

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

DEPARTMENT: **Parks and Recreation**

AGENDA DATE: **December 1, 2015**

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

DISTRICT(S) AFFECTED: **7**

STRATEGIC GOAL:

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

SUBJECT:

Approve a Resolution to terminate the Lease Agreement between City of El Paso and the County of El Paso for the operation of the Happiness Senior Center, located at 563 North Carolina Drive, El Paso, Texas.

BACKGROUND / DISCUSSION:

The Lease Agreement allowed the County to serve meals as part of the El Paso-City-County Nutrition Project, and to offer social and recreational activities for senior citizens who reside in the County. The City Council approved funds to begin operating the Happiness Senior Center for FY 13, officially beginning operations on December 17, 2012. City operations included payment of all utilities, provided all services related to operation of the Happiness Senior Center.

The Lease Agreement requires the County to pay all utility costs. Since the City took over operations, with the mutual agreement of the County, that is no longer necessary. Therefore, the Lease Agreement should be terminated.

PRIOR COUNCIL ACTION:

August 22, 2006, City Council approved Ordinance No. 016440, authorizing the Lease Agreement for operation of the Happiness Senior Center by the County of El Paso.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

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

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

DEPARTMENT HEAD: _____

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

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RESOLUTION

WHEREAS, on August 22, 2006, the El Paso City Council approved Ordinance No. 016440, which authorized a Lease Agreement ("Lease Agreement") between the City of El Paso ("City") and the County of El Paso ("County"); and

WHEREAS, the Lease Agreement allowed the County to serve meals as part of the El Paso-City-County Nutrition Project, and to offer social and recreational activities to senior citizens who reside in the County ("Program") at the Happiness Senior Citizens Center, located at 563 North Carolina Drive, El Paso, Texas ("Premises"); and

WHEREAS, pursuant to the terms and conditions of the Lease Agreement, the County was responsible for utility costs during its period of operation at the Premises; and

WHEREAS, the City assumed complete control of the operations at the Premises, and the City and County agree that the County was no longer responsible for paying any utility costs after September 30, 2013; and

WHEREAS, pursuant to the terms and conditions of the Lease Agreement, the County has ceased use of the Premises for the purposes of the Lease for a time period of more than twelve (12) continuous months, which is a ground for termination by the City; and

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

That the City Council hereby approves the termination of the Lease Agreement, and that the City Manager or designee be authorized to sign any documents necessary to effectuate the termination of the Lease Agreement described herein between the City of El Paso ("City") and County of El Paso ("County") for the following described property:

Tract 4-F(5.078 ACRES) and Tract 4-G (11.008 ACRES) and Tract 4-H (6.42 ACRES, Block 18, Ysleta Grant Survey, City of El Paso, El Paso County, Texas; also known as the Happiness Senior Citizens Center located at 563 North Carolina Drive.

ADOPTED this _____ day of _____, 2015.

THE CITY OF EL PASO

ATTEST:

Oscar Leeser, Mayor

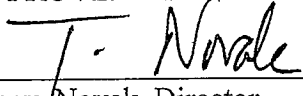
Richarda Duffy Momsen,
City Clerk

(Signatures continue on following page)

APPROVED AS TO FORM:

Lauren K. Ferris
Assistant City Attorney

APPROVED AS TO CONTENT:


Tracy Novak, Director
Parks and Recreation Department

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