

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

**DEPARTMENT: Mass Transit Department (Sun Metro)**

**AGENDA DATE: August 9, 2011 Consent Agenda**

**CONTACT PERSON/PHONE NUMBER: Jay Banasiak, Sun Metro Director 915-534-5810**

**DISTRICT(S) AFFECTED: All**

**SUBJECT:**

That the City Manager be authorized to sign an Agreement to extend the License Agreement by and between the CITY OF EL PASO and the NEW MEXICO DEPARTMENT OF TRANSPORTATION for the use of City property located at 400 West San Antonio Street, El Paso, Texas 79901 (the Union Plaza Transit Terminal), 601 Santa Fe Street, El Paso, Texas 79901 (the Bert Williams Downtown Santa Fe Transfer Center) and 7535 Remcon Circle, El Paso, Texas 79912 (the Westside Transfer Center), as bus stops for the New Mexico Park and Ride Bus Service connecting El Paso County, Texas and Doña Ana County, New Mexico entered on September 1, 2009 for a one year renewal under paragraph 2 of the License Agreement, and authorizing the City Manager to enter into future agreements to extend this License Agreement.

**BACKGROUND / DISCUSSION:**

The New Mexico Department of Transportation and the City of El Paso recognize the need for transportation services linking El Paso County, Texas and Doña Ana County, New Mexico. This service will provide El Paso ridership with convenient public transportation to and from Las Cruces, New Mexico. An agreement between the parties is necessary to allow the New Mexico Department of Transportation to use City property for bus stops within the City of El Paso.

**PRIOR COUNCIL ACTION:**

Original agreement authorizing City Manager to enter into future agreements approved on September 1, 2009.

**AMOUNT AND SOURCE OF FUNDING:**

No funding is necessary.

---

**BOARD / COMMISSION ACTION:**

Mass Transit Board approved the renewal of the License Agreement on August 2, 2011.

---

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

**DEPARTMENT HEAD:** \_\_\_\_\_

*Information copy to appropriate Deputy City Manager*

**RESOLUTION**

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

That the City Manager be authorized to sign an Agreement to extend the License Agreement by and between the **CITY OF EL PASO** and the **NEW MEXICO DEPARTMENT OF TRANSPORTATION** for the use of City property located at 400 West San Antonio Street, El Paso, Texas 79901 (the Union Plaza Transit Terminal), 601 Santa Fe Street, El Paso, Texas 79901 (the Bert Williams Downtown Santa Fe Transfer Center) and 7535 Remcon Circle, El Paso, Texas 79912 (the Westside Transfer Center), as bus stops for the New Mexico Park and Ride Bus Service connecting El Paso County, Texas and Doña Ana County, New Mexico entered on September 1, 2009 for a one year renewal under paragraph 2 of the License Agreement, and authorizing the City Manager to enter into future agreements to extend this License Agreement.

**ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.**

THE CITY OF EL PASO

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

ATTEST:

\_\_\_\_\_  
Richarda D. Momsen  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Kristen L. Hamilton  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Jay Banasiak, Director  
Mass Transit Department

STATE OF TEXAS            )  
  )  
  )  
COUNTY OF EL PASO        )

**AGREEMENT TO EXTEND**  
**LICENSE AGREEMENT**

This Agreement to Extend is entered into and effective as of the \_\_\_\_\_ day of \_\_\_\_\_, 2011 by and between the City of El Paso (the "City"), a municipal corporation under the laws of the State of Texas and the New Mexico Department of Transportation, (the "Department") hereinafter collectively referred to as the "Parties."

**WHEREAS**, the on September 1, 2009, the Parties entered into a License Agreement granting a non-exclusive license to the Department for use of City property providing for a New Mexico Park and Ride Bus Service linking El Paso County, Texas and Dona Ana County, New Mexico (hereinafter "Original Agreement"); and,

**WHEREAS**, the Original Agreement provided that it may be extended on a year-by-year basis by mutual written consent; and

**WHEREAS**, it is to the mutual advantage of the City and the Department to extend this Agreement.

**NOW, THEREFORE**, it is mutually agreed by and between the City and the Department as follows:

1. That the Original Agreement entered into between the parties on September 1, 2009 and all of its terms are extended for one year effective August 26, 2011.
2. That the City Manager is hereby authorized to exercise the option to enter into future Agreements to Extend the License Agreement under paragraph 2 of the Original agreement.
3. The individual signing this Agreement to Extend acknowledges that he or she is authorized to do so and said individual further warrants that he or she is authorized to commit and bind the party to the terms and conditions of this Agreement to Extend.
4. All other terms of the Original Agreement remain in full force and effect.

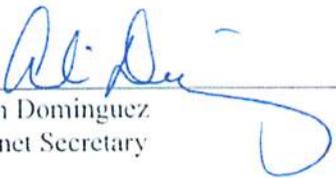
**IN WITNESS WHEREOF**, the Department has caused the execution of this Agreement by authority of its proper officers and the City through its proper officers on this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

*(signatures to follow on next page)*

THE CITY OF EL PASO

\_\_\_\_\_  
Joyce A. Wilson  
City Manager

NEW MEXICO DEPARTMENT OF  
TRANSPORTATION

  
\_\_\_\_\_  
Alvin Dominguez  
Cabinet Secretary

ATTEST:

\_\_\_\_\_  
Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Kristen L. Hamilton  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Jay Banasiak, Director  
Mass Transit Department