

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

**DEPARTMENT:** Planning & Economic Development

**AGENDA DATE:** May 15, 2012 (Regular)

**CONTACT PERSON/PHONE:** Mathew McElroy, Deputy Director, 541-4193

**DISTRICT(S) AFFECTED:** 8

**SUBJECT:**

Discussion and action on a Resolution authorizing the Mayor to sign the First Amendment to Interlocal Agreement by and between the City of El Paso and El Paso Downtown Management District ("DMD") regarding additional funding of the joint Downtown Commercial Façade Improvement Grant Program, under the terms and conditions set forth therein. (District 8) [Planning & Economic Development, Mathew McElroy, (915) 541-4193]

**BACKGROUND/DISCUSSION:**

In partnership with the Downtown Management District, (DMD), the City of El Paso would like to implement a grant program for downtown businesses that provides up to \$25,000 per façade, in matching funds. This program aims to improve the aesthetic appearance of properties in the downtown area. To be eligible, buildings must be located in the downtown Historic District, in the downtown Tax Increment Reinvestment Zone or in the Downtown Management District. The grants are available to building owners or tenants who have the consent of the building owner. Property taxes for the building must be current and there must be no code enforcement actions pending against the property to be eligible for the grant. Façade improvement must adhere to the design guidelines in the 2015 Plan or Historic design guidelines, and must be approved by the DMD Marketing review committee. The Tax Increment Reinvestment Zone has designated \$100,000 towards the program. Each grant will fund up to half of the façade improvement cost or a maximum of \$25,000 and \$1,000 as the minimum.

**PRIOR COUNCIL ACTION:**

Yes, previous contracts for a façade program with DMD were in place in 2007, 2003 & 2008.

**AMOUNT AND SOURCE OF FUNDING:**

TIRZ Funds - \$100,000. City funds have been budgeted in the Economic Development Department 720150035/15462/PED00002

**BOARD/COMMISSION ACTION:**

N/A

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

**DEPARTMENT HEAD:** \_\_\_\_\_



**RESOLUTION**

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

That the Mayor be authorized to sign the First Amendment to Interlocal Agreement by and between the City of El Paso and the El Paso Downtown Management District ("DMD") regarding additional funding of the joint Downtown Commercial Façade Improvement Grant Program, under the terms and conditions set forth therein.

**APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.**

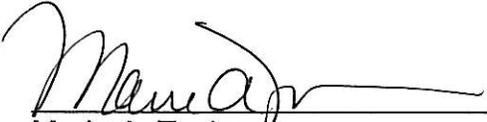
CITY OF EL PASO

\_\_\_\_\_  
John F. Cook  
Mayor

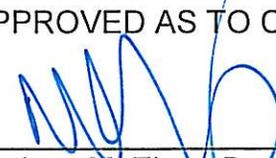
ATTEST:

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Marie A. Taylor  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Mathew McElroy, Deputy Director  
Planning & Economic Development

STATE OF TEXAS           §           FIRST AMENDMENT TO  
                                  §           INTERLOCAL AGREEMENT  
COUNTY OF EL PASO   §  
                                  (Downtown Commercial Façade Improvement Grant Program)

**THIS FIRST AMENDMENT TO INTERLOCAL AGREEMENT** ("First Amendment") is entered into by and between the **CITY OF EL PASO, TEXAS**, a home-rule municipal corporation, (the "CITY") and the **EL PASO DOWNTOWN MANAGEMENT DISTRICT** (the "DMD"), a Texas Municipal Management District, organized under Texas Local Government Code Chapter 375.

**RECITALS:**

**WHEREAS**, on or about November 17, 2011, the CITY and the DMD entered into an Interlocal Agreement (the "Agreement"), regarding the administration and funding of a joint Downtown Commercial Façade Improvement Grant Program; and

**WHEREAS**, the CITY and the DMD now desire to amend the Agreement to increase the CITY's funding contribution to support additional match grant awards for façade improvement projects within the TIRZ No. 5 boundaries.

**NOW THEREFORE, THE PARTIES HEREBY MUTUALLY AGREE AS FOLLOWS:**

1. Page 4, Section 3.2 Responsibilities of the City, subsection 3.2.1 is revised to read as follows:

3.2.1 As of September 2011, the existing Program fund balance was approximately \$9,000 in restricted TIRZ funds. On September 8, 2011, the Board of Directors of TIRZ No. 5 recommended the allocation of an additional \$41,000.00 in TIRZ funds. On March 8, 2012, the Board of Directors of TIRZ No. 5 recommended the allocation of an additional \$100,000.00 in TIRZ funds. By separate action, the CITY has or will allocate an additional \$141,000.00 in TIRZ funds for use as match funding for only those approved projects that are located within the Zone boundaries.

2. Page 4, Section 3.2 Responsibilities of the City, subsection 3.2.3 is revised to add the following sentence:

Within thirty (30) days of the execution date of the First Amendment to Interlocal Agreement, the City will contribute additional allocated funds to the DMD in an amount not to exceed \$100,000.00 for the joint Program.

3. Except as herein provided, all terms and conditions of the Interlocal Agreement effective November 17, 2011 shall remain in full force and effect.

**IN WITNESS WHEREOF**, the CITY and DMD have executed this First Amendment in the City of El Paso, to be effective as of the date of the last signatory.

**CITY OF EL PASO**

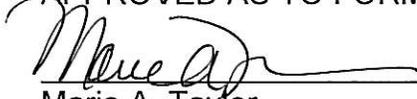
By: \_\_\_\_\_  
John F. Cook, Mayor

Signature date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Marie A. Taylor  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Mathew S. McElroy, Deputy Director,  
Planning and Economic Development

[Signatures Continue on Following Page]

**EL PASO DOWNTOWN MANAGEMENT DISTRICT (DMD):**

By: \_\_\_\_\_  
Robert S. Ayoub, President, Board of Directors

Signature date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Michael D. McQueen, Secretary