

**CULTURE & NEIGHBORHOOD SERVICES
COUNCIL COMMITTEE MEETING MINUTES
MONDAY, SEPTEMBER 14, 2020
10:00 AM
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> ; Elizabeth Provencio, <i>First Assistant City Attorney</i> ; Jameene Williams, <i>Assistant City Attorney</i> ; Veronica Soto, <i>Director, Neighborhood & Housing Services</i> ; Edward Gonzales, <i>Assistant Director, Neighborhood & Housing Services</i> ; Ian Benavidez, <i>Housing Administrator, Neighborhood & Housing Services</i> ; Nancy Cano, <i>Office of the City Clerk</i>

Call to Order

Chairman Treviño called the meeting to order.

Public Comment

Written Testimony

Public Comments have been submitted and are attached to the minutes.

Live Testimony

None.

1. Briefing and discussion on public education and enforcement efforts related to the CDC's Moratorium.

Ian Benavidez reported that the Centers for Disease Control and Prevention (CDC) issued a nationwide moratorium on evictions through the Public Health Service Act, effective September 4, 2020 through December 31, 2020, to prevent the spread of COVID-19. He stated that the moratorium would apply to evictions for non-payment of rent only and covered tenants, lessees or residents of residential properties to include homes, buildings, mobile homes, or land in a mobile home park. He added that the moratorium did not cover hotel, motel, or short-term rentals such as Airbnbs. He reported that in order to qualify, tenants must have an annual single income below \$99,000 or \$198,000 for two earners and must also provide a CDC Declaration to their landlord. He highlighted that the moratorium did not relieve the obligation to pay rent or comply with a lease and best efforts must be made to make timely or partial payments, and the landlord could charge fees, penalties, or interest under the contract.

Mr. Benavidez reported that court eviction filings had increased by 87% when the CARES Act moratorium was lifted; however, since the CDC moratorium was enacted, only 97 eviction cases were set for hearing. He stated that Justice of the Peace Courts (JP) were resetting eviction cases after the moratorium and some JPS were only holding emergency hearings related to criminal and life and safety matters. He reported that the Courts Team was directly involved in 273 resets or dismissal with another 60 cases in queue.

Mr. Benavidez reported that the Courts Team had provided outreach and education. He stated that City call centers and Financial Housing and Recovery staff received training regarding the evictions process, Emergency Housing Assistance Program (EHAP), filing a Declaration, and Right to Council (RTC) services. He added that the training sessions were recorded and shared with partnering agencies that assist the community such as 3-1-1, Bexar County, SAMMinistries, and St. Vincent DePaul. He noted that informational flyers and assistance forms were available in Spanish and would be translated into additional languages over the next few weeks.

Mr. Benavidez reported that outreach efforts to vulnerable and hard-to-reach populations were made through mailers to federally subsidized housing properties, community databases, and partnering networks. He added that email blasts were distributed to all EHAP residents, registered landlords, registered neighborhood associations, City contact lists, Council District Offices, and 1,900 community partners such as nonprofits, school districts and colleges and universities. He noted that an informational campaign would be launched through various local digital media social platforms in both English and Spanish to direct residents to the City's website and phone numbers for more information on the CDC Order, EHAP, and RTC. He stated that an RTC community session would be held on September 24, 2020 and would be recorded and posted online together with other short educational videos.

Mr. Benavidez reported that violations of the CDC order could result in criminal penalties and fines of up to \$500,000 for an organization and \$250,000 for an individual, with amounts that varied depending on the severity of the violation. He stated that local complaints or violations could be reported to the Department of Development Services (DSD) Code Enforcement by calling 3-1-1 or (210) 207-6000. He added that violators would be issued citations with local penalties up to \$1,000 per violation and scheduled for hearings in Municipal or JP Court. He noted that staff would check for compliance with those appearing in court or applying for EHAP.

Chairman Treviño asked if Declarations could be submitted in Spanish and voiced concern that residents could be subject to violations and/or fines based on a technicality. He requested that CDC moratorium flyers be included with food distributions from the San Antonio Food Bank and Meals on Wheels. Ms. Provencio stated that applicants could sign the Spanish translation with the recommendation that it be attached to the English version so that both could be submitted as part of the Court's record. She added that if only the Spanish version of the Declaration was submitted, staff would help to make sure it matched the CDC's suggested language, but it was up to the Court's discretion to determine if requisite proof was on file. Ms. Provencio noted that staff would consider a Spanish version as a fulfillment of requisite proof and could consider a fine for any landlord that did not honor a Spanish version of the Declaration. Mr. Benavides stated that Declaration forms with English on one side and Spanish on the other would be provided to Council Districts and frequent evictors to further facilitate the requisite fulfillment process. Mr. Benavides stated that CDC moratorium information flyers would be distributed through the San Antonio Food Bank and Meals on Wheels deliveries.

Councilmember Andrews-Sullivan asked if outreach was made to residents that received default judgments against them in eviction court. She recommended further outreach in Council District 2 through a local gospel radio station. Mr. Benavides stated that additional outreach efforts could be made, but oftentimes there were no forwarding addresses available for evicted renters.

Councilmember Viagran requested that CDC moratorium flyers be distributed at COVID-19 testing sites and walk-up stations. Mr. Benavides stated that staff would do so.

2. Briefing and discussion on the proposed amendments to the COVID-19 Emergency Housing Assistance Program.

Edward Gonzales reported that as of September 11, 2020, EHAP had assisted over 15,441 individual residents and their households, and the majority of applicants were women. He added that the average applicant age was 39, area median income (AMI) was 29%, 85% of applicants were renters and 15% were mortgage holders. He stated that EHAP assistance included rent or mortgage, utility assistance and cash assistance.

Mr. Gonzales reported that as of September 11, 2020, EHAP has distributed over \$44.1 million to over 15,441 families as follows: Rent or Mortgage: \$37.3 million; CPS Energy: \$2.9 million; SAWs: \$500,000; Internet: \$100,000; and Cash Assistance; \$3.3 million. He added that \$1.8 million was available for non-Federally eligible individuals and \$5 million was available for federally eligible individuals. He provided an itemized breakdown by Council District.

Mr. Gonzales reported that \$74.4 million in EHAP funding was distributed in three phases, as follows:

EHAP Funding: \$74.4 million			
EHAP Phase 1 Funding:	San Antonio Housing Trust	\$5,000,000	
	Community Block Development Grant (CDBG)	\$5,759,768	
	CARES Act CBDG	\$7,707,015	
	Tax Increment Finance Funds	\$4,036,233	
	General Funds	\$2,850,000	
	Outside Contributions	\$200,000	Total: \$25,553,016
EHAP Phase 2 Funding:	Coronavirus Relief Funds	\$26,944,551	Total: \$26,944,551
EHAP Phase 3 Funding:	General Fund FY 2021 Housing Budget	\$5,050,000	
	CDBG FY 2021 Housing Budget	\$5,875,000	
	Coronavirus Relief Funds	\$10,000,000	
	San Antonio Housing Trust	\$1,000,000	Total: \$11,925,000

Mr. Gonzales reported that Phase 3 EHAP Funding would begin on October 1, 2020. He stated that two revisions to the EHAP eligibility requirements proposed on September 9, 2020 were recommended to allow for mortgage funded assistance (previously only rental assistance in Phase 2), and for the acceptance of applications up to 80% AMI (previously 100% AMI in Phase 2) under a tiered approach, as follows:

EHAP Revised Recommendation*		
	1st Month	2nd Month

AMI:	Rent or Mortgage	SAWs	CPS	Internet	Cash Grant	Cash Grant
< 50%	✓	✓	✓	✓	Up to \$300	\$500
51%-80%	✓					\$250

* If a resident has received assistance in Phase 1 or Phase 2, they are eligible for one month cash assistance in Phase 3

Mr. Gonzales provided additional data on EHAP clients, as follows:

Rental		
AMI	Approved	%
Under 30%	7,844	59%
30%-50%	3,042	23%
50%-60%	933	7%
60%-80%	979	7%
80%-100%	389	3%
Total	13,187	100%

Mortgage		
AMI	Approved	%
Under 30%	1,038	46%
30%-50%	565	25%
50%-60%	250	11%
60%-80%	263	12%
80%-100%	138	6%
Total	2,254	100%

Mr. Gonzales reported that next steps would be to amend appropriations within the Recovery and Resiliency Plan and the Health Implementation Plan and thereafter to forward recommendations to City Council for consideration on September 17, 2020.

Assistant City Manager Lori Houston reported that workforce development training opportunities would be provided to all EHAP applicants. She noted that one month of full benefits were offered under the EHAP, with cash assistance available for the second month. She highlighted that many eviction court cases were still pending and EHAP assistance would be made available to residents awaiting eviction hearing dates. She added that the Risk Mitigation Fund allowed for up to \$5,000 in assistance.

Chairman Treviño asked how the decision was made to offer only one month of rental or housing assistance. He voiced concern that some residents could be denied access to EHAP benefits in lieu of aggressive marketing of the workforce development program. He noted that EHAP funds would be expended by December 2020 and requested that planning to extend the funded phases begin now, instead of waiting until then to make decisions. Assistant City Manager Houston explained that the workforce development training program was now live and job opportunities and training programs were now available; whereas, the economy was still closed in previous phases of the City's Recovery and Resiliency and Health Implementation Plan. She stated that funding levels would be analyzed and additional funding identified if the program needed to be extended. She added that eviction courts continued to be monitored to better inform the decision process.

Chairman Treviño expressed concern that the application process was equitable and that adequate outreach was made to the most vulnerable populations. He noted that the EHAP data demonstrated that some of the more affluent areas of the City had taken advantage of the program and he was wary of a first-come, first-serve rule that made it easier for some applicants. Assistant City Manager Houston replied that strategic planning discussions were held with Council Districts 4 and 5 to ensure adequate outreach was made to identified vulnerable populations in those census tracts. She noted that many residents in Council District 5 received public housing assistance and additional benefits through other federal program and therefore, did not have a need to apply for

EHAP. She stated that further metrics reviewed by the City Auditor's Office and enhanced median statistics by Council District would be provided.

Councilmember Courage concurred that planning for the continuation of the EHAP should begin. He noted that potential homelessness during winter was just as hazardous as the hot summers in the City. He requested for further information on any available State funding.

Councilmember Viagran requested an itemized breakdown for applicants that applied for multiple months of EHAP assistance. She stated that residents living on 30% AMI lived in affordable housing located throughout the City and noted that data should inform future funding decisions. Mr. Gonzales stated that the majority of applicants applied for multiple months of EHAP assistance as most applicants were already in arrears of their rental or mortgage payments and were in need of assistance for their current month's rent or mortgage. He noted that the Phase 3 recommendation would be for a single month of EHAP assistance, as the need for arrears funding had decreased. He noted there were pockets of poverty throughout the City. He stated that during his tenure with the City, he administered many social service projects and had reviewed many EHAP applications from residents that had never applied for social assistance programs before. He reported that the impact of COVID-19 had affected so many households, regardless if they had lived in poverty before COVID-19 or not.

Councilmember Andrews-Sullivan asked if there was assistance for residents within 51%-80% of AMI that were able to pay their rent or mortgage, but were unable to pay their utilities. She requested an analysis of the amount of Federal funding needed to assist undocumented individuals that lost their jobs due to COVID-19 and were ineligible for EHAP assistance. She asked when additional housing voucher assistance would be available. Mr. Gonzales stated that first-time EHAP eligible applicants could receive rental or mortgage assistance and \$250 cash assistance and would be referred to the Human Services Department for utility assistance.

Chairman Treviño stressed that the City was the last line of defense for the local undocumented population that did not qualify for Federal assistance. He stated that he would continue to push for more funding to be divested from the General Fund. He noted that he was not in agreement with providing only one month of EHAP assistance and funding phases must be extended. He stated that he did not agree that residents should be forced into a workforce development program after they had received one month of assistance and should only do so if they chose to. He stated that he expected the Committee to provide regular, updated data on EHAP funding and policy decisions. He requested information on when additional housing voucher assistance would be available.

Adjourn

There being no further discussion, the meeting was adjourned at 3:15 pm.

Roberto Treviño, Chairman

Respectfully Submitted,

Nancy Cano
Office of the City Clerk