

Controller's Office

To the Honorable Mayor and City Council of the City of Houston:

I hereby certify, with respect to the money required for the contracts, agreements, obligation or expenditure contemplated by the ordinance set out below that:

- () Funds have been encumbered out of funds previously appropriated for such purpose.
- () Funds have been certified and designated to be appropriated by separate ordinance to be approved prior to the approval of the ordinance set out below.
- () Funds will be available out of current or general revenue prior to the maturity of any such obligation.
- () No pecuniary obligation is to be incurred as a result of approving the ordinance set out below.
- () That the money required for the expenditure or expenditures specified below is in the treasury, in the fund or funds specified below, and is not appropriated for any purposes.
- () A certificate with respect to the money required for the expenditure or expenditures specified below is attached hereto and incorporated hereby by this reference.
- () Other - Grant Funds Available

[Handwritten Signature]
Yendi Pelt

Date: 9-29, 2020

City Controller of the City of Houston

520159

CL

FUND REF: 2404-320-520159 AMOUNT: 3,000,000.00 ENCUMB. NO.: 3-5269
FMBB 1-66.8253

City of Houston, Texas, Ordinance No. 2020 - 826

AN ORDINANCE APPROPRIATING \$3,000,000.00 IN TAX INCREMENT REINVESTMENT ZONE (TIRZ) AFFORDABLE HOUSING FUNDS FOR SINGLE FAMILY DISASTER RECOVERY AFFORDABLE HOUSING ACTIVITIES AND TO PROVIDE FOR THE ADMINISTRATION OF AFFORDABLE HOUSING ACTIVITIES; CONTAINING OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; AND DECLARING AN EMERGENCY.

* * *

WHEREAS, pursuant to Chapter 311 of Vernon’s Texas Tax Code Annotated, entitled the “Tax Increment Financing Act” (“Act”), the City has designated certain areas within the City of Houston (“City”) as Tax Increment Reinvestment Zones (“TIRZs”) in order to promote the development or redevelopment of those areas; and

WHEREAS, Section 311.011 (f) of the Act requires that one-third (1/3) of the tax increment collected by each petition-created TIRZ be dedicated to providing affordable housing (“Affordable Housing Component”); and

WHEREAS, certain TIRZ have transferred their Affordable Housing Component to the City to administer; and

WHEREAS, the City Controller has created a TIRZ Affordable Housing Fund (“Fund 2409”), formerly known as the Low Income Housing Fund (“Fund 872”), in which the Affordable Housing Component from each participating TIRZ is deposited; and

WHEREAS, Fund 2409 contains only tax increment revenue and does not contain revenue from the sale of tax increment bonds or notes or funding from other sources; and

WHEREAS, pursuant to Ordinance Number 99-448 passed and adopted by City Council on May 19, 1999, as amended, the City has designated all funds placed in Fund 2409 (formerly Fund 872), as certified by the City Controller from time to time, for use by the City’s Housing and Community Development Department (“HCDD”) for low-income housing purposes; and

WHEREAS, HCDD has determined that the use of TIRZ dollars to fund the following activities under the category set forth below will aid in the provision of affordable housing as required by Chapter 311 of the Texas Tax Code:

Category	Total Amount	Description
Single Family DR 17 Activities	\$3,000,000.00	Single family DR 17 activities including, but not limited to gap funding for participants whose pre-Harvey home had 3 bedrooms but have been limited by the General Land Office’s guidelines to 2 bedrooms; rehabilitation; reconstruction; reimbursement; and temporary relocation assistance.
Total	\$3,000,000.00	

WHEREAS, this Ordinance includes an allocation of funds for costs associated with the administration of the City’s affordable housing activities; and

WHEREAS, TIRZ funding related to direct program activities involving specific contracts will be brought before City Council for approval, to the extent required, in accordance with the City Charter and City rules and policies; and

WHEREAS, HCDD now requests the City Council of the City of Houston to approve the appropriation of up to \$3,000,000.00 from Fund 2409 to pay for Single Family Disaster Recovery Activities, as well as to provide for the administration of the City's affordable housing activities, as set forth under the category listed above; **NOW, THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON:

Section 1. That the City Council hereby finds and determines that the facts and recitals contained in the preamble of this Ordinance are true and correct and hereby adopts the recitals set forth above.

Section 2. That the City Council hereby appropriates \$3,000,000.00 in TIRZ funds for Single Family Disaster Recovery Activities, as well as for the administration of the City's affordable housing activities, as set forth below:

Category	Total Amount	Description
Single Family DR 17 Activities	\$3,000,000.00	Single family DR 17 activities including, but not limited to gap funding for participants whose pre-Harvey home had 3 bedrooms but have been limited by the GLO's guidelines to 2 bedrooms; rehabilitation; reconstruction; reimbursement; and temporary relocation assistance.
Total	\$3,000,000.00	

Section 3. That the City Council hereby determines that the use of funds from Fund 2409 herein appropriated for Single Family Disaster Recovery Affordable Housing Activities, as well as for the administration of the City's affordable housing activities as set forth above is for the provision of affordable housing as required by Chapter 311 of the Texas Tax Code.

Section 4. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this 30th day of September, 2020.

APPROVED this _____ day of _____, 2020.

Mayor of the City of Houston, Texas

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is OCT 06 2020.

Lat J. Hanial
City Secretary

(Prepared by Legal Dept. *R WTV*)
(REW/09/22/20 Assistant City Attorney)
(Requested by Tom McCasland - Director, Housing and Community Development Department)
(L.D. File No. 0292000746001)
FUND REF: \$3,000,000.00
TIRZ Affordable Housing Fund 2409

AYE	NO	
✓		MAYOR TURNER
....	COUNCIL MEMBERS
✓		PECK
	ABSENT	DAVIS
✓		KAMIN
✓		EVANS-SHABAZZ
✓		MARTIN
✓		THOMAS
✓		TRAVIS
✓		CISNEROS
✓		GALLEGOS
✓		POLLARD
✓		MARTHA CASTEX-TATUM
✓		KNOX
✓		ROBINSON
	ABSENT-ON PERSONAL BUSINESS	KUBOSH
✓		PLUMMER
✓		ALCORN
CAPTION	ADOPTED	