

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

AN ORDINANCE

AUTHORIZING THE ALLOCATION OF UP TO \$600,000.00 OF HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) FUNDS FOR THE TARASCO NEIGHBORHOOD SUBDIVISION; AND APPROVING SUBSTANTIAL AMENDMENT #1B TO THE FY 2018 ACTION PLAN AND BUDGET TO REPROGRAM SAID FUNDS IN THE AMOUNT OF \$600,000.00.

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WHEREAS, on August 3, 2017, pursuant to Ordinance No. 2017-08-03-0521, City Council approved the FY 2018 HOME Investment Partnerships Funding Budget, which included a \$1,250,000.00 set aside for Multi-Family Rental Housing; a \$1,220,000.00 set aside for Community Housing Development Organization (“CHDO”) Single-Family New Construction; and a \$75,000.00 set aside for CHDO Operating Expenses; and

WHEREAS, the City released requests for applications seeking applications to allocate the FY 2018 HOME Multi-Family Rental Housing funds, the HOME CHDO Single Family New Construction funds and the HOME CHDO Operating Expenses funds; and

WHEREAS, the City received multiple applications requesting an allocation of the HOME funds; and

WHEREAS, in connection therewith, the City evaluated the respective housing applications based on the experience of the developers, efficient use of HOME Investment Partnerships Program (“HOME”) funds, project feasibility, loan terms, site characteristics, transit amenities, project readiness, resident services, the developer’s Section 3 Utilization Plan and other pertinent including, when applicable, the CHDO’s ability to meet the threshold eligibility established by the U.S. Department of Housing and Urban Development (“HUD”) (collectively, the “Housing Evaluation Criteria”); and

WHEREAS, HOME funds available in previously-appropriated projects may, pursuant to regulations of the 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 of San Antonio (“City”) is a HOME fund grantee; and

WHEREAS, the sum of \$600,000.00 is currently available in HOME funds for reprogramming and allocation as a result of previous year’s activities as reflected on **Attachment I**; and

WHEREAS, based on the relevant Housing Evaluation Criteria, the City recommended Alamo Community Group's Tarasco Neighborhood Subdivision project receive a portion of the reprogrammed funds at issue; and

WHEREAS, Alamo Community Group's Tarasco Neighborhood Subdivision, located at 505 Tarasco Street in Council District 4, will consist of thirty (30) single-family units, all of which will be HOME-assisted units and shall be restricted to households at eighty percent (80%) of San Antonio's area median income ("AMI"); and

WHEREAS, it is the City Council's intention to approve the allocation of up to \$600,000.00 of HOME funds for the development of the Tarasco Neighborhood Subdivision; and

WHEREAS, in order to reprogram said funds, it is necessary to authorize a substantial amendment to the City's FY 2018 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 City Council on September 20, 2017, 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. Revisions to the Home Investment Partnerships Program (HOME) projects and the modifications to the budgets and reprogramming in support thereof in an amount not to exceed \$600,000.00 available from cancelled projects to one Community Housing Development Organization (CHDO) project, 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: up to \$600,000.00 for the development of Alamo Community Group's Tarasco Neighborhood Subdivision project. Said funds are hereby authorized to be reprogrammed to cover existing project shortfalls, modifications, and/or the creation of the HOME project in accordance with **Attachment I** and the allocation and appropriation of funds consistent with **Attachment I** is hereby authorized.

SECTION 2. Budget adjustments within project allocations to conform with actual expenditures if line item cost overruns occur or are anticipated is hereby authorized. The closeout and cancellation of affected projects and the creation of new project and project budget in accordance with **Attachment I** is hereby authorized.

SECTION 3. The City Manager or her designee, the Director of the Department of Neighborhood and Housing Services, or the Grants Administrator of the Division of Grants Monitoring and Administration is hereby authorized to approve budget adjustments within project allocations to conform with actual expenditures if line item cost overruns occur or are anticipated; authorizing the close-out and cancellation of affected projects and the creation of

new project and project budget, and authorizing the execution and submission of contracts and other documents as necessary; and providing for payment.

SECTION 4. The appropriations, reallocations, expenditures, encumbrances, and budget revisions necessitated and scheduled pursuant to the aforesaid **Attachment I** is hereby authorized for entry into the City's accounting system.

SECTION 5. 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 her designee, the Director of the Department of Neighborhood and Housing Services, or the Grants Administrator of the Division of Grants Monitoring and Administration is hereby authorized to execute any and all contracts and other documents as necessary for: (a) implementation of the reductions, revisions, and reprogramming set forth in **Attachment I**; 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 6. A substantial amendment #1B to the City's FY 2018 Consolidated Annual Action Plan and Budget to reprogram funds in the HOME budgets 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 7. 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 8. This Ordinance is effective immediately upon the receipt of eight (8) affirmative votes; otherwise, it is effective ten (10) days after passage.

PASSED AND APPROVED this 9th day of November, 2017.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney