

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

ORDINANCE

**APPROVING SUBSTANTIAL AMENDMENT #2 TO THE FY 2023
UNITED STATES DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT (HUD) ANNUAL ACTION PLAN AND BUDGET
TO AWARD UP TO \$500,000.00 IN COMMUNITY DEVELOPMENT
BLOCK GRANT (CDBG) AND \$2,586,154.00 IN HOME
INVESTMENT PARTNERSHIPS PROGRAM (HOME) FUNDS TO
FOUR (4) AFFORDABLE HOUSING DEVELOPMENT
ACTIVITIES.**

* * * * *

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

WHEREAS, on May 4, 2023, pursuant to Ordinance No. 2023-05-04-0282, City Council approved and adopted Substantial Amendment #1 to the FY 2023 HUD Action Plan; and

WHEREAS, in furtherance of making the awards at issue, City staff released requests for proposals (RFP) for affordable housing development, both homeownership and rental housing, with funding to be provided, in part, with CDBG and HOME funds; and

WHEREAS, multiple applications were received in response to each respective RFP from developers for affordable housing; and

WHEREAS, a panel of scoring committee members reviewed and evaluated the applications received based on criteria set forth in each respective RFP and recommended the awards reflected herein; and

WHEREAS, in order to provide the recommended funding, City staff recommends that City Council approve Substantial Amendment #2 to the FY 2023 HUD Action Plan to award up to \$500,000.00 in CDBG and \$2,586,154.00 in HOME funds to the four selected affordable housing activities; and

WHEREAS, after notice having been duly published and posted, a public comment period was opened, a public hearing was held on June 7, 2023, and timely responses were given from local officials to all citizen questions and issues and public access was granted to all questions and responses, thereby satisfying applicable law governing substantial amendments to the City's FY 2023 HUD Action Plan; and

WHEREAS, in order to award said CDBG and HOME funds to the four affordable housing development activities as recommended herein, it is necessary to authorize a substantial amendment to the City's FY 2023 HUD Action Plan; and

WHEREAS, City Council approves Substantial Amendment #2 to the FY 2023 HUD Action Plan to award up to \$500,000.00 in CDBG and \$2,586,154.00 in HOME funds to the four affordable housing development activities as set forth herein; **NOW THEREFORE:**

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

SECTION 1. Ordinance authorizing Substantial Amendment #2 to the City's FY 2023 HUD Action Plan to award an amount up to \$500,000.00 in Community Development Block Grant (CDBG) funding and up to \$2,586,154.00 in HOME Investment Partnerships Program (HOME) funding for affordable housing development activities in accordance with the budget revision schedule affixed hereto and incorporated by reference herein for all purposes as **Attachment I**. Said funds are hereby authorized to be allocated to various projects in accordance with **Attachment I** and the allocation and appropriation of funds consistent with **Attachment I** are hereby authorized, to with:

From CDBG funding:

- (a) Up to \$500,000.00 to Habitat for Humanity of San Antonio for the Build SA-Yucca St. Subdivision Project.

From HOME funding:

- (b) Up to \$801,144.00 to Opportunity Home San Antonio for the Westside Reinvestment Initiative Project;
- (c) Up to \$1,000,000.00 to Alamo Community Group for the Cattleman Square Lofts Project; and
- (d) Up to \$785,010.00 to San Antonio Alternative Housing for the Memorial Apartments Project.

SECTION 2. Revisions to the Community Development Block Grant (CDBG) projects and the modifications to the budgets and reprogramming in support thereof in an amount not to exceed \$500,000.00, available from cancelled activities, program savings, and/or program income are hereby authorized in accordance with the budget revision schedule affixed hereto and incorporated by reference herein for all purposes as **Attachment I**. Said funds are hereby authorized to be reprogrammed to eligible affordable housing development activities in accordance with **Attachment I** and the allocation and appropriation of funds consistent with **Attachment I** are hereby authorized.

SECTION 3. Revisions to the HOME Investment Partnerships Program (HOME) projects and the modifications to the budgets and reprogramming in support thereof in an amount not to exceed \$2,586,154.00 available from cancelled activities, program savings, and/or program income are

hereby authorized in accordance with the budget revision schedule affixed hereto and incorporated by reference herein for all purposes as **Attachment I**. Said funds are hereby authorized to be reprogrammed to eligible affordable housing development activities in accordance with **Attachment I** and the allocation and appropriation of funds consistent with **Attachment I** are hereby authorized.

SECTION 4. Substantial amendment #2 to the City's FY2023 HUD Action Plan and Budget to reprogram funds in the CDBG and HOME 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 5. 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 6. The appropriations, reallocations, expenditures, encumbrances, and budget revisions necessitated and scheduled pursuant to the aforesaid **Attachment I** are hereby authorized for entry into the City's accounting system.

SECTION 7. 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 8. 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 9. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 8th day of June, 2023.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

ATTACHMENT I

COVER SHEET