

**CULTURE & NEIGHBORHOOD SERVICES
COUNCIL COMMITTEE MEETING MINUTES
MONDAY, DECEMBER 7, 2020
2:00 PM
VIDEOCONFERENCE**

| | |
|-------------------------|--|
| Members Present: | Councilmember Roberto Treviño, <i>Chair, District 1</i> Councilmember Jada Andrews-Sullivan, <i>District 2</i> Councilmember Rebecca Viagran, <i>District 3</i> Councilmember John Courage, <i>District 9</i> Councilmember Clayton Perry, <i>District 10</i> |
| Staff Present: | Lori Houston, <i>Assistant City Manager</i> ; Jameene Williams, <i>Assistant City Attorney</i> ; Durime Elmazi Fahim, <i>Assistant City Attorney</i> ; Venessa Rodriguez, <i>Assistant City Attorney</i> ; Debbie Racca-Sittre, <i>Director, Department of Arts and Culture</i> ; Veronica Soto, <i>Director, Neighborhood & Housing Services Department</i> ; Edward Gonzales, <i>Interim Assistant Director, Neighborhood & Housing Services Department</i> ; Diana Hidalgo, <i>Cultural Affairs Administrator, Department of Arts and Culture</i> ; Sara Wamsley, <i>Housing Policy Manager, Neighborhood & Housing Services Department</i> ; Nancy Cano, <i>Office of the City Clerk</i> |
| Others Present: | None |

Call to Order

Chairman Treviño called the meeting to order.

Public Comment

None.

1. Approval of the minutes from the November 2, 2020 Culture & Neighborhood Services Council Committee Meeting.

Councilmember Courage moved to approve the Minutes from the November 2, 2020 Culture & Neighborhood Services Council Committee Meeting. Councilmember Perry seconded the motion. The motion carried unanimously.

2. Briefing and Overview of the Arts Core Grants Policy Update and discussion on timeline and next steps to update the Guidelines for the FY22-24 Funding Cycle. [Lori Houston, Assistant City Manager; Debbie Racca-Sittre, Director, Department of Arts & Culture]

Diana Hidalgo reported that the annual Cul-TÚ-Art Plan (Plan) was a coordinated planning document adopted in FY 2016 that identified the department's 8 areas of focus from 2016-2020. She added that the Arts Agency Funding Guidelines was the area of focus adopted by City Council for 2018 with a goal to invest in arts and cultural programs that delivered engaging experiences of San Antonio's unique identity. She noted that the guidelines were implemented for the first 3-year funding cycle FY2019, FY2020, and FY2021 and provided a listing of five different programs and agencies awarded grants under the current Arts Grant Programs.

Ms. Hidalgo reported that the planning process included data analysis, best practices, and community feedback. She stated that best practices were formulated by a comparison of nine cities and the art programs they implemented. She provided an overview of recommended guideline changes, as follows:

- Rename to Core Grants Program
- Sunset the Capacity Building Program and use the funding for Individual Artist Grants
- Remove “Technical Assistance” from Re-granting and bring in-house
- Update eligibility for Base Operational
- Add LGBTQIA+
- Change Festivals to Events Grants
 - Set max limit of 20% of event cost, up to \$20,000
 - Allow all SA nonprofits to apply
 - Encourage events in non-traditional or underserved communities

Ms. Hidalgo reported that no funding scale changes would be made and recommended base operational changes, as follows: Agencies would be required to be producers of art, not presenters; the minimum agency budget size would be \$50,000; and a minimum grant amount would be set at \$5,000. She stated that the Plan would implement a culturally specific equity program and provide an addition 20% in funding for agencies that received base operational funding with a mission to preserve and promote the following cultures: Latinx, African American, Asian American, Native American, Women, and LGBTQIA+. She added that the department would manage Technical Assistance and the Artist Grant Program using funds formerly allocated to agencies for Capacity Building and Technical Assistance.

Ms. Hidalgo highlighted the five programs of the Core Grants Funding Programs, as follows:

1. Project Grants Individual Artists
2. Artist Re-Granting
3. Events
4. Base Operational Support
5. Culturally Specific Support

Ms. Hidalgo provided a timeline with an Intent to Apply phase between January 19, 2021 through March 23, 2021; Funding Recommendations to be forwarded to San Antonio Arts Commission on July 13, 2021; and Funding Recommendations for the City Budget FY2022 presented to the full City Council in August 2021, with potential Budget Adoption in September 2021.

Councilmember Viagran asked for clarification regarding art agencies that received base operational funding. Ms. Hidalgo reported that some agencies overlapped by providing paid services to the City and also received funding from the City. She stated she would provide further requested data.

Councilmember Courage asked if the Hotel & Occupancy Tax (HOT) was the single source of all arts and cultural funded projects and asked of other funding sources. Debbie Racca-Sittre stated that \$1.6 million was allocated to the Department of Arts & Culture from the General Fund for FY 2020.

Councilmember Perry asked why there was paid staff to administer grants. He requested a map of the agencies awarded funds by location and a copy of their plans to use the funds. He requested that the contracts awarded be reviewed by the Audit and Accountability Council Committee. Ms. Racca-Sittre replied that the department maintained paid staff for many years as they were held accountable for

performance measures and the required financial reporting that the department frequently filed. She noted that paid staff was a best practice that other cities also required for grant management.

Councilmember Courage stated that the Audit and Accountability Council Committee reviewed high-profile, multi-million-dollar contracts and that the contracts could be reviewed on a case-by-case basis if they met the high-profile criteria. Assistant City Manager Lori Houston clarified that the Request for Proposal (RFP) was within the purview of this Committee.

Councilmember Viagran moved to approve Item 2. Councilmember Andrews-Sullivan seconded the motion. The motion carried unanimously.

3. Emergency Housing Assistance Program (EHAP), Texas Emergency Rental Assistance Program (TERAP), and Texas Eviction Diversion Program (TEDP) Update to include discussion of evictions and the CDC Moratorium. [Lori Houston, Assistant City Manager; Verónica R. Soto, FAICP, Neighborhood and Housing Services Department Director]

Verónica Soto reported that over 23,357 EHAP recipients with an Average Median Income (AMI) of 30% had received an average of \$2,674 each and 85.5% were renters. She stated that total EHAP funds expended to date was \$62.4 million with \$49.9 million allocated for rents and mortgages; \$4.5 million allocated for CPS; \$700,000 allocated for SAWS; \$200,000 allocated for Internet, and \$7.1 million allocated for cash assistance. She estimated that the remaining \$13.6 million in funds would be available through the end of January 2021. She reviewed EHAP funds disbursed by Council District.

Ms. Soto reported that the Texas Department of Housing and Community Affairs (TDHCA) had established the Texas Emergency Rental Assistance Program (TERAP) from Community Development Block Grant CARES Act funding (\$40 million) and that the City would receive \$3,603,100 to assist approximately 449 households with rental assistance. She noted that TERAP funds were only allocated to cities that had an existing COVID-19 rental existing program, qualified residents must be impacted by COVID-19, TERAP provided up to six months of only rent (not mortgage), including rental arrears, and 10% (\$360,310) was earmarked for the continuation of the Texas Eviction Diversion Program (TEDP). She added that funding availability would begin on January 15, 2020.

Ms. Soto reported that TEDP was created by Governor Abbott on September 25, 2020 and was administered by the Texas Supreme Court which established court-mandated rules for eviction cases. She noted that the City received \$600,000 for emergency rental assistance and administration of the pilot program. She stated that households must have a court-ordered eviction, landlords and tenants must agree to participate in the program, and COVID-19 impacted clients could receive up to 6 months of assistance, with 5 months of back-rent.

Ms. Soto reported that the Centers for Disease Control and Prevention (CDC) Moratorium would expire on December 31, 2020. She reported on local Eviction Court outcomes as follows: 995 cases dismissed (25%), 841 cases reset (21%), 1,374 resulted in Default Judgments (35%), 722 resulted in Judgements for Plaintiffs (18%), and 16 Jury requests (<1%). She reported that the CDC moratorium would end on January 1, 2020 and noted that local Notice of Tenants' would still be in effect, staff would continue to conduct outreach and attend court hearings; courts would still include information about City and County programs in their citations, and national calls for extensions of moratoriums from organizations like National Low-Income Housing Coalition & Right to the City would continue. She noted that per the Governor's Emergency Order, cities and counties could not issue their own moratoriums.

Chairman Treviño asked what the protocol was if landlords did not agree to participate in the moratorium process. He noted that Austin had 700 fewer eviction filings since March 2020 than the City did and asked what Austin was doing differently. He asked of other outreach methods to reach residents before their eviction cases were filed. He implored upon staff to find more ways to increase EHAP funding. Ms. Soto stated that the \$600,000 TEDP Pilot Program was not enough of an incentive for landlords to participate. She indicated that the month of January typically had higher evictions cases due to a delay of filings during the winter holidays. She added that staff worked proactively to contact residents before they received an eviction notice by advertising all Notice of Rights training classes that were held in areas where high eviction rates were likely and through landlords who were required by Ordinance to issue the Notice of Rights to tenants prior to eviction.

Councilmember Perry requested itemized data for each funding phase. Ms. Soto stated she would provide the information.

Councilmember Courage noted that 40% of eviction cases were filed in Justice of the Peace Court, Precinct 4 (JP4) and requested further information. He requested demographic data on renters. Sara Wamsley reported that JP4 was a busier precinct, reopened on June 14, 2020 on a virtual basis, and maintained a more consistent hearing schedule than some other courts.

Councilmember Viagran asked if there were threshold amounts established for housing and rental assistance programs that would inform staff when additional funding sources would need to be obtained. She requested that a joint letter from the Mayor and the County Judge be circulated to State delegates requesting that the Governor extend the moratorium. Assistant City Manager Houston replied that the Right to Counsel Program was a major tool that was available to assist residents through a case management approach. She reported that staff was exploring other funding opportunities and was tracking the national stimulus bills.

Councilmember Andrews-Sullivan asked if staff and the County Judge were in conversation with the JP Courts regarding a continuation of the CDC moratorium. She asked what the average non-payment was rent amount. She asked if families were eligible to reapply for EHAP assistance once they had exhausted their funds. She requested demographic information for default judgments. Assistant City Manager Houston replied that neither the City nor the County could develop their own moratoriums, but that the JP Courts could decide not to hear eviction cases. She said she would provide the requested data. Mr. Gonzales replied that there would be new guidelines that would reset eligibility standards under the new TEDP Pilot Program that could further assist families.

Chairman Treviño stated that Cities could not issue moratoriums and requested that the City Attorney's Office review the Governor's Order to assess if the City could issue a moratorium on Notices to Vacate. He reported that the City Council agreed that funds could be moved between pillars under the City's COVID-19 Recovery and Resilience Plan and noted that funds could be reallocated to the Housing Security Pillar from the General Fund or other pillars in case of an emergency. He requested that the Committee dashboard be updated to include EHAP data, eviction rates, rental rate collection, and Under One Roof data and that review of the dashboard be included in next month's meeting.

Adjournment

There being no further discussion, the meeting was adjourned at 3:40 pm.

Roberto Treviño, Chair

Respectfully Submitted,

Nancy Cano, Office of the City Clerk

DRAFT