

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

AMENDED RESOLUTION

OF NO OBJECTION FOR THE TAMPICO APARTMENTS, LP'S APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE NON-COMPETITIVE 4% HOUSING TAX CREDITS PROGRAM FOR THE DEVELOPMENT OF TAMPICO APARTMENTS, A 200-UNIT MULTI-FAMILY RENTAL HOUSING DEVELOPMENT LOCATED IN COUNCIL DISTRICT 5 OF THE CITY OF SAN ANTONIO; ALLOWING THE CONSTRUCTION OF THE DEVELOPMENT TO BE LOCATED WITHIN ONE LINEAR MILE OR LESS FROM ANOTHER DEVELOPMENT; AND ACKNOWLEDGING THE HIGH POVERTY RATE IN THE CENSUS TRACT THE PROPOSED DEVELOPMENT WILL BE LOCATED IN AND AUTHORIZING THE DEVELOPMENT TO MOVE FORWARD.

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WHEREAS, the Tampico Apartments, LP (the "Applicant") has proposed a 200-unit affordable multi-family rental housing development named Tampico Apartments (the "Development"), to be located at 200 Tampico Street in the City of San Antonio; and

WHEREAS, the Applicant will submit an application to the Texas Department of Housing and Community Affairs ("TDHCA") for the 2020 or 2021 Non-Competitive 4% 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, pursuant to section 11.101(a)(3)(D)(i) of the Texas Department of Housing and Community Affairs' 2020 Qualified Allocation Plan, mitigation for Developments in a census tract with a poverty rate that exceeds forty percent (40%) must be in the form of a resolution from the Governing Body of the appropriate municipality or county containing the Development by referencing this rule and/or acknowledging the high poverty rate and authorizing the Development to move forward; and

WHEREAS, the City acknowledges the proposed New Construction Development is located in Census Tract 48029110500, which has a poverty rate of greater than 40% per the 2013-2017 five-year American Community Survey published by the U.S. Census Bureau; and,

WHEREAS, pursuant to 11.3 (d) of the Texas Department of Housing and Community Affairs' 2020 Qualified Allocation Plan, an Application that proposes the New Construction of a Development that is located one linear mile or less (measured 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 individual, 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; and
- 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 section 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;

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, 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, upon said hearing and after due consideration of the information provided by the Applicant and public comment, the City Council shall provide a Resolution of No Objection as required by the TDHCA 2020 or 2021 Housing Tax Credit Application for the Development;
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, §2306.67071(b); and

- (iv) After due consideration of the information provided by the Applicant and public comment, the Governing Body does not object to the proposed Application.

SECTION 2. The City hereby confirms that it does not object to the Application to the Texas Department of Housing and Community Affairs (TDHCA) for the proposed Tampico Apartments (the “Development”), to be located at 200 Tampico Street in the City of San Antonio, Texas.

SECTION 3. The City hereby finds that the 200-unit affordable multi-family rental housing development named Tampico Apartments (the “Development”), to be located at 200 Tampico Street in Council District 5 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 a 200-unit affordable multi-family rental housing development named Tampico Apartments (the “Development”), to be located at 200 Tampico Street in Council District 5 in the City of San Antonio, Texas, and to authorize an allocation of Housing Tax Credits for the Development.

SECTION 5. The City Council acknowledges that the proposed New Construction Development is located in a high poverty in Census Tract 48029110500, which has a poverty rate of greater than 40% per the 2013-2017 5-year American Community Survey published by the U.S. Census Bureau and authorizes the Development to move forward; and

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

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

PASSED AND APPROVED this 16th day of January, 2020.

M A Y O R
Ron Nirenberg

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney