

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

ORDINANCE

AMENDING THE CITY'S HOUSING TAX CREDITS POLICY'S CRITERIA 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.

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WHEREAS, Housing Tax Credits ("HTC"), also known as Low Income Housing Tax Credits or LIHTC, are federal tax subsidies for the construction, rehabilitation, reconstruction, and adaptive reuse of rental properties for vulnerable populations including families, elderly residents, and other special populations with low income; and

WHEREAS, the Texas Department of Housing and Community Affairs ("TDHCA") administers the HTC program, which is one of the primary means of directing private capital toward the development and preservation of affordable rental housing for low income households; and

WHEREAS, on December 10, 2015, in Ordinance No. 2015-12-10-1048, the City Council adopted the City's Affordable Housing Policy which included a written Low-Income Housing Tax Credit Policy ("Policy") concerning the issuance of Resolutions of Support and Resolutions No Objection for developers seeking Housing Tax Credits through TDHCA; and

WHEREAS, on December 14, 2017, the City Council adopted Ordinance No. 2017-12-14-1018 which, in part, modified the Policy by requiring additional information of the proposed development and adjusting the point scale, scoring criteria and scoring recommendation process concerning the issuance of the Resolutions of Support and Resolutions of No Objection for developers seeking Housing Tax Credits through TDHCA; and

WHEREAS, on October 31, 2019, the City council adopted Ordinance No. 2019-10-30-0887 which, in part, changed the name to the "Housing Tax Credit Policy" and modified the Policy by requiring additional information regarding proposed developments, adjusting scoring criteria, and adjusting the scoring recommendation process to ensure transparency and fairness in evaluating applications to align better with TDHCA's requirements and the City's priorities; and

WHEREAS, the Neighborhood and Housing Services Department updates the City's HTC Policy every two years to ensure the City's policy continues to align with other affordable housing related City plans, the state's rules, and to allow the policy to reflect the priorities of each new Council.

WHEREAS, City staff proposes to amend the existing Policy by incorporating two new scoring categories, adding additional options for developers to receive public engagement points, prioritizing the City's Housing Bond projects, and adjusting scoring categories to align better with

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TDHCA's requirements and the City's commitment to provide increased opportunities to create affordable housing for low income households; and

WHEREAS, it is the desire of the City Council to approve staff's recommendation to amend the existing Policy. **NOW THEREFORE:**

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

SECTION 1. The amendments to the City's Housing Tax Credit Policy ("Policy") criteria concerning Resolutions of Support and Resolutions of No Objection, a copy of which is attached hereto and incorporated herein by reference as **Attachment I**, are hereby approved.

SECTION 2. The amended Policy shall take effect on December 1, 2021 and shall be applicable to all applications for Resolutions of Support and Resolutions of No Objection submitted thereafter. All applications that are currently pending or that are submitted before December 1, 2021 shall be considered under the existing policy that will remain in effect until December 1, 2021.

SECTION 3. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 18th day of November, 2021.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, Acting City Clerk

Andrew Segovia, City Attorney