

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

DEPARTMENT: AIRPORT

AGENDA DATE: May 22, 2012

CONTACT PERSON NAME AND PHONE NUMBER: Monica Lombraña/780-4724

DISTRICT(S) AFFECTED: 3

**SUBJECT:**

**APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.**

This item is a Resolution to authorize the City Manager to sign "Supplemental Lease Agreement No. 1" to Lease No. HSBP-1109-L-DA00156 between the City of El Paso and the United States of America for Lot 1, Block 4 and the northeasterly 10 feet of Lot 2, Block 4, El Paso International Airport Tracts (Replat), El Paso, Texas, and commonly known as 6812 Northrop Road, to extend the lease for a term of five (5) years plus one option of five (5) years.

**BACKGROUND / DISCUSSION:**

**Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?**

The U. S. Customs and Border Protection (USCBP) Office of Air and Marine (OAM) El Paso Sector leases the hangar and office space at 6812 Northrop Road. The Government has requested to amend the existing lease to include an extension, under the same terms and conditions, for a period of five (5) years plus one option to extend of five (5) years to be exercised at their discretion. Department of Aviation staff recommends approval of the extension to allow the Lessee to remain in the current leasehold as well as to continue working with USCBP OAM staff as they complete their facilities strategic planning process, which includes assessment of future operations and space needs at the El Paso International Airport.

**PRIOR COUNCIL ACTION:**

**Has the Council previously considered this item or a closely related one?**

June 16, 2009 – Approval of Lease No. HSBP-1109-L-DA00156 between the City of El Paso and the United States of America for the rental of 6812 Northrop Road for the term of July 1, 2009, through August 31, 2012.

**AMOUNT AND SOURCE OF FUNDING:**

**How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?**

N/A – this is a revenue-generating item

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**BOARD / COMMISSION ACTION: N/A**

Enter appropriate comments or N/A

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

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

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

## RESOLUTION

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

That the City Manager be authorized to sign "Supplemental Lease Agreement No. 1" to Lease No. HSBP-1109-L-DA00156 between the City of El Paso and the United States of America for Lot 1, Block 4 and the northeasterly 10 feet of Lot 2, Block 4, El Paso International Airport Tracts (Replat), El Paso, El Paso County, Texas, and commonly known as 6812 Northrop Road, to extend the term of the lease for a term of five (5) years plus one option of five (5) years.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2012.

### THE CITY OF EL PASO

\_\_\_\_\_  
John. F. Cook  
Mayor

### ATTEST:

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

### APPROVED AS TO FORM:

  
\_\_\_\_\_  
Theresa Cullen  
Deputy City Attorney

### APPROVED AS TO CONTENT:

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

U.S. DEPARTMENT OF HOMELAND SECURITY  
CUSTOMS AND BORDER PROTECTION  
**SUPPLEMENTAL LEASE AGREEMENT**

SUPPLEMENTAL LEASE AGREEMENT  
**NO. 1**  
TO LEASE NO.  
**HSBP-1109-L-DA00156**

ADDRESS OF PREMISES 6812 Northrop Drive, El Paso, Texas 79925

THIS AGREEMENT, made and entered into this date by and between  
City of El Paso  
El Paso International Airport  
Whose address is 6701 Convair Rd.  
El Paso, TX 79925

Hereinafter called the Lessor, and the UNITED STATES OF AMERICA, hereinafter called the Government:

The purpose of Supplemental Lease Agreement (SLA) No. 1 is:

To extend the term of the lease and to correct the Government's mailing address. Accordingly paragraphs 2 and 14 are hereby deleted in their entirety and substituted by the following paragraphs:

NOW THEREFORE, the parties covenant and agree that the said Lease is amended effective September 1, 2012, as follows:

2. TO HAVE AND TO HOLD the said premises with their appurtenances for the term beginning September 1, 2012, through August 31, 2017, subject to, renewal, and termination rights as may be hereinafter set forth, with one (1) five-year renewal option for a total of ten (10) years, at the existing rental rate pursuant to paragraph 3 of the lease agreement, which shall run solely in the favor of the Government, provided adequate funds are available from Congress for payment of rentals. Renewal is within the sole discretion of the Government and may only be accomplished upon an affirmative act of the Government.
14. Whenever in this Lease Agreement it shall be required or permitted that notice of demand be given or served by either party, such notice or demand shall be given or served in writing and sent by certified mail to:

**LESSOR**  
City of El Paso, Texas  
Department of Aviation  
6701 Convair Drive  
El Paso, TX. 79925-1099

**GOVERNMENT**  
U.S. Department of Homeland Security  
Customs and Border Protection  
Air & Marine Facilities  
ATTN: Leasing Acquisition and Administration Branch  
150 Westpark Way, Suite 300  
Euless, Texas 76040-3962

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All other terms and conditions of the lease shall remain in force and effect.

IN WITNESS WHEREOF, the parties subscribed their names as of the above date.

**LESSOR**

Date:

BY \_\_\_\_\_ **City Manager** \_\_\_\_\_  
(Signature) (Title)

**UNITED STATES OF AMERICA**

Contracting Officer, Rafael M. Narvaez

Date

APPROVED AS TO FORM:



Theresa Cullen  
Deputy City Attorney

APPROVED AS TO CONTENT:



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