

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL.**

**ORDINANCE**

**AWARDING UP TO \$5,901,669.00 IN HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) FUNDS AND UP TO \$3,000,000.00 IN COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS TO EIGHT AFFORDABLE HOUSING DEVELOPMENT ACTIVITIES.**

\* \* \* \* \*

**WHEREAS**, on August 13, 2020, pursuant to Ordinance No. 2020-08-13-0531, City Council approved and adopted the FY2021 United States Department of Housing and Urban Development (HUD) Action Plan and Budget (FY2021 HUD Action Plan and Budget), wherein, among other actions, the City programmed HOME Investment Partnerships Program (HOME) and Community Development Block Grant (CDBG) funds; and

**WHEREAS**, on October 29, 2020, pursuant to Ordinance No. 2020-10-29-0775, City Council approved and authorized Substantial Amendment #1 to the FY2021 HUD Action Plan wherein the City reprogrammed FY 2021 CDBG funds; and

**WHEREAS**, on January 21, 2021, pursuant to Ordinance No. 2021-01-21-\_\_\_\_, City Council approved and authorized Substantial Amendment #2 to the FY2021 HUD Action Plan wherein, among other actions, the City programmed CDBG funds received under the second round of funding received under the CARES Act and reprogrammed FY 2021 CDBG entitlement funds; and

**WHEREAS**, on February 18, 2021, City Council approved and authorized Substantial Amendment #3 to the FY2021 HUD Action Plan wherein the City reprogrammed HOME and CDBG funds; and

**WHEREAS**, in furtherance of making the awards at issue, City staff released requests for applications (RFA) for affordable housing development, both homeownership and rental housing; and

**WHEREAS**, multiple applications were received in response to each respective RFA; and

**WHEREAS**, a panel of staff members reviewed and evaluated the applications received from developers for affordable housing based on the following criteria: experience and capacity, project readiness, project site characteristics and amenities, HUD regulatory conditions, efficient use of funds and other relevant factors including the results of a preliminary underwriting review; and

**WHEREAS**, based on their review and evaluation, the evaluation panels recommended the awards reflected on **Attachment I**; and

**WHEREAS**, City Council approves the recommended awards of HOME and CDBG funds for affordable housing development; **NOW THEREFORE:**

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

**SECTION 1.** In accordance with the schedule affixed hereto as **Attachment I** and incorporated herein, an allocation of HOME Investment Partnerships Program (HOME) funds in an amount not to exceed \$5,901,669.00 and Community Development Block Grant (CDBG) funds in an amount not to exceed \$3,000,000.00, are hereby authorized in accordance with the budget revision schedule affixed hereto and incorporated by reference herein for all purposes as **Attachment I**, to wit:

From HOME funding:

- (a) Up to \$1,200,000.00 to the Alamo Community Group for the Cattleman Square Lofts located at 811 W. Houston, in Council District 5;
- (b) Up to \$1,200,000.00 to the NRP Group for the Hamilton Wolfe Lofts located at 4631 Hamilton Wolfe, in Council District 8;
- (c) Up to \$275,000.00 to Neighborhood Housing Services of San Antonio for scattered site single family homeownership development in Council Districts 2 and 3; and
- (d) Up to \$351,669.00 to Our Casas Resident Council Zaramora Houses for scattered site single family homeownership development in Council District 5;

From CDBG funding:

- (e) Up to \$500,000.00 to the H. Cohen Trust for the Vista at Everest located at 538 Everest in Council District 1; and
- (f) Up to \$1,000,000.00 to Cohen-Esrey Real Estate for the Loma Vista Vista Lofts located at 363 N. Gen. McMullen in Council District 5.

From HOME and CDBG funding:

- (g) Up to \$750,000.00 in HOME funding and up to \$500,000.00 in CDBG funding to Prospera HCS for the Arbors at West Avenue Apartments located at 3747 West Avenue in Council District 1; and
- (h) Up to \$2,000,000.00 in HOME funding and up to \$1,000,000.00 in CDBG funding to Habitat for Humanity of San Antonio, Inc. for the Rancho Carlota Phase III homeownership development in Council District 4.

From HOME funding:

- (i) Up to \$125,000 in HOME funding for on-call environmental, underwriting, and labor compliance consultant services needed to carry out affordable housing development activities separate from the awards to the developments.

***[SUBJECT TO FISCAL REVIEW]***

**SECTION 2.** The City Manager or her designee, the Director of the Neighborhood and Housing Services Department (NHSD) or her designee, an Assistant Director of the Neighborhood and Housing Services Department (NHSD), and the Grants Administrator of the Division of Grants Monitoring and Administration, are each hereby authorized to negotiate and execute any and all contracts and other documents as necessary for: (a) implementation of the funding awards as set

forth herein; and (b) compliance with the U.S. Department of Housing and Urban Development (HUD) rules, regulations, and procedures, and to submit all certifications and such other information to and as required by HUD.

**SECTION 3.** 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 4.** The Director of the City's Finance Department is hereby authorized to effect on the books of the City the cancellations, revisions, and reprogramming in support thereof set forth in **Attachment I**. The City Manager or his designee, the Director of the Neighborhood and Housing Services Department or her designee, an Assistant Director of the Neighborhood and Housing Services Department (NHSD) or the Grants Administrator of the Division of Grants Monitoring and Administration are each 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 in accordance with **Attachment I**; (e) execute any and all necessary contracts and other documents in connection with the projects set forth above; and (f) provide for payment.

**SECTION 5.** The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer 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 affirmative votes; otherwise, it is effective ten days after passage.

**PASSED AND APPROVED** this 18<sup>th</sup> day of February, 2021.

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Tina Flores, City Clerk

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Andrew Segovia, City Attorney