

(THIS IS A DRAFT ORDINANCE ONLY AND SUBJECT TO CHANGE)

ORDINANCE

APPROVING A SUBSTANTIAL AMENDMENT TO THE NEIGHBORHOOD STABILIZATION PROGRAM (NSP) ACTION PLAN AND BUDGET FOR THE REPROGRAMING OF \$1,310,404.01 FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, AND TO INCLUDE \$500,000.00 THAT WAS PREVIOUSLY AWARDED TO CROSS TIMBER HOMES IN THE ACTION PLAN RESUBMISSION.

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WHEREAS, on November 20, 2008, pursuant to Ordinance No. 2008-11-20-1040, City Council accepted \$8,635,899 in Neighborhood Stabilization Program (NSP) grant funds from the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, NSP-funded activities are detailed in the City of San Antonio (City) NSP Action Plan and Budget submitted to and approved by HUD; and

WHEREAS, the City currently has \$1,310,404.01 in NSP funds available for reprogramming and seeks to commit all remaining funds and program income in preparation for eventual closeout of this grant; and

WHEREAS, City Council previously awarded \$500,000.00 in NSP funds to Cross Timber Homes pursuant to Ordinance No. 2022-03-17-0193, and said award necessitates inclusion in the City's NSP Action Plan;

WHEREAS, to reprogram the available NSP funds and update the Action Plan, City staff recommends a substantial amendment to NSP Action Plan and Budget to include \$500,000.00 previously awarded to Cross Timber Homes, allocating \$942,054.85 to Viento for eligible affordable housing development activities, and transferring \$368,349.16 in on-hand Program Income, plus any additional Program Income received in Fiscal Year 2023, to the City's Community Development Block Grant (CDBG) Program; and

WHEREAS, after notice having been duly published and posted, a public comment period was opened, a public hearing was held on December 14, 2022, and timely responses were given from local officials to all citizen questions and issues and public access was granted to all questions and responses; and

WHEREAS, in order to reprogram said NSP funds and update the Action Plan as desired, it is necessary to authorize a substantial amendment to the City's NSP Action Plan and Budget; and

WHEREAS, City Council approves the Substantial Amendment to the NSP Action Plan and Budget as set forth herein; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Revisions to the Neighborhood Stabilization Program (NSP) and the modifications to the budgets and reprogramming in support thereof in an amount not to exceed \$1,310,404.01 in grant funds from the U.S. Department of Housing and Urban Development (HUD) and to include \$500,000.00 that was previously awarded to Cross Timber Homes in the Action Plan resubmission. A total of \$942,054.85 will be reprogrammed to Viento for eligible affordable housing development activities and \$368,349.16 in on-hand Program Income, plus any additional Program Income received in FY 2023 will be transferred to the Community Development Block Grant (CDBG) where it can support a wide-range of community development programming for low- and moderate-income residents. There is no fiscal impact to the City's General Fund.

SECTION 2. The City Manager, or their designee, the Director of the Neighborhood and Housing Services Department or their designee, or Grants Administrator of the Division of Grants Monitoring and Administration are each individually hereby authorized to approve budget adjustments within project allocations to conform with actual expenditures if line item cost overruns or are anticipated.

SECTION 3. Substantial amendment to the City's HUD NSP Action Plan and Budget to reprogram funds in the NSP Budget in accordance with this Ordinance and **Attachment I** is hereby authorized and approved. The City Manager or their designee, the Director of the Neighborhood and Housing Services Department or their designee, or the Grants Administrator of the Division of Grants Monitoring and Administration are each individually hereby authorized to execute any and all documents necessary to implement and carry out said substantial amendment.

SECTION 4. The Deputy Chief Financial Officer is hereby authorized to effect on the books of the City the cancellations, revisions, and reprogramming in support thereof set forth in **Attachment I**. The City Manager or their designee, the Director of the Neighborhood and Housing Services Department or their designee, or the Grants Administrator of the Division of Grants Monitoring and Administration are each individually hereby authorized to (a) implement the reductions, revisions, and reprogramming set forth in **Attachment I**; (b) comply with HUD rules, regulations, and procedures, and submit all certifications and such other information to and as required by HUD; (c) approve budget adjustments within project allocations to conform with actual expenditures if line item cost overruns occur or are anticipated; (d) close-out and cancel affected projects and create new projects and project budgets in accordance with **Attachment I**; and (e) execute any and all necessary contracts and other documents in connection with the projects set forth above; and (f) provide for payment.

SECTION 5. 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 6. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 15th day of December, 2022.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney