# Agenda Item Form

**Agenda Date:** 6/08/04

**Districts Affected:** All

**Dept. Head/Contact Information:** William A. Chapman
Financial and Administrative Services
541-4011

CITY CLERK'S DEPARTMENT
2004 JUN 3 PM 1 20

**Type of Agenda Item:**

- [X] Resolution
- [ ] Tax Installment Agreements
- [ ] RFP/ BID/ Best Value Procurement
- [ ] Application for Facility Use
- [ ] Interlocal Agreements
- [ ] Other _____
- [ ] Staffing Table Changes
- [ ] Tax Refunds
- [ ] Budget Transfer
- [ ] Bldg. Permits/Inspection
- [ ] Contract/Lease Agreement
- [ ] Board Appointments
- [ ] Donations
- [ ] Item Placed by Citizen
- [ ] Introduction of Ordinance
- [ ] Grant Application

**Funding Source:**

- [ ] General Fund
- [ ] Grant (duration of funds: _____ Months)
- [ ] Other Source: _____

**Legal:**

[X] Legal Review Required  Attorney Assigned (please scroll down): None  [X] Approved  [ ] Denied

**Timeline Priority:** [ ] High  [ ] Medium  [ ] Low  # of days:_____

**Why is this item necessary:**

To comply with Agreement made with the Housing Authority.

**Explain Costs, including ongoing maintenance and operating expenditures, or Cost Savings:**

No cost to City - City is allocating its PILOT Funds to YWCA.

**Statutory or Citizen Concerns:**

_____

**Departmental Concerns:**

Evaluated Housing Authority's PILOT Fees and they are correct.

# RESOLUTION

WHEREAS, Section 392.005 (a) Texas Local Government Code provides that the property of a housing authority is exempt from all taxes and special assessments of a municipality; and

WHEREAS, Section 392.005 (b), Texas Local Government Code provides that a housing authority may, in lieu of paying taxes or special assessment, agree to reimburse in payments to a municipality an amount not greater than the estimated cost to the municipality for improvements, services or facilities furnished to the housing authority by the municipality; and

WHEREAS, on July 13, 1972, the City of El Paso "City" and the Housing Authority of the City of El Paso "Housing Authority" entered into a Cooperation Agreement wherein the parties agreed that the Housing Authority shall make annual payment in lieu of taxes, "PILOT" for public improvements, services and facilities furnished to the Housing Authority by the City; and

WHEREAS, on October 3, 1978, the City and the Housing Authority entered into an Amendment to the 1972 Cooperation Agreement, which stated that the City, by a majority vote of the City Council, may waive all or part of the PILOT, at any time, for the purposes of permitting the Housing Authority to use such payment for activities which are approved by the City Council and which directly relate to projects of the Housing Authority; and

WHEREAS, in accordance with the provisions of the 1972 Cooperation Agreement and the 1978 amendment thereto, between the City and the Housing Authority, the City has for a number of years previously agreed, by Resolution, to waive all of its portion of PILOT from the Housing Authority and directed that the monies be designated to assist in funding the Y.W.C.A. for childcare services in public housing complexes; and

WHEREAS, the Resolutions adopted by the City, concerning the waiver and designation of PILOT funds, have served to benefit numerous children and their families residing in public housing throughout the community.

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

That the City waive all of its portion of payment in lieu of taxes (P.I.L.O.T.) from the Housing Authority of the City of El Paso until November 1, 2013 in accordance with the Cooperation Agreement, and amendments thereto, between the City and the Housing Authority, with the monies to be designated to the Y.W.C.A. for childcare services in public housing complexes and/or for the benefit of public housing residents.

**APPROVED** this **8th** day of **June, 2004**.

**THE CITY OF EL PASO**

Joe Wardy
Mayor

**ATTEST:**

Richarda Duffy Momsen
City Clerk

**APPROVED AS TO FORM:**

Lee Ann B. Koehler
Assistant City Attorney

**APPROVED AS TO CONTENT:**

William A. Chapman, Deputy CAO
Financial & Administrative Services