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01/14/2016
Item No. 17

AN ORDINANCE 2016-01-14-0011

AUTHORIZING THE REPROGRAMMING OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FUNDS IN THE AMOUNT OF $3,541,831.12 AVAILABLE FROM PROGRAM INCOME TO NINE INFRASTRUCTURE PROJECTS, ONE COMMUNITY FACILITY PROJECT, AND COMPREHENSIVE PLANNING; AND AUTHORIZING THE REPROGRAMMING OF $993,500.00 IN HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) FUNDS AVAILABLE FROM TWO CANCELLED PROJECTS TO ONE COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO) SINGLE-FAMILY NEW CONSTRUCTION PROJECT AND TWO RENTAL HOUSING DEVELOPMENT GAP FINANCING PROJECTS; SUBSTANTIALLY AMENDING THE FY 2016 ANNUAL ACTION PLAN AND BUDGET; AUTHORIZING THE CLOSE-OUT AND CANCELLATION OF THE AFFECTED PROJECTS AND THE CREATION OF NEW PROJECT BUDGETS; AUTHORIZING THE EXECUTION AND SUBMISSION OF CONTRACTS AND OTHER DOCUMENTS AS NECESSARY; AND PROVIDING FOR PAYMENT.

* * * * *

WHEREAS, Community Development Block Grant (CDBG) funds and Home Investment Partnerships Program (HOME) funds available in previously-appropriated projects may, pursuant to regulations of the U.S. Department of Housing and Urban Development (HUD), be retained by grantees for reprogramming to provide supplementation to existing projects and/or funding in support of new programs; and

WHEREAS, the City of San Antonio ("City") is a CDBG and HOME fund grantee; and

WHEREAS, in connection with the current CDBG Program, the sum of $3,541,831.12 is currently available in CDBG funds for said reprogramming and allocation; and

WHEREAS, it is the desire of the City to use said funds for eligible housing and community development activities consistent with the Five Year Consolidated Plan; and

WHEREAS, in connection with the current HOME Program, the sum of $993,500.00 is currently available in HOME funds for said reprogramming and allocation; and

WHEREAS, it is the desire of the City to reprogram and allocate said funds to one Community Housing Development Organization (CHDO) Single-Family New Construction project and to two Rental Housing Development Gap Financing projects; and

WHEREAS, it is necessary to authorize a substantial amendment to the City's FY 2016 Consolidated Annual Action Plan and Budget to reprogram funds in said budgets; and

WHEREAS, pursuant to applicable HUD regulations, statutory requirements, and/or City Council policy designed to ensure adequate citizen input, a public hearing is required prior to any reprogramming of or modification to funds and projects, respectively, and prior to the adoption of activities under the City's Community Development Program; and

WHEREAS, the required notice having been duly published, and said public hearing having been held before City Council on January 14, 2016, it is now the desire of the City to formally resolve the issues of allocating reprogrammable CDBG and HOME funds; **NOW THEREFORE:**

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

SECTION 1. Revisions to the Community Development Block Grant (CDBG) projects and the modifications to the budgets and reprogramming in support thereof in an amount not to exceed $3,541,831.12 available from Program Income to eligible housing and community development activities consistent with the Five Year Consolidated Plan, are hereby authorized in accordance with the budget revision schedule affixed hereto and incorporated by reference herein for all purposes as **Attachment I.** Revisions to the Home Investment Partnerships Program (HOME) projects and the modifications to the budgets and reprogramming in support thereof in an amount not to exceed $993,500.00 available from two cancelled projects to one Community Housing Development Organization (CHDO) Single-Family New Construction project and two Rental Housing Development Gap Financing projects, are hereby authorized in accordance with the budget revision schedule affixed hereto and incorporated by reference herein for all purposes as **Attachment II.** Said funds are hereby authorized to be reprogrammed to cover existing project shortfalls, modifications, and/or the creation of new CDBG and HOME projects in accordance with **Attachments I and II** and the allocation and appropriation of funds consistent with **Attachments I and II** are hereby authorized.

SECTION 2. Budget adjustments within project allocations to conform with actual expenditures if line item cost overruns occur or are anticipated is hereby authorized. The close-out and cancellation of affected projects and the creation of new projects and project budgets in accordance with **Attachments I and II** is hereby authorized.

SECTION 3. The City Manager or her designee, the Director of the Department of Planning and Community Development or the Grants Administrator of the Division 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; authorizing the close-out and cancellation of affected projects and the creation of new projects and project budgets, and authorizing the execution and submission of contracts and other documents as necessary; and providing for payment.

SECTION 4. The appropriations, reallocations, expenditures, encumbrances, and budget revisions necessitated and scheduled pursuant to the aforesaid **Attachments I and II** are hereby authorized for entry into the City's accounting system.

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SECTION 5. The Director of the City's Finance Department is hereby authorized to effect on the books of the City the cancellations, revisions, and reprogramming in support thereof, set forth in **Attachments I and II**. The City Manager or her designee, the Director of the Department of Planning and Community Development or the Grants Administrator of the Division of Grants Monitoring and Administration is hereby authorized to execute any and all contracts and other documents as necessary for: (a) implementation of the reductions, revisions, and reprogramming set forth in **Attachments I and II**; and (b) compliance with the U.S. Department of Housing and Urban Development (HUD) rules, regulations, and procedures, and to submit all certifications and such other information to and as required by HUD.

SECTION 6. A substantial amendment to the City's FY 2016 Consolidated Annual Action Plan and Budget to reprogram funds in the CDBG and HOME budgets is hereby authorized. The Grants Administrator of the Division of Grants Monitoring and Administration is hereby authorized to execute any and all documents in connection with said amendment.

SECTION 7. 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, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 8. This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 14th day of January, 2016.

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

for Martha G. Sepeda, Acting City Attorney

Agenda Item:	**17**
Date:	01/14/2016
Time:	09:42:55 AM
Vote Type:	Motion to Approve
Description:	A Public Hearing and consideration of an Ordinance substantially amending the FY 2016 Annual Action Plan and Budget by authorizing the reprogramming of FY 2004-2010 Community Development Block Grant (CDBG) funds in the amount of $3,541,831.12 to nine infrastructure projects, one community facility project, and comprehensive planning; and authorizing the reprogramming of $993,500.00 in HOME Investment Partnerships Program funds from two cancelled projects to one Community Housing Development Organization Single-Family New Construction project and two Rental Housing Development Gap Financing projects. [Peter Zanoni, Deputy City Manager; John Dugan, Planning and Community Development]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x			x	
Rey Saldaña	District 4		x				x
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				
Cris Medina	District 7		x				

Attachment I

CDBG Reprogramming Sources

Fiscal Year	HUD Program	Activity Name	I/O	SAP Approved Budget	Expenses To Date	Variance
2004	CDBG	CDBG 30th Year	131000001055	$ 212,083.32	$ -	$ 212,083.32
2006	CDBG	CDBG Riverwalk Place Lease	131000001375	$ 737,079.55	$ -	$ 737,079.55
2007	CDBG	CDBG 32nd Year	131000001389	$ 749,946.78	$ -	$ 749,946.78
2008	CDBG	RHEJAY, INC CATARINA 2008	131000001507	$ 31,633.72	$ -	$ 31,633.72
2008	CDBG	Silversmith Lease 2008	131000001508	$ 40,921.17	$ -	$ 40,921.17
2008	CDBG	MEGUSTA CIGAR SPIRIT SA Lease 2008	131000001509	$ 52,258.42	$ -	$ 52,258.42
2008	CDBG	PAKAL TIENDAS DEL RIO Lease 2008	131000001510	$ 97,315.50	$ -	$ 97,315.50
2008	CDBG	CDBG 33rd Year	131000001521	$ 45,850.52	$ -	$ 45,850.52
2009	CDBG	Code Compliance Enforcement 2009	131000001613	$ 13,148.23	$ -	$ 13,148.23
2009	CDBG	RHEJAY, INC CATARINA 2009	131000001670	$ 258,327.08	$ -	$ 258,327.08
2009	CDBG	Silversmith Lease 2009	131000001671	$ 125,575.60	$ -	$ 125,575.60
2009	CDBG	MEGUSTA CIGAR SPIRIT SA Lease 2009	131000001672	$ 230,321.33	$ -	$ 230,321.33
2009	CDBG	PAKAL TIENDAS DEL RIO Lease 2009	131000001673	$ 367,059.10	$ -	$ 367,059.10
2010	CDBG	SADA HISTORIC GARDENS Program Income	131000001824	$ 580,310.80	$ -	$ 580,310.80
					Total Sources	**$ 3,541,831.12**

CDBG Reprogramming Uses

Fiscal Year	HUD Program	Project Name	Award Amount
2016	CDBG	SMP / CDBG Swap: Lamar Street Reconstruction, Austin to N. New Braunfels (D2)	$ 949,679.79
2016	CDBG	SMP / CDBG Swap: Shirley Street Reconstruction, Hood to Carson (D2)	$ 385,241.45
2016	CDBG	Community Facility Improvement, Neighborhood Place (D6)	$ 250,000.00
2016	CDBG	Planning and Administration: Comprehensive Plan (CW)	$ 550,909.88
2016	CDBG	W. Ashby Pl. Sidewalk Construction (Blanco Rd. to Grant Ave.) (D1)	$ 141,510.00
2016	CDBG	Hays St. Side Walk Construction (N. Walters to N. Grimes) (D2)	$ 162,878.00
2016	CDBG	White St. Reconstruction (Mosaly to Flores) (D3)	$ 155,461.66
2016	CDBG	Glengarden Sidewalk Construction (Navajo St. to Longmeadow Dr.) (D4)	$ 183,586.83
2016	CDBG	S. Medina St. Extension (Colima to Vera Cruz) (D5)	$ 312,000.00
2016	CDBG	Irma Ave. Reconstruction (SW 42nd St. to the Cul-de-Sac) (D6)	$ 299,600.10
2016	CDBG	Cincinnati Ave. Sidewalk Construction (Wilson to Woodlawn Lake)(D7)	$ 150,963.41
		Total Uses	**$ 3,541,831.12**

Attachment II

HOME Reprogramming Sources

Fiscal Year	HUD Program	Activity Name	I/O	SAP Approved Budget	Expenses To Date	Variance
2014	HOME	Multi-family Rental Development Program (Merchants Ice Loft)	150000000073	600,000.00		600,000.00
2014	HOME	Multi-family Rental Development Program (Cypress Cove Apartments)	150000000075	212,677.32		212,677.32
2015	HOME	Multi-family Rental Development Program (Cypress Cove Apartments)	150000000075	172,774.00		172,774.00
2015	HOME	Multi-family Rental Development Program (Cypress Cove Apartments)	150000000075	8,048.68		8,048.68
					Total Sources	**993,500.00**

HOME Reprogramming Uses

Fiscal Year	HUD Program	Project Name	Award Amount
2016	HOME	CHDO Set Aside Single Family New Construction (Lenwood Heights)(D6)	359,100.00
2016	HOME	Multi-family Rental Development Program (Artisan at Judson Road)(D10)	484,400.00
2016	HOME	Multi-family Rental Development Program (Acme Road Apartments)(D6)	150,000.00
		Total Uses	**993,500.00**