



#### Memorandum

DATE May 16, 2014

Housing Committee Members: Scott Griggs, Vice-Chair, Monica Alonzo, Rick Callahan, Dwaine Caraway, and Philip Kingston

SUBJECT May 19, 2014 - Housing Committee Agenda

We will have a meeting of the Housing Committee on Monday, May 19, 2014, City Hall, 1500 Marilla - Room 6ES, Dallas, Texas, 75201, from 11:00 a.m. - 12:30 p.m. The agenda is as follows:

	Approval of May 5, 2014     Minutes	Carolyn R. Davis Councilmember
	City Wide Community Development     Corporation Organizational Overview	Mitchell/O'Donnell (Estimated time 30 minutes)
	3. Executive Session Pursuant to § 551.071, T.O.M.A. Avalon Residential Care Homes and Ruth Ann Seib v. City of Dallas, Cause No. 3:11-CV-01239-D	Chris Bowers, First Assistant City Attorney (Estimated time 20 minutes)
·	4. Application to Amend the Handicapped Group Dwelling Unit Regulations	Cossum/O'Donnell (Estimated time 30 minutes)
:	5. Upcoming Agenda Items Housing Item Only	For Information Only

- a. Authorize a development loan with South Dallas Fair Park Inner-city CDC
- b. Amendment to Sphinx Development Corporation contract
- c. Amendment to grant agreement with Cottages @ Hickory Crossing
- d. Fountains of Rosemeade Apartments (ECO)

Housing Committee May 16, 2014 Page 2

Carolyn R. Davis, Chair Housing Committee

C: The Honorable Mayor and Members of the City Council A.C. Gonzalez, City Manager
Warren M. S. Ernst, City Attorney
Daniel F. Solis, Administrative Judge
Rosa A. Rios, City Secretary
Craig D. Kinton, City Auditor
Ryan S. Evans, (I) First Assistant City Manager
Jill A. Jordan, P. E., Assistant City Manager
Forest E. Turner, Assistant City Manager
Joey Zapata, Assistant City Manager
Charles M. Cato, (I) Assistant City Manager
Theresa O'Donnell, (I) Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Shawn Williams, (I) Public Information Officer
Elsa Cantu, Assistant to the City Manager — Mayor and Council

#### Note: A quorum of the Dallas City Council may attend this Council Committee meeting.

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

- 1. Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.
- 2. The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
- 3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
- 4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
- 5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.
- 6. Deliberations regarding Economic Development negotiations. Section 551.087 of the Texas Open Meetings Act.

#### **Housing Committee**

#### Meeting Record May 5, 2014

The Housing Committee meetings are recorded. Agenda materials and audiotapes may be reviewed/copied by contacting the Housing Department, Staff Coordinator at 214-670-3906.

Meeting Date: May 5, 2014 Meeting Start time: 11: 20 A.M.

Committee Members Present:	Staff Present:
Carolyn R. Davis (Chair)	Theresa O'Donnell-Interim Asst. City Manager
Scott Griggs (Vice-Chair)	Bernadette Mitchell-Interim Director/HOU
Dwaine Caraway	Charles Brideau-Asst. Director/HOU
Monica Alonzo	Karen Rayzer-Asst. Director/HOU
Rick Callahan	Beverly Davis-Asst. Director OHC
Philip Kingston	Michael Bostic-CAO
	Robin Bentley-CAO
	Karen Schaffner-ECO
	Randall Parker-ECO
	Robin Gerard-CMO
	Renita Griggs-MCO
	Doris Edmon-HOU
	Cassandra Luster-HOU
	Alida Allen-HOU
Other Council Members Present:	
Committee Members Absent:	Other Attendees
	Monique Allen-UPCDC
////www.	Troy Brassard-DHA
	MaryAnn Russ-DHA
with.	
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AGENDA:

Housing Committee Meeting Called to Order by CM Carolyn R. Davis

1. Approval of April 21, 2014 Minutes of the Housing Committee Presenter(s): Council Member Carolyn R. Davis

Action Taken/Committee Recommendation(s)

Motion made by: CM Monica Alonzo	Motion seconded by: CM Rick Callahan
Item passed unanimously: X	Item passed on a divided vote:
Item failed unanimously:	Item failed on a divided vote:

Follow-up (if necessary):

2. <u>Depart to Level 1 Green Tour of Lancaster Corridor and Magnolia Trace Apartments</u> Information Only: X

Depart for Tour: 11: 34 A.M.

Action Taken/Committee Recommendation(s)

Motion made by:	Motion seconded by:
Item passed unanimously:	Item passed on a divided vote:
Item failed unanimously:	Item failed on a divided vote:

#### Follow-up (if necessary):

#### 3. Reconvene in 6ES immediately following the tour

Information Only: X

Return from Tour: 1:14 P.M.

Action Taken/Committee Recommendation(s)

Motion made by:	Motion seconded by:
Item passed unanimously:	Item passed on a divided vote:
Item failed unanimously:	Item failed on a divided vote:

#### Follow-up (if necessary):

#### 4. Upcoming Agenda Items Housing Items Only

- a. Land Bank sale to Habitat (3 lots)
- b. Land Bank sale & deed restriction exchange to Habitat (3 lots)
- c. Land Bank deed restriction exchange to Frazier Revitalization (3 lots)
- d. Land Transfer amended proposal from Frazier Revitalization (1 lot)
- e. Land Bank sale to Harvard Finance North America (1 lot)
- f. Land Bank deed restriction exchange to Harvard Finance North America (2 lots)
- g. Land Bank sale to Mascorro Properties (1 lot)
- h. Land Bank sale to adjacent owner (1 lot)
- i. Land Bank sale to New Vision Properties (2 lots)
- j. Housing development loan to Habitat
- k. Dallas Housing Authority's Proposed Fairmont Crossing Apartments, 366 units located at 2741 Hawthorne, Dallas, Texas (Economic Development Dept.)
- I. Rudolph Edwards and City Wide CDC- Contract Amendment

#### Action Taken/Committee Recommendation(s) Motion to move forward items 4a-4k to full Council

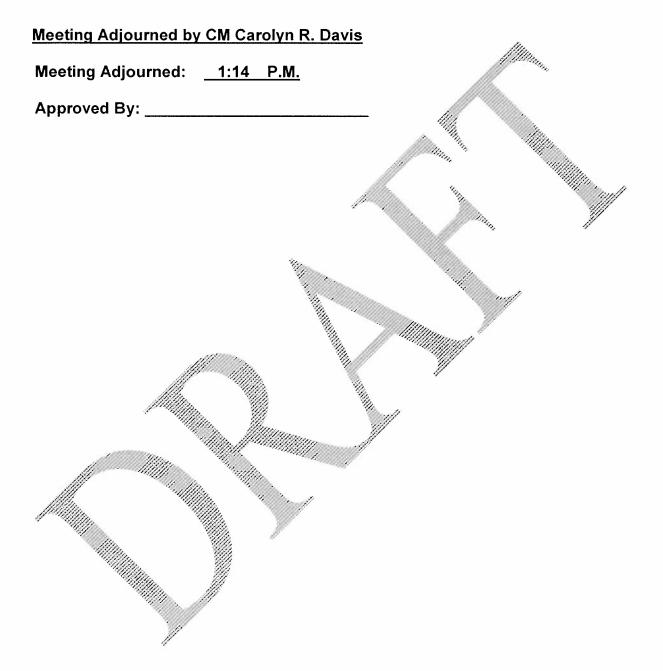
Motion made by: CM Monica Alonzo	Motion seconded by: CM Rick Callahan
Item passed unanimously: <u>X</u>	Item passed on a divided vote:
Item failed unanimously:	Item failed on a divided vote:

Follow-up (if necessary):

Action Taken/Committee Recommendation(s) Motion to move forward item 4l to full Council

Motion made by: CM Monica Alonzo	Motion seconded by: CM Dwaine Caraway
Item passed unanimously: X	Item passed on a divided vote:
Item failed unanimously:	Item failed on a divided vote:

Follow-up (if necessary)



#### Memorandum



DATE May 16, 2014

c:

Housing Committee Members: Carolyn R. Davis, Chair, Scott Griggs, Vice-Chair, Monica Alonzo, Rick Callahan, Dwaine Caraway, and Philip Kingston

SUBJECT City Wide Community Development Corporation Organizational Overview

On Monday, April 21, 2014, you will be briefed on City Wide Community Development Corporation Organizational Overview. A copy of the briefing is attached.

Please let me know if you have any questions.

Theresa O'Donnell
Interim Assistant City Manager

The Honorable Mayor and Members of the City Council
A. C. Gonzalez, City Manager
Rosa A. Rios, City Secretary
Warren M.S. Ernst, City Attorney
Craig Kinton, City Auditor
Judge Daniel Solis, Administrative Judge
Ryan S. Evans, Interim First Assistant City Manager
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Joey Zapata, Assistant City Manager
Charles M. Cato, Interim Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer

Shawn Williams, Interim Public Information Officer Bernadette Mitchell, Housing/Community Services, Interim Director Elsa Cantu, Assistant to the City Manager – Mayor and Council

#### City Wide Community Development Corporation Organizational Overview

A Briefing To The Housing Committee

Housing/Community Services Department May 19, 2014



## City Wide CDC's Mission

The mission of City Wide CDC is to provide safe, quality, affordable housing for low-to-moderate income individuals and families and to revitalize neighborhoods through the development of affordable housing, economic development, educational, counseling programs that empower individuals and families to improve their quality of life.



## City Wide CDC's History

- Formed in 2001
- A nonprofit organization, 501(c)3, a Certified Community Housing Development Organization (CHDO), and a Community Based Development Organization (CBDO)
- Target areas include zip codes 75216, 75241 & 75217
- Six (6) person Board of Directors
- Four (4) staff persons
  - Sherman Roberts, President & CEO

#### **Economic Development History**

- In 2008, CWCDC acquired the 5,750 sq. ft. retail strip shopping center located at 3730 S. Lancaster with the City's assistance that is in the process of being remodeled as part of the Lancaster-Opal Project.
  - It currently serves as City Wide CDC's main office as well as offices for RBO Records BBQ, Moore Law Firm, and the local office of Texas State Representative Toni Rose.
- In 2014, CWCDC completed construction of the new building for Rudy's Chicken located at 3103 S. Lancaster



#### Housing Development History

Blossom Garden – 5650 Gaston Ave.

Acquisition and renovation of a 12-unit garden-style apartment complex that is dedicated to providing permanent housing and supportive services to formerly homeless seniors. Funding provided by City of Dallas-HOME program, The Meadows Foundation and Texas Mezzanine Fund for a total investment of \$850,000.





#### Housing Development History (continued)

• <u>Village of Runyon Springs (75241)</u>— <u>Scattered sites</u>

Acquisition of 13 foreclosed undeveloped lots and the new construction of 13 single-family homes that were all sold to families and/or individuals for homeownership.

The homes had open-floor plans, energy efficiency enhancements, and ranged between 1,750 to 2,200 sq. ft. Total investment \$1.5M from City of Dallas-Neighborhood Stabilization Program







#### Housing Development History (continued)

Retail Estate Owned Property (REO) Program

CWCDC participates in the REO Donation program with several financial institutions. Since 2009, they have received donated properties, single-family homes, and infill lots for future housing development.

City Wide CDC prides itself on remodeling these homes to upgrade every room to exceed housing quality standards. City Wide CDC rents these properties for less than market rate rents and offers clients the opportunity to become home owners after they meet qualification requirements.







#### Housing Development History (continued)

#### <u>Lancaster Urban Village</u>

Lancaster Urban Village is a mixed-use, transit-oriented development that will incorporate 193-unit apartment complex that features a resort style pool, a café, a club house and plenty of private parking spaces. The development will also offer 14,000 sq. ft. of retail space and a 392 space parking garage.

Partnerships on the project included City of Dallas Economic Development and Housing/Community Services Departments, Department of Housing and Urban Development (HUD), US Bank, Grey-Stone and Texas Mezzanine Fund. Total investment of \$30M.





## Development Future Plans

- Economic Development
  - Complete lease-up of 14,000 sq.ft. of retail space in Lancaster Urban Village complex in 2014.
  - Begin development of Lancaster-Kiest Office Plaza, located at 3115 S. Lancaster, in 2015.
  - Begin development of Lancaster-Opal Village, located at 3702 S. Lancaster, in 2015.
- Housing
  - Serenity Place Apartment Project (45 units)-begin construction in 2015.
  - Begin development of Lancaster-Opal Village in 2015 to include housing units.
  - Begin development of mixed-income housing units to be located on the 3000 block of South Lancaster in 2016

#### Lancaster-Opal Village Project History

- August 4, 2008- Housing Committee was briefed on a development proposal from City Wide Community Development Corporation to begin acquisition along the 3700 block of South Lancaster for future development of a mixed-use project
- September 10, 2008-City Council approved \$500,000 development loan to CWCDC from general obligation bond funds to begin acquisition, demolition, relocation, and predevelopment.
- August 12, 2009- City Council approved an additional \$500,000 to continue acquisition and predevelopment
- January 12, 2011- City Council approved an additional \$275,000 to continue acquisition and predevelopment
- April 24, 2013- City Council approved an economic development grant of \$135,000 for planning and preconstruction activities
- August 28, 2013- City Council extended the deadline to develop the property to September 12, 2016

#### Lancaster-Opal Village Project

- The City has invested \$1,031,326 in acquisition, demolition, relocation, and other related costs in this project, plus \$135,000 in planning and preconstruction
- To date, ten properties have been acquired with five more to be acquired
- City Wide CDC has completed architectural renderings and estimated budgets for full completion
- City Wide CDC has requested additional funds in the amount of \$300,000 to complete the acquisitions, demolish properties, and provide relocation as needed
- City Wide CDC will begin replatting process and applying for private and public financing to begin construction in 2015

#### Acquisition of Land

- The developer submitted the following items for staff review prior to purchase:
  - Property survey
  - Title Commitment
  - Environmental Assessment
  - Appraisal performed by an independent fee appraiser
  - Sales contract
  - Settlement Statements
- Once all items were reviewed by staff and approved, funds were wired to the title company for the closing
- The City of Dallas has a first lien deed of trust and deed restrictions on all parcels acquired with these funds

#### Other allowable costs

- In the assemblage of land and preparation for redevelopment, other allowable costs that were reimbursed were:
  - Closing costs
  - Surveys
  - Broker fees
  - Consulting fees
  - Relocation and moving costs
  - Demolition and asbestos removal costs
  - Architect and engineering work
  - Zoning and planning fees

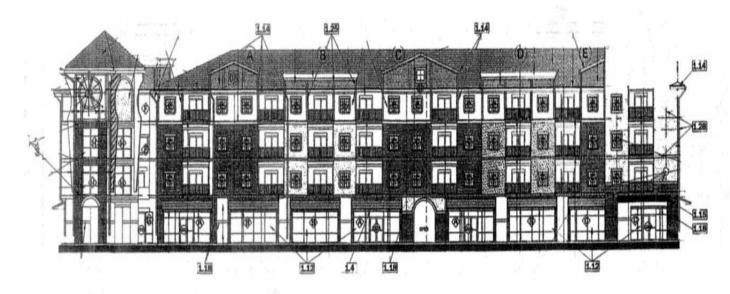
## Comparison of appraised values and purchase prices

Address	Independent Appraised Value	Acquisition Cost
8 Opal		•
3711 Opal		
3710 S. Lancaster	\$101,700	\$90,000.00
3714 S. Lancaster		
3718 S. Lancaster		
3715 Opal	\$18,000	\$18,000.00
3702 S. Lancaster	\$35,000	\$30,000.00
3706 S. Lancaster	\$35,000	\$30,000.00
3726 S. Lancaster	\$150,000	\$125,000.00
3730 S. Lancaster	\$515,000	\$500,000.00
Totals	\$854,700	\$793,000.00

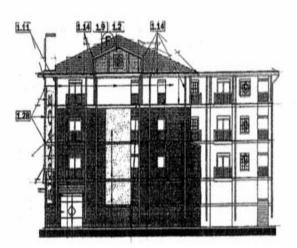
#### Other costs incurred

Closing Costs	\$ 8,097.73
Environmental Report	\$ 4,250.00
Surveys & Appraisals	\$ 9,800.00
Broker Fees	\$ 5,000.00
Consulting Fees	\$ 28,900.00
Relocation & Moving Costs	\$ 64,897.61
Demolition	\$ 55,570.00
Total Other Costs	\$ 176,515.34
Plus Land Costs	\$ 793,000.00
Grand Total	\$ 969,515.34

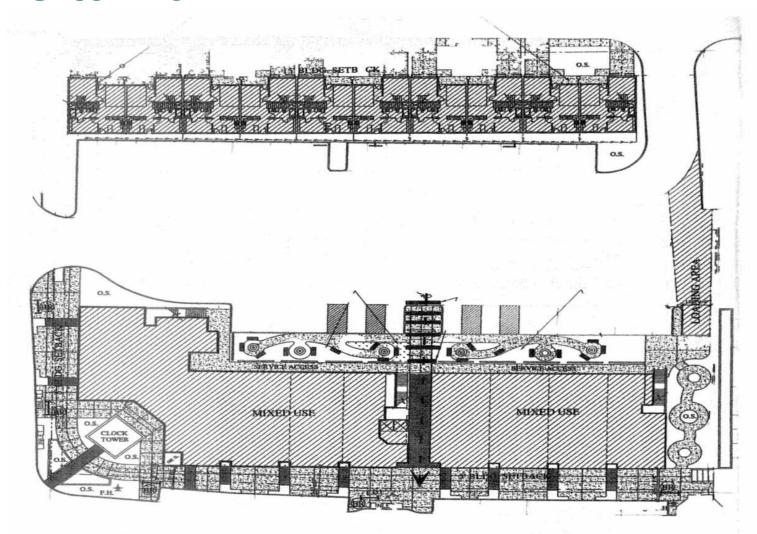
#### Elevations







## Site Plan



#### Lancaster-Opal Village Project Budget

Land \$ 1,067,000

Construction \$10,121,400

Soft Costs \$ 1,125,000

Reserves \$ 412,284

Developer Fee \$ 500,000

Total \$13,225,684

Note: Proposed 15,089 sq.ft. of retail/office space, sixty-three (63) affordable rental units, and 10 townhome units

## Requested Approval

• Housing Committee approval of an increase to the existing development loan not to exceed \$300,000 of 2012 general obligation bond funds with City Wide Community Development Corporation (CWCDC) for acquisition, demolition, relocation, and other related costs for the Lancaster-Opal Project

#### Next Steps

- June 25, 2014 City Council consideration of an increase to the existing development loan agreement with City Wide Community Development Corporation to further the Lancaster-Opal project
- June 2014 modification of contract
- Fall 2014- acquisitions complete and replatting begins

#### **EXECUTIVE SESSION**

Pursuant to § 551.071, T.O.M.A. Avalon Residential Care Homes and Ruth Ann Seib v. City of Dallas, Cause No. 3:11-CV-01239-D

#### Memorandum



May 16, 2014 DATE

Housing Committee Members: Carolyn R. Davis, Chair, Scott Griggs, то Vice-Chair, Monica Alonzo, Rick Callahan, Dwaine Caraway, and Philip Kingston

Application to amend the handicapped group dwelling unit SUBJECT regulations.

On Monday, May 19, 2014, you will be briefed on an application for an amendment to the Dallas Development Code, Chapter 51A of the Dallas City Code, to amend the Handicapped Group Dwelling Unit regulations to increase the number of unrelated handicapped persons who may live in a handicapped group dwelling unit. On March 6, 2014 the City Plan Commission recommended no change to the Development Code. A copy of the briefing material is attached for your review.

Please feel free to contact me if you need additional information.

Theresa O'Donnell

Interim Assistant City Manager

c: The Honorable Mayor and Members of the City Council

A. C. Gonzalez, City Manager Rosa A. Rios, City Secretary

Warren M.S. Ernst, City Attorney

Craig Kinton, City Auditor

Judge Daniel F. Solis, Administrative Judge

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Shawn Williams, Interim Public Information Officer

Bernadette Mitchell, Housing/Community Services, Interim Director

Elsa Cantu, Assistant to the City Manager – Mayor and Council

# Application to Amend the Handicapped Group Dwelling Unit Regulations

City Council
Housing Committee
May 19, 2014





## **Purpose**

The purpose of this briefing is to inform the committee about an application by Avalon Residential Care Homes, Inc. to amend the Handicapped Group Dwelling Unit (HGDU) regulations in the Dallas Development Code to increase the number of handicapped persons allowed to live in a handicapped group dwelling unit under certain conditions.



## **Application**

The requested amendment would expand the number of individuals that can live in a HGDU from eight to twelve when a facility carries a certification from the Texas Department of Aging and Disability Services for Alzheimer's Disease and Related Disorders if the facility was established on or before January 1, 2004.



 Avalon Residential Care Homes is requesting the amendment arguing that the city's current regulations do not comply with the federal Fair Housing Amendments Act of 1988 (FHAA), which requires municipalities to make a reasonable accommodation to avoid denying housing to persons on the basis of a handicap.



- Under current regulations a handicapped group dwelling unit is defined as
  - the domicile of not more than eight handicapped persons who are not a "family" and who are living together as a single housekeeping unit. Up to two supervisory personnel may reside on the premises, provided that the total number of residents, including supervisory personnel, does not exceed eight.



- An HGDU is allowed by right in districts that allow a single family use provided the HGDU is located a minimum of 1,000 feet from another HGDU or group residential facility.
- A specific use permit is required if the use is located within 1,000 feet from another HGDU or group residential facility.

- The development code has another use that allows more than <u>eight</u> unrelated individuals to live together.
- That use is a group residential facility, which is defined as a facility that provides room and board to a group of persons who are not a "family" and does not restrict the number of individuals that can live together.

- A group residential facility is allowed by right in districts that allow a multifamily use provided the group residential facility is located a minimum of 1,000 feet from another group residential facility or an HGDU.
- A specific use permit is required if the use is located within 1,000 feet from another group residential facility or HGDU.

# **Background**

- The Zoning Ordinance Committee (ZOC) considered Avalon's request at four public meetings between March 2013 and December 2013.
- On December 5, 2013, ZOC recommended no change to the Dallas Development Code Handicapped Group Dwelling Unit regulations.
- On January 23, 2014, City Plan Commission (CPC) was briefed on the request.



# Recommendation

 On March 6, 2014, CPC recommended no change to the Dallas Development Code Handicapped Group Dwelling Unit regulations.



# **Next Steps**

 Schedule application for a City Council public hearing.



**KEY FOCUS AREA:** Economic Vibrancy

AGENDA DATE: May 28, 2014

COUNCIL DISTRICT(S): 7

**DEPARTMENT:** Housing/Community Services

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 46U

#### **SUBJECT**

Authorize a housing development loan in an amount not to exceed \$254,000 with South Dallas Fair Park Innercity Community Development Corporation (ICDC), a certified nonprofit organization, for the development of two affordable single family homes located at 3622 and 3624 Meadow - Not to exceed \$254,000 - Financing: 2008-09 Neighborhood Stabilization Program Grant Funds

#### **BACKGROUND**

In July 2008, the Housing and Economic Recovery Act of 2008 (HERA) was enacted into law. HERA appropriated \$3.92 billion to assist states and localities in redevelopment efforts, particularly for foreclosed or abandoned housing properties. The Program is referred to as the Neighborhood Stabilization Program (NSP) and is considered a Special Allocation of 2008 Community Development Block Grant Funds. Allocations to states and localities were based on percentage and number of home foreclosures, homes financed by sub prime mortgage related loans, and homes in default or delinquency.

On September 26, 2008, the City of Dallas was notified of its allocation of \$7,932,555 of NSP funds. The Program generated over \$4,000,000 in program income for a total budget of over \$11,000,000.

The NSP funds benefited low, moderate and middle income persons up to 120% Area Median Family Income (AMFI) for Dallas and over 25% of the NSP funds benefited low income persons up to 50% AMFI. The use of the funds must comply with the requirements under the HERA; the Community Development Block Grant regulations; the Uniform Relocation Assistance Real Property Acquisition Policies Act of 1970, and other federal requirements.

#### **BACKGROUND** (continued)

The City utilized the funds for Activity 4-Acquisition, Redevelopment, & Sale of Foreclosed/Abandon Properties; (2) Reprogramming of funds from Activity 2-Acquisition, Rehabilitation, & Sale/Rent (ARSR) Foreclosed Properties to Activity 4-Acquisition, Redevelopment, & Sale of Foreclosed/Abandon Properties; and (3) Reprogramming \$1,300,000 from Activity 2-ARSR to Activity 1-Acquisition, Demolition, Maintenance, Redevelopment, & Sale for Land Banking Program (ADR).

In June 2010, South Dallas Fair Park Innercity Community Development Corporation (ICDC), a certified nonprofit organization, was awarded a development loan to construct four (4) single family homes in one of the designated area zip codes (75215) for the NSP. The four (4) homes were built and sold to families below 50% AMFI.

In February 2014, ICDC submitted a proposal to the City of Dallas for the development of two (2) additional affordable housing units for low-income families. The units will be approximately 1400 sq.ft, 3 bedroom, two bath, two car garage with a large yard. The homes will meet energy star requirements. The total cost to build is approximately \$127.000.

The NSP program was designed to provide developers with full cost recovery. The final sales price of each home will be adjusted to the buyer's calculated annual income. Proceeds from the sale of each home will be returned to the City of Dallas minus allowable closing costs. Homebuyers are not eligible for the Mortgage Assistance Program but may be assisted with closing costs up to \$5,000.

The City funds will be provided through NSP funds from prior sales. ICDC will be required to execute a deed of trust and note payable to insure. The City will hold first lien position until homebuyer purchases each home. Homebuyers will assume a deed restriction for the regulated affordability period of fifteen years. ICDC will have one year to complete construction and sell the two homes. The organization is in good standing and has received favorable audits.

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

On February 25, 2009, City Council authorized the acceptance of the NSP funds by Resolution No. 09-0530.

On December 9, 2009, City Council authorized Substantial Amendment No. 4 to the FY 2008-09 Consolidated Plan for the NSP Program by Resolution No. 09-3019.

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

On June 23, 2010, City Council authorized a public hearing for Substantial Amendment No. 5 to the FY 2008-2009 Consolidated Plan to (1) amend the Program Statement to include Activity 4-Acquisition, Redevelopment, & Sale of Foreclosed/Abandon Properties; (2) Reprogramming of funds from Activity 2-Acquisition, Rehabilitation, & Sale/Rent (ARSR) Foreclosed Properties to Activity 4-Acquisition, Redevelopment, & Sale of Foreclosed/Abandon Properties; and (3) Reprogramming \$1,300,000 from Activity 2-ARSR to Activity 1-Acquisition, Demolition, Maintenance, Redevelopment, & Sale for Land Banking Program (ADR) by Resolution No. 10-1671.

On August 25, 2010, City Council approved final adoption of Substantial Amendment No. 5 to FY 2008-2009 Consolidated Plan to (1) amend the Program Statement to include Activity 4-Acquisition, Redevelopment, & Sale of Foreclosed/Abandon Properties; (2) Reprogramming of funds from Activity 2-Acquisition, Rehabilitation, & Sale/Rent (ARSR) Foreclosed Properties to Activity 4-Acquisition, Redevelopment, & Sale of Foreclosed/Abandon Properties; and (3) Reprogramming \$1,300,000 from Activity 2-ARSR to Activity 1-Acquisition, Demolition, Maintenance, Redevelopment, & Sale for Land Banking Program (ADR) by Resolution No. 10-2184.

On November 10, 2010, City Council authorized a public hearing for Substantial Amendment No. 7 to the FY 2008-2009 Consolidated Plan to (1) amend the Neighborhood Stabilization Program Statement, Attachment A, Activity 1, Terms and Grants and Loans from a tiered grant to a flat grant of up to \$25,000 per unit; (2) the receipt and deposit of program income in the amount of \$2.2M in the Neighborhood Stabilization Program Fund; and (3) the establishment of appropriations in the amount of \$2.2M in the Neighborhood Stabilization Program Fund by Resolution No. 10-2869.

On December 8, 2010, City Council approved final adoption of Substantial Amendment No. 7 to the FY 2008-2009 Consolidated Plan to (1) amend the Neighborhood Stabilization Program Statement, Attachment A, Activity 1, Terms and Grants and Loans from a tiered grant to a flat grant of up to \$25,000 per unit; (2) the receipt and deposit of program income in the amount of \$2.2M in the Neighborhood Stabilization Program Fund; and (3) the establishment of appropriations in the amount of \$2.2M in the Neighborhood Stabilization Program Fund by Resolution No. 10-3051.

On September 28, 2011, the City Council provided preliminary approval of Substantial Amendment No. 10 to the FY 2008-09 Consolidated Plan for the Neighborhood Stabilization Program 1 (NSP1) and set the public hearing for October 26, 2011 to receive citizen comments by Resolution No. 11-2573.

On October 26, 2011, City Council approved final adoption of Substantial Amendment No. 10 to the FY 2008-2009 Consolidated Plan to (1) the receipt and deposit of program income in the amount of \$3.4M in the Neighborhood Stabilization Program Fund; and (2) the establishment of appropriations in the amount of \$3.4M in the Neighborhood Stabilization Program Fund by Resolution No. 11-2876.

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

On November 14, 2012, the City Council authorized a preliminary adoption of Substantial Amendment No. 16 to the FY 2008-09 through 2012-13 Consolidated Plan for the Neighborhood Stabilization Program (NSP1) to (1) the receipt and deposit of program income in the amount of \$400,000; (2) increase established appropriations from \$3.4M to \$3.8M to be used for similar eligible activities; and (3) a public hearing to be held on December 12, 2012 to receive comments on Substantial Amendment No. 16 to the FY 2008-09 through 2012-13 Consolidated Plan by Resolution No. 12-2799.

On December 12, 2012, the City Council authorized the final adoption of Substantial Amendment No. 16 to the FY 2008-09 through 2012-13 Consolidated Plan for the Neighborhood Stabilization Program (NSP1) to (1) receipt and deposit program income in the amount of \$400,000; and (2) increase established appropriations from \$3.4M to \$3.8M to be used for similar eligible activities by Resolution No. 12-2799.

On April 10, 2013, the City Council hereby authorized the final adoption of Substantial Amendment No. 19 to the FY 2008-09 through 2012-13 Consolidated Plan for the Neighborhood Stabilization Program (NSP1) to (1) receipt and deposit program income in the amount of \$200,000; and (2) increase established appropriations from \$3.8M to \$4M to be used for similar eligible activities by Resolution No. 13-0650.

On April 7, 2014, Housing Committee was briefed on South Dallas Fair Park Innercity Community Development Corporation and their building activities (including this project).

#### FISCAL INFORMATION

\$254,000 - 2008-09 Neighborhood Stabilization Program Grant Funds

OWNER	DEVELOPER

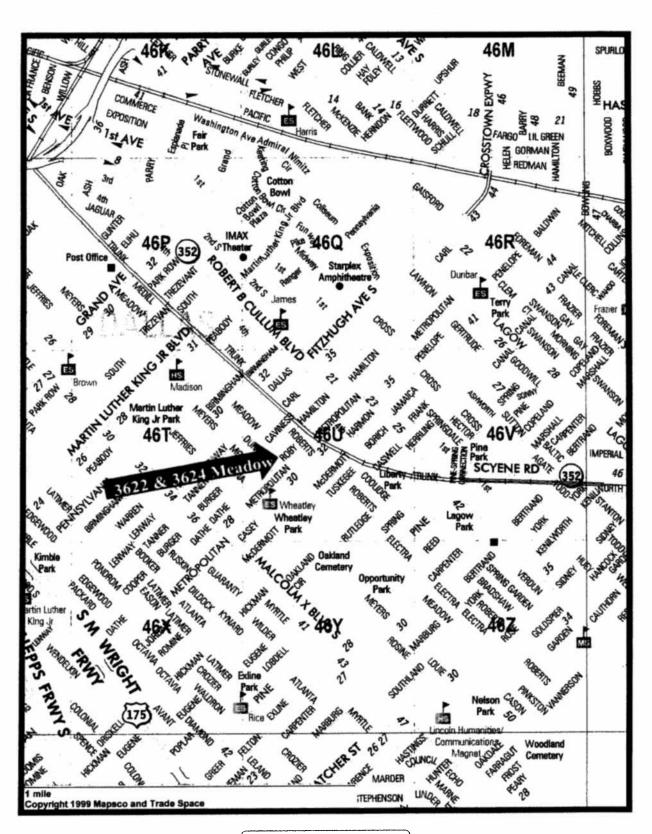
South Dallas Fair Park Innercity
CDC (ICDC)

South Dallas Fair Park Innercity
CDC (ICDC)

Diane Ragsdale, Executive Director Diane Ragsdale, Executive Director

#### MAP

Attached



MAPSCO 46U

WHEREAS, on February 25, 2009, the City Council authorized the acceptance of the NSP funds by Resolution No. 09-0530; and

WHEREAS, on December 9, 2009, the City Council authorized Substantial Amendment No. 4 to the FY 2008-09 Consolidated Plan for the Neighborhood Stabilization Program by Resolution No. 09-3019; and

WHEREAS, on June 23, 2010, the City Council authorized a public hearing for the adoption of Substantial Amendment No. 5 to the FY 2008-09 Consolidated Plan for the Neighborhood Stabilization Program by Resolution No. 10-1671; and

WHEREAS, on August 25, 2010, the City Council authorized final adoption of Substantial Amendment No. 5 to the FY 2008-09 Consolidated Plan for the Neighborhood Stabilization Program by Resolution No. 10-2184; and

WHEREAS, on November 10, 2010, the City Council authorized a public hearing for the adoption of Substantial Amendment No. 7 to the FY 2008-09 Consolidated Plan for the Neighborhood Stabilization Program by Resolution No. 10-2869; and

WHEREAS, on December 8, 2010, the City Council authorized final adoption of Substantial Amendment No. 7 to the FY 2008-09 Consolidated Plan for the Neighborhood Stabilization Program by Resolution No. 10-3051; and

**WHEREAS**, on September 28, 2011, the City Council provided preliminary approval of Substantial Amendment No. 10 to the FY 2008-09 Consolidated Plan for the Neighborhood Stabilization Program 1 (NSP1) and set the public hearing for October 26, 2011 to receive citizen comments by Resolution No. 11-2573.

**WHEREAS,** on October 26, 2011, the City Council authorized final adoption of Substantial Amendment No. 10 to the FY 2008-09 Consolidated Plan for the Neighborhood Stabilization Program by Resolution No. 11-2573; and

**WHEREAS,** on November 14, 2012, the City Council authorized a public hearing for the adoption of Substantial Amendment No. 16 to the FY 2008-09 through 2012-13 Consolidated Plan for the Neighborhood Stabilization Program by Resolution No. 12-2799; and

WHEREAS, on December 12, 2012, the City Council authorized the final adoption of Substantial Amendment No. 16 to the FY 2008-09 through 2012-13 Consolidated Plan for the Neighborhood Stabilization Program (NSP1) to (1) receipt and deposit program income in the amount of \$400,000; and (2) increase established appropriations from \$3.4M to \$3.8M to be used for similar eligible activities by Resolution No. 12-2799; and

WHEREAS, on April 10, 2013, the City Council hereby authorized the final adoption of Substantial Amendment No. 19 to the FY 2008-09 through 2012-13 Consolidated Plan for the Neighborhood Stabilization Program (NSP1) to (1) receipt and deposit program income in the amount of \$200,000; and (2) increase established appropriations from \$3.8M to \$4M to be used for similar eligible activities by Resolution No. 13-0650; and

WHEREAS, Program income generated through Neighborhood Stabilization Program activities must be used for other Neighborhood Stabilization Program eligible activities; and

WHEREAS, South Dallas Fair Park Innercity Community Development Corporation (ICDC) proposed to work with the City of Dallas to undertake the development of two (2) affordable units at 3622 and 3624 Meadow; 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 execute a housing development loan in an amount not to exceed \$254,000 with South Dallas Fair Park Innercity Community Development Corporation (ICDC), a certified nonprofit organization, for the development of two (2) affordable single family homes located at 3622 and 3624 Meadow.

#### **Section 2.** The terms of the loan agreement include:

- a. ICDC must execute a note payable to the City of Dallas for \$254,000 for the loan.
- b. ICDC will execute a lien through a Deed of Trust and deed restriction for a 15-year term for the affordable units.
- c. ICDC will have one (1) year to fully complete the project.
- d. ICDC must build and sell the affordable units to low and moderate income families with incomes at or below 120% of area median family income.
- e. Sales proceeds will be returned to the City after approved construction, soft and hard costs, developer fees and closing costs are paid.
- f. The City will hold 1<sup>st</sup> lien position on the properties.

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

May 28, 2014

**Section 4.** That the City Controller is hereby authorized to disburse funds in accordance with this resolution and the terms and conditions of the loan agreement with as follows:

South Dallas Fair Park Innercity Community Development Corporation (ICDC) VENDOR # 266539

<u>FUND DEPT UNIT OBJ CT AMOUNT</u>
NS08 HOU 412A 3015 HOU412AH1115 \$254,000

**Section 5.** That the City Controller is hereby authorized to modify receivable balance sheet account (033F) and an allowance for uncollectible debt (022D) in funds NS08, 412A for the amount of the loan.

**Section 6.** 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 7.** 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: May 28, 2014

COUNCIL DISTRICT(S): 4

**DEPARTMENT:** Housing/Community Services

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 55F

#### **SUBJECT**

Authorize an amendment to Resolution No. 14-0565, previously approved on March 26, 2014, to: (1) change the owner's name on the conditional grant agreement from Sphinx Development Corporation to SDC Compton Housing, LP; and (2) change the terms of the disbursement of funds to \$34,285 per unit with a five year deed restriction to build fourteen townhomes on Tonga and Compton Streets - Financing: No cost consideration to the City

#### **BACKGROUND**

In 2006, a master plan was created for the Fiji-Compton Area that would guide the implementation of several redevelopment components. The Fiji-Compton Area is a 23.43 acre site located along Corinth Avenue between two DART light rail stations. The economic development goals for the Fiji-Compton area include: 130 units of new senior housing, a new 60 room assisted living facility (34,500 sq. ft.), 50 new townhouses, 19,200 sq. ft. of office space, and a mixed use building with 12,200 sq ft. of commercial/retail space with 74 one and two bedroom apartments above. The 130 units of senior housing have provided the impetus for spin-off development within the Fiji-Compton Area.

The 2012 Bond Election provided \$40 million in general obligation bonds to provide funds for promoting development in the Southern Sector. This project is being implemented under that program.

In July 2013, Jay Oji (Owner/Developer) submitted a proposal to the City requesting gap financing of \$480,000 to develop 14 townhomes that are included in the master plan

City funds will be used toward total development costs which may include soft costs, construction expenses, or developer fees. Mr. Oji proposed to develop the townhomes with 3 to 4 bedrooms, 2.5 baths, and up to 1400 sq. ft. per unit. On March 26, 2014, the City Council approved the conditional grant agreement.

#### BACKGROUND (continued)

In April 2014, the developer requested changes to the conditional grant agreement to (1) change the owner's name on the agreement to SDC Compton Housing, LP; and (2) change the terms of the disbursement of funds to \$34,285 per unit with a five (5) year deed restriction. All other terms will remain the same.

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

On March 3, 2014, the Housing Committee was briefed on the Fiji Townhomes Project and approved the project to move forward to full City Council.

On March 26, 2014, the City Council approved a conditional grant to Sphinx Development Corporation, for the Fiji Townhomes Project by Resolution No. 14-0565.

#### FISCAL INFORMATION

No cost consideration to the City

OWNER(S) DEVELOPER(S)

SDC Compton Housing, L.P. Sphinx Development Corporation

Jay Oji, Limited Partner

Joseph Agumadu, Limited Partner

Joseph Agumadu, Limited Partner

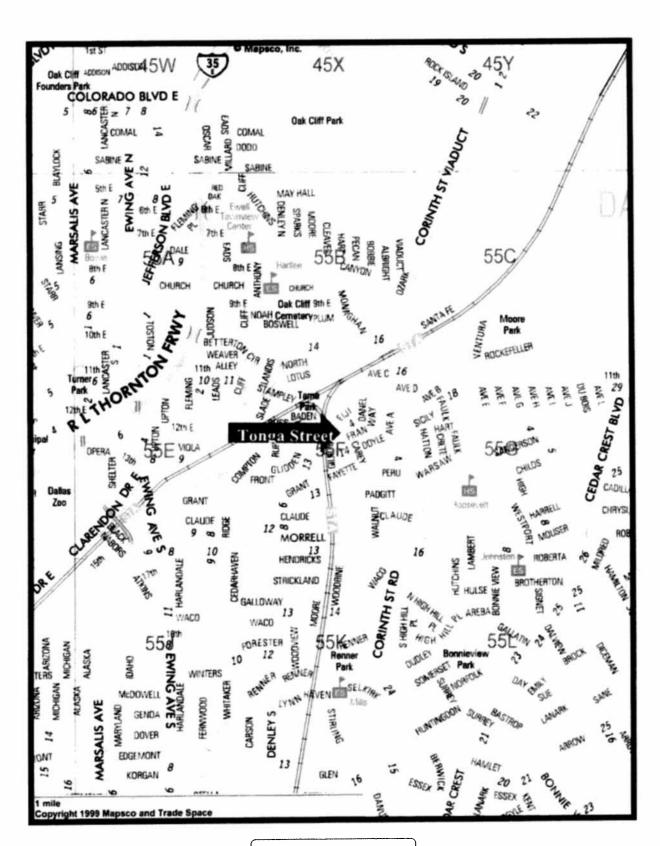
Joseph Agumadu, Limited Partner

Fiji Townhomes Development, LLC

Jay Oji & Joseph Agumadu, General Partners

#### MAP

Attached



**MAPSCO 55F** 

**WHEREAS**, the City of Dallas seeks to support economic growth in the Southern area of the city and economic development in connection with transit-oriented developments; and

**WHEREAS**, the City Council finds that it is in the best interest of the City to promote local economic development and to stimulate business and commercial activity in the city, in particular, the Fiji-Compton area; and

**WHEREAS,** on March 26, 2014, the City Council approved a conditional grant to Sphinx Development Corporation, LP for the Fiji Townhomes Project by Resolution No. 14-0565; and

WHEREAS, in April 2014, the developer requested changes to the conditional grant agreement to better utilize the funds and manage the project; and

WHEREAS, the redevelopment of the Property will further the City's goals for development in the Southern Sector; NOW, THEREFORE,

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

**Section 1.** That the City Manager or designee, upon approval as to form by the City Attorney, is hereby authorized to amend Resolution No. 14-0565, previously approved on March 26, 2014, to: (1) change the owner's name from Sphinx Development Corporation to SDC Compton Housing, LP; and (2) change the terms of the disbursement of funds to \$34,285 per unit with a five (5) year deed restriction to build fourteen (14) townhomes on Tonga and Compton Streets.

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

- a. SDC Compton Housing, L.P. (SDC) will enter into a conditional grant agreement, deed of trust, and deed restrictions. The deed restrictions for affordability will be for five (5) years.
- b. SDC must provide a commitment from a private lender financing the balance of construction costs.
- c. SDC shall begin construction of the fourteen (14) units no later than August 1, 2014.
- d. SDC will present homebuyers with income at or below 140% of Area Median Family Income in order to receive up to \$34,285 grant per home
- e. SDC will have two (2) years to complete the construction and occupancy of the fourteen (14) units.
- f. SDC shall market pursuant to the City's Affirmative Fair Housing Marketing Plan.
- q. The City will subordinate its lien to the interim construction lender.

**Section 3.** That the City Manager may provide subordination of deed of trust and provide releases or assumptions of deed of trust and deed restrictions as appropriate.

**Section 4.** That nothing in this resolution shall be construed as a binding contract or agreement upon the City, that it is subject to available bond funding, and there will be no liability or obligation on the City until final contract documents are approved, executed, and final closing completed.

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

**KEY FOCUS AREA:** Economic Vibrancy

AGENDA DATE: May 28, 2014

COUNCIL DISTRICT(S): 7

**DEPARTMENT:** Housing/Community Services

CMO: Theresa O'Donnell, 671-9195

MAPSCO: 45R

#### **SUBJECT**

Authorize an amendment to Resolution No. 13-0993, previously approved on June 12, 2013, for the construction of fifty permanent supportive housing units at 1531 Malcolm X Boulevard to: (1) extend the start date from September 30, 2013 to July 31, 2014; (2) extend the completion date from March 31, 2014 to May 31, 2015; and (3) change the terms as described in Section 2 - Financing: No cost consideration to the City

#### **BACKGROUND**

In June 2013, the City Council approved a conditional grant for the Cottages at Hickory Crossing for a permanent supportive housing demonstration project serving chronically homeless involved in the criminal justice system, with mental illness, and/or with substance abuse issues. The goal of the project is to improve the well being of the people served, reduce recidivism, and realize cost savings to the taxpayers through reduced expenditures on public safety, behavioral health, and health care. Services offered on-site will include: individual case management, medication management and education, life skills training, mental health services, substance abuse services, employment assistance, and transportation as needed.

Other project partners include: W.W. Caruth, Jr. Foundation, Sowell Foundation, CitySquare, Metrocare, Dallas County, Metro Dallas Homeless Alliance, UT Southwestern, Building Community Workshop, and the Cooperation for Supportive Housing.

In April 2014, Central Dallas CDC requested to (1) extend the start date from September 30, 2013 to July 31, 2014; (2) extend the completion date one year from March 31, 2014 to May 31, 2015; and (3) change the terms as described in Section 2.

### **BACKGROUND** (continued)

This action would provide changes to the conditional grant agreement to Central Dallas CDC, or its wholly owned subsidiary, for the construction of fifty (50) permanent supportive housing units at 1531 Malcolm X Boulevard.

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

On June 12, 2013, the City Council approved a conditional grant agreement in the amount of \$1,500,000 with Central Dallas Community Development Corporation, or its wholly owned subsidiary, to provide funding for the construction of fifty permanent supportive housing units at 1531 Malcolm X Boulevard by Resolution No. 13-0993.

#### FISCAL INFORMATION

No cost consideration to the City

**OWNER** 

**DEVELOPER** 

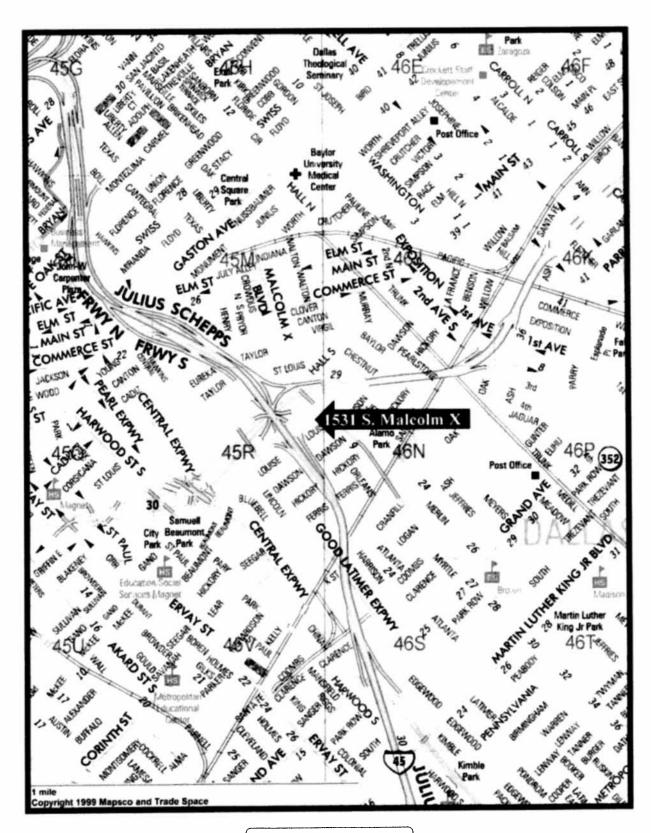
**Central Dallas CDC** 

**Central Dallas CDC** 

John Greenan, Executive Director John Greenan, Executive Director

<u>MAP</u>

Attached



MAPSCO 45R

WHEREAS, the City of Dallas seeks to maintain the supply of permanent supportive housing for the Continuum of Care for homeless persons; and

WHEREAS, Central Dallas Community Development Corporation wishes to partner with the City of Dallas to improve the property located at 1531 Malcolm X Boulevard and to offer fifty (50) permanent supportive housing units at this site; and

WHEREAS, on June 12, 2013, the City Council approved a conditional grant agreement in the amount of \$1,500,000 with Central Dallas Community Development Corporation, or its wholly owned subsidiary, to provide funding for the construction of fifty permanent supportive housing units at 1531 Malcolm X Boulevard by Resolution No. 13-0993; 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. 13-0993, previously approved on June 12, 2013, for the construction of fifty permanent supportive housing units at 1531 Malcolm X Boulevard to: (1) extend the start date from September 30, 2013 to July 31, 2014; (2) extend the completion date from March 31, 2014 to May 31, 2015; and (3) change the terms as described in Section 2.

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

- a. Central Dallas CDC, or its wholly owned subsidiary shall begin construction on 1531 Malcolm X Boulevard by July 31, 2014.
- b. Central Dallas CDC, or its wholly owned subsidiary shall complete construction by May 31, 2015.
- c. Central Dallas CDC consents to and files deed restrictions requiring 100% of the units to be rented to low income people for a period of ten (10) years.
- d. The City will subordinate first lien position to the interim construction lender.

**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 the City Manager, upon approval as to form by the City Attorney, is authorized to execute releases of liens and terminate deed restrictions on the property upon compliance with the loan terms and deed restrictions.

**SECTION 5.** 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.

**SECTION 6.** 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 May 16, 2014

Members of the Housing Committee: Carolyn R. Davis (Chair), Scott Griggs (Vice Chair) Monica Alonzo, Rick Callahan, Dwaine Caraway, Phillip Kingston

# The Fountains of Rosemeade, 382 units located at 3400 Rosemeade, Dallas, Texas Denton County

The Fountains of Rosemead is an existing 382-unit rental property for families located on 12.92 acres of land at 3340 Rosemead Parkway in Denton County on the border with the City of Carrollton (see location map). The project was financed with 9% tax credits and completed in 1995. The current owner, Norstar Investment, USA, Inc. proposes to do a complete renovation of the project, with new investment of \$6,876,000 or \$18,000 per apartment unit. The project financing will come from a combination of 4% tax credits (approximately \$8,156,389) and tax exempt bonds (approximately \$18 Million) to be issued by the Dallas Housing Finance Corporation.

On May 28, 2014 Council will be requested to: (1) Authorize a public hearing to be held on June 25, 2014, to receive comments concerning the application to The Texas Department of Housing and Community Development (TDHCA) for 4% tax credits in the approximate amount of \$8,156,389 with tax exempt bonds in the approximate amount of \$18 Million, to be issued by the City of Dallas Housing Finance Corporation (DHFC) for the rehabilitation of the Fountains of Rosemeade; (2) Approve a preapplication waiver for issuance of tax exempt multifamily revenue bonds by DHFC for the project; (3) Provide a resolution in support of the TDHCA award of Low Income Housing Tax Credits for the acquisition and rehabilitation of the existing Fountains of Rosemeade housing development located at 3440 Rosemeade Parkway, Dallas, Texas, by conducting a Public Hearing pursuant to Texas Government Code, §2306.67071(a) and 10 TAC §10.204(4)(A), Texas Government Code, §2306.67071(b) and 10 TAC§10.204(4)(B) and pursuant to §11.3(A-F) of the 2014 Qualified Allocation Plan (QAP) regarding Housing Deconcentration Factors.

On May 15, 2014, the DHFC Board approved moving forward with the above proposals to City's Housing Committee and subsequent consideration by the City Council. Norstar will seek a bond inducement from the DHFC on May 29, 2014, contingent on the City Council's approval of the pre-application waiver and public hearing on May 28, 2014. The Tax Equity and Fiscal Responsibility (TEFRA) Hearing for the tax-exempt bonds will scheduled on or before June 24, 2014.

The project owner will be a "to be formed Limited Liability Company" formed for the sole purpose of developing, owning and operating the project for long-term use as low-

income housing. The corporate Managing Member with a .01% interest will be the following shareholders, Norstar Investment USA, Inc. (80%) and Black Locust LLC (20%). The Chairman is Neil Brown, the President is Gary Silver and the Vice President is Richard Higgins.

The owners will continue to meet with neighborhood groups proximate to the project location. The Rosemeade rehabilitation at a cost of \$18,000 per unit, will consist of the following improvements and amenities:

- Replacement of air-conditioning units
- Renovation of Bathrooms and Kitchens –sinks, faucets, appliances and toilets
- New Flooring throughout
- New Roofs for all buildings
- Public Wi-Fi access
- Dog Park
- Playground Improvements
- Covered Pavilion with Barbeque Grills
- Steel Doors in front and on Patio Storage
- Replace Perimeter Fencing
- Repair Parking Lots
- Light Fixtures throughout
- Drainage Retaining Walls, Irrigation and Landscaping
- Exterior Building Lights
- Fire Systems
- Renovations to the Clubhouse to Accommodate Tenant Services
- \$76,400 in Tenant Services, 100% can be in-kind contribution
- Surveillance Cameras

#### **Next Steps**

May 28, 2013 – Council Consideration of pre-application waiver and the call for public meeting on June 25, 2014

May 29, 2014 - DHFC Meeting to issue the bond inducement

May 30, 2014 - Bond Counsel submits application to the Texas Bond Review Board

June 23, 2014 – Submit Tax Credit Application to TDHCA

June 25, 2014 - Public Hearing and Council Consideration

September 4, 2014 – TDHCA Consideration of the projects 4% tax credit application

September 16-17, 2014 - Closing

October, 2014 - Begin Construction

Lease- up and stabilization - April, 2017

#### Staff

Karen Schaffner — Office of Economic Development

#### Recommendation

Staff recommends approval of the subject item. Please contact me if you have any questions at 214-670-3296.

Ryan'S. Evans

Interim First Assistant City Manager

C: The Honorable Mayor and Members of the City Council

A.C. Gonzalez, City Manager

Warren M. S. Ernst, City Attorney

Judge Daniel F. Solis, Administrative Judge

Rosa A. Rios, City Secretary

Craig D. Kinton, City Auditor

Jill A. Jordan, P. E., Assistant City Manager

Forest E. Turner, Assistant City Manager

Joey Zapata, Assistant City Manager

Charles M. Cato, Interim Assistant City Manager

Theresa O'Donnell, Interim Assistant City Manager

Jeanne Chipperfield, Chief Financial Officer

Karl Zavitkovsky, Director, Office of Economic Development

J. Hammond Perot, Assistant Director, Office of Economic Development

Shawn Williams, Interim Public Information Officer

Elsa Cantu, Assistant to the City Manager - Mayor and Council