

## **RESOLUTION NO. 2022-10(R)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, AUTHORIZING THE TEXAS HOUSING FOUNDATION TO EXERCISE ITS POWERS ON PROPERTY KNOWN AS WYLIE SENIOR APARTMENTS, LOCATED AT 2310 WEST FM 544, WYLIE, TEXAS 75098, WITHIN THE TERRITORIAL BOUNDARIES OF THE CITY OF WYLIE, TEXAS; AND AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE THE COOPERATION AGREEMENT ATTACHED HERETO.**

**WHEREAS**, the City Council of the City of Wylie, Texas finds that there exists in the City of Wylie ("City") a shortage of safe and sanitary housing available to lower income residents at rents they can afford; and

**WHEREAS**, Texas Housing Foundation, a Texas regional housing authority (the "Foundation"), has represented to the City that it has significant experience and expertise in successfully providing, developing, financing, and managing housing projects that are affordable to lower income residents and are assets to the community; and

**WHEREAS**, Texas Local Government Code, Section 392.017(d) requires that the governing body of a municipality adopt a resolution declaring a need for a regional housing authority to exercise its powers in another jurisdiction, and authorizing a cooperation agreement under Section 392.059; and

**WHEREAS**, it is contemplated that THF Public Facility Corporation, a Texas public facility corporation duly organized by the Foundation (the "PFC") may issue tax-exempt bonds in order to finance a portion of the costs financing of the property and development known as the Wylie Senior Apartments, located at 2310 West FM 544, Wylie, Collin County, Texas 75098 (the "Development"); and

**WHEREAS**, it is further contemplated that a wholly-owned subsidiary of the Foundation will serve as the Applicant's general partner; and

**WHEREAS**, the City has conducted a public hearing to take testimony with regard to the Development and Cooperation Agreement.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WYLIE:**

**Section 1.** That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

**Section 2.** Pursuant to Texas Local Government Code, Section 392.017(d)(1), the City Council declares that there is a need for the Foundation to exercise its powers at the Development in the territorial boundaries of the City to provide decent, safe, and sanitary housing that is affordable for lower income residents of the City. The Foundation is hereby authorized to exercise its powers at the Development in the territorial boundaries of the City as set forth in the Cooperation Agreement attached hereto.

**Section 3.** Pursuant to Texas Local Government Code, Section 392.017(d)(2) and the Cooperation Agreement between the Foundation and the City, attached hereto and incorporated herein, the Foundation is hereby authorized under Texas Local Government Code Section 392.059(a) to exercise its powers at the Development within the City. The City agrees to cooperate with the Foundation to allow the Foundation to provide housing for low and moderate income residents at the Development in the territorial boundaries

of the City consistent with the terms of the Cooperation Agreement. The Foundation and the PFC are authorized to exercise its powers under the Texas Housing Authorities Law, Texas Local Government Code Chapter 392 and the Texas Public Facility Corporation Act, Texas Local Government Code Chapter 303, respectively, to finance, plan, undertake, construct, or operate the housing project at the Development in the City, consistent with the terms of the Cooperation Agreement. The Cooperation Agreement only authorizes the Foundation and the PFC to take action in connection with the Development in the City. The City Manager is hereby authorized to execute the Cooperation Agreement on behalf of the City.

**Section 4.** The Interim City Manager is authorized to take any reasonable and necessary action to effectuate the direction and intention of this Resolution and the Cooperation Agreement.

**Section 5.** This Resolution shall become effective upon its passage. The City Secretary is hereby authorized, directed and empowered to certify this Resolution to TDHCA and the Foundation.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS** on this the 22nd day of March, 2022.

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Matthew Porter, Mayor

Attest:

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Stephanie Storm, City Secretary

Exhibit A  
Cooperation Agreement

*[3 pages attached hereto]*