

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

DEPARTMENT: Economic Development

CITY CLERK DEPT.
2018 JAN 16 PM2:12

AGENDA DATE: January 23, 2018

CONTACT PERSON NAME AND PHONE NUMBER: Jose Carlos Villalva (915) 504-5880

DISTRICT(S) AFFECTED:

SUBJECT:

That the City Manager be authorized to sign a Release of License Agreement for the State of Texas, acting through its Texas Department of Transportation, in which the City releases its interest, if any, in the expired Nov. 3, 1998 License Agreement with Clear Channel Outdoors, a Delaware Corporation, successor in interest to Eller Media Company, for the following described property which parcel is needed for the Border Highway West Expansion Project:

Property (including any structures which have been removed by Licensee) subject to a Nov. 3, 1998 License Agreement:

Lots 1-33, Block 24, Mundy Heights and a portion of the Commercial Street abutting Lots 23-32, Block 24, M, Mundy Heights, Second Revised Map, an addition to the City of El Paso, El Paso County, Texas.

BACKGROUND / DISCUSSION:

The State of Texas, on behalf of its Department of Transportation ("TxDOT"), has contracted with Abrams-Kiewit Joint Venture to design and construct the Border Highway West Expansion Project, and that upon completion, the Border Highway West Expansion Project will become a State highway; the construction of the Border Highway West Expansion Project will benefit the community; The Border Highway West Expansion Project will incorporate a parcel of land owned by the City of El Paso ("City") into the project, and TxDOT is negotiating with the City for the acquisition of the identified parcel; On Nov. 3, 1998, the City granted a license agreement to Eller Media Company for the display of outdoor advertising signs on the identified City-owned property, and that license agreement has expired; Clear Channel Outdoors, a Delaware Corporation ("Clear Channel"), claims it is a successor in interest to Eller Media Company under the expired license agreement with the City; and TxDOT has requested that the City release any interest it may have in the expired 1998 License Agreement, and TxDOT will negotiate directly with Clear Channel on the relocation of the billboards;

PRIOR COUNCIL ACTION:

License Nov. 3 1998

AMOUNT AND SOURCE OF FUNDING:


N/A

BOARD / COMMISSION ACTION:

N/A

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

DEPARTMENT HEAD:


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

Information copy to appropriate Deputy City Manager

RESOLUTION

WHEREAS, the State of Texas, on behalf of its Department of Transportation ("TxDOT"), has contracted with Abrams-Kiewit Joint Venture to design and construct the Border Highway West Expansion Project, and that upon completion, the Border Highway West Expansion Project will become a State highway;

WHEREAS, the construction of the Border Highway West Expansion Project will benefit the community;

WHEREAS, the Border Highway West Expansion Project will incorporate a parcel of land owned by the City of El Paso ("City") into the project, and TxDOT is negotiating with the City for the acquisition of the identified parcel;

WHEREAS, on Nov. 3, 1998, the City granted a license agreement to Eller Media Company for the display of outdoor advertising signs on the identified City-owned property, and that license agreement has expired;

WHEREAS, Clear Channel Outdoors, a Delaware Corporation ("Clear Channel"), claims it is a successor in interest to Eller Media Company under the expired license agreement with the City; and

WHEREAS, TxDOT has requested that the City release any interest it may have in the expired 1998 License Agreement, and TxDOT will negotiate directly with Clear Channel on the relocation of the billboards;

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

That the City Manager be authorized to sign a Release of License Agreement for the State of Texas, acting through its Texas Department of Transportation, in which the City releases its interest, if any, in the expired Nov. 3, 1998 License Agreement with Clear Channel Outdoors, a Delaware Corporation, successor in interest to Eller Media Company, for the following described property which parcel is needed for the Border Highway West Expansion Project:

Lots 1-33, Block 24, Mundy Heights and a portion of the Commercial Street abutting Lots 23-32, Block 24, M, Mundy Heights, Second Revised Map, an addition to the City of El Paso, El Paso County, Texas.

(Signatures begin on following page)

CITY CLERK DEPT.
2018 JAN 18 AM 10:45

DATED this _____ day of _____, 2018.

THE CITY OF EL PASO

ATTEST:

Dee Margo, Mayor

Laura Prine
Interim City Clerk

APPROVED AS TO FORM:



Theresa Cullen
Deputy City Attorney

APPROVED AS TO CONTENT:

Omar Moreno, P. E.
CID Grant Funded Programs Director

Jessica Herrera
Interim Director, Economic and International
Development

RELEASE OF LICENSE AGREEMENT

Date: _____

Licensor: City of El Paso

Licensee: Clear Channel Outdoor, a Delaware Corporation, successor in interest to Eller Media Company

Property (including any structures which have been removed by Licensee) subject to a Nov. 3, 1998 License Agreement:

Lots 1 through 33, Block 24, Mundy Heights and a portion of the Commercial Street abutting Lots 23 through 32, Block 24, Mundy Heights, El Paso, El Paso county Texas. Recorded Document 20140019612 in the official Record in El Paso County.

The undersigned parties being herein referred to as "Licensor" and "Licensee", do hereby acknowledge, have forever remised, released and relinquished and by these presents do Forever Remise, Release, Relinquish and Terminate all rights and obligations, if any, and shall be of no further force and effect in the license agreement insofar as it affects or appertains to the property as described above.

When the context requires, singular nouns and pronouns include the plural.

LICENSOR: City of El Paso

By: _____
Tomás González, City Manager

APPROVED AS TO FORM:



Theresa Cullen
Deputy City Attorney

APPROVED AS TO CONTENT:

Omar Moreno, P. E.
CID Grant Funded Programs Director

Jessica Herrera
Interim Director, Economic and International
Development