  
 Option to Extend: 2 years  
 Annual Estimated Award: \$667,426.25  
 Initial Term Estimated Award: \$2,002,278.75 (3 years)  
 Total Estimated Award: \$3,337,131.25 (5 years)  
 Funding Source: General Services – Land Management  
**Districts: All**

This is a requirements type 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 General Services – Land Management recommend award as indicated to Ledesma’s, the bidder offering the best value bid.

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

[General Services – Fleet Division, Stuart Ed, Director, (915) 621-6822]

**13. INFORMATION TECHNOLOGY:**

- 13A.** Discussion and action that the Purchasing Manager, Financial Services, Purchasing Division, be authorized to issue a Purchase Order to Oracle Corporation, a State Department of Information Resources (DIR) contractor under Contract Number DIR-VPC-03-018, for license updates and technical support and service for various software components for Fiscal Year 2011 in the estimated amount of \$627,758.39.

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              |
| Funding Source          | Data Process Services/General Funds |
| Total Estimated Amount: | \$627,758.39                        |
| Reference No.;          | 2011-002                            |
| <b>District(s):</b>     | <b>All</b>                          |

[Information Technology, Art Armas, (915) 541-4288]

- 13B.** Discussion and action that the Purchasing Manager, Financial Services, Purchasing Division be authorized to exercise the City’s option to extend current Contract No. 2004-088R (800MHz Trunked Simulcast Radio System/800Mhz Conventional System Fixed Equipment Maintenance) with Motorola, Inc., for one additional year pursuant to the provisions of an award approved by City Council on March 30, 2004. Contract period will be from September 1, 2010, to August 31, 2011.

|                         |                        |
|-------------------------|------------------------|
| Department:             | Information Technology |
| Option:                 | Five [of five]         |
| Funding Source          | General Funds          |
| Total Estimated Amount: | \$695,231.76           |
| Reference No.;          | 2004-088R              |
| <b>District(s):</b>     | <b>All</b>             |

[Information Technology, Art Armas, (915) 541-4288]

**REGULAR AGENDA – OTHER BUSINESS**

**14. FINANCIAL SERVICES:**

Discussion and Action Regarding a Resolution Approving and Authorizing Publication of Notice of Intention to issue Certificates of Obligation in an amount not-to-exceed \$77 million. **(All Districts)**

[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]

**15. PLANNING AND ECONOMIC DEVELOPMENT:**

Discussion and action authorizing the City Manager to sign an extension to the agreement for New Markets Tax Credits consulting services with the National Development Council. **(All Districts)**

[Planning and Economic Development, Kathryn Dodson, (915) 541-4670]

### **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. Workers' Compensation Subrogation Interest Regarding Lucinda Chavez (551.071)**

[City Attorney's Office, Maria Guadalupe Martinez, (915) 541-4550]

**POSTPONED FROM 09-21-10**

### **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/>