

City of San Antonio



Minutes Planning and Community Development Committee

2023 – 2025 Council Members

Dr. Adriana Rocha Garcia, Dist. 4
Phyllis Viagran, Dist. 3 | Teri Castillo, Dist. 5
Manny Pelaez, Dist. 8 | John Courage, Dist. 9

Thursday, August 22, 2024

10:00 AM

Council Briefing Room

The Planning and Community Development Council Committee convened a regular meeting in the City Hall Council Briefing Room beginning at 10:02 AM. Deputy City Clerk Aurora Perkins took the Roll Call noting a quorum with the following Committee Members present:

Members Present: Dr. Adriana Rocha Garcia, *Chair*
Phyllis Viagran, *Member*
Teri Castillo, *Member*
Manny Pelaez, *Member*
John Courage, *Member*

Members Absent: None

Approval of Minutes

1. Approval of minutes from June 27, 2024 Planning and Community Development Committee Meeting

Councilmember Courage moved to Approve the minutes of the June 27, 2024 Planning and Community Development Committee meeting. Councilmember Viagran seconded the motion. The motion carried by the following vote:

Aye: Rocha Garcia, Viagran, Castillo, Courage
Absent: Pelaez

Public Comment

Kyle Ware with the San Antonio Apartment Association spoke in support of Item 3 regarding pet deposit assistance.

Martha Torres spoke in support of Item 5 and the need for policies due to an incident regarding a water meter issue with the developer and water cancelation at her residence for over five months. She spoke to the challenges she faced in obtaining water meters and water services when her water was shut off by the developer who had rights over the meter that serviced her home. She reviewed the challenges she had with obtaining meter services from SAWS due to the high cost of a meter and lateral line installation.

Briefing and Possible Action on

2. **Briefing and possible action on a Council Consideration Request by Councilmember Dr. Adriana Rocha Garcia (District 4) regarding the creation of a Code Compliance Strategic Plan.** [John Peterek, Interim Assistant City Manager; Amin Tohmaz, Interim Director, Development Services Department]

Assistant City Manager Lori Houston introduced the Item and noted that the last strategic plan was developed in 2012 due to the merger of Code Compliance and the Development Services Department (DSD). She stated that she and the staff were in support of the development of a new strategic plan.

Amin Tohmaz, Interim Development Services Director, provided an overview of the Council Consideration Request (CCR) submitted on August 7, 2023 by Councilmember Rocha Garcia and her request for creating a Code Compliance Strategic Plan. He stated that code enforcement was identified as a high priority area in the recently conducted Budget Priorities Survey. He added that the CCR requested input from relevant stakeholders and neighborhood associations.

Tohmaz reviewed the items for consideration under the development of a strategic plan that would consider community input, reevaluation of current operating procedures to align with new goals and technology, standardize a process for hardship referrals, and update the platform to compliment the 3- 1-1 system and automatic end of notice violation notifications to property owners. He spoke to additional considerations which included prioritization of vacant lot enforcement, formalization of annual notices processes to City Council, and benchmarking of other City Code enforcement practices.

Tohmaz spoke to policies and practices that were already in place which included community input under the Neighborhood Code Enforcement Task Force which was created in 2012. He noted that a standardized process for hardship referrals was created in 2016 to assist residents with home items and would be compared to other city practices. He added that processes were developed for vacant lot enforcement, formalizing an annual notice process, and communications/education on code enforcement regulations and available tools to the public. Tohmaz added that it was important to balance proactive and reactive cases and noted the creation of a Performance Management Plan in 2013 which was revised in 2019 and 2020. He noted that Code Enforcement continuously evaluated what was being done in other cities.

Tohmaz noted that the Code Enforcement Division had completed accreditation under the

International Accreditation Service and were currently going through a re-accreditation process which was the first one for the State of Texas and fourth in the Nation. He added that under the FY 2025 Budget Survey, Code Enforcement had increased to a 72% satisfaction level up from 57% in FY 2023.

Tohmaz spoke to the next steps in the development of the Strategic Plan which included staff recommending that the City Code Enforcement undergo another review and update. He stated that the proposed FY 2025 Budget cycle included \$50,000 to hire a consultant to assist staff with reviewing and updating existing processes, goals, and performance measures based on feedback from all relevant stakeholders. He noted that DSD would return to the Committee with updates after completing their evaluation and research.

DISCUSSION

Chair Rocha Garcia acknowledged the work of the Code Enforcement Division and their responsiveness. She stated that she wanted to give residents opportunities to learn more about code enforcement requirements and improve services in the community.

Councilmember Viagran requested a list of vacancies of code enforcement positions. She noted the importance of the work of code enforcement officers and supported the development of a new Strategic Plan. She requested that the Municipal Court be included in the development of the Plan and provide feedback on how to increase compliance of code issues and fines. Councilmember Viagran expressed her support on the accreditation of the Code Enforcement Division and the continued reaccreditation process.

Councilmember Castillo stated that a 15% increase in satisfaction was impressive but requested that continued services in multi-family and senior assistance services were crucial to continue to be developed. She requested consideration of increased funding for senior assistance programs to assist seniors staying in their homes.

Councilmember Castillo stressed the need for communications with residents to work together with their neighbors to address City Code compliance issues. She supported the hiring of a consultant to review City Code compliance programs and how to improve policy and programs within code enforcement. Tohmaz clarified that the Pilot Senior Assistance Program was being recommended to become a full program under FY 2025 funding.

Councilmember Pelaez noted challenges of Short-Term Rentals (STR) compliance since code staff usually worked during daytime hours. He asked how closely staff worked with the San Antonio Police Department (SAPD) in addressing issues associated with noise or unauthorized activity. Tohmaz stated that staff worked closely with SAPD and the Fire Department to identify structures for dangerous structures and emergencies but did not work during the evening to address instances of noise complaints.

Councilmember Pelaez asked if a system could be developed to have immediate response to structure issues. Tohmaz stated that there were staff available on-call 24 hours a day to address dangerous structures but did not have staff available to address short-term rental issues. Interim Deputy Director

Melissa Ramirez clarified that SAPD did have a system in place to report systems that would be addressed the next day for challenges. Councilmember Pelaez requested that it was important to develop a system for immediate system and to report back to the Committee.

Chair Rocha Garcia noted that she had also requested that a system be created in the past and that it was important to review it again. She supported a review and development of a system. Tohmaz stated that this would be included in the development of the Plan and staff would see what were the best practices in other cities.

Councilmember Courage asked if there was a lead code enforcement staffer for each council district. Tohmaz confirmed that there were code enforcement supervisors dedicated for each council district. Councilmember Courage stressed the importance of developing a system to report resolutions of code compliance cases to be developed in partnership with 3-1-1.

Councilmember Courage supported the need for code compliance officers to be available 24 hours along with SAPD who addressed more serious cases. He requested a review of what was being done in other cities in the areas of evening construction, short-term rental issues, commercial truck parking, and other issues. He stressed that this be reviewed in the strategic plan.

No action was taken on this item.

3. Briefing and possible action on a Council Consideration Request on the establishment of a pet deposit assistance program. [Lori Houston, Assistant City Manager; Veronica Garcia, Director, Neighborhood and Housing Services Department]

Chair Rocha Garcia introduced the Item and requested that Deputy City Clerk Aurora Perkins read a letter submitted by Councilmember McKee-Rodriguez who authored the Council Consideration Request (CCR) on the establishment of a pet deposit assistance program. In the letter, Councilmember McKee Rodriguez stressed the importance of pet ownership accessibility for all and cost burdens faced by renters and the need for animals in the Animal Care Services (ACS) system to be adopted rather than euthanized. He requested that the Committee move to request staff to identify funding opportunities for a pilot program and work with the San Antonio Apartment Association to identify a path to mitigate the administrative costs of the program. He added that eventually the fund should be self-replenishing as pet deposits would be returned to the fund rather than to the renter.

Veronica Gonzalez provided an overview of the CCR and noted that the City did not currently have a Pet Deposit Assistance Program in place that provided for pet deposits to individuals that wanted to foster or adopt a pet but could not afford pet deposits required by landlords. She noted that the City did have a Resident Relocation Assistance Program that covered pet deposits for residents at risk of being homeless or had housing instability. She stated that the Program provided up to \$3,000 for reasonable moving expenses and was funded through a \$100,000 annual General Fund allocation. Gonzalez added that there were no organizations in San Antonio that assisted with pet deposits so that a tenant could adopt or foster a pet.

In reviewing community alignment opportunities, Gonzalez stated that ACS was identified as a priority in the FY 2024 Community Survey which could increase foster and pet adoptions as a goal under the ACS Strategic Plan.

Gonzalez provided a legal overview for the payment of pet deposits and noted that under the Fair Housing Act it was unlawful for landlords to charge additional rent, demand a pet deposit or charge any fee whatsoever for an assistance animal. Gonzalez stated that under State regulations, landlords could create their own rules for pets and include them in a lease to include the prohibition of pets, only allow certain breeds or sizes, and require pet deposits. She clarified that the City did not have an Ordinance that addressed the CCR and that there were no legal restrictions that would prohibit the City from creating such a program.

Gonzalez stated that the development of a Pet Deposit System would require funding and that in order to provide 100 grants for pet deposit assistance, the program Budget would need to include \$20,000 to \$50,000. This was based on the average pet deposit being between \$200 to \$500. She added that this funding recommendation did not include program administration nor was there funding currently available in the Current or Proposed City Budget.

Gonzalez stated that staff was requesting input from the Committee in the development of a pet deposit assistance program to include funding sources, stakeholder participation, whether the program should be income-based and if so which AMI categories would be qualified for assistance. She added that input was also sought on whether a non-profit or other partners would operate or administer the program.

DISCUSSION

Chair Rocha Garcia acknowledged that there was not any current funding for the program but she noted the need for a program to assist individuals with pet ownership. Chair Rocha Garcia acknowledged the support of the San Antonio Apartment Association. She stated that it was important to include ACS and AARP into the development of the program. She supported an AMI-based program.

Councilmember Courage stated that he was reluctant to support the program due to the clarification of challenges in the development of the program. He stated that much of the issue was due to irresponsible pet owners who did not care for their animals. He also spoke to challenges of clarifying which animals were to be considered pets which could go beyond a dog or cat.

Councilmember Courage spoke to challenge of cases where pets did cause damage to a rental unit and that a pet deposit would be needed to repair the damage and not be put back into the fund to be used for future deposit assistance.

Councilmember Courage stated that it was important to bring animals to seniors but that they were still responsible for their pets. He noted that it was important to include ACS in the development of the program and require that pets be adopted from ACS with the animal being spayed or neutered. He stated that these issues should be addressed even in a pilot program.

Councilmember Pelaez stated that he supported a pilot program even if small to start with and requested consideration of beginning the program for service animals needed by individuals. He supported the inclusion of ACS in the development of the program. Assistant City Manager Houston clarified that under the Fair Housing Act, already exempt registered service animal owners would not be charged pet deposit fees and staff would look into better communication and education of the Act's restrictions to the public.

Councilmember Pelaez reminded the Committee that the non-profit Meals on Wheels had a supportive program for owners of pets that could assist with pet food needs. He noted that he had previously worked on a CCR to address communication and education of available programs for individuals with service animals and was pleased to see that this CCR addressed pet deposit challenges and requested additional education and marketing of the Federal requirement for service animal pet deposit exemptions.

Councilmember Castillo noted her support of the CCR but noted that she wanted to make sure if someone who needed assistance with a pet deposit that it was important to ensure that pet owners had the ability to feed and provide medical care for their pets. She stated that it was crucial to include ACS and non-profits to provide assistance in the care of animals. She requested information from the San Antonio Apartment Association on what the fees for pet deposits were. Councilmember Castillo supported the funding for current programs to assist with pet deposits.

Councilmember Viagran stated that it was important to include stakeholders to gain data on program funding for services. She spoke to the need for education of the costs of having a pet and the inclusion of an AMI component in pet deposit assistance. She supported a pet deposit assistance program for pets that were adopted through ACS and for staff to further review funding for a pilot program. She also supported the program and to consider AMI categories for assistance.

Councilmember Viagran stated that her staff was dedicated to gaining data and the inclusion of ACS animals. She stressed the importance of pet ownership education to ensure that pets were well taken care of and pet owners learn of other services available to them to assist in the care of their pets. Councilmember Viagran noted that she and her staff were committed to assist with the education of pet programs, especially spay/neuter services. She requested that staff research the cost of the funding and administration of the program and to start the program in partnership with the ACS Pet Adoption Program.

Assistant City Manager Houston stated that staff would meet with ACS, the San Antonio Apartment Association and non-profits/stakeholders. She noted that it could be expensive to administer this program especially considering a revolving loan fund but that staff would review all options and return to the Committee with recommendations in two months (November 2024).

Councilmember Pelaez requested data on whether families who got this assistance would actually be more open to adopting pets and to know what would limit them from adopting a pet. Houston stated that a pilot program would be crucial to be able to review all challenges in having individuals to adopt pets.

Councilmember Castillo requested data from the San Antonio Apartment Association on how many apartments required pet deposits on a one-time or monthly basis.

Councilmember Courage requested data from ACS on how many adopted pets were returned to ACS.

Chair Rocha Garcia supported the inclusion of ACS in the development of the program and requested data that the Councilmembers brought up.

No action was taken on this Item.

4. Briefing and possible action on a Council Consideration Request on the creation of a Teacher Homebuyer Assistance Program. [Lori Houston, Assistant City Manager; Veronica Garcia, Director, Neighborhood and Housing Services Department]

Chair Rocha Garcia opened the Item by requesting Deputy City Clerk Aurora Perkins to read a letter submitted by Councilmember McKee-Rodriguez on the consideration of the Council Consideration Request (CCR) on the development of a teacher homebuyer assistance program. In the letter, Councilmember McKee-Rodriguez spoke to the fact that he and his husband had been fortunate to save money on his teacher salary to purchase a home but that he had observed the challenges of many teachers who tried to achieve homeownership. He requested that the Committee explore the potential of repurposing unused funds from existing homebuyer assistance programs as a first step to expand into offering a few program slots for teachers.

Councilmember McKee-Rodriguez also requested consideration of working with the San Antonio Alliance for Teachers and Support Personnel Union to advertise and identify qualified applicants.

In his letter, Councilmember McKee-Rodriguez requested that staff return to Committee with recommendations for changes to existing programs or adoption of less expensive programs that achieved the stated goal of increasing housing opportunities for teachers.

Veronica Gonzalez, Assistant Director of the Neighborhood and Housing Services Department (NHSD), provided an overview of the Council Consideration Request (CCR) submitted by Councilmember McKee-Rodriguez which requested an expansion of Homeowner Incentive Programs to include a teacher homebuyer assistance program and to seek stakeholder input in the development of the program.

Gonzalez noted that the City did not currently have a dedicated homebuyer assistance program specific to educators but did have a First Responders Housing Assistance Program (FRHAP) which was a recruitment and retention tool that the City used to recruit first responders and a way to incentivize living within the City limits. She also spoke to the Home Ownership Program for Employees (HOPE) which assisted City employees in the City of San Antonio civilian employees and the HIP80/HIP 120 Programs which served San Antonio residents that had an income level requirement of below 120% AMI in the purchase of their first home.

Gonzalez stated that all the homebuying programs were administered by NHSD which assisted first-time homebuyers in San Antonio by offering forgivable, 0% interest loans for down payment assistance and closing costs. She noted that the programs were based on income eligibility and criteria and that teachers could be eligible for HIP80/HIP120 assistance but added that a first-time teacher typically made \$58,000 annually which was slightly below the 100% AMI (\$62,000 per the 2024 HUD limits for one person). Gonzalez stated that nationally there were home buying programs through Homes for Heroes and Teacher Next Door that specifically targeted teachers and that a variety of mortgage lenders also aided teachers as first-time homebuyers.

Gonzalez stated that homebuyer assistance for teachers had not been identified as a priority of the FY 2024 Community Survey but did align with NHSD and the City's goals for making homeownership

more accessible to residents that made 80-120% AMI.

Gonzalez noted that there were no Federal, State or Local legal requirements that prohibited the creation of a teacher homebuyer assistance program. She added that the State of Texas did require cities to ensure that there was legitimate public benefit justifying the expenditure of public funds that would benefit individuals.

Based on the CCR requests, Gonzalez stated that to offer 10 loans to teachers, \$580,000 would need to be budgeted for the program based on the average teacher salary of \$58,000. She noted that funding for the program was not identified in the Current or Proposed City Budget.

Gonzalez stated that staff was requesting input for the development of the program in the areas of targeted population of teachers, administration of the program, AMI qualification requirement, and funding sources.

DISCUSSION

Chair Rocha Garcia stated that she supported the CCR as an educator herself and the importance of their work. She supported the use of the housing fund to be dedicated to teachers. She asked if there were opportunities to educate teachers about the homeownership assistance program through school districts or teacher union organizations. Gonzalez confirmed that staff did conduct outreach and marketing in the past year and had conducted events at 23 different school district events which had over 1,800 attendees.

Councilmember Viagran supported the CCR and recommended that staff work with the County and school districts to educate them of current programs. She requested that staff gain data on zip codes of where teachers worked and were looking to purchase homes. She requested consideration of teachers who lived and work within their school districts and to work with school districts on educating staff. Councilmember Viagran stated that there was great opportunity to survey teachers on where they wanted to live (home or apartments). She requested discussions with Bexar County and school districts to gain support, insight, and possible assistance in funding a pilot program.

Councilmember Courage noted that he had been a teacher for over 25 years and stressed the importance of knowing the community you worked in. While he did not live in the communities he worked in and did not feel it was important that teachers be required to live where they worked.

Councilmember Courage asked for clarification on the \$580,000 needed for the program. Assistant City Manager Houston clarified that the CCR requested 10 loans be provided that each loan be equal to their salary. So based on the average first year teacher pay of \$58,000, the loan fund would require \$580,000.

Houston requested direction from the Committee on AMI consideration or use of a non-profit to administer the program. Councilmember Courage stated that there were many teachers who could utilize other programs such as VA and FHA loans. He felt that \$58,000 was a large amount for the first program for just 10 teachers and thought it should be considered to offer more loans at lower amounts. Councilmember Courage stated that it was important to identify as many funding sources

for teachers and look to combine them with City funds and offer as a package of assistance.

Councilmember Pelaez supported assisting more teachers with lower amounts than just 10 teachers with higher amounts. He stressed that the program could consider assistance with closing costs rather than down payment in order to assist more teachers seeking homeownership. Councilmember Pelaez recommended that the administration of the program be conducted by a non-profit or stakeholder association.

Houston stressed that this was a discussion for recommendations and that staff would look to fund as many loans as possible.

Councilmember Castillo supported Councilmember Pelaez's recommendations and consideration of a non-profit administrator.

Councilmember Viagran supported a third-party administration of the program and reiterated the need for discussions with the County and school districts.

Chair Rocha Garcia stated that she supported third-party administration of the program.

No action was taken on this item.

5. Briefing and possible action on a Council Consideration Request on the establishment of the Water & Sewer Lateral Improvements Program. [Lori Houston, Assistant City Manager; Veronica Garcia, Director, Neighborhood and Housing Services Department]

Assistant City Manager Lori Houston introduced the Item and the need to discuss the establishment of a water and sewer lateral improvements program. Veronica Garcia, Director of the Neighborhood and Housing Services Department (NHSD), provided an overview of the Council Consideration Request (CCR) submitted by Councilmember Castillo requesting the establishment of a water and sewer lateral improvement program.

Garcia reviewed the current efforts that provided assistance to home owners with the City of San Antonio and partners. She stated that the City of San Antonio did provide assistance to homeowners with properties that had improper sewer lateral connections, or that needed sewer lateral repairs. Garcia noted that individuals could be eligible for support through the City's Major and Minor Rehabilitation Program.

Garcia noted that the San Antonio Water System (SAWS) had a Laterals to People Program which repairs defective sewer laterals from outside a home to the property line for residents up to 125% of the poverty level. She added that SAWS also had a Lateral Reimbursement Program that reimbursed plumbing expenses for identified lateral defects from sewer to property line. Garcia clarified that SAWS did not have a program that addressed missing laterals nor had a map of residential properties with missing lateral connections.

Garcia stated that the CCR aligned with affordable housing which was identified as one of the high priority services in the FY 2025 Budget & Priorities Survey. She added that preserving affordable housing, and addressing a home's safety, health, and code issues aligned with NHSD and Metro Health

Department goals.

Garcia reviewed the City Code of Ordinances under Chapter 34 that addressed water and sewer elements in the Right of Way which SAWS had responsibility for. She further explained City Code requirements for sewage transportation, treatment, and disposal. She noted that since at least 1988, all residences within 200 feet of a sewer were required to have a lateral line. Garcia spoke to homeowner and SAWS responsibilities in regard to sewer and water line repairs.

Garcia reviewed legal disclosure requirements under the State of Texas for home sellers to disclose which included if the home was connected to the sewer main, utilized septic, or did not have a connection and that sellers could request a special inspection of sewer laterals before purchasing a home. Garcia stated that there were no Federal or State Laws that prohibited the City from creating a laterals program.

Garcia spoke to funding requirements of the program and noted that residential lateral repairs could run a resident anywhere from \$3,000 to \$20,000. She noted that funding of \$200,000 could potentially serve 10 homes and clarified that there was not currently any funding available in the FY 2024 or FY 2025 Proposed Budget. She added that the FY 2024 and FY 2025 Budgets included \$16.7 million for the Major and Minor Rehabilitation Programs which could be used for connection to SAWS water and sewer existing lines (home to street) and repair of existing lateral lines. Garcia stated that homeowners earning up to 80% AMI could qualify for the program, and limited funding was available.

Garcia stated that staff sought input on funding options, partner administration, and inspection options.

DISCUSSION

Chair Rocha Garcia thanked Councilmember Castillo for authoring the CCR and acknowledged SAWS staff for being present at the meeting. She thanked Ms. Torres who spoke of her challenges with lateral water requirements and struggles during water shut off during the Public Comment segment. Chair Rocha Garcia supported the need for a pilot program to assist residents to connect to lateral water and sewer services who were connected to septic systems due to previously being in unincorporated areas of the City.

Councilmember Castillo stated that she supported funding under the Homeowner Repair Assistance Program. She stressed the need for education of water lateral requirements and repair assistance programs and that SAWS assisted individuals with lateral installations.

Councilmember Castillo thanked her staffer Rachel Tucker, Constituent Support Team, who made her aware of the challenges from residents dealing with lateral water issues. She spoke to challenges of updated platting maps and resident cost of installation of lateral water lines. Councilmember Castillo supported a pilot program in partnership with SAWS that assisted individuals in certain AMIs with resources such as the Plumbers for the People Program.

Councilmember Courage stressed the importance of access to water and requested possible consideration of a portion of funding from the SAWS 4% fund to be used to fund a pilot program. He stated that this could be used in partnership with the SAWS Lateral Program and would not impact either

SAWS or the City's General Fund. He requested that City and SAWS staff research options to determine the correct funding amount and sources to develop a pilot program.

Councilmember Pelaez stressed the importance of residents being able to have water as a matter of public safety and basic needs.

Councilmember Viagran asked why SAWS did not have a map of all lateral connections. Garcia stated that maps did not always exist due to unplatted or updated maps for unincorporated areas which were now in the City limits. Houston stated that maps could tell where mains did exist but they could not clarify where they did not exist. A SAWS representative stated that maps were updated as data became available during the review of old water mains which dated back to the 1960s or when development came into an area and updated platting became available.

Councilmember Viagran expressed her concern regarding the lack of data and the need for additional data on what was transferred over when SAWS acquired The Bexar Metropolitan Water System. She stressed the need to gain more data and an update of policies to address older sectors and neighborhood homes which many were located in her council district. Councilmember Viagran supported the Item being brought before the Municipal Utilities Committee for review and review policies for SAWS to follow for water lateral issues in legacy housing areas of the City.

Councilmember Courage moved to recommend and forward the Item to the Municipal Utilities Committee for further review. Councilmember Castillo seconded the motion. The motion carried by the following vote:

Aye: Rocha Garcia, Viagran, Castillo, Pelaez, Courage

Consent Agenda

Adjournment

There being no further discussion, the meeting was adjourned at 11:57 a.m.

Adriana Rocha Garcia, Chair

Debbie Racca-Sittre, City Clerk