

AN ORDINANCE      2009-05-14-0369

**ADOPTING THE 18TH YEAR HOME PARTNERSHIP ENTITLEMENT GRANT (HOME) IN THE AMOUNT OF \$7,079,150.00 AS CONTAINED IN THE FY 2009-2010 CONSOLIDATED PLAN ANNUAL BUDGET; AUTHORIZING THE FY 2009-2010 HOME PROGRAM; AND AUTHORIZING THE SUBMISSION OF THE HOME GRANT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR THE FY 2009-2010 CONSOLIDATED PLAN ANNUAL BUDGET, CERTIFICATION AND OTHER INFORMATION AS REQUIRED BY HUD.**

\* \* \* \* \*

**WHEREAS**, the U.S. Department of Housing and Urban Development (HUD), pursuant to the Housing and Community Development Act of 1974, as amended (Public Law 93-383), provides cities with annual grant support to enable the rehabilitation and development of affordable housing in their urban communities so as to improve conditions for low and moderate income citizens; and

**WHEREAS**, the City of San Antonio, through its HOME Partnership Entitlement Grant (HOME) Program, has administered HOME grant funds annually beginning with fiscal year 1992-1993 (Year 1) and continuing through fiscal year 2008-2009 (Year 17); and

**WHEREAS**, pending completion of all required administrative procedures required for official HUD release of funds, fiscal year 2009-2010 HOME Entitlement funds in the amount of \$7,079,150.00 will become available to the City; and

**WHEREAS**, as required by federal regulation, the Fiscal Year 2009-2010 Consolidated Plan Annual Budget was prepared, encompassing grant funds of the 35<sup>th</sup> Year Community Development Block Grant (CDBG), 18<sup>th</sup> Year HOME, 15<sup>th</sup> Year Emergency Shelter Grant (ESG), and the 15<sup>th</sup> Year Housing Opportunities for Persons with AIDS Grant (HOPWA); and

**WHEREAS**, citizen recommendations regarding the allocation of the aforesaid grant funds have heretofore been received at neighborhood and city-wide meetings and at public hearings, notices of which were duly posted; and

**WHEREAS**, pursuant to applicable HUD regulations designed to ensure adequate citizen input, a public hearing is required in this instance; and

**WHEREAS**, the required notice having been duly published, and said public hearing having been held before City Council on May 14, 2009, it is now the desire of the City, having considered the aforesaid citizen recommendations, to approve the HOME Budget as part of the Fiscal Year 2009-2010 Consolidated Plan Annual Budget and to fund the 18<sup>th</sup> Year HOME Program on the City's books; **NOW THEREFORE:**

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

**SECTION 1.** The HOME Program Budget of the Fiscal Year 2009-2010 Consolidated Plan Annual Budget is hereby approved and adopted as set forth therein, a copy of which is affixed hereto and incorporated by reference herein as **Attachment I**.

**SECTION 2.** The City Manager, or, in her stead, a Deputy City Manager, an Assistant City Manager, an Assistant to the City Manager or the Grants Administration Manager of the Office of Grants Monitoring and Administration is hereby authorized to submit to the U.S. Department of Housing and Urban Development (HUD) the document set forth herein as **Attachment I**, with certifications, as well as such other information as required by HUD for award of the aforesaid entitlement funds.

**SECTION 3.** Subject to and upon award of the aforesaid grant funds, the City Manager, or, in her stead, a Deputy City Manager, an Assistant City Manager, an Assistant to the City Manager or the Grants Administration Manager of the Office of Grants Monitoring and Administration is hereby authorized to accept same and to execute any and all documents required by HUD in connection therewith.

**SECTION 4.** The Eighteenth (18<sup>th</sup>) Year HOME Partnership Entitlement Grant (HOME) Program beginning October 1, 2009 and terminating September 30, 2010 is hereby authorized.

**SECTION 5.** Fund No. 25018000 entitled, "HOME Entitlement Grant Eighteenth (18<sup>th</sup>)Year" is hereby designated for use in accounting for the above-stated grant and the sum of \$7,079,150.00 is hereby appropriated in said fund for allocations to projects as set out in the detailed budget affixed hereto and incorporated herein for all purposes as **Attachment I**.

**SECTION 6.** All projects in the HOME Partnership Entitlement Grant Program Funds for the Seventeenth (17<sup>th</sup>) Year with completed scopes of work are hereby closed and unexpended grant monies and program income in said funds are hereby authorized to be retained by the City in the Unallocated Contingency account for future reprogramming action.

**SECTION 7.** The City Manager, or in her stead, a Deputy City Manager, an Assistant City Manager, an Assistant to the City Manager, or the Grants Administration Manager of the Office of Grants Monitoring and Administration is hereby authorized and directed to carry out the administration of the Eighteenth (18<sup>th</sup>) Year HOME Program. Such administration shall include, but not be limited to, the execution of any and all contracts and other documents necessary in connection with the 18<sup>th</sup> Year HOME Program and the reaffirmation of any and all assurances required of the City by HUD.

**SECTION 8.** The Grants Administration Manager of the Office of Grants Monitoring and Administration is hereby designated the Program Manager for the HOME Program. Further program responsibilities shall be as follows:

- (a) The Office of Grants Monitoring and Administration shall administer and monitor all HOME program and fiscal activities and requests;

- (b) The Human Resources Department shall monitor all projects and sub-agencies as necessary for compliance with all equal employment opportunity rules, regulations, policies and laws;
- (c) The Department of Economic Development shall monitor all projects and sub-agencies as necessary for compliance with local, state and federal MBE-WBE rules, regulations, policies and laws;
- (d) The Community Initiatives Department shall monitor, where applicable, fair housing compliance and shall administer the handling and resolution of complaints related thereto;
- (e) The Office of the City Auditor shall accomplish fiscal and program compliance audits of the sub-grantee agencies in the HOME program in compliance with OMB A-133, and in coordination with the City's annual independent audit; and
- (f) The City Attorney's Office shall provide legal services including, but not limited to, contract and loan development and review and the preparation of legal opinions to resolve questions of regulatory application associated with the development and administration of HUD programs administered by the City's Department of Grants Monitoring and Administration.

**SECTION 9.** The personnel classifications and pay ranges set forth in **Attachment II** affixed hereto and incorporated herein for all purposes are hereby authorized for carrying out aspects of the approved 18<sup>th</sup> Year HOME Program.

**SECTION 10.** The Finance Department is hereby authorized and directed in its payments to other agencies to follow drawdown procedures established by both the City of San Antonio and HUD, whereby HOME funds shall be drawn down prior to other funds in the case of multi-funded projects where not in conflict with other federal requirements. The Finance Department is further directed to ensure that prior to processing any and all fiscal requests related to Fund Number 25018000 HOME accounts, each such request has received prior compliance review and approval by the Grants Administration Manager of the Office of Grants Monitoring and Administration, or her designated representative, and such review and approval has been indicated by their signatures or initials affixed to said fiscal requests.

**SECTION 11.** The City Manager, or in her stead, a Deputy City Manager, an Assistant City Manager, an Assistant to the City Manager, or the Grants Administration Manager of the Office of Grants Monitoring and Administration is hereby directed to monitor all HOME-funded project activities so as to assure compliance with goals and objectives adopted by City Council; substantial fiscal or programmatic changes thereto shall in all cases be approved by City Council.

**SECTION 12.** The City Manager, or in her stead, a Deputy City Manager, an Assistant City Manager, an Assistant to the City Manager, or the Grants Administration Manager of the Office of Grants Monitoring and Administration is hereby given authority to approve the 18<sup>th</sup> Year HOME Program Administrative budget for the City's Office of Grants Monitoring and Administration with a total budget not to exceed that set forth pursuant to **Attachment I** affixed hereto.

**SECTION 13.** The San Antonio Neighborhood Housing Services (NHS) [CHDO] is hereby authorized to establish the HOME Revolving Loan Fund for its HOME-funded housing programs, and loan repayments and interest, designated as program income, are hereby authorized to be deposited in 2009-2010 in said Revolving Loan Fund. Funds therein shall be used for additional loans in compliance with the NHS HOME housing programs, as incorporated in the HOME Policy Guide and as approved by the City. San Antonio NHS shall report program income revenues and expenditures to be received by the Office of Grants Monitoring and Administration staff on or before the tenth (10th) calendar day of each month. In compliance with HUD regulations, the Finance Department, upon receipt of the revenue and expenditure reports, is hereby authorized to incorporate the program income in Fund Number 25018000, and to appropriate said amounts to HOME Project entitled "NHS Revolving Loan Account."

**SECTION 14.** The San Antonio Alternative Housing Corporation (SAAHC) is hereby authorized to establish the HOME Revolving Loan Fund for its HOME-funded housing programs, and loan repayments and interest, designated as program income, are hereby authorized to be deposited in 2009-2010 in said Revolving Loan Fund. Funds therein shall be used for additional loans in compliance with the SAAHC HOME housing programs, as incorporated in the HOME Policy Guide and as approved by the City. The San Antonio Alternative Housing Corporation shall report program income revenues and expenditures to be received by the Office of Grants Monitoring and Administration staff on or before the tenth (10th) calendar day of each month. In compliance with HUD regulations, the Finance Department, upon receipt of the revenue and expenditure reports, is hereby authorized to incorporate the program income in Fund Number 25018000, and to appropriate said amounts to HOME Project entitled "SAAHC Revolving Loan Account."

**SECTION 15.** The Office of Grants Monitoring and Administration's Grants Administration Manager is hereby authorized to execute any and all agreements with sub-recipients and/or City departments for each project delineated in **Attachment I**. Further, the Director of the Housing and Neighborhood Services Department is hereby authorized to execute any and all loan documents in connection with the Homeownership Incentive Program, Owner-Occupied Housing Rehabilitation, Rental Rehabilitation and Housing Revitalization projects delineated in **Attachment I**. Sub-recipient contracts and project loan documents are hereby required to contain acceptable detailed performance indicators for each project and the information for such contracts and loan documents must be finalized by no later than November 1, 2009 in order to facilitate their execution. The Directors of the Grants Monitoring and Administration and Finance Departments are hereby authorized to cancel and move the full budget allocation provided to any project for which acceptable required loan document information or performance indicators are not provided, or for which information for contract/loan document execution has not been received by the appropriate City department by November 1, 2009, to the HOME Contingency Account in preparation for timely reprogramming to other eligible activities. Additionally, the Office of Grants Monitoring and Administration's Grants Administration Manager is hereby authorized to cancel any project activity set-up in the HUD IDIS system for which no activity is evidenced for a forty-five (45) day period.

**SECTION 16.** The Grants Administration Manager of the Office of Grants Monitoring and Administration is hereby authorized to cancel and reprogram any and all budget allocations provided to any project, in the event any sub-recipient contract and/or interdepartmental agreement is not executed by January 1, 2010.

**SECTION 17.** All Assistant City Managers, Assistants to the City Manager, and the Grants Administration Manager of the Office of Grants Monitoring and Administration are hereby designated and authorized as representatives of the City Manager for the purpose of HOME program administration and communication with HUD.

**SECTION 18.** The City Manager, or in her stead, a Deputy City Manager, an Assistant City Manager, an Assistant to the City Manager or the Grants Administration Manager of the Office of Grants Monitoring and Administration is hereby authorized to approve budget adjustments within project allocations to conform with actual expenditures if line item cost overruns occur or are anticipated.

**SECTION 19.** The City Manager, or in her stead, a Deputy City Manager, an Assistant City Manager, an Assistant to the City Manager or the Office of Grants Monitoring and Administration's Grants Administration Manager is hereby authorized to complete all documents required by HUD to officially close projects and program financial records following completion of the contracted scope-of-work.

**SECTION 20.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance 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, SAP GL Account Numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 21.** This ordinance shall be effective on and after May 24, 2009.

PASSED AND APPROVED this 14<sup>th</sup> day of May, 2009.



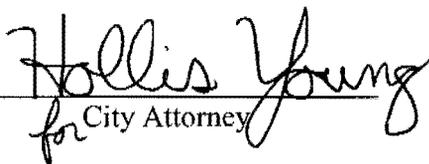
M A Y O R

ATTEST:



City Clerk

APPROVED AS TO FORM



for City Attorney

<b>Agenda Item:</b>	<b>7B ( in consent vote: 7B, 7C, 7D )</b>						
<b>Date:</b>	05/14/2009						
<b>Time:</b>	04:56:31 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance adopting the 18th year Home Partnership Entitlement Grant (HOME) in the amount of \$7,079,150.00 as contained in the FY 2009-2010 Consolidated Plan Annual Budget; authorizing the FY 2009-2010 HOME program; and authorizing the submission of the HOME Grant to the U.S. Department of Housing and Urban Development (HUD) for FY 2009-2010 Consolidated Plan Annual Budget, certification and other information as required to HUD.						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x			x	
Sheila D. McNeil	District 2		x				x
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6		x				
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				
Louis E. Rowe	District 9	x					
John G. Clamp	District 10		x				

**CITY OF SAN ANTONIO  
GRANTS MONITORING AND ADMINISTRATION  
FY 2009-2010 PROPOSED CONSOLIDATED ANNUAL PLAN/BUDGET  
HOME PROPOSED BUDGET SUMMARY**

***HOME Revenues***

FY 2009-2010 HOME Investment Partnerships (HOME) Entitlement	<u>7,079,150.00</u>
<b>Total FY 2009-2010 HOME Revenues</b>	<b>7,079,150.00</b>

***Proposed HOME Budget Category Allocations***

CHDO Set-Aside & First-time Homebuyer Programs (15%)	1,061,873.00
Downpayment and Closing Costs Assistance	1,000,000.00
HOME Program Administration (10%)	707,915.00
Housing Rehabilitation and Reconstruction	2,364,362.00
Multi-Family New Construction	<u>1,945,000.00</u>
<b>Total FY 2009-2010 Proposed HOME Allocations</b>	<b>7,079,150.00</b>

***Proposed HOME Projects***

**Proposed Allocation**

**Program Administration**

Grants Monitoring & Administration Program Monitoring and Oversight	707,915.00
<b>Total Proposed Administration</b>	<b>\$707,915.00</b>

**First-Time Homebuyer Program (CHDO Set-aside)**

Avenida Guadalupe Association	300,000.00
San Antonio Alternative Housing Corp. (People Helping People)	<u>761,873.00</u>
<b>Total Proposed First-Time Homebuyer</b>	<b>\$1,061,873.00</b>

**Downpayment Assistance**

Housing & Neighborhood Services Homeownership Incentive Program (HIP)	<u>1,000,000.00</u>
<b>Total Proposed Downpayment Assistance</b>	<b>\$1,000,000.00</b>

**Housing Rehabilitation/Reconstruction Program**

Housing & Neighborhood Services Owner-Occupied Rehab./Recon.	1,300,000.00
Housing & Neighborhood Services Rental Rehabilitation Program	<u>1,064,362.00</u>
<b>Total Proposed Housing Rehabilitation/Reconstruction</b>	<b>\$2,364,362.00</b>

**Multifamily Rental New Construction**

Darson Marie Terrace	745,000.00
The Mirabella Apartments	<u>1,200,000.00</u>
<b>Total Proposed Multifamily Rental New Construction</b>	<b>\$1,945,000.00</b>

<b>Total Proposed HOME Allocations</b>	<b>\$7,079,150.00</b>
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ATTACHMENT II

CDBG FUNDED PERSONNEL CLASSIFICATIONS  
&  
PAY RANGES

MONITORING & OVERSIGHT  
*Housing & Community Development*

<u>Job Class</u>	<u>Job Title</u>	<u>#of Positions</u>	<u>Business Area</u>
0040	Administrative Assistant I	1	3100
0046	Management Analyst	9	3100
0156	Contract Coordinator	5	3100
0178	Contract Manager	3	3100
0826	Fiscal Planning Manger	1	3100
0909	Customer Services Representative	1	3100
1020	Grants Administrator	1	3100
1076	Executive Secretary	1	3100
2063	Administrative Associate	2	3100

HOUSING SERVICES ADMINISTRATION  
*Housing & Neighborhood Services*

0040	Administrative Assistant I	1		6100	
0041	Administrative Assistant II		2		6100
0161	Sr. Planner	1		6100	
0555	Sr. Construction Inspector		1		6100
0558	Construction Specialists I	6		6100	
0559	Construction Specialists II	2		6100	
0561	Construction Supervisor	4		6100	
0892	Fiscal Officer	1		6100	
0910	Sr. Customer Service Representative	3		6100	
0978	Housing Loan Officer	4		6100	
0979	Housing Loan Coordinator		1		6100
2063	Administrative Associate	1		6100	

CODE COMPLIANCE  
*Housing & Neighborhood Services*

0506	Code Enforcement Investigators	4		6100
0507	Code Compliance Supervisor	1		6100

CDBG FAIR HOUSING ADMINISTRATION  
*Community Initiatives*

<u>Job Class</u>	<u>Job Title</u>	<u>#of Positions</u>	<u>Business Area</u>
0017	Secretary I	1	3800
0918	Program Manager	1	3800
0971	Community Services Specialist	2.5	3800

## ATTACHMENT II

### COMMUNITY DEVELOPMENT SERVICES

#### *Planning & Community Development*

0125	Real Estate Specialist	1	5000
0146	Sr. GIS Analyst	1	5000
0870	Special Projects Coordinator	1	5000
0937	Community Development Coordinator	1	5000
1069	Assistant Planning Director	1	5000

### CDBG /HOME GRANTS ACCOUNTING

#### *Finance*

0927	Financial Accountant	1	0700
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### EMPOWERMENT ZONE OUTREACH AND TECHNICAL ASSISTANCE

#### *Economic Development*

0923	Sr. Economic Development Specialist	1	1600
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### NEIGHBORHOOD COMMERCIAL REVITALIZATION ADMINISTRATION

#### *Housing & Neighborhood Services*

0040	Administrative Assistant I	1	6100
0161	Sr. Planner	1	6100
0923	Sr. Economic Development Specialist	1	6100

### LEGAL ADMINISTRATION

#### *City Attorney's Office*

0015	Paralegal	1	0600
0063	Assistant City Attorney II	1	0600
0065	Assistant City Attorney III	1	0600
0093	Legal Secretary	2	0600

ATTACHMENT II

HOME FUNDED PERSONNEL CLASSIFICATIONS  
&  
PAY RANGES

<u>Job Class</u>	<u>Job Title</u>	<u>#of Positions</u>	<u>Business Area</u>
0046	Management Analyst	4	3100
2063	Administrative Associate	1	3100

ESG/ HOPWA ADMINISTRATION  
*DCI, Community Action Division*

0046	Management Analyst	1	3800
0961	Caseworker I	1	3800
0971	Caseworker II	2	3800