

OSCAR LEESER
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
LARRY ROMERO, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
CARL L. ROBINSON, DISTRICT 4
MICHEL R. NOE, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
LILY LIMÓN, DISTRICT 7
CORTNEY CARLISLE NILAND, DISTRICT 8

REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
MAY 6, 2014
8:00 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 8:04 a.m. Mayor Oscar Leeser present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Larry Romero, Emma Acosta, Carl Robinson, Michiel R. Noe, Eddie Holguin, Jr., Lilia Limón, and Cortney Carlisle Niland. The invocation was given by Police, Fire and CIMA Chaplain Sam Faraone, followed by the Pledge of Allegiance to the Flag of the United States of America.

.....
PLEDGE OF ALLEGIANCE

**Eastwood Heights Elementary
Hazel Hernandez**

.....
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 8:00 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.

The following members of the public commented:

1. Mr. Richard Cerros
2. Mr. Jack Bradford
3. Mr. Steven Strumer
4. Mr. Scott White

Representatives Niland and Noe commented.

.....
MAYOR'S PROCLAMATIONS

1. Older Americans Awareness Month
2. Underage Drinking Prevention Day
3. National Nurses Week

RECOGNITIONS

Star on the Mountain Award
UTEP's 2013-2014 Women's Basketball Team led by Coach Keitha Adams

.....
CONSENT AGENDA

Motion made by Mayor Pro Tempore Niland, seconded by Representative Romero, and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the Consent Agenda unless otherwise noted. (Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}).

AYES: Representatives Lilly, Romero, Acosta, Robinson, Noe, Holguin, Limón, and Niland

NAYS: None

.....
1. APPROVAL OF MINUTES

*Motion made, seconded, and unanimously carried to **APPROVE** the Minutes for the Regular City Council Meeting of April 29, 2014, and the Legislative Review Meeting of the Whole of April 28, 2014.

.....
2. REQUEST TO EXCUSE CITY COUNCIL MEMBERS

NO ACTION was taken on this item.

.....
3.1

***RESOLUTION**

WHEREAS, The City of El Paso (hereinafter referred to as the "City") has granted Splendid Sun Productions, LLC permission to utilize City rights-of-way for the Neon Desert Music Festival from 6:00 am Friday, May 23, 2014 through 10:00 pm Monday, May 26, 2014 (hereinafter referred to as "Event"); and

WHEREAS, The City has found the Event serves a public purpose; and

WHEREAS, The State of Texas (hereinafter referred to as the "State") owns and operates a system of highways for public use and benefit, including Mesa Street (SH20) and El Paso Street (US 62/85) within El Paso, Texas; and

WHEREAS, The Event will utilize both City and State rights-of-way; and

WHEREAS, 43 TAC, Section 22.12 establishes the rules and procedures for the temporary closure of portions of the State Highway System for periods of time exceeding four hours; and

WHEREAS, the State in recognition of the public purpose for the Event, provides a means of cooperating with the City for the temporary closure of State right-of-way, provided the closure is in accordance with the requirements of 43 TAC, Section 22.12 and the City enters into an Agreement for the Temporary Closure of State Right-of-Way for the Event (Form TEA 30A).

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF EL PASO:

That the City Manager be authorized to sign an Agreement For The Temporary Closure of State Right Of Way (Form TEA 30A) by and between the City of El Paso and the State of Texas, acting by and through the Texas Department of Transportation, for the temporary closure and use of State owned and operated Mesa Street (SH 20) and El Paso Street (US 62/85), and the companion agreement between the City of El Paso and Splendid Sun Productions, LLC to assume responsibilities for and during the Neon Desert Music Festival from 6:00 am Friday, May 23, 2014 through 10:00 pm Monday, May 26, 2014, an event scheduled to exceed four hours in length and found by the City to serve a public purpose.

.....
3.2

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

WHEREAS, Splendid Sun Productions, LLC (hereinafter referred to as “Grantee”) is sponsoring The Neon Desert Music Festival from 3:00 pm on Saturday, May 24, 2014 to 2:00am on Sunday, May 25, 2014 and from 3:00pm on Sunday, May 25, 2014 to 2:00am through Monday, May 26, 2014 (hereinafter referred to as “Event”); and

WHEREAS, the Grantee has authorized Crave Kitchen and Bar (hereinafter referred as “Licensee”) to provide for the sale and service of alcoholic beverages during the Event; and

WHEREAS, the City is not a sponsor of the Event and the Grantee assumes full responsibility for the planning, coordination, management and production of the Event; and

WHEREAS, the Grantee has received administrative approval for a Special Privilege Permit for the use and closure of City rights-of-way for more than twenty-four (24) hours on portions of City rights-of-way on Franklin Avenue between Santa Fe Street and Mesa Street, Oregon Street between Missouri Avenue and Texas Avenue, El Paso Street between Franklin Avenue and Main Drive, Main Drive from Oregon Street to Mesa Street, Mills Avenue between Oregon Street to Mesa Street, and Mesa Street from Missouri Avenue to Texas Avenue from 6:00 am Friday, May 23, 2014 to 10:00 pm Monday, May 26, 2014, in conjunction with the proposed Event; and

WHEREAS, the Grantee has received Park Use Permit #19019 issued by the City Parks and Recreation Department for the use of Cleveland Square Park and extending normal park hours in conjunction with the Event; and

WHEREAS, both the Grantee and Licensee desire to provide for the sale and service of alcoholic beverages on the closed portions of City rights-of-way and in Cleveland Square Park during the Event; and

WHEREAS, the Texas Alcoholic Beverage Commission requires that the City Council for the City of El Paso approve, as a permissible activity, the sale and service of alcoholic beverages during the Event.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the sale and service of alcoholic beverages by Splendid Sun Productions, LLC and Crave Kitchen and Bar, in the closed portions of City rights-of-way on Franklin Avenue between Santa Fe Street and Mesa Street, Oregon Street between Missouri Avenue and Texas Avenue, El Paso Street between Franklin Avenue and Main Drive, Main Drive from Oregon Street to Mesa Street, Mills Avenue between Oregon Street to Mesa Street, and Mesa Street from Missouri Avenue to Texas Avenue, from 3:00 pm on Saturday, May 24, 2014 to 2:00 am on Sunday, May 25, 2014 and from 3:00 pm on Sunday, May 25, 2014 to 2:00 am through Monday, May 26, 2014 is a permissible activity and in Cleveland Square Park at the same times, and in accordance with a valid permit issued through the City’s Parks and Recreation Department under City Code Section 13.24.130(C) and may transport alcoholic beverages within the closed portions of right-of-way to and from Cleveland Square Park in conjunction with The Neon Desert Music Festival.

.....
3.3

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

WHEREAS, Splendid Sun Productions, LLC (hereinafter referred to as “Grantee”) is producing The Neon Desert Music Festival from 3:00 pm on Saturday, May 24, 2014 to 2:00am on Sunday, May 25, 2014 and from 3:00pm on Sunday, May 25, 2014 to 2:00 am Monday, May 26, 2014 (hereinafter referred to as “Event”); and

WHEREAS, Grantee assumes full responsibility for the planning, coordination, management and production of the Event; and

WHEREAS, the Grantee has received administrative approval for a Special Privilege Permit for the use and closure of City rights-of-way for more than twenty-four (24) hours on portions of City rights-of-way on Franklin Avenue between Santa Fe Street and Mesa Street, Oregon Street between Missouri Avenue and Texas Avenue, El Paso Street between Franklin Avenue and Main Drive, Main Drive from Oregon Street to Mesa Street, Mills Avenue between Oregon Street to Mesa Street, and Mesa Street from Missouri Avenue to Texas Avenue from 6:00 am Friday, May 23, 2014 to 10:00 pm Monday, May 26, 2014, in conjunction with the proposed Event; and

WHEREAS, the Grantee desires to utilize Cleveland Square Park between the hours of 6:00am on Wednesday, May 21, 2014 through 10:00 pm Monday, May 26, 2014 in conjunction with the Event; and

WHEREAS, the Grantee has received Park Use Permit #19019 issued by the City Parks and Recreation Department use permit for the use of Cleveland Square Park during regular park hours and wishes to extend normal park hours for the Event, and seeks approval from the City Council in compliance with City Code Section 13.24.040(E)

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the use Cleveland Square Park between the hours of 6:00am on Wednesday, May 21, 2014 through 10:00 pm Monday, May 26, 2014 by Splendid Sun Productions, LLC is a permissible activity in conjunction with The Neon Desert Music Festival.

4.1 NOTICE FOR NOTATION

*Motion made, seconded, and unanimously carried to **APPROVE** for notation the donation of \$7,500 from Borderplex Bi-National Economic Alliance for the Economic Development Familiarization Tours.

5.1 NOTICE OF CAMPAIGN CONTRIBUTIONS

*Motion made, seconded, and unanimously carried to **APPROVE** for notation pursuant to Section 2.2.110 of the City Code: receipt of campaign contributions by Representative Carl L. Robinson on March 11, 2013, in the amount of \$500 from Robert L. Bowling; in the amount of \$500 from Robert L. Bowling IV; on May 13, 2013, in the amount of \$1,000 from Stanley P. Jobe; in the amount of \$200 from George Salom, Jr.; on May 14, 2013, in the amount of \$500 from Richard V. Teschner; on May 15, 2013, in the amount of \$1,000 from David Tokoph; on May 31, 2013, in the amount of \$100 from Dan W. Olivas dba Speaking For Your Destiny; and on June 7, 2013, in the amount of \$1000 from El Paso Association of Builders Build PAC of El Paso

6.1 INTRODUCTION

Motion made by Mayor Pro Tempore Niland, seconded by Representative Romero, and unanimously carried that the following Ordinance, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be **ADVERTISED** for public hearing:

- 6.1. An Ordinance amending Title 3 (Revenue and Finance), Chapter 3.36 (Cash Reserves), Section 3.36.010 (Cash Reserve Fund) of the City Code of the El Paso to Conform the Required Cash Reserve Fund Amount to the Revised City Charter Requirement.

PUBLIC HEARING WILL BE HELD ON MAY 13, 2014

7.1 CITY DEVELOPMENT

*Motion made, seconded, and unanimously carried to **POSTPONE** two weeks the public hearing on an Ordinance restating special privilege license granted to Texas Tech University Health Sciences Center at El Paso by Ordinance No. 017996 for the construction, maintenance, use, and repair of a surface parking lot, and to allow for overhead bird netting and drainage structures within portions of city right-of-way along Alberta Avenue beneath the Raynolds Street Overpass Bridge for a term of four years with an option to renew for one additional four year term and one additional two year term.

.....

8.1 EL PASO WATER UTILITIES

*Motion made, seconded, and unanimously carried to **POSTPONE** one week the public hearing on an Ordinance authorizing the City Manager to sign a Contract of Sale and a Special Warranty Deed conveying a 0.2594 acre parcel of land being a Portion Of Lot 1, Block 2, International Industrial Center, Unit 1, City Of El Paso, El Paso County, Texas, and any other documents necessary to complete the sale to EP Shalom, L.P.

.....

9.1 COMMUNITY AND HUMAN DEVELOPMENT

Motion made by Representative Noe, seconded by Representative Lilly, and unanimously carried to **CLOSE** the Public Hearing on the adoption of the Proposed 2014-2015 Annual Action Plan Budgets for the Community Development Block Grant (CDBG) 40th Year Program, the Emergency Solutions Grant (ESG) Program, the HOME Investment Partnerships (HOME) Program, and the Housing Opportunities for Persons with AIDS (HOPWA) Program.

Representatives Romero and Robinson commented.

Ms. Veronica Soto, Director of Community and Human Development, commented.

Ms. Sandra Braham, citizen, commented.

.....

9.2

R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That, having conducted a public hearing in order to receive public comment, the City Council hereby adopts the Proposed 2014-2015 Annual Action Plan Budgets for the Community Development Block Grant (CDBG) 40th Year Program, the Emergency Solutions Grant (ESG) Program, the HOME Investment Partnerships (HOME) Program, and the Housing Opportunities for Persons with AIDS (HOPWA) Program, all attached hereto as Exhibit "A"; and
2. That the City Council directs that the notice of availability, including the Proposed 2014-2015 Annual Action Plan Budgets for the CDBG, ESG, HOME and HOPWA Programs be published in the El Paso Times on Sunday, May 11, 2014, to provide the public with an opportunity to review the Proposed 2014-2015 Annual Action Plan, including the Proposed Budgets, and submit comments to the Department of Community and Human Development. The deadline for submission of written comments will be 6:00 p.m., on Thursday, June 12, 2014. The City Council will conduct a public hearing in City Council Chambers during the regular City Council meeting on Tuesday, June 17, 2014, for the purpose of receiving comments from the public and adopting the Final 2014-2015 Annual Action Plan, including the 40th Year CDBG, ESG, HOME, and HOPWA Budgets, for submission to the U.S. Department of Housing and Urban Development.

Representative Romero commented.

Ms. Sandra Braham, citizen, commented.

1ST MOTION

Motion made by Representative Romero, seconded by Mayor Pro Tempore Niland, and carried to **APPROVE** the Resolution without the Salvation Army and to include funding for Logan Park improvements #44 and to **DIRECT** staff if the other social service agencies do not use their funding, the Assistance League will receive that funding.

AYES: Representatives Lilly, Romero, Acosta, Noe, Holguin, and Niland

NAYS: None

ABSTAIN: Representatives Robinson and Limón

2ND AND FINAL MOTION

Motion made by Mayor Pro Tempore Niland, seconded by Representative Romero, and carried to **APPROVE** Salvation Army funding.

AYES: Representatives Lilly, Romero, Acosta, Noe, Holguin, Limón, and Niland

NAYS: None

ABSTAIN: Representative Robinson

10.1

ORDINANCE 18169

1ST MOTION

Motion made by Mayor Pro Tempore Niland, seconded by Representative Noe, and unanimously carried to **SUSPEND THE RULES OF ORDER** to allow additional speakers to address the Council after the signup period.

2ND MOTION

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 3 (REVENUE AND FINANCE) OF THE EL PASO CITY CODE BY ADDING CHAPTER 3.45 (HIRE EL PASO FIRST - LOCAL BID PREFERENCE) IN ORDER TO SET FORTH THE GUIDELINES FOR GRANTING A LOCAL PREFERENCE IN CITY PROCUREMENTS.**

Mayor Leeser and Representatives Robinson, Holguin, Noe, Niland, Romero, Limon, and Acosta commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Mr. Bruce Collins, Director of Purchasing and Strategic Sourcing
3. Ms. Sylvia Firth, City Attorney, gave legal advice.

The following members of the public commented:

1. Mr. Joseph Riccillo
2. Mr. Victor Tito Marquez, Vice President for Marketing Cemex
3. Mr. H.W. Bill Sparks
4. Mr. Richard Dayoub
5. Ms. Lisa Turner
6. Mr. Leo Mendoza

7. Mr. Joe Gomez, Jordan Foster Construction
8. Mr. Richard Schechter
9. Mr. Charles Dodds
10. Ms. Terry Reed, El Paso Hispanic Chambers

Motion duly made by Mayor Pro Tempore Niland, seconded by Representative Noe, that the Ordinance be **ADOPTED** and **DIRECT** City Manager and City Attorney to bring back a veteran's preference option in 90 days.

AYES: Representatives Lilly, Romero, Acosta, Noe, Holguin, Limón, and Niland
 NAYS: Representative Robinson

Whereupon the Mayor ordered that, the vote having been cast in favor of the Ordinance, the same be and the same are hereby **ADOPTED**.

10.2

RESOLUTION

RESOLUTION AMENDING SCHEDULE C FOR THE CITY OF EL PASO FY 2014 BUDGET

WHEREAS, the City Council adopted the Budget Resolution for FY 2014 on August 20, 2013; and

WHEREAS, paragraph 46 of the Budget Resolution provides that revisions or additions to the fees set forth in Schedule C, attached to the Budget Resolution, may be approved by simple resolution of the City Council; and

WHEREAS, the City Council desires to establish the amount of application fee for businesses to be deemed a Local Business pursuant to Chapter 3.45 Hire El Paso First-Local Bid Preference ("Policy"); and

WHEREAS, the City Council desires that the City Manager have immediate access to the funds necessary to facilitate the implementation of the Policy.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF EL PASO:

1. That Schedule C, attached to the FY 2014 Budget Resolution and effective September 1, 2013, shall be amended as set forth in Attachment A to the Resolution Amending Schedule C for the City of El Paso FY 2014 Budget, to establish the application fee for businesses to be deemed a Local Business.
2. That the City Manager is authorized to establish the appropriations necessary to implement the Hire El Paso First-Local Bid Preference policy.

Attachment A

Purchasing and Strategic Sourcing Department

Amend the following line in Schedule C, attached to the FY 2013 Budget Resolution

<u>Department</u>	<u>Account</u>	<u>Fee Description</u>	<u>Detail</u>	<u>City Code Section</u>	<u>Fee</u>
Purchasing and Strategic Sourcing Department	441680	Application Fee	Hire El Paso First- Local Bid Preference	3.45.040	\$150 Every Three Years

Motion made by Mayor Pro Tempore Niland, seconded by Representative Lilly, and unanimously carried to **APPROVE** the Resolution.

11.1 ECONOMIC AND INTERNATIONAL DEVELOPMENT

Presentation and discussion by Project Arriba, Advanced Retraining and Redevelopment Initiative in Border Areas, Inc. ("Grantee") on their mid-year report (September 1, 2013 – March 31, 2014), on the status of fundraising activities, the use of grant funds and progress in the performance measures during FY 2014, as required under the reporting metrics in the 380 grant agreement.

Mr. Cary Westin, Director of Economic and International Development, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mr. Ramon Ortiz, Project Arriba, presented a PowerPoint presentation (copy on file in City Clerk's office).

Representatives Lilly and Limon commented.

NO ACTION was taken on this item.

11.2

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to execute a Chapter 380 Economic Development Program Agreement by and between the City of El Paso and Tenet Hospitals Limited, a Texas limited partnership ("Applicant"), in relation to the Applicant's development of a medical facility in El Paso, Texas.

Mr. Cary Westin, Director of Economic and International Development, and Mr. Eric Evans, presented a PowerPoint presentation (copy on file in City Clerk's office).

Mayor Leeser and Representatives Niland, Acosta, Limón, and Lilly commented.

The following members of the public commented:

1. Mr. Rolando Pablos
2. Mr. Richard Dayoub
3. Dr. Derek Cox
4. Ms. Susan Melendez
5. Ms. Lisa Turner
6. Mr. Richard Schechter
7. Dean Jose Manuel De La Rosa
8. Dr. Kenneth Beruman
9. Mr. Leo Mendoza

Motion made by Mayor Pro Tempore Niland, seconded by Representative Romero, and carried to **APPROVE** the Resolution.

AYES: Representatives Lilly, Romero, Acosta, Robinson, Limón, and Niland

NAYS: None

ABSTAIN: Representatives Noe and Holguin

TAKEN INTO EXECUTIVE SESSION

12.1

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign a contract between the City of El Paso and Javier Chacon, County Elections Administrator of El Paso County, at an estimated cost of up to Sixty-Five Thousand Four Hundred Thirty-Five and 38/100 Dollars (\$65,435.38) to provide election services and equipment for the July 19, 2014 Special Election; and that the City Manager be authorized to sign amendments to the contract to include revising the estimated election costs due to changes in the calculations; and that the City Manager be authorized to sign an additional contract with Javier Chacon for the conduct of a runoff election, if necessary.

Representative Robinson commented.

The following City staff members commented:

1. Ms. Joyce Wilson, City Manager
2. Ms. Sylvia Firth, City Attorney, gave legal advice.
3. Ms. Richarda Momsen, Municipal Clerk

1ST MOTION

Motion made by Representative Robinson, seconded by Representative Limón, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 10:53 a.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.087 to discuss any of the following:

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

2ND MOTION

Motion made by Mayor Pro Tempore Niland, seconded by Representative Lilly, and unanimously carried to adjourn the Executive Session at 11:47 a.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

3RD AND FINAL MOTION

Motion made by Mayor Pro Tempore Niland, seconded by Representative Lilly, and carried to **APPROVE** the Resolution authorizing the City Manager to sign a contract with the option of early voting on July 2-16 weekdays, plus Saturday July 12, 2014 between the City of El Paso and Javier Chacon, County Elections Administrator of El Paso County, at an estimated cost of up to Sixty-Five Thousand Four Hundred Thirty-Five and 38/100 Dollars (\$65,435.38) to provide election services and equipment for the July 19, 2014 Special Election; and that the City Manager be authorized to sign amendments to the contract to include revising the estimated election costs due to changes in the calculations; and that the City Manager be authorized to sign an additional contract with Javier Chacon for the conduct of a runoff election, if necessary.

AYES: Representatives Lilly, Romero, Acosta, Robinson, Limón, and Niland

NAYS: None

ABSTAIN: Representative Holguin

NOT PRESENT FOR THE VOTE: Representative Noe

.....
13.1 MAYOR AND COUNCIL

*Motion made, seconded, and unanimously carried to **POSTPONE** two weeks the item regarding discussion and action that the City Council recommend Spur 16 from Doniphan to Talbot be named in honor of former Congressman Silvestre Reyes and authorize the City Manager to forward this recommendation to the Texas Department of Transportation for approval.

.....
13.2 MAYOR AND COUNCIL

*Motion made, seconded, and unanimously carried to **DELETE** the item on discussion and action to direct city staff to engage the consultation services of Dr. Ed Feser to update City Council on the implementation of the Feser report.

.....
13.3 MAYOR AND COUNCIL

Motion made by Mayor Pro Tempore Niland, seconded by Representative Lilly, and unanimously carried to **POSTPONE** one week the item on directing city staff to develop a pedestrian safety plan in the Cincinnati District on Mesa Street between Glory Road/Baltimore Drive and E. Robinson Ave.

AYES: Representatives Lilly, Romero, Acosta, Robinson, Holguin, Limón, and Niland

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Noe

.....
Motion made by Mayor Pro Tempore Niland, seconded by Representative Limón, and unanimously carried that the City Council retire into **EXECUTIVE SESSION** at 12:40 p.m. pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.087 to discuss any of the following:

NOT PRESENT FOR THE VOTE: Representative Noe

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 Executive Session items listed on the Agenda.

Motion made by Representative Robinson, seconded by Representative Romero, and unanimously carried to adjourn the Executive Session at 1:10 p.m. and **RECONVENE** the meeting of the City Council, during which time motions were made.

NOT PRESENT FOR THE VOTE: Representative Niland

.....
EX1. Economic Development incentives and Lease for Medical Center of Americas Foundation. (551.071 and 551.087)

Representative Noe commented.

Ms. Sylvia Firth, City Attorney, gave legal advice.

Mr. Richard Schechter, citizen, commented.

NO ACTION was taken on this item.

.....
EX2. El Paso Area Rate Review filing by Texas Gas Service Company, a division of One Gas, Inc., on April 15, 2014. (551.071)

Motion made by Alternate Mayor Pro Tempore Holguin, seconded by Representative Acosta, and unanimously carried that the CITY OF EL PASO authorizes the City Attorney to engage outside counsel and any necessary related consultants to assist the City on matters related to the El Paso Annual Rate Review filed with the City on April 15, 2014, by Texas Gas Service Company, a division of One Gas, Inc., an Oklahoma Corporation.

AYES: Representatives Lilly, Romero, Acosta, Robinson, Noe, Holguin, and Limón

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Niland

Mr. Norman Gordon, outside utility counsel, gave legal advice.

Mr. Richard Schechter, citizen, commented.

.....
EX3. Public Utility Commission Docket No. 41852, Application of El Paso Electric Company to Reconcile Fuel Costs. (551.071)

NO ACTION was taken on this item.

.....
EX4. Public Utility Commission Docket No. 41359, Application of El Paso Electric Company to Amend its Certificate of Convenience and Necessity for the Proposed Montana Power Station Intersect with Caliente to Coyote 115-kV Transmission Line in El Paso County, Texas. (551.071)

NO ACTION was taken on this item.

.....
EX5. Public Utility Commission Docket No. 41809, Application of El Paso Electric Company to Amend its Certificate of Convenience and Necessity for the Proposed Montana Power Station Montwood Substation 115-kV Transmission Line in El Paso County, Texas. (551.071)

NO ACTION was taken on this item.

.....
EX6. Public Utility Commission Docket No. 42384, Petition of El Paso Electric Company for Authority to Revise Fixed Fuel Factor. (551.071)

NO ACTION was taken on this item.

.....
EX7. Public Utility Commission Docket No. 42449, Application of El Paso Electric Company to Revise its Energy Efficiency Cost Recovery Factor and Request to Establish Revised Cost Cap. (551.071)

Motion made by Alternate Mayor Pro Tempore Holguin, seconded by Representative Romero, and unanimously carried that the CITY OF EL PASO authorizes the City Attorney to file a Motion in Intervention and request a hearing in the following Public Utility Commission Docket No. 42449; Application of El Paso Electric Company to Revise its Energy Efficiency Cost Recovery Factor and Request to Establish revised Cost Cap.

This Motion is intended to grant broad authority to the City Attorney to take any action necessary to address these matters in consultation with the City Manager. This authorization also authorizes the City Attorney to retain outside Counsel and any necessary consultants in connection with this matter.

AYES: Representatives Lilly, Romero, Acosta, Robinson, Noe, Holguin, and Limón

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Niland

.....
Motion made by Representative Romero, seconded by Representative Noe, and unanimously carried to **ADJOURN** this meeting at 1:23 p.m.

NOT PRESENT FOR THE VOTE: Representative Niland

.....
APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk