

**RESOLUTION NO. 2018-238**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS SUPPORTING THE SUBMISSION OF AN APPLICATION FOR LOW INCOME HOUSING TAX CREDITS TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE PROPOSED VILLAS DEL SAN XAVIER SENIOR COMMUNITY LOCATED AT 2621 SOUTH INTERSTATE HIGHWAY 35; APPROVING FINDINGS RELATED TO SUCH APPLICATION; IMPOSING CONDITIONS FOR SUCH SUPPORT; PROVIDING AUTHORIZATIONS FOR EXECUTION OR SUBMISSION OF DOCUMENTS RELATED TO THE SUCH APPLICATION; AND DECLARING AN EFFECTIVE DATE.**

**RECITALS:**

1. San Germaine, LLC (“Applicant”) has proposed a senior community development presently known as the “Villas Del San Xavier” for affordable rental housing at 2621 South Interstate Highway 35 located in the City of San Marcos which will include approximately 156 affordable 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 §10.204(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 complies with the City of San Marcos Affordable Housing Policy pertaining to consideration of Low Income Housing Tax Credit projects by meeting necessary criteria as follows:

a. No exemptions from local taxes shall be given:

b. The Project will address a housing need by creating a diverse housing stock. The Project will include a minimum of 5% of all units to be set aside for the hearing and/or visually impaired.

**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 supports 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 including durable building materials, environmental protection, connectivity, site and building design requirements; and

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

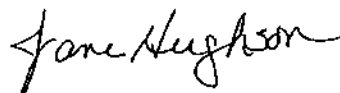
**b.** The Applicant may not apply for and the Project will not be eligible to receive any variances from any applicable City of San Marcos ordinances, rules or regulations.

**PART 4.** The Mayor and the City Manager are each authorized to execute any and all documents as necessary for the Applicant to complete its application for the Project to the TDHCA.

**PART 5.** 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 6.** This resolution shall be in full force and effect immediately from and after its passage.

**ADOPTED** on December 19, 2018.



Jane Hughson  
Mayor

Attest:

  
Jamie Lee Case  
City Clerk