

AN ORDINANCE 2016-09-29-0753

AUTHORIZING (1) THE ALLOCATION OF UP TO \$1,250,000.00 OF FY 2017 HOME INVESTMENT PARTNERSHIPS PROGRAM FUNDS FOR THE DEVELOPMENT OF THE LORD ROAD APARTMENTS; UP TO \$174,400.00 OF FY 2017 HOME COMMUNITY HOUSING DEVELOPMENT ORGANIZATION FUNDS FOR THE OUR CASAS RESIDENT COUNCIL'S SCATTERED SITES PROJECT; AND UP TO \$1,045,600.00 OF FY 2017 HOME COMMUNITY HOUSING DEVELOPMENT ORGANIZATION FUNDS FOR THE LENWOOD HEIGHTS SUBDIVISION-PHASE II PROJECT; AND (2) AUTHORIZING THE REPROGRAMMING OF UP TO \$484,000.00 OF FY 2016 HOME INVESTMENT PARTNERSHIPS PROGRAM FUNDS FOR THE LENWOOD HEIGHTS SUBDIVISION-PHASE II PROJECT AND A SUBSTANTIAL AMENDMENT TO THE FY 2016 ANNUAL ACTION PLAN AND BUDGET TO REPROGRAM SAID FUNDS.

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WHEREAS, on August 4, 2016, pursuant to Ordinance No. 2016-08-04-0554, the City Council of the City of San Antonio (the "City") approved the FY 2017 HOME Investment Partnerships Funding Budget, which included a \$1,250,000.00 set-aside for Multi-Family Rental Housing Development and \$1,220,000.00 set-aside for Community Housing Development Organization ("CHDO") Single-Family New Construction; and

WHEREAS, the City released a Request for Applications seeking applications to allocate the HOME Investment Partnerships Program ("HOME") funds to develop low and moderate income housing projects; and

WHEREAS, in connection therewith, the City evaluated applications based on the experience of the developers, efficient use of HOME funds, project feasibility, loan terms, site characteristics, transit amenities, project readiness, resident services, and the developer's Section 3 Utilization Plan (collectively, the "Evaluation Criteria"); and

WHEREAS, based on the Evaluation Criteria, the City selected the NRP Group's Lord Road Apartments project, the Our Casas Resident Council's Scattered Sites project, and Habitat for Humanity of San Antonio, Inc.'s Lenwood Heights Subdivision-Phase II project to receive the FY 2017 HOME funds at issue; and

WHEREAS, the NRP Group's Lord Road Apartments, located at Lord Road and W.W. White Road in Council District 2, will consist of three hundred twenty-four (324) rental units, eleven (11) of which will be HOME-assisted units, and of that eleven (11), eight (8) shall be restricted to households at eighty percent (80%) of the City's area median income ("AMI") and three (3) shall be restricted to households at fifty percent (50%) of AMI; and

WHEREAS, the Scattered Sites project to be developed by Our Casas Resident Council, a CHDO, is located in Council District 5 and will consist of the development of five (5) single-family units available to first-time homebuyers whose income is at or below eighty percent (80%) of AMI; and

WHEREAS, Habitat for Humanity of San Antonio, Inc.'s Lenwood Heights Subdivision-Phase II project, located at 259 S. Acme Road (south of Commerce) in Council District 6, will consist of the development of forty-five (45) single-family units available to first-time homebuyers whose income is at or below eighty percent (80%) of AMI; and

WHEREAS, it is the City Council's intention to approve the allocation of up to \$1,250,000.00 of FY 2017 HOME funds for the development of the Lord Road Apartments; up to \$174,400.00 of FY 2017 HOME CHDO funds for the Our Casas Resident Council's Scattered Sites project; and up to \$1,045,600.00 of FY 2017 HOME CHDO funds for the Lenwood Heights Subdivision-Phase II project; and

WHEREAS, HOME funds available in previously appropriated projects may, pursuant to regulations of the U.S. Department of Housing and Urban Development ("HUD"), be retained by grantees for reprogramming to provide supplementation to existing projects and/or funding in support of new programs; and

WHEREAS, the City is a HOME fund grantee; and

WHEREAS, the sum of \$484,400.00 is currently available in HOME funds for said reprogramming and allocation after the original recipient, Franklin Development, informed the City it was unable to use such funds for its Artisan at Judson Park Multi-Family Rental Housing Development due to time constraints related to HUD's environmental review requirements; and

WHEREAS, it is the desire of the City to reprogram and allocate an amount not to exceed \$484,400.00 to Habitat for Humanity of San Antonio, Inc.'s Lenwood Heights Subdivision-Phase II, a CHDO Single-Family New Construction project; and

WHEREAS, in order to reprogram said funds, it is necessary to authorize a substantial amendment to the City's FY 2016 Annual Action Plan and Budget; and

WHEREAS, pursuant to applicable HUD regulations, statutory requirements, and/or City Council policy designed to ensure adequate citizen input, a public hearing is required prior to any reprogramming of or modification to funds or projects; and

WHEREAS, the required notice having been duly published, and said public hearing having been held before the City Council on September 29, 2016, it is now the desire of the City to formally allocate the reprogrammable HOME funds at issue; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Allocations of up to \$1,250,000.00 of FY 2017 HOME funding for the development of Lord Road Apartments, up to \$174,400.00 of FY 2017 CHDO funding for the development of Our Casas Resident Council's Scattered Sites project, and up to \$1,045,600.00 of FY 2017 CHDO funding for the development of the Lenwood Heights Subdivision-Phase II project are hereby authorized. The reprogramming of up to \$484,400.00 from the Artisan at Judson Park Multi-Family Rental Housing Development to the Lenwood Heights Subdivision-Phase II CHDO Single-Family New Construction project, substantially amending the FY 2016 HOME Action Plan, is hereby authorized. The allocation and appropriation of funds consistent with the budget revision schedule attached hereto and incorporated by reference herein for all purposes as **Attachment I** are hereby authorized.

SECTION 2. The appropriations, reallocations, expenditures, encumbrances, and budget revisions necessitated and scheduled pursuant to the aforesaid **Attachment I** are hereby authorized for entry into the City's accounting system.

SECTION 3. A substantial amendment to the City's FY 2016 Annual Action Plan and Budget to reprogram said funds in the HOME budget is hereby authorized. The Grants Administrator of the Division of Grants Monitoring and Administration is hereby authorized to execute any and all documents in connection with said amendment.

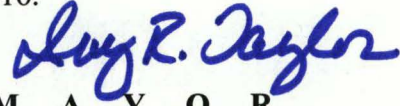
SECTION 4. The City Manager or her designee, the Director of the Department of Planning and Community Development or her designee, or the Grants Administrator of the Division of Grants Monitoring and Administration is hereby authorized to (a) implement the reductions, revisions, and reprogramming set forth in **Attachment I**; (b) comply with HUD rules, regulations, and procedures, and submit all certifications and such other information to and as required by HUD; (c) approve budget adjustments within project allocations to conform with actual expenditures if line item cost overruns occur or are anticipated; (d) close-out and cancel affected projects and create new projects and project budgets; (e) negotiate and execute any and all contracts and other necessary documents in connection with the projects set forth on **Attachment I**; and (f) provide for payment.

SECTION 5. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 6. This Ordinance is effective immediately upon the receipt of eight (8) affirmative votes; otherwise, it is effective ten (10) days after passage.

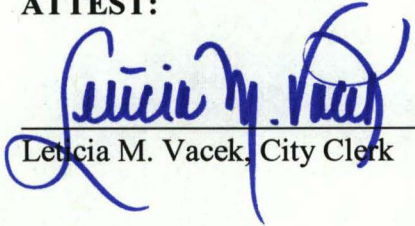
CC:bh
09/29/2016
Item No. 37

PASSED AND APPROVED this 29th day of September, 2016.



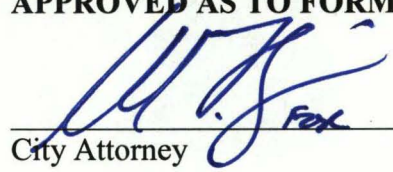
M A Y O R
Ivy R. Taylor

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



City Attorney

Agenda Item:	37 (in consent vote: 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35, 36, 37, 38, 39, 40, 42A, 42B, 43A, 43B, 43C, 43D)						
Date:	09/29/2016						
Time:	09:18:41 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance awarding an amount not to exceed \$2,954,400.00 in HOME Investment Partnerships Program funds for one multi-family new construction project and two single family construction projects of Lord Road Apartments, Our Casas Resident Council Scattered Sites, and Lenwood Heights subdivision - Phase II, respectively, and scheduling a Public Hearing for a Substantial Amendment to the FY 2016 Annual Action Plan to reprogram \$484,000 in HOME Investment Partnerships Program funds. [Peter Zanoni, Deputy City Manager; Bridgett White, Director, Planning and Community Development]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				
Alan Warrick	District 2		x				x
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5	x					
Ray Lopez	District 6	x					
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9	x					
Michael Gallagher	District 10		x			x	

ATTACHMENT I

HOME Multi-Family Rental Sources				
Fiscal Year	HUD Program	Activity Name	I/O	SAP Approved Budget
2017	HOME	Multi-Family Rental Development Program	Pending	\$ 1,250,000.00
			Total Sources	\$ 1,250,000.00
HOME Multi-Family Rental Uses				
Fiscal Year	HUD Program	Project Name	Award Amount	
2017	HOME	Multi-family Rental Development Program (Lord Road Apartments)(D2)	Pending	\$ 1,250,000.00
			Total Uses	\$ 1,250,000.00

CHDO Single-Family New Construction Sources				
Fiscal Year	HUD Program	Activity Name	I/O	SAP Approved Budget
2016	HOME	Reprogrammed Multi-family Rental Development (Artisan @ Judson Rd)(D10)	150000000155	484,400.00
2017	HOME	CHDO Single-Family New Construction	Pending	1,220,000.00
			Total Sources	1,704,400.00
CHDO Single-Family New Construction Uses				
Fiscal Year	HUD Program	Project Name	Award Amount	
2016 / 2017	HOME	CHDO Set Aside Single Family New Construction (Lenwood Heights)(D6)	Pending	1,530,000.00
2017	HOME	CHDO Set Aside Single Family New Construction (Our Casas)(D5)	Pending	174,400.00
			Total Uses	1,704,400.00