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**El Paso County
Agenda Item Details**

Item Title: Acceptance of the Written Application to Incorporate a Housing Finance Corporation

Submitted By: Betsy C. Keller, Chief Administrator

Department: County Administration

Department Phone Number: 915-273-3600

Subject: Consider and accept the Written Application for the Incorporation of a Housing Finance Corporation, pursuant to Texas Local Government Code Section 394.011(a).

Background: On February 24, 2025, the Commissioners Court received legal advice pertaining to the creation of housing finance corporations and corresponding legislation. On March 3, 2025, Commissioners Court began discussions and work necessary to bring back the documentation required to incorporate a County Housing Finance Corporation. Pursuant to Texas Legal Government Code Section 394.011(a), the Commissioners Court must consider the submitted written application for incorporation of a housing finance corporation in order to begin the incorporation process.

Fiscal Impact: Fiscal Impact Historical
no fiscal impact

Fiscal Impact Projected
no fiscal impact

Long Account Number: Amount:

Long Account Number: Amount:

Budget or Unbudgeted Match:

Recommendation: Consider and accept the Written Application for the Incorporation of a Housing Finance Corporation pursuant to Texas Local Government Code Section 394.011(a).

Prior Action:

Strategic Plan: Goal:

null

Objective:

Strategic Plan Information:

**Estimated Time Needed
For This Item:**

10 minutes

ARTICLES OF INCORPORATION
OF THE
EL PASO COUNTY HOUSING FINANCE CORPORATION III

We, the undersigned natural persons, each of whom is at least 18 years of age and residents of the El Paso County, Texas, as incorporators of a corporation under the Texas Housing Finance Corporation Act, Chapter 394, Local Government Code (the "*Act*"), to hereby adopt the following Articles of Incorporation for such corporation:

ARTICLE I

The name of the corporation is "**El Paso County Housing Finance Corporation III**" (the "*Corporation*").

ARTICLE II

The Corporation is a public nonprofit corporation

ARTICLE III

The period of duration of the Corporation is perpetual.

ARTICLE IV

The Corporation is organized solely to carry out the purposes of the Act and shall have and possess all powers enumerated in the Act, including the issuance of bonds. Such bonds shall not constitute an obligation of El Paso County, Texas (the "*County*") but shall be payable solely out of the revenues and receipts derived from any residential development or home mortgage financed by the bonds. The County shall never be liable for the payment of principal interest on any bonds issued by the Corporation.

ARTICLE V

The Corporation shall have no members and is a nonstock corporation.

ARTICLE VI

The street address of the initial registered office of the corporation is 500 E. San Antonio, Suite 302, El Paso, Texas 79901, Attention: El Paso County Housing Finance Corporation III, and the name of the initial registered agent at such address is Betsy C. Keller, Chief Administrator.

ARTICLE VII

All powers of the Corporation shall be vested in a Board of Directors, consisting of three (3) individuals, at least two of whom shall be members of the governing body of El Paso County, Texas, the Commissioners' Court of El Paso County, Texas (the "*Governing Body*"). Directors shall serve without compensation except that they shall be reimbursed for his or her actual expenses incurred in the performance of his or her official duties for the Corporation. All other matters pertaining to the internal affairs of the Corporation shall be governed by the bylaws of the Corporation (the "*Bylaws*") so long as the Bylaws are not inconsistent with these Articles of Incorporation (the "*Articles*") or any law. Such Bylaws and any amendments thereto shall be approved by both the Corporation and the Governing Body of El Paso County, Texas.

ARTICLE VIII

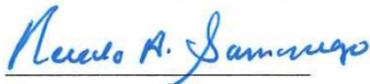
The number of directors constituting the initial Board of Directors of the Corporation is three (3), two of whom shall be members of the Governing Body and one of whom shall be a resident of El Paso County, Texas. Unless a Board of Director resigns, directors who are members of the Governing Body shall serve for a term concurrent with their term on the Governing Body of El Paso County, Texas. The names and addresses of the directors, each of whom is a resident of El Paso County, Texas, is below:

Director	Member of Governing Body	Address
Ricardo A. Samaniego	Yes, County Judge	500 E. San Antonio, Suite 301, El Paso, Texas 79901
Iliana Holguin	Yes, County Commissioner	500 E. San Antonio, Suite 301, El Paso, Texas 79901
Betsy C. Keller	No	500 E. San Antonio, Suite 302, El Paso, Texas 79901

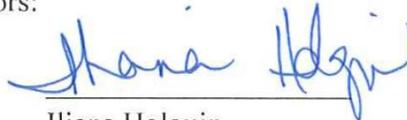
ARTICLE IX

A resolution of the Governing Body approving the foregoing Articles and above-referenced Bylaws for the Corporation was heard, considered, approved, and adopted on March 10, 2025.

Signed and approved by all of the Directors:



Ricardo A. Samaniego



Iliana Holguin



Betsy C. Keller

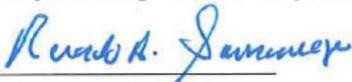
WRITTEN APPLICATION FOR THE
INCORPORATION OF A HOUSING FINANCE CORPORATION
BY EL PASO COUNTY, TEXAS

We, the undersigned residents of El Paso County, Texas, hereby submit this written application ("Application") for the incorporation of the El Paso County Housing Finance Corporation III pursuant to the Texas Housing Finance Corporations Act, Texas Local Government Code, Chapter 394 (the "Act")

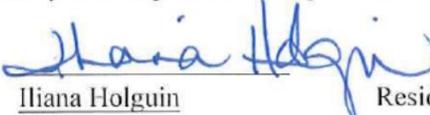
1. We are all residents of El Paso County, Texas and citizens of the State of Texas.
2. We are all over 18 years of age.
3. We are submitting and filing this Application with the El Paso County Commissioners' Court, along with the attached proposed Articles of Incorporation ("Articles") to respectfully request that the El Paso County Commissioners' Court proceed to establish and organize the El Paso County Housing Finance Corporation III under the Act as provided in the Articles.
4. By this Application, we ask El Paso County Commissioners' Court to adopt a resolution that determines the formation of the El Paso County Housing Finance Corporation III is wise, expedient, necessary and/or advisable and approve the Articles submitted with the Application.

Approved, adopted, and submitted by the following residents of El Paso County, Texas:

I hereby swear and affirm that I am a resident of El Paso County, Texas, I am over 18 years of age, and I am supporting and filing the foregoing Application with El Paso County, Texas asking it to adopt a resolution to form El Paso County Housing Finance Corporation III by the Articles, attached.

Signature: 
Printed Name: Ricardo A. Samaniego Residential Address: 

I hereby swear and affirm that I am a resident of El Paso County, Texas, I am over 18 years of age, and I am supporting and filing the foregoing Application with El Paso County, Texas asking it to adopt a resolution to form El Paso County Housing Finance Corporation III by the Articles, attached.

Signature: 
Printed Name: Iliana Holguin Residential Address: 

I hereby swear and affirm that I am a resident of El Paso County, Texas, I am over 18 years of age, and I am supporting and filing the foregoing Application with El Paso County, Texas asking it to adopt a resolution to form El Paso County Housing Finance Corporation III by the Articles, attached.

Signature: 
Printed Name: Betsy C. Keller Residential Address: 

Notary Acknowledgement

On this 7th day of March 2025, the foregoing three (3) residents of El Paso County, Texas appeared before me, a Notary Public of the State of Texas, and, upon providing me with proof of their identities and residential addresses, acknowledged to me that they executed the foregoing application for the purpose expressed therein.

Claudia Yvette Murguia

Notary Public in and for
The State of Texas

My commission expires: April 25, 2028

