



CITY OF EL PASO

# Consent and Subordination by Lessees Agreement

March 18, 2025

# Background



- In 1999 the CoEP entered into a Lease and Sub-Lease Agreements with the U.S. General Services Administration (GSA) and El Paso Infrastructure Collaborative (EPIC) to facilitate the construction of the Dedicated Commuter Lane (DCL) next to the Stanton Bridge.
- CoEP is an intermediary receiving monthly payments from GSA and providing monthly payments to EPIC.
- In 2023, CC approved a “Standstill Agreement” between the parties to preserve the terms and conditions for one year while a portion of 9<sup>th</sup> Street was vacated and the GSA completed the purchase.

# Background



- On May 7, 2024 City Council approved a Standstill Extension Agreement to allow the parties continue working towards the vacation and the GSA purchase.
- First reading of ordinance vacating 9<sup>th</sup> Street and alley scheduled for March 4<sup>th</sup> and second reading for March 18<sup>th</sup>
- As part of the vacation process, the parties wish to sign a “Consent and Subordination by Lessees” Agreement (common practice) so that the rights of the easement holders (utility providers) take priority over the rights of the current tenants under the lease and sublease.

# City Council Action Request

A Resolution that the City Manager be authorized to sign a “Consent and Subordination by Lessees” Agreement by and between the City of El Paso; the U.S. General Services Administration (GSA); and the El Paso Infrastructure Collaborative, LLC (EPIC), whereby the parties consent to the recording of utility easements by respective easement grantors and agree that certain leases between the parties shall be subordinate to such utility easements.

## MISSION



Deliver exceptional services to support a high quality of life and place for our community.

## VISION



Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government.



## VALUES

Integrity, **R**espect, **E**xcellence,  
**A**ccountability, **P**eople