

# City of San Antonio



## Minutes

### Planning and Community Development Committee Meeting

Monday, November 15, 2021

10:00 AM

Council Briefing Room

Members Present:	Councilmember Adriana Rocha Garcia, <i>Chair, District 4</i> Councilmember Mario Bravo, <i>District 1</i> Councilmember Teri Castillo, <i>District 5</i> Councilmember John Courage, <i>District 9</i>
Members Absent:	Councilmember Phyllis Viagran, <i>District 3</i>

#### Approval of minutes

There were no minutes approved.

#### Consent Agenda

#### Briefing and/or Possible Action

- Briefing and possible action on the proposed adoption of amendments to Section 21-52(a)(6) and Section 10-6 of the Local Government Code to update the construction noise ordinance and issuing of permits by Development Services Department (DSD) to allow for enforcement of the ordinance by the Building Official.** [Roderick Sanchez, Assistant City Manager; Michael Shannon, Director, Development Services]

Michael Shannon, Director, Development Services Department, provided an overview of the adoption of amendments to Section 21-52 (a)(6) and Section 10-6 of the Local Government Code to update the construction noise and issuing of permits by the Department. Shannon noted that the amendments were brought forward for consideration by Councilmember Courage who had submitted a Council Consideration Request (CCR) in April 2019. Shannon noted that a separate noise amendment was also being addressed for other noise issues and would be brought to the Committee for consideration at a later date. Shannon reviewed the current and proposed amendments of the Construction Noise Ordinance and processes in addressing construction noise issues/complaints.

Shannon reviewed the process in conducting stakeholder input, major topics discussed and recommended changes. He also reviewed exception instances associated with the construction noise amendments and requested approval of the proposed amendments to Chapter 10 and Chapter 21 and consideration by the City Council.

Councilmember Courage stated that he was pleased and supportive of the proposed amendments and stated that it was an important resident concern being addressed.

Councilmember Castillo supported the proposed amendments.

Councilmember Bravo supported the amendments but that there were still some challenges that could be addressed to include later hours of operations for Sunday construction work. Shannon stated that the time restrictions were the most discussed and challenging in consensus but stakeholders were overall supportive of construction time limits to include Sunday times. Councilmember Bravo expressed support for extending the hours of construction from 9:00 AM to 7:00 PM.

Chair Rocha Garcia asked how construction zones impacted school zones. Shannon stated that school districts were not contacted but that proposed time changes moved from 6 AM to 7 AM and that communications would be conducted when construction was adjacent to schools. Chair Rocha Garcia asked for clarification on how residents could apply for extensions for extended hours of construction work being conducted. Shannon clarified the process and permitting actions to allow for extensions. Chair Rocha Garcia asked which departments would be enforcing the Ordinance. Shannon stated that Development Service Department Code Enforcement and San Antonio Police Department would be responding to associated complaints.

Councilmember Bravo stated that it was important to consider the health of construction workers during hot months and possible changes to times of operation.

Chair Rocha Garcia asked for clarification on who provided stakeholder input. Shannon stated that the Association of Builders & Contractors (ABC) and the Greater San Antonio Builders Association (GSABA) provided construction business input.

Councilmember Courage asked if the amendments would require a change to the Unified Development Code (UDC). Shannon replied that it would not.

Councilmember Courage moved to approve and forward Item 1 to full City Council for consideration. Councilmember Castillo seconded the motion. The motion carried unanimously by those present.

- 2. Briefing and possible action related to recommended changes to the City's policy for the issuance of Resolutions of Support and Resolutions of No Objection for applicants seeking Housing Tax Credits from the Texas Department of Housing and Community Affairs.**  
[Lori Houston, Assistant City Manager; Verónica R. Soto, Director, Neighborhood and Housing Services]

Assistant City Manager Lori Houston introduced the item and stated that meeting was

conducted with non-profit and for-profit developers on possible impacts to proposed amendments to Housing Tax Credits (HTC). Veronica Soto, Director, NHSD, provided an overview of Housing Tax Credits and oversight by the IRS and administration by the Texas Department of Housing and Community Affairs (TDHCA). Soto reviewed the City's process for HTC applications and awards at the State level. Soto stressed that the State level review was the most crucial step in the process and that the San Antonio Housing Trust and San Antonio Housing Authority assisted in the process. Soto stressed that the City did not award HTCs and that the State awarded HTCs in a very competitive process. Soto reviewed the City and TDHCA 9% timeline which ended on March 1, 2021 with applications due to TDHCA.

Soto reviewed the amendments submitted by Council District 5 and stated that there was immediate feedback and concerns from stakeholders. Soto reviewed the input provided and reiterated that stakeholders felt that amendments would negatively impact housing affordability and hinder the State and TDHCA process. Soto reviewed the staff recommendation which did not support the submitted amendments and stated that discussions were held with the City Attorney's Office in making the staff recommendation. Soto reviewed the staff's initial recommendations and reviewed the staff recommended scoring changes.

Councilmember Castillo stated that the amendments were not meant as barriers but as possible solutions and standards for affordable housing. She reviewed recommendation from the SHIP and moved to approve the policy for the issuance of Resolutions of Support and Resolutions of No Objection for applicants seeking HTCs from TDHCA with the affordability criteria with the possible alternative. Councilmember Bravo seconded the motion. The motion carried unanimously by those present.

Lori Houston, Assistant City Manager, noted that the posting referenced that there might be a change so an amendment may be required during the City Council meeting on November 18, 2021

Toby Williams, Madhouse Development, expressed support for the staff's revised recommendation.

Councilmember Courage thanked staff and Councilmember Castillo for their work on the proposed alternative and expressed support for the proposed amendment. Courage proposed that City staff have discussions with developers to voluntarily meet the City's SHIP standards and asked that Renter Rights Amendments be considered.

Councilmember Bravo expressed support for the proposed recommendations and discussed concerns on the total points award structure. Soto stated that the SHIP would address the larger housing affordability concerns and marry how points would be addressed.

Councilmember Courage asked for clarification on the award or letter of support process from the City's project recommendations at the State level. Soto stated that the City's letter of support did not determine the State's award decision.

Chair Rocha Garcia asked for further clarification on the State's approval of the point award which Soto reviewed and provided clarification and stated that additional points could not be

given at this time.

Chair Rocha Garcia read a written statement provided by Councilmember Viagran who could not be present at the meeting. The letter addressed Councilmember Viagran's concern regarding the proposed amendments and spoke in opposition of proposed amendments.

Councilmember Bravo invited Jose Gonzales of Alamo Community Group to speak on the non-profit efforts of bringing affordable housing to the area. Gonzales provided an overview of the Museum Lofts housing project and AMI requirements. Houston stated that the City partnered with the Museum Lofts Housing Project and provided TIRZ funding and fee waivers which were leveraged to meet deeper affordability.

Castillo stated that the grading criteria had not been initially provided to the Committee and if it had it would have impacted the submission of the amendments.

Chair Rocha Garcia thanked staff and the Committee for their work on the amendments.

Councilmember Castillo moved to approve Item 2. Councilmember Bravo seconded the motion. The motion passed unanimously by those present.

**3. Briefing and possible action on the Emergency Housing Assistance Program (EHAP) and Eviction Prevention Update.** [Lori Houston, Assistant City Manager; Verónica R. Soto, Director, Neighborhood and Housing Services]

Veronica Soto, Director, Neighborhood and Housing Services Department, provided an update of the Emergency Housing Assistance Program (EHAP). Soto noted that 82,591 applications had been processed to date with 51,781 applications being approved for assistance totaling \$155,490,657. Soto noted that staff was continuously tracking the Texas Rent Relief Program within the County. She reviewed the EHAP assistance by City Council District and funding utilized for Phases 1-3. Soto stated that the EHAP was currently in Phase 4 of funding.

Soto provided an update of outreach conducted for the EHAP and the Eviction Intervention Program due to anticipated delays related to the upcoming holidays. She reviewed staff activity associated with navigating the Housing Eviction Prevention process and assisting at eviction hearings. Soto noted that NHSD was still awaiting approval of a HUD grant award to further assist residents seeking housing assistance.

Chair Rocha Garcia asked how often a person was allowed to apply for assistance. Soto reviewed the process for approval and stated that 9 months was the norm. Chair Rocha Garcia asked if SAHA residents were eligible for assistance which Soto confirmed that they were. Chair Rocha Garcia asked if there was a limit to the amount of assistance. Soto stated that there was not a dollar amount limit but a 9 month limit of assistance. Chair Rocha Garcia asked for a conversation on more humane eviction process especially in inclement weather. Soto stated that the County and State were the entities that conducted the evictions and stated that advocacy at the State level and the Supreme Court regarding the judicial process would be necessary.

Councilmember Courage asked if there was an available displacement funding to assist

individuals who had been evicted. Soto stated that there was a Displacement Program and that housing navigators assisted in providing displacement assistance to include temporary housing and storage. Councilmember Courage asked for clarification on possible availability of funds not utilized by other cities/counties. Soto reviewed the application funding for available funding not used by other cities/counties.

Councilmember Castillo expressed concern regarding an increase in evictions in the upcoming months and noted the need for outreach communications of available assistance. Councilmember Castillo asked if ARPA funding could be used for outreach and assistance. Soto stated that ARPA and CARES funding could not be utilized to provide assistance. Councilmember Castillo asked of the length of time necessary for the application review process. Soto stated that on average, the application review process was 30 days due to the high volume of applications.

Councilmember Courage stated that 15,000 evictions had occurred during the COVID-19 Pandemic. Sara Wamsley stated that there were more evictions in 2018 and stated that 15,000-18,000 was an average of evictions per year. Councilmember Courage stressed that it was important to continue to address evictions and assist individuals. Wamsley stated that information on evictions would be provided.

Councilmember Bravo asked how information could be provided to residents with City Council assistance. Soto stated that navigators have been assigned to each council district and staff would be available for outreach events and meetings.

No Action was required for Item 3.

**4. Briefing on an update on the City's Strategic Housing Implementation Plan (SHIP) public input process and timeline** [Lori Houston, Assistant City Manager; Verónica R. Soto, Director, Neighborhood and Housing Services]

Ian Benavides, Assistance Director, NHSD, provided an update on the SHIP and public meetings conducted for extended outreach. Benavides stated that additional public comment meetings would be conducted in December 2021 and the SHIP City Council approval date had been delayed to December 16, 2021 to include conducted outreach. Benavides reviewed the SHIP timeline and the manner in which the public could engage in the process.

Cynthia Spielman stated that she was disappointed in the lack of public input for the SHIP process. She noted her support of the overall SHIP document and reviewed her areas of concern related to housing production and removing barriers to affordable housing.

Chair Rocha Garcia stated that SHIP input opportunities would be available at the Bond Committee meetings, on the website, via paper surveys and other meetings in order to gain public trust and transparency. Chair Rocha Garcia asked if the SHIP input was available on SA Speak Up. Benavides confirmed that it was. Chair Rocha Garcia spoke of a situation where individuals were not able to provide input at a public event. Benavides was not aware of any incident and confirmed that staff was available to provide information at all meetings.

Councilmember Courage stated that it was important that the details of the SHIP be implemented.

Councilmember Castillo stated that it was important to have engagement and community input in the SHIP process and asked how input was coordinated. Benavides reviewed the available input avenues for residents to use. Councilmember Castillo asked what the process was to implement the strategies for each goal which Benavides reviewed and spoke of available flexibility. Castillo asked if the Bond Committee recommendations would be brought to the Committee. Rod Sanchez, Assistant City Manager confirmed that it would be brought to the committee.

Councilmember Bravo stated that he was pleased that the housing officer would be included in the recommendations to the SHIP and its review. Councilmember Bravo proposed that staff explore the possibility of tying bonuses to meeting public participation metrics.

Chair Rocha Garcia stated that Chief Housing Officer Mark Carmona would be able to provide feedback to the SHIP and communications.

No action was required for Item 4.

#### **5. Housing Dashboard Overview**

Veronica Soto noted that the dashboard update was provided for the Committee to review and ask questions. There were no questions from the Committee.

No action was required for Item 5.

#### **Adjournment**

There being no further discussion, Chair Rocha Garcia adjourned the meeting at 11:57 AM.

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*Dr. Adriana Rocha Garcia, Chairperson*

**Respectfully Submitted**

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*Debbie Racca-Sittre, Interim City Clerk*