

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

AGENDA DATE: June 4, 2024

CONTACT PERSON(S) NAME AND PHONE NUMBER: Jessica Torres, 915-212-1699; Karina Brasgalla, 915-212-1570

DISTRICT(S) AFFECTED: 4

STRATEGIC GOAL: Goal 1: Create an Environment Conducive to Strong, Sustainable Economic Development

SUBGOAL: 1.1 Stabilize and expand El Paso's tax base.

SUBJECT:

A Resolution that the City Council approves the recommendation of the Board of Directors of the City of El Paso Municipal Management District No. 1 that the following persons be named directors of the District for four-year terms expiring in June 2028:

- Ryan Burkhardt
- William Kell

BACKGROUND / DISCUSSION:

The City created the El Paso Municipal Management District No.1 (MMD) within the TIRZ 13 boundary to promote, develop, encourage, and maintain employment, commerce and economic development in the district. The district is governed by a board of five directors who serve staggered terms of four years with two or three directors' terms expiring June 1 of each even-numbered year. The City Council shall appoint directors from persons recommended by the MMD Board.

The MMD Board of Directors met on March 7, 2024 in regular session, open to the public, to request a resolution approving the reappointment of Ryan Burkhardt and William Kell, all of which meet the qualification requirements as provided in Chapter 375 of the Local Government Code and Chapter 3972 of the Texas Special District Local Laws Code. Specifically, the Board of Directors of the MMD shall recommend persons to serve on the MMD Board to the City Council of the City of El Paso. All nominees are qualified to serve on the Board in accordance with the qualifications established by Chapter 3972 as follows: are (1) a resident of the city who is also a registered voter of the city; (2) an owner of property in the district; (3) an owner of stock or a partnership or membership interest, whether beneficial or otherwise, of a corporate partnership, limited liability company, or other entity owner of a direct or indirect interest in property in the district; (4) an owner of a beneficial interest in a trust, or a trustee in a trust, that directly or indirectly owns property in the district; or (5) an agent, employee, or tenant of a person described by (2), (3), or (4).

PRIOR COUNCIL ACTION:

- January 8, 2019- City Council approved the creation of the El Paso Municipal District No. 1, which was then created and made effective January 1, 2020 by Texas House Bill No. 4730 during the 86th Session of the Texas Legislature
- March 17, 2020 – City Council consented to the creation of El Paso Municipal District No. 1 and appointed five persons to serve as initial directors, including: William Kell, Ryan Burkhardt, James Feagin, Brent D. Harris, and Scott Weaver.
- June 22, 2022 – City Council consented to the reappointment of James Feagin, Brent D. Harris, and Scott Weaver to serve as Directors on the MMD Board for four-year terms.

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES NO

PRIMARY DEPARTMENT: Economic & International Development

SECONDARY DEPARTMENT: N/A



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

DEPARTMENT HEAD:

(If Department Head Summary Form is initiated by Purchasing, client

RESOLUTION

WHEREAS, Texas House Bill No. 4730, 86th Session of the Texas Legislature, Regular Session, created the City of El Paso Municipal Management District No. 1 (“MMD1”) effective January 1, 2020; and

WHEREAS, during the March 17th, 2020 regular council meeting, the City Council of the City of El Paso consented to the creation of the MMD1 located within the boundaries of the City of El Paso, Texas.; and

WHEREAS, the City Council of the City of El Paso, Texas appointed five persons to serve as initial directors for MMD1; and

WHEREAS, Section 375.064 of the Texas Local Government Code and Section 3972.0203 of Texas Special District Local Laws Code provide that each succeeding Board of Directors of the MMD1 (“Board”) shall recommend, to the City Council of the City of El Paso, persons to serve on the Board; and

WHEREAS, during the March 7, 2024 meeting the Board approved recommending Ryan Burkhardt and William Kell be reappointed to the Board.

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

That the City Council of the City of El Paso hereby appoints the following persons to serve as Directors on the Board for the City of El Paso Municipal Management District No. 1 for four-year terms expiring in June 2028:

- Ryan Burkhardt
- William Kell

APPROVED this ____ day of _____ 2024.

THE CITY OF EL PASO:

Oscar Leoser
Mayor

ATTEST:

Laura D. PrineCity
Clerk

APPROVED AS TO FORM:

Oscar Gomez
Assistant City Attorney

APPROVED AS TO CONTENT:

Karina Brascalla, Interim Director
Economic and International Development
Department

CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS §

COUNTY OF EL PASO §

CITY OF EL PASO MUNICIPAL MANAGEMENT DISTRICT NO. 1 §

We, the undersigned officers of the Board of Directors (the "Board") of City of El Paso Municipal Management District No. 1 (the "District"), hereby certify as follows:

1. The Board convened in regular session, open to the public, on the 7th day March, 2024, at the regular meeting place thereof, and the roll was called of the members of the Board, to-wit:

Ryan Burkhardt	-	Chair
William Kell	-	Vice-Chair
James Feagin	-	Secretary
Brent Harris	-	Director
Chris Charron	-	Director

All members of the Board were present except Stacy, thus constituting a quorum. Whereupon, among other business, the following was transacted at such meeting:

RESOLUTION REQUESTING REAPPOINTMENT OF DIRECTORS FOR
CITY OF EL PASO MUNICIPAL MANAGEMENT DISTRICT NO. 1

was duly introduced for the consideration of the Board. It was then duly moved and seconded that such Resolution be adopted; and, after due discussion, such motion, carrying with it the adoption of said Resolution, prevailed and carried by the following vote:

AYES: OM,

NOEs: 1

2. A true, full, and correct copy of the aforesaid Resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; such Resolution has been duly recorded in said Board's minutes of such meeting; the above and foregoing paragraph is a true, full, and correct excerpt from the Board's minutes of such meeting pertaining to the adoption of such Resolution; the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of the Board as indicated therein; each of the officers and members of the Board was duly and sufficiently notified officially and personally, in advance of the time, place, and purpose of such meeting and that such Resolution would be introduced and considered for adoption at such meeting and each of such officers and members consented, in advance, to the holding of such meeting for such purpose; such meeting was open to the public, as required by law, and public notice of the time, place and purpose of such meeting was given as required by V.T.C.A., Government Code, Chapter 551, as amended.

SIGNED AND SEALED the 7th day March, 2024.

ATTEST:

James R. Feagin
Secretary, Board of Directors

(SEAL)



Ryan Burkhardt
Chair, Board of Directors

RESOLUTION REQUESTING APPOINTMENT OF DIRECTORS FOR
CITY OF EL PASO MUNICIPAL MANAGEMENT DISTRICT NO. 1

THE STATE OF TEXAS

COUNTY OF EL PASO

CITY OF EL PASO MUNICIPAL MANAGEMENT DISTRICT NO. 1

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WHEREAS, City of El Paso Municipal Management District No. 1 (the "District") was duly created pursuant to House Bill 4730, 86th Texas Legislature, 2019 Regular Session, effective January 1, 2020, codified in Chapter 3972, Texas Special District Local Laws Code (the "Act"), under the terms and provisions of Article III, Sections 52 and 52a and Article XVI, Section 59 of the Constitution of Texas, Chapter 375 of the Texas Local Government Code, and Chapter 49 of the Texas Water Code, together with all amendments and additions thereto; and

WHEREAS, Section 3972.0210(d) of the Act provides that two director positions expire on June 1, 2024; and

WHEREAS, Section 375.064 of the Texas Local Government Code, and Section 3972.0203 of the Act provides that each succeeding Board of Directors of the District (the "Board") shall recommend persons to serve on the Board to the City Council of the City of El Paso; and

WHEREAS, the Board requests the City of El Paso consider the reappointment of James Feagin, Brent D. Harris and Scott Weaver to the positions of Director of the Board of the District.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF CITY OF EL PASO MUNICIPAL MANAGEMENT DISTRICT NO. 1 THAT:

Section 1: That the Board of Directors of the District hereby requests that the City of El Paso enter a Resolution Reappointing Mr. Burkhardt and Mr. Kell to serve as Directors on the Board for City of El Paso Municipal Management District No. 1 for four-year terms expiring in June, 2028.

Section 2: That a certified copy of this Resolution be filed with the City of El Paso, Texas.

Section 3: That this Resolution shall be effective from and after its adoption.

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PASSED AND APPROVED this 7th day March, 2024.

ATTEST:


Secretary, Board of Directors


Chair, Board of Directors

