

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

DEPARTMENT: Economic and International Development

AGENDA DATE: CCA Consent January 5, 2021

CONTACT PERSON/PHONE: Jessica L. Herrera, Director, 915-212-1624

DISTRICT(S) AFFECTED: 8

SUBJECT:

That the City Manager is authorized to sign a Termination Agreement terminating the Chapter 380 Economic Development Program Agreement approved by the City of El Paso City Council on May 1, 2018 between the City of El Paso and Great River Commercial, LLC in support of the redevelopment of the property located at 1101 Texas Avenue, El Paso, Texas 79901. **[Economic and International Development, Jessica L. Herrera, Director, (915) 212-1624]**

BACKGROUND/DISCUSSION:

The purpose for terminating this agreement is to allow for the adoption of a new infill agreement with Great River Commercial LLC which will include more properties and a greater investment.

No incentives were disbursed in the existing agreement.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

General Fund

BOARD/COMMISSION ACTION:

N/A

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

DEPARTMENT HEAD: *Jessica Herrera*

RESOLUTION

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

That the City Manager is authorized to sign a Termination Agreement terminating the Chapter 380 Economic Development Program Agreement approved by the City of El Paso City Council on May 1, 2018 between the City of El Paso and Great River Commercial, LLC in support of the redevelopment of the property located at 1101 Texas Avenue, El Paso, Texas 79901.

APPROVED this _____ day of _____, 20____.


CITY OF EL PASO

Oscar Leeser
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Roberta Brito
Assistant City Attorney

APPROVED AS TO CONTENT:



Jessica Herrera, Director
Economic & International Development

STATE OF TEXAS) **TERMINATION AGREEMENT**
)
COUNTY OF EL PASO)

This Termination Agreement ("Agreement") is entered into on the _____ day of _____, 202__ (the "Effective Date") by and between the City of El Paso, Texas, a Texas home rule municipal corporation (the "City"), and Great River Commercial, LLC (the "Applicant") for the purposes and considerations stated below.

WHEREAS, the City and Applicant previously entered into a Chapter 380 Economic Development Agreement approved by Resolution of the City Council of the City of El Paso on May 1, 2018 (the "Chapter 380 Agreement"); and

WHEREAS, Section 2 of the Chapter 380 Agreement allows the parties to terminate the agreement by mutual consent of the parties in writing.

WHEREAS, City and Applicant mutually desire to terminate the Chapter 380 Agreement; and

WHEREAS, the City has not paid Applicant any incentives pursuant to the Chapter 380 Agreement.

NOW, THEREFORE, in consideration of the promises and mutual obligations and undertakings set forth herein, the parties agree as follows:

The City and Applicant hereby mutually agree to terminate the Chapter 380 Agreement approved by City Council on May 1, 2018, and all rights and obligations of the parties under the Chapter 380 Agreement are hereby terminated with no surviving obligations or liabilities.

[Signature Pages Follows]

IN WITNESS WHEREOF, the parties have executed this Agreement:

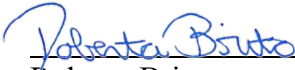
CITY OF EL PASO

Tomás González
City Manager

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Roberta Brito
Assistant City Attorney

APPROVED AS TO CONTENT:



Jessica Herrera, Director
Economic and International Development

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this ____ day of _____, 202__, by Tomás González as City Manager for the City of El Paso, Texas.

My Commission Expires:

Notary Public, State of Texas

[SIGNATURES CONTINUE ON THE FOLLOWING PAGE]

APPLICANT:

GREAT RIVER COMMERCIAL, LLC

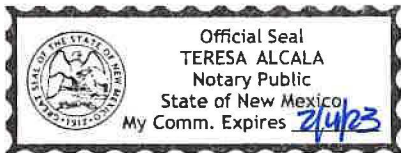
By: 
Jonathan W. Rogers, III

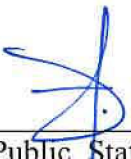
Its: President

ACKNOWLEDGMENT

STATE OF §
 §
COUNTY OF §

This instrument was acknowledged before me on the 17th day of Dec, 20 20, by **Jonathan W. Rogers,** _____ for **Great River Commercial, LLC.**




Notary Public, State of New Mexico

My Commission Expires:

Feb. 04, 2023