

**PLANNING AND LAND DEVELOPMENT  
COUNCIL COMMITTEE MEETING MINUTES  
MONDAY, DECEMBER 14, 2020  
2:00 PM  
VIDEOCONFERENCE**

<b>Members Present:</b>	Councilmember Shirley Gonzales, Chair, <i>District 5</i> Councilmember Roberto Treviño, <i>District 1</i> Councilmember Andrews-Sullivan, <i>District 2</i> Councilmember Rebecca Viagran, <i>District 3</i> Councilmember John Courage, <i>District 9</i>
<b>Staff Present:</b>	Lori Houston, <i>Assistant City Manager</i> ; Andy Segovia, <i>City Attorney</i> ; Camila Kunau, <i>Assistant City Attorney</i> ; Jameene Williams, <i>Assistant City Attorney</i> ; Susan Guinn, <i>Assistant City Attorney</i> ; Verónica R. Soto, <i>Director, Neighborhood &amp; Housing Services Department</i> ; Edward Gonzales, <i>Assistant Director, Neighborhood &amp; Housing Services Department</i> ; Melinda Uriegas, <i>Assistant City Clerk, Office of the City Clerk</i> ; Sara Wamsley, <i>Housing Policy Manager, Neighborhood &amp; Housing Services</i> ; Jaime Damron, <i>Housing Bond Administrator, Neighborhood &amp; Housing Services Department</i> ; Nancy Cano, <i>Office of the City Clerk</i>
<b>Others Present:</b>	Justin Hartz, <i>Director of Development, LDG Development</i> ; Mitchell Clouse, <i>Development Coordinator, LDG Development</i> ; Dru Childre, <i>Development Coordinator, LDG Development</i>

**1. Approval of the Minutes for the November 9, 2020 Planning & Land Development Council Committee Meeting.**

Councilmember Treviño moved to approve the Minutes of the November 9, 2020 Planning & Land Development Council Committee Meeting. Councilmember Courage seconded the motion. The motion carried unanimously.

**2. Resolution of No Objection for LDG Development's application to the Texas Department of Housing and Community Affairs Non-Competitive 4% Housing Tax Credits program for the construction of the Agave, a 315 unit affordable multi-family rental housing development, located at Binz-Engleman Road and FM 1516 in the City of San Antonio's Extra Territorial Jurisdiction near Council District 2.** [Lori Houston, Assistant City Manager; Verónica R. Soto, FAICP, Director, Neighborhood and Housing Services]

Councilmember Treviño moved to approve Item 2 by consent. Councilmember Courage seconded the motion. The motion carried unanimously.

**3. Briefing on the process and timeline for a Charter amendment to align with the 2022-2027 Housing Bond.** [Lori Houston, Assistant City Manager; Verónica R. Soto, FAICP, Director, Neighborhood and Housing Services]

Camila Kunau reported that staff with the Office of the City Attorney and Neighborhood and Housing Services collaborated in the development of a Charter Amendment Timeline, as follows:

- February 3, 2021: Ballot Language
  - Final Ballot Language to be drafted and included in the Ordinance to order a Charter Amendment Election
- February 11, 2021: Order the Charter Amendment Election
- April 11, 2021: Issue Notice of Election
- May 1, 2021: Election Day

Jaime Damron reported that the current Neighborhood Improvement Bond Program was successful in creating over 512 new housing units for development, with a Request for Proposal and Solicitation to be presented to City Council in February 2021. She noted that several challenges were encountered during the process. She stated that a Charter Amendment would provide more flexibility to use the Bond without the confines of the Urban Renewal Plan that designated limited funding areas, limited the use of funds to site readiness activities, and required single-family units to be sold at or below 80% Area Median Income (AMI) with a 30-year restrictive covenant which made it impossible for developers to find such qualified candidates and mortgage lenders that would abide and adhere to such terms.

Ms. Kunau reported that current Charter language only permitted construction for public works and housing and other economic development activities were not included in the term “public works.” She explained that amending the language would allow the City Council and voters to consider additional programs, including housing. She noted that the proposed Charter Amendment language was in alignment with the 2018 Charter Amendment Public Finance Subcommittee’s discussions.

Ms. Damron presented the 2022-2027 Bond Program Timeline, as follows:

- January – February 2021: Development
- July – October 2021: Staff Recommendations
- October – December 2021: Community Process
- January 2022: Community Recommendations
- February 2022: Order Election
- May 2022: Election Day

Ms. Damron highlighted national Housing Bond Programs and noted that larger bond programs of \$290 million - \$1.2 billion had a 10-year timeline, with a focus on homelessness services and bonds under \$250 million had a 2-5 year timeline for full implementation. She noted that some large bond programs failed and some were put on hold due to the unstable economic climate due to COVID-19.

Chairwoman Gonzales requested details on the previous bond program and asked how many projects were funded with the \$20 million. Ms. Damron stated that the Urban Renewal Plan was adopted in February 2017, prior to the May 2017 Election, and 12 designated urban renewal areas were published in the voter information guide. She noted that Charter language did not allow for the City to implement the bond program on its own. She cited the four projects that were funded in the \$20 million voter-approved bond project and currently underway, as follows: Greenline North, Council District 3; Park 3830, Council District 8; West End, Council District 5; and the San Pedro project, Council District 1.

Councilmember Courage asked if targeted developers and targeted locations had been identified to move the Housing Bond Projects forward. He proposed and requested further analysis on the possibility of the City providing funding and becoming a partner in these projects, as the rate of return on investment

could be 5% to 7% which would enable the City to lower the cost of the units and provide more control over affordable housing. Verónica Soto reported that staff had an inventory of what other cities included in their housing bond programs and additional recommendations and public feedback would be included in the final bond recommendations. Ms. Damron noted that all four bonding projects were partnerships with the San Antonio Housing Trust.

Councilmember Viagran stated that the Charter Amendment was needed to instill affordability elements within the Urban Renewal Program. She asked what other initiatives would be on the Charter Amendment election ballot and how often Charter Amendments could be placed on the ballot. City Attorney Andy Segovia stated that other Charter Amendment initiatives may also appear on the May 2022 Election Day ballot. Ms. Kunau reported that Charter Amendment initiatives could be placed on the ballot every two calendar years.

Councilmember Treviño noted that the proposed housing bond approach was consistent with a housing first approach. He requested that the implementation strategy include providing shelter and wraparound services for homeless individuals. He proposed that adjustments to certain building codes or zoning codes could be matched to create opportunities for affordable housing.

Councilmember Andrews-Sullivan noted the importance of informing residents on the differences between the Charter Amendment and the Housing Bond Project and why a Charter Amendment was needed prior to the voting on the Housing Bond Project.

Chairwoman Gonzales asked if a bond project related to homelessness was proposed, would funding only apply to capital improvement costs and building infrastructure, or could it also include wraparound human services. Ms. Kunau reported that amended language to the City Charter would provide the City Council and voters the opportunity to consider additional public purposes with the use of bond funds.

**4. Consideration of a recommendation to award up to \$500,000 in Community Development Block Grant (CDBG) funding for Minor Home Repair Program Delivery.** [Lori Houston, Assistant City Manager; Verónica R. Soto, Director, Neighborhood and Housing Services]

Verónica Soto reported that \$500,000 in Community Development Block Grant (CDBG) funding was set aside for FY 2021 for minor repair activities to 16 housing units. She provided timeline information as follows:

- October 2, 2020: Request for Proposals issuance
- November 2, 2020: Proposals due
- November 16, 2020: Evaluation Committee Meeting
- December 14, 2020: Planning & Land Development Council Committee consideration
- January 14, 2020: City Council consideration

Ms. Soto cited evaluation criteria and points assessed with 100 total points available. She recommended that Merced Housing Texas (MHT) be awarded the contract and noted that MHT had a contract with the City last year and had 18 years of experience. She stated that MHT would be responsible for homeowner eligibility, scope of work, overseeing rehabilitation work, budget tracking, requests for payment, performance reporting, and ensuring compliance with CDBG requirements for 16 units.

**5. Consideration of a recommendation to award up to \$300,000 in HOME Investment Partnerships Program (HOME) funding to Community Housing Development Organizations.** [Lori Houston, Assistant City Manager; Verónica R. Soto, Director, Neighborhood and Housing Services]

Verónica Soto reported that \$300,000 in FY 2021 HOME Investment Partnerships Program (HOME) funding was set aside for five eligible Community Housing Development Organizations (CHDO). She noted that the amount of funding was double the amount granted than in previous years.

Ms. Soto provided timeline information as follows:

- September 18, 2020: Request for Proposals issuance
- October 19, 2020: Proposals due
- November 3, 2020: Evaluation Committee Meeting
- December 14, 2020: Planning & Land Development Council Committee consideration
- January 14, 2020: City Council consideration

Ms. Soto cited evaluation criteria and points assessed with 100 total points available to the five nonprofit organizations that requested funding for providing affordable housing and support services. She recommended the following funding awards:

<b>CHDO Applicant</b>	<b>Council District</b>	<b>Requested Funding</b>	<b>Recommended Funding</b>
Alamo Area Mutual Housing Association	7	\$50,000	\$56,000
Habitat for Humanity of San Antonio	5	\$150,000	\$77,955
Prospera HCS	10	\$50,000	\$56,000
Neighborhood Housing Services of San Antonio	3	\$50,000	\$56,000
Our Casas Resident Council	5	\$54,045	\$54,045

Councilmember Courage asked of the amount of at-home repair requirements under the CDBG funding. He noted that the allocation of \$25,000 to each of the 16 units only accounted for \$400,000 of the funding and asked how the remaining \$100,000 was utilized. Ms. Soto replied that a repair could not exceed \$25,000 under the Minor Home Repair Program. She stated that \$100,000 under the CDBG funding would be allocated for administrative costs incurred by MHT to maintain staff on site to conduct homeowner qualifications, eligibility reviews, invoicing, expense and budget tracking, oversee rehabilitation work, requests for payment, performance reporting, ensuring compliance with CDBG requirements for all 16 units. She noted that funding was also allocated for necessary lead abatement testing and remediation that could cost anywhere from \$1,000 - \$3,000 per home.

Councilmember Andrews-Sullivan requested itemized funding data allocated by Council District. She requested a list of non-profit partner agencies by Council District that lacked CHDO certification for outreach and assistance with CHDO certification. She asked of the selection process for the 16 units that would receive repairs. Ms. Soto confirmed that all applicants qualified for and received funding and stated she would provide the requested information. She reported that the equity approach was utilized to select the final 16 units. She added that the equity process was refined each year and included the allocation of more points for the prioritization of seniors, targeted neighborhoods, and redlined areas

from over 200 applications which were received throughout the City. She indicated that a lottery process would be utilized.

Councilmember Treviño asked if assistance was offered to residents that might otherwise qualify under the HOME funding program and the CHDO funding program. He noted that the Under One Roof Program offered residents assistance with the Bexar County Tax Assessor-Collector for tax exemptions, payment plans, and programs for back taxes owed in order to qualify. He encouraged the department to work with the Bexar County Tax Assessor-Collector for an outline of available tools and resources. Ms. Soto reported that residents were offered assistance through the orientation sessions of the Owner-Occupied Rehabilitation Program and seniors were informed that they could apply for senior citizen tax exemptions. She noted that residents were provided cross-references to qualify for various programs, including title clearance assistance.

Councilmember Viagran moved to approve Items 4 and 5 by consent. Councilmember Courage seconded the motion. The motion carried unanimously.

**6. Briefing on the City's options to prevent Source of Income Discrimination [Lori Houston, Assistant City Manager; Verónica R. Soto, FAICP, Director, Neighborhood and Housing Services]**

Verónica Soto reported that source of income discrimination (SOID) was the refusal to rent or sell a housing unit to an applicant – or ending a tenancy – based on the applicant's lawful form of income, such as a voucher. She emphasized that SOID was not the denial of an application based on the applicant's ability to pay the advertised rent. She stated that the goals of SOID Ordinances were to increase housing options for voucher households, potentially reduce areas of concentrated poverty, make it easier for communities to use Federal resources and support marginalized households. She noted that voucher holders were disproportionately elderly, disabled, persons of color, and/or were extremely low income. She stated that several Federal programs had built-in protections such as HOME and CDBG and added that 17 states and the District of Columbia had state-wide statutes. She reported that the Dallas-Fort Worth area was the only city in Texas that had a SOID Ordinance in place.

Ms. Soto reported that the San Antonio Housing Authority had over 13,000 active households with vouchers and 7,600 were on a waiting list, and the Housing Authority of Bexar County had over 1,800 active households with vouchers and 7,000 were on a waiting list, and highlighted the impact that a SOID Ordinance would have across the City.

Ms. Soto presented the City's Non-Discrimination Ordinance and noted that any proposed SOID Ordinance would be included within that section. She reviewed the two SOID options that were available for consideration, as follows:

**Option 1: Prohibit SOID in City-supported properties:**

- Compliance period could match the affordability covenant of the award
- Ordinance could apply to awards of all sizes, or be limited to awards above a certain threshold
- Would apply only to future contracts, not pre-existing ones
- Aligns with steps being taken by San Antonio Housing Trust

**Option 2: Prohibit SOID City-wide for Veterans only:**

- The State does not pre-empt cities from adopting city-wide SOID protections for veterans
- Would require amending the City's Non-Discrimination Ordinance to include source of income as a protected class in City-supported properties
- Would apply to all rental properties within the City limits
- Would need to be explored further with community input
  - Continue through the Strategic Housing Implementation (SHIP) process and SA SpeakUp Campaign
  - Partner with San Antonio Housing Authority (SAHA), Housing Authority of Bexar County (HABC), Veterans Administration (VA), and Alamo Area Council of Governments (AACOG)

Ms. Soto discussed proposed enforcement mechanisms and consequences and stated that complaints could be received through 3-1-1 or the Fair Housing Team and a contracted agency could conduct proactive testing of subject properties on an annual basis. She added that progressive discipline could include warnings, mandatory compliance training, and fines up to and including recovery of awards and debarring.

Chairwoman Gonzales asked if both options were available. She asked if Ms. Soto reported that both options could be exercised, but that Option 2, Prohibit SOID City-wide for Veterans Only, would require more time. She requested stakeholder input at the next Committee meeting. Assistant City Manager Lori Houston reported that engagement with affordable housing stakeholders, real estate stakeholders, and property owners would take place before a final recommendation was made.

Councilmember Courage stated that it was important to receive feedback from stakeholders who wanted to be heard and concurred that it was a matter of educating residents and stakeholders on the voucher program and SOID. He recommended that SAWS and/or CPS incentives and waivers be offered to developers and builders during the development process.

Councilmember Andrews-Sullivan asked how landlords would be educated on the voucher program, especially landlords of active duty military personnel. She asked if options for short term rentals, emergency shelters, or AirBnBs were in development for use as housing alternatives. Ms. Soto stated that if a SOID Ordinance was enacted, the City would collaborate with SAHA and partners with the San Antonio Apartment Association. Ms. Soto noted that further information on proposed alternative housing voucher programs would be provided.

Councilmember Viagran noted that there were not enough housing units nor enough vouchers for the number of applicants that qualified for the program. She concurred that incentives and waivers for developers should be implemented. She requested further information on the proponents and opponents of the SOID Ordinance which was adopted in Austin, Texas in 2014 and struck down by the State in 2015.

Chairwoman Gonzales noted that there were currently 14,000 qualified residents on the City and the County housing voucher waiting lists and asked if voucher funding could be included in the Housing Bond Program. Assistant City Manager Houston stated that she would consult with the City Attorney and provide a response.

## **Adjourn**

There being no further discussion, the meeting was adjourned at 3:50 pm.

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***Shirley Gonzales, Chairwoman***

***Respectfully submitted,***

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***Nancy Cano***  
***Office of the City Clerk***

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