

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

**AGENDA DATE:** 8/17/2021 (consent)  
**PUBLIC HEARING DATE:** N/A

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** Nicole Ferrini, 915-212-1659

**DISTRICT(S) AFFECTED:** All Districts

**STRATEGIC GOAL:** Goal 8 – Nurture and promote a healthy, sustainable community

**SUBGOAL:** 8.1 – Deliver prevention, intervention and mobilization services to promote a healthy, productive and safe community

**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.**

That the Mayor of the City of El Paso, Texas be authorized to sign a resolution of no objection for a 2021 4% Non-Competitive, Low Income Housing Tax Credit (LIHTC) application submitted by EP Pooley, LP to the Texas Department of Housing and Community Affairs (TDHCA) for the rehabilitation of 123 affordable rental housing units at 201 Cortez Drive, El Paso, Texas 79905 (aka Cielo Tower).

**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?**

On December 8, 2015, City Council adopted a process whereby requests for resolutions of no objection for 4% non-competitive, Low Income Housing Tax Credits (LIHTC) are to be approved.

In partnership with the Housing Authority of the City of El Paso (HACEP), EP Pooley, LP is submitting a request for a resolution of no objection for the proposed rehabilitation of 123 affordable housing units at the existing Pooley Apartments at 201 Cortez Dr. The rehabilitated facility will be named "Cielo Tower".

**PRIOR COUNCIL ACTION:**

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

N/A

**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?**

N/A

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?  YES  NO**

**PRIMARY DEPARTMENT:** Department of Community + Human Development

**SECONDARY DEPARTMENT:** N/A

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

A handwritten signature in black ink, appearing to read "V. R. Viale". The signature is written in a cursive style with a large initial "V" and "R".

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

## RESOLUTION

**WHEREAS, EP Pooley, LP** has proposed a development for affordable rental housing of **123** units that will be located at **201 Cortez Drive** in the **City of El Paso**; and

**WHEREAS, EP Pooley, LP** has submitted an application to the Texas Department of Housing and Community Affairs for **2021** Housing Tax Credits for **Cielo Tower**.

It is hereby

**RESOLVED**, that in accordance with the requirements of Tex. Gov't Code §2306.67071 and 10 TAC §11.204(4), it is hereby found that:

1. Notice has been provided to the Governing Body in accordance with Tex. Gov't Code, §2306.67071(a); and
2. The Governing Body has had sufficient opportunity to obtain a response from the Applicant regarding any questions or concerns about the proposed Development; and
3. The Governing Body has held a hearing at which public comment may be made on the proposed Development in accordance with Tex. Gov't Code, §2306.67071(b); and
4. After due consideration of the information provided by the Applicant and public comment, the Governing Body does not object to the proposed Application; and

**FURTHER RESOLVED** that for and on behalf of the Governing Body, **Laura Prine, City Clerk** is hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

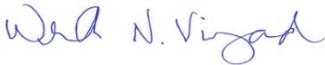
**THE CITY OF EL PASO:**

\_\_\_\_\_  
Oscar Leeser  
Mayor

**ATTEST:**

\_\_\_\_\_  
Laura Prine  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Wendi N. Vineyard  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Nicole M. Ferrini, Director  
Community and Human Development



## 2021 LOW INCOME HOUSING TAX CREDIT REQUEST FOR MUNICIPAL RESOLUTION

The City of El Paso requires the following information in order to process a request for support resolution for the Texas Dept. of Housing and Community Affairs as part of the 2021 Low Income Housing Tax Credit (LIHTC) application process. All 9% LIHTC applicants must fill out Sections A, B, and D. Section C is for 9% LIHTC applicants seeking City financial support. 4% HTC applicants must fill out sections A, B and D only.

- The deadline for 9% Housing Tax Credit Requests for Municipal Resolution is Monday, November 2, 2020 by 5:00 pm (MST)

### SECTION A. PROPERTY AND CONTACT INFORMATION

1. Applicant/Developer: \_\_\_\_\_
2. Contact Person: \_\_\_\_\_
3. Applicant Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_
4. Name of Proposed Development: \_\_\_\_\_
5. Proposed Development Address/Location: \_\_\_\_\_
6. Type of Tax Credit requested of TDHCA (ex. 9% Statewide At-Risk or 9% Regional Competitive):  
\_\_\_\_\_

### SECTION B. PROJECT INFORMATION

1. Project type (rehabilitation, new construction, adaptive reuse, etc.): \_\_\_\_\_
2. Provide a written narrative explaining why the particular type of tax credit is being requested and how the proposed development meets TDHCA criteria and the City of El Paso adopted Evaluation Criteria for Requests for Local Government Support of LIHTC Proposals. To accomplish this, the narrative should include detailed descriptions of how the proposed development meets each of the criteria for Value Statements 2, 3, 4, and 5 in the City's adopted evaluation criteria (attached to this form). Narrative must be no more than 10 pages, single-spaced, 12 pt. Arial or Calibri font, 1" margins. Submit as Attachment B-2.
3. Total cost of development (as prepared by an Architect, Engineer or Contractor): \$ \_\_\_\_\_
4. Cost per square foot: \$ \_\_\_\_\_
5. Amount of tax credits being requested of TDHCA: \$ \_\_\_\_\_
6. Number of units & housing mix for proposed development (1, 2 or 3 bedroom) and Number of Affordable Units

Units/bedroom Size:	Total Quantity	Market Rate	80% AMI	60% AMI	50% AMI	30% AMI
1 Bedroom						
2 Bedroom						
3 Bedroom						
4 Bedroom						
<b>Totals</b>						

7. Is the proposed development site properly zoned for proposed development? Yes \_\_\_\_ No \_\_\_\_  
 a. Current Zoning: \_\_\_\_\_
8. Are property taxes current for the site? Yes \_\_\_\_ No \_\_\_\_  
 If yes, provide a copy of current property tax receipt, or print-out from:  
[https://actweb.acttax.com/act\\_webdev/elpaso/index.jsp](https://actweb.acttax.com/act_webdev/elpaso/index.jsp) Submit as Attachment B-8.
9. Is the property located in a flood zone? Yes \_\_\_\_ No \_\_\_\_
10. Submit location map showing the project site. Submit as Attachment B-10.
11. Submit project Site Plan (and renderings if available). Submit as Attachment B-11.

**SECTION C. FOR THOSE PROJECTS SEEKING FINANCIAL SUPPORT FROM CITY FUNDS**

1. Total amount of funds requested from City HOME/CDBG funds: \$ \_\_\_\_\_  
 Or, total amount of requested fee waiver from the City of El Paso: \$ \_\_\_\_\_

2. Indicate use of all funds by category and amount (for those requesting HOME/CDBG funds):

Acquisition:	\$ _____
Design/Soft Costs:	\$ _____
New Construction of Housing Units:	\$ _____
Rehabilitation/Conversion of Housing Units:	\$ _____
Funds from other sources:	\$ _____
Total Project Cost:	\$ _____

3. Relocation of Tenants (for rehabilitation and/or reconstruction developments):

How many of the existing dwelling units are occupied? \_\_\_\_\_ Vacant? \_\_\_\_\_

If completely vacant, how long has the property been vacant? \_\_\_\_\_

Are any of the units owner-occupied? \_\_\_\_\_

Will Temporary or permanent relocation be required? \_\_\_\_\_

4. Section 3 Agreement (for those requesting HOME/CDBG funds): If the project construction amount totals more than \$200,000, the owner/contractor agrees to meet or exceed Section 3 requirements by: (1) awarding at least 20% of the total dollar amount of all covered construction contracts to Section 3 businesses; and (2) offering 50% of new employment opportunities to Section 3 businesses. Section 3 is a provision of the Housing and Urban Development (HUD) Act of 1968 that requires that recipients of certain HUD financial assistance, to the greatest extent feasible, provide job training, employment, and contracting opportunities for low- or very-low income residents in connection with projects and activities in their neighborhoods. The HOME and CDBG funds administered by the City necessitate following Section 3 provisions.

Do you agree to meet or exceed the Section 3 requirements noted above? Yes \_\_\_\_ No \_\_\_\_

5. Submit the following financial documents (for those requesting HOME/CDBG funds):

- a. Applicant's financial statement or most recent audit. Submit as Attachment C-5.a.
- b. Applicant's Current Income Tax Return. Submit as Attachment C-5.b.

6. Submit the following Relocation documents (if applicable):
- a. Copy of Relocation Plan. Submit as Attachment C-6.a.
  - b. Proof of approval of Relocation Plan by HUD. Submit as Attachment C-6.b.
  - c. List of all households to be displaced, list must include date of issuance of General Information Notices and date of issuance of Relocation Notices for all households. Submit as Attachment C-6.c.

**Please note:** Phase I Environmental Assessment must be submitted to Community & Human Development for review prior to execution of any HOME or CDBG funding agreements.

**SECTION D. CERTIFICATIONS**

**RETURN COMPLETED 9% LIHTC REQUESTS FOR MUNICIPAL RESOLUTION WITH ALL ATTACHMENTS NO LATER THAN NOVEMBER 2, 2020 BY 5:00 PM (MST).**

**Submittals received after 5:00 pm on November 2, 2020 MST will not be considered for support.**

Applications must be submitted by emailing a link to your application contained within a file sharing service. Please notify DCHD staff by emailing [housingprograms@elpasotexas.gov](mailto:housingprograms@elpasotexas.gov) that your application has been stored with a file sharing service to include the link for access. DCHD must receive this email prior to the application deadline. Applications must be submitted electronically unless a waiver has been issued allowing you to submit your application in paper form. Instructions for submitting your paper application will be contained in the waiver for electronic submission.

**4% HTC REQUESTS FOR MUNICIPAL RESOLUTION WILL BE ACCEPTED ON A ROLLING BASIS THROUGHOUT THE YEAR**

Person authorized to sign on behalf of proposed development:

I/we declare that I/we have examined this request and, to the best of my/our knowledge and belief, the information contained therein is true, correct, and complete.

Signature (required): \_\_\_\_\_

Printed Name/Title: \_\_\_\_\_

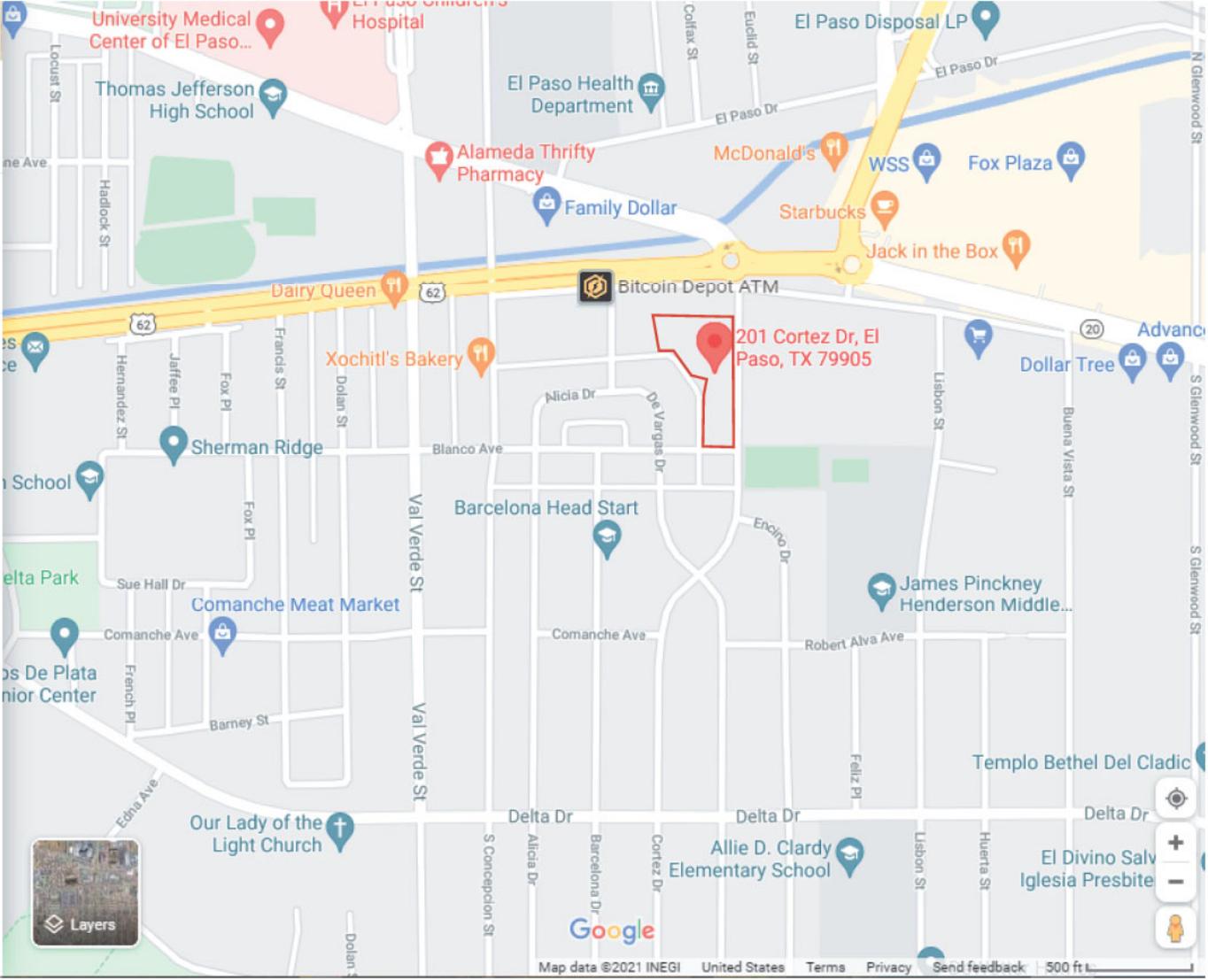
Date: \_\_\_\_\_

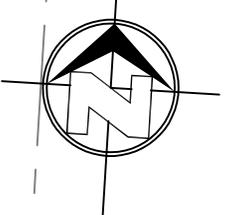
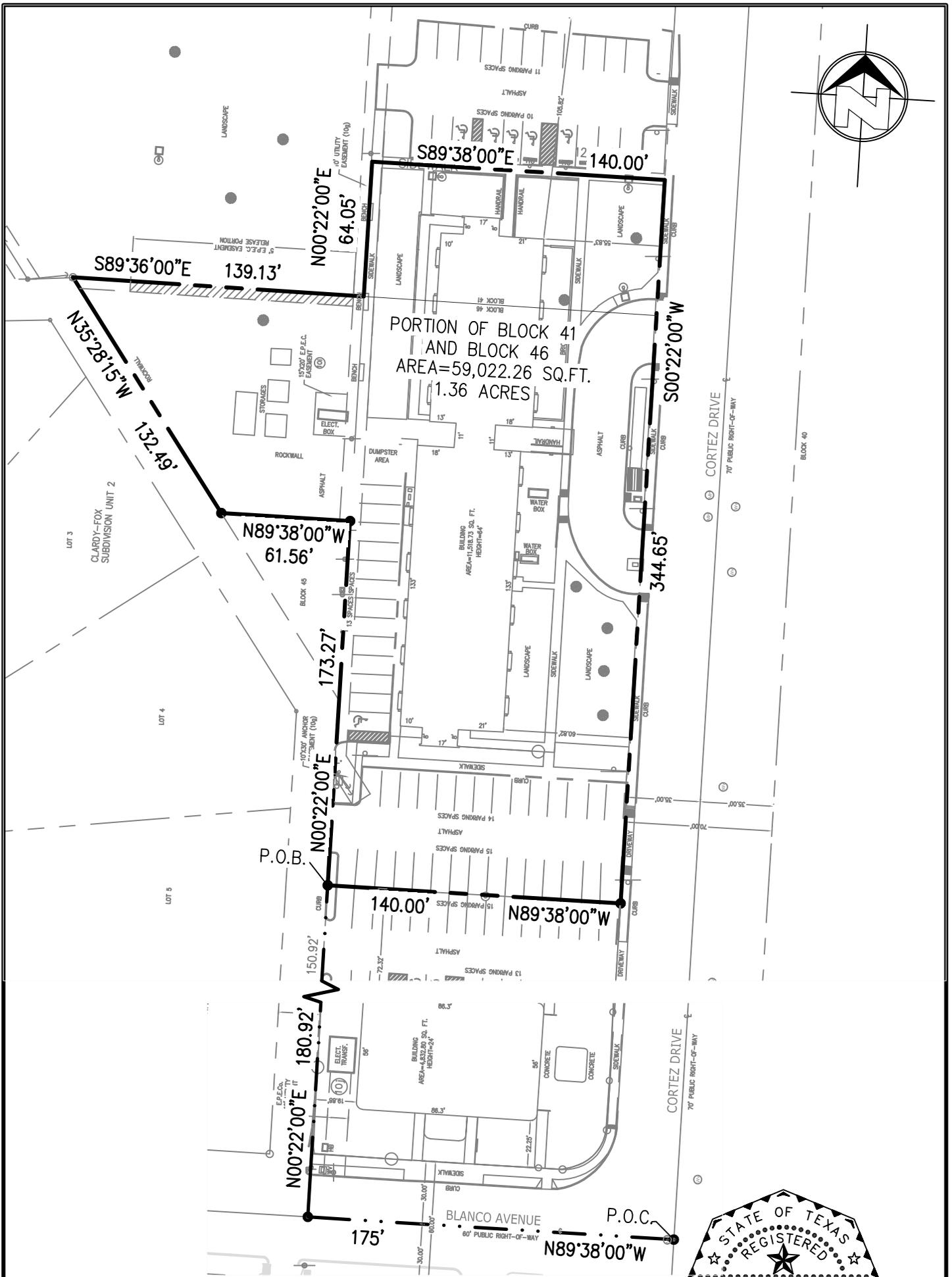
**FOR STAFF USE ONLY:** Received by: \_\_\_\_\_ Date: \_\_\_\_\_

Review for Completeness by: \_\_\_\_\_



# Street Map Pooley Apartments





SLI ENGINEERING, INC.  
 Reg. No. F-1902  
 SURVEYING  
 Reg. No. 100120-00

A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAN.  
 Copyright 2019 SLI Engineering, Inc.

This map and survey are being provided solely for the use of Housing Authority of The City of El Paso (HACEP) and no license has been created, expressed or implied, to copy the surveys and/or maps except as necessary in conjunction with the original transaction. This transaction shall be effective within six (6) months from the date hereon January 2, 2020.

**201 Cortez Dr**



**PROPERTY DESCRIPTION**  
 A portion of Block 41 and Block 46, Clardy-Fox Subdivision, Unit V, a subdivision in the City of El Paso, El Paso County, Texas, according to the plat thereof on file Volume 01, Page 26, Plat Records.

**CERTIFICATION**  
 I HEREBY CERTIFY THAT THE FOREGOING PLAT OF BOUNDARY WAS PERFORMED UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

GUILLERMO LICON, R.P.L.S.  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 TEXAS LICENSE NO. 2998

JOB #: 06-15-3793 DR. BY: LCD  
 SCALE: 1"=60' F.B. #: \*\*\*  
 DATE: 1/2/20