

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

**AGENDA DATE:** August 29, 2023

**PUBLIC HEARING DATE:**

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** Ben Fyffe, (915) 212-1766

**DISTRICT(S) AFFECTED:** All

**STRATEGIC GOAL:** Goal 4- Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments

**SUBGOAL:** 4.2 Create innovative recreational, educational, and cultural programs

**SUBJECT:**

THAT the Mayor is hereby authorized to sign the fourth amendment to the Interlocal Agreement between the City of El Paso (the "City") and the Ysleta Independent School District (the "District"), signed August 28, 2012, which set out to enhance the quantity and quality of recreational and athletic facility uses available to the residents of the City, at no cost to the City through the shared use of public indoor and outdoor athletic and recreational facilities, owned by each entity. This fourth amendment would extend the Agreement by three (3) months to allow additional time to enter into a new agreement. In addition, the City Manager or designee is hereby authorized to execute any necessary documents to carry out the agreement.

**BACKGROUND / DISCUSSION:**

Ysleta Independent School District desires to continue enhancing the quantity and quality of recreational and athletic facilities, which will continue to be available to the City of El Paso residents.

**PRIOR COUNCIL ACTION:**

The City Council approved the initial interlocal agreement on August 28, 2012, the second amendment on April 3, 2018, and the third amendment on May 23, 2023.

**AMOUNT AND SOURCE OF FUNDING:**

No City funds used.

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?** ☒ YES ☐ NO

**PRIMARY DEPARTMENT:**

**SECONDARY DEPARTMENT:**

---

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**



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

## RESOLUTION

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

**THAT** the Mayor is hereby authorized to sign the fourth amendment to the Interlocal Agreement between the City of El Paso (the “City”) and the Ysleta Independent School District (the “District”), signed August 28, 2012, which set out to enhance the quantity and quality of recreational and athletic facility uses available to the residents of the City, at no cost to the City through the shared use of public indoor and outdoor athletic and recreational facilities, owned by each entity. This fourth amendment would extend the Agreement for a second term of an additional three (3) months to allow additional time to enter into a new agreement. In addition, the City Manager or designee is hereby authorized to execute any necessary documents to carryout the agreement.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**CITY OF EL PASO**

\_\_\_\_\_  
Oscar Leeser, Mayor

**ATTEST:**

\_\_\_\_\_  
Laura D. Prine  
City Clerk

**APPROVED AS TO FORM:**

*Karla Saenz*  
\_\_\_\_\_  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

For   
\_\_\_\_\_  
Ben Fyffe, Director  
Parks and Recreation Department

STATE OF TEXAS           §       **FOURTH AMENDMENT TO THE**  
                                  §       **INTER-GOVERNMENTAL AGREEMENT**  
COUNTY OF EL PASO    §

This Amendment to the Inter-Governmental Agreement (hereinafter "Agreement") is made this the \_\_\_\_\_ day of \_\_\_\_\_, 2023, (hereinafter "effective date") by and between the City of El Paso, a home rule municipal corporation (hereinafter "CITY") and the Ysleta Independent School District (hereinafter "YISD").

**WHEREAS**, CITY and YISD desired to enhance the quantity and quality of recreational and athletic programs and services by entering into an Interlocal Agreement to share facilities within both organizations; and

**WHEREAS**, CITY and YISD are authorized to enter into this Agreement under the provisions of Chapter 791, Texas Government Code;

**WHEREAS**, CITY and YISD signed the Interlocal Agreement on August 28, 2012, the CITY and YISD signed a Third Amendment that extended the Agreement for three (3) months to allow additional time to enter into a new agreement.

**WHEREAS**, CITY and YISD wish to amend the Third Amendment to the Agreement to allow for a second term of an additional three (3) months to enter into a new agreement; and

**WHEREAS**, the El Paso City Council has approved this Amendment and has authorized the City Manager to sign the Amendment;

**NOW, THEREFORE, CITY AND YISD HEREBY ENTER INTO THIS FOURTH AMENDMENT TO THE INTERLOCAL AGREEMENT UNDER THE FOLLOWING TERMS AND CONDITIONS:**

1. Section 3.2 shall be amended as follows, with all other provisions under the Section to remain the same:

Said Agreement shall be extended automatically for ten (10) additional one-year term plus two (2) additional terms of three (3) months under the same terms and conditions, unless either party provides a thirty-day notice in writing of its intention not to extend or unless terminated as hereinafter provided in Section 5.0 of this Agreement. In no event shall this Agreement extend beyond November 31, 2023.

2. All other provisions of the Original Agreement, approved August 28, 2012 shall remain in full force and effect.

**IN WITNESS WHEREOF, THE PARTIES HERETO HAVE EXECUTED THIS Interlocal Agreement as of the date first above written.**

**(Signatures Follow on Next Page)**

STATE OF TEXAS       §  
                                  §  
COUNTY OF EL PASO   §

**FOURTH AMENDMENT TO THE  
INTER-GOVERNMENTAL AGREEMENT**


*Signature Page*

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**THE CITY OF EL PASO:**

**YSLETA INDEPENDENT SCHOOL  
DISTRICT**

\_\_\_\_\_  
Cary Westin  
Interim City Manager

By:   
Name Printed: Lynly G. Leeper  
Title: Chief Financial & Operational Officer

**ATTESTED:**

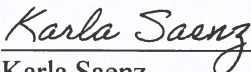
**ATTESTED:**


\_\_\_\_\_  
Laura D. Prine  
City Clerk

\_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**APPROVED AS TO FORM:**

**APPROVED AS TO CONTENT:**

  
Karla Saenz  
Assistant City Attorney

For   
Ben Fyffe, Director Parks &  
Recreation Department

**APPROVED AS TO FORM:**

**APPROVED AS TO CONTENT:**

  
Name: Priscilla de Mata  
Attorney for Ysleta Independent School District

\_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_