

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

DEPARTMENT: Parks and Recreation

AGENDA DATE: January 23, 2018

CONTACT PERSON/PHONE: Tracy Novak, Director (212-1708)

DISTRICT(S) AFFECTED: District 6

STRATEGIC GOAL:

Goal 4 – Enhance El Paso's Quality of Life through Recreational, Cultural, and Educational Environments

SUBJECT:

Approve Resolution authorizing the City Manager to sign a Notice of Termination of the Teens in Action lease and Vacation of Premises, for the City building located at Ysleta Park and Recreation Building, 9068 Socorro Road, El Paso, Texas 79907, due to failure to follow the provisions of the now expired lease.

BACKGROUND / DISCUSSION:

City staff conducted several inspections of the City Premises located at 9068 Socorro Road, and occupied under lease with Teens in Action For a Healthy Community, Inc. These inspections over time revealed numerous discrepancies, that Teens In Action failed to correct. In order to protect city property and to ensure the health, safety and welfare of participants, City staff is recommending termination of the lease and vacation of the premises.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

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

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

DEPARTMENT HEAD: T. Novak

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

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 the Lease Agreement between the City of El Paso and Teens in Action for a Healthy Community, a non-profit corporation, as Tenant, for the following property: a portion of 43 Ysleta, Tract 1C, El Paso, Texas, more commonly known and numbered 9068 Socorro Road, El Paso, Texas, and to authorized the City Manager to take any and all actions to effectuate the termination and the vacation of the premises.

APPROVED this ____ day of _____, 2018.

THE CITY OF EL PASO

ATTEST:

Dee Margo
Mayor

Laura D. Prine
Interim City Clerk

APPROVED AS TO FORM:

Leslie B. Jean-Pierre
Assistant City Attorney

APPROVED AS TO CONTENT:

Tracy Novak, Director
Parks and Recreation Department



Item 5.5

Teens In Action Lease Termination and Vacate Premises

City Council
January 23, 2018



Teens in Action (TIA) Lease

- Ysleta Park – recreation building located at 9068 Socorro Road
- Lease period – January 20, 2019
- 5 year Lease with one 5 year Renewal
- January 2014 lease negotiations began but TIA unresponsive
- Month to month holdover on lease since then



Teens in Action Lease – Milestones

- 1/20/14 - City notifies TIA they are in violation of lease
- City inspections reveal significant issues affecting health, safety and use of the building (12/3/13, 8/6/14, 3/16/17, 8/24/17)
- 4/12/17 - Notice given to TIA that they must cure or leave facility
- 10/18/17 – Summary of past actions reveals repeated attempts to get TIA back on track with lease, with no response



Teens In Action - Violations

- Failure to properly maintain and repair building
- Failure to program the facility in accordance with contract requirements, including use as a teen only facility
- Failure to maintain 501C3 status, as verified with State of Texas, throughout course of lease period
- Failure to provide annual reports



Ceiling Tile and Electrical Wires



"Delivering Outstanding Services"



Office furniture and unused computer work stations



"Delivering Outstanding Services"



Unused computer work stations



"Delivering Outstanding Services"



Restroom in Disrepair





Stained Ceiling Tile



"Delivering Outstanding Services"



Doors in Disrepair





Rusting Exterior Equipment





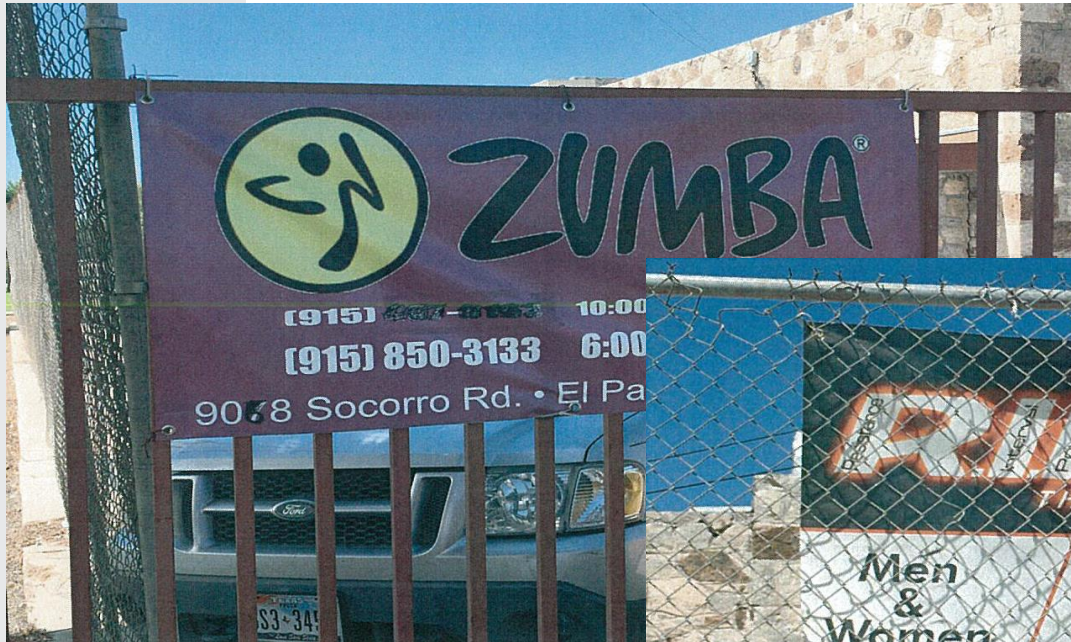
Speakers Improperly Hung From Ceiling



Delivering Outstanding Services



Advertising Adult Activities



"Delivering Outstanding Services"



Security Over Windows Missing



"Delivering Outstanding Services"



Lack of Plumbing Repairs



"Delivering Outstanding Services"



Numerous Code Violations

Emergency battery backup lights need batteries & Fire extinguishers not ADA or City Code compliant



Double door entry ways block by tables and decor items & Shelves in storage room do not meet fire code compliance regulations





Recommendation

**Terminate the lease and
vacate the property with
Teens in Action**