JW
02/14/2019
Item No.

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

A RESOLUTION

OF SUPPORT FOR FRANKLIN DEVELOPMENT PROPERTIES, LTD'S APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE COMPETITIVE 9% HOUSING TAX CREDITS PROGRAM FOR THE DEVELOPMENT OF OUR LADY OF CHARITY APARTMENTS, A 93-UNIT MULTI- FAMILY RENTAL HOUSING DEVELOPMENT LOCATED IN COUNCIL DISTRICT 2; ALLOWING THE CONSTRUCTION OF THE DEVELOPMENT TO BE LOCATED WITHIN ONE LINEAR MILE OR LESS FROM ANOTHER DEVELOPMENT; AND IDENTIFYING THE DEVELOPMENT AS CONTRIBUTING MORE THAN ANY OTHER DEVELOPMENT TO THE CONCERTED REVITALIZATION WITHIN THE TAX INCREMENT REINVESTMENT ZONE NO. 11 - INNER CITY.

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WHEREAS, Franklin Development Properties, Ltd (the "Applicant") has proposed a 93 unit affordable multi-family rental housing development named Our Lady of Charity Apartments (the "Development"), to be located at SEQ of Montana and Grimes Street in Council District 2 in the City of San Antonio, Texas (the "City"); and

WHEREAS, the Applicant will submit an application to the Texas Department of Housing and Community Affairs ("TDHCA") for the 2019 Competitive 9% Housing Tax Credits for the Development (the "Application"); and

WHEREAS, notice was provided to the City in accordance with Texas Government Code §2306.67071(a); and

WHEREAS, the City has had sufficient opportunity to obtain a response from the Applicant regarding any questions or concerns about the proposed Development; and

WHEREAS, it is necessary that the City hold a hearing for comments to be made on the proposed Development in accordance with Texas Government Code §2306.67071(b); and

WHEREAS, the City, acting through its governing body, hereby confirms that it supports the proposed 93-unit affordable multi-family rental housing development named Our Lady of Charity Apartments (the "Development"), to be located at the SEQ of Montana and Grimes Street in Council District 2 in the City of San Antonio, Texas and that this formal action has been taken to put on record the opinion expressed by the City on February 14, 2019, and

WHEREAS, pursuant to section 11.3 (d) of the Texas Department of Housing and Community Affairs' 2019 Qualified Allocation Plan ("QAP"), an Application that proposes the New Construction or Adaptive Reuse of a Development that is located one linear mile or less measured

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by a straight line on a map from the closest point on each development) from another development that:

(A) serves the same type of household as the proposed Development, regardless of whether the Development serves families, elderly individuals, or another type of household; and

(B) has received an allocation of Housing Tax Credits or private activity bonds for any New Construction at any time during the three-year period preceding the date the Application Round begins;

(C) has not been withdrawn or terminated from the Housing Tax Credit Program; and

(D) does not meet one of the other exceptions listed in §11.3(d)(2)(A) – (F) of the QAP,

shall be considered ineligible, unless the Governing Body of the appropriate municipality or county where the Development is to be located has by vote specifically allowed the construction of a new Development located within one linear mile or less from a Development described above; and

WHEREAS, the City finds that it is necessary to waive the "three year, one mile rule" in order to increase the amount of affordable housing within the area in which both Developments will be located; and

WHEREAS, City staff has identified that the Development is located within the Tax Increment Reinvestment Zone No. 11 - Inner City; and

WHEREAS, the City finds that this Development contributes more than any other to the concerted revitalization efforts of the City in the Tax Increment Reinvestment Zone No. 11 - Inner City. **NOW THEREFORE:**

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

SECTION 1. In accordance with the requirements of Texas Government Code §2306.67071 and Texas Administrative Code §10.204(4), the City hereby certifies and finds that:

(i) Notice has been provided to the City in accordance with Texas Government Code §2306.67071(a); and

(ii) The Governing Body has had sufficient opportunity to obtain a response from the Applicant regarding any questions or concerns about the proposed Development; and

(iii) The Governing Body has held a hearing at which public comment may be made on the proposed Development in accordance with Texas Government Code, §2306.6707(b); and

(iv) After due consideration of the information provided by the Applicant and public comment, the Governing Body supports the proposed Application.

SECTION 2. The City hereby confirms that it supports the Application to the Texas Department of Housing and Community Affairs (TDHCA) for the proposed 93.-unit affordable multi-family rental housing development named Our Lady of Charity Apartments (the "Development"), to be located at the at SEQ of Montana and Grimes Street in Council District 2 in the City of San Antonio, Texas.

SECTION 3. The City hereby finds that the 93-unit affordable multi-family rental housing development named Our Lady of Charity Apartments (the "Development"), to be located at the at SEQ of Montana and Grimes Street in Council District 2 in the City of San Antonio, Texas is located one linear mile or less from a Development that serves the same type of household as the proposed Development and has received an allocation of Housing Tax Credits for New Construction since January 4, 2016**.**

SECTION 4. The City Council of the City of San Antonio, Texas has voted to specifically allow the construction of the 93-unit affordable multi-family rental housing development named Our Lady of Charity (the "Development"), to be located at the SEQ of Montana and Grimes Street in Council District 2 in the City of San Antonio, Texas and to authorize an allocation of Housing Tax Credits for the Development.

SECTION 5. The City hereby identifies Our Lady of Charity as the Development in the 2019 Competitive 9% Housing Tax Credits round that contributes more than any other to the concerted revitalization efforts of the City in the Tax Increment Reinvestment Zone No. 11 - Inner City.

SECTION 6. For and on behalf of the City Council, the City Clerk is hereby authorized, empowered, and directed to certify this Resolution to the TDHCA.

SECTION 7. This Resolution is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 14th day of February, 2019.

M A Y O R
Ron Nirenberg

ATTEST: **APPROVED AS TO FORM:**

Leticia M. Vacek, City Clerk Andrew Segovia, City Attorney