



February 17, 2021

Dear Downtown Property Owners:

Last week the County of El Paso sent downtown property owners a letter entitled “Official Information for Property Owners Regarding Downtown Historic District Nomination.” The letter purports to provide “property owners with accurate information regarding the County’s efforts to establish a Downtown Historic District.” Unfortunately, the County’s information is not accurate. And it is misleading.

At the February 16, 2021 City Council meeting, there was a discussion of the County’s effort to establish a Downtown Historic District. From that discussion it appears that *at the very least* the County has not been transparent regarding the proposed historic district and very possibly the County, or some of its elected officials, have been intentionally misleading people about the hidden purposes behind the effort to create the historic district.

The important points you should know about are bulleted below.

- In its letter, the County says it has held meeting after meeting and gave the public the opportunity to speak. The reality is the County did not want to hear from private property owners. Virtually none of the private property owners we called, mailed, emailed, or personally visited in our effort to obtain objections to the proposed district knew anything about the County’s effort to establish the proposed district.
- The County implied in its letter that a property must have the proposed district in place in order to secure the tax credits and other benefits available to property owners who do historic renovation. That is not true. There are 21 buildings in the proposed district that have already been listed on the National Register.<sup>1</sup> Those properties were placed on the National Register without the existence of the proposed district. In other words, if a downtown historic district were a condition to listing a property on the National Register, none of the 21 properties would already appear on the National Register.

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<sup>1</sup> Those properties include the El Paso Union Passenger Station; Palace Theatre; Hotel Paso del Norte; State National Bank; Richard Caples Building; Popular Department Store; Abdou Building; W.S. Hills Commercial Building; First Mortgage Company Building; Plaza Hotel; White House Department Store/Hotel McCoy; Mills Building; Plaza Theatre; Roberts-Banner Building; El Paso Natural Gas Company (Blue Flame) Building; O.T. Bassett Tower; J.J. Newberry Company; Singer Sewing Company; Martin Building; U.S. Post Office; and Hotel Cortez.

221 N. Kansas  
Suite 1700  
El Paso, TX 79901  
915 533-4424  
Kempsmith.com

6001 W. Palmer Lane  
Suite 370-134  
Austin, TX 78727  
512 320-5466  
Kempsmith.com

3800 E. Lohman Ave.  
Suite C  
Las Cruces, NM 88011  
575 527-0023  
Kempsmith.com

- Last month, the County said there would be absolutely no impact on *any* property owner. It was not until we pointed out the fact that a City ordinance would subject every private property owner to additional permitting requirements imposed by the El Paso Historic Landmark Commission that the County changed its story. You are now being told not to worry about the ordinance because it has “largely been unenforced.” The fact is the ordinance is law, and it can be enforced at any time. You should also be aware that at the City Council meeting on February 16, 2017, the City did not remove or change the City ordinance.
- Not only would the proposed district impact property owners, it would also have a very significant impact on City-owned property, something the County said would not be the case. The impact on City-owned property is explained in the next bullet point.
- The real reason the County refuses to remove the footprint of the planned multi-purpose center (the MPC) from the proposed downtown historic district is apparently because of the effect the proposed district will have on the property owned by the City in the footprint of the MPC. If the proposed district is established, any person (whether that person owns property or not or lives in El Paso or not) can apply to list any contributing City-owned property located in the proposed district as a **State Antiquities Landmark** (SAL). Once a City property becomes a SAL, the City can no longer do what it wants with that property, and that property now becomes subject to the control of the Texas Historical Commission. In other words, the City loses control of the property it purchased with *your* taxpayer dollars.
- Whether you are in favor of the MPC or not, you should be angered by the County’s willingness to take steps to divest control of City owned property—property purchased with El Pasoans’ money—from the hands of the City and place control of that property in the Texas Historical Commission located in Austin.

Either the County has undertaken this project with the goal of misleading the City, downtown property owners, and all El Pasoans, or our County officials have been misled and duped into this project by others backing the project. Either way, our County officials are not doing their job. This is not the sort of open and transparent government we both expect and deserve from our elected officials.

In our opinion, all El Pasoans should take this matter seriously. It could dictate whether or not we continue to create a dynamic, vibrant Downtown for our City. You may want to reach out to the County Judge and County Commissioners and demand that they meet with downtown property owners in an open, fair, and meaningful way. The only way for the County to make this right and for this project to move forward with any semblance of integrity is for the County to start over, beginning with meetings with the City and downtown property owners where all sides talk to each other honestly, listen to each other, and put all their cards on the table at the outset.


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If you have rescinded your objection to the proposed historic district but now wish you had not done so, please let us know so that you can reinstate your objection.

Sincerely,



Gene Wolf



Mark N. Osborn