

**KEY FOCUS AREA:** Culture, Arts and Recreation and Educational Enhancements

**AGENDA DATE:** March 23, 2016

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Housing/Community Services  
Business Development & Procurement Services

**CMO:** Alan Sims, Chief of Neighborhood Plus, 670-1611  
Jeanne Chipperfield, 670-7804

**MAPSCO:** N/A

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**SUBJECT**

Authorize a ten-year service contract for the development of a ten-year comprehensive master plan for community/multipurpose centers in the Housing/Community Services department – drw planning studio, llc, most advantageous proposer of two - Not to exceed \$89,341 - Financing: Current Funds (subject to annual appropriations)

**BACKGROUND**

This service contract will provide for the development of a ten-year comprehensive master plan for community/multipurpose centers in the Housing/Community Services department. This master plan will include goals in addition to measurable objectives and proposed activities that will meet a variety of community needs. The plan focuses on areas within the community/multipurpose centers system such as technology, staffing and facilities. The plan will examine community growth patterns and demographics using market segmentation and ethnographic data to identify the needs for services with respect to future trends and technologies.

As part of the master planning process, the vendor will:

- Perform surveys and analysis of existing community/multipurpose centers with appropriate recommendations for facilities, services, technologies and operations
- Perform an analysis of existing services, current practices and organizations to determine how these shall change to best meet the future needs of the community
- Provide a five year update to the master plan
- Develop an ongoing annual evaluation process to measure progress, and outcomes of the plan, as well as updates to the plan

**BACKGROUND (Continued)**

- Evaluate delivery approaches, including: design, planning, programming, promoting/marketing of services, policies and staffing
- Prioritize current services and new services that will address community needs and goals for the next ten years
- Identify strategies to build community capacity for addressing community needs
- Address the financial implications of proposed recommendations with respect to the existing and future capital and operational models and budgets

The community centers serve a population of 1.3 million citizens and consists of two locations, the Martin Luther King Community Center and the West Dallas Multipurpose Center. In FY 2014 the community/multipurpose centers served approximately 300,000 visitors.

A five member committee from the following departments reviewed and evaluated the proposals:

- Housing/Community Services (2)
- Street Services (1)
- Park and Recreation (1)
- Business Development and Procurement Services (1)\*

\*Business Development and Procurement Services only evaluated cost.

The successful proposer was selected by the committee on the basis of demonstrated competence and qualifications under the following criteria:

- Cost 30%
- Experience and capability 25%
- Approach 45%

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 1,251 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council - Southwest, to ensure maximum vendor outreach.

**BACKGROUND (Continued)**

The recommended vendor meets the wage floor rate of \$10.37 approved by City Council on November 10, 2015, by Resolution No. 15-2141.

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

Information about this item will be provided to the Housing Committee on March 21, 2016.

**FISCAL INFORMATION**

\$89,341.00 - Current Funds (subject to annual appropriations)

**M/WBE INFORMATION**

- 237 - Vendors contacted
- 237 - No response
  - 0 - Response (Bid)
  - 0 - Response (No Bid)
  - 0 - Successful

1,251 - M/WBE and Non-M/WBE vendors were contacted

The recommended awardee has fulfilled the requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

**ETHNIC COMPOSITION**

drw planning studio, llc

White Male	1	White Female	0
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	0	Other Female	0

**PROPOSAL INFORMATION**

The following proposals were received from solicitation number BTZ1520 and were opened on November 6, 2015. This service contract is being awarded in its entirety to the most advantageous proposer.

\*Denotes successful proposer

**PROPOSAL INFORMATION (Continued)**

<b><u>Proposers</u></b>	<b><u>Address</u></b>	<b><u>Score</u></b>	<b><u>Amount</u></b>
*drw planning studio, llc	400 North Street Paul Street Suite #1212 Dallas, TX 75201	95.25%	\$89,341.00
S3 Transitions, LLC	918 Thistle Hill Trail Weatherford, TX 76087	90.36%	\$97,080.00

**OWNER**

**drw planning studio, llc**

David Whitley, President

March 23, 2016

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

**Section 1.** That the City Manager is hereby authorized to execute a service contract with drw planning studio, llc (VS86871) for the development of a ten-year comprehensive master plan for community/multipurpose centers in the Housing/Community Services department for a term of ten years in an amount not to exceed \$89,341.00, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to drw planning studio, llc shall be based only on the amount of the services directed to be performed by the City and properly performed by drw planning studio, llc under the contract.

**Section 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$89,341.00 (subject to annual appropriations) from Service Contract number MASCHOUMPLANCC.

**Section 3.** 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.

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** March 23, 2016  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Housing/Community Services  
**CMO:** Alan Sims, Chief of Neighborhood Plus, 670-1611  
**MAPSCO:** 46V

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**SUBJECT**

A resolution declaring one unimproved property located at 3709 Spring Avenue unwanted and unneeded and authorizing its conveyance to Dallas Neighborhood Alliance for Habitat, a qualified non-profit organization, through the Land Transfer Program (list attached) - Revenue: \$5,296

**BACKGROUND**

This item will declare one (1) unimproved property located at 3709 Spring Avenue unwanted and unneeded and authorize its conveyance to Dallas Neighborhood Alliance for Habitat, a qualified non-profit organization, through the Land Transfer Program.

This property is being sold to a qualified non-profit organization that provides affordable housing. Dallas Neighborhood Alliance for Habitat will construct one (1) single-family home containing approximately 1,378 square feet for purchase by a low to moderate income homebuyer at the proposed sales price of \$95,000 to \$110,000. The anticipated commencement date of construction is November 2018.

The deed to this property will include deed restrictions which prohibit the placement of industrialized housing on the property.

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

Information about this item will be provided to the Housing Committee on March 21, 2016.

**FISCAL INFORMATION**

Revenue - \$5,295.90

**OWNER**

**Dallas Neighborhood Alliance for Habitat**

William Hall, Chief Executive Officer

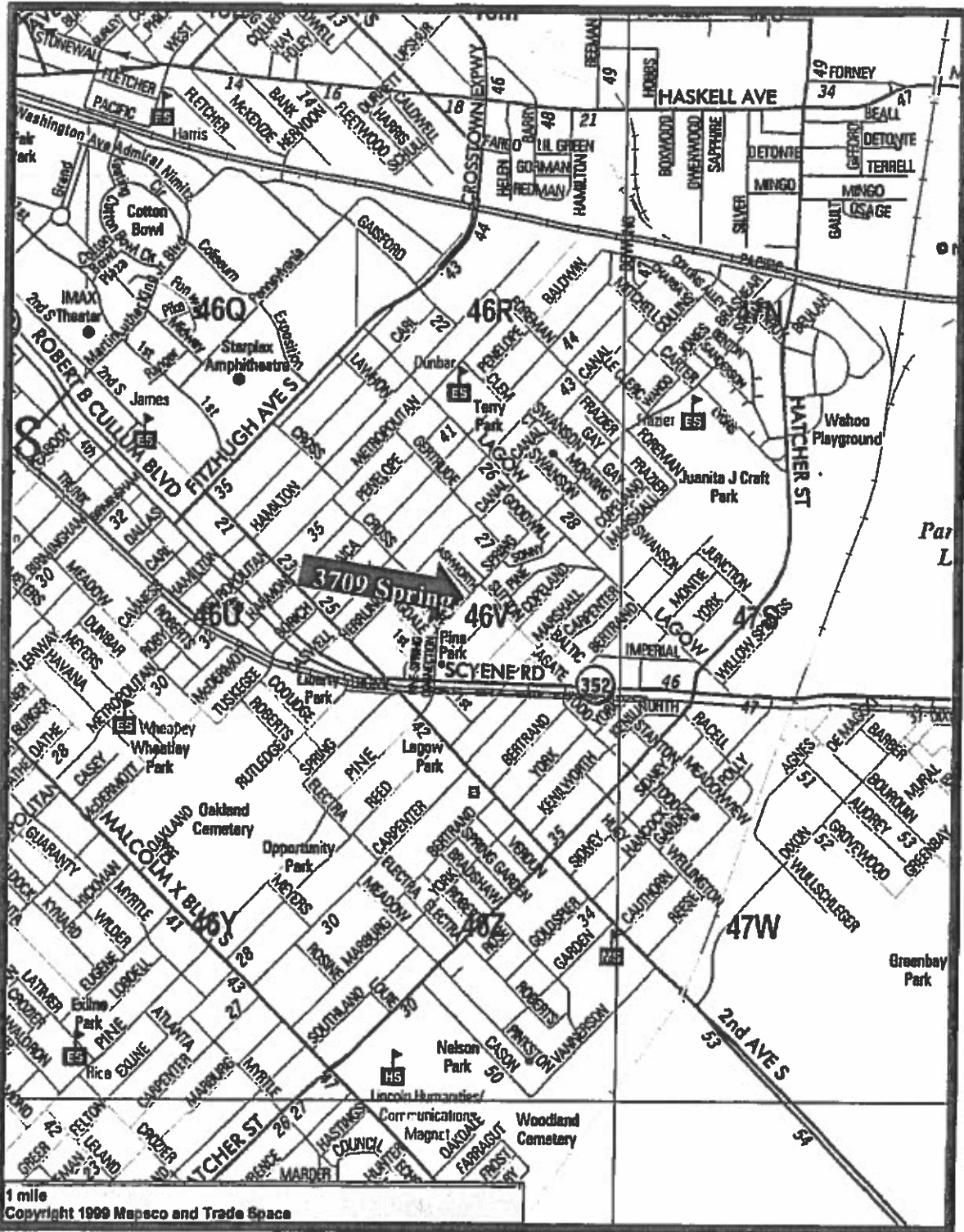
**MAP**

Attached

## Surplus Property Resale

<u>Parcel No.</u>	<u>Address</u>	<u>Non-Profit Organization</u>	<u>Mapsco</u>	<u>DCAD Amount</u>	<u>Sale Amount</u>	<u>Vac/ Imp</u>	<u>Zoning</u>	<u>Council District</u>
1.	3709 Spring	Dallas Neighborhood Alliance for Habitat	46V	\$39,800	\$5,295.90	V	PD-595	7





**MAPSCO 46V**

March 23, 2016

**WHEREAS**, the City acquired title to a certain property, identified on "Exhibit A", attached hereto and made a part hereof, by legal description and the volume and page number of said instrument recorded in the real property records of the county in which the property is located, ("Property"); and

**WHEREAS**, as authorized by Section 272.001(g) of the Texas Local Government Code, the City desires to sell the Property to a qualified "non-profit organization" for the development of "affordable housing" for low income persons, as those terms are defined for the purposes of this resolution in Section 2-26.5 of the Dallas City Code ("Code") in accordance with the non-profit organization's written proposal for development of the Property by the purchaser; and

**WHEREAS**, the City recognizes certain "qualified non-profit organizations" as those which:

- (1) are 501(c)(3) corporations, as defined by the U.S. Internal Revenue Service,
- (2) are in good standing with the State of Texas,
- (3) are community based organizations as evidenced by at least one-third (1/3) of their boards being made up of area residents or low income persons,
- (4) have articles of incorporation, charter or bylaws which show the provision of safe, decent, affordable housing to low and moderate income persons is a stated purpose of the organization, and
- (5) owe no outstanding judgements, tax delinquencies, or fees to the City; and

**WHEREAS**, the City has received a written proposal which contains proposed end use and time frame from a qualified non-profit organization to purchase the Property by private sale ("Proposal") at a fixed price of \$1,000.00 for up to 7,500 square feet of land purchased under a single Proposal, plus \$0.133 for each additional square foot of land purchased under the Proposal, all as indicated on "Exhibit A"; and

**WHEREAS**, the City Council desires to declare the Property shown on Exhibit "A" unwanted and unneeded and authorize its conveyance to Dallas Neighborhood Alliance for Habitat; and

**WHEREAS**, the Deed without Warranty to this Property will contain:

- (1) deed restrictions on the Property, acceptable to the City, requiring the Property to remain affordable to households whose incomes are less than 80% of the area median family income upon resale for five (5) years after initial occupancy, and
- (2) a right of reverter;

March 23, 2016

**WHEREAS**, the Deed Restrictions will require the purchaser to:

- (1) restrict the sale and resale of owner-occupied property to low-income individuals or families for five (5) years after the date of filing,
- (2) require the non-profit organization to develop the proposed housing unit within three (3) years after receiving the Deed without Warranty, and
- (3) require any low-income individual or family to maintain each housing unit and all improvements on the land during the five (5) year period;

**NOW, THEREFORE,**

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

**Section 1.** That the Proposal identified on Exhibit "A" is approved by the City.

**Section 2.** That upon receipt of the monetary consideration from Dallas Neighborhood Alliance for Habitat for the Property on the list as specified on Exhibit "A", the City Manager is hereby authorized to execute a Deed without Warranty, upon approval as to form by the City Attorney and attested by the City Secretary, conveying the Property to Dallas Neighborhood Alliance for Habitat and the possibility of reverter with right of re-entry, and to the terms and conditions of Code Section 2-26.10 through 2-26.12 and the Proposal.

**Section 3.** That the Deed without Warranty to this Property will contain:

- (1) deed restrictions on the Property, acceptable to the City, requiring the Property to remain affordable to households whose incomes are less than 80% of the area median family income upon resale for five (5) years after initial occupancy, and
- (2) a right of reverter.

**Section 4.** That the Deed Restrictions will require the purchaser to:

- (1) restrict the sale and resale of owner-occupied property to low-income individuals or families for five (5) years after the date of filing,
- (2) require the non-profit organization to develop the proposed housing unit within three (3) years after receiving the Deed without Warranty, and
- (3) require any low-income individual or family to maintain each housing unit and all improvements on the land during the five (5) year period.

March 23, 2016

**Section 5.** That the City Manager is authorized to execute an instrument, approved as to form by the City Attorney, releasing the City's possibility of reverter with right of re-entry and terminating the deed restrictions to the Property upon compliance with all terms and conditions of Code Section 2-26.10 through 2-26.12, the Proposal, and the deed restrictions.

**Section 6.** That the purchaser shall be responsible for the pro rata property taxes assessed from the date of closing for the remaining part of the then current calendar year. This Property shall be placed back on the tax rolls effective as of the date of execution of the deed.

**Section 7.** That any and all proceeds for the resale of the Property listed on Exhibit A shall be deposited to General Fund 0001, Agency DEV, Balance Sheet Account 0519 and the Sustainable Development and Construction Department shall be reimbursed for administrative costs incurred (Fund 0001, Department DEV, Unit 1183, Object 5011). Any remaining proceeds shall be transferred to the General Capital Reserve Fund 0625, Department DEV, Unit 8888, Revenue Source 8118.

**Section 8.** That if a title policy is desired, same shall be at the expense of the purchaser.

**Section 9.** That any procedures required by Code Section 2-24 that are not required by state law are hereby waived with respect to these conveyances.

**Section 10.** 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.

**EXHIBIT A**

**SURPLUS PROPERTY**

**March 23, 2016**

PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	VACANT/ IMPROVED	Volume and Page	QUALIFIED NONPROFIT PURCHASER	NUMBER OF DWELLING UNITS	TYPE OF DEED	SALE AMOUNT
1	3709 Spring Lot 11, City Block 1829	V	V.97171 P.03750	Dallas Neighborhood Alliance for Habitat	1	Deed Without Warranty	\$5,295.90
						<b>TOTAL</b>	<b>\$5,295.90</b>

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** March 23, 2016  
**COUNCIL DISTRICT(S):** 8  
**DEPARTMENT:** Housing/Community Services  
**CMO:** Alan Sims, Chief of Neighborhood Plus, 670-1611  
**MAPSCO:** 64Z

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**SUBJECT**

Authorize an amendment to Resolution No. 14-1223, previously approved on August 13, 2014, for two loan agreements for two separate phases of the Thornton Heights Project with East Dallas Community Organization to extend the completion date of both loan agreements from December 31, 2015 to August 31, 2016 – Financing: No cost consideration to the City

**BACKGROUND**

In 2009 the City loaned East Dallas Community Organization (EDCO) \$300,000 in CDBG funds for the acquisition of 29 single family lots, known as the Thornton Heights Project. The loan agreement, as amended, called for the 29 homes to be built and sold to low income families by December 31, 2015.

In November 2014, East Dallas Community Organization (EDCO) executed a HOME contract for \$800,000 funding to complete the development of the final 12 single family homes in the Thornton Heights Project.

As of February 2016, EDCO has built all 29 single family homes and sold 26 of them to low-moderate income families at or below 80% AMFI. Three homes are under contract with low-moderate income homebuyers and will be sold by August 2016. A 15-year deed restriction will remain on the property for affordability.

The extension of the maturity dates in the two loan agreements will allow EDCO to complete its efforts to sell the remaining units.

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

On June 27, 2012, the City Council approved the City of Dallas Consolidated Plan Budget for FY 2012-13 federal funds which included the HOME Investment Partnership Program Funds for Housing Development Loan Program, by Resolution No. 12-1629.

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

On August 13, 2014, the City Council approved (1) an extension of the development loan agreement with East Dallas Community Organization, Thornton Heights Project for acquisition and related acquisition costs of 29 unimproved properties to December 31, 2015; and (2) a development loan in the amount of \$800,000 for the construction of the final 12 homes, by Resolution No. 14-1223.

Information about this item will be provided to the Housing Committee on March 21, 2016.

**FISCAL INFORMATION**

No cost consideration to the City

**OWNER**

**DEVELOPER**

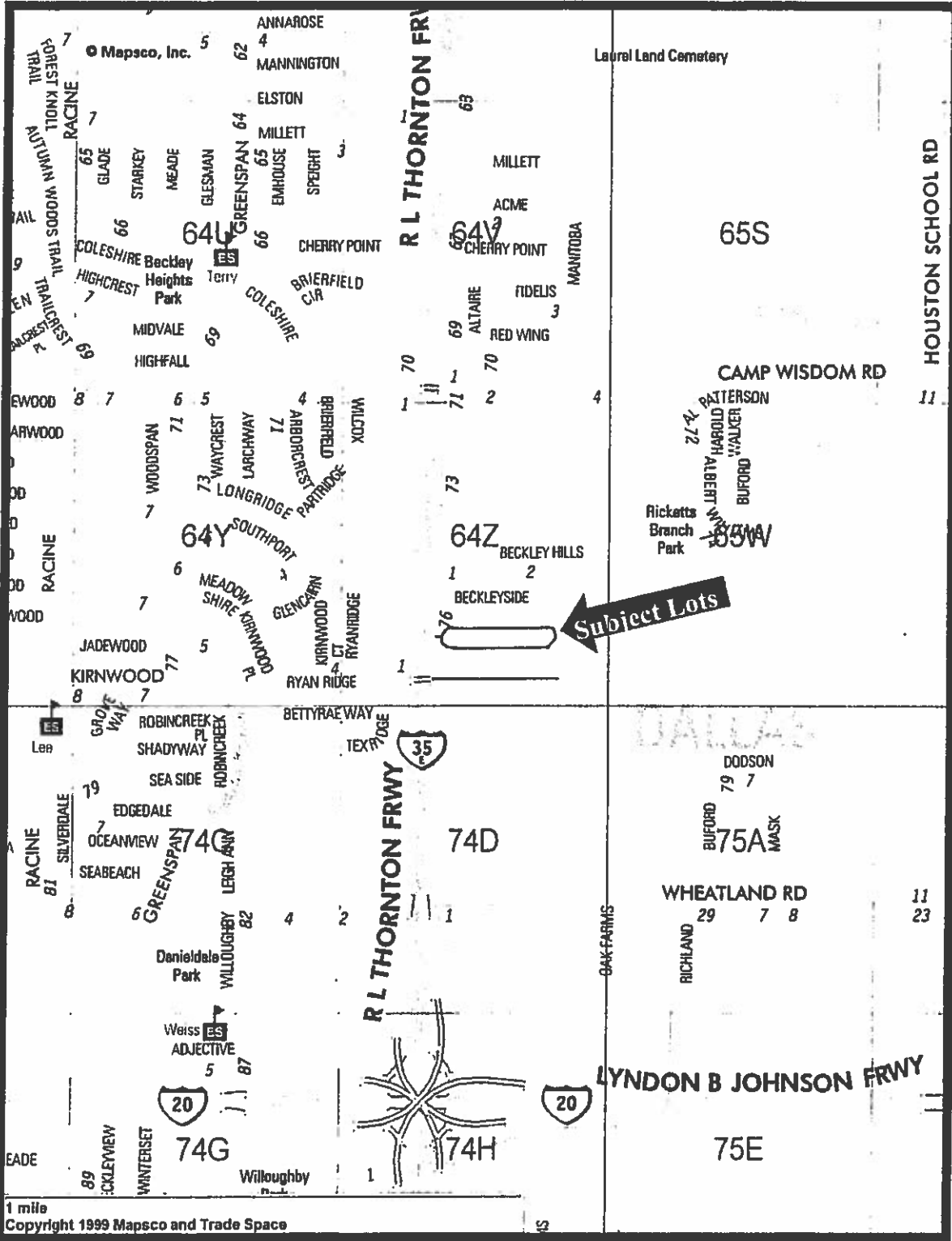
**East Dallas Community Organization      East Dallas Community Organization**

Gerald Carlton, President

Gerald Carlton, President

**MAP**

Attached



1 mile  
 Copyright 1999 Mapsco and Trade Space

**MAPSCO 64Z**



March 23, 2016

**WHEREAS**, affordable housing for low and moderate income families is a high priority of the City of Dallas; and

**WHEREAS**, on June 27, 2012, the City Council approved the City of Dallas Consolidated Plan Budget for FY 2012-13 federal funds which included the HOME Investment Partnership Program Funds for Housing Development Loan Program by Resolution No. 12-1629; and

**WHEREAS**, on August 13, 2014, the City Council approved (1) an extension of the development loan agreement with East Dallas Community Organization, Thornton Heights Project for acquisition and related acquisition costs of 29 unimproved properties to December 31, 2015; and (2) a development loan in the amount of \$800,000 for the construction of the final 12 homes, by Resolution No. 14-1223; and

**WHEREAS**, East Dallas Community Organization has requested an extension of time to the development loan agreement to allow them to continue their efforts to sell the final three units to low-to-moderate income families at or below 80% AMFI; **NOW, THEREFORE,**

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

**Section 1.** That following approval as to form by the City Attorney, the City Manager is authorized to amend the two loan agreements for two separate phases of the Thornton Heights Project with East Dallas Community Organization to extend the completion date of both loan agreements from December 31, 2015 to August 31, 2016.

**Section 2.** The terms of the agreement will include:

- (a) EDCO must sell the remaining homes to low-to-moderate income families whose incomes are 80% or less of area median family income by the maturity date.
- (b) Borrower will be released from liability on the Note at the same time the low-to-moderate income family closes the purchase on the home.
- (c) Properties will be deed restricted for affordability at 80% or less of Area Median Family Income for sale and resale to eligible homebuyers for a period of fifteen years.

**Section 3.** That the City Manager, upon approval as to form by the City Attorney, is authorized to execute the agreements described herein, as well as releases of liens and terminations of deed restrictions on the property upon compliance with the loan terms.

March 23, 2016

**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 loan, until such time as the loan documents are duly approved by all parties and executed.

**Section 5.** 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.

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** March 23, 2016  
**COUNCIL DISTRICT(S):** 14  
**DEPARTMENT:** Housing/Community Services  
**CMO:** Alan Sims, Chief of Neighborhood Plus, 670-1611  
**MAPSCO:** 46B

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**SUBJECT**

Authorize an amendment to Resolution No. 16-0271, previously approved on February 10, 2016, to correct the name of the purchaser of 5444 Gaston Avenue from Azur Commercial Capital, LLC to Gaston Commons, LLC - Financing: No cost consideration to the City

**BACKGROUND**

On June 27, 2001, the City Council approved Resolution No. 01-2049, authorizing the City of Dallas Housing/Community Services Department to provide Community Housing Development Organization (CHDO) loans to certified organizations for the creation of affordable housing.

In 2004, the City of Dallas Housing/Community Services Department provided a CHDO loan in the amount of \$50,000.00 to Central Dallas Community Development Corporation to rehabilitate the Property with a 0% interest rate and a maturity date of May 1, 2021. The loan would be forgiven monthly over a period of 15 years, upon completion and occupancy of the units. The current amortized balance of the loan to the City is \$17,778.78.

Central Dallas Community Development Corporation, wishes to sell the property at 5444 Gaston Avenue, to Gaston Commons, LLC and has requested that the City of Dallas allow the sale, and the assumption of the City's loan to Gaston Commons, LLC. The City Council approved the sale on February 10, 2016 but the name of the LLC was incorrect. The new owner will be required to maintain affordable units through May 1, 2021.

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

On June 27, 2001, the City Council authorized the City of Dallas Housing/Community Services Department to provide Community Housing Development Organization (CHDO) loans to certified organizations for the creation of affordable housing, by Resolution No. 01-2049.

On February 10, 2016, the City Council authorized (1) the sale of property located at 5444 Gaston Avenue, containing 11 apartment units, (the "Property") from Central Dallas Community Development Corporation to Azur Commercial Capital, LLC; and (2) the assumption by Azur Commercial Capital, LLC, of the remaining balance of the loan, originally made in 2004 for the rehabilitation of the Property, owed by Central Dallas Community Development Corporation to the City of Dallas in the amount of \$17,779, by Resolution No. 16-0271.

Information about this item was provided to the Housing Committee on February 1, 2016.

**FISCAL INFORMATION**

No cost consideration to the City

**OWNER(S)**

**Azur Commercial Capital, LLC**

Barrett Linburg, Principal

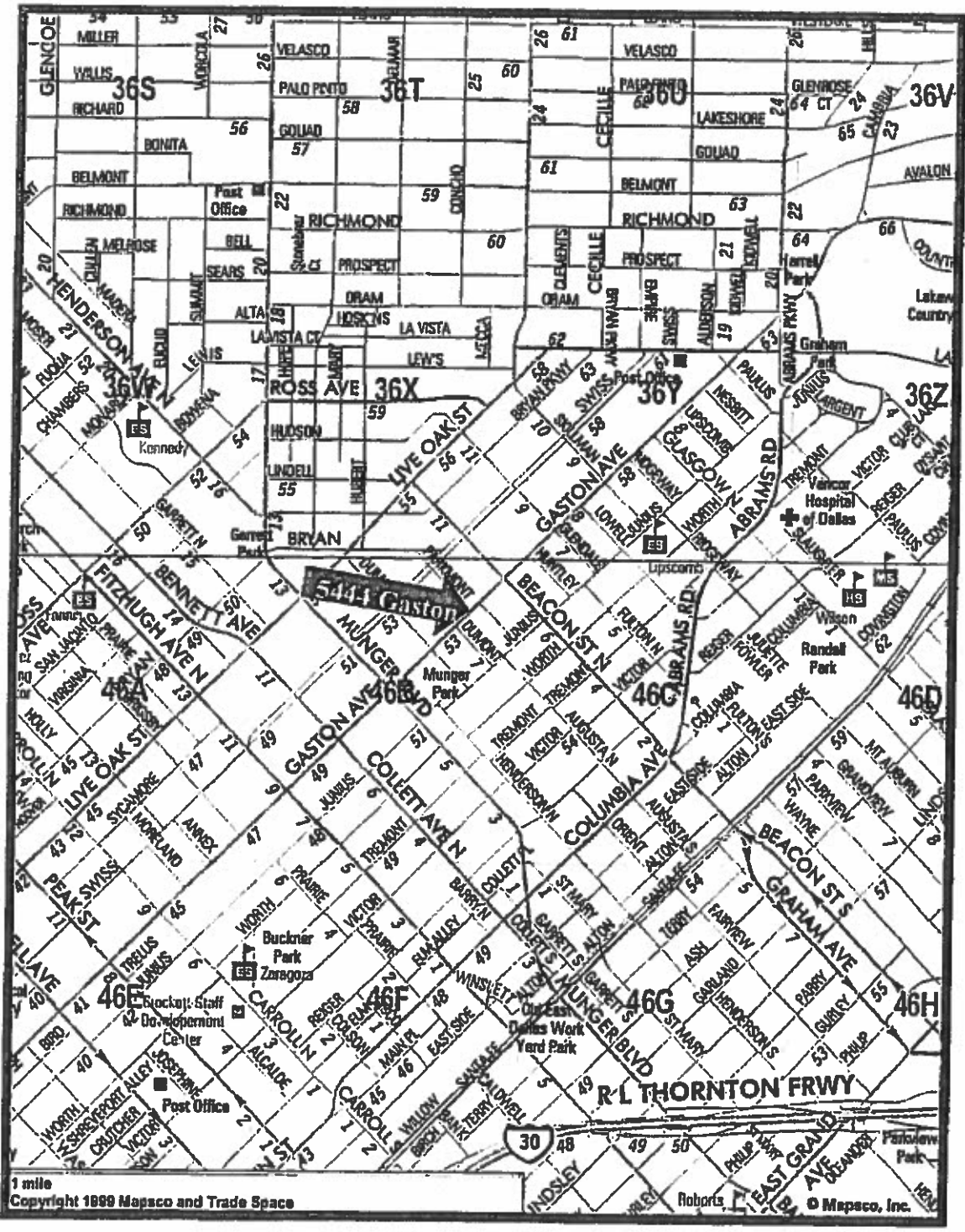
**PURCHASER**

**Gaston Commons, LLC**

Barrett Linburg, Principal

**MAP**

Attached



**MAPSCO 46B**

March 23, 2016

**WHEREAS**, on June 27, 2001, City Council approved Resolution No. 01-2049, authorizing the City of Dallas Housing/Community Services Department to provide Community Housing Development Organization (CHDO) loans to certified organizations for the creation of affordable housing; and

**WHEREAS**, on May 1, 2004, the City of Dallas provided a CHDO loan in the amount of \$50,000 to Central Dallas Community Development Corporation to rehabilitate the 11 units located at 5444 Gaston Avenue (the "Property") with a 0% interest rate and a maturity date of May 1, 2021; the loan would be forgiven monthly over a period of 15 years; and

**WHEREAS**, current balance of the loan to the City is \$17,778.78; and

**WHEREAS**, Central Dallas Community Development Corporation wishes to sell the Property; and

**WHEREAS**, Gaston Commons, LLC wishes to purchase the Property, assume the remainder of the City's loan, and maintain the affordable housing units; and

**WHEREAS**, the City of Dallas seeks to maintain the affordable units on the Property;

**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 hereby authorized to correct the name of the purchaser of 5444 Gaston Avenue from Azur Commercial Capital, LLC to Gaston Commons, LLC.

**SECTION 2.** That the City Manager, upon approval as to form by the City Attorney, is authorized to execute loan assumptions documents, releases of liens, termination of deed restrictions, and subordinations to mortgage lender in compliance with the loan terms, deed restrictions and or forgiveness of debt.

**SECTION 3.** 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 loan documents are duly approved by all parties and executed.

March 23, 2016

**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.

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** March 23, 2016  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Housing/Community Services  
**CMO:** Alan Sims, Chief of Neighborhood Plus, 670-1611  
**MAPSCO:** 46R V

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**SUBJECT**

A public hearing to receive comments on the proposed sale of ten unimproved properties acquired by the taxing authorities from the Sheriff to South Dallas Fair Park Inncity Community Development Corporation, a qualified non-profit organization; and, at the close of the public hearing, authorize the City Manager to: (1) quitclaim ten unimproved properties to South Dallas Fair Park Inncity Community Development Corporation under the HB110 process of the City's Land Transfer Program; and (2) release the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Revenue: \$10,000

**BACKGROUND**

The HB110 process of the City's Land Transfer Program, in accordance with Section 2-26 of the Dallas City Code ("Code") and with Section 253.010 of the Texas Local Government Code, permits the City to sell land, which the City has acquired as a trustee, for itself and the other taxing jurisdictions, from the Sheriff pursuant to the tax foreclosure process, to a qualified non-profit organization for the purpose of providing affordable housing, subject to the consent of the other taxing jurisdictions.

Property eligible for the HB110 process of the City's Land Transfer Program may be sold by quitclaim deed and include a possibility of reverter and right of re-entry, triggered under certain conditions, including if construction of affordable housing is not completed on the property within three years of the non-profit's receipt of the quitclaim deed. The quitclaim deed must also include deed restrictions that ensure the desired development of the property and maintain the affordability of the property as required by the Code.



**BACKGROUND (continued)**

Per the Code, the sales price of each property is \$1,000 for up to 7,500 square feet of land plus \$0.133 for each additional square foot of land, which amount is distributed by the City to both the City and the other taxing jurisdictions in accordance with Section 34.06 of the Texas Tax Code, plus an amount equal to the actual fees charged for recording the Sheriff's deed and the quitclaim deed in the real property records. Prior to the approval of any sale, the Code requires that the City Council hold a public hearing to receive comments on the proposed sale of land and provide certain notices to the public.

South Dallas Fair Park Inncity Community Development Corporation (ICDC), submitted a proposal to construct ten (10) single-family homes with the homes containing approximately 1,350 square feet on the ten unimproved HB110 process-eligible, Land Transfer Program properties, identified on Exhibit A, attached to the resolution, for purchase by low to moderate income homebuyers at a proposed sales price of \$102,000 with construction to begin in March 2017.

This item calls for a public hearing to allow the public an opportunity to comment on the proposed sale of the ten unimproved properties to ICDC and, at the close of the public hearing, authorizes the sale of the properties to ICDC by quitclaim deed and the release of the City's non-tax liens included in the foreclosure judgment and the post-judgment non-tax liens, if any.

In conformance with the Code, at least ten calendar days prior to the public hearing, a sign indicating the time and place of the public hearing was placed on the property, notification of the public hearing was mailed to property owners within 200 feet of the property, and notice of the public hearing was published in the Dallas Morning News.

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

On February 24, 2016, City Council authorized a public hearing to receive comments on the proposed sale by quitclaim deed of ten unimproved properties acquired by the taxing jurisdictions from the Sheriff to South Dallas Fair Park Inncity Community Development Corporation by Resolution No. 16-0350.

Information about this item will be provided to the Housing Committee on March 21, 2016.

**FISCAL INFORMATION**

Revenue - \$10,000

**OWNER**

**South Dallas Fair Park Innercity Community Development Corporation**

Diane Ragsdale, Managing Director

**MAP**

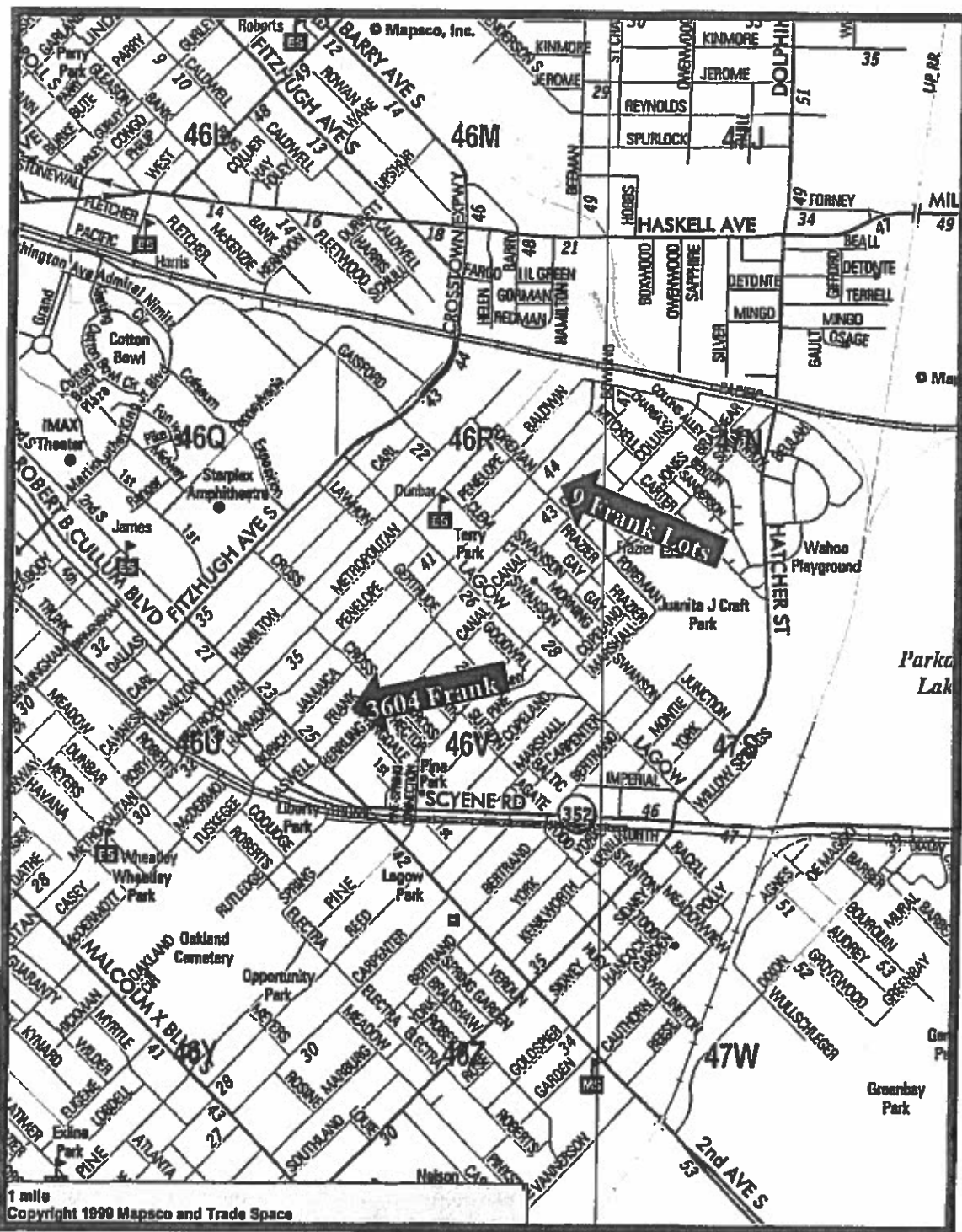
Attached

### Tax Foreclosure and Seizure Property Resale

<u>Parcel No.</u>	<u>Address</u>	<u>Non-Profit Organization</u>	<u>Mapsco</u>	<u>DCAD Amount</u>	<u>Sale Amount</u>	<u>Vac/ Imp</u>	<u>Zoning</u>
1.	3604 Frank	South Dallas Fair Park Innerscity Community Development Corporation	46V	\$5,000	\$1,000.00	V	PD-595
2.	4347 Frank	South Dallas Fair Park Innerscity Community Development Corporation	46R	\$10,160	\$1,000.00	V	PD-595
3.	4405 Frank	South Dallas Fair Park Innerscity Community Development Corporation	46R	\$5,000	\$1,000.00	V	PD-595
4.	4409 Frank	South Dallas Fair Park Innerscity Community Development Corporation	46R	\$5,000	\$1,000.00	V	PD-595
5.	4414 Frank	South Dallas Fair Park Innerscity Community Development Corporation	46R	\$3,750	\$1,000.00	V	PD-595

### Tax Foreclosure and Seizure Property Resale

<u>Parcel No.</u>	<u>Address</u>	<u>Non-Profit Organization</u>	<u>Mapsco</u>	<u>DCAD Amount</u>	<u>Sale Amount</u>	<u>Vac/Imp</u>	<u>Zoning</u>
6.	4415 Frank	South Dallas Fair Park Innercity Community Development Corporation	46R	\$5,000	\$1,000.00	V	PD-595
7.	4418 Frank	South Dallas Fair Park Innercity Community Development Corporation	46R	\$5,000	\$1,000.00	V	PD-595
8.	4435 Frank	South Dallas Fair Park Innercity Community Development Corporation	46R	\$5,000	\$1,000.00	V	PD-595
9.	4431 Frank	South Dallas Fair Park Innercity Community Development Corporation	46R	\$5,000	\$1,000.00	V	PD-595
10.	4519 Frank	South Dallas Fair Park Innercity Community Development Corporation	46R	\$5,000	\$1,000.00	V	PD-595



**MAPSCO 46R & 46V**

March 23, 2016

**WHEREAS**, the City's Land Transfer Program, in accordance with Section 2-26 of the Dallas City Code ("Code") and with Section 253.010 of the Texas Local Government Code, permits the City to sell land, which the City has acquired as a trustee, for itself and the other taxing jurisdictions, from the Sheriff pursuant to the tax foreclosure process, to a qualified non-profit organization for the purpose of providing affordable housing, subject to the consent of the other taxing jurisdictions; and

**WHEREAS**, property eligible for the HB110 process of the City's Land Transfer Program may be sold by quitclaim deed and include a possibility of reverter and right of re-entry, triggered under certain conditions, including if construction of affordable housing is not completed on the property within three years of the non-profit's receipt of the quitclaim deed; and

**WHEREAS**, the quitclaim deed must also include deed restrictions that ensure the desired development of the property and maintain the affordability of the property as required by the Code; and

**WHEREAS**, per the Code, the sales price of each property is \$1,000 for up to 7,500 square feet of land plus \$0.133 for each additional square foot of land, which amount is distributed by the City to both the City and the other taxing jurisdictions in accordance with Section 34.06 of the Texas Tax Code, plus an amount equal to the actual fees charged for recording the Sheriff's deed and the quitclaim deed in the real property records; and

**WHEREAS**, prior to the approval of any sale, the Code requires that the City Council hold a public hearing to receive comments on the proposed sale of land and provide certain notices to the public; and

**WHEREAS**, South Dallas Fair Park Inncity Community Development Corporation (ICDC) submitted a proposal to construct ten (10) single-family homes with the homes containing approximately 1,350 square feet on ten unimproved HB110 process-eligible, Land Transfer Program properties, identified on **Exhibit A**, attached hereto and made a part hereof (hereinafter the "property"), for purchase by a low to moderate income homebuyers at a proposed sales price of \$102,000 with construction to begin in March 2017; and

**WHEREAS**, at least ten calendar days prior to the public hearing, a sign indicating the time and place of the public hearing was placed on the property, notification of the public hearing was mailed to property owners within 200 feet of the property, and notice of the public hearing was published in the Dallas Morning News;

**NOW, THEREFORE,**

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

March 23, 2016

**Section 1.** That upon receipt of the requisite monetary consideration from ICDC, (hereinafter the "non-profit organization") and the approval of the governing bodies of the other affected taxing jurisdictions, the City Manager is hereby authorized to execute a quitclaim deed, approved as to form by the City Attorney and attested by the City Secretary, quitclaiming the property, acquired by the taxing authorities from the Sheriff, to the non-profit organization, subject to the conditions contained in this resolution.

**Section 2.** That the City Manager is hereby authorized to execute instruments, approved as to form by the City Attorney, releasing the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any, on the property.

**Section 3.** That the non-profit organization's proposal for the development of affordable housing on the property, described in **Exhibit A**, is hereby approved.

**Section 4.** That the quitclaim deed shall contain:

(a) A copy or summary of the proposal from the non-profit organization for the property and a requirement that the property be developed by the non-profit organization in accordance with the proposal, including the timetable specified in the proposal.

(b) A possibility of reverter with right of re-entry if the director determines that the non-profit organization:

(i) has failed to take possession of the property within ninety calendar days after receiving the quitclaim deed;

(ii) has failed to complete construction of affordable housing on the property within three years after receiving the quitclaim deed or by the end of any extended development period approved by the City Council in accordance with Section 2-26.6(c) of the Code;

(iii) is not developing the property in compliance with the timetable specified in the non-profit organization's proposal;

(iv) is unable to develop the land in compliance with its proposal because a request for a zoning change has been denied;

(v) has incurred a lien on the property because of violations of the Code or other City ordinances within three years after receiving the quitclaim deed; and

March 23, 2016**Section 4. (Continued)**

- (vi) has sold, conveyed, or transferred the property without the consent of the City and the other affected taxing jurisdictions within three years after receiving the quitclaim deed;
- (c) Deed restrictions requiring the purchaser to:
- (i) restrict the sale and resale of owner-occupied property to low-income individuals or families for five years after the date the deed from the non-profit organization to the initial homebuyer is filed in the real property records of the county in which the property is located;
- (ii) require the non-profit organization to develop all proposed housing units on the property in accordance with the Code and all applicable City ordinances and state and federal laws within three years after receiving the quitclaim deed or by the end of any extended development period approved by the City Council in accordance with Section 2-26.6(c) of the Code, and to obtain inspections and approval of the housing units by the City before initial occupancy; and
- (iii) require any low-income individual or family who purchases a housing unit on a property to maintain the housing unit in accordance with the Code and all applicable City ordinances and state and federal laws for a period of five years after the date the deed from the non-profit organization to the initial homebuyer is filed in the real property records of the county in which the property is located.
- (d) An indemnification by the non-profit organization of the City and other affected taxing jurisdictions.
- (e) A statement and acknowledgment that the property is quitclaimed subject to all redemption rights provided by state law.
- (f) The non-profit organization's representation and agreement that it did not purchase the property on behalf of a "prohibited person" and will not sell or lease the property to a "prohibited person" for five years from the date of the quitclaim deed. A "prohibited person" is any party who was named as a defendant in the legal proceedings where the City obtained a final judgment for delinquent taxes and an order to foreclose its tax lien on the property or person in the judgment or seizure tax warrant, or the Sheriff's deed as the owner of the property, authorized seized and ordered sold for delinquent taxes and any municipal health and safety liens.



March 23, 2016

**Section 5.** That the City Manager is authorized to execute instruments, approved as to form by the City Attorney, releasing the City's possibility of reverter with right of re-entry and terminating the deed restrictions to the property upon compliance with all terms and conditions of Section 2-26 of the Code and the quitclaim deed, including the deed restrictions and the proposal.

**Section 6.** That the non-profit organization shall be responsible for the pro-rata taxes assessed on the property from the date of closing for the remaining part of the then-current calendar year. The property shall be placed back on the tax rolls effective as of the date of execution of the quitclaim deed.

**Section 7.** That any procedures required by Section 2-24 of the Code that are not required by state law are hereby waived with respect to conveyance of the property.

**Section 8.** That the monetary consideration received from the non-profit organization shall be distributed pursuant to the Section 34.06 of the Texas Tax Code.

**Section 9.** That any and all proceeds for the City's sale of the property to the non-profit organization be deposited to General Fund 0001, Agency DEV, Balance Sheet Account 0519.

**Section 10.** That upon receipt of the monetary consideration from the non-profit organization, the Chief Financial Officer is authorized to disburse proceeds of the sale of the property in accordance Section 34.06 of the Texas Tax Code, which calculations for disbursement shall be provided by the Director of Sustainable Development and Construction, to the City of Dallas Land Based Receivables, the Dallas County District Clerk and the Dallas County Tax Office from the account specified in Section 9 above.

**Section 11.** 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.

EXHIBIT "A"

LAND TRANSFER PROPERTIES				
ACREAGE NUMBER	PROPERTY ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALES AMOUNT
1	3604 Frank Lot 11, F.C. Herrings Addition Block I/1828	South Dallas Inercity Community Development Corporation	1	\$1,000.00
2	4347 Frank Lot 22, Myers Second Avenue Addition Block H/1852	South Dallas Inercity Community Development Corporation	1	\$1,000.00
3	4405 Frank Lot 43, Magnolia Park Addition Block B/2432	South Dallas Inercity Community Development Corporation	1	\$1,000.00
4	4409 Frank Lot 42 & Southwest Part of Lot 41, Magnolia Park Addition Block B/2432	South Dallas Inercity Community Development Corporation	1	\$1,000.00
5	4414 Frank Lot 5, Magnolia Park Addition Block D/2434	South Dallas Inercity Community Development Corporation	1	\$1,000.00
6	4415 Frank Lot 40 & Northeast 15 Feet of Lot 41, Magnolia Park Addition Block B/2432	South Dallas Inercity Community Development Corporation	1	\$1,000.00
7	4418 Frank Lot 6, Magnolia Park Addition Block D/2434	South Dallas Inercity Community Development Corporation	1	\$1,000.00
8	4435 Frank Lot 36, Magnolia Park Addition Block B/2432	South Dallas Inercity Community Development Corporation	1	\$1,000.00
9	4431 Frank Lot 37, Magnolia Park Addition Block B/2432	South Dallas Inercity Community Development Corporation	1	\$1,000.00
10	4519 Frank Lot 31, Magnolia Park Addition Block B/2432	South Dallas Inercity Community Development Corporation	1	\$1,000.00
<b>TOTAL</b>				<b>\$10,000.00</b>

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** March 23, 2016  
**COUNCIL DISTRICT(S):** 4  
**DEPARTMENT:** Housing/Community Services  
**CMO:** Alan Sims, Chief of Neighborhood Plus, 670-1611  
**MAPSCO:** 55B

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## **SUBJECT**

Authorize a public hearing to be held on April 27, 2016 to receive comments on the proposed sale of one unimproved property (list attached) acquired by the taxing authorities from the Sheriff to Dallas Housing Acquisition and Development Corporation, a qualified non-profit organization, under the HB110 process of the City's Land Transfer Program and the release of the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any - Financing: No cost consideration to the City

## **BACKGROUND**

The HB110 process of the City's Land Transfer Program, in accordance with Section 2-26 of the Dallas City Code ("Code") and with Section 253.010 of the Texas Local Government Code, permits the City to sell land, which the City has acquired as a trustee, for itself and the other taxing jurisdictions, from the Sheriff pursuant to the tax foreclosure process, to a qualified non-profit organization for the purpose of providing affordable housing, subject to the consent of the other taxing jurisdictions.

Property eligible for the HB110 process of the City's Land Transfer Program must to be sold by quitclaim deed and include a possibility of reverter and right of re-entry, triggered under certain conditions, including if construction of affordable housing is not completed on the property within three years of the non-profit's receipt of the quitclaim deed. The quitclaim deed must also include deed restrictions that ensure the desired development of the property and maintain the affordability of the property as required by the Code. Per the Code, the sales price of each property is \$1,000 for up to 7,500 square feet of land plus \$0.133 for each additional square foot of land, which amount is distributed by the City to both the City and the other taxing jurisdictions in accordance with Section 34.06 of the Texas Tax Code, plus an amount equal to the actual fees charged for recording the Sheriff's deed and the quitclaim deed in the real property records. Prior to the approval of any sale, the Code requires that the City Council hold a public hearing to receive comments on the proposed sale of land and provide certain notices to the public.

**BACKGROUND (continued)**

Dallas Housing Acquisition and Development Corporation (DHADC) will construct one (1) single-family home on the unimproved HB110 process-eligible, Land Transfer Program property for purchase by low to moderate income homebuyers with construction to begin in Fall of 2016.

This item calls for a public hearing on April 27, 2016, at 1:00 PM in the City Council Chambers, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas, to allow the public an opportunity to comment on the proposed sale of the one unimproved property to DHADC. At the close of the public hearing, the City Council will be asked to authorize the sale of the property to DHADC by quitclaim deed and the release of the City's non-tax liens included in the foreclosure judgment and the post-judgment non-tax liens, if any.

In conformance with the Code, at least ten calendar days prior to the public hearing, a sign indicating the time and place of the public hearing will be placed on the property, notification of the public hearing will be mailed to property owners within 200 feet of the property, and notice of the public hearing will be published in the Dallas Morning News.

This item is on the addendum due to legal deadlines before the next available agenda.

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

Information about this item will be provided to the Housing Committee on March 21, 2016.

**FISCAL INFORMATION**

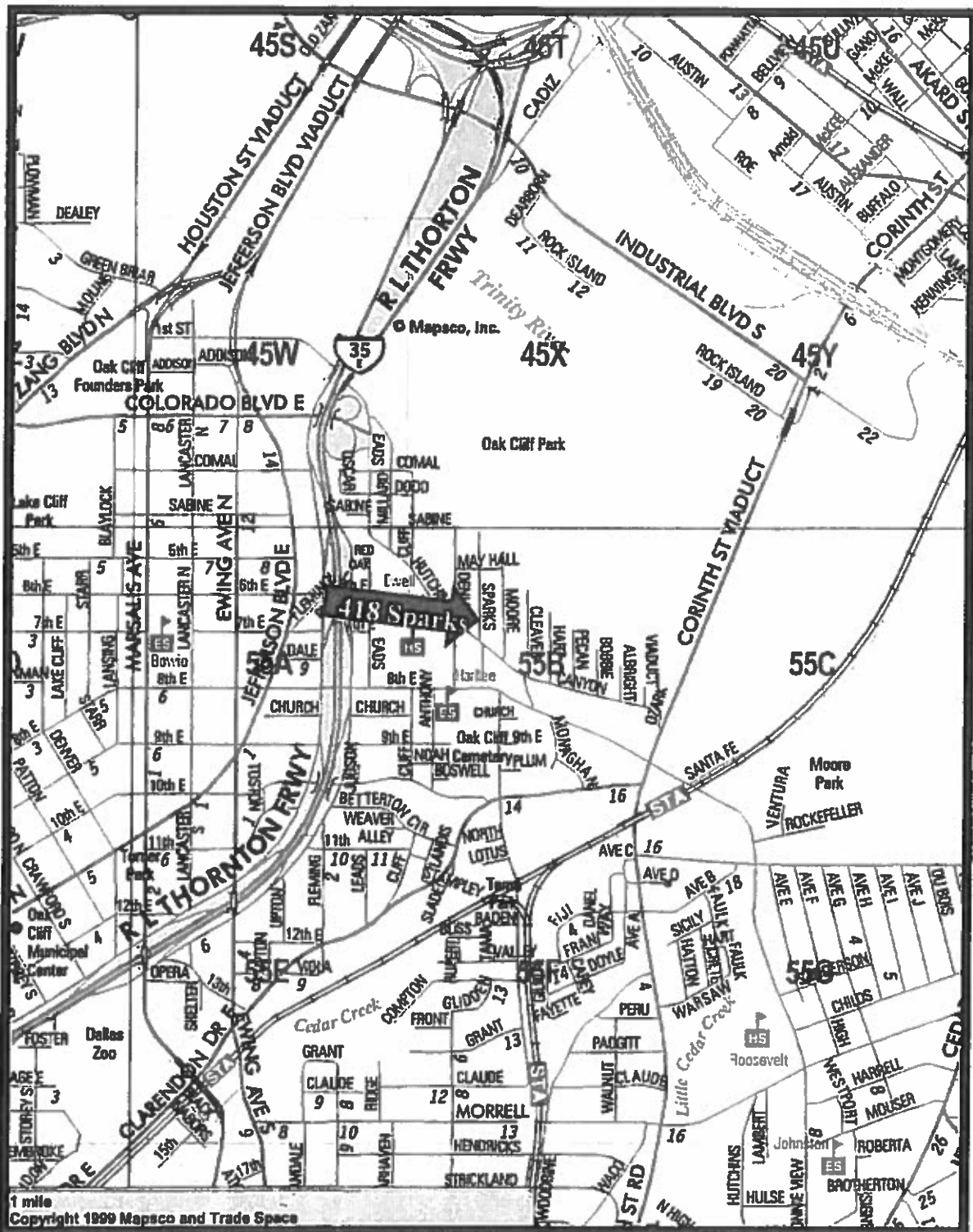
No cost consideration to the City

**MAP**

Attached

### Tax Foreclosure and Seizure Property Resale

<u>Parcel No.</u>	<u>Address</u>	<u>Non-Profit Organization</u>	<u>Mapsco</u>	<u>DCAD Amount</u>	<u>Sale Amount</u>	<u>Vac/ Imp</u>	<u>Zoning</u>
1.	418 Sparks	Dallas Housing Acquisition and Development Corporation	55B	\$7,000	\$1,000	V	R-5(A)



**MAPSCO 55B**

March 23, 2016

**WHEREAS**, the City's Land Transfer Program, in accordance with Section 2-26 of the Dallas City Code ("Code") and with Section 253.010 of the Texas Local Government Code, permits the City to sell land, which the City has acquired as a trustee, for itself and the other taxing jurisdictions, from the Sheriff pursuant to the tax foreclosure process, to a qualified non-profit organization for the purpose of providing affordable housing, subject to the consent of the other taxing jurisdictions; and

**WHEREAS**, property eligible for the HB110 process of the City's Land Transfer Program must be sold by quitclaim deed and include a possibility of reverter and right of re-entry, triggered under certain conditions, including if construction of affordable housing is not completed on the property within three years of the non-profit's receipt of the quitclaim deed; and

**WHEREAS**, the quitclaim deed must also include deed restrictions that ensure the desired development of the property and maintain the affordability of the property as required by the Code; and

**WHEREAS**, per the Code, the sales price of each property is \$1,000 for up to 7,500 square feet of land plus \$0.133 for each additional square foot of land, which amount is distributed by the City to both the City and the other taxing jurisdictions in accordance with Section 34.06 of the Texas Tax Code, plus an amount equal to the actual fees charged for recording the Sheriff's deed and the quitclaim deed in the real property records; and

**WHEREAS**, prior to the approval of any sale, the Code requires that the City Council hold a public hearing to receive comments on the proposed sale of land and provide certain notices to the public; and

**WHEREAS**, Dallas Housing Acquisition and Development Corporation (DHADC) will construct one (1) single-family home on the unimproved HB110 process-eligible, Land Transfer Program property, identified on Exhibit A, attached hereto, for purchase by low to moderate income homebuyers with construction to begin in the Fall of 2016; and

**WHEREAS**, at least ten calendar days prior to the public hearing, a sign indicating the time and place of the public hearing will be placed on the property, notification of the public hearing will be mailed to property owners within 200 feet of the property, and notice of the public hearing will be published in the Dallas Morning News;

**NOW, THEREFORE,**

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

March 23, 2016

**Section 1.** That the public hearing shall be held at 1:00 p.m. on April 27, 2016 in the City Council Chambers, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas, at which time any interested person may appear and speak for or against the proposed sale by quitclaim deed of one (1) unimproved property, identified on Exhibit A, acquired by the taxing authorities from the Sheriff to DHADC, a qualified non-profit organization, in accordance with the HB110 process of the City's Land Transfer Program.

**Section 2.** That at least ten calendar days prior to the public hearing, a sign indicating the time and place of the public hearing shall be placed on the property, notification of the public hearing shall be mailed to property owners within 200 feet of the property, and notice of the public hearing shall be published in the Dallas Morning News.

**Section 3.** 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.



EXHIBIT "A"

LAND TRANSFER PROPERTY				
PARCEL NUMBER	STREET ADDRESS LEGAL DESCRIPTION	QUALIFIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE AMOUNT
1	418 Sparks South 18.75 Ft of Lot 19 & Lot 20, Dewberry's Addition Block 2/7675	Dallas Housing Acquisition and Development Corporation	1	\$1,000.00
<b>TOTAL</b>				<b>\$1,000.00</b>

# Memorandum



CITY OF DALLAS

**DATE** March 17, 2016

**TO** Housing Committee Members: Scott Griggs, Chair, Carolyn King Arnold, Vice-Chair, Mayor Pro-Tem Monica R. Alonzo, Tiffinni A. Young, Mark Clayton, and Casey Thomas, II

**SUBJECT** Upcoming Item on the April 13, 2016 Council Agenda - two alternative ordinances amending Chapter 20A, "Fair Housing," of the Dallas City Code to include source of income as a protected class

Included on the Housing Agenda's list of Upcoming Agenda Items is Item G, a proposed amendment to Chapter 20A of the Dallas City Code. Unless the Committee indicates otherwise, the City Attorney's Office will post two alternative ordinances for consideration on the April 13, 2016 agenda – the ordinance recommended by this Committee on January 4, 2016, which adds source of income as a protected class except as prohibited by state law, and an alternative ordinance in the form required by the Voluntary Compliance Agreement with the U.S. Department of Housing and Urban Development, which protects all sources of income including federal housing assistance.

Please let me know if you have any questions.

A handwritten signature in blue ink, appearing to read 'Warren Ernst'.

Warren M.S. Ernst  
City Attorney

c: The Honorable Mayor and Members of the City Council  
A. C. Gonzalez, City Manager  
Rosa A. Rios, City Secretary  
Craig Kinton, City Auditor  
Daniel F. Solis, Administrative Judge  
Ryan S. Evans, First Assistant City Manager  
Eric D. Campbell, Assistant City Manager  
Jill A. Jordan, P. E., Assistant City Manager  
Mark McDaniel, Assistant City Manager  
Joey Zapata, Assistant City Manager  
Jeanne Chipperfield, Chief Financial Officer  
Sana Syed, Public Information Officer  
Elsa Cantu, Assistant to the City Manager – Mayor and Council