

HOUSING COMMISSION OFFICIAL MEETING MINUTES

TUESDAY, OCTOBER 23, 2019, 4:00 PM
ALAMO COLLEGES BOARD ROOM
2222 NORTH ALAMO, SAN ANTONIO, TEXAS 78209

Members Present: Nicole Collazo, Member
Jessica O. Guerrero, Member
Marianne Kestenbaum, Member
Lourdes Castro-Ramirez, Chair
Dr. Paul Furukawa, Member
Keith Hom, Member

Members Absent: Sarah Sanchez, Member
Robert Abraham, Member
David Nisivoccia, Member

Staff Present: Lori Houston, *Assistant City Manager*;
Verónica R. Soto, *Neighborhood & Housing Services Department*;
Mike Etienne, *Neighborhood & Housing Services Department*;
Melissa Ramirez, *Development Services Department*;
Ian Benavidez, *Neighborhood & Housing Services Department*;
Catherine Hernandez, *Development Services Department*;
Laura Salinas-Martinez, *Neighborhood & Housing Services Department*;
Jaime Lalley-Damron, *Neighborhood & Housing Services Department*;
Pete Alanis, *Center City Development Office*;
Tony Felts, *Development Services Department*;
Sara Wamsley, *Neighborhood & Housing Services Department*;
Irma Duran, *Neighborhood & Housing Services Department*;
Kristin Flores, *Neighborhood & Housing Services Department*;
Allison Shea, *Neighborhood & Housing Services Department*;
Munirih Jester, *Neighborhood & Housing Services Department*

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- **Call to Order** - The meeting was called to order at 4:12 PM by Lourdes Castro-Ramirez
 - **Roll Call** - The roll was called by Irma Duran; at the time roll call was conducted, five members were present representing a quorum
 - **Public Comments** – Irma Duran reminded the public that citizens had three minutes to speak. If any speakers needed translation services, an additional three minutes would be added. Lourdes Castro-Ramirez informed the public that Commissioners would not be able to interact during citizens to be heard, only take notes.

1. Lety Sanchez: Historic Westside Resident Association speaking on behalf of the Alazan Residents. One resident that lived in the same apartment for thirteen (13) years received an eviction notice on a Sunday. Speaker has received numerous calls from residents threatened with eviction notices due to not paying fees such as pet fees. Tenants have gone through the grievance process with San Antonio Housing Authority (SAHA) and SAHA always supports

the property manager. Tenants pay more than \$1,000 in rent each month. Speaker stated that SAHA is ignoring its duties to keep apartments in good condition. Speaker requests that Housing Commission and SAHA CEO investigate lease violations and fees assessed. Speaker referred that in one case, risk mitigation fund money was used to pay unnecessary fees.

2. Terri Caltillo: Historic Westside Resident Association stating they need help holding SAHA accountable, placing an economic burden on business ventures and residents. She noted that Jennifer Vidal [tenant not present] noticed a roach and rodent infestation; she called for services and was charged a hefty fee. Ms. Caltillo referred to article 3.09.02 [309.2] of the San Antonio Property Maintenance Code [2018] where infestation exists, owner is responsible. [Where infestation exists, the owner of any structures shall be responsible for extermination within the structure prior to renting or leasing the structure.] The pests were not removed and Ms. Vidal fell behind due to several unpaid fees, resulting in eviction. She asks that the Housing Commission investigate SAHA and hold them accountable. She continues to say that SAHA claims to not have funds, but continues to expand with ventures.

3. Rich Acosta: Ceded time to next speaker.

4. Kayla Miranda: She has lived in the courts for two (2) and a half years with four (4) children, living on social security. During that time, she has never been late on rent and maintained the apartment. Starting last year with new management, Ms. Miranda received new violations each week from the property management, filing grievances against her. Each time, the manager turned it over. One time the brother picked up her children, and she was fined for additional cars, another time her husband was caring for her children in her home and was fined for an unauthorized tenant. Management fined her for cigarette butts near her apartment. She has \$1,200 in fees for a broken stove, not having a door knob that SAHA maintenance didn't put on, and for a broken heater. All of her children have some sort of disability; one is autistic. Her youngest child is not biological, so he is not counted as a dependent when calculating rents. SAHA has erroneously counted her income, stating she earns far more than she does. Due to that, her rent went up. In March, the rent was \$151, in May it had tripled. Tenants receive an allowance of \$110, but the electricity is far more than that due to broken things. People in the Alazan are afraid to speak out. The property managers banged at the door of a non-English speaking neighbor and charged \$3,000 for a pet she does not have. People like that should not work in an office if they can't treat people with humanity.

5. Judith Vega: Speaking on behalf of Mi Barrio no se Vende. Ms. Vega stated she was a coauthor of the Health Impact Assessment for SAHA in 2019, evaluating the health effects of tenants during the redevelopment of Wheatley Courts. For the most vulnerable people living in poverty, agencies are supposed to help and not perpetuate the big business of poverty. The effects of eviction are displacement and psychosocial stress. There are many children in the community and they need to be respected and protected. Ms. Vega asked that the Commission should facilitate open conversation with the commission [themselves] because the effects will be long term.

6. Francisco Perez, Spanish speaker: lived in his home for 13 years. For many years, he was happy there because it was a community. Then 'the people' arrived and it all started falling apart; if the dog is outside, they complain. If the dog is inside, they complain. Mr. Perez lives with his daughter Dulce, his wife, and his son Francisco, who is 'not right in the head.' Mr. Perez is 75 years old. The woman [property manager] has treated him wrong and yelled at him. She says, "quiet! I'm talking to you!" After she yells she calls police and claims he is the one

yelling. She acts very quiet and sweet when the police arrive, but he knows how she is. Letters started arriving that Mr. Perez had 14 days to get out. There are 19 letters and he has offered them to the Commission to read what they say. Finally they took him out and wanted to throw him out on the street. There are some good people from Esperanza and the Guadalupe that have helped. Jorge Alejos of LULAC has helped as well. Now SAHA gave him an apartment somewhere else, felt forced to do so because of all the people behind him. The property manager gave Mr. Perez 3 days to move. The keys were given to him Monday at 5 PM, and he had to be out by Wednesday. He even fell trying to rush and move out, scraping his hands. For Mr. Perez, he feels like there is someone behind SAHA with a lot of money and power. He has seen so many people thrown out. He even worked as an UBER driver to earn enough money to pay the fees. He picked up a woman driving and brought her to Alazan. A day it was raining, he and his wife drove by Colorado Street and saw all the woman's belongings on the street. He stopped because he recognized her. She didn't even know, she was arriving and recovering from heart surgery.

7. Mary Suarez: She is a resident of Alazan-Apache courts. Ms. Suarez stated that she has been hassled by SAHA for various things. A 14 year old girl was supposedly raped in her house. Her house was bombed, her sofa torn. Her washer was looked into, police damaged her apartment. It turns out, it was the wrong house. SAHA keeps sending her to court to evict her. She has witnesses and stated this has got to stop. She has seen people thrown out of their home and not sure what will happen. Children are crying while things are being thrown out. Tina [presumed property manager] wants to get her out, always has someone with her during meetings. The meetings are supposed to be a private conversation but she has a police man or management, while making up things that aren't true. Ms. Suarez has been to court five times and there is no evidence against her. She states they are not animals; they do what is best to care for their children. She is afraid they will be gone in a few days.

8. Linda Ortega: Historic Westside Residents Association is concerned with the way SAHA is treating residents. They are not being treated in the manner they should be. The Housing Commission has been tasked with solutions for housing; she hopes the Commission heard the citizens. In the Westside neighborhoods, Ms. Ortega has found residents of former Eastside projects wandering around. She worries that if the same happens in the Westside, where will residents end up wandering around? Is there no one to hold SAHA accountable? Does the City hold SAHA accountable? She directed the question to Lori Houston. [Houston was unable to answer due to regulations concerning Public Comments]. Ms. Ortega stated because there is no answer, the answer is that there is no one to hold SAHA accountable. She stated that they needed heroes and she hopes she is looking at some [the Commission]. In the meantime, the Historic Westside will continue to help.

9. Amelia Adams: Ms. Adams introduced herself as a Community Equity Analyst with Texas Housers. Because she is a researcher, she could crunch numbers. She reviewed filings since 2010 and noticed the Justice of the Peace eviction hearings are up. In the Alazan Courts, there was one eviction in 2010 and at the end of 2018 there were 41.

10. Mia Loseff: Ceded time to AmyKastely.

11. Cathy Garcia: Ceded time to anyone that needed it.

12. Graciela Sanchez: She wished to honor the residents and tenants of Apache Courts. The tenants are being impacted by an attack by leadership. So many tenants are afraid to be here,

but some made it out. Ms. Sanchez was disappointed that the CEO of SAHA or a representative was not there [SAHA staff was present, but not at the dais.] She wanted to make sure that the SAHA head heard the issues directly. She wanted a more public forum so SAHA would be ashamed of policies. Esperanza is directly affected because they are a few blocks away from the complex. Each week she hears of more and more evictions. 'Leticia' [Lety Sanchez] didn't mention that at JP Court [Justice of the Peace], she saw eight (8) other people from Alazan being evicted. Kayla was given a week's extension. When the group looks at the statistics shared by Adams, this is not looking at the past six months. If one can consider eight in one day alone, how do you tally it over the past six months? Ms. Sanchez' concern is SAHA wants to tear down Alazan. If they evict a few at a time, the story will not look so bad when the last group is removed. How dare SAHA build mixed income housing when they can't even clean up their act?

13. Amy Kastely: A retired law professor, she now owns a private practice and provides pro-bono work for Historic Westside Residents and meets with residents of the Courts. She reviewed records of the residents mistreated and evicted by SAHA. There are two things she finds most appalling; the first is improper fees. SAHA's lease states that tenants are only responsible for repairs if they are caused by negligent actions; they are not responsible for replacing doors broken down by police, or door knobs that an employee failed to install. One tenant got a \$700 pet fee for one month. These are illegal fees. Second of all, SAHA does not have records of correspondence with residents. There is one (1) case where a person had a support dog and submitted a doctor's note, but SAHA had no record of this. There is inappropriate mistreatment of residents and officials intimidate residents. Board voted in favor of demolishing courts, but none of that is excuse for illegal treatment of residents.

14. Josefa Flournoy: Ms. Flournoy stated she works for AACOG, the Alamo Area Council of Governments focusing on aging and disability. Ms. Flournoy wanted to remind everyone of what everyone has been through and how we all got here. Everyone engaged in affordable housing has lived it and is addressing it. She referred to the Mayor's Housing Policy Task Force exercises working on what affordable housing is, and what populations need assistance. She stated that 'we' [taskforce and committees] engage in exercise because there is a vulnerable segment of the population that brings us to the table. She advocates on behalf of seniors so all have a place to retire. The difference is, not everyone is alike. She asked where did we go wrong in past few decades. People have spent time creating documents, budgets, going to meetings, and reviewing HUD requirements and funds. Ms. Flournoy stated to not forget who the Commission was there for. The Commission was created for a purpose, now they need to lead.

15. Yaneth Flores: She asked to uphold what has been shared by members, and was disappointed to see that David, whom she's never seen, was not present that evening, nor other representatives from SAHA. She will continue to support tenants as neighbors as long as needed. NHSD (Neighborhood and Housing Services) need to offer protection to residents immediately [addressing Houston, Verónica Soto, Victoria Gonzalez]. SAHA is a slum lord.

Soto spoke in regards to the process of Public Comments. After the meeting, questions and issues raised are provided to staff which will offer responses with facts and figures through

follow up with Commission. Public Comments is not for the Commission to engage. Soto stated that Brandee Perez; a staff member at SAHA was present, the Director of Federal Programs. [Audience member yelled asking for name] In addition, there will be a record of that. Soto referred to Assistant Director Mike Etienne who would address risk mitigation issues. If citizens present needed immediate questions answered, staff can talk to citizens in the present space.

Castro-Ramirez clarified that the Commission cannot have a conversation because it is not 'agendized'. Beyond what Soto has shared, the Commission recognized the citizens and appreciated the time to be there.

Jessica O. Guerrero thanked people for coming. It is personally hard for her to hear because of her experience with Mission Trails and later Soap Works and now Alazan. She referred to the audience that their experience is not unique. Guerrero made a request to make sure that contact information for people that spoke is available to review the notes [minutes].

1. **Director's Report** –Castro-Ramirez introduced Houston and moved the Director's Report [Item 6] to the first item. Houston briefed Commission on the Chief Housing Officer. City Management is in the process of hiring a recruitment firm and posting the position in November or December. Someone would be hired in January or February. She stated the worst case scenario is hiring someone to start on April 1st.

Houston referred to Soto who stated that the following items to be reported on are updates. The Risk Mitigation and Assessment Plan is underway with a commitment on how to utilize the fund and how to serve. Commission members [Guerrero] and clients served have been active in the creation of the plan. In addition, the risk mitigation team has surveyed clients assisted six (6) months ago. Soto thanks Etienne, Guerrero and Sara Wamsley and stated a presentation will be brought before the Commission soon.

Houston discussed the Housing Policy Implementation Plan and followed up on the October 21 meeting conversation. The Implementation Plan will be broken up into two (2) phases. The first is to recalibrate goals and convert San Antonio Area Median Income into the Housing and Urban Development (HUD) AMI. The categories will break the 50-60% AMI from the 30-40% AMI. Houston stated there is a lot of 60% AMI housing product coming online because of the 4% Housing Tax Credit (HTC) Program. Houston stated that EPS, the consultant used during creation of Housing Policy Framework, was brought back to help with recalibration. Houston reminded the Commission that the plan is not a redo of the Framework, as the framework is the foundational document. The implementation plan looks at each of the entities- City, SARA, SAHA, San Antonio Housing Trust– and their role in meeting the need. Phase Two (2) is the creation of action items necessary to implement the plan. This phase will not happen until after the Chief Housing Officer is hired.

Castro-Ramirez stated that the current effort has had some progress with programs, but there is not a true commitment to coordinate with agencies and programs. Leading with the recruitment of the Chief Housing Officer will set the City, Commission and community up for an accelerated effort.

Marianne Kestenbaum wanted to second that the coordination of the housing system as many have interpreted it is not just external, but also internal. The foundation is affordable housing,

and the alternative to this is homelessness. She asked the Commission to consider bring someone onto the Commission who represents the perspective of homelessness. Soto stated this could be a future potential agenda item [SARAH as a representative of the Commission.]

Soto continued that responses to the follow up questions from the September 25 meeting were placed in a follow up packet.

Soto reported that feedback is still being received on the SAHT assessment. Nicole Collazo stated the SAHT Board would send a letter with their recommendations but it is not yet drafted. The Board did convene to discuss and the Foundation is in agreement with vast majority of recommendations. The interim director, Pedro Alanis, implemented various recommended policies already. The Board discussed recommendations and wanted to be ensured the following items: 1) Board participation in selection process of a full-time executive director; 2) the Executive Director participating in the alignment; and 3) The possibility of previous members serving on PFC and FC boards. They stated the best would be for all boards meet in one day at the same venue.

Soto closed the Director's Report by reminding Commissioners the next meeting is November 19. Duran stated the November meeting would again be at Alamo Colleges. [Note: This meeting date has since changed to November 20.]

2. **Removing Barriers Committee**—Item #4 was moved up to accommodate the guests waiting. Jim Bailey, one of three chairs of the Removing Barriers Committee, presented and referred to his fellow chairs: Steve Poppoon and Cynthia Spielman. Bailey presented on the Removing Barriers Committee and its progress. He then introduced Ian Benavidez who presented on the different departments that worked with the committee and how the committee broke into three subcommittees. Because each group had so many things to focus on, they had their own timelines. Bailey read a statement from Spielman commending NHSD staff [Kristin Flores, Benavidez, and Victoria Gonzalez (Mayor's Office)] for the robust space to discuss solutions for affordable housing; a safe space for differences of opinion and meaningful participation in the process. Bailey continued that certain codes need to be tied to affordable housing and that the Framework is not in alignment with the Unified Development Code (UDC).

Kestenbaum asked for clarification of the HUD versus San Antonio AMI. Soto responded that the HUD AMI is commonly used and reported and it is difficult to track using another AMI. Conversion is challenging and dovetails into the recalibration plan. Soto stated this can be put in the agenda to talk about the disconnect and look at all the places in the City [programs] where there is a misalignment.

Bailey stated that they will be putting forward UDC recommendations. Castro-Ramirez stated in a few months there will be a retreat so this can be brought up to look carefully. She asked for a timeline to clarify definition of affordability and when the recommendations must be submitted. Tony Felts, staff with the City's Development Services Department, stated that UDC recommendations are accepted January 1 until March. More extensive recommendations are preferred early, Felts recommended mid-point to not have too many issues with responses and proper submission.

Castro-Ramirez asked the committee not lose sight of the 30% AMI and below level, as this is extremely low income, when crafting the definition. It would be helpful to come back to this topic at the beginning of the year to see the progress. Steve Poppoon stated that things need to

be considered as quickly as possible.

Kestenbaum wanted to acknowledge the fact that public engagement and outreach is a significant portion of the work.

Bailey referred back to the UDC and stated the committee has three things they must do. One is to clean up the language and use public engagement to pull at a broader scale to address the housing issue. Then the committee is to address Accessible Dwelling Units (ADU) and recognize them as development, as they can be a low impact way to building financial security and increase affordable housing. Kestenbaum stated that when it is time to look at the by right [zoning] and form based [codes], there will be an established public engagement and outreach. Bailey stated that came out of committee meetings, as the composition of the group is varied [reflecting community].

3. **Minutes** – Castro-Ramirez moved back to the approval of minutes. Hom moved. Dr. Paul Furukawa seconded. Motion passed.
4. **Neighborhood Improvements Bond**—Castro-Ramirez announced Housing Tax Credit Policy Briefing would be next. Soto requested item 5 to move up to accommodate speaker who needed to tend to child. Jaime Lalley Damron, Neighborhood Improvements Bond Administrator with the Neighborhood & Housing Services Department, was introduced and presented on the Neighborhood Improvements Bond and upcoming development projects. Properties were acquired with the \$20 million and were sold to developers for housing. Castro-Ramirez asked if this meant that the \$20 million was going back into the account. Damron responded that nominal amounts were, but funds are depleting over time. Damron continued that the areas selected had to meet criteria of slum and blight in urban renewal plan.

Castro-Ramirez asked if there are criteria for an affordability target. Damron responded that it is reviewed in the criteria, developers receive points for affordability and being financially sound. The criteria request 80% AMI because when it was written in 2017, there were no incentives for 60% AMI. This does not mean that developers are not pursuing lower AMI.

Castro-Ramirez asked if the 40-year affordability covenant on the South East Service Center was a standard. Damron responded that on the scoring matrix, developers are incentivized for extended years of AMI.

Hom asked if reimbursable charges were part of the bond. Damron stated that reimbursable charges amount to about 1/3 of the bond program.

Hom continued to state that he estimates there are \$10 million available. Will the program still look for more projects? Damron clarified that there are \$8 million remaining and the program is looking at properties for potentially one more development, but due to the market, she cannot disclose sites.

Kestenbaum asked for clarification in regards to what kind of issues affect the final percentage of units and the AMI because in the Frio Street project, the final contract was different than what was proposed. Half of the contract was 60% [AMI]. What are issues that lead to change in the plan, if Damron could disclose that? Damron stated she could explain what occurred. In this Request for Proposal (RFP), the applicant wanted to do one (1) unit at 80% AMI, half the

units at 60% AMI and rest at market. The underwriter analyzing the pro-forma noted this didn't seem viable. When the numbers were 'scrubbed', doing so would put applicant at uncomfortable [financial] position. The Contract was written to include up to 80% AMI, and to potentially partner with a non-profit [developer: names were not stated] that does projects not exceeding 60% AMI. Applicants are not contractually obligated but can strive for deeper affordability. In the future, the program can strive to give developers more money that can go into deeper affordability.

Kestenbaum requested for an agenda item in regards to income averaging.

Guerrero asked about the average attendance of the meetings and citizen engagement. Damron replied that she was not involved in the beginning but can speak on what they have done since she came on board. There is no requirement for public engagement. Rather, the board serves as the feedback loop back to the citizens. The program partnered with the Neighborhood Engagement program which reaches out to neighboring communities and see if a meeting is necessary. The Programs will present at everything from board meetings to public meetings. The programs want to be upfront and know if a community is going to be opposed, to address it accordingly.

Guerrero asked if there were mechanisms in place to ensure an equitable RFP process, supporting nonprofit developers. Damron responded that all RFPs are procured to COSA standards and that nonprofits receive preferential points. Guerrero asked if the points were fair to increase affordability. Damron responded that they are a fair number and that the program goes out of their way (without violating process) to ask why a group did not bid. The developers are busy with other projects and prefer larger tracts of land.

Castro-Ramirez stated to the Commission that Soto has reminded them the charter amendment would address affordability and the Commission should look at how the process is coming along. She would like to ask for analysis, lessons learned as the Commission lines up for the charter amendment.

5. **Housing Tax Credit**—Benavidez presented on the changes to the draft policy as recommended at the previous meeting, which highlighted projects cannot cause permanent displacement and must have a plan for temporary displacement (if the project causes it). Another change is that developers would get points from the state for contributing the most to the revitalization efforts of the area. Castro-Ramirez asked about the applications that improve public housing, are there unit thresholds that would need public housing or section 8 vouchers. There needs to be a percentage to give maximum affordability. It gives her confidence addressing need where need is greatest and recommends 30%. Benavidez concurred. Hom asked if proximity to transportation was in the application. Benavidez stated that yes it was called out.
6. **Anti-Displacement Strategies Update**—Soto introduced Wamsley to present on Item 3. Wamsley explained the response to displacement was to build a Collective Understanding through updated reporting and community engagement; Develop new policies to mitigate the issues when they occur, and preventing displacement through lasting affordability; and Advocating for state-level change: to unlock more tools for San Antonio and other Texas cities to address displacement.

Castro-Ramirez stated she was glad Neighborhood Empowerment Zones (NEZ) were brought

up, some of the recommendations outlined were where city changes are taking place and that the [Bexar] County and UTSA have plans underway for development where significant public improvement is occurring. Thanked Wamsley and Guerrero for their work on ForEveryoneHome.

Hom asked when we would have the first Community Land Trust (CLT) in San Antonio. Wamsley responded that to have a proper one with community involvement, the approximate timeline is 18 months to two years. There are many decisions to be made while the community is engaged such setting a resale formula to maximize equity or encourage the longest possible tenure. The County would have to be in agreement on an appraisal framework; Grounded Solutions Network would be brought in to lead educational workshops. Benavidez added that the Grounded Solutions Network would come to do a workshop, and that there are other ways entities can do similar things in faster ways.

Castro-Ramirez asked if this meant that VIA could do this through SA Connect. Hom nodded and stated that is why he had asked. Both parties stated they forgot to ask Damron about connectivity [with NIAC and incentives]. Soto stated that for the bond, projects can only be done in the selected improvement areas; fortunately there is overlap with transportation corridors.

Guerrero stated how critical this experience was to participating on a team; they are breaking ground on many ways to interact. Because effort is so grounded in being informed, there is a source of pride and hope in the community. Castro-Ramirez stated the story [of the work] and the updates should be brought up to council committees. It is important to circle back and educate on the process and commitment.

Closing—Castro-Ramirez stated there were requests to ‘agendize’ several items, and will look at the November 19 agenda. There will be no December meeting but there will be a meeting and retreat in January.

She added that Guerrero, Furukawa and she were able to meet with the City Manager in regards to the Chief Housing Officer. This continues to be a priority. They will be in a preliminary panel and is meeting with the recruiter on Thursday [October 31] at 8:30 AM. She stated that as long as there is no quorum, she invites others to join. Hom asked if Castro-Ramirez would serve on the selection committee. [as it is not on the agenda, there cannot be discussion, add to agenda for other meeting].

Guerrero requested an agenda item to address the issues at SAHA, as it relates to the ongoing conversation. Hom asked for an assessment of the [SAHA] property conditions, and revaluation of properties. Castro-Ramirez recommended a report shared with the [SAHA] board of the concerns brought forward today.

There being no further discussion, the meeting was adjourned without contest at 6:55 PM.