The New Dynamics Of El Paso's Post Industrial Development: An Analysis Of The El Paso Chihuahua's Ballpark Controversy

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THE NEW DYNAMICS OF EL PASO’S POST INDUSTRIAL DEVELOPMENT: AN ANALYSIS OF THE EL PASO CHIHUAHUA’S BALLPARK CONTROVERSY

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THE NEW DYNAMICS OF EL PASO’S POST INDUSTRIAL DEVELOPMENT: AN ANALYSIS OF THE EL PASO CHIHUAHUA’S BALLPARK CONTROVERSY

by

ALAN MATTHEW SERNA

THESIS

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1. INTRODUCTION

This thesis is an exploratory analysis, which will seek to understand the success of a recent controversial event in El Paso, Texas. A local investment group in conjunction with the El Paso City Council, sought to purchase and develop a Triple-A baseball stadium in downtown El Paso. In highlighting the case, this thesis seeks to ask, why after 30 years of opposition groups defeating many similar projects, did the El Paso Chihuahua’s Ballpark finally get developed? Who were the individuals behind the ballpark plan? What were the actions taken in defense of the ballpark and in defiance of it, and why was the ballpark so controversial?

From the very beginning, the contingencies, details, and plan for the development of the ballpark drew heavy criticism from many citizens, who quickly formed opposition groups. The city which had entered a binding agreement with the investment group to develop the stadium; had not realized that the city no longer owned any downtown land from which it could build a stadium. Being pressured by the Pacific Coast League (PCL) to commit to one of the league’s contingencies that the ballpark be built in downtown, the city offered the only piece of land that it had left, which the league would accept. The only land that it could offer on such short notice, before the start of the next season, was the land where the El Paso City Hall stood.

The building was a 34 year old ten story metal frame and glass office building, built in 1979 to house the city government. The main problem with that plan was that the building was still operational and was occupied. The move to bring Triple-A baseball to El Paso meant that city hall would have to be demolished to make way for the stadium. This controversial move by the city council and the investment group drew no less than 5 different and independent opposition groups. These individuals were upset because their requests to put the ballpark issue to a vote had been ignored by city officials. Many in the opposition felt that their constitutional
rights to have a say in the matter were being circumvented by a city government that had already made up its mind, and had decided to push the development through without voter approval.

The ballpark controversy motivated me to think about how El Paso has always had the hardest time in doing what seems to be the easiest way for a city to boost its economy. As illustrated by many cities throughout the country and around the world, it is through the development of an entertainment and leisure economy that caters to visitors. As the ballpark controversy unfolded, I was present in the gallery during many heated debates in the city council concerning the ballpark.

Opposition to the development of the ballpark is puzzling given its potential to attract tourists and generate revenue. Over the years, El Paso has struggled with its image and has had little success in providing a positive image and reputation for itself. The cities that are successful in establishing favorable images of their communities, stand better chances of attracting cooperation with valuable partners, investors, and residents (Raszkowski, 2009). It is hard to attract people to a city if it suffers with a poor self-image.

Kotler et.al, (1999) defines “image” as the sum of beliefs, ideas and impressions that people have about a given place. In El Paso’s case, it has proven difficult to establish a positive and lasting impression of itself. Creating the conditions to improve its status as an entertainment and leisure destination could go far in helping it to overcome the difficulties that it has had in asserting itself in a favorable light: “Success in this market also brings non-financial rewards associated with image and profile enhancement, the improvement of decaying districts, and city center landscape, and the likes of which generate civic pride among residents” (Law, 1987). This happened recently in El Paso when Paul Foster, owner of the El
Paso Chihuahua’s Triple-A baseball team, purchased an abandoned Blue Jean factory and replaced it with a state of the art high-end shopping district, called the Fountains at Farah.

El Paso has also struggled over the years with an inability to provide adequate employment. The research topic of this thesis is important because it highlights several issues that need to be brought to the forefront of the debate in terms of how opposition to entertainment and leisure venues in El Paso’s past has hindered its potential for achieving socio-economic success for itself. It also reveals what other factors have contributed to its lack of achievement, and suggests what El Paso needs to do in the foreseeable future to increase its prospects for achieving socio-economic success. I argue that the development of an entertainment and leisure industry would help the city make up for its post-industrial decline in manufacturing. I also posit that cities that have the most entertainment and leisure activity also have the best economies, and have a better opportunity for continued economic and social success, rather than cities like El Paso that do not.

1.1 Tourism: Entertainment and Leisure as Economic Development

The recent downturn in El Paso’s manufacturing, and double digit growth, have put a strain on its economy and tax structure, disproportionately leaving the burden on the backs of residential taxpayers. Also, the drug violence in Mexico has created the conditions where many have fled to El Paso. These conditions added to a massive troop build-up at Fort Bliss have led to accelerated growth, and a need for the city to provide for increases in infrastructure, basic city services, and employment.

Harrill (2004) contends that, “Tourism is becoming an important component of economic development programs around the world. Planners who have traditionally viewed economic development as “bricks and mortar” industrial development now consider tourism a
viable strategy as traditional industries relocate for cheaper labor and resources” (Harrill, 2004). This was the intent recently in El Paso when a former industrial site known as the Asarco smoke stacks were imploded in order to clean up the area and develop it into an entertainment district or some other development, at some point in the future.

Much of the supposed transformation of former industrial cities has involved the process of investment marketing, the development of city center landscapes, new development of facilities and the promotion of rejuvenated urban images, (Bianchini and Schwengel 1991). The economic rationale behind such efforts are to attract jobs, tourists, and residents to replace declining former manufacturing economies (Harvey 1989). This reality is one that I assert that El Paso must consider replicating, if it is to adapt to and emerge stronger from its current state of decline in manufacturing production.

1.2 Fastest Growing Industry in the World

The tourism industry is now the fastest growing industry in the world (Judd, 1995). Judd (1995) further asserts that all over the United States, large American cities are promoting tourism as an important economic sector. He further contends that tourism translates into “economic and social success” and that “entrepreneurialism and building cities always go hand in hand” (Judd, 1995). The United States in the last quarter of 2014 took in over $1.6 trillion in tourism related revenues and provided jobs for 17.4 million Americans” (Ernst, 2015). Despite this reality, El Paso has never really embraced the entertainment and leisure development strategy, choosing instead to concentrate on selling itself as a low-wage manufacturing hub (twin-plant city). Past city councils have ignored the fact that many large cities have had plenty of success in using entertainment and leisure as development strategies.

There are a number of reasons why the entertainment and leisure industry has been so
successful. For one, it is widely known and a well-established fact that the industry’s multiplier effect helps to create and maintain jobs in almost every other business sector in most urban centers. In fact, the multiplier effect helps to bring new money into the economy. It also helps to attract additional outside businesses and services to support the tourist industry (Barcelona Field Studies Center, May 5, 2013). Job creation and economic spin-off are two of the many benefits that the entertainment and leisure industry helps to provide cities.

Another benefit that I contend the entertainment and leisure industry can provide for El Paso is extra tax revenues, which in turn can be used to build and pay for a multitude of services, such as fire and police protection. These taxes generated off of tourist revenues can help to offset the local tax rate of the property owner and provide some relief, from a tax burden that disproportionately falls upon the backs of the average residential homeowner in El Paso.

The entertainment and leisure industry is by no means a bellwether of total success for those who attempt to apply it as a development strategy, although the scholarly consensus is that it can be beneficial. In fact, despite tourism’s track record for creating the conditions that have led to increases in socio-economic success, some people remain skeptical, pointing out that there are economic costs that are associated with the development and maintenance of an entertainment and leisure industry. For example, infrastructure development for cities can be costly endeavors, local goods, and service prices may be inflated, and the jobs that it creates are usually seasonal and poorly paid positions (Barcelona Field Studies Center, May 5, 2013).

In addition to that, "product life cycle” with a final stage of decline can occur. This happens when a destination no longer offers new attractions for the tourist, and the quality has diminished with the rise of competition and tourist saturation (Barcelona Field Studies, May 5,
2013). Others argue that the costs accompanying such economic development are also recognized by policy makers, scholars, and academics to be generators of social, cultural, and environmental degradation (Ko and Stewart, 2002). This reality can be a hard sell for city governments who attempt to persuade their citizens that these negative effects are not as widespread or prevalent as some tend to suggest. The art of successful persuasion depends on several factors, like involving the average citizens in the process.

The role of tourism development in sustaining local economies is widely recognized among researchers and policy makers, who realize that short and long term success is only achievable, when the community at large is involved in the process. Community involvement in tourism development has been found to create a sense of ownership over decision making (Murphy, 1983). Williams et. al (1998) agree arguing that plans based on shared decision making have higher rates of success, than those implemented without involvement and consultation of community residence.

Scholars have found that when the locals perceive that tourism’s benefits outweigh the costs, then they are inclined to support future tourism developments in their community (Gursoy and Rutherford, 2004). Wang and Pfister (2008) argue that benefits can be considered as value domains and further note that in an exchange process, economic as well as noneconomic value domains are important in influencing an attitude towards tourism. They further contend that understanding the variables that govern exchange can be achieved by investigating the actual exchange process from an economic and sociological approach.

Wang and Pfister (2008) further suggest that researchers focus on personal benefits and economic indicators such as income, tax revenue, employment, consumer spending, and levels of economic dependency, in addition to noneconomic values such as social aesthetic,
community pride, and other intangible variables. Support for tourism also comes from residents’ perception of positive and negative impacts of tourism (Gee, Mackens, and Choy, 1989); this also comes in the form of employment, recreational opportunities, and cultural exchange satisfaction (Goudy, 1977). Tourism's impacts on neighborhood conditions are varied and are likely to influence a community’s perceptions towards the industry.

Some researchers have found that “the higher the level of residents attachment to their community, the less positive they will perceive tourism impacts” (Um and Crompton, 1987). Perhaps in cities like El Paso, there are some who are attached to their city, and are leery of welcoming large scale entertainment and leisure developments. There are many reasons why El Paso has become a favorable atmosphere for opposition groups to form against entertainment and leisure venues.

1.3 Leisure and Tourism Industry in Texas

This has not been the case in other Texas cities. In other Texas cities, they do not have to contend with opposition groups every time they attempt to develop another entertainment or leisure venue. Other Texas cities have wholeheartedly embraced the travel, entertainment, and leisure industry. In the process, other Texas cities have experienced enormous amounts of social and economic success. For example, in 2013 Texas cities saw nearly 233.5 million visitors, according to the Office of the Governor’s Economic Development and Tourism Report conducted by Runyan et.al (2013).

Texas is now the 6th most visited state in the nation. Travel, leisure, and entertainment have become extremely important for the local economy. This goes without saying for some of the largest cities in Texas that have become dependent upon the entertainment and leisure revenues to fuel their economies. In 2013 Texas saw a 3% increase in revenue from tourism.
related activity from the previous year, generating $67 billion dollars in taxable revenue (Runyan et. Al, 2013).

Some Texas cities did well for themselves in 2013; Austin (10.8%), Houston (10.6%), and Dallas/Fort Worth (9.7%), have all had significant revenue gains. Houston’s economic impact from its 502 entertainment and leisure venues, has grown by nearly 62% since 1991, going from $3.981 billion in 1991 to $16.162 billion dollars in 2013 (Runyan et. al, 2013). All of Texas’ largest cities have invested in “elaborate and costly infrastructure to support tourism” (Judd, 1995). Arlington, Texas recently spent $1.2 billion dollars to build the Dallas Cowboys a new stadium, which easily holds over 110,000 spectators (ESPN, 2013). Dallas/Fort Worth is now the third most visited city in the nation (DFW.CBS Local, 2014).

San Antonio has also seen an incredible rate of return on their investment since embracing the entertainment and leisure option. Since 1991 the economic impact from entertainment and leisure in San Antonio has tripled, going from $3.7 billion to $13.4 billion in 2013 (Butler and Stefel, 2013). El Paso, on the other hand, managed to bring in $1.7 billion dollars in 2013, and played host to some 1.6 million visitors (Runyan et. al, 2013).

The reasons why it is that El Paso’s has never really had an entertainment and leisure industry is due to many factors. Some El Pasoans believe that it is due in part to the cultural sensitivities that they possess as have been known to prefer the slow, easy going, small city pace and flavor that El Paso is characteristically known for. Many people in El Paso do not want the city to develop an entertainment industry, especially if it could alter or change the complexion of El Paso’s cultural heritage. For others, the prospect of changing that reality would be a dream come true. Many El Pasoans are of the opinion and acknowledgement that “their city lacks certain amenities and venues that attract the kind of cash carrying visitors that
they would like to see” (El Paso Herald Post, March 31, 1988).

Some El Pasoans contend that political bickering, egos, and infighting among the City’s past political elites, have been to blame for not having an industry. Other locals suggest that El Paso’s impoverished image has saddled it with many disadvantages. During the last 30 years many investment groups have struggled to succeed in bringing entertainment venues to El Paso. In attempting to do so, they found only minimal interest among politicians and enough opposition to discourage their efforts. Prior to the recent ballpark event, El Paso’s politicians had never been strong advocates for endorsing or supporting the use of entertainment and leisure as a development strategy.

In 2011, Dr. Edward Feser of the University of North Texas’ Center for Economic Development and Research Center for Regional and Economic Competitiveness conducted a study to better understand El Paso’s short comings in creating an economic environment that was conducive to improving its socio-economic prospects. On completion of his study, Dr. Feser made note of several observations, including the fact the fact that there is not sufficient consensus as to which economic development opportunities El Paso should pursue (Feser 2011).

Dr. Feser further suggested that El Paso did not have enough staff capacity to properly support economic development, and their economic opportunities. He recommended that El Paso give flexible and discretionary incentives that allow for stake-holders to promote and secure transformative development projects. Feser noted in his study that El Paso, the 5th largest city in Texas with over 800,000 residents in a metropolitan area of over 2.5 million people, should be more dynamic than it actually is. His final recommendation for El Paso was, as a symbol of prosperity and in order to lure tourists, “El Paso must re-vitalize downtown in an
effort to have long term success and raise brand awareness as a tourism destination” (Feser, 2011).

Dr. Feser marveled at the apparent “incoherence” of the political establishments lack of understanding concerning the mechanisms involved in creating economic development. Ultimately, Dr. Feser asserted that “El Paso is simply not ready to compete, largely because regional efforts have lost focus, lost capacity, and created a major sense of uncertainty amongst stake holders” (Feser, 2011). I have often wondered how much of an impact that report by Feser had on people like Wilson, Ortega, and Byrd in terms of modeling the importance of downtown redevelopment. In the subsequent chapter we will see how some of that has changed in El Paso, and how the ballpark controversy has helped El Paso to begin to finally consider the possibilities of having an entertainment and leisure industry.
2. THE CONTROVERSIAL CASE HISTORY OF THE EL PASO CHIHUAHUA’S BALLPARK

If tourism is so lucrative around the world, in the United States and in Texas, why is it that the El Paso city government has only now begun to understand this dynamic? This chapter highlights how a local group of wealthy investors and the El Paso City Council were able to bring a Triple-A baseball team to the city, despite widespread opposition to their plan. The investment group and city council were successful at achieving their objective by entering into a public/private agreement using Chapter 334 of the local government code and Texas S.B. 1048. What also seems to help them was that they joined efforts to defend their objective of bringing Triple-A baseball to El Paso.

The story of the ballpark is relevant to the theme of this thesis, because it illustrates and sheds light on a continuing and long standing history of failed socio-economic opportunity in El Paso. It also helps to answer the following research question: Why did the El Paso Chihuahua’s Ballpark venue succeed, despite widespread opposition? This chapter will seek to provide a brief overview of the activity that was at the core of the controversy, and tell the story of what happened in El Paso, when the public was excluded by elected officials from participating in a development process involving the use of public property and public money, to fund the construction of a controversial baseball stadium.

This chapter will introduce the reader to a cast of characters, who promoted and supported the development of the ballpark and their motivations for their support. In a similar fashion, this chapter seeks to introduce all of the major players and groups who were opposed to the development of the ballpark and their motivations for opposition. In addition to revealing who and why they were either for or against the development of the ballpark,
this chapter will seek to give a clearer understanding of why the proponents were successful at developing the ballpark, while those in opposition failed to do away with the controversial development plan.

Texas Senate Bill 1048 allowed the proponents to carry out their objective within the confines of and under the protection of state and local law. Straight and simple the city followed the laws that were in place to take advantage of Texas S.B. 1048 that had been passed in 2011, with the purpose encouraging Texas businesses and investment groups to deal with the local government to achieve public and private development. Texas Senate Bill 1048 gives more power to the cities and investor class, and has less consideration for the average citizen, who will ultimately pick up the tab (extra taxes) when a public/private venture becomes insolvent or no longer performs like it should.

2.1 Chapter 334.021, Local Government Code (the “Act”)

On June 26, 2012 pursuant to city council agenda item 12.4, El Paso City Manager Joyce Wilson introduced a resolution providing for the planning, acquisition, establishment, development, and construction of a sports and community venue project and designated the method of financing the project pursuant to Chapter 344: Financing. The council then moved to “authorize subject to approval at an election to designate the acquisition of a multi-purpose coliseum, stadium or other type of arena or facility that is planned for use for one or more professional or amateur sports events, ‘including minor league baseball games, and related infrastructure’ all as permitted and defined in section 344.001 (El Paso City Council Meeting Minutes, June 26, 2012).

The city then moved to designate the 344 charter method of financing by imposing a tax on the occupancy of any hotel room within the city of El Paso, at a rate not to exceed 2%
of the cost of such a room. If the resolution passed during the November 6 general election, then the city would at that time send a copy of the resolution to the Texas Comptroller of Public Accounts together with other information as requested by the comptroller for a determination that the implementation of this resolution would not have a significant negative fiscal impact on state revenue (El Paso City Council Meeting Minutes, June 26, 2012). The city complied with the requirements of S.B.1048 and the ballpark moved forward.

2.2 Texas Public and Private Facilities and Infrastructure Act: S.B. 1048

On September 1, 2011, the 82nd Texas Legislature enacted S.B. 1048, entitled the Public and Private Facilities and Infrastructure Act, Chapter 2267, of the Texas Government Code. The Act provided the legislative framework that enabled cities to organize and participate in public-private partnerships by entering into agreements with private entities to develop and operate qualifying projects (Texas Facilities Commission, 2012). The Act was very liberal in its interpretation of qualifying projects, enabling the city to effectively carry out its plan to build the stadium.

The Act states that it provides for the Commission the ability to carry out its mandate and to deliver projects and services in a timely, cost-effective manner than could otherwise be provided by the public sector (Texas Facilities Commission, 2011). This language allowed the city and investment group the opportunity to fast track the project, leaving the opposition in a position of desperation in terms of how much time that they would have to fight the development. The Act was also written to “encourage innovative approaches and leverage existing resources to fund a comprehensive range of projects that encourage economic development” (Texas Facilities Commission, 2011). This language “innovative approaches”
legally encouraged the city council and investment group with the ability to be able to justify the demolition of city hall.

Texas S.B. 1048 gave the city all the leverage it would need to push through the ballpark’s development without having to rely on voter approval to go forward with the project. Nowhere in the Act does it state that a government entity needs to seek approval from the public at large to develop, but it does have to seek approval for funding from the public pursuant to charter 344.021. In El Paso’s case, the funding mechanism was put to the vote, but the actual ballpark was not. Regardless the ballpark would have been funded under the 344 agreement, should the measure fail, voters would be covering the cost regardless, unless they voted for the HMO to pay for the stadium. The voters were made aware of that fact, before the vote, in anticipation by the city that one way or another the stadium would get funded.

The El Paso voters decided for the city that the hotel/ motel industry would be picking up the tab for the ballpark, rather than them. The ballpark under the agreement would still have to be funded by the taxpayers. The language in S.B. 1048 is more concerned with the relationship between the private investor and the government entity. When it came to the ballpark, the voter decided that it was better for the Hotel/Motel group (HMO) to cover most of the cost, than for the taxpayers having to pay for it all should the vote fail. The city knew what it was doing when it made the decision about putting the funding, up for a vote. Either way the choice was clear, either the taxpayers or the HMO were going to be the ones who were going to cover the cost.

Texas Senate Bill.1048 encompasses 17 pages of friendly legislation for business interest and is pro-development in its design. Many of its provisions outline and define its terms and conditions in a manner that is open to a wide variety of different business interests.
The Act benefits many different businesses from ferry and mass transit systems to gas pipelines and recreational facilities to include stadiums like the one in El Paso. The only real requirement besides the standard prospectus is that the proposed project be designated for and capable of achieving economic development.

Section 2267.003 does not apply undue restrictions or contingencies on cities in the way of financing, design, construction, maintenance, or operation. This sub-section allowed the city to fast track its bonding and funding activities and also enabled the city to basically call its own shots in many regards to funding any projects that were related to the primary development project (i.e. the cost of moving city government). Many of these related projects were also controversial and of concern to the opposition as well.

2.3 Eminent Domain and S.B. 1048

Under section 2267.004 the law clearly states that the charter does not have the ability to alter the current eminent domain laws. This was an important consideration in why the city hall building was imploded to make way for the stadium in the first place. The city had been pressed for time by the Pacific Coast League (PCL), and having to find an appropriate piece of downtown property large enough to house the stadium by negotiating the purchase price of private land, would have taken more time than they had. The ability of the city to use eminent domain had already been tested and had been found pointless.

In 2007, a plan by local billionaire REIT investor Billy Sanders to re-develop 359 acres of downtown in South El Paso, met with opposition by a group known as the Land Grab Opposition Group; (LGO), who challenged Sander’s and the city’s attempt to acquire their properties. The group led by Walter Kim and the Korean Chamber of Commerce sued the city, when they threatened eminent domain. A federal judge ruled that cities could only
use eminent domain to acquire property for public works, like roadway construction and that it could not be used for private development interests (El Paso Times, 2007).

It was this one caveat, which led to the destruction of city hall and issued in a large part of the opposition. Had the city had other downtown property at its disposal that met the Pacific Coast League’s requirements, and was not under pressure to commit to the project in such a hasty manner, the city hall building would not have needed to be imploded, and much of the opposition would not have materialized. The city did have one other piece of property closer to the border on Paisano Street, but the fact that the PCL was already seriously concerned with the drug violence in Juarez, they would never had approved the team for sale to the MSSG in that area of downtown. Besides the area had already been slated for the soccer stadium within the 2012 Quality of Life Bond that was initially tied to the ballpark.

After the passage of Texas Senate Bill 1048 in 2011, many things about the way business is done in Texas changed. One of the things that changed was the fast track facilitation and protection by law, of the public/private partnership agreements, between government entities and private investors. The Texas Legislator was eager by passage of this bill to aggressively produce and accelerate the conditions (pro-development) for future socio-economic success, through the use of entertainment and leisure.

Many community stake-holders and wealthy investment groups in Texas understand the dynamics that are involved in promoting and keeping a robust tourist economy in their city. In El Paso, Texas Senate Bill 1048 was quietly welcomed with open arms, by a city council whose prior attempts at downtown re-development had fallen victim to opposition groups. This time, things would be different.
<table>
<thead>
<tr>
<th>Column A: Proponents</th>
<th>Column B: Motivations for Support</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paul Foster: Owner, (MSSG)</td>
<td>Wanted to do give back to the community.</td>
</tr>
<tr>
<td>De La Vega Foster: Owner, (MSSG)</td>
<td>“Because it is in my family’s blood to give back to the community.”</td>
</tr>
<tr>
<td>Woody Hunt: Owner (MSSG)</td>
<td>“Will help with Downtown re-development and help to create economic development.”</td>
</tr>
<tr>
<td>Josh Hunt: Owner (MSSG)</td>
<td>El Paso was ready for pro-sports. New ballpark would increase ‘quality of life’ be catalyst for Downtown revitalization, and increase eco dev.</td>
</tr>
<tr>
<td>Joyce Wilson: El Paso City Manager</td>
<td>“It’s our watershed moment. In the long term ballpark will help create larger plan for a sports and entertainment district, ballpark, multi-purpose entertainment center, and possible soccer stadium at Union Depot.”</td>
</tr>
<tr>
<td>Steve Ortega: Dist. 7 Rep/ Mayoral Candidate</td>
<td>“Great eco dev tool, revenue paid for by outsiders. It’s transformational. It will make Downtown attractive, promote eco dev. bring jobs and make sports entertainment part of equation. The city’s chance to get rid of the there’s nothing to do mentality.”</td>
</tr>
<tr>
<td>Susie Byrd: Dist. 3 Rep</td>
<td>“Important investment in Downtown and it will help to revitalize Downtown.”</td>
</tr>
<tr>
<td>Ann Morgan Lilly: District 1 Rep</td>
<td>“It’s a real opportunity for Downtown and for El Paso. The location will be an excellent place, because of access.”</td>
</tr>
<tr>
<td>Courtney Niland: Dist. 8 Rep.</td>
<td>“Aside from an Eco dev tool. Boost, the baseball park will bring affordable, quality family entertainment that the community is thirsty for.”</td>
</tr>
<tr>
<td>Dr. Michael Noe: Dist. 5 Rep</td>
<td>“You could not find a better place Downtown to put a baseball stadium. We need to assure them that will have the stadium work done right and very quickly.”</td>
</tr>
</tbody>
</table>
2.4 Proponents of Change

When it was first announced that a local group was interested in purchasing and relocating a Triple-A baseball franchise to El Paso, few were surprised to see that it was local billionaire Paul Foster and his wife Alejandra De La Vega Foster along with Josh and Woody Hunt of Hunt Development that displayed interest in purchasing. This group of individuals would come to be known as, the Mountain Star Sports Group or (MSSG).

Paul Foster, owner of Western Refinery, is well known for his philanthropy and generosity within the community. He and his wife Alejandra have donated over $80 million dollars to local charities over the years, including $50 million to Texas Tech’s Medical School, which bears his name (El Paso Times, 2012). Woody and Josh Hunt are a father and son team, whose family has been in the development business in El Paso since 1947. They too are known for their philanthropy.

Another advocate for the ballpark was El Paso City Manager Joyce Wilson. Wilson was El Paso’s first city manager and held that position from 2003 to 2013. Wilson holds a Master’s degree in Public Administration (Fiscal and Urban Policy) from the John F. Kennedy School of Government at Harvard University, with 20 years of city management experience. Wilson was the main player in dealing with the opposition and in making sure that the city and investment group’s plans were implemented and carried through on a day-to-day basis. She was the nerve and brain center for the proponents group.
Steve Ortega was an 8-year veteran of city council, who was running for mayor during the ballpark controversy and probably had the most to lose of any other council member for supporting the ballpark’s development. Ortega was the biggest proponent of the ballpark. Ortega had been a young council member during the 2007 downtown re-development debacle and had first-hand knowledge of dealing with opposition groups.

Susie Byrd was elected to the El Paso City Council in 2005 and was finally termed out in 2013. Before being elected to office in 2005, Byrd was the top aide to former El Paso Mayor Ray Caballero. She also co-authored a book with former council member, U.S. Congressman elect Beto O’Rourke, entitled “Dealing Death and Drugs: The Big Business of Dope in the U.S. and Mexico, a rational case for ending the prohibition on marijuana in the U.S.” Byrd is currently serving on the El Paso Independent School Board.

Ann Morgan Lilly was elected in 2005 to City Council and termed out in 2015
because of a staggered election rotation. Like Susie Byrd and Steve Ortega, she too has had experience in dealing with the Land Grab opposition group in 2007. Along with Dr. Michael Noe, District 5 Representative, and District 8 Representative Courtney Niland, Ann Morgan Lilly voted for the ballpark. On Table 2 the motivations of all the opponents will be clearly deciphered for intent of action in relation to what each action yielded in terms of promoting their objective.

Table 2: Opponents Motivations for Protesting Ballpark Plan

<table>
<thead>
<tr>
<th>Column A: Opponents</th>
<th>Column B: Motivations for Protest</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quality of Life Voters: (QLV) Stephanie Townsend Allala, Attorney</td>
<td>“Believed there was corruption in city government. Concerned city was financing foolish things like going into debt to destroy our buildings to build baseball stadiums. Against the way city circumvented the rights of the voter. Believed there was ‘shadow government’ at work with ‘special interests’ in cahoots to demo city hall.” They “hated the way it came about.”</td>
</tr>
<tr>
<td>Coalition for Responsible Government: (CFRG) Ray Salazar, Ex-El Paso Mayor</td>
<td>Salazar’s motivations were somewhat predicated on the fact that he had many fond memories of the building he built, while he was mayor of El Paso. Ray Salazar also felt that the ballpark plan was ‘shoved down the throats of the voters’ who otherwise had no say in the matter. He also believed that city hall was corrupt. He was against the demo of city hall. This group “hated the way the ballpark came about.”</td>
</tr>
<tr>
<td>Citizens for Taxpayer Justice: (CFTJ) Raymundo Rojas, Attorney</td>
<td>Did not like the way it came into existence, violated voter’s rights, and was against the demo of city hall.</td>
</tr>
<tr>
<td>The Average Citizen</td>
<td>“Angry about the circumvention of their perceived rights under Texas law to have a say so in the matter. Believed that there was corruption involved, were against the demo of city hall and were opposed to the way the ballpark came into existence.”</td>
</tr>
<tr>
<td>Eddie Holguin: Dist.6 Rep.</td>
<td>“hated everything about it, the cost to the tax payers, the Tigua Tribe who he represented lost their lease with the city (Cohen Stadium), he was against imploding city hall, he thought the voters should have had their say”</td>
</tr>
</tbody>
</table>
Carl Robinson: Dist. 4 Rep.  “Against throwing perfectly good building, city always ignores his district, expensive, no voter approval, thought it negatively affect the quality of life bonds. Disagreed with moving government offices

2.5 Opponents of change

In like fashion this section will attempt to decipher intent of action for those in opposition to the ballpark, in terms of what their activity yielded them in their quest to disrupt or destroy the ballpark plan. There were five main opposition groups that, for slightly different reasons, were opposed to the stadium’s construction. For starters, all of them were against the way the entire ballpark deal came into existence. Not having a chance to have an up- or- down vote on the issue left all the opposition groups in agreement that the process and the plan for that matter could not stand. Another area of common agreement among the different opposition groups were the tax implications and the effect that they would have on the taxpayers. The final point of contention was the destruction of their city hall.

The opposition groups were headed by some strong willed and principled individuals who were known for their outspoken flair and dramatic demeanor. One of the strongest and most outspoken opposition leaders during the ballpark controversy was a local Attorney Stephanie Townsend Allala. Allala, formerly a newscaster for one of the local affiliates spent several years as a newscast personality; before going to law school and becoming an attorney. The Townsend Allala opposition group was known as The Quality of Life Voters Democracy (QLVD). Townsend Allala was also affiliated with the Occupy City Hall Opposition Group (El Paso Times, Aug. 17, 2012).
During the entire ballpark debate, Allala repeatedly called for Joyce Wilsons’s resignation, and encouraged the opposition groups into having a four day sit in, which she dubbed “Occupy City Hall.” During that sit-in, she claimed that her pressure influenced the decision by the MSSG to agree to amend the agreement between the city and the MSSG. That amendment in turn led the investment group to agree to pay an extra $12 million to cover some of the cost over-runs associated with the ballpark (93.1 Kiss Fm, Aug. 10, 2012).

On radio morning talk shows, she was infamous for angrily challenging talk show hosts, like Duke Keith of KLAQ, who agreed with the ballpark, and was told by Allala after a spirited discussion to “shut up.” On almost every show, she came out with slanderous accusations about corruption leveled at those in city government, who had supported the ballpark. She called people who supported the ballpark construction “Auto Mons” who believe everything that Joyce Wilson told them” (El Paso Times, Aug. 17, 2012). She repeatedly called for El Pasoans to not “drink the poisoned kool aid,” referring to Jones Town, where 900 plus souls drank poisoned kool aid, and did not question about
who or why they were being asked to drink the juice. Her contributions to the “Refuse the juice” website, which appear in her Chucoleaks web-page pay testament to comments concerning the “don’t drink the juice” statements (Refuse the Juice, 2012).

For Townsend Allala, “the ends never justified the means” (El Paso Times, Aug. 19, 2012). She firmly believed that the means that the city and the MSSG used in establishing the stadium were corrupt. She, like many in the opposition, believed that the city was “financing foolish things like going into debt to destroy our downtown building to build a baseball stadium” (El Paso Times, Aug. 19, 2012). Additionally, she believed that the city had circumvented the right of the voters to decide the fate of the ballpark.

Her main weapon of opposition against the city became known as E-Mail Gate. Townsend Allala along with then Attorney General of Texas Greg Abbott (now Governor), subpoenaed for a complete open records request for all of the e-mails of all city council members, so she could investigate, whether there was corruption in any of the processes that led up to the development of the ballpark (El Paso Times, Nov. 17, 2012). According to Townsend Allala, she spent the better part of a year working on nothing but her opposition to the ballpark (Interview Kiss FM 93.1, Aug. 10, 2012).

Townsend Allala claimed that “without open records, there is much that the citizens of El Paso would not be aware of concerning the way in which local government an special interest activity function in this community” (93.1 Kiss FM, Aug. 10, 2012). She further asserted that only through open records laws could the voters and taxpayers be assured that a sense of fairness, justice, and a free and open democratic process was at work (93.1 Kiss FM, Aug. 10, 2012). After months of poring over emails, she claimed that all of the e-mails had not been turned over, and demanded that all e-mails, even personal ones be made available. Local attorney and City Council member Steve Ortega
refused to comply, unless compelled to do so by court order. Contending that he had nothing to hide, Ortega agreed to respect the court’s decision should they be inclined to request, that he hand over his personal e-mails.

Allala was relentless in her quest to find fault. At one point, she claimed that she had in her possession over 7,000 e-mails and was sure that she would find evidence of public corruption (93.1 Kiss FM, Aug. 10, 2012). Despite the fact that her efforts had failed, she like all the other opposition groups vigorously continued to protest the ballpark and all of those elected officials, who had supported the ballpark. The implication of her E-mail Gate activities would suggest that she saw herself somewhat as a champion of public justice, whose job was to defend the average El Pasoan from what she perceived to be public corruption.

Another way Townsend Allala was effective in being a torn in the side, was through her website, chucoleaks.org. She used the e-mails of those political insiders in favor of the ballpark that she received from TORA (The Open Records Act) to highlight possible corruption by the “shadow government” (93.1 Kiss FM, Aug. 10, 2012). This website had a daily accounting of some conspiratorially motivated content, based off of e-mails that had been sent between certain council members and the City Manager, Joyce Wilson, or between Wilson and others, who were over-seeing the logistics and the over-all plan to ensure that the stadium would be built on time.

Depending on the e-mails, certain details therein contained were opened up for scrutiny and speculation of intent. In a manner characteristic of good investigative journalism, Allala used her talent as a reporter and attorney to dissect the contents of the e-mails, in an effort to uncover any evidence what so ever, of public corruption and wrong doing. Chucoleaks.org was a motivational aid and bid to keep the fire of
opposition burning big and bright. There have also been problems in El Paso with corruption in recent years, which made her website was so popular. While the ballpark controversy was brewing, so were the arrests and convictions of more than 50 local politicians who were arrested for public corruption and sentenced to prison. Some El Pasoans like Allala, have learned to become leery of politicians. I would suspect that the corruption scandals going on at the very same time, had an impact on the ballpark plan. El Pasoans learned to question everything and everyone.

2.6 Second Opposition Group

The second opposition group formed was known as the Coalition for Responsible Government (CFRG), and was headed by a 79 year old, ex-El Paso Mayor Ray Salazar. Salazar had been mayor when the city hall was originally erected back in 1979. Ray Salazar’s motivation for protesting the demolition of the city hall and the stadium deal as hard as he did was, because the building had been built during the time in which he was mayor, and the building held many fond memories for him. In addition, he was also concerned with the “undemocratic process” of the way the ballpark came about (El Paso Times, Aug. 2012). Of all the Opposition groups the CFRG was the most aggressive. The CFRG was committed to do harm to the ballpark plan.
Another opposition leader of the CFRG was a retired Parks and Recreation Eastside Supervisor David Ochoa. For the most part Ochoa’s motivations were anchored in his sense of right and wrong. A staunch Catholic and community advocate for environmental issues, Ochoa was genuinely concerned about corruption. His only real concern was the lack of transparency and the way the deal was pushed through without voter approval. Ochoa was a vocal opponent at every city council meeting and was party to several lawsuits filed against the city. Ochoa was also affiliated with the CFTJ in at least one lawsuit filed on February 4, 2013.

Another opposition leader for the CFRG was Salvador Gomez who petitioned the city twice to reverse the decision made by the city on June 26, 2012 to enter an agreement with the MSSG. Opponent Carl Starr, a local attorney who ran for Mayor back in 2003, and was one of the attorneys affiliated with the CFRG. He sued the city in Federal Court in February of 2013 in order to prevent the implosion of city hall. In addition to Starr another Attorney was affiliated with the CFRG. His name was Fernando Chacon, and he represented the CFRG on several suits against the city as well.
Aiding the CFRG in their legal fight against the city was a local lawyer named Jesus B. Ochoa, a University of Texas Law School Graduate, who is currently on administrative suspension and not eligible to practice law (The State Bar of Texas, 2015). It is unclear why Mr. Ochoa is on Administrative suspension, or if it has anything to do with his ballpark lawsuits that were over turned. Ochoa’s part was to file suit and defend the CFRG’s interests in court.

The Bar’s web-page states that there are a number of reasons, why a member may be suspended. Some of these include “failure to pay inactive or active membership dues, failure to pay Attorney Occupational Tax, MCLE requirements non-compliance, Texas guaranteed Student Loan Default, failure to pay child support, or a failure to take a guide to the basics of law practice course” (Texas Bar Association, 2015). It is not apparently clear what Mr. Ochoa’s motivations for opposing the ballpark were, but the law suits that he filed were mostly for what he saw as violation of voter’s rights. He is quoted in the El Paso Times as saying that he asked for an injunction, just to allow the people to vote (Feb. 20, 2013).

Figure 4: Navy veteran and a retired trial lawyer, Jesus B. Ochoa (Raymundo Aguirre/Borderzine.com)
Another member of the CFRG that served as legal support for the opposition group was former El Paso State Representative Paul Moreno, (District 77) who was first elected to the Texas House in 1967 and was the longest serving Hispanic elected official in the United States (Mallf, 2010). Originally from the Segundo Barrio, Moreno was no stranger to opposition movements. In fact, during the Downtown Redevelopment debacle of 2007, he sided with the opposition group called the Land Grab Opponents, who were responsible for derailing a plan to redevelop 359 acres of blighted downtown neighborhoods in South El Paso. Moreno is quoted in the Texas Observer as saying, “We are a poor community that is not like Dallas, Austin, or Houston, we cannot afford this” (The Texas Observer, May 2007). Moreno is co-founder of El Paso Legal Assistance and is a founding member of the Tejano Democrats.

2.7 The Third Opposition Group

A third group in opposition to the ballpark was ironically the Hotel/Motel Association of all groups. To some it might seem strange that the Hotel/Motel Association would even consider opposing the development of a major entertainment and leisure venue that could benefit them in the long run. This group was led by the Association’s President at the time, Danny Padilla. This individual’s motivations for opposing the ballpark venue were reasons of purely economic consideration.

The Association was protesting the way the city had chosen to pay for the construction of the ballpark, that is, by increasing the city’s hotel occupancy tax by 2%, to a rate of 17.7% (El Paso Times, June 24, 2012). The strategy by this big group of hotel motel workers was to use social media, through their Facebooks and Twitter accounts to discredit the ballpark. Most employees of the HMO defended their pocket books by putting down the venue and spreading the word, believing that the increase in the hotel
tax would drive business away. Another tactic they used to try to show their disdain for the ballpark plan was to threaten to “split away from the El Paso Chamber of Commerce over the increase in hot –tax” (El Paso Times, Sept. 27, 2012).

2.8 The Fourth Opposition Group

The fourth opposition group was headed by local Attorney Raymundo Rojas. The group was known as (CTPJ) or Citizens for Taxpayer Justice. This young El Paso Attorney graduated from The University of Texas at El Paso in 2001 and received his Juris Doctorate from the University of Kansas. He is active with immigrant advocacy and was executive director of Las Americas Immigrant Advocacy Center from 2007 to 2010. Rojas also has a back-ground in wage and hour, immigration, and non-profit law. Rojas is the founder and current president of the El Paso Immigration Defense Bar and the National Lawyers Guild-El Paso Chapter.

Rojas’ chief concerns in life have always been humanitarian in nature, and his motivation in doing what he did for his part, were probably motivated by a sense of justice and a desire to defend the rights of the voter. Rojas was also affiliated with Townsend Allala’s group the Quality of Life Voters for Democracy (chuckoleaks.org, 2012). He has been known to also participate in a guest column on chucoleaks from time to time. His last appearance was on August 26, 2014.
2.9 The Fifth Opposition Group

The fifth opposition group was the largest by far and represented the most effective one, out of sheer numbers. These individuals were the unincorporated members of the opposition, the average citizen. These citizens were just as angry, but for whatever reasons were not affiliated with any of the opposition groups. For the average citizens in opposition, using their social media outlets like Facebook to criticize the ballpark and the politicians who supported it, is what they did. Many also block walked and passed out literature during the campaign season, in an effort to discredit Ortega for supporting the ballpark plan.

Some of the blogs on social media were extremely contentious and heated. Many citizens chose to angrily voice their opinion on social media, spreading their disapproval far and wide, in an effort to gain support for dismantling the ballpark efforts. Tempers and arguments were usually on display in the web. The following open letter was addressed to Joyce Wilson, and was indicative of hundreds of similar letters in the El Paso Times Facebook and other blogs around town.
After careful consideration and the realization that you are much better informed than we, the people, I would like to make a progressive proposal in relation to replacing city hall with a baseball stadium—a way to continue bringing attention to downtown development. And I pray that Ms. Joyce Wilson is listening because, after all, she is “El Paso government.” Please allow me to follow suit in progressive thinking and propose the speedy tearing down of the county Courthouse. It meets all the previously mentioned reasons for city hall to be torn down. It needs plumbing repairs, lights, carpet and, most importantly, it is straight from the six flags over Texas Park. And here’s the clincher— it has a triple AAA rating! Manny Hinojosa, West El Paso (El Paso Times, Facebook, Oct. 21, 2012).

2.10 Opposition in City Council

The last opponents are the three conservative El Paso City council members with a history of voting against most agenda items. Eddie Holguin first ran for office when he was 18 years old. He continued to run every two years for three terms, until he moved into an adjoining district and ran unopposed. In 2007 he was re-elected to four more years. In 2013 he ran for County Judge but did not make the run-off. The defeat for Holguin ended his political career.

During the ballpark debacle, Holguin played the part of the devil’s advocate in the gallery, calling attention to the “big mistake” that the other council members had made in siding with the ballpark development. Eddie Holguin’s motivation was to play it safe, the will of the voter, and keep getting re-elected, so that he can vote no to virtually every item that comes up for consideration in chambers. Eddie Holguin is known for his idea of wanting to freeze the elderly and disabled citizen’s tax rates. Holguin saw himself during his stay on council as playing the part of tax hero, and perhaps this was his motivation for opposing the ballpark the way he did (El Paso Times, April 5, 2011).

Carl Robinson is a retired Vietnam Vet who was elected to Represent District 4 in 2009. Robinson’s back-ground consisted of a 25 year career in the U.S. military, before he retired in El Paso. Robinson’s opposition to the ballpark came from “the way the city
moved forward without giving El Pasoans an up or down vote.” Robinson worried that the growing backlash could impact the success of the quality of life bonds, which he supported (El Paso Inc, Aug. 31, 2012).

Other concerns for Robinson that played into his opposition of the downtown stadium was that his district is home to Cohen Stadium, a vacated 7,500 seat stadium in North East El Paso. Cohen was home to El Paso’s double AA baseball team, the El Paso Diablos. Robinson was for retrofitting Cohen for Triple AAA for what he said would be a fraction of the cost of the proposed $50 million dollar price tag of the new downtown ballpark (El Paso Inc, Aug. 31, 2012).

Robinson also took issue with what he said amounted to the demolition of city hall “because it had just had up-grades and had nothing wrong with it” (El Paso Inc, Aug. 31, 2012). The idea of throwing a perfectly good building 10 story building defied logic. Robinson was also opposed to the idea of downtown redevelopment and believed that El Paso “should not put all its eggs in one basket,” meaning downtown redevelopment. His main issue was that his district was under-developed and lacked establishments that other parts of town had.

He said his constituents were bothered, because they do not have a Red Lobster or new Olive Garden. Robinson said that people in his district “feel that they are stepchildren” (El Paso Inc, Aug. 31, 2012). Robinson griped that there had been no economic development in his district, “None what so ever.” I believe that these were the motivations and considerations that led Robinson to oppose a project which lacked reason, was expensive, had no voter approval, and ultimately would not benefit his district.
Emma Acosta is a retired city employee who ran the Department of Solid Waste Management for 26 years, and went on to run for city council. She was elected to council in 2009. Acosta’s political decisions have been known to sway with whatever public opinion is on the matter (El Paso Times, June 26, 2012). She is known for examining every detail that crosses her path, and is skilled at reading the political pulse of the people.

I think it was a calculated strategy on Acosta’s part to oppose the ballpark lease plan, knowing that many voters in her district where now in opposition to the ballpark. For Emma Acosta, her strategy was motivated by self-preservation and political survival, even though she knew that secretly if she could, she may have wanted to vote for the ballpark, under different circumstances. During the ballpark debate, she sent mixed messages about her intentions and often signaled which direction she was thinking about going in, in terms of how she would vote (El Paso Times, Sept. 16, 2012).

2.11 Debate of Public Funding for Other Ballparks Around the Country

Economists have long known that stadiums are poor public investments. Most of the jobs created by stadium building projects are either temporary, low-paying, or out-of-state contracting jobs- none of which contribute greatly to the local economy. Most fans do not spend additional money as a result of a new stadium; they re-direct money they would have spent elsewhere on movies, dining, bowling, or other businesses (Gordon, Aaron, 2013).
Most new stadiums are usually built in response to a professional team threatening to move their organization to another city, where a stadium will be built to accommodate the team. This has been the case in Cleveland, Baltimore and other cities in recent years. Despite the fact, that citizens are not happy with having to finance the construction of a new stadium, most taxpayers in many cities prefer to spend the money, rather than lose their team to another city.

The tourism industry’s concern over public investment in sports facilities in 1996 led to a coalition of car-rental agencies and other tourism-related businesses to embark on a ten city barnstorming tour to mobilize opposition to sports related projects. Roger Ballou, chief executive of Alamo Rent –A-Car and chairman of the tourism industry Association of America (TIA) conducted a series of radio interviews to rally public opinion against what he called “the unfairness of taxation without representation.” He pointed out that “very few travelers are attending these games, but they are being called on to pay for these facilities” (Judd and Fainstein, 1999). Recently, sixty-nine percent of respondents in a recent national survey conducted by Fairleigh Dickinson University’s Public Mind said that they opposed the use of public funds to build stadiums (Wright, 2014).
3. THE ALL BARK BALLPARK

Following this chapter, there will be a table delineating all of the behaviors and activities that were engaged by all of the groups, in the ballpark process. The table will render an accounting of the amount and type of activity each group was responsible for. This chapter also reveals the story of the El Paso ballpark controversy in an effort to observe the individual actions taken by members of the opposition, and members of the proponents in defending their objectives. Through observation of their activities, this chapter will seek to reveal some of their motivations, preferences, resources, and tactics used to achieve their objectives. The story line will be partly a chronological ordering of how the relevant events unfolded to include some tables illustrating the number and frequency of oppositional behavior and activity. This method of analysis should reveal why it is that the events unfolded the way they did, including the activities that each group participated in and for what reasons.

In the spring of 2010, the seeds of controversy were sown far from El Paso, when Portland Oregon’s Triple AAA baseball team was sold by the son of the former United States Treasury Secretary Hank Paulson Jr, to Jeffrey Moorad, owner of the Major League Baseball franchise, the San Diego Padres. After an unsuccessful bid to bring them to Escondido, California, Moorad moved the team to the City of Tucson, Arizona where the team played one season, before being offered to a group from El Paso called the Mountain Star Sports Group (MSSG). The group was made aware of the team’s sale through Billy Sanders a local billionaire. The ballpark’s development was contingent upon several things happening first. The sale of the team was pending the approval by the Pacific Coast League (PCL) and was contingent upon the MSSG and City of El Paso entering a partnership agreement to build a downtown stadium (El Paso Times, 2012). Not realizing that they did
not have any further land available downtown and fearing the prospect of having to revisit the eminent domain downtown debacle of 2007, the City of El Paso choose to demolish and use the only property that it had left, El Paso’s City Hall.

This one decision made by city council provoked anger throughout El Paso and became the impetus for an initial wave of protest that would eventual grow out of proportion and engulf the city in a contentious wave of bitter debate. Most people detested the fact that the city would actually consider demolishing a perfectly good ten story office building to erect a baseball stadium. For them the move was a wasteful proposition that should have been put to a vote. Not only would El Paso lose a large office building and several adjoining buildings like the Insights Science Museum in the process, the city would also have to deal with the expensive reality of having to re-house 600 city employees, who currently occupied the building.

The city for its part wasted no time in revealing the majority of their controversial plans during a city council meeting, which was held on June 26, 2012. During the meeting several controversial items were discussed and then voted on, behind a back drop of angry opposition. There were many individuals that signed up to speak in opposition to the plan. These individuals represented several groups who stood to actually lose something from the joint venture between the city and the MSSG. There were also some there, like Billy Blaziek former Conventions and Visitors Bureau chief, who spoke in favor of the plan. This meeting was brought to order by an intent proclamation by City Clerk Richarda Momsen who proclaimed,

WHEREAS, the City of El Paso has received an unsolicited proposal by a group of private investors seeking to acquire a Triple-A Minor League Baseball Franchise (“Team”) and locate it in El Paso. “WHEREAS, the private investors desire to partner with the City of El Paso to construct and operate a public sports facility (“Ballpark”) in Downtown El Paso in which the team will be the primary tenant;
WHEREAS, the City Council recognizes that the development of a Ballpark in Downtown El Paso will serve as a valuable catalyst for redevelopment of downtown, will create economic activity and jobs, and will enhance the quality of life for citizens city-wide; and WHEREAS, the City Council desires to work with the private investors to relocate the team to El Paso and will build the Ballpark”(El Paso City Council Meeting Minutes, June 26, 2012).

The first item on Agenda item number 12.1 was the public /private partnership agreement between the MSSG and the city, contingent on whether the investors were able to purchase the team and relocate it to El Paso. The second item discussed was the location of the ballpark. The language from the actual meeting read:

Having reviewed all the possible sites for the Ballpark, the City Council has determined that the site currently occupied by City Hall, the Insights Museum, the Community Garden and the supporting parking areas fronting on Franklin Street allow for the best redevelopment opportunity and authorizes the City Manager to take measures to complete the planning for the redevelopment of such site and to take steps to make the site available to other locations in the downtown area to allow for the construction of the Ballpark” (El Paso City Council meeting minutes, June 26, 2012).

The resolution drew immediate jeers, boos, and grumbling of disbelief and amazement. The next item announced drew the same response and even had Eddie Holguin sitting on the edge of his chair and Carl Robinson scratching his head in bewilderment. The relocation of city hall was announced giving City Manager Joyce Wilson the power to move forward with the long and short term task of relocating city hall’s operations to other locations in downtown to allow for the construction of the ballpark. The fourth controversial item for many in the gallery was the resolution to fund the ballpark’s construction.
Figure 7: Joyce Wilson at press conference with Representative Eddie Holguin in the background. (Ruben R. Ramirez, El Paso Times)

The resolution authorized Wilson to “proceed with the proposed financing plan, which ultimately may be modified to include the possible use of (i) a hotel venue occupancy tax if approved by the voters at a duly-called election; (ii) lease revenue bonds issued by a local government corporation formed by the city; and /or (iii) other debt obligations issued by or on behalf of the City for the construction and development of the ballpark. This one item (Revenue bonds and debt obligations) on top of it all, concerned the average citizen the most. The tax implications of having to accommodate this plan for having a downtown Triple-A baseball stadium, came at too high a price for many in El Paso.

For some individuals in opposition to the plan such as City Council Representative Eddie Holguin, the plan was a costly one that would hurt many of his constituents, who are on fixed incomes and live at or below the poverty level. The other opposition group that showed up to protest was the hotel motel opposition group (HMO), who worried that the financing plan was unfairly and disproportionately aimed at them. They worried that the increase in taxes would drive business away from them. The city also voted to include a non-compete clause to keep the Ysleta Pueblo Del Sur Indian Tribe from using Cohen
Stadium. The ballpark deal with the PCL stipulated that no other baseball team could play in El Paso besides Triple-A. This move infuriated both Eddie Holguin who represented the tribe, and Carl Robinson, whose district Cohen Stadium stands in.

The initial motivations as stated by the city council for going through with the ballpark plan, was that it would be a catalyst for the redevelopment of downtown. It would also create economic activity, jobs and enhance the quality of life for citizens city-wide. In attempting to do so, they quickly followed the ground rules pursuant to S.B 1048 and began the process of getting all their paperwork in order to qualify.

First, they established their rational for why they thought that it would be good for economic development. This is the justification that must be made by law, for a government engaging in a development strategy with a private investor. A city’s rational for development becomes a binding requirement that grants some immunity to cities to enter into partnership agreements with private investors in Texas. Second, they formally announced their intent to form a partnership as per S.B. 1048 by providing a detailed partnership agreement to include all specifications as stated in the guidelines, and finally used the Chapter 344 local code of law to establish their method of financing the ballpark.

The rest was just formality; which should have been reviewed (if at all) by the legal teams for the opposition.

### 3.1 Oppositions Only Chance to Defeat Ballpark Plan

If there was ever any chance or hope of legally opposing the ballpark plan, it was on page 19, tab 6: Community Impact Clause of the Texas Facilities Commission’s Public-Private Partnership Guidelines. The Governing Provisions for the Community Impact Clause Tab 6: number five clearly states, that the partnership has to “identify anticipated adverse social, economic, environmental and transportation impacts of the qualifying
project measured against the state’s comprehensive assets management and development strategy, design standards and any applicable ordinances of affected jurisdictions. The partnership must specify the strategies or actions to mitigate any known negative impacts of the qualifying project (Texas S.B. 1048, p 19, #5).

Several issues could have been formally argued to the commission in an attempt to stop the ballpark plan. First and foremost, the opposition’s attorneys should have appealed to the commission on the simple grounds that the many people were strongly opposed to the project. Next, they could have formally argued their positions concerning the parking and traffic issue associated with the development of the ballpark. Lastly, under conditionally of the clause, they could have argued that the City of El Paso and the MSSG had to “specify their strategy or actions to mitigate” the fact that there was wide-spread opposition to the project.

Could this clause have had the legal standing to force a solution that might have included involving the voters, or would the projects ability to provide economic development, supersede the desire of the voters to have the matter settled by referendum? We shall never know. The fact that the opposition’s lawyers were not more vigilant to all of the city’s activities and play book made them that much more prone to fail.

3.2 How Many Lawyers Does it Take?

One opposition group, the CFRG, had at least four attorneys on their side and still could not form a real strategy to go after the partnership. They blotched recall petitions, failed to fill out paper work properly in courts, made outrageous claims in court, and quite frankly were out gunned and out of their league. They clearly were not organized or focused on anything, but rhetoric.

Prior to June 29, 2012, not a lot of mention or insinuation of corruption had been
levied publicly against the city and the MSSG. All of that changed for certain on that day. On June 29, 2012 Stadium proponents addressed the Pacific League’s executive committee in Dallas on their desire to be a part of the league. Bill Burton e-mailed Joyce Wilson, William Studer, Cortney Niland, and Ann Morgan Lilly at 9:10 a.m. mentioning a photo of them with baseball caps on at the June 26 2012, City Council Meeting.

In the e-mail, he mentioned to Joyce Wilson: “Joyce, will you forward this to Steve, Susie, and Dr. Noe? I can't find their personal emails.” This was all the evidence Townsend Allaya needed to claim that there was corruption inherent in the ballpark process. She started claiming that the El Paso City Council used personal emails to conduct city business, which is against the law as it circumvents the Texas Open Meetings Act (Texas Open Records Act, 2012).

In a move to rush the process, the City of El Paso approved the Partnership plans containing 132 pages on July 18. By state law S.B.1048 all partnership agreements must provide a detailed proposal to the partnership advisory council in accordance to Chapter 2268 of the provision. Fortunately for El Paso all of its paper work was turned in promptly and approved in an expedient manner. At that moment, the ballpark moved one step closer to becoming a reality.

A few weeks had passed by and Many El Pasoans had become familiar with the ballpark controversy by reading, hearing and talking about it. People began to form opinions and choose sides. Many influential and well known individuals started opposition movements of their own for many different reasons. Many blogs began, and it seemed for a while as if it was being driven by Facebook, twitter, and almost every other form of social media. The topic seemed larger than life, and for many El Pasoans it was a wake-up call. It became a battle call between those who will always be opposed to change,
versus those in the city who were of the opinion that it needs change.

### 3.3 Things Heat Up

On July 22, 2012, a large group of average citizens formed at Memorial Park to begin a petition drive to overturn city council’s June 26, 2012 votes. On July 25, 2012 just three days later The Quality of Life Voters for Democracy (QLVD) marched on the El Paso County Court House and held a press conference to announce the start of their petition. Five days later, on July 30, 2012 the (QLVD) announced that they had collected over 1,500 signatures on their petition to make it mandatory that quality of life venues go to the voters (El Diario De El Paso, July 30, 2012).

On Aug. 6, 2012, the Pacific Coast League's executive committee announced it had unanimously approved the preliminary application review (PAR) application by the MSSG, bringing a Triple-A team one step closer to being moved to El Paso (KVIA News 7, Aug. 6, 2012). In response, the Citizens for Responsive Government (CFRG) on August 9, attempted to have the June 26 agreement between the city and the MSSG repealed. On August 19, QLVD occupied city hall by setting up camp for four days in the parking lot of Insights Museum.” Former El Paso Mayor Ray Salazar of the CFRG addressed the crowds about “the undemocratic way” that the ballpark was being handled. He also riled up the crowd by insisting that they continue to demand that the issue be put to the vote.

All of this activity reveals that by the summer of 2012, the ballpark controversy was just beginning to heat up. It was like a little war with battles being waged on a weekly and sometimes daily basis. On a daily basis, there were heated debates on social media, on blogs, Facebooks and twitter. The ballpark controversy was the talk of the town and every morning talk show and regular radio broadcasts had their programming filled with the latest news about the controversy. The accusations of corruption were rampant, prompting the
MSSG to announce on Aug. 30 that the baseball team’s profits would be going to local charities. That move did not deter many in the opposition from continuing to level charges of corruption at the owners group and the council members who had supported the ballpark.

On September 18, 2012 the City Council voted down the CFRG’s efforts to repeal and simultaneously voted to approve the contract between the MSSG and the city. The move by the city showed that it did not matter if they voted to dissolve their previous decision, or vote it back in within the same breath. The deal was done and the city was committed to seeing the ballpark succeed no matter what. By this point it was evident that nothing could be done to stop the ballpark’s construction, yet the opposition kept protesting.

Later that night after the city had signed the ballpark agreement, a rally was staged by the MSSG for the supporters of the ballpark at Cleveland Square. The event also drew plenty of people who were opposed to the venue. Those in opposition waved signs in protest, while supporters wore yellow event t-shirts and listened to local rock bands (El Paso Times, Sept. 18, 2012). There were no major clashes between the groups, but things did get heated from time to time.

It was during the city council meeting earlier that day, that Branch Rickey the PCL’s President sent El Paso City Manager Joyce Wilson, an e-mail. In the e-mail Rickey warned Wilson telling her that “the conditions that prevail relative to the sale and relocation of this franchise need to be addressed promptly and not become victim to any series of ambiguous proposals or open-ended processes” (El Paso Times, Sept. 19, 2012). The statement by Branch Rickey references El Paso politicians having behaved poorly in the past, by making it hard for investors to succeed. From the beginning the PCL had made it clear that three other cities were interested in the franchise. The PCL wasted no time in keeping pressure on the city to push the deal through.
Wilson acknowledged Branch Rickey’s reflection by stating that not embracing the deal, would “paint the city as uncooperative and un-trustworthy. In fact she said, “I do believe at the end of the day, if the council’s decision causes the team not to be located here, it would have a huge negative impact on the city’s reputation and image and would negate any confidence in any major investment group to come forward and want to do any kind of business that’s’ risk taking with this city” (Joyce Wilson, Sept. 18, 2012).

On September 19, 2013 in a special session of council, the implosions of city hall and Insights Museum were discussed. During the meeting the gallery of opposition groups became further enraged when it was announced that the cost to relocate city hall between several downtown buildings would cost El Paso tax payers an additional $29 million. The lease agreement plans were also laid out and included tax exemptions for the senior citizens and the disabled. Despite that concession of tax exemptions for seniors, the atmosphere at the meeting was explosive and uncomfortable. This did not go over well with many whose chief complaint was that the tax payers would be left paying for a project that they would never have voted for, given the chance.

The people that were present at that meeting were people like Salvador Gomez, David Ochoa, Ray Salazar of the CFRG and Stephanie Townsend Allala, they were there to protest the implosion of City Hall. Finding out that it would cost another $29 million, to re-house 600 city employees was yet another reason to cause further outrage. Seventy-four people signed up to speak.

The atmosphere was hot, intense, and explosive. This additional expenditure was seen by those in opposition as a bad deal that had just gotten worse. Emma Acosta who had originally voted for the ballpark at this point voted with Robinson and Holguin to not approve the lease agreement. She sat there and quickly saw the change in the crowd and how
everyone was turning on Joyce Wilson and council. Control and order seemed to be in short
supply. By voting no, she could remove herself from the danger of implied culpability.
Wilson on the other hand remained calm, cool and coherent in an effort to calm and reassure
the gallery.

On September 27, 2012 the Hotel/Motel Association (HMO) officially formed an
opposition group and threatened to boycott the Chamber of Commerce. On October 4 the
CFRG filed a federal lawsuit in an attempt to stop the demolition of city hall. The lawsuit
asked for a permanent injunction ordering the city council to halt its plans to raze city hall and
to allow voters to decide whether to build the Triple-A baseball stadium at the site (El Paso
Times, Oct. 10, 2012). The CFRG lawsuit alleged that Wilson, Niland, and Ortega connived,
conspired, counseled with and willfully acted in concert with each other, specifically to deny,
abrogate, diminish or otherwise impair the plaintiff’s liberty interest and right to effective
suffrage under the Voting Rights Act.” (El Paso Times, Oct. 10, 2012). The suit also alleged
that Wilson’s

“Personal and political activities were grounded in animus towards Hispanics, which
she feels and displays toward Mexican American-Chicano members of the city’s
population.” “The suit also claimed that Wilson conspired with several non- Hispanic
marketing and architectural firms to direct the revitalization plans for Downtown El
Paso, including to use the city’s powers of eminent domain to take over several

On October 10, 2012 the city’s response was to point out that the coalition’s suit
failed to ‘state a viable claim for relief under the Voters Rights Act, the First Amendment,
14th Amendment, procedural due process, substantive Due Process, and Equal Protection.
The city also stated that elected officials ‘legally voted on a course of action that they believe is in the best interest of the city’ (El Paso Times, Oct. 10, 2012). This was relevant because a clause in S.B. 1048 clearly states that you must make a claim that you believe that your project is in the best interest of your city. By mentioning the provisions stipulations, they would be allowed to challenge and escape culpability under Texas state law. That is what the city effectively did.

In response to the accusations and allegations concerning City Manager Joyce Wilson, the city’s attorneys pointed out that the claims were, “irresponsible insinuations” that were unrelated to any and all voting rights under Federal Law. As for the Federal Lawsuit the city challenged it based upon their insistence that the city of El Paso did nothing wrong and “broke no laws” and that the merit if any, on the coalition’s part constituted dismissal based upon “irrelevant political rhetoric and hyperbole”(El Paso Times, Oct. 10, 2012).

### 3.4 Opposition Fights On

Salazar and the other plaintiffs involved with the CFRG sought to get a trial by jury and were seeking damages to be assessed to recover their costs. Even though they were rejected yet again, they did not stop. They also threatened to recall Westside City Representative Courtney Niland and filed a notice of intent to recall. On November 8, 2012, the CFRG was at it again, submitting that recall petition to have City Council member Courtney Niland removed from office. The 54 pages Salazar submitted did not comply with a requirement in the City Charter because on each page someone had to take an oath that each signature is that of the person whose name it purports to be (El Paso Times, Nov. 9, 2012).

According to the El Paso Times, Richarda Momsen had written in a letter to Salazar
that stated in essence that he had failed to appropriately complete the process correctly by not correctly notarizing the top page of each petition. Based on those grounds Salazar’s recall petition was rejected, and Niland got to keep her job. Their inability to even properly follow through on a recall petition shows the disorganized nature of the opposition. These were opposition groups run by attorneys in many instances, and yet they were clearly not focused on where it mattered, or when it mattered. With S.B.1048 at the city’s disposal, there was not much that the opposition could do to legally challenge the circumstances that they were facing.

All the opposition groups found themselves up against the best lawyers that money could buy, a willing and wealthy investment group, and a highly seasoned and professional city government, that was intent on seeing the project through. Added to that, S.B. 1048 literally gave the city free access and protection under the law, to enter into a binding and state sponsored partnership agreement with virtually unfettered access to funds and fast track status. The conditions could not have been better for the City of El Paso to take advantage of this opportunity. All of proponent’s comments indicate that they were motivated and believed in the potential for the ballpark to have a positive impact on the redeveloping of downtown and for spurring economic development in El Paso.

On Nov. 13, 2012 in response to having their first petition dismissed the CFRG certified a second petition with the city, proving that they had enough signatures to move forward with their opposition (El Paso Times, Nov. 15, 2012). All of this was just a tactic employed by the opposition groups to wear down the plan and finally undercut it by attrition if they were able to. This time was different. This time around, there was political will, investment money, and a state law that was passed to protect public and private partnerships like the one between the MSSG and the City of El Paso. On November 15, 2012 the MSSG
joined the city to defend it from a suit in Federal Court, to be heard on November 30, 2012.

Another opposition group that was formed in response to the ballpark process was a group called the Citizens for Taxpayer Justice, (CFTJ) which filed its intent with the city to circulate a petition to stop the demolition of City Hall on November 20, 2012. Prior to the petition, the group’s leader, a local lawyer named Raymundo Rojas had filed a criminal complaint asking City Manager Joyce Wilson to submit to be investigated for allegedly using the city’s webpage to promote the passage of Proposition 3, which was tied to the 2012 Quality of Life Bond Initiative. His suit stated that the city had illegally used the city’s webpage to encourage the voters to vote for the hot tax increase in order to fund the ballparks construction, which was in direct violation of the city’s charter and was against the law (El Paso Times, Oct. 10, 2012). The city in response to the lawsuit had the web-page promoting Proposition 3 pulled, marking at least one small victory for the opposition.

3.5 Long Hard Winter for Opposition

On November 30, 2012 the CFRG represented by Attorney Fernando Chacon on behalf of Ray Salazar went to Federal Court to seek a permanent injunction against the city tearing down City Hall. Their claim was that the city had violated their voting rights by not giving them a chance to vote. Judge David Guaderrama dismissed the case stating that this type of suit was not a matter for Federal Courts to rule on. He claimed that the “under-lying current was the plaintiffs concern over a ‘tainted political process’ on which the court could not comment given the role that it rule on the law within its jurisdiction” (El Paso Times, Dec. 1, 2012). The CFRG’s Attorney Fernando Chacon should have known ahead of time that that court venue was inappropriate and would be thrown out. His is yet another example of the opposition going to court unprepared.

On January 30, 2013 a petition by the CFTJ was certified, and on February 4,
2012 a Travis County Court postponed hearing the case, after the group insisted that the issue be taken to a Federal Court. David Ochoa had attempted to delay the hearing by asking for a jury trial, but was turned down, because they did not file the necessary paperwork and pay the fees for that request. On February 6, 2013 a Federal Judge refused to hear the case and remanded the case back to state court. The Judge then sanctioned the CFTJ for its “bad faith conduct” (El Paso Times, Feb. 8, 2013).

Despite having had so many legal set-backs to their challenges, these persistent opposition groups did not give up, but remained committed to under-mining the stadium, the owners, the city, the process, and whatever else they could complain about, like the team name, the colors of the uniforms and even the parking arrangements for the ballpark.

On February 20, 2013 the CFRG asked a Federal Judge in Austin to halt the demolition of City Hall, and to clear a path for voters to have a say in the ballpark matter. They claimed that city hall was in good shape and should not be torn down. They claimed that that throwing down city hall would be “unconstitutional” and suggested that violence across the border did not make the location an ideal spot for the ballpark.

City attorneys argued, that the city followed proper procedures in its ballpark plans and that the city charter does not entitle petitioners to delay any action pending an election on a ballot measure. The city also argued that the charter did not provide for citizens to repeal previous actions through a referendum. The city then asked the court to allow El Paso to move forward with the plans for the ballpark to include the razing of City Hall. They also asked the court to weigh in on the legality of the decision to rule that the city does not need to place the measure on the ballot for a vote. The vote on November 6, 2012 had already proven that the citizens knew the proposition was to fund the ballpark, and that the voters
knew about the plan to throw city hall and place the ballpark in its place.

The judge ruled that the City of El Paso can issue bonds and that he believed based on the evidence that the city’s actions taken to obtain public securities were legal and valid. The judge then stated that he did not believe that the opponents of the demolition of City Hall sufficiently showed just cause on why the city should not be allowed to issue bonds for the project (El Paso Times, 2013). The judge refused to weigh in on putting the issue to a vote, but stated that it was up to the City of El Paso, whether they were willing to do so.

The Judge then ruled that the city could continue its bond validation suit in state court and placed a bond to appeal his decision at $1 million, effectively ensuring that the CFRG would have to come up with $100 thousand to appeal. (El Paso Times, 2013). The Judge’s ruling effectively put an end to any chance for the opposition to stop the ballpark plan from becoming a reality. Despite all of their legal setbacks, the opposition groups were not deterred they continued to protest up until the day of the implosions and for some months afterwards. It is also important to note that all of the council members were nearly termed out, so the oppositions attempts to threaten them with recall, where pointless. Their threats, which are what they were left with, amounted to very little unless, you happened to be running for mayor.

3.6 The Death of City Hall

On April 15, 2013 despite nearly a year and a half of opposition, heated debate and rhetoric, accusations of corruption, recall petitions, lawsuits, rallies, protests, sit-ins, subpoenas, mass media coverage, arguments about the ballpark in public and private conversations, and all the other negative and acrimonious behavior and activity that it had helped to create, the El Paso City Hall was finally imploded. The spectacle drew tens of thousands of El Pasoans many of who spent the night and camped out around the site to get a
good spot to view the implosion. For a two mile radius around downtown, people lined the streets and look out points above Downtown on the mountain to view the beginning of what the El Paso Times called, a “NEW DAY” (El Paso Times, 2013).

Figure 8: The El Paso City Hall implosion, (El Paso Times, 2013)

The event was covered live on every television station since 6 a.m. The sky over the site was full with helicopter traffic awaiting the inevitable event. Many former El Pasoans came from as far as New York, to witness the implosion. The implosion took 400 pounds of explosives and only ten seconds to erase the 34 year old ten story building from existence. After the implosions thousands stood around in a state of shock, taking in the destruction and cloud of ash as it floated eastward with a gentle breeze. The long awaited event took on a sober tone of nostalgic silence as people quietly headed home. Salvador Gomez of the CFRG who had petitioned the city council twice to repeal the agreement on June 26, between the city and MSSG was present on a street corner holding a sign that read, “Recall Courtney Niland, Implode Steve Ortega” (El Paso Times, 2013).
On April 23, 2013 two weeks after the implosions and right in the middle of the election season the CFRG had Steve Ortega served with a subpoena while he was attending a Coronado High School Mayoral Forum. The subpoena wanted Ortega to turn over his 2010, 2011, and 2012 Federal Income Taxes. Attorneys for the city on Ortega’s behalf asked the court to squash the subpoena, which basically put on hold the decision of when and where or even when Ortega would be deposed (El Paso Times, May 7, 2013).

City attorneys in their attempt to squash the subpoena argued that the plaintiffs did not properly serve it. They argued that the firm representing the city in these matters should have been notified of the discovery request, and it should not have been given directly to Ortega. The city’s attorneys also argued that Ortega’s personal income tax records were irrelevant to the case at hand (El Paso Times, May 7, 2013). Ortega for his part said he had “nothing to hide” and likened the effort by the CFRG as a fishing expedition that was 100 percent politically motivated (El Paso Times, May 7, 2013).

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3.7 Pay Back Time

On June 8, 2013 the opposition groups who had fought so hard against the ballpark turned their attention to defeating Steve Ortega’s chances of becoming mayor. The election was the opposition groups only chance to actually get a little revenge at the polls for what they failed to do in killing the ballpark plans and keeping the status quo. Steve Ortega was handedly defeated, but not by an opponent, but by an angry mob of voters, that wanted to show him a lesson. In fact, Oscar Leeser who went on to become Mayor of El Paso, despite the fact that he refused to debate Ortega for two weeks prior to the election. This move by Leeser would have spelled defeat for himself under normal circumstances, but not this time around. The voters, who were against the ballpark did not seem to care about the electoral debate, just the one concerning the ballpark.

On August 26, 2014 Stephanie Townsend Allala lost her E-Mail Gate case in the third court of appeals. Two days later on Aug. 28, she appealed to the Texas Supreme Court (El Paso Times, Aug. 28, 2014). The appellate court rejected a request that it reconsider its ruling that the El Paso city government had done all it could in turning over e-mails to Allala, and that she already received all of the public information that she had
requested in 2012. Should the Texas Supreme decide not to hear the case then the lower court’s ruling will stand, effectively ending Townsend Allala’s chances of ever finding proof, of her smoking gun.

**Table 3: Ballpark Timeline**

<table>
<thead>
<tr>
<th>El Paso City Council Action</th>
<th>El Paso City Council Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 26, 2012 Council releases ballpark plan at council meeting</td>
<td></td>
</tr>
<tr>
<td>July 18, 2012 City approve partners plans sends copy to the Texas partners advisory council</td>
<td></td>
</tr>
<tr>
<td>Sept. 18, 2012 Council votes down the CFRG efforts to repeal. Votes to approve the contract</td>
<td></td>
</tr>
<tr>
<td>Nov. 8, 2012 City rejects (CFRG) recall petition on Courtney Niland</td>
<td></td>
</tr>
<tr>
<td>Feb. 20, 2013 City beats (CFRG) in Fed court (CFRG) sanctioned by state and fined $5000</td>
<td></td>
</tr>
<tr>
<td>April 15, 2013 Imploded City Hall</td>
<td></td>
</tr>
<tr>
<td>April 14, 2014 El Paso Chihuahuas sell-out home opener and 48 other games out of 72 Chihuahuas set league attendance records for season, 550,000 fans.</td>
<td></td>
</tr>
</tbody>
</table>

**MSSG: Mountain Star Sports, L.L.C. Actions**

| Feb. 12, 2012 Announce Triple-A         |                                                                                          |
| Aug. 30, 2012 Announces profits from ballpark will go to local charity                  |                                                                                          |
| Nov. 15, 2012 MSSG joins lawsuit with the city to help defend ballpark                 |                                                                                          |
| April 14, 2014 Throw out first pitch                                                  |                                                                                          |

**PCL: Pacific Coast League Actions**

| Aug. 6, 2012 Approved preliminary application for the MSSG                             |                                                                                          |
| Sept. 19, 2012 PCL puts pressure on Wilson to commit city                               |                                                                                          |

**QLVD: Allala Quality of Life Voters for Democracy Actions**

| July 25, 2012 March on El Paso Co. Court to announce the start of a petition            |                                                                                          |
| July 30, 2012 Announce 1,500 petitions making mandatory to vote on all quality of life issues |                                                                                          |
| Aug. 19, 2012 QVLD Occupy City Hall 4 day                                              |                                                                                          |

**HMO: The Hotel Motel Opposition Actions**

| Sept. 27, 2012 HMO threatens to boycott the Chamber of Commerce                      |                                                                                          |
### AC: The Average Citizen Actions

<table>
<thead>
<tr>
<th>Date</th>
<th>Action Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 22, 2012</td>
<td>Protest Memorial Park</td>
</tr>
<tr>
<td>June 8, 2013</td>
<td>2013 Votes no to Ortega</td>
</tr>
</tbody>
</table>

### CFTJ: The Citizens for Tax-payer Justice Actions

<table>
<thead>
<tr>
<th>Date</th>
<th>Action Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nov. 15, 2012</td>
<td>Circulate a petition to stop demo of city hall. Sues Wilson on Prop 3 charter issue to promote ballpark</td>
</tr>
<tr>
<td>Jan. 30, 2013</td>
<td>Certified petition in state court to stop demo and to let people vote on ballpark issue</td>
</tr>
<tr>
<td>Feb. 4, 2013</td>
<td>Case was rejected when group demand to be heard in Federal court</td>
</tr>
<tr>
<td>Feb. 6, 2013</td>
<td>Federal judge refuses to hear case, remands case back to state</td>
</tr>
</tbody>
</table>

### CFRG: Citizens for Responsible Government Actions

<table>
<thead>
<tr>
<th>Date</th>
<th>Action Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aug. 9, 2012</td>
<td>Attempt to repeal June 26 ballpark plan twice</td>
</tr>
<tr>
<td>Sept. 11, 2012</td>
<td>Intent to file notice of recall on Courtney Niland</td>
</tr>
<tr>
<td>Oct. 4, 2012</td>
<td>Files Federal lawsuit try stop demo of city hall: Claims Wilson animus towards Hispanics</td>
</tr>
<tr>
<td>Nov. 8, 2012</td>
<td>Filed petition to recall Courtney Niland. Rejected on procedural mismanagement of charter rules concerning recalls</td>
</tr>
<tr>
<td>Nov. 13, 2012</td>
<td>Certifies a second petition To stop demo of city hall</td>
</tr>
<tr>
<td>Nov. 30, 2012</td>
<td>CFRG loses Fed court case to city</td>
</tr>
<tr>
<td>Feb. 20, 2013</td>
<td>CFRG fined $5000 and sanctioned for acting in ‘bad faith’ and trying to impede city from selling bonds</td>
</tr>
</tbody>
</table>

Figure 10: *Southwest University Ballpark, home of the El Paso Chihuahua’s (Brian Kanof, 2014)*

55
4. CONCLUSION

The intention of this thesis was to find out why after 30 years of similar venues falling victim to opposition groups, did the El Paso Chihuahua’s Ballpark get developed, despite wide-spread opposition to the plan? In attempting to answer that question, this thesis has demonstrated that the ballpark was successful, because the city government entered into a public/private agreement with private investors under the umbrella and protection of a newly enacted law, known as The Texas Public and Private Facilities and Infrastructure Act: S.B. 1048. This, in conjunction with El Paso City Charter 344 enabled the city and investment group with the ability to fast track and push through the venue without voter approval.

The implications of the law and the way that the ballpark plan came into existence is monumental in terms of what El Paso can now accomplish in the future in terms of socio-economic development. El Paso will no longer have to contend with opposition every time it chooses to use entertainment and leisure activity as a development strategy. This also bodes well for El Paso’s prospects for finally being able to repair its image and reputation, as a boring and lackluster city.

On the other hand, the implications for democracy at this point, do not bode well for the citizens of the state of Texas, who before S.B.1048, could have actively had more of a direct voice and role in whether certain developments were even considered, public, private, or otherwise. There are concessions in the law as illustrated earlier in this thesis, where S.B. 1048 does offer some avenue from which the average citizen’s concerns about any project may be expressed and mitigated. Otherwise, the average citizen who is not directly involved in a partnership agreement for any given venue or project, cannot stop a project from going forward. As for explicit implication as some may claim, the law equates to taxation without representation, based on the fact that there were public property and financing being used under
Texas Senate Bill 1048.

This thesis, also indicated that the entertainment and leisure industry is used globally as a development strategy and substitute for declining industrial and manufacturing production. This understanding also bodes well for El Paso in terms of it making up for its decreasing manufacturing production. Although this industry is not without risk, its track record has been more than impressive. In fact, the tourist industry is now so large in terms of economic development, that the numbers that it produces are staggering in comparison to other industries. For example, in the last quarter of 2014, the United States took in over $1.6 trillion dollars in tourism related revenues and employed over 17.4 million people in this industry. Worldwide, the industry took in just over $7.8 trillion dollars in taxable revenues. The travel, entertainment, and leisure industry is now the second largest driver of economic development in the world, and is poised to surpass the petroleum industry, sometime within the next decade.

4.1 Reasons Why Some People Oppose Tourist Development Strategies

Despite the fact that the industry has seen explosive growth and provided unprecedented economic and social benefits the world over, there are still many individuals like those in El Paso, who do not agree with this form of socio-economic development. For them the costs are too high. They point out the potential for negative things to happen in communities that choose to embrace the entertainment and leisure development option.

Opponents to tourism as a development strategy claim that increases in crime, pollution, and a whole host of other negative circumstances will materialize and leave their communities in worse shape than before. They also point out that industry jobs are low paying seasonal jobs that will eventually fail when the venues become outdated, over saturated, or fall to intense competition. Having to compete with other cities, some point out, is an expense
proposition which the tax payers may be burden with, by having to incentivize entertainment and leisure venues, with an increase in property taxes.

Opponent’s final point of contention is that becoming a destination location will drive the costs of goods and services way up for locals. Whenever certain cities attempt to embrace the entertainment and leisure option, there are almost always a group of angry people, who are more than happy to engage and threaten the political establishment with recalls, should they happen to even consider expressing a desire to even entertain the idea of using tourism as socio-economic development. This scenario has been the case in El Paso for the last three decades.

For over 30 years, opposition groups in El Paso have been successful in challenging many proposals for using tourism, as a legitimate development strategy. The idea that the city government would ever consider any other kind of “risky” development strategy, besides just providing for basic city services and promoting manufacturing, was unheard of. El Paso, despite being a poorer community, has always maintained a Triple-A credit rating, and that in part is due to its fiscally conservative nature and background of not taking on more than it could afford.

4.2 Why El Paso Has Had Problems Creating an Industry

This thesis, also showed that El Paso’s past politicians have used poverty as an excuse to explain why El Paso is not like other cities: but is just a poor border town that has to contend with cheap labor from across the border in order to survive. For many years, El Paso has suffered from what has now been referred to by many, as a “small town mentality” despite the fact that it is the 19th largest city in America, with a metropolitan population center of nearly 2.6 million inhabitants.
Many politicians in El Paso’s past have lacked the political will to dream big like other cities have, and failed to see or acknowledge the industries potential. El Paso’s past politicians were mostly in agreement that El Paso could not afford to support an entertainment and leisure industry. For them trying must have seemed pointless. Many discussions concerning the subject of creating an entertainment and leisure industry were debated in city council over the years, but never materialized past the feasibility studies, and or the infighting between rival council members. As a consequence, El Paso still struggles today with picking a bran and sticking to it. Every two years or so, it changes. This year its slogan is “El Paso it’s all good.”

I contend that without ever having attempted to improve upon itself by developing an entertainment and leisure economy; El Paso has never really had the ability to attract many cash carrying tourists. I suggest that this is because only cities that have plenty of entertainment and leisure activities, have better economies, and better employment opportunities, than cities like El Paso which do not.

4.3 Growth Factors

El Paso’s latest increases in population growth rates are primarily due to natural birthrates, an exodus of Mexican nationals escaping the violence of the Mexican drug war (2006-2012), and the expansion of Fort Bliss. The growth has created the conditions, where most of the tax burden to fund the city’s rapid growth, has almost entirely fallen upon the backs of residential tax payers. El Paso’s growing pains have taken center stage in recent years, and when faced with this complexity, many local stake-holders (leaders) have come to the realization, that a new approach is what is needed, in order to take El Paso out of the rut, that it has been in for over 30 years.

This thesis has also sought to isolate and describe some of the actions that the
opposition groups displayed during the ballpark controversy; in an attempt to discredit and destroy the plan to demolish city hall and put up a Triple-A baseball stadium in its place. In a similar vein, this thesis also sought to examine the activities of the El Paso City Council and the MSSG in having legally pushed through the ballpark deal, despite the fact that the average voter and tax payer were denied the opportunity to have a say in the matter.

Ultimately, none of the strategies and tactics that were employed by these opposition groups were effective in accomplishing their objectives of preventing the ballpark’s construction. The opposition’s request to have the issue put to a vote was categorically denied in court after court, and by city council itself. History has suggested that if the opposition’s wish of bringing the issue to a referendum were allowed, El Paso would not have a team or a stadium today.

**4.4 Commonality of All Reasons to Oppose**

In taking stock of all of the different behaviors and activities from all the different opposition groups that occurred during the ballpark controversy, I am convinced, that the one thing that all of them had in common was their dislike for how the ballpark came about. The other common thread was that they all felt that they should have been given a say so in how things turned out with the ballpark. All of the group’s leaders expressed concern that they were not given a chance or a choice, on whether to vote yes or no, on whether El Paso should even have Triple-A baseball franchise. Another area of agreement among the opposition groups was the ‘senseless’ demolition of City Hall. They thought that it was an unnecessary and expensive proposition that defied logic and went against the will of the people.

In addition to that, there were other personal motivations by opposition group leaders like Stephanie Townsend Allala, to oppose. She was convinced and still is, that the ballpark
implementation was fueled by corruption. In fact, all of the opposition movements believed this to be the case. In retrospect, it is easy to see why they believed so, even though no evidence has been provided to suggest otherwise. El Paso at the time of the ballpark debate was enveloped in an on-going corruption scandal that lasted more than two years, and ultimately sent over fifty well-known political figures to prison on charges of political corruption (El Paso Times, Nov. 2012). Some people just naturally assumed that the ballpark process was probably tainted as well; given the environment and the fact that the city would not even consider putting the issue to a vote. It was all the proof they needed. In their minds eye, the wealthy owners group had already bought the council to push the venue through.

Personal motivation was at play for Ex-El Paso Mayor Ray Salazar, leader of the CFRG. For him, the issue was one of nostalgic pride for having been the mayor who had originally built City Hall, back in 1979. For him the building had special significance and was part of his personal legacy. To have it demolished to make way for a ballpark was all the motivation that was needed for him to oppose. In fact, it was his group that was the most aggressive of all of the opposition groups. The CFRG sued the city on four different occasions in order to either stop the demolition of City Hall, or in order to get the right to vote on the issue.

The CFRG was also responsible for attempting to recall Courtney Niland, in addition to circulating what amounted to three different petitions to either save City Hall, or prevent the city from entering an agreement with the MSSG. Other motivations like the ones offered by City Council Representative Carl Robinson were also personal in nature. For him, the ballpark was an ‘expensive and unnecessary waste of money’ to throw a good building for a project, that was not voter approved.’ For Robinson, ‘his district had always been neglected, while the
city put all its resources into downtown (El Paso Times, June 26, 2012). He also had issues with having the city abandon Cohen Stadium, which sat in his district.

There were other motivations like City Representative Eddie Holguin’s, whose opposition encompassed all of the above references, with special emphasis on the tax implications of the project. Holguin’s southern district is known to be one of the poorer parts of the city; he understood the hardship that some elderly and those on fixed incomes experience at tax time. Despite, what some have said about him being ‘super conservative’ and ‘voting no to everything’ he genuinely has always tried to watch out for his constituents pocket books. Holguin being part Tigua, was also concern with the tribe losing their lease with the city for Cohen Stadium. The non-compete clause that was enacted was a slap in the face to Holguin and the tribe.

4.5 How the City (MSSG) Did It

In looking at the city’s posture and position throughout the entire controversy, the key to the success of the ballpark’s construction was in using Senate Bill 1048 (Public and Private Facilities and Infrastructure Act). The city used the provisions in the newly enacted law to push through the ballpark. The rigid use of city’s charter protocols concerning public petitions and recalls were also effectively used by the city to defeat the opposition’s tactics. The city’s handling of the suits against it; showed that the opposition was a desperate and loosely fit confederacy of mismanaged and disorganized entities, looking to disrupt the ballpark process at any cost.

For the city and the MSSG, their ability to combine legal strategies and work as a team, provided them with an advantage against the opposition’s attempts to use the courts in a disruptive fashion, in a desperate attempt to prevent the ballpark from being built. The
opposition movements, and mostly the CFRG’s attempts to force their proponent’s hand, and intimidate their way towards the dismantling of the ballpark plan, proved to be all bark and no bite. The opposition were outsmarted in court by the proficient application of what Joyce Wilson had envisioned and planned out well; including, the public partnership agreement provisions in the actual law, which were key in pulling off the ballpark, without voter approval.

S.B. 1048 had no doubt been in her possession since the new law passed in 2011. Wilson had already scoured the law to reveal how it could serve the city’s needs in the future and for the purposes of Downtown redevelopment. Every move had been anticipated and meticulously planned for by Wilson, who took it upon herself to carry out the battle plans, as they were. It was she, who faced the media scrutiny and the political backlash from the public, in a calm cool and collected manner.

For her part, Wilson played her cards well and always had the upper-hand over the opposition in all the challenges she faced. Wilson’s innate ability to think quickly on her feet at all times, strategizing the eventualities and probabilities of the next move, was something that made her a worthy adversary. Wilson must be given credit for having pulled off what many politicians; strong mayor or not, had not the political courage to do in the past. She challenged the status quo, and did what she thought was the best thing to do for at El Paso at the time. If anything she and the rest of council, with the exception of Eddie Holguin, Carl Robinson, and Emma Acosta, all had the political will and courage, to push the stadium into existence.

4.6 The Blame Game

If there was any blame to be put on the opposition for failing to defeat the ballpark plan; it would be for its execution and handling of its own lawsuits, and in failing to appropriately follow simple charter protocol for issuing petitions and recalls. Many times,
they simply shot themselves in the foot by not mounting a sufficient presentation of what they were trying to accomplish in court. They made simple rudimentary oversights, concerning the formality of even how to have their cases heard in the appropriate forum (courts), and or the appropriate methods for achieving those requests. All of these mistakes in many cases, were made by several lawyers, who should have spent more time in properly preparing.

The CFRG for the most part had four attorneys at their disposal and yet they consistently made mistakes that would weaken their objective of defeating the ballpark plan. For instance, on February 20, 2013 the CFRG asked the court to stop the demolition of City Hall and give the people the right to vote on the ballpark issue. In arguing their case, they claimed that the demolition of City Hall was ‘unconstitutional’ and that the violence across the border made the location a bad and dangerous place, for a stadium to be built. Rather than arguing the fact, that the building constituted public property and belonged to the taxpayer, they argued the fact that drug violence across the border, should remove the site from consideration.

The city argued, that they simply followed the rules pursuant to S.B. 1048 and that the city charter did not entitle petitioners to delay action, pending an election on a ballot measure. A move the city had anticipated through the use of Charter 344 in placing their choice for funding up for election. This also afforded them all the immunity that they would need against the opposition. In addition to that, they argued that the city charter did not provide for citizens to repeal previous action through a referendum.

Another example of the lack of focus and attention to detail that plagued the opposition throughout the entire event was when the CFTJ’s attempt to delay the February 4, hearing by insisting that their case be heard in Federal Court. Their efforts were denied,
because they failed to file the proper paper work and pay the appropriate fees for that request. That activity got them sanctioned by the court, and fined $5000 for bad faith conduct, (for wasting the courts time).

Many mistakes that could have been avoided were made by the opposition. When the CFRG attempted to go to Federal court to seek a permanent injunction against the city; they were rejected, because they did not realize that the venue for that was not in Federal court. On another occasion, the CFRG attempted to stop the demolition of City Hall, by arguing that Wilson, Niland, and Ortega had worked in concert to impair the plaintiff’s liberty and right to effective suffrage under the Voting Rights Act. They also claimed that Wilson had animus towards Hispanics and had conspired in 2007 with non-Hispanic architects and others to force eminent domain in a land grab scheme to re-develop Downtown.

First of all, that activity was not relevant to their current case, except to illustrate once more, the fact that El Paso has had past issues with opposition. The fact that the CFRG even mentioned that they thought Wilson showed ‘animus towards Hispanics’ did nothing good for their case. The city for its part argued that the coalition had not made a valid claim that they had suffered under the Voter’s Rights Act, the First Amendment, fourteenth Amendment, procedural due process, substantive due process or equal protection under the law. They also reminded the court that they had merely done what they thought was the best course of action for the city’s best interest. The City of El Paso, as provided for under Texas S.B. 1048, effectively used the law as an umbrella of protection.

The city and MSSG stated for the most part that their motivation for pursuing the ballpark was that they believed that the ballpark would be good for economic development and Downtown re-vitalization. One of the owners, Josh Hunt said he did it because he
believed that ‘El Paso was ready for professional sports’ (El Paso Times, June 26, 2012).

Others like Steve Ortega believed that it would be a ‘transformational project’ for El Paso (El Paso Times, June 26, 2012). Joyce Wilson was quoted as saying that this was a ‘Watershed moment for El Paso’, and that it would be the first project in a plan to develop a Sports and Entertainment district for El Paso, complete with Downtown soccer stadium, and a downtown multi-purpose entertainment center’ (El Paso Times, June 26, 2012).

If the opposition had anyway what so ever, of legally challenging the city, perhaps it would have been through the usage of the very law that afforded El Paso that umbrella of protection. The community impact cause on page 19 of The Texas Facilities Commission of Public Private Partnership Agreement states that ‘partnerships have to identify anticipated adverse social, economic, environmental and transportation impacts of the project and provide a strategy or actions to ‘mitigate the known negative impacts of the qualifying projects before approval.’ By appealing the city’s action’s to the Commission and putting pressure on them to mitigate the negative social impact of the project, the opposition might of met with greater success, than in everything else they tried, combined.

If the opposition groups were successful at anything even remotely related to the ballpark deal, it would be in having had a huge impact on the city’s mayoral election of 2013. Their ability to organize and orchestrate that ballpark opposition into a force to affect the elections was a lot more effective, than their attempts at destroying the ballpark plan. Those who had opposed the ballpark made it their mission in life to get even with the only politician, Steve Ortega, who had been a supporter of the ballpark and could actually be punished during the elections (El Paso Times, May 13, 2013). Those who opposed to the ballpark plan, they took their frustrations out on Ortega’s campaign for several months, prior to the election.
4.7 What Will El Paso Do?

It is unclear whether El Paso will ever truly try to develop a vibrant entertainment industry that is capable of making up for its declining manufacturing and industrial base. It is also unclear, whether El Paso will ever be celebrated city, like many of the other larger cities in America. It is also uncertain, whether entertainment venues will now have a better chance of developing in El Paso, or if other opposition groups will rise up in the future to challenge them. If El Paso continues to seek out a strategy for developing a vibrant entertainment and leisure industry; then it will have a higher probability of reaping the kinds of socio-economic success that others have had, in using the option.

For El Paso to be successful, first and foremost, it must possess a pro-development policy and atmosphere. It might have all the other fundamentals like internal potential, but if it does not have a pro-development mindset, then it will never succeed. As illustrated by El Paso’s past this is its largest problem, and the one thing that must change, going forward.

The other thing that El Paso could do is to concentrate on building a one stop centrally located entertainment district, like Phoenix’s West Gate or Dallas’ West end or Austin’s 6th street. This district must cater to family entertainment and contain a theme park/water park combination complete with hotel complex and a downtown street mall with a centralized ice-skating rink and surrounding food court. This mall must also cater to tourist themed souvenir and gift shops on different levels. This whole complex should be serviced and accessible by street car and have several concrete parking structures to accommodate local traffic.

An entertainment complex like this would help to lure in tens of millions of visitors yearly to El Paso, and would pay back the bonds in no time at all. This type of complex would create a socio-economic boom that would finally put El Paso on the map; and, repair both its
battered reputation and lack luster economy. With time, an arcade and Ripley’s Historical wax Museum and gift shop, could be added to high-light the nearly 35 characters that are from the El Paso area. Characters like Pancho Villa, Billy The Kid, Geronimo, and General George S. Patton to name a few. The perfect location for the entertainment complex could be the 400 acre Southern Pacific train maintenance center, which will be moving its central operations to Santa Teresa in a few years.

The $473 million quality of life bond project will make El Paso’s quality of life a lot nicer; but all of those projects including the cultural center, will cost the city a lot of money in the long run, and will not have the capacity to generate much revenue or interest from tourists looking to experience something like the fore-mentioned entertainment complex. In my estimation, less could have been spent with more to show for it, in terms of economic development, by using less money as incentive cash to lure in investors to invest in an entertainment complex like the fore-mentioned. The city could once again use S.B. 1048 to make sure that the city reaps more benefit from the partnerships. With the current bond projects there will be deferred maintenance; new hires to staff these new facilities with, and other unseen expenses associated with the upkeep and operation of these projects by the city government.

In 2014, El Paso generated only $1.7 billion dollars from its entertainment and leisure activity and lured in only 1.6 million visitors. San Antonio, whose metro population has nearly one million inhabitants less than El Paso’s, made $13.4 billion dollars off of its tourism industry and managed to attract 28.5 million visitors. El Paso’s total tourism draw represents only 1.9 % of the entire state’s total. This is a statistic that El Paso must increase; if it is to reach its full potential, and reinvent the way it goes about achieving higher levels of
socio-economic development.

**4.8 El Paso’s Worst Enemy, Itself**

Clearly if anything has been illustrated within the pages of this thesis, it is that El Paso has continuously shot itself in the foot by electing overly conservative mayors, who did not believe in El Paso. Or council members, who always seemed at odds with each other; and who lacked the political will to use the entertainment and leisure development option. The choice is clear, El Paso must build upon the success of the ballpark or remain where it has been.

Despite its short-comings, El Paso is unique and special with plenty of internal and external potential for greatness. It should no longer accept the mediocrity that its past politicians have peddled throughout its existence. There are many adages that apply to El Paso and should warrant serious consideration by the political class, and those who tend to always protest. One is “you get out of it what you put into it,” or put another way, “you get what you paid for.” Another one being an old baseball adage, “if you build it they will come.”
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CURRICULUM VITA

Alan Matthew Serna was born in El Paso, Texas and graduated from Riverside High School in 1988. In 1990 he moved to Europe to pursue a career in import/export. He returned to El Paso in 1992 and attended El Paso Community College in pursuit of an associate’s degree in human services. While pursuing his degree he started a commercial landscaping business, and completed a 3 year internship with Texas Tech Pediatric Psychiatry. Upon completion of his degree he took several years off from academics and concentrated on opening up another small business, and a tree planting 501c3 non-profit corporation. In 2003, he ran unsuccessfully for El Paso City Council, and again in 2005. In 2005 he was appointed by El Paso Mayor John Cook to Vice-Chair the Tourism Cabinet. In the fall of 2012 after receiving a bachelor’s of science degree from the University of Phoenix in Human Services, he entered the Graduate School at The University of Texas at El Paso in pursuit of a master’s degree in Political Science. In 2013, he was nominated for the Lawerance Enersen Life-Time Achievement Award from the Arbor-Day Foundation for environmental stewardship. He currently resides in El Paso, Texas with his wife and three children. He continues to operate his two small businesses, and his 501c3 non-profit organization, in addition to pursuing his certification as a grant writer, at The University of Texas at El Paso.

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