

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

**RESOLUTION**

**OF SUPPORT FOR FISHPOND LIVING AT PROSPECT HILL LP'S APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE 2021 COMPETITIVE 9% HOUSING TAX CREDITS PROGRAM FOR THE REHABILITATION OF FISH POND AT PROSPECT HILL, A 55-UNIT MULTI- FAMILY RENTAL HOUSING DEVELOPMENT LOCATED IN COUNCIL DISTRICT 5; ACKNOWLEDGING THE HIGH POVERTY RATE IN THE CENSUS TRACT THE PROPOSED DEVELOPMENT WILL BE LOCATED IN AND AUTHORIZING THE DEVELOPMENT TO MOVE FORWARD; AND IDENTIFYING THE DEVELOPMENT AS CONTRIBUTING MORE THAN ANY OTHER DEVELOPMENT TO THE CONCERTED REVITALIZATION WITHIN THE TAX INCREMENT REINVESTMENT ZONE NO. 30- WESTSIDE.**

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**WHEREAS**, FishPond Living at Prospect Hill, LP (the "Applicant") has proposed a 55-unit affordable multi-family rental housing rehabilitation project named Fish Pond at Prospect Hill (the "Development"), to be located at 1601 & 1615 Buena Vista in Council District 5 in the City of San Antonio, Texas (the "City"); and

**WHEREAS**, the Applicant will submit an application to the Texas Department of Housing and Community Affairs ("TDHCA") for the 2021 Competitive 9% 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**, 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**, the City, acting through its governing body, hereby confirms that it supports the proposed 55-unit affordable multi-family rental housing rehabilitation development named Fish Pond at Prospect Hill (the "Development"), to be located at 1601 & 1615 Buena Vista in Council District 5 in the City of San Antonio, Texas and that this formal action has been taken to put on record the opinion expressed by the City on February 11, 2021; and

**WHEREAS**, pursuant to section 11.101(a)(3)(D)(i) of the Texas Department of Housing and Community Affairs' 2021 Qualified Allocation Plan, mitigation for Developments in a census tract with a poverty rate that exceeds 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 Development is located in a high poverty Census Tract, which has a poverty rate of greater than 40% per the 5-year American Community Survey published by the U.S. Census Bureau; and

**WHEREAS**, City staff has identified that the Development is located within the Tax Increment Reinvestment Zone No. 30 – Westside; and

**WHEREAS**, the City finds that this Development contributes more than any other to the concerted revitalization efforts of the City in the Tax Increment Reinvestment Zone No. 30 – Westside; **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 supports the proposed Application.

**SECTION 2.** The City hereby confirms that it supports the Application to the Texas Department of Housing and Community Affairs (TDHCA) for the proposed 55-unit affordable multi-family rental housing rehabilitation development named Fish Pond at Prospect Hill (the "Development"), to be located at 1601 & 1615 Buena Vista in Council District 5 in the City of San Antonio, Texas.

**SECTION 3.** The City hereby confirms its support to the Applicant's Application to the Texas Department of Housing and Community Affairs (TDHCA) for the proposed Fish Pond at Prospect Hill (the "Development"), to be located at 1601 & 1615 Buena Vista in Council District 5 in the City of San Antonio, Texas and the City Council hereby votes specifically to allow the rehabilitation of the Development pursuant to 10 TAC §11.3 (e) and §11.4 (c)(1)- TDHCA Qualified Allocation Plan.

**SECTION 4.** The City Council of the City of San Antonio, Texas has voted to specifically allow the rehabilitation of the 55-unit affordable multi-family rental housing rehabilitation development named Fish Pond at Prospect Hill (the “Development”), to be located at 1601 & 1615 Buena Vista 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 hereby identifies Fish Pond at Prospect Hill as the Development in the 2021 Competitive 9% Housing Tax Credits round that contributes more than any other to the concerted revitalization efforts of the Tax Increment Reinvestment Zone No. 30 – Westside.

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

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

**PASSED AND APPROVED this 11<sup>th</sup> day of February, 2021.**

**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