

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

ORDINANCE

APPROVING SUBSTANTIAL AMENDMENT #3 TO THE FY 2021 UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) ACTION PLAN AND BUDGET.

* * * * *

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); 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 Community Development Block Grant (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, the City has been awarded additional federal funding to provide rental assistance to its residents under the Bipartison-Bicameral Omnibus COVID Relief Package passed by the United States Congress on December 21, 2020; and

WHEREAS, based on comments received during the public comment and public hearing process for Substantial Amendment #2, and in light of the additional federal funding received by the City under the Bipartison-Bicameral Omnibus COVID Relief Package, City staff recommends reprogramming available HOME Investment Partnerships Program (HOME) and CDBG funds to eligible activities; and

WHEREAS, in order to to reprogram said HOME and CDBG funds, it is necessary to authorize a substantial amendment to the City's FY 2021 HUD Action Plan and Budget; and

WHEREAS, as authorized by the CARES Act and applicable HUD waivers and guidance, the City modified the Citizen Participation Plan set forth in the City's FY2016-2020 Consolidated Plan in a manner consistent with the declarations and executive orders issued by the Governor of the State of Texas, the County Judge of Bexar County, and the Mayor and City Council concerning the COVID-19 pandemic to prevent the spread of COVID-19 and to facilitate assistance to eligible communities and households economically impacted by COVID-19; and

WHEREAS, after notice having been duly published and posted, a virtual public hearing was held on February 17, 2021 and timely responses from local officials to all citizen questions and issues, and public access to all questions and responses, has occurred; and

WHEREAS, City Council approves Substantial Amendment #3 to the FY2021 HUD Action Plan and Budget; **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 \$3,401,669.00, available from completed projects, program savings, cancelled activities and/or program income from Fund: _____, 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: (a) up to \$3,401,669.00 to eligible affordable rental and homeowners housing development activities. ***[SUBJECT TO FISCAL REVIEW]***

SECTION 2. Revisions to the Community Development Block Grant (CDBG) projects and the modifications to the budgets and reprogramming in support thereof in an amount not to exceed \$1,144,002.00, available available from completed projects, program savings, cancelled activities and/or program income from Fund: _____, are hereby authorized in accordance with the budget revision schedule affixed hereto and incorporated by reference herein for all purposes as **Attachment II**, to wit: (a) up to \$630,506.00 for Zarzamora Service Center Environmental Remediation; (b) up to \$208,282.00 for the Parks and Recreation Summer Youth Program; (c) up to \$75,000.00 for the Avenida Guadalupe Master Plan; (d) up to \$100,000.00 for the Minor Repair Program; (e) up to \$99,250.00 for consultant services for the HUD Five-Year Consolidated Plan; (f) up to \$12,540.97 in supplemental funding for the St. James Street Reconstruction project, and (g) up to \$18,423.03 in supplemental funding for the Canadian Street Reclamation project. ***[SUBJECT TO FISCAL REVIEW]***

SECTION 3. Substantial Amendment # 3 to the City's FY2021 HUD Action Plan and Budget to reprogram said HOME and CDBG funds and modify said budgets in accordance with this Ordinance and **Attachments I** and **II** are hereby authorized and approved. The City Manager or his designee, the Director of the Neighborhood and Housing Services Department (NHSD) or her designee, the Assistant Director of NHSD, the Director of the Human Services Department or her designee, or Grants Administrator of the Division of Grants Monitoring and Administration are each hereby authorized to execute any and all documents necessary to implement and carry out said Substantial Amendment #3.

SECTION 4. The City Manager or his designee, the Director of the Neighborhood and Housing Services Department or her designee, the Assistant Director of NHSD, the Director of the Human Services Department or her designee, or 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 5. The appropriations, reallocations, expenditures, encumbrances, and budget revisions necessitated and scheduled pursuant to the aforesaid **Attachments I and II** are hereby authorized for entry into the City's accounting system.

SECTION 6. 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 **Attachments I and II**. The City Manager or his designee, the Director of the Neighborhood and Housing Services Department or her designee, the Assistant Director of the Neighborhood and Housing Services Department or his designee the Director of the Human Services Department or her designee, or 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 **Attachments I and II**; (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 **Attachments I and II**; (e) execute any and all necessary contracts and other documents in connection with the projects set forth above; and (f) provide for payment.

SECTION 7. 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 8. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 18th day of February, 2021.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Tina Flores, City Clerk

Andrew Segovia, City Attorney