

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: January 8, 2014
COUNCIL DISTRICT(S): 2
DEPARTMENT: Housing/Community Services
CMO: Theresa O'Donnell, 671-9195
MAPSCO: 46K

SUBJECT

Authorize an amendment to Resolution No. 13-1106, previously approved on June 26, 2013, for the conditional grant agreement in the amount of \$500,000 with Jubilee Park Community Center Corporation (JPCCC) to: **(1)** allow nonrecourse language in the legal documents with Jubilee Park Community Center Corporation; and **(2)** extend the completion date to June 26, 2015 for the acquisition, demolition, relocation, predevelopment and construction of the Jubilee Neighborhood Project - Financing: No cost consideration to the City

BACKGROUND

On November 20, 2013, Jubilee requested: (1) nonrecourse language be placed in the contract; and (2) to extend the completion date to June 26, 2015 for the conditional grant to JPCCC in the amount of \$500,000 for the development to include acquisition, demolition, relocation, predevelopment and construction costs, not to exceed \$50,000 in predevelopment reimbursement and \$25,000 in construction subsidy per housing unit. Once constructed, JPCCC will be required to place a five year deed restriction on the single family units to maintain affordability at 140% Area Median Family Income. JPCCC has agreed to match the funds in the amount of \$500,000 with the City's commitment of \$500,000.

The nonrecourse language would eliminate personal liability of the borrower, and would stipulate that the City's sole remedy in the event of a borrower default would be foreclosure of the property.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On June 26, 2013, City Council approved the conditional grant to JPCCC in the amount of \$500,000 for the development to include acquisition, demolition, relocation, predevelopment and construction costs of the Jubilee Neighborhood Project, by Resolution No. 13-1106.

FISCAL INFORMATION

No cost consideration to the City

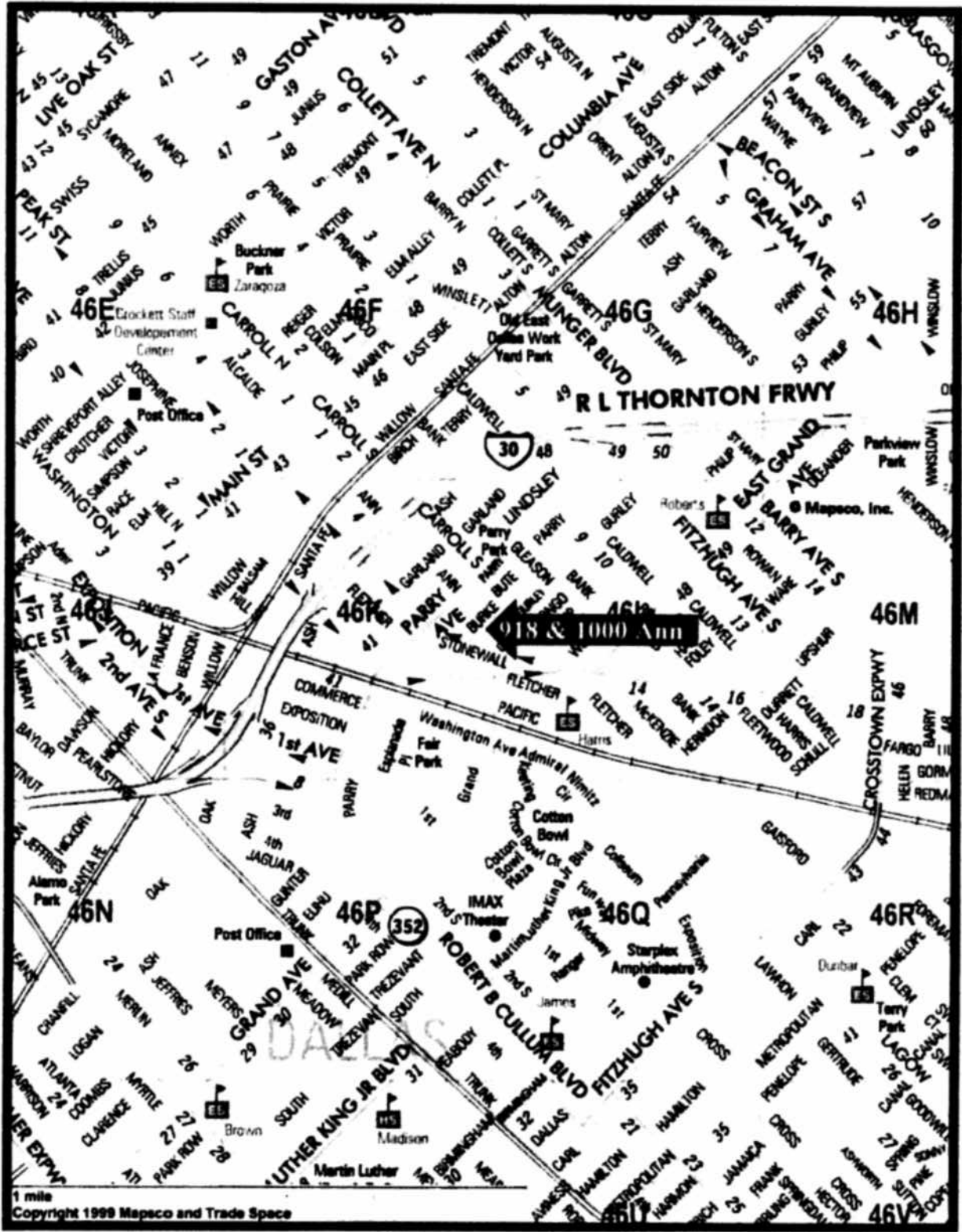
OWNER(S)/DEVELOPER(S)

Jubilee Park Community Center Corporation

Tom Harbison, Chairman of Board
Ben Leal, Executive Director

MAP

Attached



MAPSCO 46K

January 8, 2014

WHEREAS, the City of Dallas seeks to support economic growth in the Southern area of the city and economic development; and

WHEREAS, Jubilee Park Community Center Corporation (JPCCC) wishes to partner with the City of Dallas to provide forty single family homes in the Jubilee Neighborhood; and

WHEREAS, on June 26, 2013, City Council approved the conditional grant to JPCCC in the amount of \$500,000 for the development to include acquisition, demolition, relocation, predevelopment and construction costs of the Jubilee Neighborhood Project, by Resolution No. 13-1106; and

WHEREAS, the City requests a modification to the conditional grant agreement as part of the City's ongoing efforts to promote housing as a part of greater economic development plans in the city; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager, upon approval as to form by the City Attorney, is authorized to amend Resolution No. 13-1106 approved on June 26, 2013, for the conditional grant agreement in the amount of \$500,000 with Jubilee Park Community Center Corporation (JPCCC) to: (1) allow nonrecourse language in the legal documents with Jubilee Park Community Center Corporation; and (2) extend the completion date to June 26, 2015 for the acquisition, demolition, relocation, predevelopment and construction of the Jubilee Neighborhood Project.

SECTION 2. That the grant agreement is hereby expressly made subject to all of the following contingencies which must be performed or occur:

- a. JPCCC shall begin construction on the Jubilee Project by June 26, 2013
- b. JPCCC shall complete construction by June 26, 2015
- c. JPCCC will be required to prove match funding prior to the construction start of the nine homes
- d. JPCCC consents to and files deed restrictions requiring 100% of the units to be sold to homebuyers with household incomes at or below 140% Area Median Family Income for a period of five (5) years.

SECTION 3. That the City Manager or designee may extend the start and completion dates for a period up to three months for just cause.

SECTION 4. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the loans, until such time as the deed restrictions are duly approved by all parties and executed.

January 8, 2014

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Clean, Healthy Environment
AGENDA DATE: January 8, 2014
COUNCIL DISTRICT(S): 2, 3, 4, 6, 7, 8
DEPARTMENT: Housing/Community Services
CMO: Theresa O'Donnell, 671-9195
MAPSCO: 43F 44J 46L 46M 46Q 55F 65D 65V

SUBJECT

Authorize on-site reconstruction of nine homes in accordance with the requirements of the Reconstruction/SHARE Program Statement for the properties located at: 1444 Rowan Avenue in the amount of \$103,000; 1430 Morrell Avenue in the amount of \$103,000; 2307 Moffatt Avenue in the amount of \$103,000; 1907 Nomias Street in the amount of \$103,000; 1948 Gallagher Street in the amount of \$103,000; 4023 Shadrack Drive in the amount of \$103,000; 1524 Fleetwood Street in the amount of \$103,000; 4003 Carl Street in the amount of \$103,000; and 2531 Naoma Street in the amount of \$103,000 - Total not to exceed \$927,000 - Financing: 2013-14 Community Development Block Grant Funds (\$752,018); 2012-13 Community Development Block Grant Reprogramming Funds (\$91,000); and 2012-13 HOME Investment Partnership Program Grant Funds (\$83,982)

BACKGROUND

The homeowners and the properties herein described are eligible for a Reconstruction/SHARE Program loan. The homeowners are below 80% AMFI and their names, ages and property addresses follow: Antonio Garcia, a disabled male, 56 years old, residing at 1444 Rowan Avenue; Cuday Epperson & Ernie Richard, an elderly couple, both 73 years old, residing at 1430 Morrell Avenue; Jesusita Montemayor, an elderly female, 79 years old, residing at 2307 Moffatt Avenue; Velma Taylor, an elderly female, 91 years old, residing at 1907 Nomias Street; Mildred Thomas, an elderly female, 79 years old, residing at 1948 Gallagher Street; Kenneth Clinton & Jeanne Clinton, a disabled mother and son, 58 & 42 years old, residing at 4023 Shadrack Drive; Jesse Cash & Debra Cash, a disabled couple, 57 & 53 years old, residing at 1524 Fleetwood Street; Winifred Smith, an elderly female, 70 years old, residing at 4003 Carl Street; and Cora Brewer, an elderly female, 66 years old, residing at 2531 Naoma Street.

BACKGROUND (continued)

Authorization by City Council is required before proceeding with on-site reconstruction of a home when all of the following conditions exist: (a) repairs necessary to meet the Quality Standards and all applicable codes cannot be accomplished within the program funding limits; (b) the condition of the home creates an imminent danger to the life, health and/or safety of the residents, and/or the neighborhood; and (c) repairs are not feasible to extend the life of the repaired structure beyond 15 years.

This action provides the authority to proceed with on-site reconstruction of nine (9) single-family homes in compliance with the conditions listed above.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 12, 2007, City Council approved the Program Statement authorizing the Housing Department to implement the Reconstruction/SHARE Program Statement for reconstruction on-site pursuant to certain conditions for assistance up to \$87,500, by Resolution No. 07-3307.

On April 23, 2008, City Council authorized an amendment to the Reconstruction/SHARE Program Statement to add an amenities package up to \$5,900, by Resolution No. 08-1266.

On October 8, 2008, City Council authorized an amendment to the Reconstruction/SHARE Program Statement to assist low-income homeowners in Dallas earning less than 80% of Area Median Family Income (AMFI), and are 62 years of age or older or disabled, and to provide assistance with one (1) tax and insurance payment by Resolution No. 08-2768.

On December 9, 2009, City Council authorized an amendment to the Reconstruction/SHARE Program Statement to increase the maximum Reconstruction Program Assistance Type One loan amount from \$87,500 to \$93,400, by Resolution No. 09-2951.

On September 22, 2010, City Council authorized modifications to the Program Statement for the Reconstruction/SHARE Program to include reconstruction of homes with a failure of 3 systems and a foundation, and/or life, safety and health concerns. Allow payoff of secured housing liens up to the dollar amount of the amenities package of \$5,900.00; thereby reducing the dollar amount available for reconstruction to no less than \$87,500, but not changing the total loan amount of \$93,400. Annually 10% of funds may be used to assist persons younger than 62 years of age, or without a disability, and still meeting all other loan criteria by Resolution No. 10-2465.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (continued)

On November 10, 2010, City Council authorized an amendment to the Home Repair Program Statement for Reconstruction/SHARE Program Statement previously approved on September 22, 2010, by Resolution No. 10-2465; allow payoff of liens up to the amount of the amenities package of \$5,900, amended to: allow refinancing of liens up to the amount of the amenities package of \$5,900 by Resolution No. 10-2884.

On May 25, 2011, City Council authorized modifications to the Reconstruction/SHARE Program Statement to: (1) increase the maximum Reconstruction Program Assistance Type One loan amount from up to \$93,400 to up to \$103,000; (2) provide assistance to the extent permitted under appropriate regulations to cover the difference in the amount needed to complete an on-site reconstruction when either the contractor or property owner terminates the existing contract; and (3) clarification to the use of funds and deleting the payment of taxes in accordance with directions from the U.S. Department of Housing and Urban Development (HUD) by Resolution No. 11-1349.

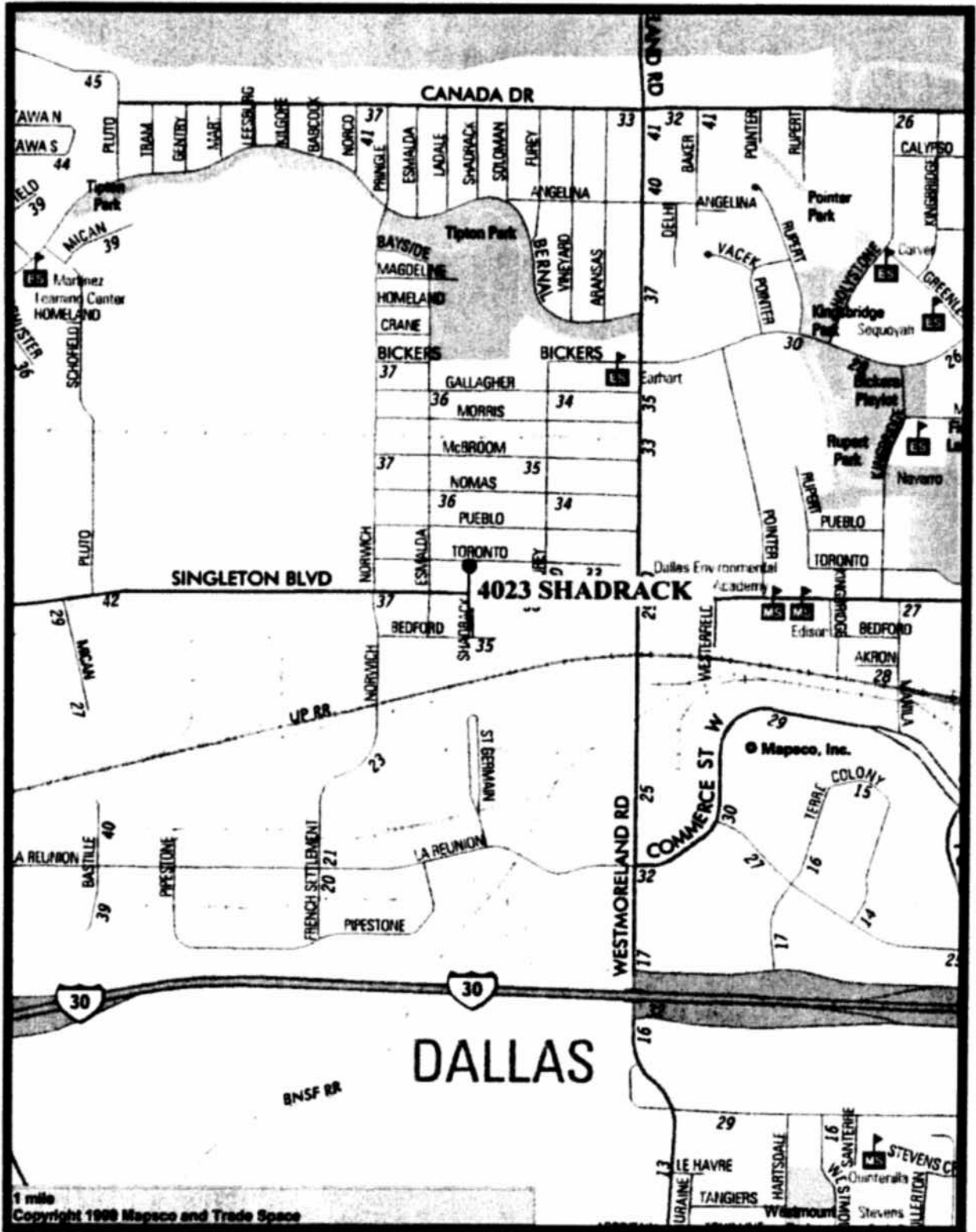
FISCAL INFORMATION

\$752,018 - 2013-14 Community Development Block Grant Funds
\$91,000 - 2012-13 Community Development Block Grant Reprogramming Funds
\$83,982 - 2012-13 HOME Investment Partnership Program Grant Funds

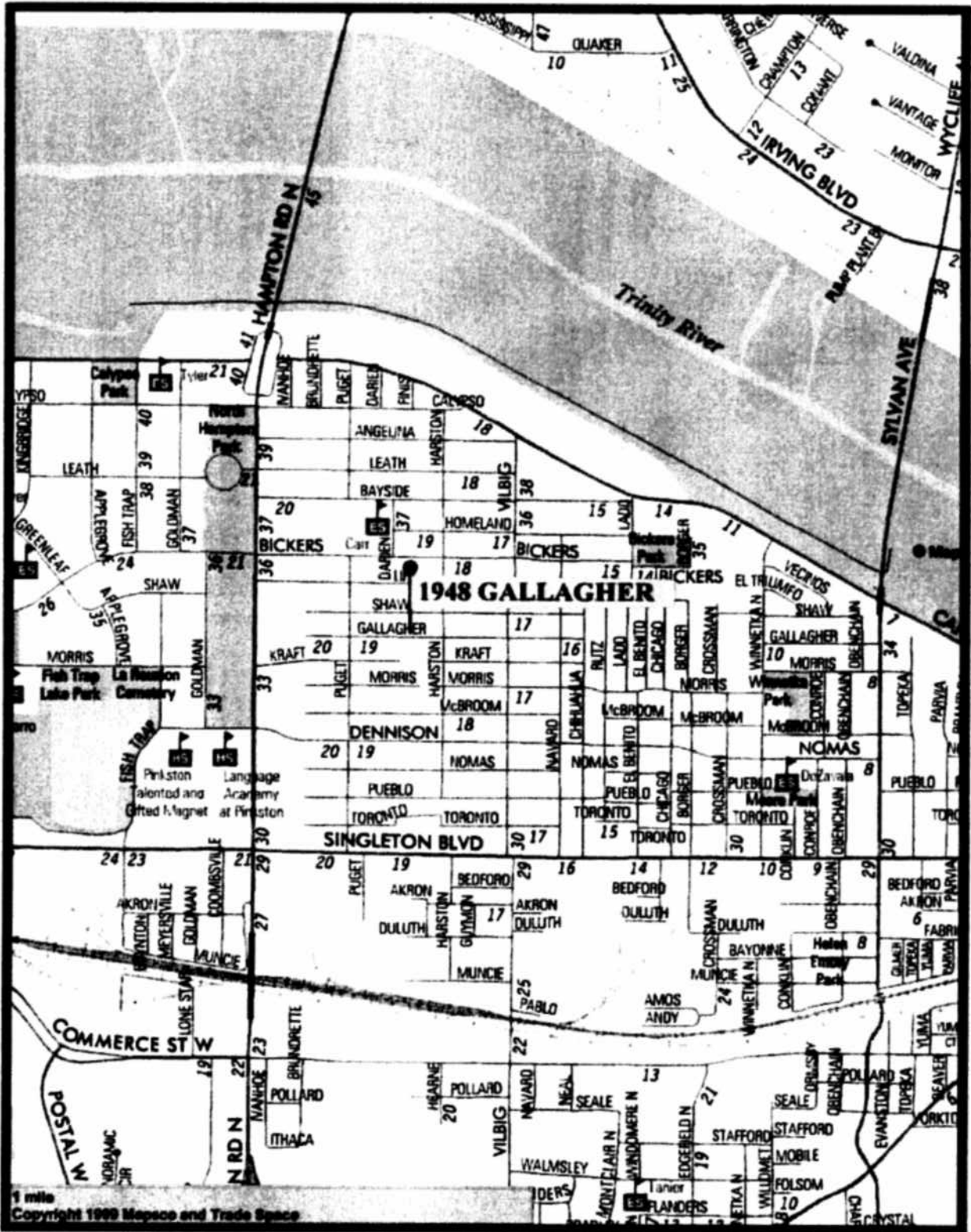
Council District 2 - \$103,000
Council District 3 - \$103,000
Council District 4 - \$206,000
Council District 6 - \$309,000
Council District 7 - \$103,000
Council District 8 - \$103,000

MAP(S)

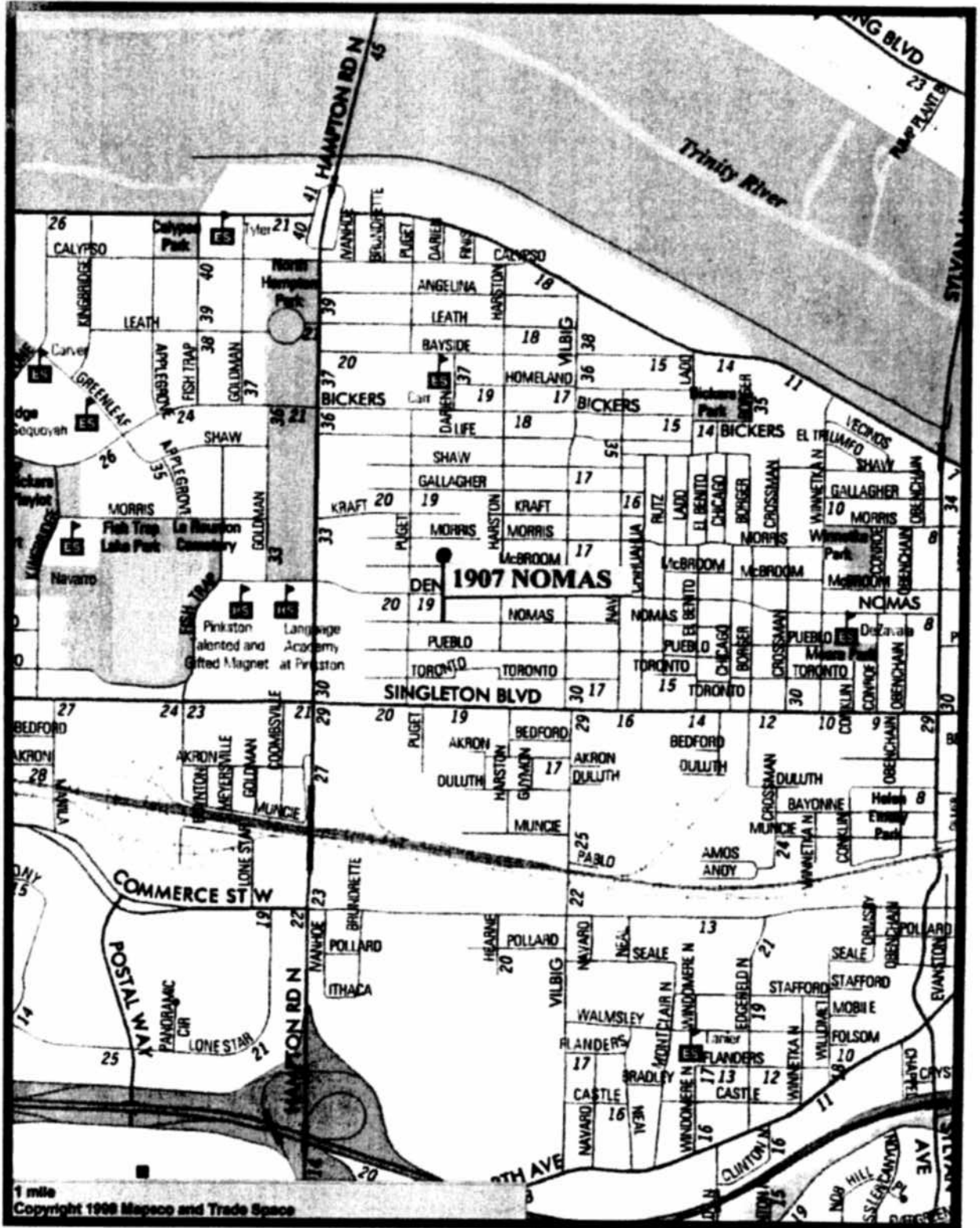
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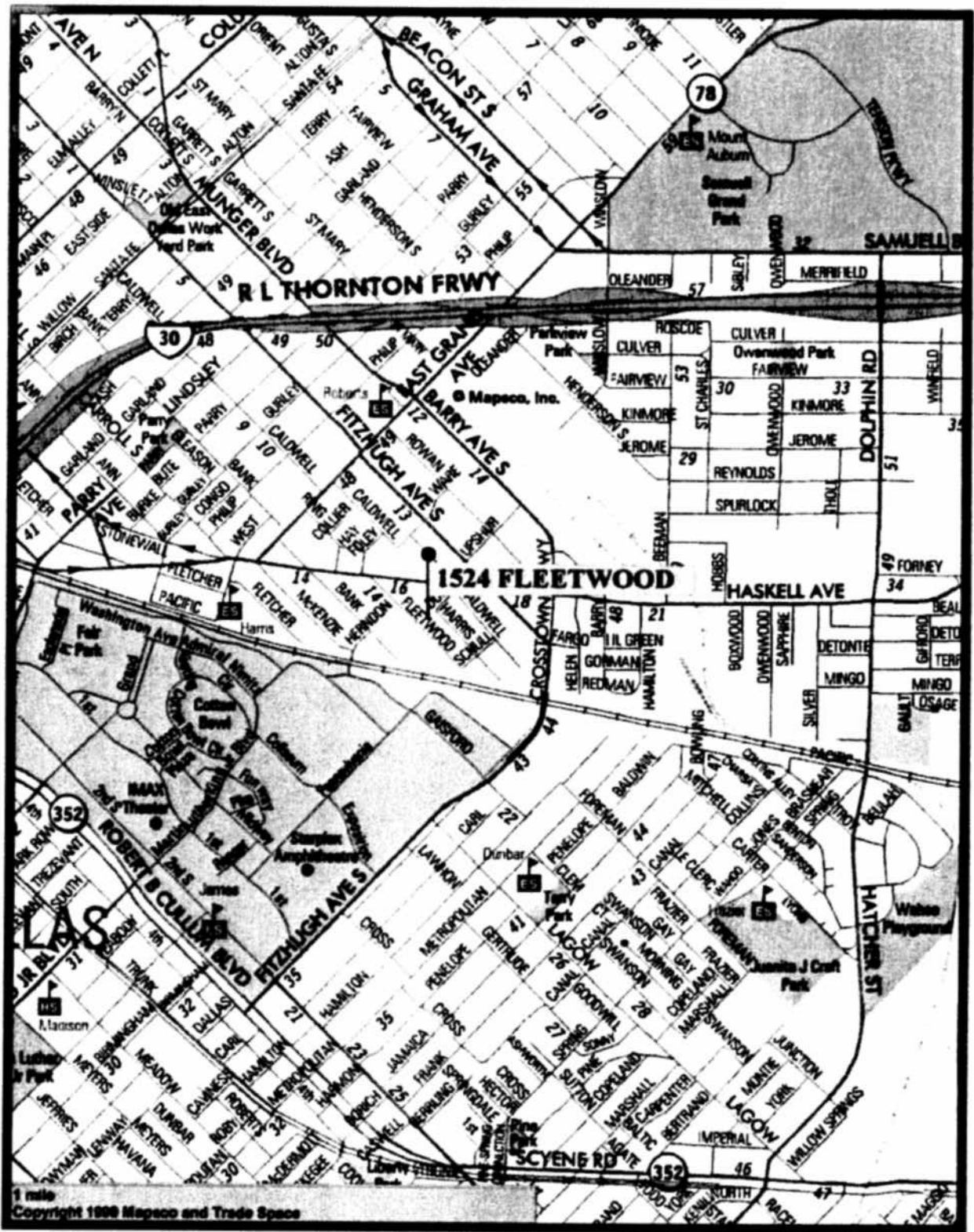
MAPSCO 43-F



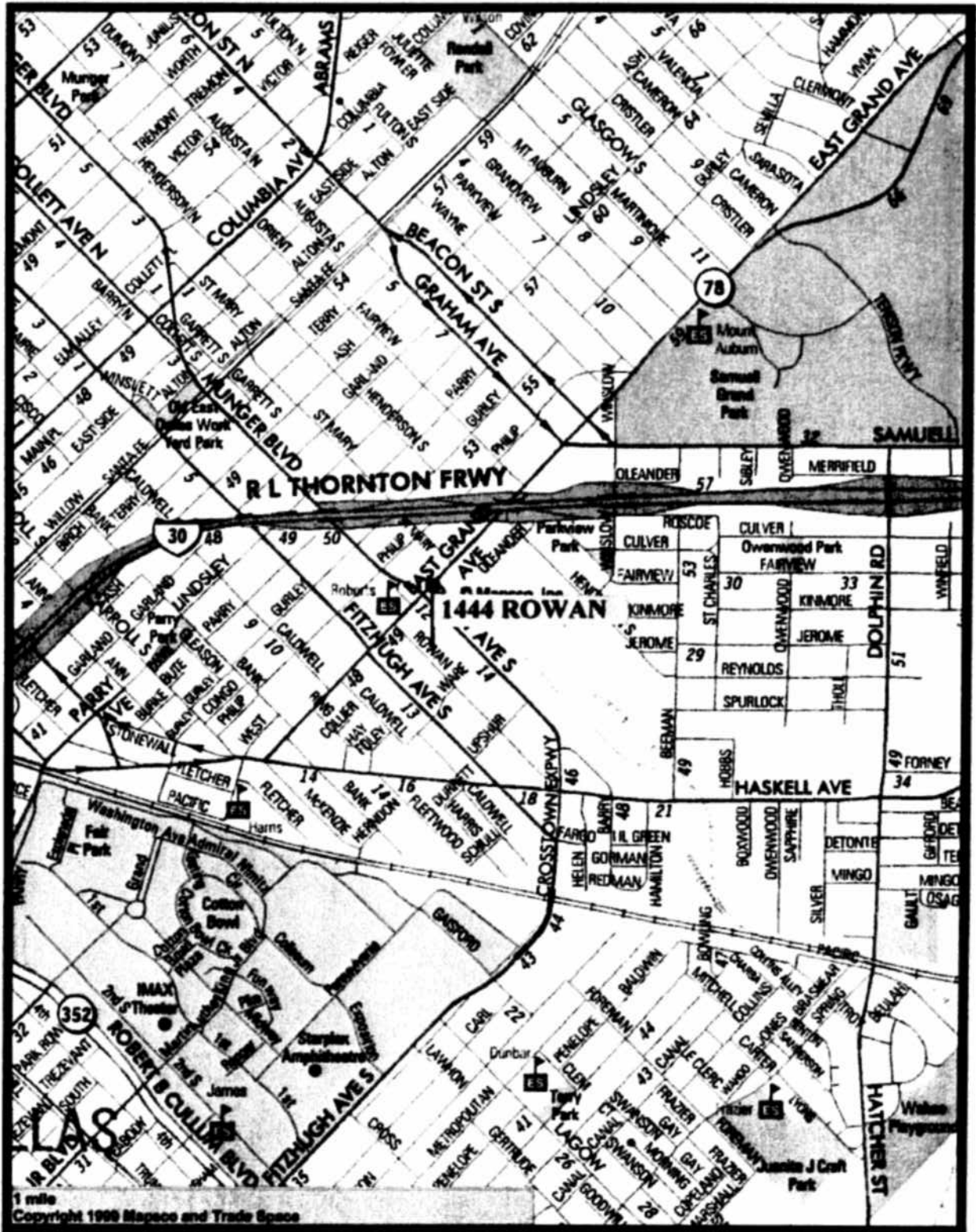
MAPSCO 44-J



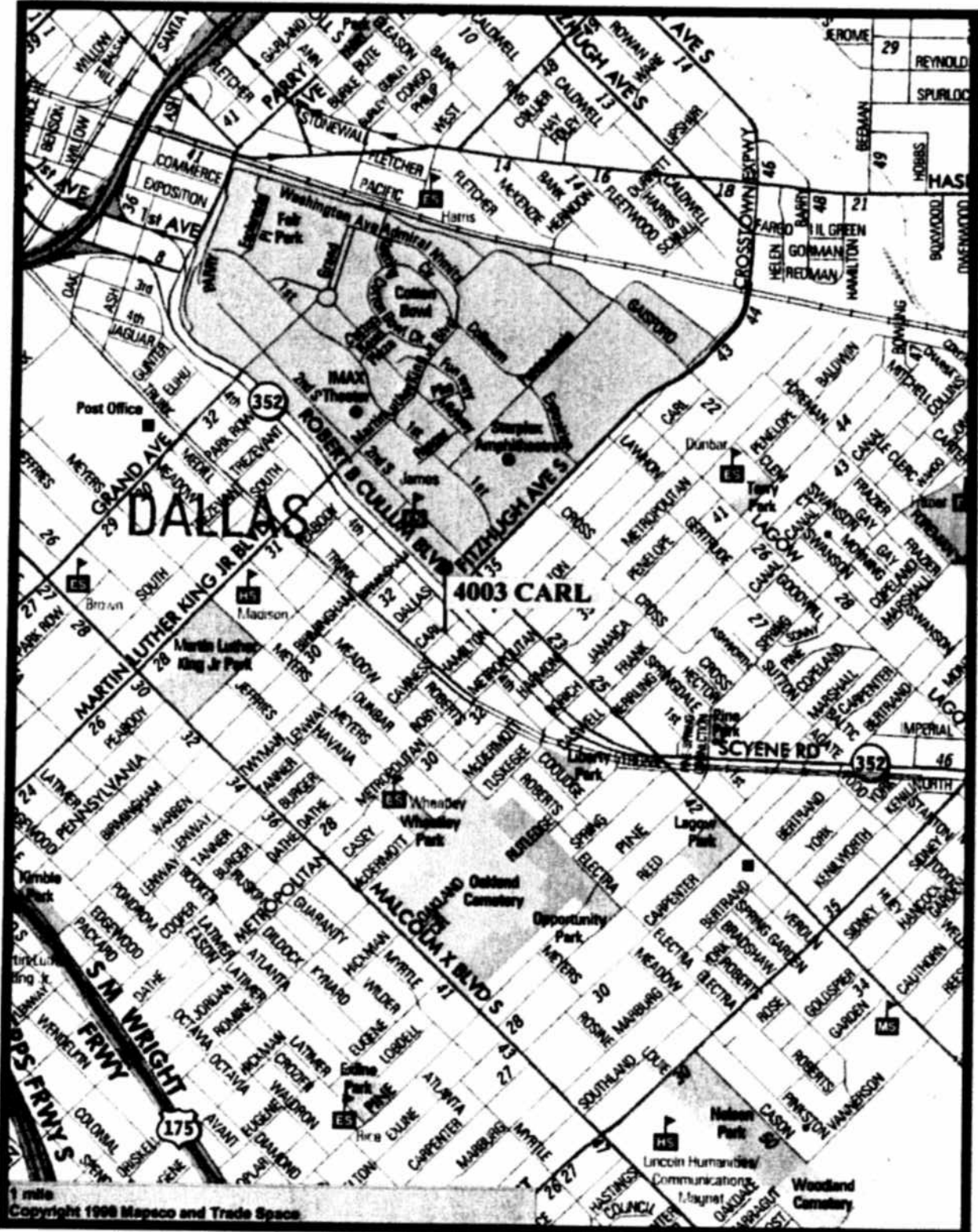
MAPSCO 44-J



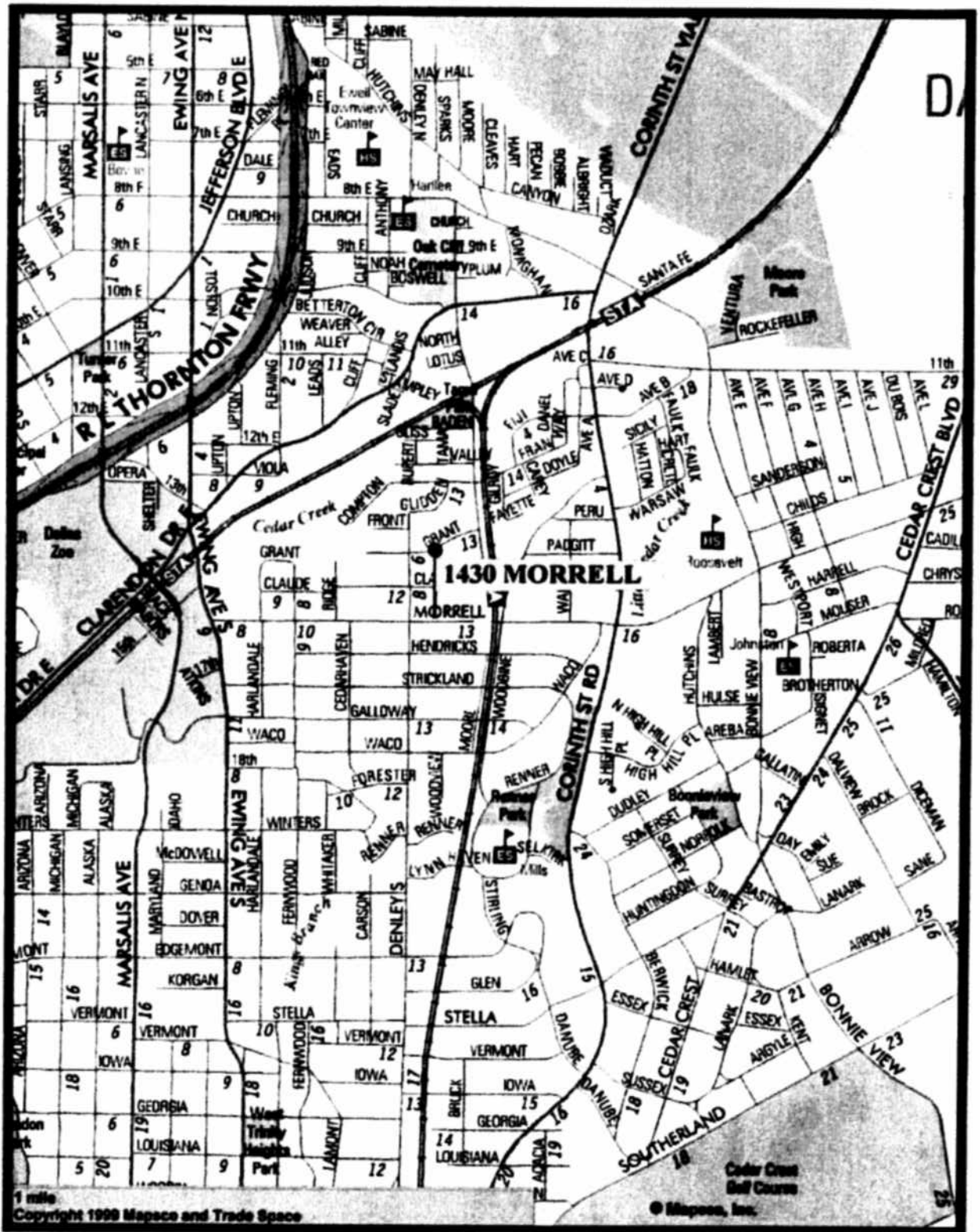
MAPSCO 46-L



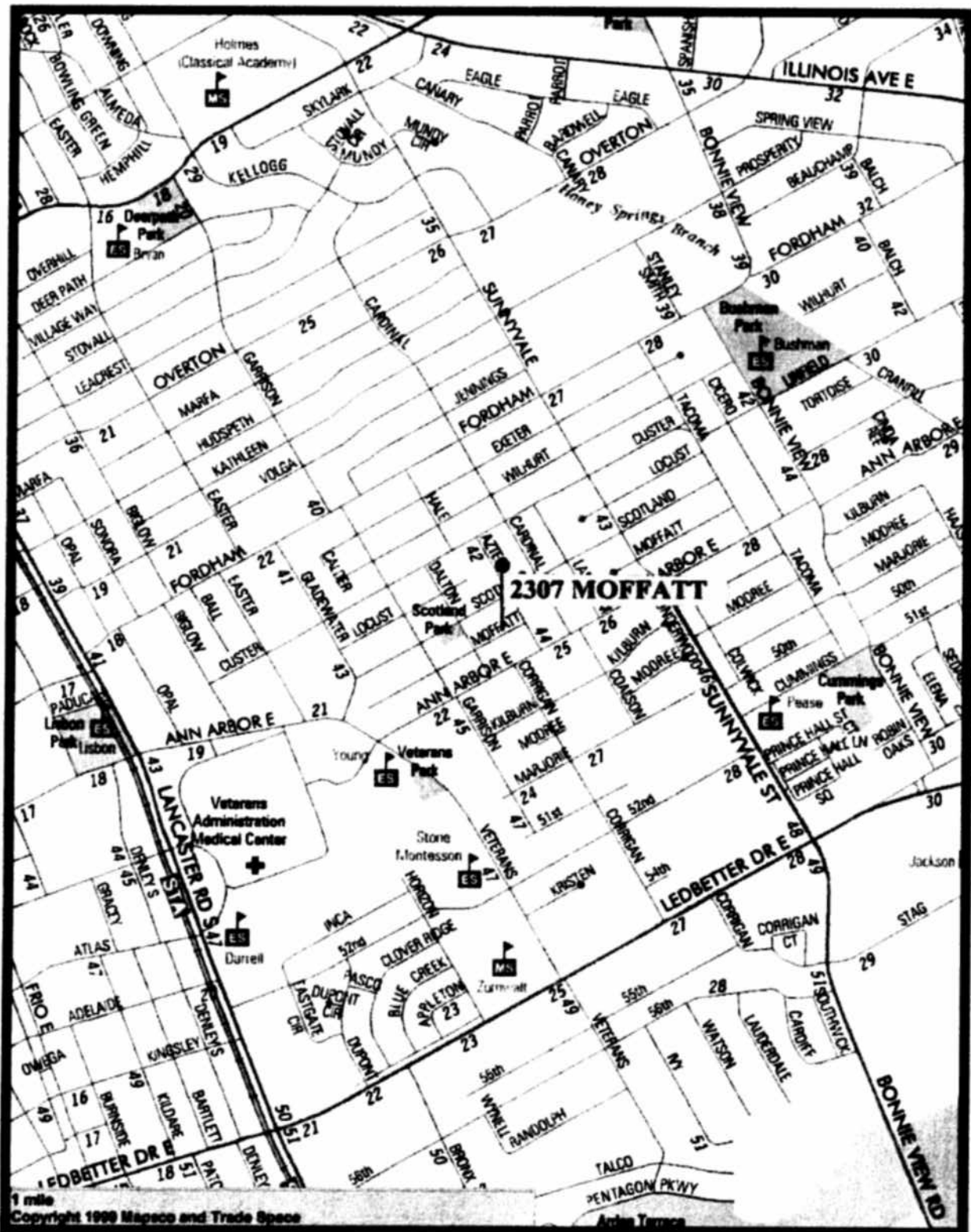
MAPSCO 46-M



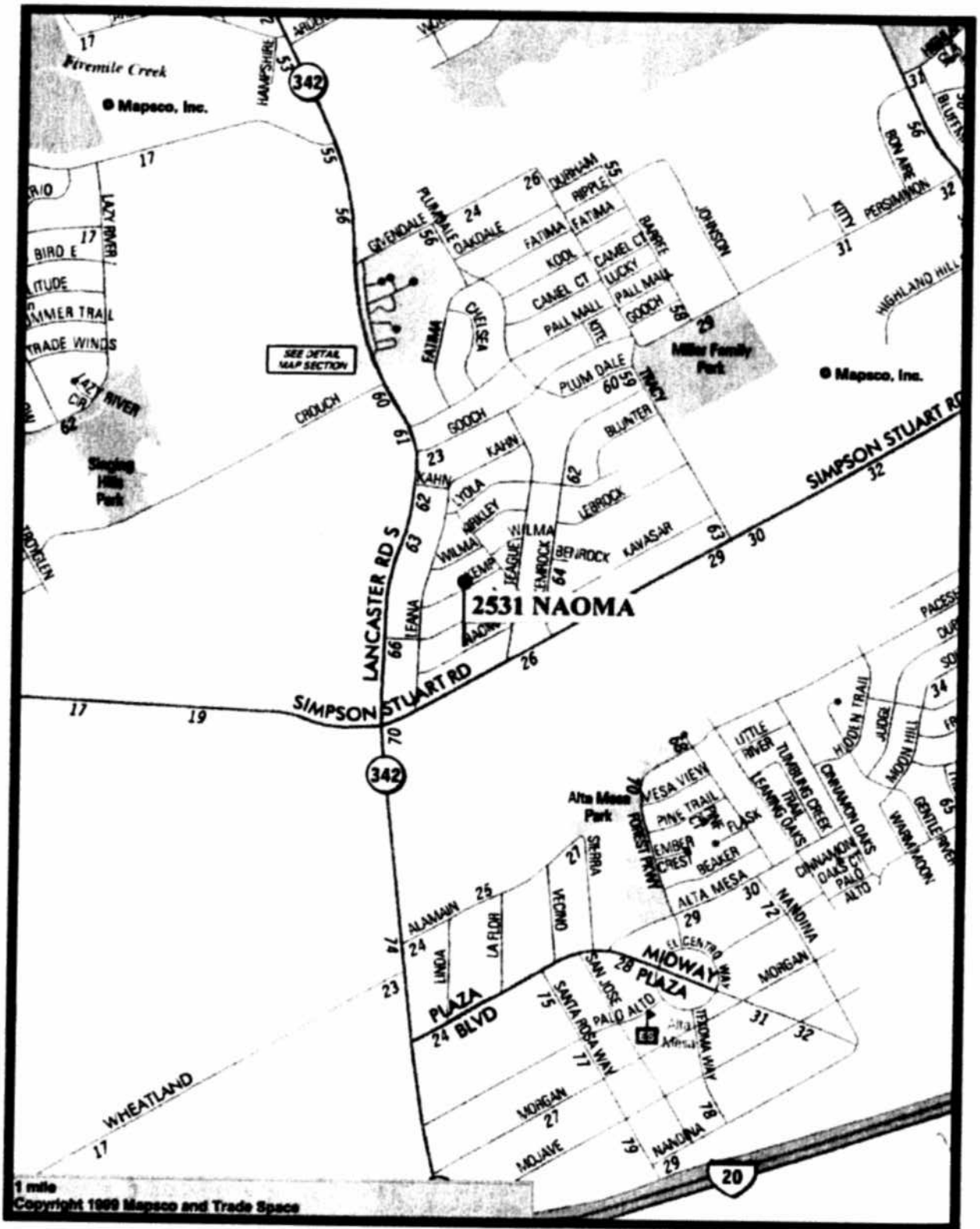
MAPSCO 46-Q



MAPSCO 55-F



MAPSCO 65-D



January 8, 2014

WHEREAS, on November 12, 2007, City Council approved the Program Statement authorizing the Housing Department to implement the Reconstruction/SHARE Program Statement for reconstruction on-site pursuant to certain conditions and for assistance up to \$87,500, by Resolution No. 07-3307; and

WHEREAS, on April 23, 2008, City Council authorized an amendment to the Reconstruction/SHARE Program Statement which added an amenities package up to \$5,900, by Resolution No. 08-1266; and

WHEREAS, on October 8, 2008, City Council authorized an amendment to the Reconstruction/SHARE Program Statement to assist low-income homeowners at 80% of AMFI, and 62 years of age or older or disabled, and to provide assistance with one (1) tax and insurance payment by Resolution No. 08-2768; and

WHEREAS, on December 9, 2009, City Council authorized an amendment to the Reconstruction/SHARE Program Statement to increase the maximum Reconstruction Program Assistance Type One loan amount from \$87,500 to \$93,400 by Resolution No. 09-2951; and

WHEREAS, on September 22, 2010, the City Council authorized modifications to the Program Statement for the Reconstruction/SHARE Program by Resolution No. 10-2465; and

WHEREAS, on November 10, 2010, City Council authorized an amendment to the Home Repair Program Statement for Reconstruction/SHARE Program Statement previously approved on September 22, 2010, by Resolution No. 10-2465; allow payoff of liens up to the amount of the amenities package of \$5,900 amended to: allow refinancing of liens up to the amount of the amenities package of \$5,900 by Resolution No. 10-2884; and

WHEREAS, on May 25, 2011, City Council authorized modifications to the Reconstruction/SHARE Program Statement to: (1) increase the maximum Reconstruction Program Assistance Type One loan amount from up to \$93,400 to up to \$103,000; (2) provide assistance to the extent permitted under appropriate regulations to cover the difference in the amount needed to complete an on-site reconstruction when either the contractor or property owner terminates the existing contract; and (3) clarification to the use of funds and deleting the payment of taxes in accordance with directions from the U.S. Department of Housing and Urban Development (HUD) by Resolution No. 11-1349; and

January 8, 2014

WHEREAS, the homeowners at the addresses herein described have made applications to the Home Repair Program: Antonio Garcia at 1444 Rowan Avenue; Cuday Epperson & Ernie Richard at 1430 Morrell Avenue; Jesusita Montemayor at 2307 Moffatt Avenue; Velma Taylor at 1907 Nomas Street; Mildred Thomas at 1948 Gallagher Street; Kenneth Clinton & Jeanne Clinton at 4023 Shadrack Drive; Jesse Cash & Debra Cash at 1524 Fleetwood Street; Winifred Smith at 4003 Carl Street; and Cora Brewer at 2531 Naoma Street; and

WHEREAS, all three conditions outlined in the Reconstruction/SHARE Program Statement for on-site reconstruction of the homes were met for the property owners: Antonio Garcia; Cuday Epperson & Ernie Richard; Jesusita Montemayor; Velma Taylor; Mildred Thomas; Kenneth Clinton & Jeanne Clinton; Jesse Cash & Debra Cash; Winifred Smith; and Cora Brewer;

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the applications from the homeowners and their properties described herein for reconstruction loans be approved under the Reconstruction/SHARE Program: Antonio Garcia at 1444 Rowan Avenue; Cuday Epperson & Ernie Richard at 1430 Morrell Avenue; Jesusita Montemayor at 2307 Moffatt Avenue; Velma Taylor at 1907 Nomas Street; Mildred Thomas at 1948 Gallagher Street; Kenneth Clinton & Jeanne Clinton at 4023 Shadrack Drive; Jesse Cash & Debra Cash at 1524 Fleetwood Street; Winifred Smith at 4003 Carl Street; and Cora Brewer at 2531 Naoma Street. The loans are in the amount shown in Section 3 hereof.

SECTION 2. That the City Manager, upon approval as to form by the City Attorney is authorized to execute the following loan documents: Antonio Garcia for on-site reconstruction at 1444 Rowan Avenue; Cuday Epperson & Ernie Richard for on-site reconstruction at 1430 Morrell Avenue; Jesusita Montemayor for on-site reconstruction at 2307 Moffatt Avenue; Velma Taylor for on-site reconstruction at 1907 Nomas Street; Mildred Thomas for on-site reconstruction at 1948 Gallagher Street; Kenneth Clinton & Jeanne Clinton for on-site reconstruction at 4023 Shadrack Drive; Jesse Cash & Debra Cash for on-site reconstruction at 1524 Fleetwood Street; Winifred Smith for on-site reconstruction at 4003 Carl Street; and Cora Brewer for on-site reconstruction at 2531 Naoma Street.

SECTION 3. That the City Controller is authorized to make payments for reconstruction of the home in accordance with the following funding information:

Fund CD13, Dept HOU, Unit 225F, Obj 3100 CT HOU22EFB049 (\$103,000)
Vendor # 337798 – Torres Construction – 1524 Fleetwood Street

January 8, 2014

SECTION 3. (continued)

Fund CD13, Dept HOU, Unit 225F, Obj 3100 CT HOU22EFB050 (\$103,000)
Vendor # 516779 – Opportunity Developers – 4023 Shadrack Drive

Fund CD13, Dept HOU, Unit 225F, Obj 3100 CT HOU22EFB051 (\$103,000)
Vendor # 339393 – Bethel Construction – 1948 Gallagher Street

Fund CD13, Dept HOU, Unit 225F, Obj 3100 CT HOU22EFB052 (\$103,000)
Vendor # 516779 – Opportunity Developers – 1907 Nomas Street

Fund CD13, Dept HOU, Unit 225F, Obj 3100 CT HOU22EFB053 (\$103,000)
Vendor # 516779 – Opportunity Developers – 2531 Naoma Street

Fund CD13, Dept HOU, Unit 225F, Obj 3100 CT HOU22EFB054 (\$103,000)
Vendor # 339393 – Bethel Construction – 1430 Morrell Avenue

Fund CD13, Dept HOU, Unit 225F, Obj 3100 CT HOU22EFB055 (\$103,000)
Vendor # 516779 – Opportunity Developers – 4003 Carl Street

Fund HM12, Dept HOU, Unit 895E, Obj 3100 CT HOU22EFB056 (\$83,982)
Fund CD13, Dept HOU, Unit 225F, Obj 3100 CT HOU22EFB056 (\$19,018)
Vendor # 337798 – Torres Construction – 2307 Moffatt Avenue

Fund 12R1, Dept HOU, Unit 954E, Obj 3100 CT HOU22EFB057 (\$91,000)
Fund CD13, Dept HOU, Unit 225F, Obj 3100 CT HOU22EFB057 (\$12,000)
Vendor # 337798 – Torres Construction – 1444 Rowan Avenue

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Memorandum



DATE January 3, 2014

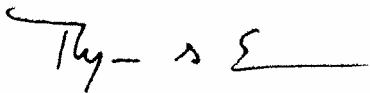
TO Members of the Housing Committee,
Carolyn Davis (Chair), Scott Griggs, (Vice-Chair), Monica Alonzo, Dwaine Caraway, Rick Callahan, Philip Kingston

SUBJECT Public Hearing for Patriot's Crossing LIHTC Project (addendum)

The Patriot's Crossing Project was approved by the City Council on October 23, 2013 for the developer, Sapphire Road Development Patriot's Crossing South, LLC, to make an application to the Texas Department of Housing & Community Affairs (TDHCA) for 4% Low Income Housing Tax Credits (LIHTC). Following the City Council approval, the developer filed the required paperwork to TDHCA. TDHCA approved bond funds for the project in November 2013 and following public comment period, will consider the tax credits in February 2014.

As the TDHCA staff reviewed paperwork in December 2013, they requested that the City of Dallas amend and place specific language in the City Council approved resolution to exactly match new requirements of the Texas Government Code and Texas Administrative Code. The specific notices include: notice has been provided to the Governing Body in accordance with Texas Government Code, the Governing Body has had sufficient opportunity to obtain a response from the Applicant regarding any questions or concerns about the proposed Development, the Governing Body has held a hearing at which public comment may be made on the proposed Development in accordance with Texas Government Code, and after due consideration of the information provided by the Applicant and public comment, the Governing Body does not object to the proposed Application.

The Addendum Item will formalize public comment and provide for the amendments requested by TDHCA. Should you have any questions, please contact me at (214) 670-3390.


Theresa O'Donnell
Interim Assistant City Manager

C: The Honorable Mayor and Members of the City Council

A.C. Gonzalez, Interim City Manager
Rosa Rios, City Secretary
Warren M.S. Ernst., City Attorney
Craig Kinton, City Auditor
Judge Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager

Forest Turner, Assistant City Manager
Joey Zapata, Assistant City Manager
Charles M. Cato, Interim Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Frank Libro, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor and Council