

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

DEPARTMENT: Mayor and Council
AGENDA DATE: January 6, 2015
CONTACT PERSON/PHONE: Bertha A. Ontiveros (212-0033)
DISTRICT(S) AFFECTED: District 8

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.

ACCEPTING THE TRANSFER FROM THE INVENTORY OF THE EL PASO WATER UTILITIES – PUBLIC SERVICE BOARD THE REAL PROPERTY COMMONLY KNOWN AS 130 N. COTTON STREET, DESCRIBED AS ALL OF LOTS 1 THROUGH 18 (INCLUSIVE) AND A PORTION OF LOTS 19 THROUGH 21 (INCLUSIVE), ALL OF LOTS 56 THROUGH 71 (INCLUSIVE) AND A PORTION OF LOTS 52 THROUGH 55 (INCLUSIVE), BLOCK 71, COTTON ADDITION, AN ADDITION TO THE CITY OF EL PASO, FOR CONSIDERATION PAYABLE TO THE EPWU-PSB OF THE CURRENT APPRAISED VALUE OF \$830,000, THAT THE EPWU-PSB RELOCATE ON OR ABOUT OCTOBER 31, 2015 AND THAT THE CITY MANAGER BE AUTHORIZED TO EXECUTE ANY DOCUMENTS OR TAKE ANY FURTHER ACTIONS NECESSARY TO EFFECTUATE THE TRANSFER TO THE CITY INVENTORY

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 City owns certain property located at 130 N. Cotton and has negotiated with the Rescue Mission to convey the Cotton Property to the Rescue Mission in exchange for the simultaneous conveyance of property owned by the Rescue Mission at 900 Wyoming to the City.

The El Paso Water Utilities – Public Service Board (“PSB”) has occupied the Cotton Property since 1985. On November 12, 2014, the PSB found that the Cotton Property is inexpedient to the water utility system and can be conveyed to the City’s land inventory for conveyance to the Rescue Mission, provided that the PSB is not required to relocate from the land until 12 months after the City makes a final determination to acquire the land from the PSB.

The PSB has appraised the Cotton Property and the appraised value of the property is \$830,000. City staff has recommended that the City accept the Cotton Property from the PSB and that in consideration of the transfer, the City pay the PSB the appraised value of the land.

The Rescue Mission notified the City that it has received an extension from the Texas Department of Transportation to relocate by July 31, 2016 and the City therefore wants the PSB to relocate on or about July 31, 2015 in order to allow the City to convey the property to the Rescue Mission on or about July 31, 2015.

PRIOR COUNCIL ACTION:

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

N/A

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?

BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

*******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:** _____

RESOLUTION

ACCEPTING THE TRANSFER FROM THE INVENTORY OF THE EL PASO WATER UTILITIES – PUBLIC SERVICE BOARD THE REAL PROPERTY COMMONLY KNOWN AS 130 N. COTTON STREET, DESCRIBED AS ALL OF LOTS 1 THROUGH 18 (INCLUSIVE) AND A PORTION OF LOTS 19 THROUGH 21 (INCLUSIVE), ALL OF LOTS 56 THROUGH 71 (INCLUSIVE) AND A PORTION OF LOTS 52 THROUGH 55 (INCLUSIVE), BLOCK 71, COTTON ADDITION, AN ADDITION TO THE CITY OF EL PASO, FOR CONSIDERATION PAYABLE TO THE EPWU-PSB OF THE CURRENT APPRAISED VALUE OF \$830,000, THAT THE EPWU-PSB RELOCATE ON OR ABOUT OCTOBER 31, 2015 AND THAT THE CITY MANAGER BE AUTHORIZED TO EXECUTE ANY DOCUMENTS OR TAKE ANY FURTHER ACTIONS NECESSARY TO EFFECTUATE THE TRANSFER TO THE CITY INVENTORY

WHEREAS, City is the owner of a parcel of real property and all improvements located thereon at 130 Cotton Street in the City of El Paso, Texas, as more particularly described as all of all of Lots 1 through 18 (inclusive) and a portion of Lots 19 through 21 (inclusive), Lots 56 through 71 (inclusive) and a portion of Lots 52 through 55 (inclusive), Block 71, Cotton Addition to the City of El Paso (the “Cotton Property”) and since 1985, the Cotton Property has been held in the property inventory of the El Paso Water Utilities – Public Service Board (“PSB”) for their utility operations;

WHEREAS, on November 12, 2014, the PSB found that the Cotton Property is inexpedient to the water utility system and can be conveyed to the City’s land inventory, provided however, that the PSB shall not be required to relocate from the land until twelve months after the City Council makes a final determination to acquire the land (the “PSB Resolution”);

WHEREAS, the City intends to convey the Cotton Property to the Rescue Mission of El Paso, Inc. for the development, renovation, construction, operation, management and use of the Cotton Property to provide temporary and transitional housing to low-income persons and families and related services to alleviate the effect and assist in the elimination of hunger, displacement and homelessness;

WHEREAS, as consideration for the transfer of the Cotton Property, the City will pay the PSB the appraised value of the Cotton Property, currently valued by a certified appraiser in the amount of \$830,000;

WHEREAS, City needs the PSB to relocate on or before October 31, 2015 in order to allow the City to convey the property to the Rescue Mission on or about November 30, 2015; and

WHEREAS, City staff recommends that the City accept the Cotton Property from the PSB for the appraised value.

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

That the City accepts from the inventory of the El Paso Water Utilities – Public Service Board the real property commonly known as 130 N. Cotton Street, more particularly described as all of Lots 1 through 18 (inclusive) and a portion of Lots 19 through 21 (inclusive), all of Lots 56 through 71 (inclusive) and a portion of Lots 52 through 55 (inclusive), Block 71, Cotton Addition, an Addition to the City of El Paso, for consideration payable to the EPWU-PSB of the current appraised value of \$830,000, that the PSB relocate on or about October 31, 2015 and that the City Manager be authorized to execute any documents or take any further actions necessary to effectuate the transfer to the City inventory.

PASSED AND APPROVED on this the ____ day of _____, 2015.

THE CITY OF EL PASO

Oscar Leeser
Mayor

ATTEST:

Richarda Duffy Momsen,
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Bertha A. Ontiveros
Senior Assistant City Attorney

David Almonte, Deputy City Manager
Health and Safety