

RESOLUTION NO. 24-R-117

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING AN INTERLOCAL AGREEMENT FOR FUNDING ASSISTANCE WITH THE SCHERTZ HOUSING AUTHORITY, AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the Schertz Housing authority provides housing assistance programs for families in need in the community; and

WHEREAS, local access is often critical to families in need of housing assistance; and

WHEREAS, in light of increasing housing costs and a growing population, there is a significant public purpose in offering affordable housing assistance in a community; and

WHEREAS, a lack of affordable housing programs can lead to significant negative problems in a community, impacting areas such neighborhood quality and creating instability in a community; and

WHEREAS, a housing instability can impact economic security, education, health and access to services and job; and

WHEREAS, the City staff of the City of Schertz (the “City”) has recommended that the City enter into an interlocal agreement with the Schertz Housing Authority relating to housing assistance programs; and

WHEREAS, the City Council has determined that it is in the best interest of the City to contract with the Schertz Housing Authority; and

WHEREAS, in an effort to provide assistance in a timely manner, the City Manager and City Attorney are hereby authorized to develop and execute an interlocal agreement to provide for funding and reporting.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS THAT:

Section 1. The City Council hereby authorizes the City Manager to execute and deliver the Agreement with the Schertz Housing Authority an interlocal agreement that provides for use of the funds by the Schertz Housing Authority and updates to City Council on housing programs provided by the Schertz Housing Authority, generally per the Attached Exhibit “A”.

Section 2. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

Section 3. All resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

Section 6. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 7. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this ___rd day of September 2024.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

(CITY SEAL)

Exhibit "A"

ILA with Schertz Housing Authority

INTERLOCAL AGREEMENT

This Interlocal Agreement, effective as of October 1, 2024 (this "Agreement"), is between the City of Schertz, Texas, (the "City") a political subdivision of the State of Texas, and the Schertz Housing Authority (the "Schertz Housing Authority") a public corporation of the State of Texas, created pursuant to the Texas Local Government Code, Chapter 392, as amended.

WHEREAS, the Schertz Housing Authority provides housing assistance programs for families in need in the community; and

WHEREAS, local access is often critical to families in need of housing assistance; and

WHEREAS, in light of increasing housing costs and a growing population, there is a significant public purpose in offering affordable housing assistance in a community; and

WHEREAS, a lack of affordable housing programs can lead to significant negative problems in a community, impacting areas such as neighborhood quality and creating instability in a community; and

WHEREAS, housing instability can impact economic security, education, health and access to services and jobs; and

WHEREAS, the City staff of the City of Schertz (the "City") has recommended that the City enter into an interlocal agreement with the Schertz Housing Authority relating to housing assistance programs; and

WHEREAS, the City Council has determined that it is in the best interest of the City to contract with the Schertz Housing Authority; and

WHEREAS, the City Council has determined that the provision of an assistance program for housing is a public purpose; and

WHEREAS, the City and the Schertz Housing Authority are authorized to execute this Agreement pursuant to Texas Government Code Chapter 791.001, as amended;

NOW, THEREFORE, THE CITY AND THE SCHERTZ HOUSING AUTHORITY, ACTING BY AND THROUGH THEIR DULY AUTHORIZED OFFICERS, HEREBY COVENANT AND AGREE AS FOLLOWS:

Section 1. Purpose. (a) The Schertz Housing Authority agrees during the term of this Agreement to work to provide decent, safe and sanitary housing for the elderly, disabled and very low-income families in the community.

The Schertz Housing Authority shall observe and comply with all applicable federal, state, county, and City laws, rules, ordinances, and regulations that in any manner affect the provision of the services described in this Agreement.

The Schertz Housing Authority agrees to provide a written report to the City Council of the City on or about July 1 of each year that documents that the payments by the City described in Section 3 have benefitted community.

The Schertz Housing Authority further agrees to provide the City (at the City's request from time to time) with the complete budget for the Schertz Housing Authority.

Section 2. Term and Renewal. This Agreement shall be for a term commencing with the effective date of this Agreement through and including September 30, 2025 with the option to renew for four (4) additional terms of one (1) year each unless terminated as provided for in this Agreement.

Section 3. Consideration. In consideration of the Schertz Housing Authority's provision of housing assistance pursuant to this Agreement, the City agrees to pay the Schertz Housing Authority \$5,000 on or about November 1 of each fiscal year of the agreement.

Section 4. Authorization. This Agreement has been duly authorized by the governing bodies of the City and the Schertz Housing Authority and shall be funded out of available revenue.

Section 5. Severability. If any portion of this Agreement shall be declared illegal or held unenforceable for any reason, the remaining portions hereof shall continue in full force and effect.

Section 6. Amendments. This Agreement represents the complete understanding of the City and the Schertz Housing Authority with respect to the matters described herein. This Agreement may not be amended or altered without the written consent of both parties.

Section 7. Governing Law. This Agreement shall be governed by the laws of the State of Texas.

[The remainder of this page intentionally left blank.]

IN WITNESS WHEREOF, the undersigned has entered into this Agreement, effective as of the date first above written.

Date of Execution

CITY OF SCHERTZ, TEXAS

_____, 2024

By _____
City Manager

Date of Execution

SCHERTZ HOUSING AUTHORITY

_____, 2024

By _____
Board Chairperson