

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

DEPARTMENT: Mayor and Council

AGENDA DATE: 4.27.21

CONTACT PERSON NAME AND PHONE NUMBER: Representative Cassandra Hernandez 212.0003

DISTRICT(S) AFFECTED: ALL

STRATEGIC GOAL:

Goal 6 - Set the Standard for Sound Governance and Fiscal Management

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

Discussion and action to direct the City Manager and City Attorney to explore and make recommendations to amend Title 3 (Revenue and Finance) of the El Paso Municipal Code, Chapter 3.04 (Property Taxes), Section 3.04.040 (Exemption – Residence Homestead) by increasing the Ad Valerom Property Tax Exemption for the market value of the residence homestead owned by an eligible disabled persons and persons sixty-five years of age or older.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

Currently over 50,000 eligible disabled persons and persons sixty-five years and older participate in the property tax exemption and as the values of residential homesteads have steadily increased, there is an increased need to treat our senior and disabled citizens fairly and equitably consistent with the intent of Title 3, Section 3.04.040 of the Municipal Code.

PRIOR COUNCIL ACTION:

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

In 2020 budget discussions, Representative Hernandez prompted discussion on the process of increasing the Homestead Exemption for persons over 65 years of age and persons with disabilities.

AMOUNT AND SOURCE OF FUNDING:

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

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

DEPARTMENT HEAD:

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



CASSANDRA HERNANDEZ
City Council Representative - District 3

City of El Paso Municipal Code
Title 3 (Revenue and Finance), Chapter 3.04 (Property Taxes)

3.04.040 - Exemption—Residence homestead.

A.

Effective January 1 of the next immediate calendar year following the effective date as set forth in Section 2 of Ord. No. 17877 [see editor's note at end of this section], forty thousand dollars of the market value of the residence homestead owned by any person, married or unmarried, including those living alone, who are under a disability for purposes of payment of disability insurance benefits under Federal Old Age Survivors and Disability Insurance or its successor, or of married or unmarried persons sixty-five years of age or older, including those living alone, during each tax year, as provided by state law, shall be exempt from all ad valorem taxes hereafter levied by the city for that year.

B.

An eligible disabled person who is sixty-five years of age or older may not receive both exemptions from the city in the same year, but may choose either.

C.

An exemption shall not, however, be effective in any year unless the owner of the homestead claims the exemption for that year by filing a rendition giving the description of the property, the owner's name, and the day and year of his birth, and stating that he is the owner of the property and it is his residence homestead. In addition, if the owner is claiming an exemption as an eligible disabled person, the owner shall attach to the rendition a written statement from the Social Security Administration indicating that the owner was under a disability for purposes of payment of disability insurance benefits under Federal Old Age Survivors and Disability Insurance or its successor as required by state law. The rendition shall be verified by the affidavit of the owner, or someone authorized by him and having personal knowledge of the facts. In case of doubt about any of the information so given the tax assessor or his deputy may make a reasonable requirement of supporting evidence.

(Ord. 16028 §§ 1, 2, 2005; prior code § 8-6)

(Ord. No. 17877, § 1, 9-18-2012)

Editor's note— Section 2 of Ordinance No. 17877 states that this ordinance shall be effective on the date that the El Paso City Council adopts an ad valorem tax rate that equals or exceeds \$0.6900 of one percent of the assessed property value or January 1, 2015, whichever occurs first.



CASSANDRA HERNANDEZ
City Council Representative - District 3

Chart Presented by OMB during July 2020 Budget Discussions

Over 65/Disabled Exemptions

