



*City of El Paso – City Plan Commission Staff Report*  
**(REVISED)**

**Case No** SUAX12-00002  
**Application Type** Annexation and Service Plan  
**CPC Hearing Date** January 09, 2014  
**Staff Planner** Nelson Ortiz, 541-4931, [Ortiznx@elpasotexas.gov](mailto:Ortiznx@elpasotexas.gov)

**Location** South of the future extension of Pebble Hills Boulevard (between John Hayes Street and the future Tim Floyd Street) and at the intersection of the future extensions of Ralph Seitsinger Drive and Tim Floyd Street

**Legal Description** A portion of Section 48, Block 79, & portion of Sections 18 & 19, Block 78, Township 2, Texas and Pacific Railway Co. Surveys, El Paso County, Texas

**Acreage** 1.59 acre  
**Rep District** Adjacent to District 5  
**Existing Use** Vacant  
**Existing Zoning** N/A - East ETJ  
**Proposed Zoning** R-F (Ranch-Farm)

**Property Owner** Ranchos Real Land Holdings, LLC/ County of El Paso  
**Applicant** Ranchos Real Holding, LLC  
**Representative** Conde, Inc.

**Distance to Park:** Parks proposed within abutting Land Study  
**Distance to School:** One school proposed within abutting Land Study

**SURROUNDING ZONING AND LAND USE**

**North:** R-5 (Residential) / Vacant  
**South:** ETJ/ Vacant  
**East:** ETJ / Vacant  
**West:** R-5 (Residential)/ Vacant

**THE PLAN FOR EL PASO DESIGNATION:** O5 (Remote)

**General Information:**

The applicant is requesting annexation of vacant land within the City of El Paso's Extra Territorial Jurisdiction (ETJ) and approval of a service plan in conjunction with the Annexation Agreement. The subject property is approximately 1.59 acres and is currently vacant. Under the terms of the approved agreement, the subject property will be zoned to R-F (Ranch Farm) at the time of annexation.

The property will be used for Right-of-Way purposes only (extension and improvements to Pebble Hills Boulevard, Mike Price Drive/ Pebble Hills Boulevard Intersection and Tim Floyd Street/ Ralph Seitsinger Drive Intersection.) Furthermore, portions of the land to be annexed will allow the proper completion and maintenance of three proposed roundabouts.

**Neighborhood Input:**

Notice of the public hearings were mailed to all property owners within 300 feet of this proposed annexation and published in the El Paso Times in accordance with the Texas Local Government Code. Planning staff did not receive any phone calls in support or opposition to this request.

**DCC Recommendation:**

The Development Coordinating Committee recommends approval and provides the following comments:

**City Development Department - Planning Division:**

Planning has no objection to the annexation request. The Service Plan shall be approved with the ordinance approving the annexation in accordance with the Texas Local Government Code 43.056. Planning recommends approval of this request.

**City Development Department - Land Development**

No comments received.

**Department of Transportation:**

No comments received.

**Fire Department:**

No comments received.

**El Paso Police Department:**

No conflicts are observed from the proposed changes.

**Time Warner Cable:**

No objection.

**El Paso Water Utilities:**

We have reviewed the annexation service plan described above and provide the following comments:

1. EPWU does not object to this request.
2. The subject property is located within the City of El Paso Eastside Impact Fee Service Area. Impact fees will be assessed and collected by EPWU after the El Paso Water Utilites receives an application for water and sanitary sewer services.

**Sun Metro:**

After review of the supplied annexation case, Sun Metro has the following comments:

- SUAX12-00002: Sun Metro does not oppose this annexation request of portions of ROW. It is requested that travel lanes be designed to 11' width minimum in order to support any possible future use by mass transit vehicles.

**County of El Paso:**

No comments received.

**Environmental Services:**

No comments received.

**Attachments**

Attachment 1: Location Map

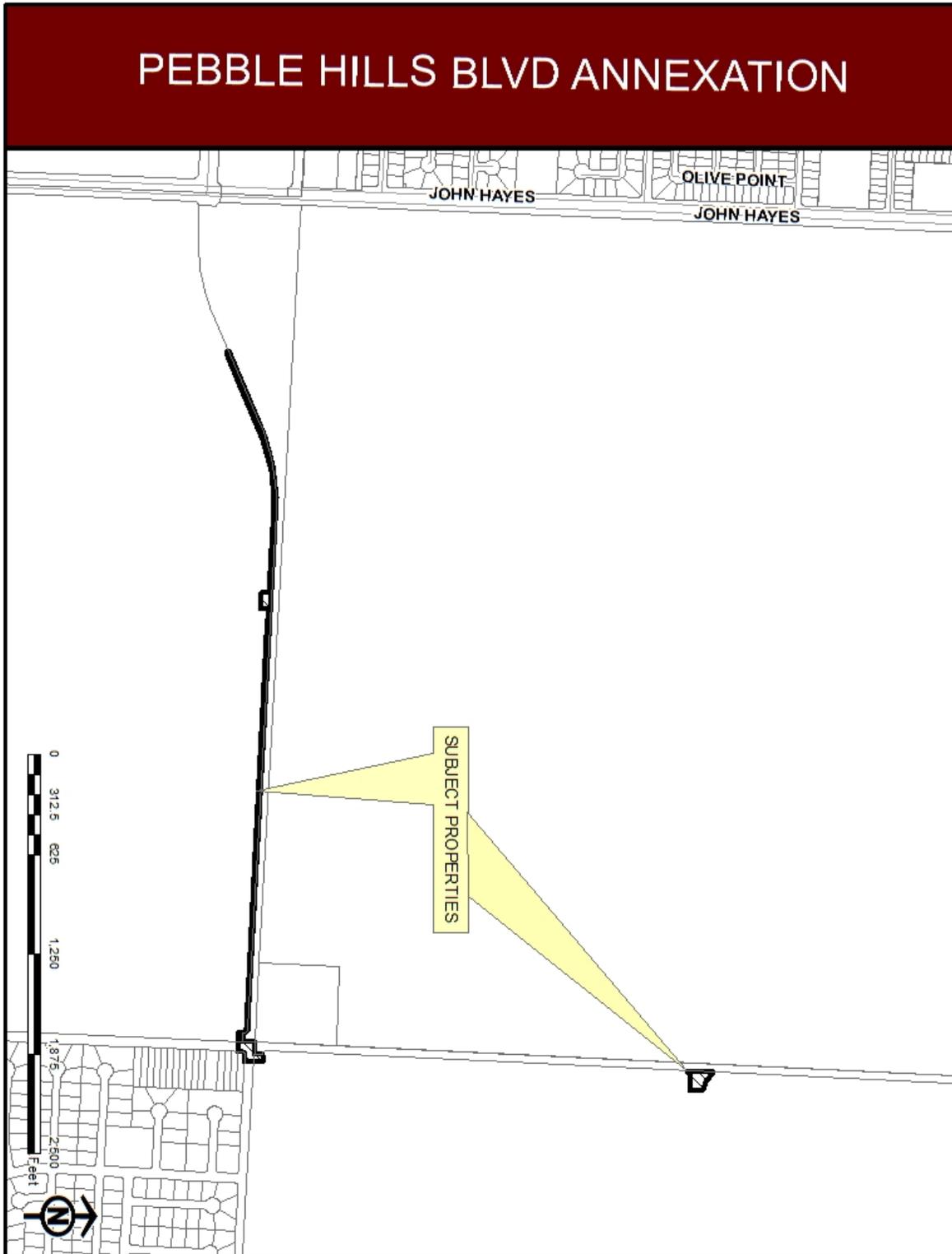
Attachment 2: Aerial

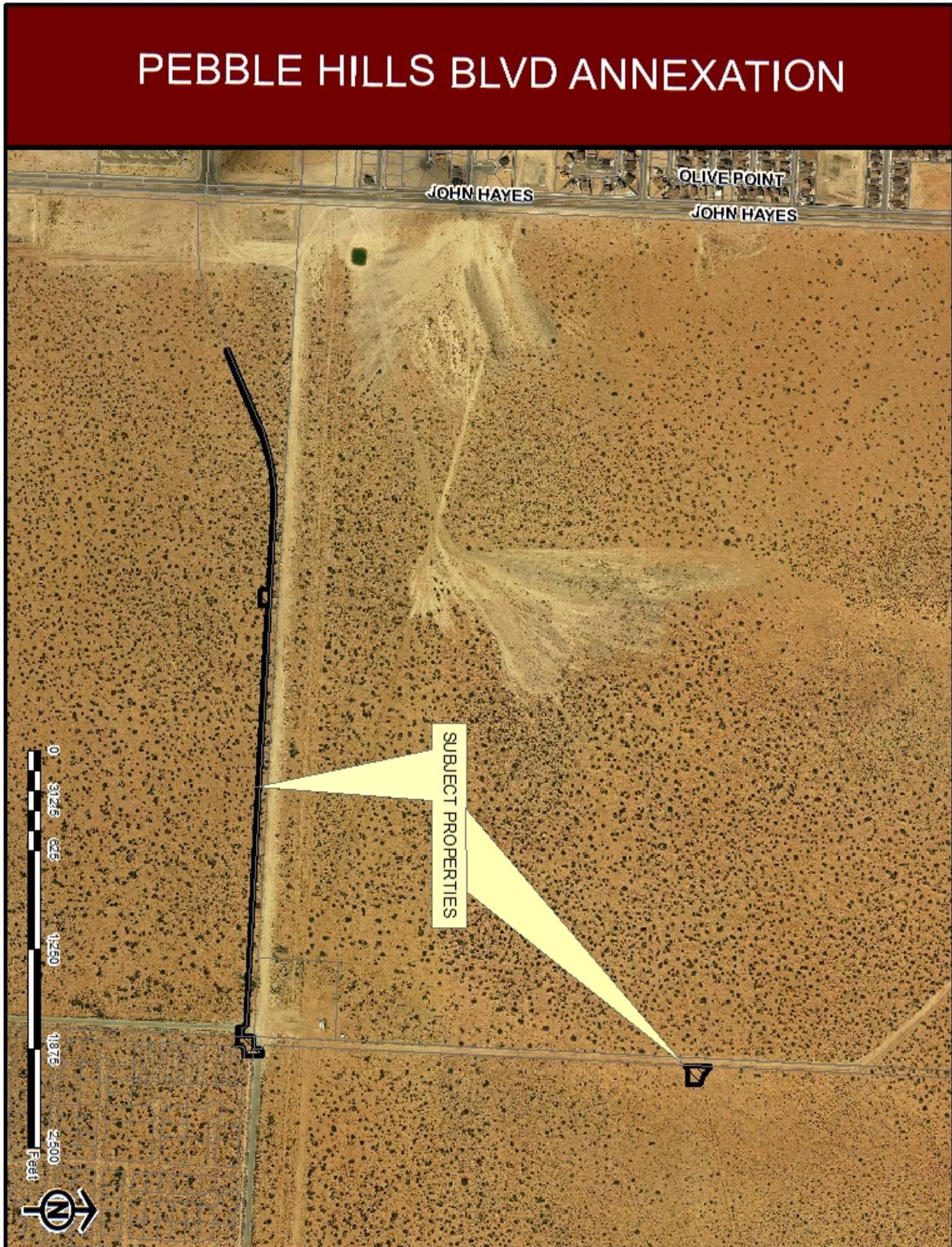
Attachment 3: Current Municipal Boundary

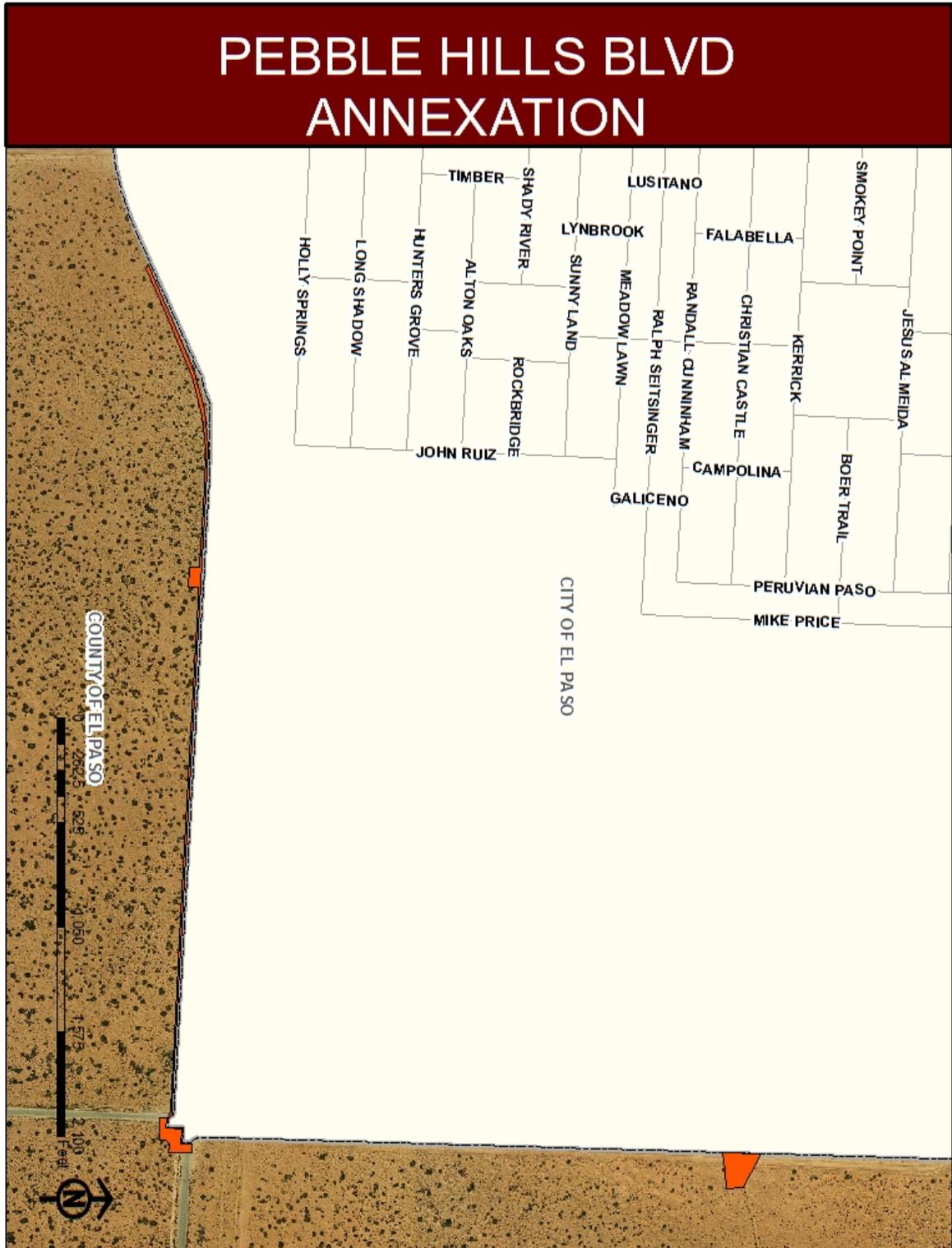
**Attachment 5: Survey**

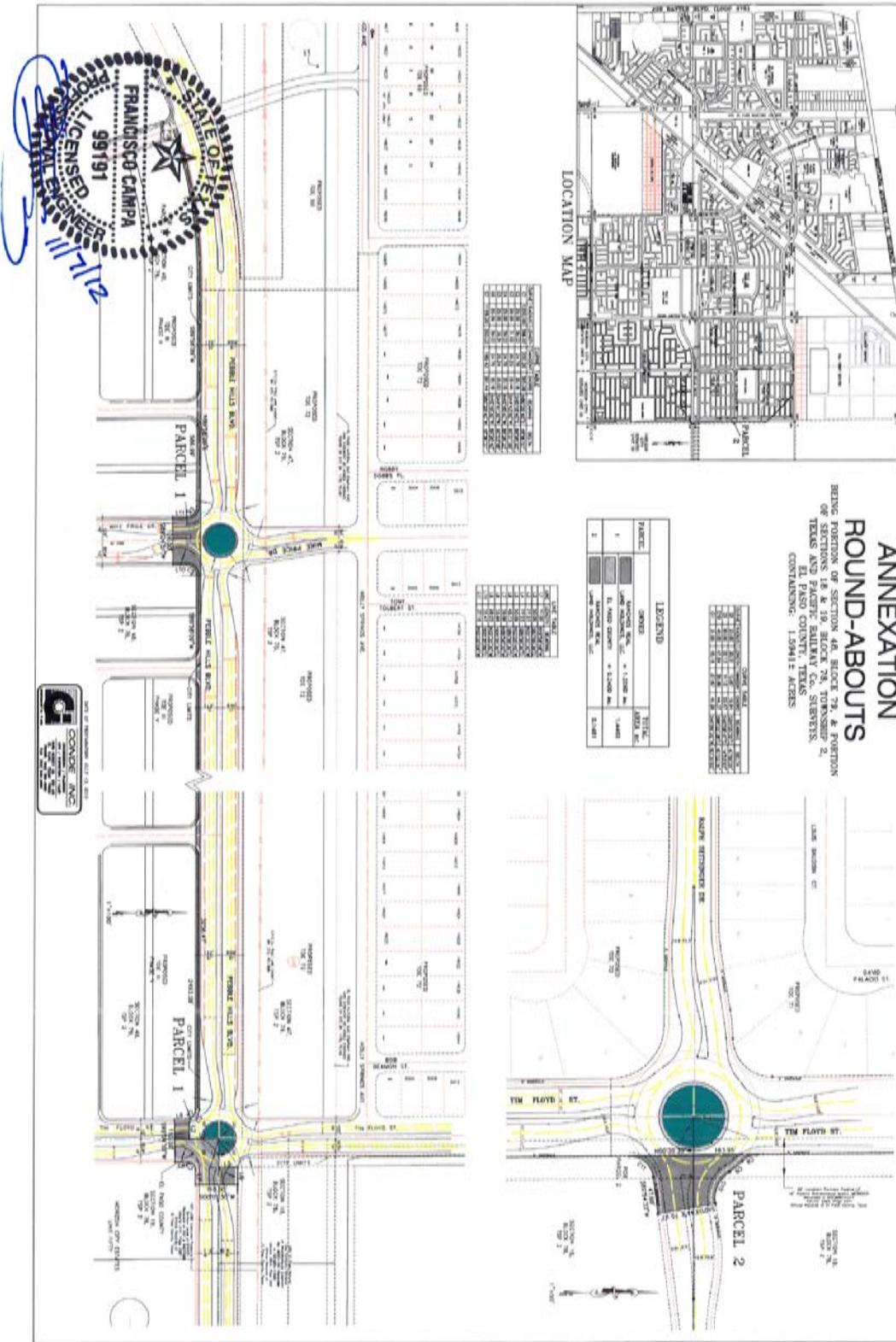
Attachment 4: Draft Ordinance

Attachment 1: Location Map









Attachment 5: Draft Ordinance  
*(On the following page)*

**ORDINANCE \_\_\_\_\_**

**AN ORDINANCE ANNEXING THE FOLLOWING REAL PROPERTY DESCRIBED AS A PORTION OF SECTION 48, BLOCK 79, & PORTION OF SECTIONS 18 & 19, BLOCK 78, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY CO. SURVEYS, EL PASO COUNTY, TEXAS.**

**WHEREAS**, Ranchos Real Land Holdings, LLC. (owner of record), owners of approximately 1.3541 acres and the County of El Paso, (owner of record), owners of a .24-acre property, lying in the City of El Paso’s East Extraterritorial Jurisdiction; the property more fully described in the attached metes and bounds description, identified as Exhibit “A”, and survey of the property, identified as Exhibit “B” and made a part hereof by reference, and both Ranchos Real Land Holdings, LLC and the County of El Paso request that this area be annexed into the El Paso City Limits; and,

**WHEREAS**, the attached Service Plan, identified as Exhibit “C”, identifies the municipal services to be extended to this annexed area and adopted as part of this ordinance; and,

**WHEREAS**, the City of El Paso and the Owners have entered into an Annexation Agreement on September 10, 2013, attached as Exhibit “D”, which governs the development of the property after the annexation; and,

**WHEREAS**, public hearings were held on January 6, 2014 and January 9, 2014 at which persons interested in the annexation were given the opportunity to be heard; and that no person voiced opposition to the annexation or Service Plan described as Exhibit “C”;

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

That the boundaries of the CITY OF EL PASO are hereby extended so as to a Portion of Section 48, Block 79, & Portion of Sections 18 & 19, Block 78, Township 2, Texas and Pacific Railway Co. Surveys, El Paso County, Texas, more particularly described in Exhibit “A” and Exhibit “B”.

Further, that the City of El Paso adopts the Service Plan described as Exhibit “C”; and that the annexation is subject to all terms and conditions of the Annexation Agreement, entered into on September 10, 2013.

**PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.**

**THE CITY OF EL PASO**

**ATTEST:**

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

\_\_\_\_\_  
Oscar Leeser  
Mayor

**APPROVED AS TO FORM:**

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Karla Nieman,  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

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Mathew S. McElroy, Director  
City Development Department

## Exhibit "A"

Prepared for: Southwest Land Development Services Inc.  
July 27, 2012  
(Proposed Annexation Round-About, Parcel 1)

### METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a Portion of Section 48, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City Of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing brass disk city monument at the centerline intersection of John Hayes St. and Lookout Point Dr. from which an existing brass disk City monument at the centerline intersection of John Hayes St. and Ralph Seitsinger Dr. bears North 00°35'06" West a distance of 1652.85 feet; Thence, South 68°26'25" East a distance of 1723.49 feet to a set ½" rebar with cap marked TX 5152 for the "TRUE POINT OF BEGINNING".

Thence, North 18°58'48" West a distance of 11.00 feet to a set ½" rebar with cap marked TX 5152;

Thence 396.87 feet along the arc of a curve to the right which has a radius of 1200.00 feet a central angle of 18°56'57" a chord which bears North 80°29'40" East a distance of 395.06 feet to a set ½" rebar with cap marked TX 5152;

Thence, North 89°58'09" East a distance of 3256.47 feet to a set ½" rebar with cap marked TX 5152 to a point of curve;

Thence 39.03 feet along the arc of a curve to the right which has a radius of 25.00 feet a central angle of 89°26'22" a chord which bears South 45°18'40" East a distance of 35.18 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 87°09'36" East a distance of 50.09 feet to a set ½" rebar with cap marked TX 5152 on the common line of Section 48, Block 79 and Section 19, Block 78, Township 2, Texas and Pacific Railway Company Surveys;

Thence along said line, South 00°35'30" East a distance of 36.25 feet to a point;

Thence, South 89°24'30" West a distance of 50.00 feet to a set ½" rebar with cap marked TX 5152;

Thence, North 00°35'30" West a distance of 28.25 feet to a set ½" rebar with cap marked TX 5152 for a point of curve;

Thence 39.03 feet along the arc of a curve to the left which has a radius of 25.00 feet a central angle of 89°26'22" a chord which bears North 45°18'40" West a distance of 35.18 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 89°58'09" West a distance of 2493.58 feet to a set ½" rebar with cap marked TX 5152 for a point of curve;

Thence 39.51 feet along the arc of a curve to the left which has a radius of 25.00 feet a central angle of 90°33'18" a chord which bears South 44°41'30" West a distance of 35.53 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 00°35'09" East a distance of 35.47 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 89°24'51" West a distance of 126.00 feet to a set ½" rebar with cap marked TX 5152;

Thence, North 00°35'09" West a distance of 37.18 feet to a set ½" rebar with cap marked TX 5152 for a point of curve;

Thence 39.03 feet along the arc of a curve to the left which has a radius of 25.00 feet a central angle of 89°26'42" a chord which bears North 45°18'30" West a distance of 35.18 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 89°58'09" West a distance of 586.99 feet to a set ½" rebar with cap marked TX 5152 to a point of curve;

Thence 393.23 feet along the arc of a curve to the left which has a radius of 1189.00 feet a central angle of 18°56'57" a chord which bears South 80°29'40" West a distance of 391.44 feet to the "TRUE POINT OF BEGINNING" and containing 50,323 Square Feet or 1.1553 acres of land more or less.

Note: A drawing of even date accompanies this survey.

  
Ron R. Conde  
R.P.L.S. No. 5152



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CONDE INC  
ENGINEERING / LAND SURVEYING / PLANNING  
6080 SURETY DRIVE / SUITE 100 / EL PASO, TEXAS 79905  
(915) 592-0283 FAX (915) 592-0286

Prepared for: Southwest Land Development Services Inc.  
May 21, 2013  
(Proposed Annexation Round-About, Parcel 2)

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a Portion of Section 19, Block 78, Township 2, Texas and Pacific Railway Company Surveys, City Of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing brass disk city monument at the centerline intersection of John Hayes St. and Lookout Point Dr. from which an existing brass disk City monument at the centerline intersection of John Hayes St. and Ralph Seitsinger Dr. bears North 00°35'06" West a distance of 1652.85 feet; Thence, South 84°34'03" East a distance of 5343.67 feet to a set ½" rebar with cap marked TX 5152 for the common corner of sections 47 and 48, Block 79, Township 2, and sections 18 and 19, Block 78, Township 2, Texas and Pacific Railway Company Surveys for the "TRUE POINT OF BEGINNING".

Thence, South 89°58'30" East a distance of 119.93 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 00°01'30" West a distance of 60.00 feet to a set ½" rebar with cap marked TX 5152;

Thence, North 89°58'30" West a distance of 39.06 feet to a set ½" rebar with cap marked TX 5152 for a point of curve;

Thence 31.63 feet along the arc of a curve to the left which has a radius of 20.00 feet a central angle of 90°37'00" a chord which bears South 44°43'00" West a distance of 28.44 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 00°35'30" East a distance of 32.66 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 89°24'30" West a distance of 60.00 feet to a set ½" rebar with cap marked TX 5152;

Thence North 00°35'30" West a distance of 113.52 feet to the "TRUE POINT OF BEGINNING" and containing 10,456 Square Feet or 0.2400 acres of land more or less.

Note: A drawing of even date accompanies this survey.

  
Ron R. Conde  
R.P.L.S. No. 5152



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Prepared for: Southwest Land Development Services Inc.  
May 21, 2013  
(Proposed Annexation Round-About, Parcel 3)

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a Portion of Section 18, Block 78, Township 2, Texas and Pacific Railway Company Surveys, City Of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing brass disk city monument at the centerline intersection of John Hayes St. and Lookout Point Dr. from which an existing brass disk City monument at the centerline intersection of John Hayes St. and Ralph Seitsinger Dr. bears North 00°35'06" West a distance of 1652.85 feet; Thence, South 84°38'40" East a distance of 5420.56 feet to a set ½" rebar with cap marked TX 5152 for the "TRUE POINT OF BEGINNING".

Thence, North 03°26'40" West a distance of 50.09 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 89°58'30" East a distance of 45.73 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 00°01'30" West a distance of 50.00 feet to a set ½" rebar with cap marked TX 5152 for a point of curve;

Thence North 89°58'30" West a distance of 42.70 feet to the "TRUE POINT OF BEGINNING" and containing 2,211 Square Feet or 0.0507 acres of land more or less.

Note: A drawing of even date accompanies this survey.

  
Ron R. Conde  
R.P.L.S. No. 5152



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Prepared for: Southwest Land Development Services Inc.  
May 21, 2013  
(Proposed Annexation Round-About, Parcel 4)

#### METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a Portion of Section 18, Block 78, Township 2, Texas and Pacific Railway Company Surveys, City Of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing brass disk city monument at the centerline intersection of John Hayes St. and Lookout Point Dr. from which an existing brass disk City monument at the centerline intersection of John Hayes St. and Ralph Seitsinger Dr. bears North 00°35'06" West a distance of 1652.85 feet; Thence, North 73°38'50" East a distance of 5573.72 feet to a set ½" rebar with cap marked TX 5152 for the "TRUE POINT OF BEGINNING".

Thence, North 00°35'30" West a distance of 163.95 feet to a set ½" rebar with cap marked TX 5152;

Thence 20.51 feet along the arc of a curve to the left which has a radius of 25.00 feet a central angle of 47°00'51" a chord which bears South 24°05'55" East a distance of 19.94 feet to a set ½" rebar with cap marked TX 5152;

Thence 22.13 feet along the arc of a curve to the right which has a radius of 85.00 feet a central angle of 14°55'07" a chord which bears South 40°08'47" East a distance of 22.07 feet to a set ½" rebar with cap marked TX 5152;

Thence 47.04 feet along the arc of a curve to the left which has a radius of 40.00 feet a central angle of 67°22'31" a chord which bears South 66°22'28" East a distance of 44.37 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 10°03'44" East a distance of 75.27 feet to a set ½" rebar with cap marked TX 5152;

Thence, South 82°54'33" West a distance of 47.68 feet to a set ½" rebar with cap marked TX 5152 for a point of curve;

Thence 45.18 feet along the arc of a curve to the left which has a radius of 31.00 feet a central angle of 83°30'03" a chord which bears South 41°09'32" West a distance of 41.28 feet to the "TRUE POINT OF BEGINNING" and containing 6,452 Square Feet or 0.1481 acres of land more or less.

Note: A drawing of even date accompanies this survey.

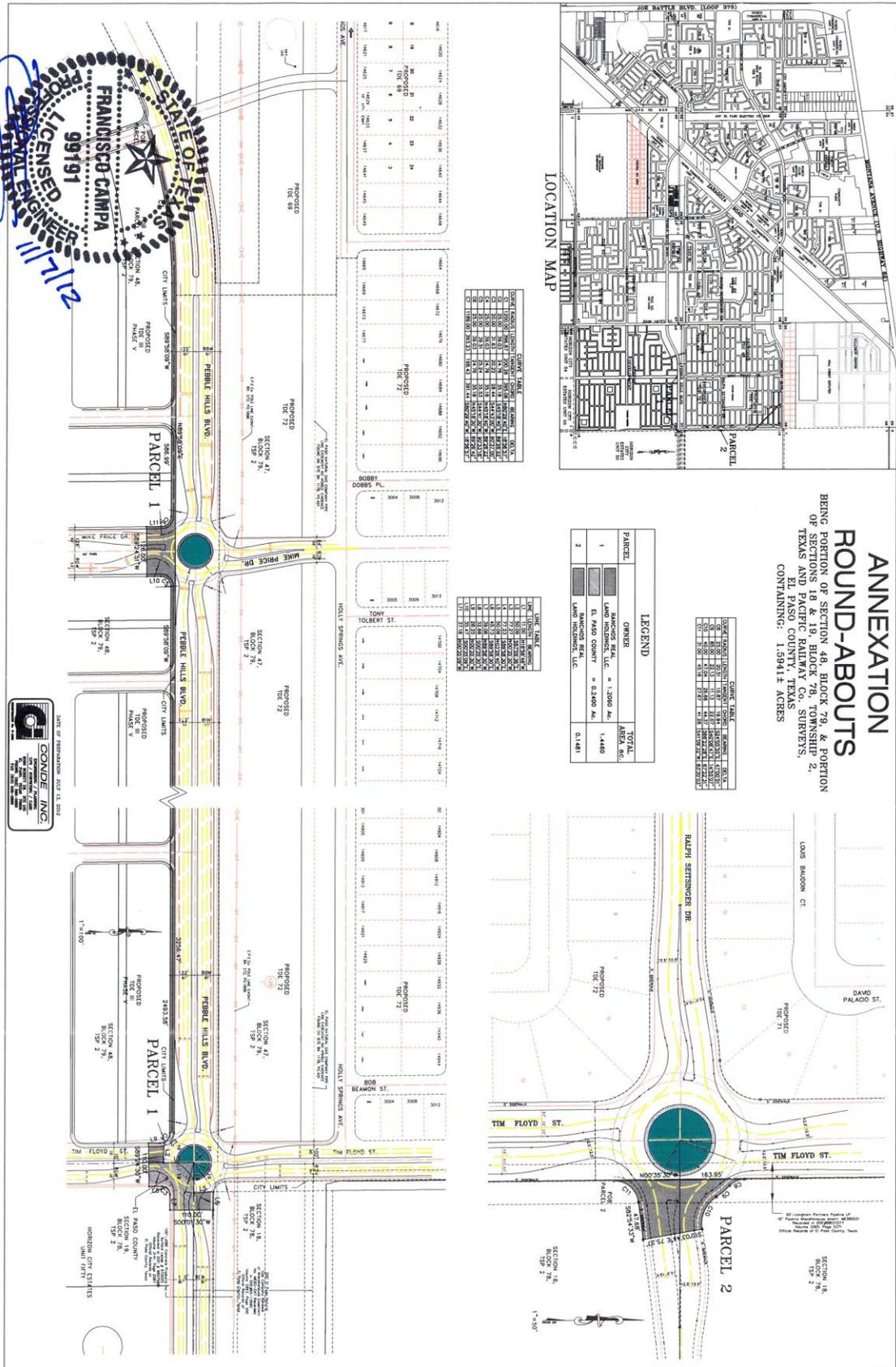
  
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Exhibit "B"



## EXHIBIT “C”

### CITY OF EL PASO ANNEXATION SERVICE PLAN

#### INTRODUCTION

This Service Plan (Plan) is made by the City of El Paso, Texas (City) pursuant to Chapter 43 Municipal Annexation of the Texas Local Government Code. This Plan is made specifically for a 1.5941-acres of property located in the City’s East Extraterritorial Jurisdiction (ETJ). A portion of Section 48, Block 79, & portion of Sections 18 & 19, Block 78, Township 2, Texas and Pacific Railway Company Surveys, El Paso County, Texas. The area is more specifically described by metes and bounds in Exhibit “A” and the survey Exhibit “B”, which are attached to the annexation ordinance of which this Plan is a part.

#### EFFECTIVE TERM

This Plan shall be in effect for a ten-year period commencing on the effective date of the annexation, unless otherwise stated in this Plan. Renewal of the Plan shall be at the option of the City. Such option may be exercised by the adoption of an ordinance by the City Council, which refers to this Plan and specifically renews this Plan for a stated period of time.

#### INTENT

It is the intent of the City of El Paso that services under this Plan shall provide full municipal services in accordance with State law and the Annexation Agreement entered into by the property owners and the City, such agreement being identified as Exhibit “D” and is attached to the annexation ordinance.

The City reserves the right guaranteed to it by Section 43.056(k) Texas Local Government Code, to amend this Plan if the City Council determines that changed conditions or subsequent occurrence or any other legally sufficient circumstances exist under the Local Government Code, or other Texas laws to make this Plan unworkable or obsolete or unlawful.

#### SERVICE COMPONENTS

This Plan includes three service components: (1) Immediate Services Program, (2) Additional Services, and (3) a Capital Improvement Program.

As used in this Plan, providing services includes having services provided by any method or means by which the City extends municipal services to any other area of the City. This may include causing or allowing private utilities; governmental entities and other public service organizations to provide such services by contract, in whole or in part. It may also include separate agreements with associations or similar entities.

#### 1. Immediate Services Program

The following services will be provided in the annexation area immediately upon the effective date of the annexation, unless otherwise noted.

- a. Police Protection. The El Paso Police Department will provide protection and law enforcement services in the annexation area on the effective date of annexation. These services include:

- normal patrols and responses;
  - handling of complaints and incident reports;
  - special units, such as, traffic enforcement, criminal investigations, narcotics, gang suppressions, and special weapons and tactics team.
- b. Fire Protection. The El Paso Fire Department will provide emergency medical services and fire protection services in the annexation area, on the effective date of annexation. These services include:
- fire suppression and rescue;
  - emergency medical services;
  - hazardous materials mitigation and regulation;
  - emergency prevention and public education efforts;
  - construction plan review;
  - inspections.
- c. Solid Waste Collection. No solid waste collection services will be available within the annexation area except for the following:
- dead animal collection - dead animals are removed from roadways upon request.
- d. Maintenance of Water and Wastewater Facilities. The City's Public Service Board/El Paso Water Utilities (EPWU) will maintain water and wastewater facilities in the annexed area that are not within the service area of another water or wastewater utility and as governed by their Rules and Regulations. The subject property is located within the City of El Paso Eastside Impact Fee Service Area. Impact fees will be assessed and collected by EPWU after the El Paso Water Utilities receives an application for water and sanitary sewer services.
- e. Maintenance of Roads and Streets, Including Street Lighting. The City of El Paso will maintain public streets over which the City has jurisdiction. These services include:
- emergency pavement repair;
  - ice and snow monitoring of major thoroughfares
  - maintenance of public streets on as-needed basis and in accordance with established policies of the City.
- f. Maintenance of Parks, Playgrounds, and Swimming Pools. No public recreation facilities will be located within the annexation area however, the nearest public neighborhood park is located within 970 feet of the annexed area.

## **2. Additional Services**

Certain services, in addition to the above services, will be provided within the annexation area. They are as follows:

- a. Drainage Services. El Paso Water Utilities/ Public Service Board will provide drainage maintenance in the annexation area in accordance with established policies of the City. Services include:
- maintenance of existing public ponding areas and retention dams;
  - storm sewer maintenance;

- emergency spills and pollution complaints response related to storm drainage systems;

The following services will be provided by the City Development's Land Development Division:

- watershed development review and inspection;
  - flood plain office (information relating to flood plains).
- Public Library Department. No library facilities will be located within the annexation area however, the nearest public library is located 2.6 miles of the annexed area.
  - Inspection Services. The City of El Paso will provide inspection services including building, electrical, plumbing, gas, engineering, housing and environmental. These inspections services will be provided as necessary to the annexation area.
  - Department of Public Health. All of the Public Health services codes and regulations will be extended to the annexed area on the effective date of annexation
  - Planning and Zoning. All land annexed shall be classified in the R-F zoning district, unless the applicant submits a rezoning application which will be subject to a public hearing by the City Plan Commission on the appropriate zoning classification and action by the City Council.
  - Other Services. The City will provide all other services not specifically listed above, in the annexed area according to established City policies and procedures.

### **3. Capital Improvements Program**

The City will initiate the construction of capital improvements necessary for providing municipal services for the annexation area as necessary. Any such construction or acquisition shall begin within two and a half (2 ½) years of the effective date of the annexation and shall be substantially completed within four and half (4 ½) years after that date. Construction of any capital improvement within the annexation area will be done in accordance with the established policies of the City.

- Police Protection. No capital improvements are necessary to serve the annexed area.
- Fire Protection. No capital improvements are necessary to serve the annexed area.
- Solid Waste Collection. No capital improvements are necessary to serve the annexed area.
- Water and Wastewater Facilities. Water and wastewater service will be provided in accordance with the El Paso Water Utility's Rules and Regulations. Capital improvements will be initiated pursuant to the facilities plan for the annexed area. Water and Wastewater services to new subdivisions will be provided according to the standard policies and procedures of the El Paso Water Utilities, which may require the developer of a new subdivision to install water and wastewater utility lines. The extension of water and sewer service will be provided in

accordance with the adopted Rules and Regulations of the El Paso Water Utilities.

- e. Roads and Streets. Road or street related capital improvements will be built once the annexation is finalized. In general, the City will acquire control and jurisdiction of all public roads and public streets within the annexation area upon annexation. Future extensions of roads or streets and future installation of related facilities, such as traffic control devices, will be governed by the City's standard policies and procedures.
- f. Parks, Playgrounds and Swimming Pools. No capital improvements are necessary to serve the annexed area.
- g. Drainage Facilities. No capital improvements are necessary to serve the annexed area
- h. Street Lighting. The developer will install public street lighting in accordance with the City's standard policies and procedures.
- i. Other Publicly Owned Facilities, Building or Services: In general, other City functions and services, and the additional services described above can be provided for the annexation area by using existing capital improvements. Additional capital improvements are not necessary to provide City services.
- j. Capital Improvement Planning. The annexation area will be included with other territory in connection with planning for new or expanded facilities, functions, and services in accordance with established policies of the City.

## **AMENDMENT: GOVERNING LAW**

This Plan may not be amended or repealed except as provided by the Texas Local Government Code or other controlling law. Neither changes in the methods or means of implementing any part of the service programs nor changes in the responsibilities of the various departments of the City shall constitute amendments to this Plan, and the City reserves the right to make such changes. This Plan is subject to and shall be interpreted in accordance with the Constitution and laws of the United States of America and the State of Texas, the Texas Local Government Code, and the orders, rules regulations of governmental bodies and officers having jurisdiction.

## **FORCE MAJEURE**

In case of an emergency, such as force majeure as that term is defined in this Plan, in which the City is forced to temporarily divert its personnel and resources away from the annexation area for humanitarian purposes or protection of the general public, the City obligates itself to take all reasonable measures to restore services to the annexation area of the level described in this Plan as soon as possible. Force Majeure shall include, but not be limited to, acts of God, acts of the public enemy, war, blockages, insurrection, riots, epidemics, landslides, lightning, earthquakes, fires, storms, floods, washouts, droughts, tornadoes, hurricanes, arrest and restraint of government, explosions, collisions, and other inability of the City, whether similar to those enumerated or otherwise, which is not within the control of the City. Unavailability or shortage of funds shall not constitute Force Majeure.