

RESOLUTION 2019-003
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROVING A WAIVER OF THE 2017 PILOT FOR HOUSING CATALYST

WHEREAS, on December 16, 1971, the City and the Fort Collins Housing Authority, now called Housing Catalyst, (the "Authority") entered into a Cooperation Agreement (the "Agreement") to comply with the requirements of a public housing program financed by the federal Department of Housing and Urban Development ("HUD"); and

WHEREAS, the Agreement requires the Authority to make an annual payment in lieu of taxes ("PILOT") to the City for the public services and facilities provided by the City to Authority housing projects; and

WHEREAS, since at least 1992, the City has remitted such PILOT payments to the Authority to help fund affordable housing-related activities and meet the needs of low-income Fort Collins residents; and

WHEREAS, the Authority is scheduled to make a PILOT payment for 2017 of \$9,638; and

WHEREAS, this year, rather than having the Authority pay the PILOT funds to the City and then ask the City Council to appropriate the funds for repayment to the Authority as in past years, City staff is recommending that the Council simply waive the requirement that the Authority pay the PILOT funds, simplifying the process; and

WHEREAS, the parties to a contract can agree to waive an obligation required of a party to such contract; and

WHEREAS, as a condition of agreeing to such waiver, the City will require the Authority to sign a letter agreement obligating the Authority to spend the funds for creating or maintaining affordable housing in a manner consistent with HUD guidelines.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.


Section 2. That the City Council hereby waives the Authority's obligation to make a PILOT payment for 2017 only pursuant to the 1971 Cooperation Agreement on the condition that the Authority spend such funds for affordable housing and related activities for Fort Collins residents consistent with HUD guidelines.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 2nd day of January, A.D. 2019.



Mayor

ATTEST:



City Clerk

