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

DEPARTMENT: **Purchasing Dept, Capital Assets Division**

AGENDA DATE: **June 21, 2005**

CONTACT PERSON/PHONE: **Byron E. Johnson, C.P.M., Director of Purchasing, 541-4308**

DISTRICT(S) AFFECTED: **3**

SUBJECT:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT OF SALE AND ANY OTHER NECESSARY DOCUMENTS BETWEEN THE CITY OF EL PASO AND THE COUNTY OF El PASO, El PASO, TEXAS WHICH WILL ALLOW FOR THE CITY TO CONVEY PROPERTY COMMONLY KNOWN AS 211 AND 325 SHELTER PLACE, EL PASO, EL PASO COUNTY, TEXAS, INCLUDING THE IMPROVEMENTS THEREON.

BACKGROUND / DISCUSSION:

The El Paso County Commissioners Court on May 23, 2005, adopted a Commissioners Court Order offering to purchase the property owned by the City of El Paso located at 211 and 325 Shelter Place for a total purchase price of $435,000.00 The County does not wish to accept assignment of the City's current lease with the El Paso Humane Society, but upon transfer of the title to the County, the Court has agreed to enter into a new lease with the Humane Society for three years to expire on December 31, 2008, for $1.00 per year. It is our understanding that the Humane Society is in agreement with this and has indicated that this will be sufficient time for them to fundraise and construct their new facility.

There was no city function that would readily capitalize on these premises or department or department interested in these properties, additionally the DCC moved to approve the release of the properties for sale.

PRIOR COUNCIL ACTION:

None

AMOUNT AND SOURCE OF FUNDING:

BOARD / COMMISSION ACTION:

El Paso County Commissioners Court adopted a Commissioners Court Order offering to purchase the property on May 23, 2005.

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

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: _____

(Example: if RCA is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

DATE: June 13, 2005

TO: Municipal Clerk

FROM: Byron E. Johnson, C.P.M.
Director of Purchasing X 4313

THRU: Catherine A. Stern
Secretary III, X 4308

Please place the following item on the **REGULAR** agenda for the Council Meeting of **JUNE 21, 2005**.

ORDINANCE:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT OF SALE AND ANY OTHER NECESSARY DOCUMENTS BETWEEN THE CITY OF EL PASO AND THE COUNTY OF El PASO, El PASO, TEXAS WHICH WILL ALLOW FOR THE CITY TO CONVEY PROPERTY COMMONLY KNOWN AS 211 AND 325 SHELTER PLACE, EL PASO, EL PASO COUNTY, TEXAS, INCLUDING THE IMPROVEMENTS THEREON.

Contact person: Byron E. Johnson, C.P.M., Director of Purchasing, 541-4313

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AGENDA FOR: **JUNE 21, 2005**

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ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO SIGN A CONTRACT OF SALE AND ANY OTHER NECESSARY DOCUMENTS BETWEEN THE CITY OF EL PASO AND THE COUNTY OF El PASO, El PASO, TEXAS WHICH WILL ALLOW FOR THE CITY TO CONVEY PROPERTY COMMONLY KNOWN AS 211 AND 325 SHELTER PLACE, EL PASO, EL PASO COUNTY, TEXAS, INCLUDING THE IMPROVEMENTS THEREON.

WHEREAS, the City of El Paso staff recommended property described locally known as 211 and 325 Shelter Place, El Paso, El Paso County, Texas, including the improvements thereon, be sold; and,

WHEREAS, the County of El Paso, Texas has requested that the City of El Paso convey these properties to it; and

WHEREAS, the City of El Paso has received an independent appraisal of $435,000.00 as the fair market value of its interest in 211 and 325 Shelter Place, El Paso, El Paso County, Texas; and

WHEREAS, the County of El Paso is a governmental entity that has the power of eminent domain, and

WHEREAS, Section 272.001 of the Texas Local Government Code provides a political subdivision of the state, may convey land to a governmental entity without the statutory required notice and bidding requirements; and,

WHEREAS, the El Paso City Council finds that it is in the public interest to convey the property the subject of this ordinance to the County of El Paso,

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

That the City Manager is hereby authorized to sign a Contract of Sale and any other necessary documents, in a form approved by the City Attorney's Office, conveying to the County of El Paso, Texas the real property commonly known as 211 and 325 Shelter Place, El Paso, El Paso County, Texas, including the improvements thereon.

PASSED AND APPROVED this _____ day of _____, 2005.

THE CITY OF EL PASO

_____
John F. Cook
Mayor

ATTEST:

_____
Richarda Momsen
Municipal Clerk

APPROVED AS TO CONTENT:

_____
Byron E. Johnson
Director of Purchasing

APPROVED AS TO FORM:

_____
Theresa Cullen-Garney
Deputy City Attorney

May 23, 2005

Mr. Byron Johnson
City of El Paso Purchasing Director
1 Civic Center Plaza
El Paso, TX 79999

Dear Mr. Johnson,

Today the El Paso County Commissioners Court adopted a Commissioners Court Order offering to purchase the property owned by the City of El Paso located at 211 and 325 Shelter Place for a total purchase price of $435,000.00. The County does not wish to accept assignment of the City's current lease with the El Paso Humane Society, but upon transfer of the title to the County, the Court has agreed to enter into a new lease with the Humane Society for three years to expire on December 31, 2008, for $1.00 per year. It is our understanding that the Humane Society is in agreement with this and has indicated that this will be sufficient time for them to fundraise and construct their new facility.

Please communicate this offer by the El Paso County Commissioners Court to the Mayor and City Council at your earliest convenience.

Very Truly Yours,

Piti Vasquez
El Paso County Purchasing Agent

Xc: Dr. John McCabe
President, El Paso Humane Society