

RESOLUTION NO. 2024-~~90R~~

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS PROVIDING NO OBJECTION TO THE SUBMISSION OF AN APPLICATION FOR LOW INCOME HOUSING TAX CREDITS TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE PROPOSED BLANCO BASIN MULTIFAMILY HOUSING PROJECT LOCATED TO THE NORTHEAST OF THE INTERSECTION BETWEEN E MCCARTY LANE AND THE UNION PACIFIC RAILROAD; APPROVING FINDINGS RELATED TO THE APPLICATION; IMPOSING CONDITIONS FOR SUCH NON OBJECTION; AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE SAID AGREEMENT AND TO SUBMIT AND EXECUTE DOCUMENTS RELATED TO THE APPLICATION; AND DECLARING AN EFFECTIVE DATE.

RECITALS:

1. JES Dev Co, Inc. (the “Applicant”) has proposed a multifamily development presently known as “Blanco Basin” for affordable rental housing located to the northeast of the intersection between E McCarty Lane and the Union Pacific Railroad which will include 222 units. (the “Project”).
2. The Applicant has communicated that it intends to submit an application to the Texas Department of Housing and Community Affairs (“TDHCA”) for Low Income Housing Tax Credits for the Project.
3. As provided for in §11.3(c) of the Qualified Allocation Plan, the City of San Marcos has more than twice the state average of units per capita supported by Housing Tax Credits or Private Activity Bonds.
4. In accordance with the requirements of Texas Government Code §2306.67071 and Texas Administrative Code §11.204(4):
 - a. notice has been provided to the City of San Marcos, Texas;
 - b. the City of San Marcos, Texas has had sufficient opportunity to obtain a response from the Applicant regarding any questions or concerns about the Project; and
 - c. the City of San Marcos, Texas has held a hearing at which public comment may be made on the Project.
5. The Applicant has demonstrated that the Project meets the necessary criteria in order to be considered for an exemption from local taxes as follows:
 - a. The project will provide a minimum of 34 units (15% of all units) affordable to

(applicable only if all Unit entries are within the building's interior); twenty-four hour, seven days a week recorded camera / security system in each building; furnished fitness center equipped with a variety of fitness equipment (at least one item for every 40 Units) chosen from a specific list identified in the Qualified Action Plan; enclosed community sun porch or covered community porch/patio; dog Park area that is fully enclosed (the perimeter fencing may be used for part of the enclosure) and intended for tenant owned dogs to run off leash (requires that the Development allow dogs); porte-cochere; ~~barbecue grill and picnic table with at least one of each for every 50 Units (grill must be permanently installed no portable grills); Horseshoe pit; putting green; shuffleboard court; pool table; ping pong table; or similar equipment in a dedicated location accessible to all residents to play such games.~~ business center with workstations and seating internet access, 1 printer and at least one scanner which may be integrated with the printer, and either 2 desktop computers or laptops available to check-out upon request; furnished Community room; Library with an accessible sitting area (separate from the community room); Activity Room stocked with supplies (Arts and Crafts, board games, etc.); Community Dining Room with full or warming kitchen furnished with adequate tables and seating; High-speed Wi-Fi with advanced telecommunications capacity as determined under 47 U.S.C. 1302 or more with coverage throughout the clubhouse or community building; Annual income tax preparation (offered by an income tax prep service) or IRS-certified VITA (Volunteer Income Tax Assistance) program (offered by a qualified individual) that also emphasizes how to claim the Earned Income Tax Credit; Reporting rent payments to credit bureaus for any resident who affirmatively elects to participate, which will be a requirement of the LURA for the duration of the Affordability Period; Annual health fair provided by a health care professional; ~~Partnership with local law enforcement or local first responders to provide quarterly on-site social and interactive activities intended to foster relationships with residents (such activities could include playing sports, having a cook-out, swimming, card games, etc.);~~ Partnership with local law enforcement or local first responders to provide quarterly on-site social and interactive activities intended to foster relationships with residents (such activities could include playing sports, having a cook-out, swimming, card games, etc.); Notary Services during regular business hours (§2306.6710(b)(3)) , and Twice monthly on-site social events (i.e. potluck dinners, game night, sing-a-longs, movie nights, birthday parties, holiday celebrations, etc.). ~~The final list of amenities will be confirmed with permitting.~~ A copy of the approved LURA will be provided with the site or building permit.

i.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

PART 1. The San Marcos City Council finds the Recitals to be true and correct and adopts them as the findings of the City Council and incorporates them as part of this resolution.

PART 2. After due consideration of the findings of the City Council as stated in the Recitals, the information provided by the Applicant and any public comment, the City of San Marcos, Texas has no objection to the proposed application for the Project to the TDHCA, and confirms that the City Council has voted specifically to support the submittal of applications for the Project and to authorize an allocation of Housing Tax Credits for the Project pursuant to Texas Government Code §2306.6703(a)(4).

PART 3. As conditions of approval of this resolution:

a. The Applicant must comply with all City of San Marcos rules and regulations governing the development of the Project including, but not limited to:

i. the adopted Transportation Master Plan;

ii. all standards and regulations within the City's Code of Ordinances; and

iii. requirements for submission of required applications and payment of applicable fees.

b. The Applicant may not apply for and the Project will not be eligible to receive any variances from any applicable City of San Marcos ordinances, rules or regulations.

c. The Applicant must submit an executed Memorandum of Understanding for each local residential support service provider prior to the approval of future permits.

PART 4. To the extent applicable, the City Council hereby approves the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (the "Act"), to the property on which the development will be constructed and grants its approval for the use of proceeds of bonds issued by a housing finance corporation pursuant to the Act to finance construction of the development.

PART 5. As provided for in 10 TAC §11.3(e) and §11.4(c)(1), it is hereby acknowledged that the proposed New Construction Development is located in a census tract that has more than 20% Housing Tax Credit Units per total household and the proposed Development is consistent with the City's obligation to affirmatively further fair housing and the City has no objection to the Application.

PART 6. For and on behalf of the City Council, the Mayor or the City Clerk are each authorized to certify one or more copies of this resolution for submission to TDHCA.

PART 7. This resolution shall be in full force and effect immediately from and after its passage.

ADOPTED on XXXXXX

Jane Hughson
Mayor

Attest:

Elizabeth Trevino
City Clerk