

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

**ORDINANCE**

**AUTHORIZING SUBSTANTIAL AMENDMENT #1 TO THE FY2021 UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) ACTION PLAN AND BUDGET TO REPROGRAM COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS TO THE COVID-19 EMERGENCY HOUSING ASSISTANCE PROGRAM (EHAP).**

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**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; and

**WHEREAS**, the Governor of the State of Texas, the County Judge of Bexar County, and the Mayor and City Council of the City of San Antonio have issued continuing emergency declarations and executive orders in response to the COVID-19 pandemic; and

**WHEREAS**, the City, as an entitlement grantee of the Community Development Block Grant (CDBG) program, is permitted to reprogram CDBG funding in the FY 2021 HUD Action Plan and Budget to other programs, projects and purposes in response to the needs of the community; and

**WHEREAS**, there are CDBG funds available in the FY 2021 HUD Action Plan and Budget to be reprogrammed as reflected on the attachment hereto to eligible activities in response to COVID-19; and

**WHEREAS**, in order to program said CDBG, it is necessary to authorize a substantial amendment to the City's FY2021 HUD Action Plan and Budget; and

**WHEREAS**, after notice having been duly published and posted, a public hearing was held on October 28, 2020, and timely responses were given from local officials to all citizen questions and issues and public access was granted to all questions and responses; and

**WHEREAS**, City Council approves staff's recommendations to reprogram said CDBG funds as reflected on the attachment hereto and additionally approves the modifications to the City's FY 2021 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 Community Development Block Grant (CDBG) projects and the modifications to the budgets and reprogramming in support thereof in an amount not to exceed \$4,875,000.00 available from cancelled activities, program savings, and/or program income are

hereby authorized in accordance with the budget revision schedule affixed hereto and incorporated by reference herein for all purposes as **Attachment I**. Said funds are hereby authorized to be reprogrammed to project: "COVID-19 Emergency Housing Assistance Program" in accordance with **Attachment I** and the allocation and appropriation of funds consistent with **Attachment I** are hereby authorized.

**SECTION 2.** The City Manager or their designee, the Director of the Neighborhood and Housing Services Department or their designee, or Grants Administrator of the Division of Grants Monitoring and Administration are each individually hereby authorized to approve budget adjustments within project allocations to conform with actual expenditures if line item cost overruns or are anticipated.

**SECTION 3.** Substantial Amendment #1 to the City's FY2021 HUD Action Plan and Budget to reprogram funds in the CDBG Budget in accordance with this Ordinance and **Attachment I** is hereby authorized and approved. The City Manager or their designee, the Director of the Neighborhood and Housing Services Department or their designee, or the Grants Administrator of the Division of Grants Monitoring and Administration are each individually hereby authorized to execute any and all documents necessary to implement and carry out said substantial amendment.

**SECTION 4.** The City Manager or their designee, the Director of the Neighborhood and Housing Services Department or their designee, or the Grants Administrator of the Division of Grants Monitoring and Administration, are each individually 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 **Attachment I** are hereby authorized for entry into the City's accounting system.

**SECTION 6.** The Deputy Chief Financial Officer 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 their designee, the Director of the Neighborhood and Housing Services Department or their designee, or the Grants Administrator of the Division of Grants Monitoring and Administration are each individually hereby authorized to (a) implement the reductions, revisions, and reprogramming set forth in **Attachment I**; (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 **Attachment I**; and (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 Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers 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 29<sup>th</sup> day of October, 2020.

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

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Tina J. Flores, City Clerk

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Andrew Segovia, City Attorney