

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Aviation

AGENDA DATE: February 8, 2011

CONTACT PERSON/PHONE: Monica Lombraña, A.A.E. -780-4793

DISTRICT(S) AFFECTED: All

SUBJECT:

Authorize the City Manager to begin termination proceedings for an Industrial Site Lease (Lease) between the City of El Paso (City) and Bobrow Family Limited Partnership (Lessee) for the following property: a portion of Lot 9, Block 5, El Paso International Airport Tracts, Unit 3, City of El Paso, El Paso County, Texas, more commonly known and numbered as 1633 Airway Blvd., El Paso, Texas.

BACKGROUND / DISCUSSION:

On November 1, 2000, the City entered into the Lease for a term of 20 years with 2 additional terms of 10 years each. The property is located at the southwest corner of Airway Boulevard and Boeing Drive and contains approximately 398,260 square feet of land.

On May 6, 2003 City Council approved a Resolution to begin termination proceedings for the Lease based on numerous violations of the Declarations and Covenants for the property. The violations included the deterioration of a vacated building, landscaping, and the need for general clean up of the premises.

On December 9, 2003, City Council approved a Lease Reinstatement and Modification Agreement with Lessee. Lessee agreed to cure all events of default and requested reinstatement of the Lease. The City agreed and executed the Lease Reinstatement and Modification Agreement which is still in effect.

Currently, the Lessee is delinquent in payments required by the Lease and has not submitted a monthly rental payment since June, 2010. The total amount due on the account as of February 1, 2011 is \$159,872.66. Lessee has been duly notified by airport staff and the City Attorney's Office in accordance with the terms and conditions of the Lease.

The Department of Aviation requests to proceed with termination of the Lease.

PRIOR COUNCIL ACTION:

- Industrial Site Lease approved by City Council on November 28, 2000
- Resolution to begin termination proceedings approved by City Council on May 6, 2003
- Lease Reinstatement and Modification Agreement approved by City Council on December 9, 2003

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:



Monica Lombraña, A.A.E., Director of Aviation

Information copy to appropriate Deputy City Manager

RESOLUTION

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

That the City Manager be authorized to begin termination proceedings for an Industrial Site Lease between the City of El Paso and Bobrow Family Limited Partnership for the following property: a portion of Lot 9, Block 5, El Paso International Airport Tracts, Unit 3, City of El Paso, El Paso County, Texas, more commonly known and numbered as 1633 Airway Blvd., El Paso, Texas.

ADOPTED THIS ____ DAY OF _____, 2011.

THE CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Theresa Cullen
Deputy City Attorney

Monica Lombraña, A.A.E.
Director of Aviation

