

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

REVISED

AGENDA FOR REGULAR CITY COUNCIL MEETING

November 29, 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 Carlos Flores
Pledge of Allegiance

MAYOR'S PROCLAMATIONS

- 1. El Paso Employees Federal Credit Union Celebration of Lights Day**
- 2. Friends of the Westside Branches of the El Paso Public Library Week in El Paso**
- 3. Kiwanis Aktion Club Day**
- 4. John Ruiz 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 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 November 15, 2011.
[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 Modification No. 33 to Contract No. NAS9-01177 by and between the National Aeronautics and Space Administration (“NASA”) and the City of El Paso (“Contractor”) which will extend the contract performance for the period of January 1, 2012 through March 31, 2012.

(District 3) [Airport, Monica Lombrana, (915) 780-4724]

3B. That the City Manager be authorized to sign the Second Amendment to the Concession Agreement by and between the City of El Paso (“City”) and 24-Hour Flower, Inc. (“Concessionaire”) to extend the term of the Agreement through December 31, 2016 for the continued operation of a self-dispensing, refrigerated kiosk to sell flowers on the ground floor of the El Paso International Airport. **(All Districts)**

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

3C. A Resolution authorizing the City Manager to sign and submit an application to the Texas Department of Housing and Community Affairs (TDHCA) for a one-year, Homeless Housing and Service Program (HHSP) grant in the amount of \$70,078.48 to fund, until August 31, 2012, eligible operation and direct service costs of non-profit, homeless service providers in the El Paso community; authorizing the City Manager to sign all contracts and documents with the agencies approved for HHSP funding, as well as amendments to such contracts which add or reduce funding when such amendments are consensual, including the de-obligation of funds by mutual termination; and authorizing the City Manager to take any actions necessary to accomplish the intent of this resolution and to sign all Certifications, Performance Reports, and any agreements or related documents for TDHCA or agency HHSP activities upon approval by the

- 3I.** That the Mayor be authorized to sign an Interlocal Agreement between the City of El Paso and the County of El Paso, for the provision of public health services by the City of El Paso for the County of El Paso, and related matters, for the period of September 1, 2011 through August 31, 2012. **(All Districts)**
[Public Health, Michael Hill, (915) 771-5702]
- 3J.** A Resolution dedicating as parkland approximately 0.086 acres of City property located at 410 Charles Road and described as Lots 10 and 11, Block E, Santa Fe Addition. **(District 8)** [Parks and Recreation, Nanette Smejkal, (915) 541-4283]
- 3K.** A Resolution approving a tax exemption for the property located at 1532 Upson Drive, located in the City of El Paso, El Paso, Texas, pursuant to Section 3.04.035 and Title 20.20 of the El Paso City Code. **(District 8)**
[Planning and Economic Development, Providencia Velazquez, (915) 541-4027]
- 3L.** A Resolution nominating Phelps Dodge Refining Corporation to the Office of the Governor Economic Development and Tourism through the Economic Development Bank as an Enterprise Zone Project. **(All Districts)**
[Planning and Economic Development, Mathew McElroy, (915) 541-4193]
- 3M.** A Resolution nominating Tenet Hospitals Limited to the Office of the Governor Economic Development and Tourism through the Economic Development Bank as an Enterprise Zone Project, to be known as the Providence Memorial Hospital Project; being a revised resolution of the prior nomination resolution approved August 16, 2011. **(All Districts)**
[Planning and Economic Development, Mathew McElroy, (915) 541-4193]
- 3N.** A Resolution nominating Tenet Hospitals Limited to the Office of the Governor Economic Development and Tourism through the Economic Development Bank as an Enterprise Zone Project, to be known as the Sierra Medical Center Project; being a revised resolution of the prior nomination resolution approved August 16, 2011. **(All Districts)**
[Planning and Economic Development, Mathew McElroy, (915) 541-4193]
- 3O.** A Resolution nominating Tenet Hospitals Limited to the Office of the Governor Economic Development and Tourism through the Economic Development Bank as an Enterprise Zone Project, to be known as the Sierra Providence East Medical Center Project; being a revised resolution of the prior nomination resolution approved August 16, 2011. **(All Districts)**
[Planning and Economic Development, Mathew McElroy, (915) 541-4193]
- 3P.** A Resolution that City Council approve modifications to Exhibit B-1 (the detailed site development plan) in the Chapter 380 Economic Development Program Agreement ("Agreement") by and between the City of El Paso and The Fountains at Farah, LP (f/k/a Hawkins Center, LP), successor-in interest to Hawkins Regency L.L.C. ("Applicant") pursuant to the approval procedure contained in Section 3(a) of the Agreement, the approved revised Exhibit B-1 being attached to the Resolution. **(District 3)**
[Planning and Economic Development, Kimberly Forsyth, (915) 541-4668]

- 3Q.** That the City Manager be authorized to sign grant documentation to the Auto Burglary and Theft Prevention Authority (ABTPA), including all understandings and assurances contained therein, as well as alter or terminate the grant, in the amount of \$1,199,613 with a cash match of a total of \$411,836 and in-kind match in the total amount of \$1,529,960. Total project cost is \$3,141,409. **(All Districts)** [Police, Zina Silva, (915) 564-7141] [Police, Laura Garcia (915) 564-7381]
- 3R.** That the City Manager be authorized to sign a lease agreement with Madison River Investments, LLC in order to move the operations of the City of El Paso Consolidated Tax Office to the Wells Fargo Bank building. **(All Districts)** [Tax Department, Juan F. Sandoval, (915) 541-4598]
- 3S.** A Resolution that the City Council authorize the City Manager to accept a donation of \$150,000 from the El Paso Zoological Society for the purpose of funding and supporting the construction of a Giraffe Viewing Hut in the amount of \$120,000 and \$30,000 to purchase trees for landscaping. City Council also authorizes the City Manager to sign any necessary documentation required for this donation that does not affect the approved budget of the City of El Paso **(All Districts)** [Zoo, Steve Marshall, (915) 521-1850]

4. BOARD APPOINTMENTS:

- 4A.** Patrick Terrence Abeln to the Bi-National Advisory Committee by Mayor John F. Cook. [Mayor John F. Cook, (915) 541-4145]
- 4B.** Katherine Palafox to the Public Service Board Selection Committee as requested by City Representative Ann Morgan Lilly, [Representative Ann Morgan Lilly, (915) 541-4268].

5. DISCRETIONARY FUNDS:

Request authorization to allocate the use of the following Districts Discretionary Funds in the following amounts listed below for the 10th Annual Holiday Posada/Street Fest Event to be held on December 16, 2011. **(Districts 1, 2, 3, 4 and 7)**

District 1: \$200
District 2: \$100
District 3: \$100
District 4: \$200
District 7: \$200
Total: \$800

[Representative Ann Morgan Lilly, (915) 541-4886]

6. REQUESTS TO ISSUE PURCHASE ORDERS, ETC.:

- 6A.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Sigma Solutions, Inc. a contractor under Department of Information Resources (DIR) Contract No. DIR-SDD-1385 (Networking Equipment), for Wi-Fi components, wireless access points, switches,

along with SmartNet. 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 Resources (DIR) was approved by Mayor and City Council on February 27, 2007.

Departments:	Aviation and Information Technology
Award to:	Sigma Solutions, Inc. San Antonio, TX
Annual Estimated Amount:	\$29,765.80
Total Estimated Award:	\$29,765.80
Account No.:	62620028 – 508027 – 41077 – PAP0037
Funding Source:	Passenger Terminal M – Construction (CWIP)
Reference No.:	2012-089
Districts:	All

This is a Cooperative, unit price contract.

[Airport, Monica Lombraña, (915) 780-4724]
[Information Technology, Miguel Gamino, (915) 541-4746]
[Financial Services, Bruce D. Collins, (915) 541-4313]

- 6B.** That the City Manager be authorized to execute an Interlocal Agreement by and between the City of El Paso, Texas and the Clint Independent School District, whereby both entities agree to combine their efforts, from time to time, for the purchase of goods and services. **(All Districts)**
[Financial Services, Bruce D. Collins, (915) 541-4313]

7. BID:

Award of Solicitation No. 2012-012 for the Parks Upgrade 2011 Playground Equipment and Swings, City wide, to Kaizen Construction Services, LLC for a total estimated amount of \$57,068.25.

Departments:	Engineering and Construction Management and Parks and Recreation
Award to:	Kaizen Construction Services, LLC
Base Bid I:	\$17,580.50
Base Bid II:	\$12,252.50
Base Bid III:	\$13,989.
Base Bid IV:	\$13,246.25
Total Estimated Completion:	\$57,068.25
Funding Source:	2006 Certificates of Obligation
Districts:	5 and 6

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 or Department of Parks and Recreation Director 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 and Parks and Recreation Department recommend award as indicated to the lowest responsible bidder.

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

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 amending Title 14 (Aircraft and Airports), Chapters 14.04 (General Provisions and Definitions) and 14.20 (Airport Vehicular Traffic Regulations), to amend sections thereunder to clarify the penalties under the title and provide that parking violations are civil violations; and to delete Section 14.20.250 (Meters); the penalty being as provided in Section 14.04.040, Sections 1.08.010 – 1.08.030, and Chapter 12.85 of the El Paso City Code. **(All Districts)**
[Airport, Monica Lombrana, 915-780-4724]

8B. An Ordinance amending Title 12 (Vehicles and Traffic) to amend various sections thereunder: to revise the provisions relating to granting parking enforcement authority under the Title; to properly reference state statutory and City Code provisions and the establishment of fees; to update the provisions relating to parking in special situations; to limit the fee exemption for disabled parking when the time limit for parking is exceeded; to clarify the penalties for parking, standing and stopping violations in the City Code and clarify which provisions within Title 12 are penal violations; and to clarify the dates and times at which a parking ticket hearing can be requested; the penalty being as provided in Section 12.84.010 and Chapter 12.85 of the El Paso City Code. **(All Districts)**
[Department of Transportation, Daryl W. Cole, (915) 621-6750]

8C. An Ordinance amending Title 5 (Business taxes, Licenses and Regulations) of the El Paso City Code, by repealing Title 5 in its entirety and adopting a new Title 5 in its place, the penalty being as provided in Chapter 1.08 of the El Paso City Code. **(All Districts)**
[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

PUBLIC HEARING WILL BE HELD ON DECEMBER 6, 2011, FOR ITEMS 8A –8C

- 8D.** An Ordinance changing the zoning of Tract 6, Section 29, Block 80, Township 1, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to C-2 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 11145 Dyer Street. Property Owner: Beverly M. Stipe. PZRZ11-00051 **(District 4)**
[Planning and Economic Development, Esther Guerrero, (915) 541-4720]
- 8E.** An Ordinance changing the zoning of portions of Tract 1A1 and 3B5, Section 41, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas from M-1 (Manufacturing) to C-4 (Commercial), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: Railroad Drive at Trans Mountain Road. Property Owner: Transmt-Rail, LLC. PZRZ11-00035 **(District 4)**
[Planning and Economic Development, Esther Guerrero, (915) 541-4720]

PUBLIC HEARING WILL BE HELD ON DECEMBER 20, 2011, FOR ITEMS 8D – 8E

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 9:00 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Thursday, 7:00 a.m. to 6:00 p.m.

REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS

9. FINANCIAL SERVICES:

- 9A.** Discussion and action on a resolution authorizing the City Manager to sign a tax-exempt lease-purchase agreement with Compass Mortgage Corporation ("**Compass**") in a principal amount not to exceed \$5,025,000 to purchase, finance and lease certain equipment for the Fire Department of the City of El Paso. It is also requested that the City Manager of the City of El Paso be authorized to execute any and all necessary documents, including budget transfers, relating to this lease-purchase agreement, which are necessary to carry out the intent of this agreement. **(All Districts)**
[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4293]
[Fire, Otto Drozd, (915) 771-1000]
- 9B.** Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Hall-Mark Fire Apparatus LLC, Daco Fire Equipment, Inc., and Siddons-Martin Emergency Group LLC, contractors under Houston-Galveston Area Council Cooperative (HGAC) Contract No. FS12-09, for emergency vehicles/apparatus. 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 Cooperative (HGAC) was approved by Mayor and City Council on May 8, 2007.

Department:	Fire Department
Award to: Vendor 1:	Hall-Mark Fire Apparatus LLC Van Alstyne, TX
Estimated Award:	\$1,287,260.16 (3 Units)
Award to: Vendor 2:	Daco Fire Equipment, Inc. Lubbock, TX
Estimated Award:	\$638,548 (1 Unit)
Award to: Vendor 3:	Siddons-Martin Emergency Group LLC Houston, TX
Estimated Award:	\$1,879,310 (3 units)
Total Estimated Award:	\$3,805,118.16 (7 Units)
Account No.:	General Fund
Funding Source:	General Fund
Reference No.:	2012-075
Districts:	All

This is a Cooperative, unit price contract.

The cost is only an estimated minimum value. The actual cost may be higher or lower than the estimated minimum value, so long as increased funds are appropriated in the budget.

[Fire, Terry Kebschull, (915) 771-1076]

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

- 9C.** Discussion and action on the award of Solicitation No. 2011-309 (Towing of Motor Vehicles) to Sun City Towing & Recovery for an initial term estimated award of \$2,250,000.

Department:	Police
Award to:	Sun City Towing & Recovery El Paso, TX
Items:	All
Initial Term:	3 years
Option:	2 years
Annual Estimated Award:	\$750,000
Initial Term Estimated Award:	\$2,250,000 (3 years)
Total Estimated Award:	\$3,750,000 (5 years)
Account No.:	21150064 – 504406 – 16413 – P500235
Funding Source:	Abandoned Auto – Restricted Fund
Districts:	All

This is a low bid, service 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 Police Department recommend award as indicated to Sun City Towing & Recovery, the lowest responsive, responsible bidder.

[Police, Zina Silva, (915) 564-7301]

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

- 9D.** Discussion and action on the award of Solicitation No. 2011-310R (Operation and Maintenance of City of El Paso Police Department Municipal Vehicle Storage Facility) to Rod Robertson Enterprise, Inc to operate and manage the vehicle storage facility. This is a revenue generating contract.

Departments:	Financial Services and Police Department
Award to:	Rod Robertson Enterprises, Inc. San Antonio, TX
Items:	All
Initial Term:	3 Years
Options:	Option 1: 2 Years Option 2: 2 Years
Annual Projected Gross Revenues:	\$1,810,262
Total Projected Gross Revenues:	\$5,430,785 (3 years)
Account No.:	Storage and Auction Revenues
Funding Source:	Storage and Auction Revenues
Districts:	All

This is a revenue generating contract.

Additionally, 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.

The Financial Services - Purchasing Division and Police Departments recommend award as indicated to Rod Robertson Enterprises, Inc., the highest ranked proposer based on evaluation factors established for this procurement.

[Police, Gregory Allen, (915) 564-7302]

[Financial Services, Carmen Arrieta-Candelaria, (915) 541-4011]

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

- 9E.** Discussion and action on the award of Solicitation No. 2011-308R (Performance Management and Performance Based Budgeting Consultant) to Weidner, Inc. for a total estimated award of \$626,990.

Department:	Office of Management and Budget
Award to:	Weidner, Inc. Austin, TX
Items:	All

Annual Estimated Amounts:	\$256,990 (1st year)
	\$100,000 (2 nd year)
	\$100,000 (3 rd year)
Option Year 1	\$ 70,000
Option Year 2	\$ 40,000
Option Year 3	\$ 30,000
Option Year 4	\$ 30,000
Total Estimated Award:	\$626,990 (7 years)
Account No.:	99010273 – 502215 – 01101
Funding Source:	General Fund -Outside Contracts
Districts:	All

This is a Request for Proposal, service contract.

Additionally, 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.

The Financial Services - Purchasing Division and Office of Management and Budget recommend award as indicated to Weidner, Inc., the highest ranked proposer based on evaluation factors established for this procurement.

[Office of Management and Budget, Lynly Leeper, (915) 541-4777]

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

REGULAR AGENDA – PUBLIC HEARINGS

10. PLANNING AND ECONOMIC DEVELOPMENT:

An Ordinance to correct a clerical error in Ordinance No. 017018 approved on November 4, 2008, which granted a special permit to allow for a planned residential development on a portion of Tract 10A, 11A, 12A, and 13A, Block 54, Ysleta Grant, City of El Paso, El Paso County, Texas. **(District 7)**

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

11. DEPARTMENT OF TRANSPORTATION:

An Ordinance granting a Special Privilege License to J.D. Abrams, LP. for the construction, installation, maintenance and repair of a 380 linear foot subsurface HMAC TY C temporary water line within portions of City right-of-way beneath Flower Drive between Francis Street and Modesto Gomez Park and a portion of Modesto Gomez Park between Flower Drive and Highway Loop 375 (Cesar Chavez Highway) for a term of five years with one renewable five year term. NESV11-00042 **(District 3)** [Department of Transportation, Mirian Spencer, (915) 541-4482]

12. EL PASO WATER UTILITIES:

An Ordinance authorizing the City Manager to sign a Contract of Sale, Special Warranty Deed and any other necessary documents between the City of El Paso and Jobe Materials, L.P., the sole bidder, which will allow the City to convey to Jobe Materials,

L.P. land held in Trust by the El Paso Water Utilities Public Service Board of Trustees totaling 10.14 acres of land being a portion of Section 17, Block 81, Township 2, City of El Paso, El Paso County, Texas, located in northeast El Paso at Fred Wilson and Marshall Roads. **(District 4)**

[El Paso Water Utilities Public Service Board, Robert Andron, (915) 694-5607]

13. FIRE:

An Ordinance amending Title 9 (Health And Safety), Chapter 9.52 (Fire Prevention Code), Section 9.52.130 (Chapter 33, Explosives and Fireworks, amended) to change the effective date of the discontinuance and abatement of any prior variance or exception to the fireworks ban; the penalty as provided in Section 9.52.030 of the El Paso City Code. **(All Districts)** [Fire, Otto Drozd, (915) 771-1016]

POSTPONED FROM 11-15-2011

REGULAR AGENDA – OTHER BUSINESS

14. MAYOR AND COUNCIL:

14A. Discussion and action on Economic Development policy and protocols for business retention. **(District 5)** [Representative Michiel Noe, (915) 541-4701]

14B. Discussion and action that Mayor and Council approve a resolution on Wage Theft. **(All Districts)**
[Representative Susie Byrd, (915) 541-4996 and Representative Michiel Noe, (915) 541-4189]

14C. Discussion and action to name parcel located on 520B South Side Rd. Spc. Adrian Garcia Park. **(District 6)** [Representative Eddie Holguin, (915) 541-4178]
POSTPONED FROM 11-15-2011

15. PARKS AND RECREATION:

15A. Discussion and action on a resolution to name the new park located at 520 B Southside Road, El Paso, Texas as SPC Adrian Garcia Park. **(District 6)**
[Parks and Recreation, Nanette Smejkal, (915) 541-4283]

15B. Discussion and action on a resolution to rename the Loretto-Lincoln Park located at 4500 E. Yandell Drive, El Paso, Texas as Liz Morayma Gonzalez Park. **(District 2)**
[Parks and Recreation, Nanette Smejkal, (915) 541-4283]

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.** John F. Cook v. Tom Brown Ministries, et al.; Cause No. 2011-DCV-02792 (551.071)
[City Attorney's Office, Laura P. Gordon (915) 541-4550]
- EX2.** Petition of El Paso Electric Company for Review of City of El Paso's Rate Resolutions and Request for Expedited Relief before the Public Utility Commission of Texas, Docket No. 39868. (551.071) [City Attorney's Office, Bertha Ontiveros, (915) 541-4550]
- EX3.** Clear Channel Outdoor, Inc. vs. The City of El Paso; Cause No. 2009-3939 (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/>