

City of San Antonio



Minutes Planning and Community Development Committee

2021 – 2023 Council Members

Dr. Adriana Rocha Garcia, Dist. 4
Phyllis Viagran, Dist. 3 | Teri Castillo, Dist. 5
Ana Sandoval, Dist. 7 | John Courage, Dist. 9

Monday, December 12, 2022

10:00 AM

Council Briefing Room

The City Council convened a regular meeting in City Hall beginning at 10:01 AM. Deputy City Clerk Aurora Perkins took the Roll Call noting a quorum with the following Council Members present:

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

Members Absent: None

Approval of Minutes

1. Approval of minutes from November 14, 2022 Planning and Community Development Committee Meeting

Councilmember Viagran moved to Approve the minutes from the November 14, 2022 Planning and Community Development Committee meeting. Councilmember Castillo seconded the motion. The motion carried by the following vote:

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

Consent Agenda

Briefing and Possible Action on

2 Briefing and possible action on the Proposed petition-initiated Tax Increment Reinvestment Zone #40 - Lone Oak, located near Loop 1604 and IH-37 South in Council District 3. [Lori Houston, Assistant City Manager; Veronica Garcia, Director, Neighborhood and Housing Services]

Ian Benavides, Deputy Director of the Neighborhood and Housing Services Department, provided an overview of the proposed Lone Oak Petition-Initiated Tax Increment Reinvestment Zone (TIRZ) which included 975 total lots. He stated that the developer was requesting reimbursement of costs estimated at \$46.9 million with a total cost of \$270 million and projected revenue of \$27.8 million. He noted that BT Lone Oak Development Company, LLC was the developer of the project and that the project was located in the Heritage South Sector Plan and would meet the Transportation and Housing goals for SA Tomorrow. He noted that the TIRZ would bring affordable housing to the area and would adopt sustainable building practices and sustainability.

He stated that staff recommended a 25 Year TIRZ with a termination date of September 30, 2048 with 85% anticipation rate from the City and discussed the next steps in the approval process to include City Council consideration in 2023.

DISCUSSION

Councilmember Viagran spoke in support of the TIRZ and noted that the area was in need of improved affordable housing. She stated that she looked for support from Bexar County for the area to assist in its growth and improvements.

Chair Rocha Garcia asked for clarification on the proposed zoning of the project. Daniel Ortiz, project attorney, provided clarification on the primarily R-4 zoning which would be 100% single family residential.

Councilmember Courage asked for clarification on costs and the timeline associated with the project and eligible costs for reimbursement to the developer. Benavides provided clarification on the levels of reimbursement and adjustments if thresholds were not met.

Councilmember Courage expressed concern of the total \$27 million eligible reimbursements and if appropriate for reimbursements and that “growth pay for growth”. Assistant City Manager Lori Houston clarified that the developer improvements were indeed paying for the growth and that their costs would not be reimbursements until improvements were completed to include infrastructure.

Councilmember Sandoval asked for clarification on the TIRZ board structure. Benavides reviewed the process for designation of the board and noted that representation would meet State requirements and include developer and City representation on the Board. Councilmember Sandoval asked what amenities would be provided in the project. Developer Paul Basaldua provided clarification on the amenities provided which would not include a grocery store facility but he stated that the development would build the population mass to begin future grocer development in the area.

Councilmember Castillo asked how the development would assist existing residents with sewer and water improvements to the area. Benavides stated that the development would improve the state of poverty and housing to the area. Basaldua stated that the drainage and sewer improvements were being coordinated with SAWS and would build for future drainage and sewer needs. Councilmember Castillo expressed concern regarding impacts to current area residents who would be impacted by construction and possible linkage to improved utilities.

Councilmember Sandoval expressed concern as well for current residents in the area's ability to link into sewer and water improvements rather continue on septic or drainage due to high cost to do so. Benavides stated that the development assisted the future costs and extension of the utilities in the area.

Councilmember Sandoval asked for clarification on Weather Ford establishment in the area. Basaldua provided clarification on the establishment and impact to the area residents.

Councilmember Viagran requested discussions with SAWS to improve water and sewer to current residents in the area and address affordability of connections.

Chair Rocha Garcia stated that there were two additional developments in the area that were being considered and noted that improved utility amenities in the area were usually better afforded by developers.

Councilmember Viagran moved to recommend and forward the Item to the full City Council for consideration at the January 12, 2022 A Session. Councilmember Sandoval seconded the motion. The motion carried by the following vote:

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

3 A briefing and possible action on the City's Affordable Housing Fund. [Lori Houston, Assistant City Manager; Veronica Garcia, Director, Neighborhood & Housing Services]

Neighborhood and Housing Services Director Veronica Garcia provided an overview of the City's Affordable Housing Fund (AHF) to include background and associated programs such as Under One Roof and TIRZ agreements. She noted the AHF funding sources which included TIRZ, Center City Housing Incentive Policy (CCHIP) and the Conduit Debt Issuance Fee (CFIG) Program. She stated that the AHF fund could be used for affordable housing programs city-wide and new housing pilot programs.

DISCUSSION

Chair Rocha Garcia stated that the AHF was impactful to housing needs within the City. She asked when the next round of funding would be provided and asked for data on expenditures and programs funded by council districts.

Councilmember Courage asked for clarification on the projects funded by the program and asked

that expanded funding be provided to the CFG program. Garcia stated that the projects under the AHF included funding for the CCHIP, TIRZ and the CFG fee program.

Councilmember Castillo expressed her support of the Item and possible support of the Housing Trust and home rehabilitation with revenue from the program.

Councilmember Viagran supported points made by Councilmembers Castillo and Courage especially the home rehabilitation programs.

Councilmember Courage asked for consideration of fines revenue to be allocated to home rehabilitation in the future. Assistant City Manager Lori Houston stated that staff would evaluate.

No action was required for Item 3.

- 4 Briefing and possible action on the Proactive Apartment Inspections Task Force and development of potential code changes to address violations at multi-family residential properties.** [Roderick Sanchez, Assistant City Manager; Michael Shannon, Director, Development Services]

PUBLIC COMMENT

Uel Trejo-Rivera spoke in opposition of the proposed Proactive Apartments Inspection Program and code amendments for ‘Bad Actor Landlords’ concepts.

Pedro Aguilar spoke of his concerns of bad landlord actions and accountability.

Willie Rector spoke of her concerns of poor living conditions at apartment facilities and the need of reform and accountability of “slum lord” landlords and apartment management.

Cecilia Galvan, resident of Seven Oaks Apartments, spoke of her concerns of timeliness of management addressing code violations and issues and safety of residents living at these apartment facilities.

Keisha Brown, TOP member, spoke of her concerns of existing code violations which were still needing attention at her apartment facility and the challenges of homelessness.

Celine Williams, a representative of the San Antonio Apartment Association (SAAA), stated that most apartment managed facilities were in good working order and that there was a need to address “bad landlords” and that SAAA was working to address all issues.

PRESENTATION

Michael Shannon, Development Services Director, provided an update to the Proactive Apartment Inspections Task Force to include the hiring of two dedicated code enforcement officers and creation of a stakeholder group to develop a program focused on apartment complexes with a

large number of validations. Shannon reviewed the stakeholder group make-up and actions of the group and noted that stakeholder's had held six meetings since October 18, 2022. He provided an overview of meeting discussion topics, recommendations and future activities.

Shannon stated that the stakeholder group was still evaluating a "bad actor" landlord definition and the number of notices of citations to register a landlord as a "bad actor". He reviewed future topics to be addressed by the stakeholder group to include health and safety violations pertinent to program, inspection frequency, appeal process and coverage costs associated with the program. Shannon stated that staff recommendations were still pending but he anticipated recommendations by March 2023.

DISCUSSION

Chair Rocha Garcia noted the work by staff and the stakeholder groups. She asked if any other City had been benchmarked under the meetings. Shannon stated that staff were looking at what other cities had in place. Chair Rocha Garcia asked for consideration of the Senior Independent Care System in the review by the stakeholder group. Shannon stated that staff would look into the system further and inclusion in stakeholder discussions.

Chair Rocha Garcia asked for clarification on the violation reporting and addressing process. Shannon provided clarification on the process and actions.

Councilmember Castillo asked for consideration of the tiered system associated with the Senior Independent Care System. She expressed concern on the number of citations reported and addressed in a timely manner.

Councilmember Sandoval thanked the Committee for addressing the Item and the actions from staff and the stakeholder group. She noted that the "bad actor" list was set to discourage poor actions and that she supported the concept but that additional actions would still be needed for immediate actions due to safety and health issues. She asked if the proposed Ordinance would address temporary housing when health and safety concerns were in place. Shannon stated that staff could address temporary housing but needed to take into consideration State requirements and options and would work with the City Attorney's Office to address. Councilmember Sandoval asked for possible establishment of a fund to assist in those efforts.

Councilmember Viagran stated that once the program was set in place it would assist in identifying absentee and poor landlords. She stated that she hoped the program would address structural issues to include electrical, plumbing and infestation issues. She asked that high grass, tree issues and vacant vehicles were not included in this program since there were already city-wide programs set to address those issues. She also expressed concern of landlords that retaliated on residents reporting issues and holding landlords accountable for proper maintenance of facilities.

Councilmember Courage asked for evaluation of management companies in the program. He noted that the number of citations given and timely addressing of issues should be considered and placement on "bad actor" list, and asked for clarification on levels of citations in future briefings.

Councilmember Sandoval stated that health and safety concerns should be top priority in a tiered system structure. She asked if the Ordinance could address inspection of a facility when a transfer of ownership occurred. Councilmember Sandoval asked what the relationship was with Opportunity Home and asked if the Ordinance would apply to extended stay hotels. Shannon stated that staff would research the inspection process for property ownership inspections along with the other topics mentioned by Councilmember Sandoval.

Councilmember Castillo requested that multiple minor violations be progressed to higher tier violation classification. She requested that dumpster issues be addressed in the Ordinance.

Councilmember Courage asked for consideration of resident insurance for those individuals that must leave the facility prior to lease term to assist landlords obtaining reimbursement of lost revenue. He supported the concept of possible implementation of \$1 per unit per year collection to help establish a reimbursement fund. Shannon stated that staff would consider the requests. City Attorney Jameene Williams reminded the Committee that there were specific State laws that allowed landlords to collect rental fees when tenants left residences but that staff would research options.

Chair Rocha Garcia noted that it could be beneficial for apartment management companies registration in landlord registry system. She noted that inclusion of extended stay facilities could be included in the Ordinance.

No action was required for Item 4.

Adjournment

There being no further discussion, the meeting was adjourned at 11:42 AM.

Approved

Adriana Rocha Garcia, Chair

Debbie Racca-Sittre, City Clerk