

City of San Antonio



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

Thursday, January 29, 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 THURSDAY, JANUARY 29, 2015 AT 3:30 P.M., TO CONSIDER THE FOLLOWING MATTERS:

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

Briefing and Possible Action on

2. A briefing on tenant council program design.
3. A discussion on legal issues with rent control and inclusionary housing policies.
4. A discussion and review regarding the draft of the report to be presented to the Quality of Life Committee.

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 16, 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 16, 2015
2:00 PM
MEDIA BRIEFING ROOM**

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

Members Absent: Maria Berriozabal

Staff Present: Lori Houston, *Director, Center City Development Office*; Colleen Swain, *Assistant Director, Center City Development Office*; Richard Keith, *Assistant Director, Department of Human Services*; Francesca Caballero, *Office of the Mayor*; Bobbye Hamilton, *Department of Planning and Community Development*; Denice F. Trevino, *Office of the City Clerk*

Others Present: Patti Radle, *Former Councilmember*

Call to Order

Mayor Taylor called the meeting to order.

1. Approval of Minutes from the January 8, 2015 meeting of the Task Force on Preserving Dynamic and Diverse Neighborhoods

Member Sheeran moved to approve the Minutes of the January 8, 2015 Mayor's Task Force on Preserving Dynamic and Diverse Neighborhoods Meeting. Member Radle seconded the motion. Motion carried unanimously by those present.

Briefing on:

2. A Discussion on the Rights of Renters

Mayor Taylor referred to the Memorandum received by the Task Force from John Dugan regarding Tenant Rights and Tenant Advocacy Services. In said Memorandum, Mr. Dugan provided 2 options for providing Tenant Advocacy Services to residents displaced as a result of Gentrification. He also provided guidance and support to developers funding Relocation Services for Displaced Residents. Mayor Taylor reported that Option 1 would: 1) Expand City of San Antonio, Department of Human Services (DHS) Family Assistance Services; and 2) Establish a Non-Profit Housing Trust. Mayor

Taylor asked of the establishment of a Non-Profit Housing Trust. Lori Houston replied that the Non-Profit Housing Trust referenced was the Tenant Council. She noted that a Tenant Council existed but was not very active. She stated that the proposed Tenant Council would have an office which would address issues faced by Renters and Developers.

Bobbye Hamilton noted that the proposed Tenant Council would be more robust than Tenant Services that were currently offered.

Mrs. Lori Houston explained that the Tenant Council would:

- Assume a greater Tenant Advocacy Role
- Provide greater Promotion and Outreach
- More quickly realign staffing and resources to meet changing needs

She noted that the Tenant Council would be a separate entity and would require funding and staffing.

Christine Drennon asked if protections were in place for Renters regarding Property Tax. Mrs. Houston replied that she would research this topic.

Mayor Taylor commented that the City did not have jurisdiction over some issues encountered by Renters. She noted that the City would have jurisdiction over Public Investments.

Councilmember Viagran noted the lack of knowledge of citizens regarding the Rental Process.

Mrs. Houston stated that this was an example of how the Council would be equipped to assist Renters.

Mayor Taylor stated that per the Task Force, the following ideas or concepts would be explored:

- Tenants right to a Lease
- City's control of Leases
- Structure of the Tenant Council

3. A Discussion on Potential Inclusionary Housing Policies

Mayor Taylor referred to a Memorandum addressed to the Task Force from John Dugan which provided suggestions regarding Inclusionary Housing Requirements for City-Incentified Residential Development.

Ms. Hamilton distributed a map which displayed Residential Segregation by Income for the years of 2009-2013 of Central San Antonio and City-Wide.

Mrs. Houston stated that a mandatory provision of Affordable Units was required in many U.S.Cities. She reported that in Texas said Mandates were prohibited. She added that a local alternative was to tie voluntary incentives to the provision of Affordable and Workforce Units. She stated that the Policy of the Council was to ensure that City-based incentives resulted in equitable Development Activities within the City Limits

4. A Discussion on Potential Relocation Policies

Mrs. Houston stated that Housing and Apartment Developers receiving City Incentives would be required to provide Relocation Assistance to Displaced Residents.

Councilmember Viagran suggested that Zoning Cases serve as a trigger for the displacement of Residents.

5. The Committee discussed Potential Relocation Policies.

Rod Radle and Mark Adelman proposed a policy which would: 1) Address the balance of Housing developed in any one Geographic Area (to be defined) and would ensure the creation of Mixed Income Neighborhoods; 2) Require the Developer to construct a subdivision or apartment to ensure that there were a number of Affordable (to be defined) Units equal to 10% of the planned development in the area; 3) Create an option for developers to “opt out” of the requirement, when such requirement is not paying a contribution to an Affordable Housing Fund (to be determined) for the development; 4) Utilize proceeds from Impact Fees to leverage total bondable amount; and 5) Utilize the Majority of Funds which would be utilized to acquire property throughout the City to secure locations which may be contributed or sold to provide Workforce Housing Projects.

Rod Radle stated that this Bond would be considered a “Workforce Housing Bond” to be leveraged with proceeds from Impact Fees.

Mayor Taylor stated that the Task Force’s charge was challenging due to its multiple goals. She requested that the City Attorney’s Office vet the proposal regarding the “opt out” option in the proposal.

Mrs. Houston noted that Best Practices were reviewed for San Antonio and cities across the country. She stated that funding would be provided by the Developer and the Tenant Council would provide one year of Tenant Assistance and a Technical Assistance Counselor. She noted that one position for a Counselor would require funding and space assigned to the Tenant Council.

Mayor Taylor requested more information for utilizing Zoning as a trigger to identify potential displacement of Residents. She requested that a framework for continued discussion be developed. She distributed a list of upcoming Committee Meetings and stated that the meeting of February 3, 2015 may still be held even though the San Antonio (SA) to District of Columbia (D.C.) Trip would be held that week and many Councilmembers would not attend. She noted that she has held discussions with other entities regarding a Housing Summit in May 2015.

Adjourn

There being no further discussion, the meeting was adjourned at 3:35 PM

Respectfully Submitted,

Ivy R. Taylor, Mayor

Denice F. Trevino, Office of the City Clerk

MTFPDDN
2015.01.16

Item 2

A briefing on tenant council program design

**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: January 29, 2015

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

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.

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 five 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 Cities of Dallas, Corpus Christi, Fort Worth, the Greater Houston Fair Housing Center, and North Texas Fair Housing Center.

The DHS 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.

In addition, the City’s 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.

Recommendation: DHS recommends designating the 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.

	Austin Tenants Council	City of San Antonio Housing Counseling Program	Fair Housing Council of San Antonio
Services:	<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 to 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 to 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. • Foreclosure prevention counseling • Financial literacy education • 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 to 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

<p>Limitations:</p>	<ul style="list-style-type: none"> • Subject to Federal program funding guidelines/ requirements • Not attorneys 	<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"> • 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
<p>Funding/ Structure</p>	<ul style="list-style-type: none"> • CDBG Grant Fair Housing (City of Austin) • CDBG Grant Fair Housing (Travis County) • HUD Fair Housing Initiatives Program (FHIP) • Small funding amount from City and County for social services delivery • Nonprofit organization, Karen Stark, Executive Director • 5 staff 	<ul style="list-style-type: none"> • CDBG Grant Fair Housing • HUD Housing Counseling Grant • Located in City of San Antonio Department of Human Services 5 staff 	<ul style="list-style-type: none"> • HUD Fair Housing Initiatives Program (FHIP) • Nonprofit organization, Sandra Tamez, Executive Director • 6 staff