

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

**ORDINANCE**

**APPROVING FUNDING FOR TWO (2) PERMANENT SUPPORTIVE HOUSING DEVELOPMENT PROJECTS UTILIZING THE 2022-2027 HOUSING BOND AND FEDERAL HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) FUNDING SOURCES; AND AUTHORIZING THE EXECUTION OF CONTRACTS AND OTHER NECESSARY DOCUMENTS PROVIDING TERMS AND CONDITIONS TO THE CITY'S AWARD OF FUNDS FOR THE PROJECTS**

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**WHEREAS**, on December 16, 2021, the City adopted the Strategic Housing Implementation Plan (SHIP), a comprehensive policy created to implement the City's Housing Policy Framework goals developed through the work of the Mayor's Housing Policy Task Force; and

**WHEREAS**, as recommended by the SHIP, on May 7, 2022, voters approved the City's 2022 Capital Improvements Bond, which included funds in the amount of \$150 million to create and preserve affordable housing in the City of San Antonio (Housing Bond); and

**WHEREAS**, on August 4, 2022, pursuant to Ordinance No. 2022-08-04-0543, City Council approved the FY 2023 United States Department of Housing and Urban Development (HUD) Action Plan and Budget; and

**WHEREAS**, funding from these sources will be used to facilitate development of single-family, multi-family or mixed-use housing with permanent onsite supportive services for the public purpose of providing safe, quality, and affordable housing for the citizens of San Antonio; and

**WHEREAS**, on November 28, 2022 the City issued a joint Requests for Proposal (RFP) for Permanent Supportive Housing (PSH) with Bexar County and in coordination with the local continuum of care, South Alamo Regional Alliance for the Homeless (SARAH), announcing that a total of \$42.9 million was available from the Housing Bond, Federal, and County funding sources; and

**WHEREAS**, at the conclusion of the RFP evaluation process, staff recommended that 2 projects, totaling \$23,087,158 from Housing Bond and HOME Investment Partnerships Program (HOME), funding sources, proceed to City Council for consideration, said funds being awarded in the form of loans with terms set by staff in accordance with the terms prescribed in the RFP's;

**WHEREAS**, if the funds are awarded to the recommended projects, these projects will produce or preserve a total of 301 affordable, permanent supportive housing units; and

**WHEREAS**, the recommended projects meet the established affordable housing goals set forth in the 2022-2027 Housing Bond parameters/evaluation framework, the HUD FY 2023 Action Plan and Budget, the City’s FY 2023 Affordable Housing Budget and are in line with the City’s Strategic Housing Implementing Plan (SHIP) to increase affordable housing production and preservation.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO, TEXAS:**

**SECTION 1.** The City Council hereby approves the award of funds, in the form of loans, for the projects identified in the charts below (Projects) with the associated AMI levels, in the amounts, and from the funding sources specified therein:

<b>Project &amp; Developer</b>	<b>Funding Sources</b>	<b>PSH Units</b>	<b>On-Site Services</b>
Towne Twin Village, Housing First Community Coalition	\$5,723,878 – CoSA Housing Bond  \$6,276,122 – CoSA HOME- ARP	<ul style="list-style-type: none"> <li>• 41 PSH units at 30% AMI</li> <li>• Includes funding for community kitchen, laundry facility, maintenance building, community spaces &amp; infrastructure for Future Multi-family Phase</li> </ul>	Recommendation includes \$2.1M for case management services
The Commons at Acequia Trails, SAMMinistries	\$7,777,158 – CoSA Housing Bond  \$3,310,000 – CoSA HOME- ARP	<ul style="list-style-type: none"> <li>• 70 PSH units at 30% AMI</li> <li>• 130 PSH units at 60% AMI</li> </ul>	Recommendation includes \$1M for case management services
<b>Total</b>	\$23,087,158	<b>241 PSH units</b>	

**SECTION 2.** The City Manager or his designee, or the Director of Neighborhood and Housing Services or her designee, or the Grants Administrator of the Division of Grants Monitoring and Administration, are hereby authorized to initiate, negotiate, and execute any and all documents and contracts (Contracts), that are necessary for: (a) ensuring the completion of the Projects in accordance with the requirements of the Housing Bond and each Project’s respective RFP; (b) implementation of the funding awards as set forth herein; and (c) 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 for projects

receiving federal funds as identified herein. Staff may adjust or align budgets and plans as necessary consistent with this Ordinance without further action of the City Council.

**SECTION 3.** Execution of the Contracts for the Projects approved in this Ordinance shall be contingent upon final negotiations between the City and the developer(s), the successful completion of underwriting for each respective project, staff's approval of all construction plans, and the developer's receipt of all required permits, along with all other requirements of each individual contract which, in staff's discretion, are necessary to ensure successful completion of each Project.

**SECTION 4.** The City Manager, or his designee, the Director of Neighborhood and Housing Services or her designee, or the Grants Administrator of the Division of Grants Monitoring and Administration are each authorized to: (a) approve budget adjustments within project allocations to confirm with actual expenditures if line item costs overrun or are anticipated; and (b) adjust the number of units being constructed under the Contracts as necessary to adhere to underwriting requirements or through final Contract negotiations.

**SECTION 5.** Funding for each Contract is hereby appropriated and payment is authorized for the Projects listed herein in the amounts specified for each project. Staff is authorized to amend the Contracts funded by the Housing Bond to increase the amount of funds for the Projects in an amount up to 20 % of the original contract amount without further action by City Council. Funding for an increase of a Contract's amount under this Section is hereby appropriated for that purpose from Housing Bond as appropriate for the specific Contract.

**SECTION 6.** The City Manager or designee, or the Director of the Neighborhood and Housing Services Department or designee, is authorized to execute a Development Agreement between the City of San Antonio and Housing First Community Coalition for an amount not to exceed \$12,000,000.00.

**SECTION 7.** Upon acceptance of the Development Agreement \$6,500,000.00 shall be appropriated and transferred from fund 2125000001 FY21 Home ARP Funds with IO 157000000447 to Fund 45099000 Project 23-04049.

**SECTION 8.** Payment is authorized to be encumbered and made payable to Housing First Community Coalition in an amount not to exceed \$12,000,000.00. Payment is in support of the Neighborhood Improvements Project using Fund 45099000, with the WBS element 23-04049-01-05-xx-xx and GL account 5201140. Funding for this project is provided by GO Bonds and the HOME\_ARP PSH Development Grant and Supportive Services and is in the FY2023-FY2027 CIP Budget as amended above.

Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with approved operating and/or capital budgets for current and future fiscal years.

**SECTION 9.** The City Manager or designee, or the Director of the Neighborhood and Housing Services Department or designee, is authorized to execute a Development Agreement between

the City of San Antonio and SAMMinistries for an amount not to exceed \$11,087,158.00.

**SECTION 10.** Upon acceptance of the Development Agreement \$3,086,112.00 shall be appropriated and transferred from fund 2125000001 FY21 Home ARP Funds with IO 157000000445 to Fund 45099000 Project 23-04049.

**SECTION 11.** Payment is authorized to be encumbered and made payable to SAMMinistries in an amount not to exceed \$11,087,158.00. Payment is in support of the Neighborhood Improvements Project using Fund 45099000, with the WBS element 23-04049-01-05-xx-xx and GL account 5201140. Funding for this project is provided by GO Bonds and the HOME\_ARP PSH Development Grant and Supportive Services and is in the FY2023-FY2027 CIP Budget as amended above.

Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with approved operating and/or capital budgets for current and future fiscal years.

**SECTION 12.** 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 Fund Numbers, Project Definitions, WBS Elements, Internal Orders, Fund Centers, Cost Centers, Functional Areas, Funds Reservation Document Numbers, and GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 13.** Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with approved operating and/or capital budgets for current and future fiscal years.

**SECTION 14.** 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 Fund Numbers, Project Definitions, WBS Elements, Internal Orders, Fund Centers, Cost Centers, Functional Areas, Funds Reservation Document Numbers, and GL Accounts as necessary to carry out the purpose of this Ordinance.

**SECTION 15.** 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 16.** This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

AH  
04/20/2023  
Item No. 26

**PASSED AND APPROVED** on this 20<sup>th</sup> day of April, 2023.

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Debbie Racca-Sittre, City Clerk

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Andrew Segovia, City Attorney

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04/20/2023  
Item No. 26

**ATTACHMENT I**  
Development Agreement for  
Permanent Supportive Housing Development

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**ATTACHMENT II**  
Development Agreement for  
Permanent Supportive Housing Development

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**ATTACHMENT III**  
Development Agreement for Affordable  
Rental Housing Acquisition, Rehabilitation, and Preservation

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