

RESOLUTION

WHEREAS, El Paso Independent School District (“**EPISD**”) conveyed to the City of El Paso (the “**City**”) all of the **EPISD**’s fee title interest in the property legally described as portion of Tract 5-B-1, Ascarate Addition Block 2, an addition to the City of El Paso, El Paso County, Texas, for the purpose of the **City** constructing and operating a recreational regional water park (“**Water Park**”) through its Parks and Recreation Department, and in consideration of the Water Park conveyance;

WHEREAS, the **City** and **EPISD** desire to enter into an Interlocal Joint Use Agreement providing **EPISD** exclusive use during the school year of the **City** owned Memorial Park softball field (“**Softball Field**”) located at 3418 Aurora Ave, El Paso, Texas 79930, exclusive use of the Water Park once a year for the first five years after the Water Park opens, and for continuous shared use of parking to be built by **City** as part of the Water Park;

WHEREAS, **EPISD** will design and build approximately \$1.3 million in improvements on the Softball Field using 2016 school bond funds and the **City** will contribute \$160,000 toward the improvements;

WHEREAS, **City** and **EPISD** are authorized to enter into this Agreement under the provisions of Chapter 791, Texas Government Code, by approval of their respective governing bodies;

WHEREAS, the **City** has provided proper notice to the public at least 30 days before the date of the public hearing and by publishing a notice once a week for three consecutive weeks in a newspaper of general circulation as required by Texas Parks & Wildlife Code Section 26.002;

WHEREAS, City Council finds that there is no feasible and prudent alternative to the use of the public park in order to derive the benefits anticipated by the **City** under the Agreement, and the proposed use under the Agreement includes all reasonable planning to minimize harm to the land as a park and in fact improves the Softball Field; and

WHEREAS, City Council finds that, as a matter of public interest, the Interlocal Joint Use Agreement enhances the quantity and quality of recreational and athletic programs and services for students and citizens, and as such, further a public purpose that benefits **EPISD**, the **City**, and the citizens of El Paso in accordance with the terms and conditions herein.

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

That the Mayor be authorized to execute an Interlocal Joint Use Agreement (“**Agreement**”) by and between the City of El Paso, Texas (the “**City**”) and the El Paso Independent School District

(the "EPISD"), whereby EPISD may jointly utilize Memorial Park Softball Field and EPISD shall construct and maintain a softball and related facilities for joint use with the City for as long as the referenced Agreement is in effect and the City shall contribute \$160,000.00 towards the improvements to Memorial Park Softball Field.

APPROVED this _____ day of _____, 2019.

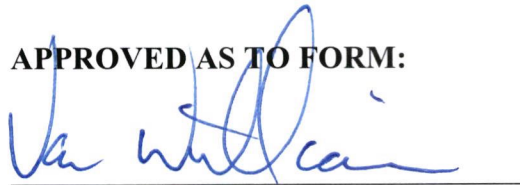
CITY OF EL PASO

Dee Margo
Mayor

ATTEST:

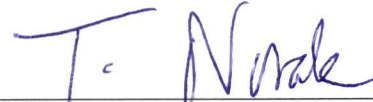
Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Van Williamson,
Assistant City Attorney

APPROVED AS TO CONTENT:



Tracy A. Novak, Director
Parks and Recreation Department