

City of San Antonio



AGENDA Mayor's Task Force on Preserving Dynamic and Diverse Neighborhoods

Tuesday, February 3, 2015

3:30 PM

Media Briefing Room

A MEETING OF THE MAYOR'S TASK FORCE ON PRESERVING DYNAMIC AND DIVERSE NEIGHBORHOODS WILL BE HELD AT THE CITY HALL, MEDIA BRIEFING ROOM, 100 MILITARY PLAZA, SAN ANTONIO, TEXAS 78205 ON TUESDAY, FEBRUARY 3, 2015 AT 3:30 P.M., TO CONSIDER THE FOLLOWING MATTERS:

1. Approval of the minutes from the January 29, 2015 meeting of the Mayor's Task Force on Preserving Dynamic and Diverse Neighborhoods

Briefing and Possible Action on

2. A briefing on Neighborhood Empowerment Zone [Edward Guzman, Assistant City Attorney]
3. A briefing and discussion on the zoning notification process [Christopher Looney, Policy Administrator, Development Services]
4. Fair Housing/Housing Counseling Program Update [Melody Woosley, Director, Human Services]
5. A discussion and review regarding the draft of the report to be presented to the Quality of Life Committee [Lori Houston, Director, Center City Development & Operations]

Adjourn

At any time during the meeting, the Task Force may meet in executive session regarding any of the matters posted above pursuant to Texas Government Code Section 551.071 (consultation with attorney).

DISABILITY ACCESS STATEMENT

This meeting place is accessible to persons with disabilities. City Hall and Municipal Plaza Building are wheelchair accessible. The accessible entrance for City Hall is an accessible Entry Ramp on Westside of Building located at 100 Military Plaza. The accessible entrance for Municipal Plaza is located at 114 W. Commerce. Auxiliary Aids and Services are available upon request (Interpreters for the Deaf must be requested forty-eight (48) hours prior to the meeting.) For assistance, call (210) 207-7268 or 711 Texas Relay Service for the Deaf.

Item 1

Approval of the minutes from the January 29, 2015
meeting of the Mayor's Task Force on Preserving
Dynamic and Diverse Neighborhoods

MAYOR'S TASK FORCE ON PRESERVING DYNAMIC AND DIVERSE NEIGHBORHOODS
MEETING MINUTES
THURSDAY, JANUARY 29, 2015
3:30 PM
MEDIA BRIEFING ROOM

Members Present: Mayor Ivy R. Taylor, Chair
Councilmember Roberto C. Treviño, *District 1*
Councilmember Rebecca Viagran, *District 3*
Councilmember Rey Saldaña, *District 4*
Councilmember Shirley Gonzales, *District 5*
Dr. Christine Drennon
Jackie Gorman
Nettie Hinton
Richard Milk
Rod Radle
Susan Sheeran

Members Absent: Maria Berriozabal, David Adelman

Staff Present: Councilmember Alan Warrick II, *District 2*; Carlos Contreras, *Assistant City Manager*; Colleen Swain, *Assistant Director, CCDO*; Mike Etienne, *Director, East Point*; Michael Taylor, *Interim Assistant Director, DPCD*; Lori Houston, *Director, CCDO*; Melody Woosley, *Director, DHS*; Richard Keith, *Assistant Director, DHS*; Edward Guzman, *City Attorney's Office*; Francesca Caballero, *Office of the Mayor*; John Stevens, *OHP*; Aurora Perkins, *CCDO*; Sarah Esserlieu, *CCDO*; Angela Cardona, *District 3*; Derek Roberts, *District 2*; Christopher Lazaro, *DPCD*; Lisa Lopez, *Office of the City Clerk*

Others Present: Page Graham, *Rivard Report*; Krystine Ramirez, *Kaufman & Killen*; Cosima Colvin, *FRED*; Arturo Trejo, *Southwest Worker's Union*

Call to Order

Mayor Taylor called the meeting to order.

1. Approval of minutes from the January 16, 2015 meeting of the Task Force on Preserving Dynamic and Diverse Neighborhoods

Lisa Lopez reported the corrections made regarding the date noted on the minutes, and the absence of Councilmember Saldaña.

Councilmember Saldaña noted the correction of David Adelman's name.

Richard Milk noted that the request for research regarding feasibility of Inclusionary Upzoning was not referenced in the minutes.

Councilmember Saldaña moved to approve the minutes as amended. Susan Sheeran seconded the motion. Motion carried unanimously by those present.

Briefing on:

MTFPDDN
2015.01.29

2. Tenant Council Program Design.

Richard Keith reported that a Tenant Council is typically established by the residents of an apartment complex as a way to address issues with the Landlord. He noted that this can sometimes yield faster results for the Tenants. He cited the work performed by Texas Low-Income Housing Information Service (TxLIHIS) who advocate for affordable housing. He spoke of the Austin Tenant Council that advocates for social justice in Housing and functions as a Fair Housing Program. He stated that HUD provides for funding for Fair Housing Services to City and County Governments under CDBG Grants and to non-profit organizations under the Fair Housing Assistance Program (FHAP) and the Fair Housing Initiatives Program (FHIP). He discussed the Fair Housing Council of Greater San Antonio and the City of San Antonio's Fair Housing Counseling Program that provide the same type of services as the Austin Tenant Council. He noted that these programs provide Fair Housing Education in the community; seek to resolve tenant/landlord disputes; and provide referral information for other relevant services. He stated that the City also provides Foreclosure Prevention Counseling; Financial Literacy and Predatory Lending Education; and Home Equity Conversion Education. In cases of displacement, he stated that DHS Counselors assist families in identifying available housing and provide limited financial assistance. He reported that their recommendations are: 1) Consider designating the Fair Housing Counseling Program and Fair Housing Council of Greater San Antonio as resources to residents that are impacted by investment in Inner City Neighborhoods; and 2) Have an evaluation provision to review the demand for services and capacity as it stands after a year of providing services.

Christine Drennon inquired about the number of Staff; Mr. Keith responded that there are six employees with the Fair Housing Counseling Program and five employees with the Fair Housing Greater Council of San Antonio. He outlined their process in dealing with renters who are evicted. Ms. Drennon requested further discussion on additional services that could be provided.

Councilmember Treviño cited the importance of notification after a Zoning change and how the information is communicated.

Nettie Hinton inquired how the citizens know that these Organizations exist. Carlos Contreras emphasized the importance of outreach and communication.

Councilmember Saldaña cited an incident in his District whereby a Tenant was having issues, but they were uncertain where to refer the Tenant to. Mr. Keith stated that they work closely with the non-profit network so that they could provide referrals for them. He acknowledged that they do a lot of outreach in the community and conduct presentations to Landlords and Renters.

Councilmember Treviño stated that most people feel that they cannot reach out to the different City Departments. He cited an example of a citizen who felt intimidated by the City and other City Agencies in general; therefore, he noted the importance of how they are communicating with the public and having more outreach in the community.

Ms. Hinton inquired whether the City Departments have worked with the National Association for the Advancement of Colored People (NAACP). Mr. Keith stated that they would be interested in developing a referral relationship with the NAACP.

Rod Radle cited the possibility of modifying the name of the City's Fair Housing Counseling Program to resonate more with the different services that they provide. He commented that he has worked for a Non-Profit Agency for many years and acknowledged that there has never been any outreach from this City

Program. Before making a recommendation, he suggested that they look at the issues that the Austin Tenants Council deals with in comparison to the two City Programs.

Ms. Sheeran commented there may be a perception that people do not have a voice; therefore, she suggested that whatever is created by the Committee needs to have a connection with the community. She cited a personal Zoning Issue she is going through in her neighborhood and expressed her sentiments that she feels that she does not have a voice.

Councilmember Saldaña noted the importance of having representation from the community in the work that might happen. Mr. Keith spoke of the work of the Fair Housing Council, and stated that they have a staff of six and a service area expanding out of San Antonio.

Jackie Gorman entered the meeting at this time.

Mr. Radle emphasized the importance of obtaining information about what is being done by the entities referenced in this discussion and the types of issues that they are dealing with. Councilmember Viagran noted the importance of adding a component regarding notification. Mayor Taylor inquired about what other cities are doing with regard to their notification process because of the challenges that they might face in reaching out to people.

In response to Councilmember Saldaña, Mr. Keith explained the work of Tenant Councils, and commented that the Austin Tenant Council has been functioning as a Fair Housing Organization for the last 20 years, and not as a classic Tenant Council. Melody Woosley added that there does not appear to be an organization that does this in San Antonio and acknowledged that they could research this matter further.

3. Follow up discussion on legal issues with Rent Control and Inclusionary Housing Policies

Edward Guzman informed the Committee that he was asked to provide background and guidance regarding Inclusionary Housing Policies. He explained that Inclusionary Zoning generally refers to a Governing Entity of a Municipality requiring Districts to include a certain percentage of affordable housing. He stated that some municipalities in Texas were pushing this in early 2000, but the 2005 Legislature took action that prohibited municipalities to make such mandates. As such, he reported that Inclusionary Housing is not permitted in Texas. He reported that the City has flexible Zoning and Bonus Density in the Uniform Development Code (UDC) that allows Developers to include a certain percentage of affordable housing, but this is a voluntary approach and it is not mandated by the City. He cited a program in Austin and Dallas that provides them with Homestead Retention Reinvestment Zones. He explained how this process works, and noted that they could provide more information if it is an option that they would like to consider. Discussion ensued regarding this particular option.

Mr. Guzman stated that they cannot engage in Contract Zoning as it is not permitted under State Law. He stated that Texas is one of the harshest states in relation to Property Laws. Mr. Radle commented that it may take a series of Legislative Sessions to make changes for San Antonio.

Mr. Milk inquired whether there was a policy across the board that outlines criteria that would make them eligible for certain zoning classifications. Mr. Guzman replied that there was Flexible Zoning and Special Use Permits; but reiterated that the City cannot engage in Contract Zoning.

Mr. Guzman reported that Rent Control is prohibited in Texas except in the case of a housing disaster. He noted that only during such time can a Municipality declare a Rent Control Program, but it must be approved

by the Governor. He noted that in this instance; it is only a temporary measure that will last for the duration of the Disaster Declaration.

In response to Councilmember Saldaña, Mr. Guzman explained how other states utilize Rent Control, noting that there were different models and ways that it could be implemented but it would depend on the geographic location. He commented that it was a useful tool, but difficult to implement.

Mr. Radle noted that it may be advantageous for the City's Leadership to discuss the issue of Inclusionary Zoning with Major Developers to try and agree to a deal that is acceptable. He stated that it would come down to what the opt-out fee per unit is. He commented that they need to open up this discussion at some point so that the issue of how they are going to deal with Workforce Housing in the long-term is dealt with. Mr. Contreras noted that it is a difficult task.

Mr. Guzman discussed Property Tax Exemption that is governed by the Texas Constitution. He noted that all current Exemptions are amendments to the Constitution that were passed by the Legislature and approved through a Statewide Vote. Ms. Gorman cited an excerpt regarding a Neighborhood Empowerment Zone, and inquired whether they could use such tool to draft an agreement. Mr. Contreras stated that it was governed by Local Government Code. Mayor Taylor suggested that they conduct more research regarding this topic.

4. Review regarding the draft of the Report to be presented to the Quality of Life Committee.

Lori Houston reported that they compiled a list of Short-Term and Long-Term recommendations based on the discussions of the Task Force. She highlighted the Short-Term recommendations that include:

- Plan a Housing Summit in partnership with another organization to talk about some of the issues the Task Force has addressed
- Develop a Relocation Assistance Policy that can be tied to projects that receive City Incentives
- Develop a Tenant Council or designate an Organization that already exists as a Tenant Council
- Create a Commission appointed by City Council that would track implementation of the recommendations and monitor displacement and gentrification

Mrs. Houston highlighted the Long-Term recommendations that include:

- Explore ways to create an Inclusionary Housing Policy and tie it to something else other than incentives, and come up with ideas that promote affordability in some of the Housing Projects that are forthcoming
- Pursue an allocation in the 2017 Bond Program for Affordable Housing
- Develop a Policy for the creation of Alternative Housing Types which would require Code Amendments

Mrs. Houston emphasized that this Report was still in draft, and she welcomed any suggestions or other recommendations to include. She stated that they were seeking the Committee's input of these recommendations.

Mayor Taylor stated it was a great start in capturing the discussions the Task Force has had. She commented that none of the recommendations referenced seemed to address the scenario that led former Mayor Castro to create this particular Task Force. Mrs. Houston stated that the recommendation of the Tenant Council could be a tool for Tenants to use. Mr. Radle recommended that owners provide notification to Tenants residing in housing to be re-zoned.

Ms. Hinton expressed concern with the growing number of vacant lots in the Eastside, and building apartments that low-income residents cannot afford. Mayor Taylor cited the delicate balance of growth, and expressed her excitement of the new development in the Eastside. Ms. Gormon added that they have had several discussions on income diversity. She noted the importance of having Housing Options in lower-income communities for people with higher-incomes. Ms. Hinton expressed her concern that this would not happen and instead lead to more displacement.

Mr. Milk recommended that in addition to Short-Term and Long-Term Goals; it would be helpful to have a distinction between policy discussions that they have been having and the implementation tools that they are proposing. He noted that there has been some consensus among key policy goals, and they want to encourage revitalization. He spoke of the limited set of tools that they have, and cited the importance of preserving Affordable Housing independent of regulatory tools. He stated that they could create institutions to help them meet the goals of increasing Affordable Housing, such as Land Trusts. He noted that he wanted this included in the report.

Councilmember Gonzales expressed her approval of including this in the Bond Program. Mr. Contreras delineated the process of how the word gets out to the community in this type of initiative. Mr. Radle pointed out that the Austin Tenant Council can serve as a blueprint as they spent two years in raising funds and educating the community. Discussion ensued regarding previous Bond Programs.

Ms. Drennon asked if there were maps that show where Mobile Home Parks exist in the City so that they could plan for the future. Mayor Taylor suggested the City perform an analysis of what is going on in the areas around the locations of where these Mobile Home Parks exist.

Mayor Taylor requested that the Task Force review the Draft provided and submit comments to Dan Porter. She noted that the next meeting would be February 3, 2015.

Adjourn

There being no further discussion, the meeting was adjourned at 5:00 PM.

Respectfully Submitted,

Ivy R. Taylor, Mayor

Lisa A. Lopez, Office of the City Clerk

Item 4

Fair Housing/Housing Counseling Program Update

**CITY OF SAN ANTONIO
DEPARTMENT OF PLANNING AND COMMUNITY
DEVELOPMENT BRIEFING MEMO**

TO: Mayor's Task Force on Preserving Dynamic & Diverse Neighborhoods

FROM: Melody Woosley, Director, Department of Planning and Community Development

SUBJECT: Tenant and Resident Housing Counseling Services

DATE: February 3, 2015

The information below provides clarification on the roles of Tenant Councils and Fair Housing programs, and identifies organizations that provide tenant services and program scope.

A Tenants' Council is established, typically by the residents of an apartment building or complex, to address issues of frustration with the landlord. Through the tenants' council, residents can, in some cases, achieve faster or more satisfactory action from a landlord regarding rental facility issues than they can when speaking as individuals. Activities can include working to improve housing conditions, ensuring reliable services and organizing residents to achieve those goals. A tenants' council is often informally organized, although in some cases a non-profit corporation is established and a formal board is elected.

The Texas Low-Income Housing Information Service (TxLIHIS) is a non-profit organization that advocates and organizes for low-income populations across Texas regarding issues involving access to housing. TxLIHIS receives funding largely through private foundations, individual donor support, and fundraising. TxLIHIS works to affect changes through the legislative process and at the local level by organizing community groups and tenants. For example, TxLIHIS has advocated for the local creation of improved farmworker housing, and provided technical assistance to non-profit community organizations working on behalf of colonia residents to achieve improved connection to utility connections.

Texas C-Bar, a project of Texas RioGrande Legal Aid (TRLA), connects local nonprofit organizations with pro bono legal advice and representation. Examples of C-Bar legal activities include helping organizations to attain 501 c3 status and connecting organizations with land use attorneys.

The Austin Tenants' Council, a non-profit, was formed in 1972 to advocate for social justice in housing and has this social organizing history. However, for more than 20 years, the organization has operated almost exclusively through federal CDBG Fair Housing funding from the City of Austin and Fair Housing Initiative Program (FHIP) funding and, as such, functions primarily as a HUD Fair Housing program. The Austin Tenants' council has 10 staff members.

HUD provides funding for Fair Housing services to City and County governments under the CDBG grant and to non-profit organizations under the Fair Housing Assistance Program (FHAP) and Fair Housing Initiatives Program (FHIP).

In San Antonio, these include the City of San Antonio, Department of Human Services (DHS), Bexar County Department of Community Resources, and the Fair Housing Council of Greater San Antonio. In addition to the Austin Tenants' Council, other HUD funded Fair Housing programs include: the City of Dallas, City of Corpus Christi, City of Fort Worth, the Greater Houston Fair Housing Center, and the North Texas Fair Housing Center.

The DHS Fair Housing/Housing Counseling Program and the Fair Housing Council of Greater San Antonio provide Fair Housing education in the community to reduce discrimination against persons belonging to the specific classes protected under the Federal Fair Housing Act and City ordinances. Fair Housing protected classes include: race, color, religion, gender, disability, national origin, familial status, age, veteran status, sexual orientation and gender identification. These programs also seek to resolve tenant/landlord disputes by working between the tenant and the landlord where possible, provide assistance in filing discrimination claims with HUD, and provide referral information to other relevant services.

The City's Fair Housing/Housing Counseling program also serves as an intermediary in resolving lease agreement related disputes between landlords and tenants, provides foreclosure prevention counseling, financial literacy education, predatory lending education and home equity conversion education. When legal representation or further advocacy is needed, DHS refers clients to partner organizations such as Texas Rio Grande Legal Aid. In cases of displacement, DHS Housing Counselors assist families to identify available housing through case management and some limited financial assistance.

In addition to our fair housing and foreclosure prevention related services, the City's Fair Housing/Housing Counseling program provides wrap-around services to residents. Bundled services for eligible residents includes: utility bill assistance, rental assistance, scholarships to cover the cost of community college tuition and books for clients and referrals for subsidized childcare, Head Start and Pre K, senior nutrition meals and other senior center services, and referrals to two centers providing free one-on-one financial counseling. DHS has assisted 343 displaced Mission Trails mobile home park families and boarding home residents to relocate to secure housing.

The City's Fair Housing/Housing Counseling program serves clients from across San Antonio. Most clients contact the program through the United Way 2-1-1 information line and the City's 3-1-1 information line. Others are referred by non-profit service providers and council offices. The program conducts information presentations on fair housing and foreclosure prevention throughout the year and regularly attends community fairs to raise awareness of available services.

Recommendation: DHS recommends designating the Fair Housing/Housing Counseling Program and the Fair Housing Council of San Antonio as resources for residents adversely impacted by investment in inner-city neighborhoods. DHS will evaluate demand for services and capacity for one year and, if needed, make recommendations for program improvements or consolidation to address high demand or gaps in services.

	City of San Antonio Fair Housing/Housing Counseling	Austin Tenants Council	Fair Housing Council of Greater San Antonio
Address	106 S. Saint Mary's St San Antonio, TX 78205	1640 E 2nd St # B150 Austin, TX 78702	4414 Centerview Drive San Antonio, TX 78228
Field Offices	<ul style="list-style-type: none"> • <u>Claude Black Center</u> 2805 East Commerce • <u>Neighborhood Place</u> 3014 Rivas • <u>Willie Velasquez Center</u> 1302 N. Zarzamora 	N/A	<ul style="list-style-type: none"> • 30 Providencia Court, 5G, Brownsville, TX 78526
Service Area	City of San Antonio	Travis County	Bexar County and South Texas Region (36 Counties)

Services Provided	<ul style="list-style-type: none"> • Education to landlords and tenants regarding Housing discrimination • Serves as intermediary in landlord/tenant lease disputes, illegal eviction, lockout, utility shut-off, and improper seizure of property, where possible • Assists residents in filing discrimination claims with HUD • Provides sample lease templates, security deposit refund forms, request for repair forms, etc. • Provides referrals to other relevant services, including legal services through legal aid, etc. • Foreclosure prevention counseling • Financial literacy education and predatory lending education • Case management to assist displaced residents identify housing options 	<ul style="list-style-type: none"> • Education to landlords and tenants regarding discrimination in housing • Serves as intermediary in landlord/tenant lease disputes, illegal eviction, lockout, utility shut-off, and improper seizure of property, where possible • Assists residents in filing discrimination claim with HUD • Provides sample lease templates, security deposit refund forms, request for repair forms, etc. • Provides referrals to other relevant services including legal services through Texas RioGrande Legal Aid, etc. 	<ul style="list-style-type: none"> • Education to landlords and tenants regarding discrimination in housing • Serves as intermediary in landlord/tenant lease disputes, illegal eviction, lockout, utility shut-off, and improper seizure of property, where possible • Assists residents in filing discrimination claim with HUD • Provides sample lease templates, security deposit refund forms, request for repair forms, etc. • Provides referrals to other relevant services including legal services through Texas RioGrande Legal Aid • Provides limited housing counseling
Limitations	<ul style="list-style-type: none"> • Cannot guarantee that displaced residents are relocated to other permanent housing, although DHS can provide case management, assistance identifying relocation options, assist eligible residents through ESG homeless prevention/rapid re-housing • Subject to Federal program funding guidelines/ requirements • Not attorneys 	<ul style="list-style-type: none"> • Subject to Federal program funding guidelines/ requirements • Not attorneys 	<ul style="list-style-type: none"> • Does very limited foreclosure prevention counseling, and financial literacy education, and makes referrals to DHS as appropriate • Subject to Federal program funding guidelines/ requirements • Not attorneys
Funding/ Structure	<ul style="list-style-type: none"> • CDBG Grant Fair Housing • HUD Housing Counseling Grant • Located in City of San Antonio Department of Human Services • Community Services Block Grant • Program Budget: \$250K • 5 staff 	<ul style="list-style-type: none"> • CDBG Grant Fair Housing (City of Austin) • CDBG Grant Fair Housing (Travis County) • HUD Fair Housing Initiatives (FHIP) • Small funding amount from City and County for social services delivery • Program Budget: ~\$737K (2013) • 10 staff 	<ul style="list-style-type: none"> • HUD Fair Housing Initiatives Program (FHIP) • Nonprofit organization, Sandra Tamez, Executive Director • Program Budget: ~\$341K (2013) • 6 staff

2014 Results			
Clients Served	1,684 HH	8,000 HH	624 HH (Bexar County)
Improved housing stability through foreclosure prevention, rental assistance and/or relocation assistance	834 HH	*	*
Received Fair Housing Assistance	200 HH	300 HH	346 HH (Bexar County)
Received Housing Counseling	731 HH	*	*
Assisted with	952 HH	800 HH	72 HH (36 counties)

Tenant Landlord Mediation (Incl. understanding Leases)			
Received Predatory Lending Counseling	80 HH	*	*
Tenant referrals to legal aid or TRLA	26 HH	*	*
Referrals to HUD for discrimination complaints	24 HH	*	40 HH (36 counties)
Referrals to other services	424 HH	*	*
Relocation case management	343 HH	NA	*
Received rental assistance	260 HH	NA	*
Community Education / Presentations	47	*	24 (Bexar County)

* Some detailed information not available at time of report compilation