

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

AN ORDINANCE

AUTHORIZING THE REPROGRAMMING OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FUNDS IN THE AMOUNT OF \$3,541,831.12 AVAILABLE FROM PROGRAM INCOME TO NINE INFRASTRUCTURE PROJECTS, ONE COMMUNITY FACILITY PROJECT, AND COMPREHENSIVE PLANNING; AND AUTHORIZING THE REPROGRAMMING OF \$993,500.00 IN HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) FUNDS AVAILABLE FROM TWO CANCELLED PROJECTS TO ONE COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO) SINGLE-FAMILY NEW CONSTRUCTION PROJECT AND TWO RENTAL HOUSING DEVELOPMENT GAP FINANCING PROJECTS; SUBSTANTIALLY AMENDING THE FY 2016 ANNUAL ACTION PLAN AND BUDGET; AUTHORIZING THE CLOSE-OUT AND CANCELLATION OF THE AFFECTED PROJECTS AND THE CREATION OF NEW PROJECT BUDGETS; AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY; AND PROVIDING FOR PAYMENT.

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WHEREAS, Community Development Block Grant (CDBG) funds and Home Investment Partnerships Program (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 of San Antonio ("City") is a CDBG and HOME fund grantee; and

WHEREAS, in connection with the current CDBG Program, the sum of \$3,541,831.12 is currently available in CDBG funds for said reprogramming and allocation; and

WHEREAS, it is the desire of the City to use said funds for eligible housing and community development activities consistent with the Five Year Consolidated Plan; and

WHEREAS, in connection with the current HOME Program, the sum of \$993,500.00 is currently available in HOME funds for said reprogramming and allocation; and

WHEREAS, it is the desire of the City to reprogram and allocate said funds to one Community Housing Development Organization (CHDO) Single-Family New Construction project and to two Rental Housing Development Gap Financing projects; and

WHEREAS, it is necessary to authorize a substantial amendment to the City's FY 2016 Consolidated Annual Action Plan and Budget to reprogram funds in said budgets; 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 and projects, respectively, and prior to the adoption of activities under the City's Community Development Program; and

WHEREAS, the required notice having been duly published, and said public hearing having been held before City Council on January 14, 2016, it is now the desire of the City to formally resolve the issues of allocating reprogrammable CDBG and HOME funds; **NOW THEREFORE**:

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

SECTION 1. 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 \$3,541,831.12 available from Program Income to eligible housing and community development activities consistent with the Five Year Consolidated Plan, are hereby authorized in accordance with the budget revision schedule affixed hereto and incorporated by reference herein for all purposes as **Attachment I**. 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 \$993,500.00 available from two cancelled projects to one Community Housing Development Organization (CHDO) Single-Family New Construction project and two Rental Housing Development Gap Financing projects, are hereby authorized in accordance with the budget revision schedule affixed hereto and incorporated by reference herein for all purposes as **Attachment II**. Said funds are hereby authorized to be reprogrammed to cover existing project shortfalls, modifications, and/or the creation of new CDBG and HOME projects in accordance with **Attachments I and II** and the allocation and appropriation of funds consistent with **Attachments I and II** are 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 close-out and cancellation of affected projects and the creation of new projects and project budgets in accordance with **Attachments I and II** is hereby authorized.

SECTION 3. The City Manager or her designee, the Director of the Department of Planning and Community Development 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 projects and project budgets, 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 **Attachments I and II** are 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 **Attachments I and II**. The City Manager or her designee, the Director of the

Department of Planning and Community Development 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 **Attachments I and II**; 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 to the City's FY 2016 Consolidated Annual Action Plan and Budget to reprogram funds in the CDBG and 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 affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this _____ day of _____, 2016.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Martha G. Sepeda, Acting City Attorney