

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

AGENDA DATE: March 14, 2023
PUBLIC HEARING DATE: March 14, 2023

CONTACT PERSON(S) NAME AND PHONE NUMBER: Mary Lou Espinoza, Capital Assets Manager,
(915) 867-2629

DISTRICT(S) AFFECTED: 8

STRATEGIC GOAL: No. 6: Set the Standard for Sound Governance and Fiscal Management

SUBGOAL: No. 6.6: Ensure continued financial stability and accountability through sound financial management, budgeting and reporting

SUBJECT:

A resolution authorizing the City Manager to sign an Amendment to the Lease Agreement with the Government of the Country of El Salvador, changing the effective date to November 1, 2022, for the lease of space located at 400 W. San Antonio, Suite B, El Paso, Texas 79901 and administratively approve non-material amendments as may be required to administer the Lease.

BACKGROUND / DISCUSSION:

On October 25, 2022, The City of El Paso entered into a new lease agreement with the Government of the County of El Salvador to continue the use of the property located within the Sun Metro Union Plaza Transit Terminal. The lease has an initial term of five (5) years with two (2) five-year options to extend. The annual rental fee for the property is \$38,959.92 with a 2% annual increase through the duration of the agreement and option periods.

PRIOR COUNCIL ACTION:

The initial lease was approved by City Council on December 12, 2018 and amended on December 15, 2020. That lease agreement expired December 19, 2022. A new lease agreement was approved on October 25, 2022.

AMOUNT AND SOURCE OF FUNDING:

N/A: This is a revenue generating item

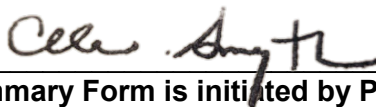
HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES NO

PRIMARY DEPARTMENT: Real Estate

SECONDARY DEPARTMENT: Sun Metro

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

DEPARTMENT HEAD: Ellen Smyth, Chief Transit and Field Operations Officer



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

RESOLUTION

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

THAT the City Manager is hereby authorized to sign an Amendment to the Lease Agreement with the Government of the Country of El Salvador, changing the effective date of November 1, 2022, for the lease of space located at 400 W. San Antonio, Suite B, El Paso, Texas 79901 and administratively approve non-material amendments as may be required to administer the this Lease.

APPROVED this _____ day of _____, 2023.

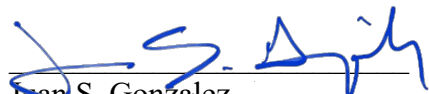
CITY OF EL PASO:

Oscar Leaser
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Juan S. Gonzalez
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



Mary Lou Espinoza
Capital Assets Manager

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

**FIRST AMENDMENT TO
LEASE AGREEMENT**

This First Amendment to that certain Lease for Space located at 400 W. San Antonio, Suite B, El Paso, Texas 79901 is made this ____ day of _____, 20____, by and between the City of El Paso, a Municipal Corporation organized and existing under the laws of the State of Texas (the "City", "Owner" or "Landlord"), and Government of the Country of El Salvador, (the "Tenant").

WHEREAS, the City of El Paso ("Landlord" or "City") owns the premises and improvements located at 400 W. San Antonio, Suite B, El Paso, Texas, 79901("Premises").

WHEREAS, On October 25,2022, the City executed a lease agreement with the Government of the Country of El Salvador for the lease of 400 W. San Antonio, Suite B, El Paso, Texas 79901, for a five-year term, at an annual rental amount of \$38,959.92 with a 2% annual increase inclusive of the two, five-year options to extend.

WHEREAS, the parties desire to revise the Effective Date of the Agreement to reflect the intent of the Parties.

NOW THEREFORE, in consideration of the mutual promises set forth in this First Amendment and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. Page one of the Lease Agreement; the 1st sentence of the introductory paragraph is revised to read as follows:

This Lease Agreement ("Agreement") is made this 1st day of November, 2022 ("Effective Date") between the City of El Paso, a municipal corporation organized and existing under the laws of the State of Texas, ("Landlord"), and THE GOVERNMENT OF THE COUNTRY OF EL SALVADOR ("Tenant").

2. All terms and conditions of the Agreement and all subsequent Amendments thereto, except as herein revised, shall remain in full force and effect.

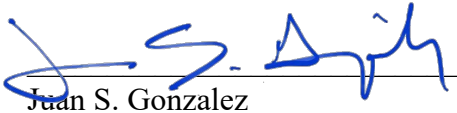
[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties have hereunto set their hands this _____
_____ day of _____, 20____.

CITY OF EL PASO:

Tomás González
City Manager

APPROVED AS TO FORM:



Juan S. Gonzalez
Assistant City Attorney

APPROVED AS TO CONTENT:



Mary Lou Espinoza
Capital Assets Manager

ACKNOWLEDGEMENT

STATE OF TEXAS)
COUNTY OF EL PASO)

This Instrument was acknowledged before me on the _____ day of _____, 2023 by Tomás González, as City Manager of the City of El Paso, a municipal corporation, on behalf of said corporation.

Notary Public, State of Texas

Notary's Commission Expires:
Notary's Name (printed)

(Tenant's Signature on following page)

TENANT:

The Government of the Country of El Salvador

By: Consul
Name: Ana Silvia Bonilla Torres
Title: [Signature]

ACKNOWLEDGEMENT

STATE OF Texas)
)
COUNTY OF El Paso)

This Instrument was acknowledged before me on the 28 day of February, 2023, by Ana Silvia Bonilla, as Consul of the Government of the, on behalf of said corporation Country of El Salvador

Notary Public, State of Texas

Angelica Emiliano

Notary's Commission Expires:

Notary's Name (printed)

Angelica Emiliano

