

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

**DEPARTMENT:** Capital Improvement

**AGENDA DATE:** April 16, 2019

**CONTACT PERSON/PHONE:** Yvette Hernandez, P.E., CID Director of Grant Funded Programs, 212-0065

**DISTRICT(S) AFFECTED:** 6

**STRATEGIC GOAL: No. 7: Enhance and Sustain El Paso's Infrastructure Network**

**SUBJECT:**

A resolution authorizing the City Manager or his designee, to file or cause to be filed, a suit in eminent domain to acquire property for the purpose of extending Winn Road from the Playa Intercepting Drain to Rio Del Norte Drive as part of the Zaragoza Port-of-Entry, Pan American, Winn Road Build and Improvements Project.

**BACKGROUND / DISCUSSION:**

This item pertains to the right of way acquisition and permanent and temporary construction easements required for the construction of the Zaragoza Port of Entry (POE), Pan American and Winn Road build/improvements project. This project consists of widening the existing Winn Road between Pan American and Southside Road to a 90-foot-wide-four-lane divided facility and construction of a new location roadway extension heading west and then north from Southside Road to connect the existing Winn Road to Rio Del Norte Drive. The proposed right-of-way for the Winn Road extension is also 90 feet wide and would have concrete pavement, raised medians, sidewalks, illumination, and drainage improvements plus a bridge to accommodate stormwater across the Playa Intercepting Drain. The purpose of the proposed project is to reduce congestion on SL 375 by providing an alternative route for freight passing through the Zaragoza Port-of-Entry.

**COUNCIL REPRESENTATIVE BRIEFING:**

Was a briefing provided? ☒ Yes or ☐ Not Applicable (Routine)  
If yes, select the applicable districts.

- ☐ District 1
- ☐ District 2
- ☐ District 3
- ☐ District 4
- ☐ District 5
- ☐ District 6
- ☐ District 7
- ☐ District 8
- ☒ All Districts

**PRIOR COUNCIL ACTION:**

November 12, 2013, City Council approved Local Transportation Project Advance Funding Agreement for Phase I Improvements to Winn Rd. from the intersection of Pan American Dr. to the Border Safety Inspection Facility.

December 8, 2015, City Council approved the Interlocal Agreement for the Development of Winn Rd by and between the City of El Paso and the Camino Real Regional Mobility Authority for project planning and construction services.

February 28, 2017 Notice for Notation posted on City Council Agenda for Advance Funding Agreement Amendment #1 to the Local Transportation Project Advance Funding Agreement to reflect changes in project cost and amend the scope of work.

August 21, 2018 Notice for Notation posted on City Council Agenda for Advance Funding Agreement Amendment #2 to the Local Transportation Project Advance Funding Agreement to increase available budget by \$17,028.26 for right of way acquisition services.

January 8, 2019 Notice for Notation posted on City Council Agenda for Advance Funding Agreement Amendment #3 to the Local Transportation Project Advance Funding Agreement to increase available budget by \$45,372.87 for additional coordination and right of way acquisition services.

February 26, 2019 City Council approved the Interlocal Agreement between the City of El Paso and the Camino Real Regional Mobility Authority for the construction and completion of the Winn Road project.

**AMOUNT AND SOURCE OF FUNDING:**

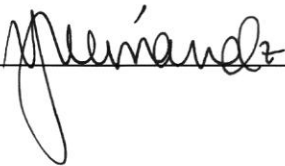
2017 Certificates of Obligation

**BOARD / COMMISSION ACTION:**

N/A

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

**DEPARTMENT HEAD:**



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## RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO AUTHORIZING THE FILING OF AN EMINENT DOMAIN ACTION TO ACQUIRE REAL PROPERTY FOR THE PURPOSE OF IMPROVING AND EXTENDING WINN ROAD FROM THE PLAYA INTERCEPTING DRAIN TO RIO DEL NORTE DRIVE AS PART OF THE ZARAGOZA PORT-OF-ENTRY, PAN AMERICAN, WINN ROAD BUILD AND IMPROVEMENT PROJECT.**

**WHEREAS**, the City of El Paso ("City") has partnered with the Texas Department of Transportation ("TxDOT") and the Camino Real Regional Mobility Authority ("CRRMA") to improve and extend Winn Road from Pan American Drive to Rio Del Norte Drive to alleviate congestion and facilitate movement of cross-border traffic through the Zaragoza-Ysleta Port-of-Entry and help reduce freight congestion on Texas Loop 375; and

**WHEREAS**, the City has determined that there is a public use and necessity for the proposed improvements to Winn Road; and

**WHEREAS**, the City has determined that it is necessary to authorize the acquisition of fee simple title of the subject property through the exercise of eminent domain; and

**WHEREAS**, Chapter 251 of the Texas Local Government Code authorizes a municipality, upon the payment of just compensation, to take real property by eminent domain for uses authorized by law, which include the straightening, widening, or extending of any alley, street, or other roadway; and

**WHEREAS**, the City is registered with the Texas Comptroller as an entity with eminent domain authority;

**WHEREAS**, City Council has budgeted monies for the acquisition of the necessary right-of-way and for the construction of the improvements, described and attached hereto as Exhibit "A"; and

**WHEREAS**, pursuant to Chapter 21 of the Texas Property Code, the City has made a bona fide offer to acquire the property from the property owner but has been unable to agree with the owner on the value of the property, or the damages, if any; and

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

That the caption and recitals are factual findings of the City Council and are hereby approved and incorporated in the text of this Resolution in their entirety as if fully restated.

The City Manager or his designee, is hereby authorized and directed to file, or cause to be filed, a suit in eminent domain to acquire the property, described and attached hereto as Exhibit "B", for the extending of Winn Road. The City Council finds that the proposed improvements to Winn Road is a use authorized by law, the taking is necessary for the public use, and to take whatever action may be deemed appropriate to effect the necessary acquisition.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**CITY OF EL PASO:**

\_\_\_\_\_  
Dee Margo, Mayor

**ATTEST:**

\_\_\_\_\_  
Laura D. Prine, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Leslie B. Jean-Pierre  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Sam Rodriguez, P.E., City Engineer  
Capital Improvement Department

(Exhibits on the following pages)

## **EXHIBIT “A”**

**Project Name** : Zaragoza POE, Pan American, Winn Road Build and Improvements Project

**Public Purpose:**

The purpose of the proposed project is to reduce congestion on SL 375 by providing an alternative route for freight passing through the Zaragoza Port-of-Entry. The improvements to Pan American Drive and continuation of the Winn Road roadway will enable freight trucks to queue for crossing the border without congesting SL 375. The construction of Winn Road allows additional access to the port-of-entry that would substantially improve circulation and traffic flow for trucks in the project area. Neighborhoods north of SL 375 would experience reduced congestion of cross-border traffic waiting along the westbound frontage road of SL 375.

**Construction Project:**

Fee Simple interest of 2.134 acres for the Winn Road right-of-way, two permanent construction easements approximately .13 acres to allow access to the bridge over the Playa Drain and two temporary construction easements approximately .938 acres along the edges of the road to construct the road.

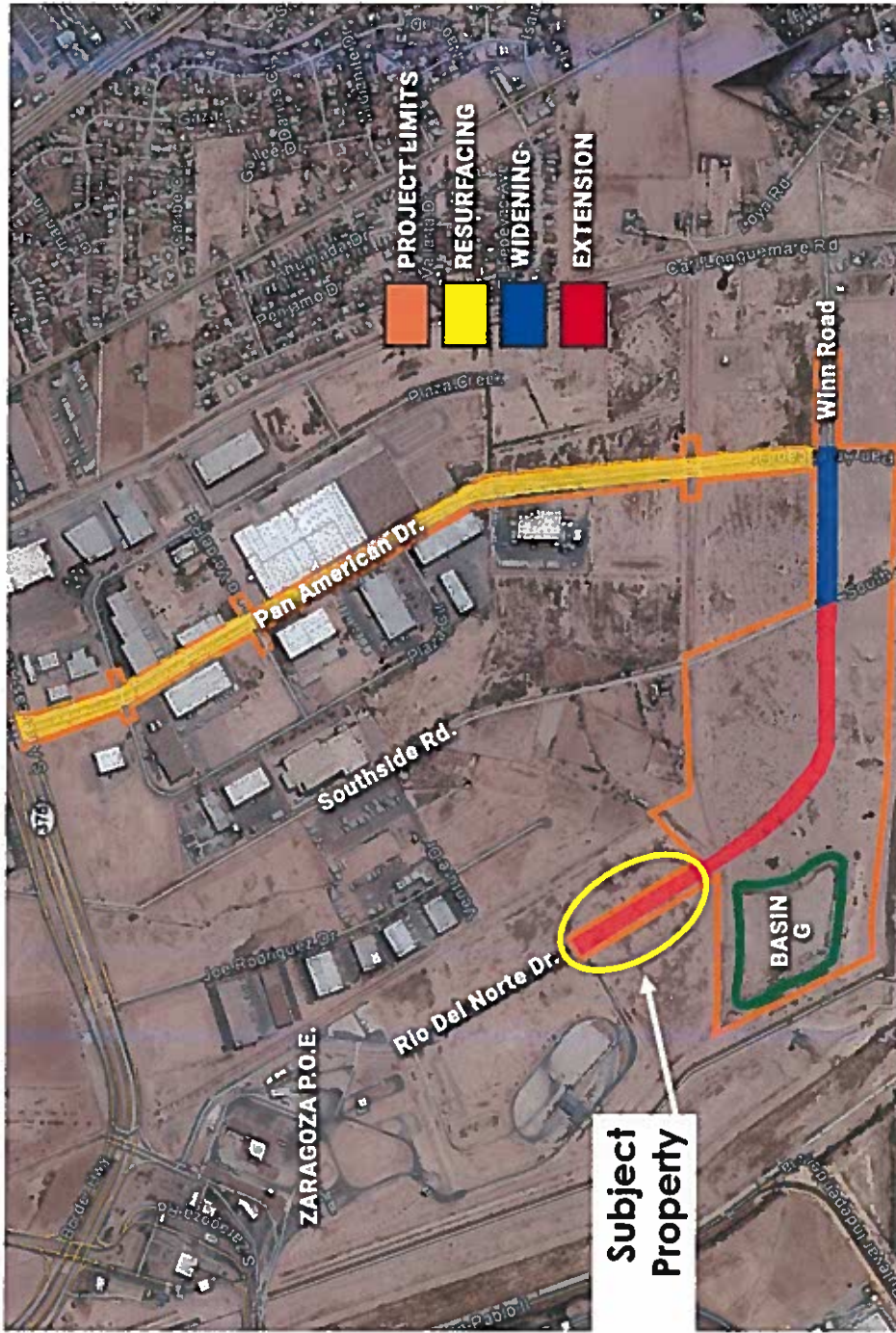
The proposed project would consist of widening the existing Winn Road between Pan American Drive and Southside Road to a 90-foot-wide four-lane divided facility with concrete pavement, raised medians, sidewalks, illumination, and drainage improvements. The proposed project would also involve construction of a new location roadway extension heading west and then north from Southside Road to connect the existing Winn Road to Rio Del Norte Drive. The proposed right-of-way for the Winn Road extension is also 90 feet wide and would have the same features as described above plus a bridge to accommodate stormwater across the Playa Intercepting Drain. Proposed right-of-way would be acquired between the Playa Intercepting Drain and Rio Del Norte Drive for the extension of Winn Road.

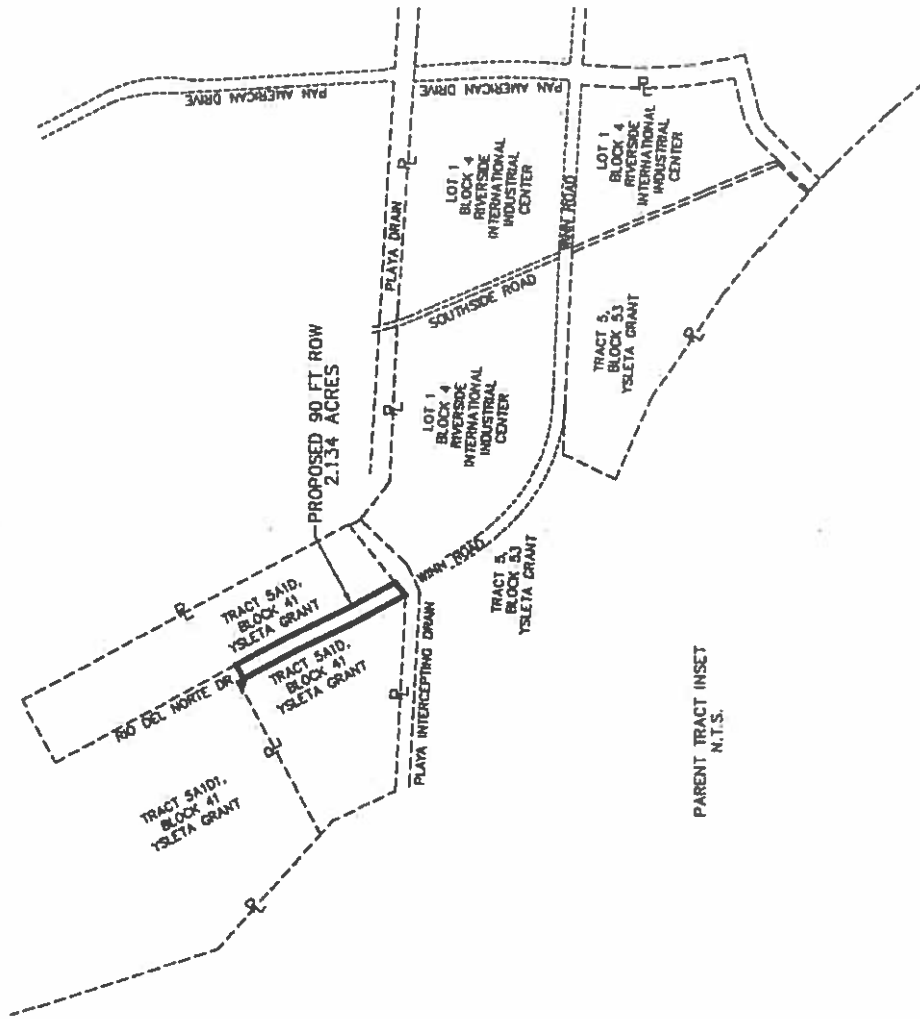


# Project Limits

EXHIBIT "B"

1





PARENT TRACT INSET  
N.T.S.



1130 MONTANA AVE.  
EL PASO TEXAS  
915-533-4600

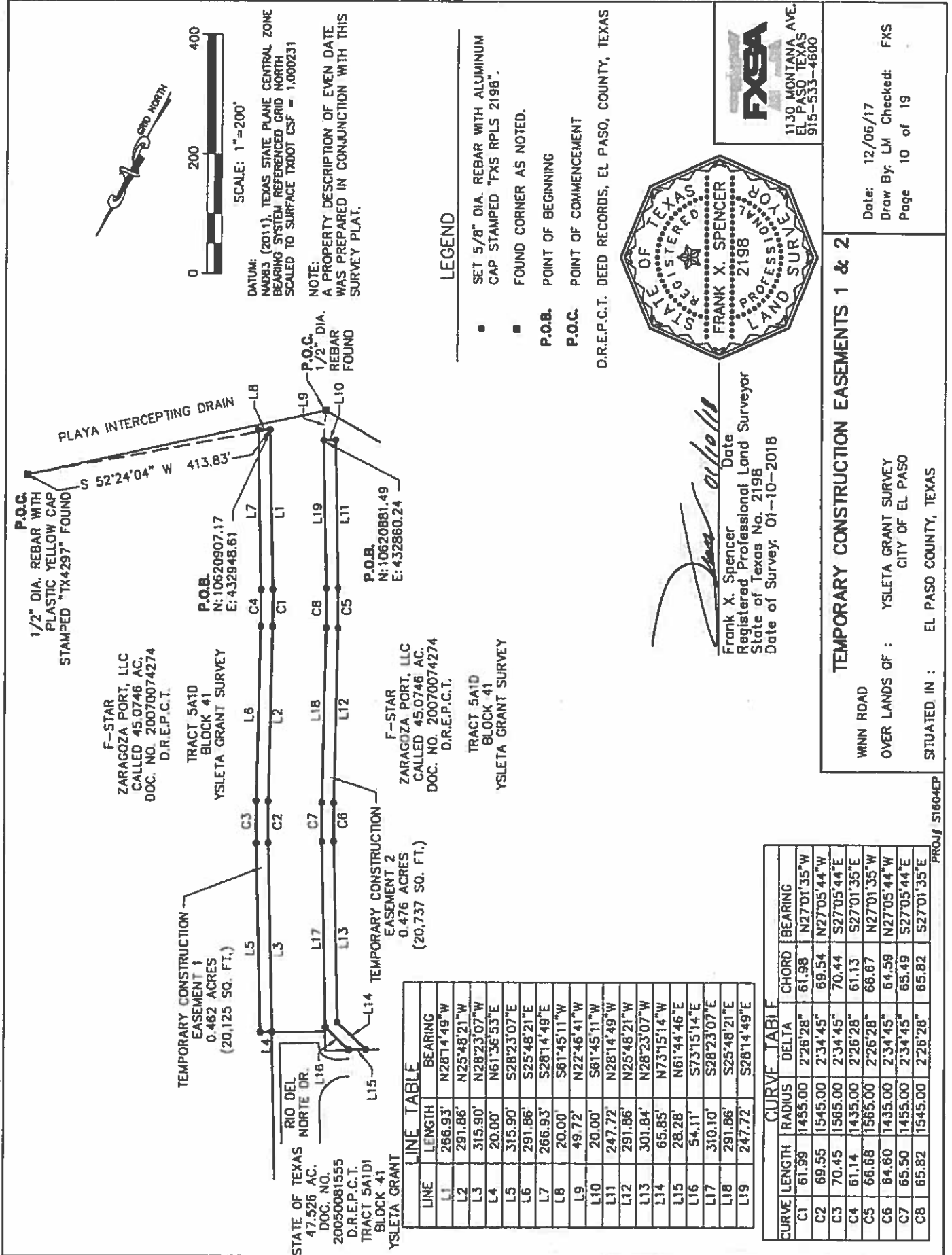
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**90 FOOT WIDE PROPOSED ROW**

WINN ROAD  
OVER LANDS OF : YSLETA GRANT SURVEY  
CITY OF EL PASO  
SITUATED IN : EL PASO COUNTY, TEXAS

PROJ/ S1604EP

# Parcel T-1,T-2



CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	61.99	1455.00	2°26'28"
C2	69.55	1545.00	2°34'45"
C3	70.45	1585.00	2°34'45"
C4	61.14	1435.00	2°26'28"
C5	66.68	1585.00	2°26'28"
C6	64.60	1435.00	2°34'45"
C7	65.50	1455.00	2°34'45"
C8	65.82	1545.00	2°26'28"
CHORD BEARING			
C1	61.98	N27°01'35"W	
C2	69.54	N27°05'44"W	
C3	70.44	S27°05'44"E	
C4	61.13	S27°01'35"E	
C5	66.67	N27°01'35"W	
C6	64.59	N27°05'44"W	
C7	65.49	S27°05'44"E	
C8	65.82	S27°01'35"E	

PROJ 51604EP

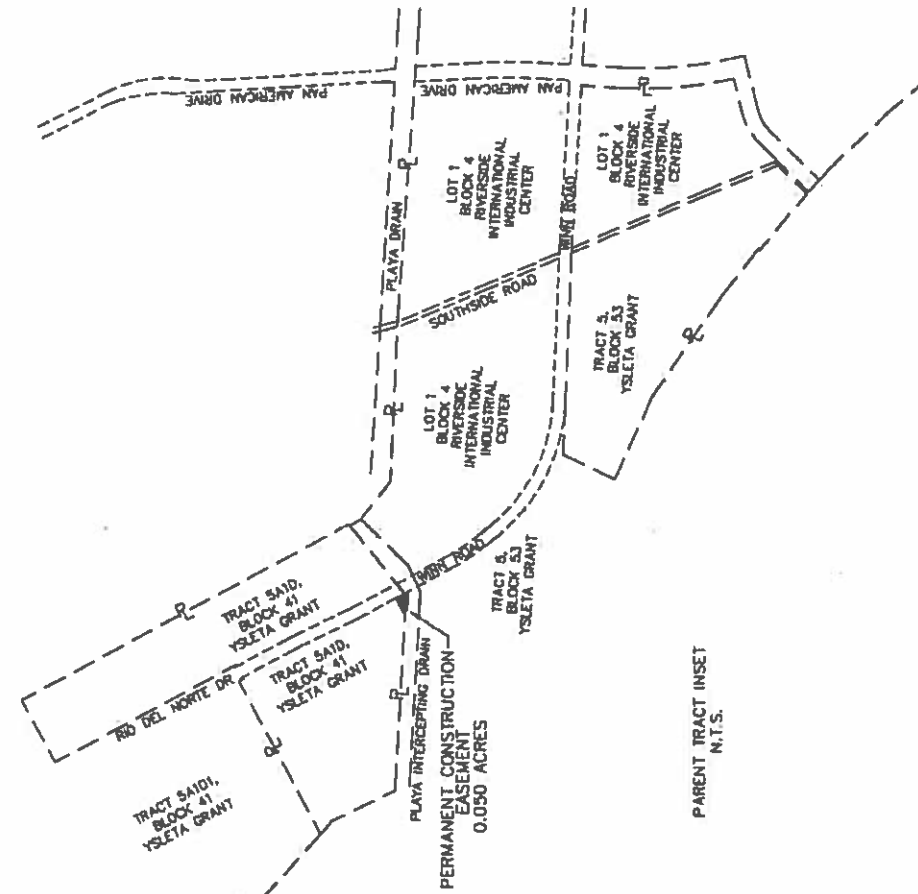




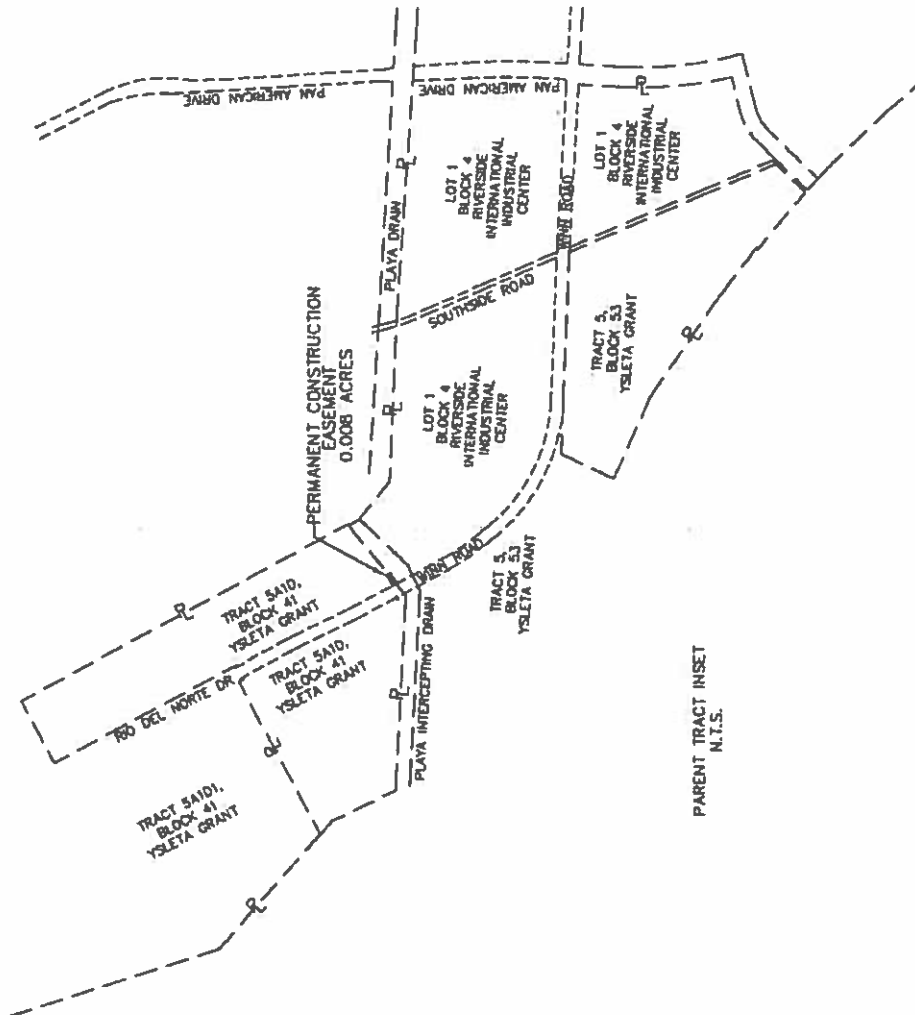
**PERMANENT CONSTRUCTION EASEMENT**

WINN ROAD  
OVER LANDS OF : YSLETA GRANT SURVEY  
CITY OF EL PASO  
SITUATED IN : EL PASO COUNTY, TEXAS

PROJ# 51604EP



# Parcel P-1



**FXSA**  
 1130 MONTANA AVE.  
 EL PASO, TEXAS  
 915-553-4600

Date: 12/06/17  
 Draw By: LM Checked: FXS  
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## PERMANENT CONSTRUCTION EASEMENT

WINN ROAD  
 OVER LANDS OF : YSLETA GRANT SURVEY  
 CITY OF EL PASO  
 SITUATED IN : EL PASO COUNTY, TEXAS

PROJ S1604EP