

ORDINANCE

2021-11-18-0873

AUTHORIZING THE ACCEPTANCE OF AN ADDITIONAL \$4,400,000.00 IN U.S. TREASURY EMERGENCY RENTAL ASSISTANCE GRANT FUNDS AND APPROVING AN AMENDED AGREEMENT WITH BEXAR COUNTY FOR ADMINISTRATION OF THE COVID-19 EMERGENCY HOUSING ASSISTANCE PROGRAM TO BEXAR COUNTY RESIDENTS RESIDING OUTSIDE OF THE SAN ANTONIO CITY LIMITS.

* * * * *

WHEREAS, on April 23, 2020, City Council approved, through Ordinance 2020-04-23-0277, the creation of the Emergency Housing Assistance Program ("EHAP"), which is administered by the Neighborhood and Housing Services Department ("NHSD"); and

WHEREAS, the EHAP provides eligible applicants rental, mortgage, and utility assistance; and

WHEREAS, on June 17, 2021, City Council approved, through Ordinance 2021-06-17-0446, a \$5,500,000.00 agreement with Bexar County to provide rental assistance to County residents with U.S. Treasury Emergency Rental Assistance ("ERA") grant funds; and

WHEREAS, Bexar County wishes to provide to the City an additional \$4,400,000.00 in ERA grant funds to support the EHAP by providing funds to Bexar County residents who reside outside the San Antonio city limits and are in need of rental assistance; and

WHEREAS, City staff recommends amending the existing agreement with Bexar County to add the additional \$4,400,000.00 in ERA funds to the existing EHAP for the purpose of the City's administration of the EHAP to Bexar County residents; and

WHEREAS, it is the desire of the City Council to approve staff's recommendation to amend the existing agreement with Bexar County and to accept the additional ERA funds. **NOW THEREFORE:**

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

SECTION 1. The City Council hereby authorizes the acceptance of an additional Four Million, Four Hundred Thousand and 00/100 (\$4,400,000.00) in U.S. Treasury Emergency Rental Assistance ("ERA") grant funds for rental assistance from Bexar County ("County") for the City's administration of the COVID-19 Emergency Housing Assistance Program ("EHAP").

SECTION 2. The City Manager or his designee is authorized to execute the amended agreement with Bexar County for the administration of emergency rental assistance to residents outside the city limits but who reside within Bexar County as a part of the City's COVID-19 Emergency Housing Assistance Program, a copy of said agreement is attached as **Attachment I**.

JYW

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5580-81-11-1505
SECTION 3. The City Manager or his designee, the Director of the Neighborhood and Housing Services Department ("NHSD") or her designee, and the Assistant Director of NHSD are each hereby authorized to negotiate and execute any and all other necessary documents associated with the City's administration of the EHAP including contracts, subawards, and contract amendments to implement and administer the program.

SECTION 4. Upon acceptance of this Ordinance, a new fund and internal order number will be created, upon which the award amount up to \$4,400,000.00 will be appropriated from the U.S. Treasury. A formal final budget which will include Internal Order numbers and General Ledger numbers will be submitted by the department upon receipt.

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 SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts 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.

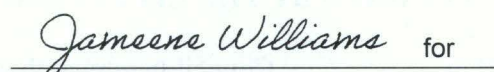
PASSED AND APPROVED this 18th day of November, 2021.


M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:


Debbie Racca-Sittre, Acting City Clerk

 for
Andrew Segovia, City Attorney



City of San Antonio

City Council Meeting November 18, 2021

25.

2021-11-18-0873

Ordinance accepting an additional \$4,400,000 in U.S. Treasury Emergency Rental Assistance grant funds for rental assistance from Bexar County for the Covid-19 Emergency Housing Assistance Program (EHAP). [Lori Houston, Assistant City Manager; Verónica R. Soto, Director, Neighborhood and Housing Services]

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Cabello Havrda seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello
Havrda, Courage, Perry

Absent: Sandoval, Pelaez

JYW
11/18/2021
Item No. 25

ATTACHMENT I

STATE OF TEXAS § **FIRST AMENDMENT TO**
 § **INTERLOCAL GRANT AGREEMENT FOR**
COUNTY OF BEXAR § **THE DISTRIBUTION OF FUNDS**
 § **FOR RENTAL ASSISTANCE**

THIS FIRST AMENDMENT TO THE INTERLOCAL GRANT AGREEMENT FOR THE DISTRIBUTION OF FUNDS FOR RENTAL ASSISTANCE (hereinafter referred to as the “First Amendment”) is made and entered by and between the **COUNTY OF BEXAR**, a political subdivision of the State of Texas (“County”), and the **CITY OF SAN ANTONIO, TEXAS**, a Texas Home Rule Municipality (“City”) Data Universal Number System (DUNS) number 0664284000000 (also, individually, a “Party” or, collectively, the “Parties”), pursuant to the authority granted by the provisions of the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code.

RECITALS

WHEREAS, the Agreement to have the City to distribute rental assistance funds to eligible County residents (“Services”) was approved by San Antonio City Council and by the Bexar County Commissioners Court on June 16, 2021, attached as **Exhibit “E”**;

WHEREAS, the County now wishes to add an additional \$4,400,000 of funding to the Agreement, for a total funding amount of \$9,900,000.

NOW THEREFORE, for and in consideration of the mutual promises contained herein, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

ARTICLE 2
AGREEMENT MODIFICATION

2.01 Section 2.04 of the Agreement. Section 2.04 of the Agreement is deleted and the following is inserted in its place:

“20.04 Following is additional information for pass-through entities pursuant to 2 CFR 200.332:

- a) Federal Award Identification Number: ERA-2101112335
- b) Federal Award Date: January 12, 2021
- c) Name of Federal Awarding Agency: Department of the Treasury
- d) Total Amount of Federal Funds Obligated to CITY by COUNTY including the current financial obligation: \$ 9,900,000.00.
- e) CFDA Number: 21.023”

2.02 Sections 4.01 and 4.02 of the Agreement. Sections 4.01 and 4.02 of the Agreement are deleted and the following are inserted in its place:

“4.01 For actual and eligible Rental Assistance and Administrative Costs (as defined below), COUNTY will reimburse CITY an amount not to exceed **NINE MILLION, NINE**

HUNDRED THOUSAND DOLLARS AND NO CENTS (\$9,900,000).

4.02 COUNTY will reimburse administrative costs allowed under Treasury guidelines ("Administrative Costs"). Pursuant to Treasury guidelines, Administrative Costs can include costs attributable to providing financial assistance and housing stability services, including data collection and reporting requirements related to such funds. Treasury Funds provided by the COUNTY shall reimburse CITY only for those costs and expenses directly related to the CITY's provision of the services described in **Exhibit "A"**. Administrative Costs may not exceed ten percent of the amount of Rental Assistance distributed, an amount not to exceed **NINE HUNDRED THOUSAND DOLLARS (\$900,000).**"

2.03 Section 5.01 of the Agreement. Section 5.01 of the Agreement is deleted and the following is inserted in its place:

"5.01 CITY shall submit to the COUNTY's Economic and Community Development Department ("Department") a monthly invoice package of incurred costs. For purposes of this Agreement, a cost is "incurred" when CITY has expended funds to cover the cost. The invoice package must be submitted, month after month, by the 5th of the following month, until funding has been exhausted. The invoice package should include in the form incorporated into this Agreement as **Exhibit "F"**: (1) an Expenditure Report itemizing Rental Assistance and Administrative Costs; (2) Participating Household Payment Data; (3) Demographic Information; (4) Zip Code Report; (5) Quarterly Report; and (6) ECD Invoice Cover Sheet.

The invoice package should be submitted to:

By mail: Bexar County Economic and Community Development
ATTN: Jo Anne Estrada
233 N. Pecos St., Suite 320
San Antonio, Texas 78207

Upon reasonable notice, CITY shall make the documentation supporting its invoices available to COUNTY for inspection or audit."

- 2.04 Exhibit "E" of the Agreement. Exhibit "E", a copy of which is attached to this First Amendment, is made a part of the Agreement.
- 2.05 Exhibit "F" of the Agreement. Exhibit "F", a copy of which is attached to this First Amendment, is made a part of the Agreement.
- 2.06 The effective date of this First Amendment is October 1, 2021.

ARTICLE 3
OTHER TERMS AND CONDITIONS

- 3.1 The Recitals contained on page 1 of this First Amendment are hereby incorporated by

reference as if fully set forth herein. All capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Agreement.

3.2 Except as modified by this amendment, all other terms and conditions of the Agreement will remain unchanged and in full force and effect.

IN WITNESS WHEREOF, this Agreement is executed on this _____ day of _____, 2021.

COUNTY OF BEXAR:

CITY OF SAN ANTONIO:

By: _____
Nelson W. Wolff
County Judge

By: _____
Verónica R. Soto, FAICP
Director,
Neighborhood and Housing Services
Department

APPROVED AS TO LEGAL FORM:

APPROVED AS TO LEGAL FORM:

By: _____
Sue Jana

Assistant Criminal District Attorney
Civil Division

By: _____

Assistant City Attorney

APPROVED AS TO FINANCIAL CONTENT:

By: _____
Leo S. Caldera, CIA, CGAP
County Auditor

By: _____
David Smith
County Manager

APPROVED:

By: _____
David Marquez
Executive Director of Economic
and Community Development

Exhibit “E”
Original Agreement

Exhibit “F”

EXPENDITURE REPORT

AGENCY NAME: City of San Antonio Invoice No: _____

PROJECT NAME: _____

ADDRESS: 106 S. St. Mary's, 7th Floor, San Antonio, TX 78205

PERIOD COVERED: _____

Certified Correct: _____ County Approval: _____

Title: _____ Date: _____

Zip Code Report

[illegible]

Grand Total		

Demographic Information

Please provide the following disaggregated demographic information for the data element below. For any data fields that do not apply, please enter '0'.

Number of unique households that completed and submitted an application for ERA assistance:

	Disaggregated Categories	#
Race	American Indian or Alaska	
	Asian	
	Black or African American	
	Native Hawaiian or Other	
	White	
	Mixed-Race	
	Declined to Answer	

	Data not Collected	
Ethnicity	Hispanic or Latino	
	Not Hispanic or Latino	
	Declined to Answer	
	Data Not Collected	
Gender	Male	
	Female	
	Non-Binary	
	Declined to Answer	
	Data Not Collected	

Participant Household Payment Data

Address Line	Record the first line of physical address for the Participant Household receiving assistance. *P.O. Boxes cannot be accepted
City Name	Name of the city in which the Payee address is located.
State Code	Report the United States Postal Service (USPS) two-letter abbreviation for the state or territory in which the address of the tenant receiving assistance is located. Valid Responses: (AL, AK, AS, AZ, AR, CA, CO, CT, DE, DC, FM, FL, GA, GU, HI, ID, IL, IN, IA, KS, KY, LA, ME, MH, MD, MA, MI, MN, MS, MO, MT, NE, NV, NH, NJ, NM, NY, NC, ND, MP, OH, OK, OR, PW, PA, PR, RI, SC, SD, TN, TX, UT, VT, VI, VA, WA, WV, WI, WY)
Zip5	Report the United States ZIP code (five digits) concatenated with the additional +4 digits associated with the physical address of the tenant receiving assistance. Format XXXXX, 5 numeric characters.
Payee Type	Here you will identify the type of entity/individual who was paid the ERA assistance. Please copy and paste ONE of the following choices as appropriate: <ul style="list-style-type: none"> - Tenant - Landlord or Owner - Utility / Home Energy Service Provider - Other Housing Services and Eligible Expenses Provider

Amount of Payment	Report the total amount dispersed to the Payee (entity or individual). DO NOT INCLUDE \$ sign when entering amount.
Date of Payment	Report the date which payment was processed to Payee (entity or individual). Format MM/DD/YYYY
Type of Assistance Covered by the payment	<p>Here you will identify the predominant type of ERA assistance covered by the payment to Payee (entity or individual). Please enter copy and paste ONE of the following choices as appropriate:</p> <ul style="list-style-type: none"> - Financial Assistance: Rent; - Financial Assistance: Rental Arrears; - Financial Assistance: Utility/Home Energy Costs; - Financial Assistance: Utility/Home Energy Costs Arrears; - Financial Assistance: Other Housing Costs Incurred due to Covid-19;
Start Date Covered by the Payment	Report the start date indicating the time period covered by the assistance. Format MM/DD/YYYY

ECD Invoice Cover Sheet

	Invoice Date:	
	Invoice Number:	
<p>Community Impact Division</p> <p>City of San Antonio Neighborhood & Housing Services Department</p> <p><u>Monthly Invoice for Emergency Rental Assistance (Administrative Cost)</u></p> <p><u>Information above has been verified and Household Report attached for review.</u></p> <p>Prepared by:</p>		
Approved by:	City of San Antonio Representative	Date

Community Impact Representative

Date

	Invoice Date:	
	Invoice Number:	
<div data-bbox="1104 472 1409 504" style="text-align: right;">Community Impact Division</div> <div data-bbox="440 600 1170 693" style="text-align: center;"> City of San Antonio Neighborhood & Housing Services Department </div> <div data-bbox="368 741 1357 787" style="text-align: center;"> <u>Monthly Invoice for Emergency Rental Assistance (COSA-ERA II)</u> </div> <div data-bbox="440 1488 1284 1522" style="text-align: center;"> <u>Information above has been verified and Household Report attached for review.</u> </div> <div data-bbox="284 1650 430 1686">Prepared by:</div>		
<div data-bbox="277 1749 436 1785">Approved by:</div>	City of San Antonio Representative	Date

Community Impact Representative	Date
Invoice Date:	
Invoice Number:	
<div>Community Impact Division</div> <div> City of San Antonio Neighborhood & Housing Services Department <u>Monthly Invoice for Emergency Rental Assistance (COSA-ERA I)</u> </div> <div> <u>Information above has been verified and Household Report attached for review.</u> </div>	

Prepared by:		
Approved by:	City of San Antonio Representative	Date
	Community Impact Representative	Date

Quarterly report

San Antonio, Texas - QX Month Year- Month Year

	Month Year- Month Year	
HOUSEHOLDS ASSISTED		
	Number of unique households that completed and submitted an application for ERA assistance	
	Total number of unique households that received assistance of any kind under the ERA program	
	Number of unique households that received ERA assistance of any kind for the first time	
ERA ASSISTANCE PROVIDED		
	Number of unique households that received ERA assistance by type	
a	Rent	
b	Rental arrears	
c	Utilities/home energy bills	
d	Utilities/home energy cost arrears	
e	Other expenses related to housing	
f	Housing stability services	
PROTECTING VULNERABLE COMMUNITIES		
Number of unique households at certain income levels:		
less than 30% of the Area Median Income		
Between 30% and 50% of the Area Median Income		

Between 50% and 80% of the Area Median Income	
Total number of households that were deemed categorically eligible to receive ERA assistance based on prior enrollment in other income-based federal benefit programs	
Total number of recipient households whose income eligibility was determined with a fact-based proxy	
Total amount of ERA award paid to or for participating households	
Average Number of Months of Rent or <u>Utility/Home Energy Payments</u> Covered for Each Participant Household	
TOTAL OBLIGATIONS AND EXPENDITURES	
Total Dollar Amount of ERA Award Funds Approved (Obligated) to or for Participant Households	
Total Dollar Amount of ERA Award Funds Paid (Expended) for Administrative Expenses	
Total Dollar Amount of ERA Award Funds Paid (Expended) for Housing Stability Services	
Total Dollar Amount of ERA Award Funds Approved (Obligated) for Housing Stability Services	