

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: August 26, 2015
COUNCIL DISTRICT(S): 7
DEPARTMENT: Housing/Community Services
CMO: A. C. Gonzalez, 670-3297
MAPSCO: 56Z 57S

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Dallas Area Habitat for Humanity for the construction of affordable houses; **(2)** the sale of 4 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Dallas Area Habitat for Humanity; and **(3)** execution of a release of lien for any non-tax liens on the 4 properties that may have been filed by the City - Financing: No cost consideration to the City

BACKGROUND

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments. The City Council then established the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C on January 28, 2004.

Dallas Area Habitat for Humanity (Habitat) has submitted a proposal and development plan to DHADC for 4 lots shown on the attached list. The DHADC Board has approved the development plan and sale, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by Habitat to the City's Land Bank, the sale of those lots from DHADC to Habitat and the release of lien for any non-tax liens that may have been filed by the City. The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to Habitat will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Habitat and construction financing is not closed within three years of conveyance.

BACKGROUND (continued)

Habitat will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be approximately 1,279 square feet and from \$80,000 to \$105,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (4 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (0 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30 percent of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (0 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive \$20,000.00 for the sales price, as calculated from the 2014-15 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code.

On September 2, 2014, the Housing Committee was briefed regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program.

On July 23, 2015, DHADC approved the development plan and sale of 4 lots from DHADC to Habitat.

Information about this item will be provided to the Housing Committee on August 17, 2015.

FISCAL INFORMATION

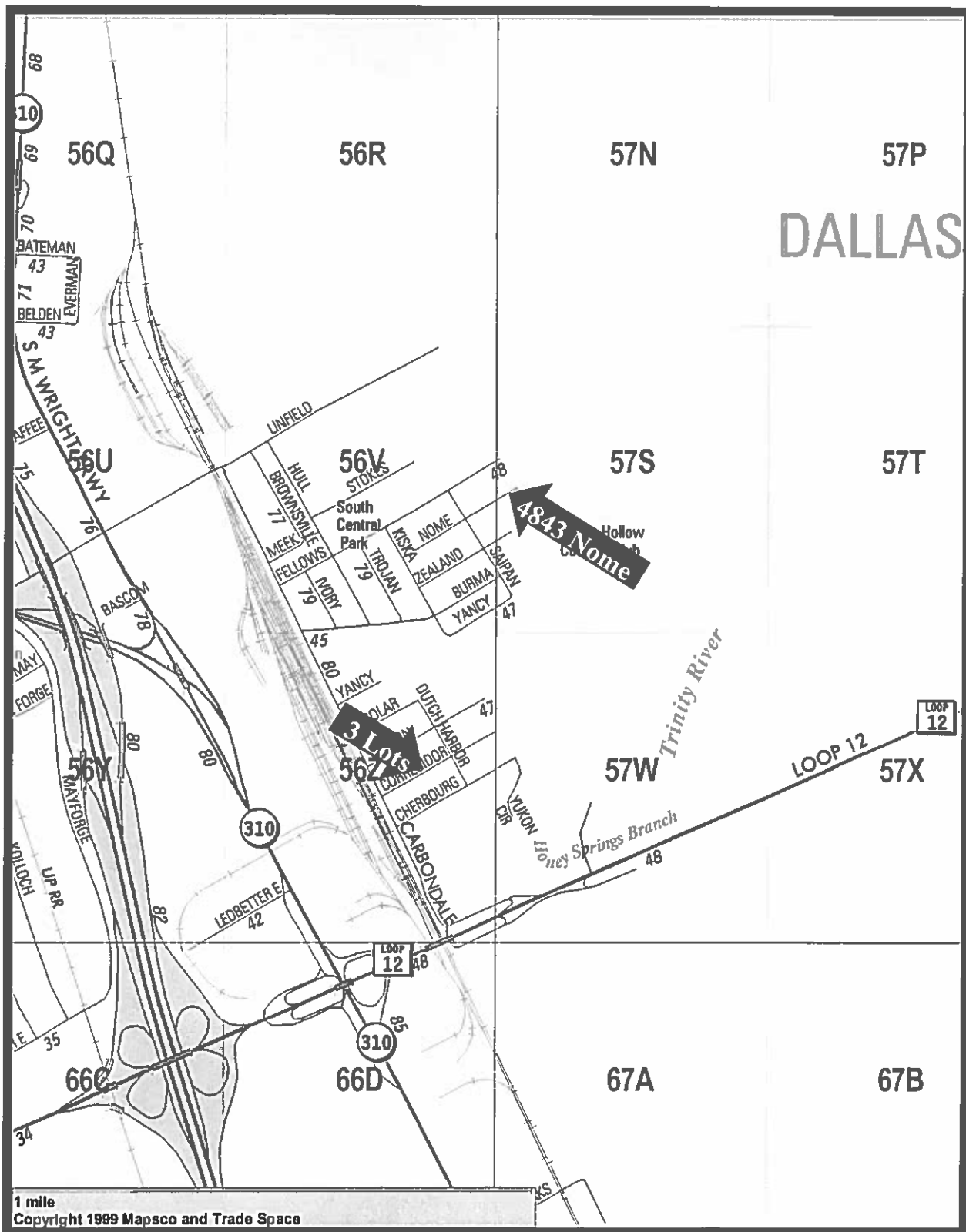
No cost consideration to the City

MAP

Attached

**Land Bank (DHADC) Sale of Lots to
Dallas Area Habitat for Humanity**

| <u>Property Address</u> | <u>Mapsco</u> | <u>Council District</u> | <u>Amount of Non-Tax Liens</u> |
|--------------------------------|----------------------|------------------------------------|---|
| 1. 4540 Corregidor | 56Z | 7 | \$ 7,083.99 |
| 2. 4548 Corregidor | 56Z | 7 | \$ 9,972.58 |
| 3. 4551 Corregidor | 56Z | 7 | \$11,607.99 |
| 4. 4843 Nome | 57S | 7 | \$ 1,908.61 |



1 mile
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MAPSCO 56Z & 57S

August 26, 2015

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C; and

WHEREAS, Dallas Area Habitat for Humanity (Habitat) submitted a proposal and development plan to DHADC for 4 lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" submitted by Habitat and authorize the sale of the said 4 lots from DHADC to Habitat to build affordable houses;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit "B" submitted by Habitat and the sale of 4 lots shown on Exhibit "A" from DHADC to Habitat is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens that may have been filed by the City on the lots shown on Exhibit "A".

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 BANK PROPERTY | | | | |
|---------------------------|---|----------------------------------|----------------------------------|--------------------|
| PARCEL NUMBER | STREET ADDRESS LEGAL DESCRIPTION | QUALIFIED PURCHASER | NUMBER OF HOMEOWNER UNITS | SALE AMOUNT |
| 1 | 4540 Corregidor Lot 10, Central Avenue Addition Block F/7647 | Dallas Area Habitat for Humanity | 1 | \$5,000.00 |
| 2 | 4548 Corregidor Lot 12, Central Avenue Addition No. 2 Block F/7647 | Dallas Area Habitat for Humanity | 1 | \$5,000.00 |
| 3 | 4551 Corregidor Lot 28, Central Avenue Addition Block D/7647 | Dallas Area Habitat for Humanity | 1 | \$5,000.00 |
| 4 | 4843 Nome Lot 25, Central Avenue Addition No. 3 Block B/7648 | Dallas Area Habitat for Humanity | 1 | \$5,000.00 |
| TOTAL | | | | \$20,000.00 |

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal. 4

(2) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property").

| No. | Street # | Street Name | Lot | Block | Subdivision | DCAD Value |
|-----|----------|-------------|-----|------------|----------------|-------------|
| 1 | 4540 | Corregidor | 10 | Corregidor | Central Avenue | \$ 2,000.00 |
| 2 | 4548 | Corregidor | 12 | F/7647 | Central Avenue | \$ 2,000.00 |
| 3 | 4551 | Corregidor | 28 | Corregidor | Central Avenue | \$ 2,000.00 |
| 4 | 4843 | Nome | 25 | B/7648 | Central Avenue | \$ 2,000.00 |

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

At least 25% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes not greater than 60% of AMFI. No more than 30% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes between 81% and 115% of AMFI. (At least 70% of the Land Bank properties sold during any fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes at 80% AMFI or less.)

Single Family Home (to be sold to low income households at 60% or less of AMFI):

Number of homes to be built on lots 1 on each lot
 Square Footage of each home Approximately 1279 AC: 1691 total
 Number of Bedrooms/Baths in each home 3 / 2
 Number of Garages 1 Number of Carports Detached Attached
 Type of Exterior Veneer Brick and/or hardiboard Which sides see elevations for
 details
 Your Sales Price ranges without Subsidies to Qualified Low Income Buyer \$80-105,000

Single Family Home (to be sold to low income households at 80% or less of AMFI):

Number of homes to be built on lots
 Square Footage of each home
 Number of Bedrooms/Baths in each home /
 Number of Garages Number of Carports Detached Attached
 Type of Exterior Veneer Which sides
 Your Sales Price ranges without Subsidies to Qualified Low Income Buyer

Single Family Home (to be sold to low income households between 81% and 115% of AMFI):

Number of homes to be built on lots
 Square Footage of each home
 Number of Bedrooms/Baths in each home /
 Number of Garages Number of Carports Detached Attached
 Type of Exterior Veneer Which sides
 Your Sales Price ranges without Subsidies to Qualified Low Income Buyer

Attach extra sheet(s) breaking out above information for each different model of home.

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

State the number of days it will take you to complete construction and sale of improved Property from the date of obtaining the executed deed from DHADC. Attach a schedule, if you desire. The deed conveying property sold by DHADC will include a right of reverter so that if the Entity does not apply for a construction permit and close on any construction financing within a three year period following the date of conveyance of the property from the DHADC to the Entity, the property will revert to the DHADC for subsequent resale.

Commencement of Construction 1095 days
Completion of Construction 1215 days
Sale of first affordable housing unit to low income households 1305 days
Sale of last affordable unit to low income households 1305 days

D. PROPOSED SOURCES AND USES OF THE PROJECT FINANCING

Attach any development budget and commitments or preliminary commitments for financing of this project. Show proposed sources and uses of project financing. State whether you have a line of credit and if so, where and in what amount. Also enclose most recent financial statement.

We have not yet identified a particular group to sponsor the construction of these homes. In addition to specific donors, we rely on mortgages from sales of prior Habitat homes to finance construction of the homes.

E. MARKETING

Submit the Entity's plan for marketing the houses for sale to low and moderate income families for owner occupancy.

F. ADDITIONAL INFORMATION

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: August 26, 2015
COUNCIL DISTRICT(S): 4, 6
DEPARTMENT: Housing/Community Services
CMO: A. C. Gonzalez, 670-3297
MAPSCO: 43F J K P 44J 55L

SUBJECT

Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Santos Coria for the construction of affordable houses; **(2)** the sale of 9 vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to Santos Coria; and **(3)** execution of a release of lien for any non-tax liens on the 9 properties that may have been filed by the City – Financing: No cost consideration to the City

BACKGROUND

On June 18, 2003, Governor Perry signed the Urban Land Bank Demonstration Program Act. The Act allows the governing body of a municipality to adopt an Urban Land Bank Demonstration Program in which the officer charged with selling real property ordered sold pursuant to foreclosure of a tax lien may sell certain eligible real property by private sale to a land bank for the purpose of affordable housing developments. The City Council then established the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C on January 28, 2004.

Santos Coria has submitted a proposal and development plan to DHADC for 9 lots shown on the attached list. The DHADC Board has approved the development plan and sale, subject to City Council approval. This item will authorize City Council approval of the development plan submitted by Santos Coria to the City's Land Bank, the sale of those lots from DHADC to Santos Coria and the release of lien for any non-tax liens that may have been filed by the City. The vacant lots were purchased by DHADC from a Sheriff's sale pursuant to foreclosure of tax liens and any non-tax liens. DHADC's Deed without Warranty to Santos Coria will contain a reverter that returns the property to DHADC if a construction permit is not applied for by Santos Coria and construction financing is not closed within three years of conveyance.

BACKGROUND (continued)

Santos Coria will build affordable houses on the lots. The approximate square footage and sales prices of the houses will be approximately 1,200 to 1,800 square feet and from \$109,000 to \$130,000. The lots will be deed restricted for sale to a low income family and will require at least 25 percent of the developed homes (1 in this proposal) to be sold to households with gross household incomes not greater than 60 percent of the Area Median Family Income (AMFI) as determined annually by HUD. A maximum of 30 percent of the developed homes (4 in this proposal) may be sold to households with gross incomes from 81 percent to 115 percent of the AMFI as determined annually by HUD. If 30 percent of the homes are sold to buyers at 81 percent to 115 percent of the AMFI, the remaining homes (4 in this proposal) will be sold to buyers below 81 percent of the AMFI and in compliance with the minimum 25 percent requirement to sell to buyers below 60 percent of the AMFI. DHADC will receive \$45,000.00 for the sales price, as calculated from the 2014-15 Land Bank Plan approved by City Council.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

On January 28, 2004, by Resolution No. 04-0458, the City Council established DHADC as its land bank for the purpose of acquiring, holding and transferring unimproved real property for the purpose of promoting the development of affordable housing as allowed under Chapter 379C of the Texas Local Government Code.

On September 2, 2014, the Housing Committee was briefed regarding the Urban Land Bank Demonstration Program which outlined the process and status of the program.

On July 23, 2015, DHADC approved the development plan and sale of 9 lots from DHADC to Santos Coria.

Information about this item will be provided to the Housing Committee on August 17, 2015.

FISCAL INFORMATION

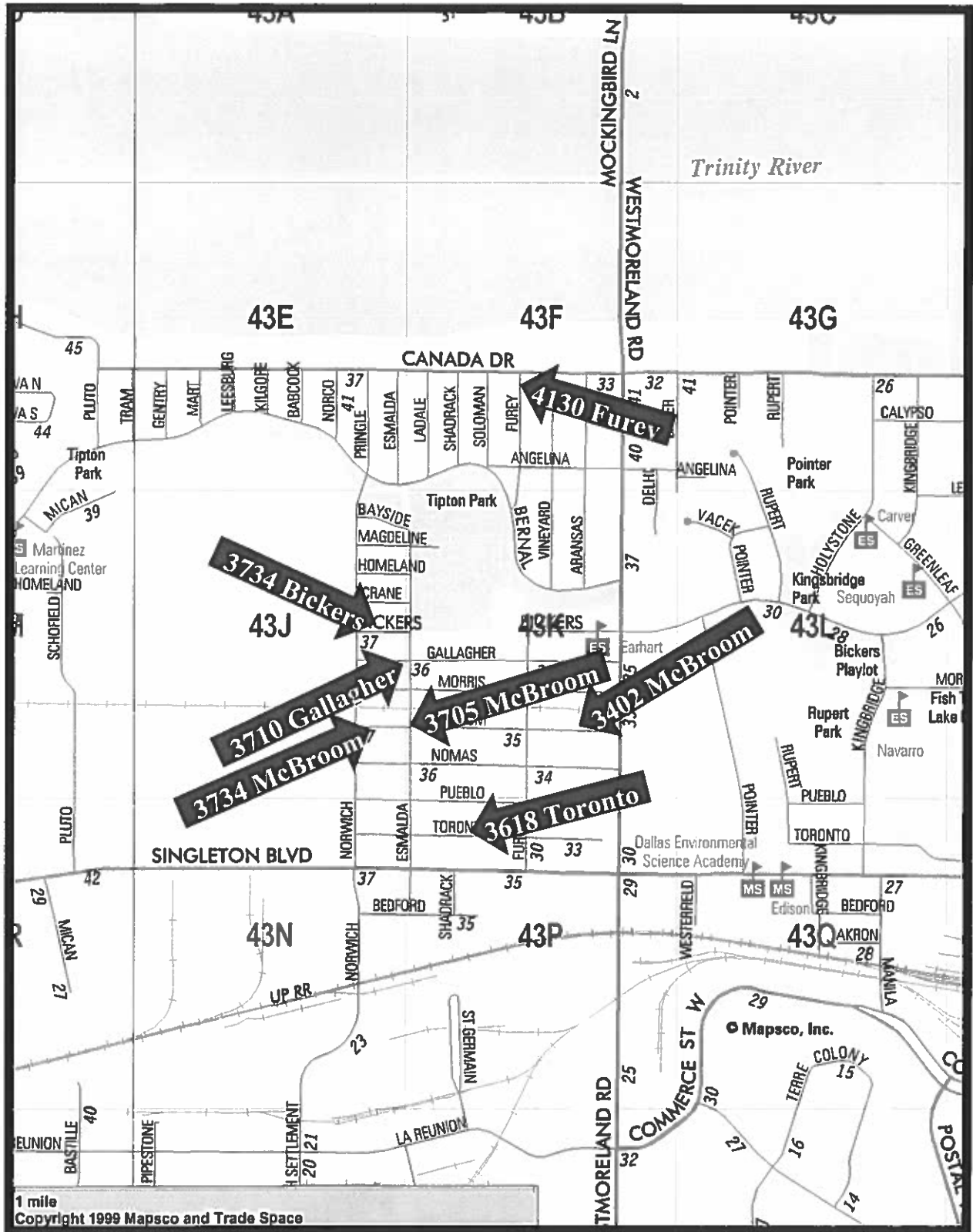
No cost consideration to the City

MAPS

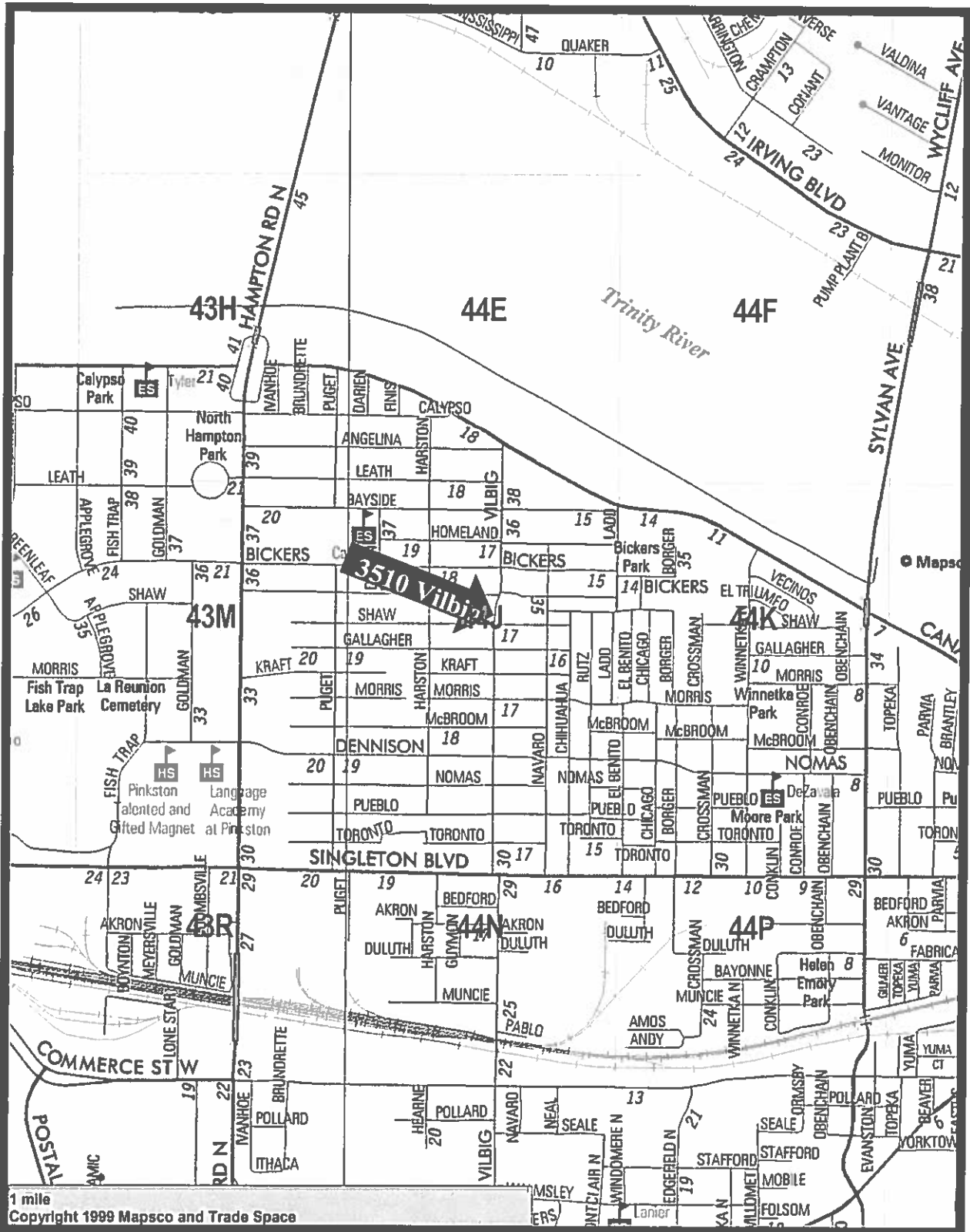
Attached

**Land Bank (DHADC) Sale of Lots to
Santos Coria**

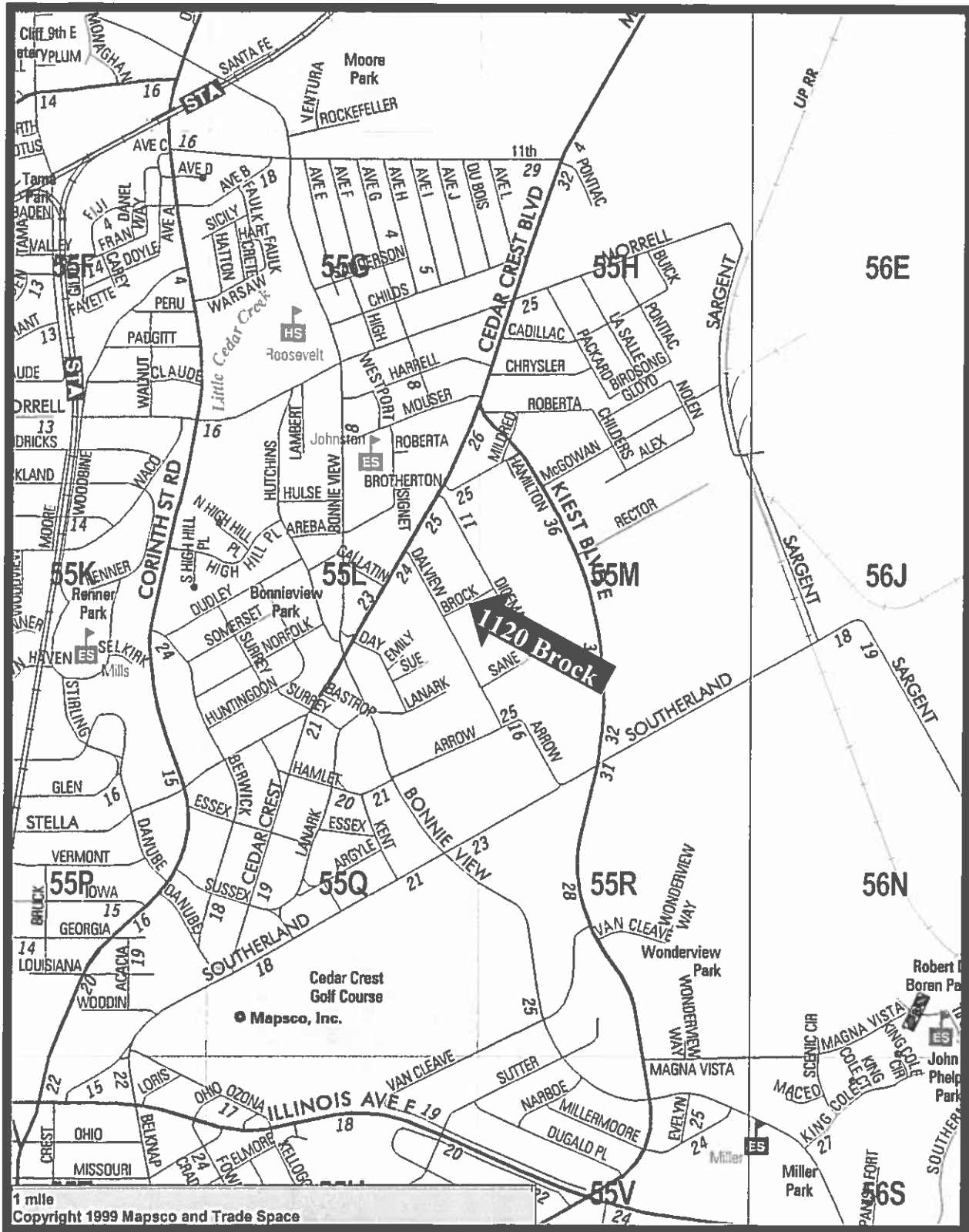
| <u>Property Address</u> | <u>Mapsco</u> | <u>Council District</u> | <u>Amount of Non-Tax Liens</u> |
|--------------------------------|----------------------|------------------------------------|---|
| 1. 1120 Brock | 55L | 4 | \$10,423.10 |
| 2. 3734 Bickers | 43J | 6 | \$11,977.85 |
| 3. 3618 Toronto | 43P | 6 | \$ 8,115.19 |
| 4. 4130 Furey | 43F | 6 | \$ 5,761.53 |
| 5. 3510 Vilbig | 44J | 6 | \$ 2,652.15 |
| 6. 3734 McBroom | 43J | 6 | \$11,078.46 |
| 7. 3705 McBroom | 43K | 6 | \$11,843.31 |
| 8. 3402 McBroom | 43K | 6 | \$ 6,236.98 |
| 9. 3710 Gallagher | 43J | 6 | \$13,295.32 |



MAPSCO 43F J K P



MAPSCO 44J



MAPSCO 55L

August 26, 2015

WHEREAS, on January 28, 2004, the City Council established the Dallas Housing Acquisition and Development Corporation (DHADC) as its land bank for the purpose of acquiring, holding and transferring unimproved real property under Subtitle A, Title 12, Local Government Code, Chapter 379C; and

WHEREAS, Santos Coria submitted a proposal and development plan to DHADC for 9 lots shown on Exhibit "A" and the DHADC Board has approved the development plan and sale, subject to City Council approval; and

WHEREAS, the City Council desires to approve the development plan shown on Exhibit "B" submitted by Santos Coria and authorize the sale of the said 9 lots from DHADC to Santos Coria to build affordable houses;

NOW, THEREFORE,

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

Section 1. That the development plan shown on Exhibit "B" submitted by Santos Coria and the sale of 9 lots shown on Exhibit "A" from DHADC to Santos Coria is approved.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a release of lien for any non-tax liens that may have been filed by the City on the lots shown on Exhibit "A".

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 BANK PROPERTY | | | | |
|---------------------------|--|----------------------------|----------------------------------|--------------------|
| PARCEL NUMBER | STREET ADDRESS LEGAL DESCRIPTION | QUALIFIED PURCHASER | NUMBER OF HOMEOWNER UNITS | SALE AMOUNT |
| 1 | 1120 Brock Lot G of W.E. Hudson Re-Subdivision of Lots 26-30, Annie Diceman Addition Block C/7533 | Santos Coria | 1 | \$5,000.00 |
| 2 | 3734 Bickers Lot 1B, Homeland Estates Addition Block 10/7151 | Santos Coria | 1 | \$5,000.00 |
| 3 | 3618 Toronto East 20 Feet of Lot 4 & the West 30 Feet of Lot 3, Eagle Ford Gardens Addition Block A/7152 | Santos Coria | 1 | \$5,000.00 |
| 4 | 4130 Furey West Part of Lot 17, Westmoreland Park Addition No. 3 Block 20/7146 | Santos Coria | 1 | \$5,000.00 |
| 5 | 3510 Vilbig Lot 2, Homestead Manor Annex Addition Block 11/7118 | Santos Coria | 1 | \$5,000.00 |
| 6 | 3734 McBroom Lot 8.0, West 40 Feet of the East 80 Feet of Lot 8, Eagle Ford Gardens Addition Block G/7152 | Santos Coria | 1 | \$5,000.00 |
| 7 | 3705 McBroom The Middle 40 Feet of Lot 1, Eagle Ford Gardens Addition Block K/7152 | Santos Coria | 1 | \$5,000.00 |
| 8 | 3402 McBroom Lot 12, Westmoreland Park Addition Block 2/7144 | Santos Coria | 1 | \$5,000.00 |
| 9 | 3710 Gallagher Lot 4B, Homeland Estates Addition Block 12/7151 | Santos Coria | 1 | \$5,000.00 |
| TOTAL | | | | \$45,000.00 |

EXHIBIT B

SECTION II: DEVELOPMENT PLAN

A. DESCRIPTION OF THE LAND REQUESTED FOR DEVELOPMENT

(1) Number of lots requested in this proposal. 9

(2) Provide the property address and legal description of the land requested (attach extra sheets if necessary) (the "Property").

SEE ATTACHMENT

B. DESCRIPTION OF PROPOSED HOUSES ENTITY WILL CONSTRUCT

At least 25% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes not greater than 60% of AMFI. No more than 30% of the Land Bank properties sold during any given fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes between 81% and 115% of AMFI. (At least 70% of the Land Bank properties sold during any fiscal year to be developed shall be deed restricted for sale to households with gross annual incomes at 80% AMFI or less.)

Single Family Home (to be sold to low income households at 60% or less of AMFI):

Number of homes to be built on lots 1
Square Footage of each home 1200-1500
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 0 Number of Carports Detached Attached
Type of Exterior Veneer SIDING/BRICK Which sides ALL
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 109,000-125,000

Single Family Home (to be sold to low income households at 80% or less of AMFI):

Number of homes to be built on lots 4
Square Footage of each home 1200-1500
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 1-2 Number of Carports Detached Attached
Type of Exterior Veneer SIDING/BRICK Which sides ALL
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 110,000-130,000

Single Family Home (to be sold to low income households between 81% and 115% of AMFI):

Number of homes to be built on lots 4
Square Footage of each home 1200-1800
Number of Bedrooms/Baths in each home 3 / 2
Number of Garages 1-2 Number of Carports Detached Attached
Type of Exterior Veneer BRICK/SIDING Which sides ALL
Your Sales Price ranges without Subsidies to Qualified Low Income Buyer 110,000 -130,000

Attach extra sheet(s) breaking out above information for each different model of home.

PROVIDE FLOOR PLANS AND ELEVATIONS.

C. CONSTRUCTION TIMETABLE

State the number of days it will take you to complete construction and sale of improved Property from the date of obtaining the executed deed from DHADC. Attach a schedule, if you desire. The deed conveying property sold by DHADC will include a right of reverter so that if the Entity does not apply for a construction permit and close on any construction financing within a three year period following the date of conveyance of the property from the DHADC to the Entity, the property will revert to the DHADC for subsequent resale.

Commencement of Construction 180 days

Completion of Construction 210 days

Sale of first affordable housing unit to low income households 365 days

Sale of last affordable unit to low income households 365 days

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: August 26, 2015
COUNCIL DISTRICT(S): All
DEPARTMENT: Housing/Community Services
CMO: A. C. Gonzalez, 670-3297
MAPSCO: N/A

SUBJECT

Authorize a professional services contract with Babers Group, Inc. to provide consulting services to the City of Dallas related to the City's creation and implementation of a plan to build communities and affirmatively further fair housing, for a term of one year from the date of execution of the agreement – Not to exceed \$70,000 - Financing: Current Funds (subject to appropriations)

BACKGROUND

C. Donald Babers had a distinguished 40-year career with the U.S. Department of Housing and Urban Development (HUD). He began his federal career in June 1970 as an intern in HUD's Fort Worth field office. He next worked in HUD's Little Rock, Arkansas, Field Office as an Equal Opportunity Specialist, becoming the Acting Director of the Office of Fair Housing and Equal Opportunity (FHEO).

For 15 years Mr. Babers was the Area Manager for HUD's Dallas Field Office, where his accomplishments included leading the effort to resolve a housing discrimination challenge brought against HUD. His work in helping to settle that case is credited for significantly expanding affordable housing opportunities to lower income public housing residents in 36 East Texas counties.

In 2002, he was appointed Deputy Regional Director of HUD's Fort Worth Regional Office and the HUD Secretary appointed him as Chairman of the Board of the Housing Authority of New Orleans where he oversaw the city's public housing recovery efforts in the aftermath of Hurricane Katrina.

BACKGROUND (continued)

Upon retirement from HUD, Mr. Babers formed a consulting firm, Babers Group, Inc.

Mr. Babers' career at HUD makes his consulting firm uniquely and ideally suited to provide expertise in communicating with HUD offices in Washington D.C. and Fort Worth, as well as to help the City of Dallas with creation and implementation of the City's plan to build communities and affirmatively further fair housing.

The scope of services will include, but not be limited to:

- Attend city council meetings where housing items are scheduled, all Housing Committee meetings, and all Neighborhood Plus community/stakeholder meetings.
- Work with city staff to develop an Assessment of Fair Housing and implementation strategy with key steps to transform the housing policies.
- Collaborate with the consultant team and staff to analyze Housing procedures and programs and make recommendations to implement the Neighborhood Plus plan consistent with HUD and FHEO requirements.
- Facilitate meetings and discussions between the City and governmental partners including HUD, Environmental Protection Agency, Department Of Transportation, and other agencies as requested.
- Facilitate discussions with elected and appointed officials and community leaders regarding housing programs and national best practices.
- Undertake other duties related to the Neighborhood Plus Plan and policies with regard to Affirmatively Furthering Fair Housing as requested by the City Manager, or any Assistant City Managers, the Housing Department Director, or the Planning and Neighborhood Vitality Director.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 13, 2014, City Council authorized a one-year professional services contract with Babers Group, Inc., by Resolution No. 14-1309.

Information about this item will be provided to the Housing Committee on August 17, 2015.

FISCAL INFORMATION

Current Funds (subject to appropriations) - \$70,000

August 26, 2015

WHEREAS, Mr. Babers’s consulting firm, Babers Group, Inc., is uniquely and ideally qualified to provide expertise in communicating with HUD offices in Washington D.C. and Fort Worth; and

WHEREAS, Babers Group, Inc. will provide consulting services to the City including attending Council meetings; working with other consultants and city staff to develop an Assessment of Fair Housing and implementation strategy; collaborating with the consultant team and staff to analyze housing programs and make recommendations to implement the Assessment of Fair Housing plan consistent with HUD and Office of Fair Housing and Equal Opportunity requirements; facilitating meetings and discussions between the City and governmental partners; and facilitating discussions with elected and appointed officials and community leaders regarding housing programs and national best practices to Affirmatively Further Fair Housing; and

WHEREAS, the City wishes to enter into a professional service contract with Babers Group, Inc.

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 hereby authorized to enter into a professional services contract with Babers Group, Inc. for a term of one year from the date of execution of the agreement in an amount not to exceed \$70,000.

SECTION 2. That the Chief Financial Officer is hereby authorized to make periodic payments in accordance with the terms and conditions of the contract in an amount not to exceed \$70,000 (subject to appropriations) from:

Babers Group, Inc. VENDOR # VC0000012753

| <u>FUND</u> | <u>DEPT</u> | <u>UNIT</u> | <u>OBJ</u> | <u>CT</u> | <u>AMOUNT</u> |
|-------------|-------------|-------------|------------|------------|---------------|
| 0001 | HOU | 5510 | 3070 | HOU551J999 | \$70,000 |

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: August 26, 2015
COUNCIL DISTRICT(S): 4
DEPARTMENT: Housing/Community Services
CMO: A. C. Gonzalez, 670-3297
MAPSCO: 55F

SUBJECT

Authorize an amendment to Resolution No. 15-1200, previously approved on June 17, 2015, for a conditional grant agreement with Sphinx Development Corporation to change the name of the developer to SDC Compton Housing, LP (SDC) to pay for a portion of the construction costs for a single family development for 49 homes in South Dallas located on Eighth and Corinth 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 Street 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 square foot), 49 new townhomes, 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.

On February 2, 2015, the City posted a Notice of Funding Availability (NOFA) in the amount of \$4M, of which \$2M was 2012 General Obligation Bond Funds. The NOFA requested proposals from developers to build single family homes in the city limits of Dallas. Sphinx Development Corporation (SDC) submitted a proposal to the City of Dallas for the development of 49 single family townhomes to be developed.

The proposal includes a grant of \$1,225,000 in general obligation bond funds for the remaining development cost gap. The units will be 3 and 4 bedroom at approximately 1400 sq. ft. The developer has obtained private financing with Texas Legacy Bank for the balance of the development costs.

BACKGROUND (continued)

The developer currently owns the property under SDC Compton Housing, LP and this item will amend the developer name from Sphinx Development Corporation to SDC Compton Housing, LP to allow the development to move forward for contract execution.

Liens and deed restrictions will be filed on each phase of development for performance purposes. The \$25,000 in gap funds will be released as each is built. As each home is sold to a buyer at or below 140% AMFI, liens and deed restrictions will be released.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 17, 2015, City Council approved the conditional loan agreement to Sphinx Development Corporation, by Resolution No. 15-1200.

Information about this item will be provided to the Housing Committee on August 17, 2015.

FISCAL INFORMATION

No cost consideration to the City

OWNER

SDC Compton Housing, LP

Jay Oji

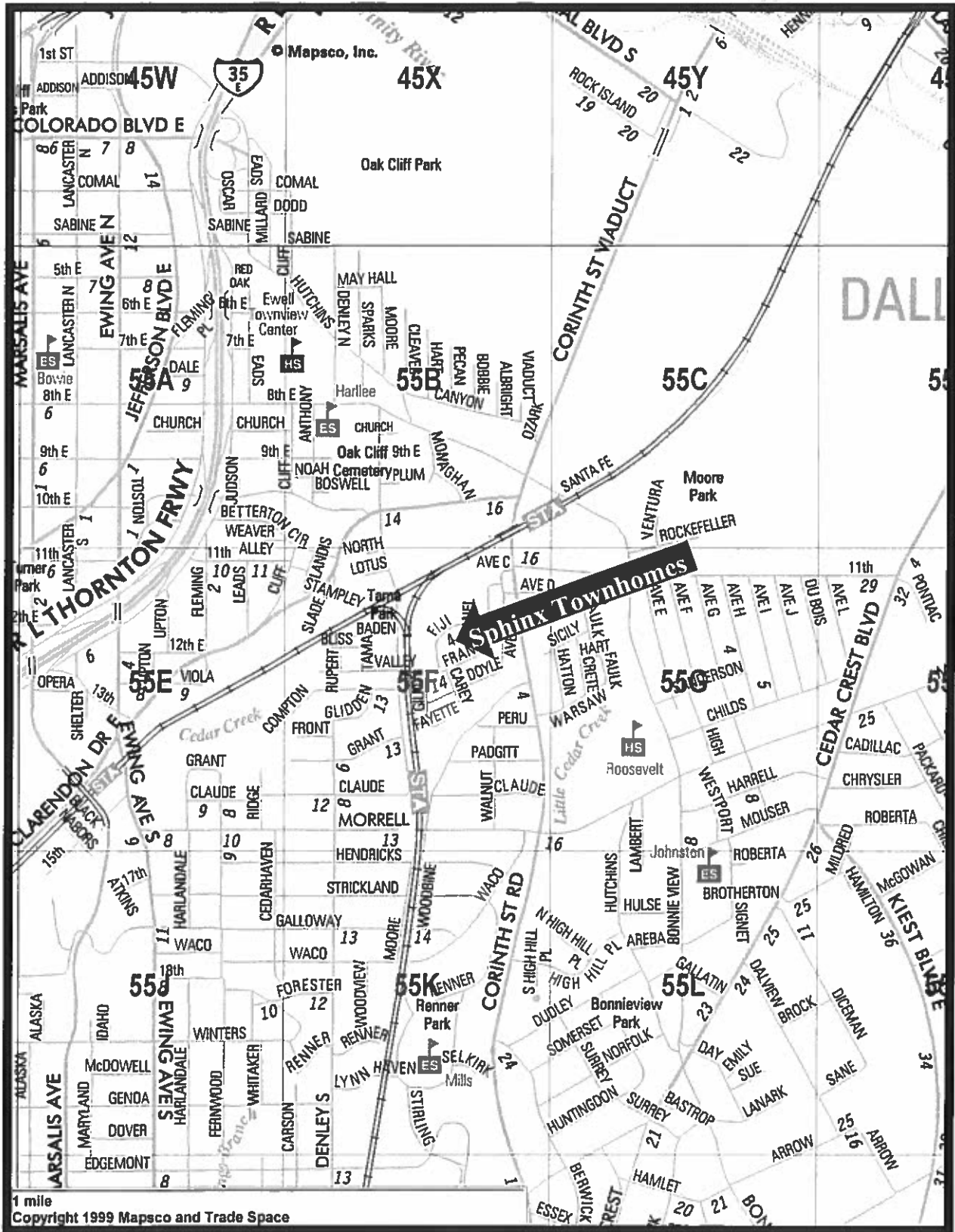
DEVELOPER

SDC Compton Housing, LP

Jay Oji

MAP

Attached



MAPSCO 55F

August 26, 2015

WHEREAS, affordable housing is a high priority of the City of Dallas; and

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 development activity in the city, in particular, the Fiji-Compton area; and

WHEREAS, on June 15, 2015, the Housing Committee was briefed on the project and the recommended proposal for City Council consideration; and

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

WHEREAS, the City desires for Sphinx Development Corporation to develop 49 single family townhomes to sell to buyers below 140% 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 execute an amended conditional grant agreement with SDC Compton Housing, LP (SDC) to pay for a portion of the construction costs for a single family development in South Dallas located on Eighth Street and Corinth Street.

Section 2. The terms of the grant agreement include:

- (a) SDC or its wholly owned subsidiary will execute a lien through a Deed of Trust and Deed Restriction for performance.
- (b) SDC will start construction by October 31, 2015 and have until December 31, 2016 to complete the build out and sales to buyers.
- (c) Funds will be used for gap construction subsidy up to \$25,000 for up to 49 units.
- (d) SDC must build and sell homes to families with incomes at or below 140% of area median family income.
- (e) The City will release SDC's lien and deed restrictions upon sale.
- (f) The City will subordinate lien and deed restrictions to other interim finance lenders.

August 26, 2015

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 for forgiveness of debt.

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: Clean, Healthy Environment
AGENDA DATE: August 26, 2015
COUNCIL DISTRICT(S): 4, 5, 6, 7, 8
DEPARTMENT: Housing/Community Services
CMO: A. C. Gonzalez, 670-3297
MAPSCO: 43K 46R,V 54R 55F,N,S 56X 58Z 59J 65D 66A

SUBJECT

Authorize on-site reconstruction of twelve homes in accordance with the requirements of the Reconstruction Program Statement for the properties located at: 4505 Bonnie View Road in the amount of \$103,000; 2936 East Ann Arbor Avenue in the amount of \$103,000; 2311 Custer Drive in the amount of \$103,000; 3811 Elsie Faye Heggins Street in the amount of \$103,000; 8309 Ryoak Drive in the amount of \$103,000; 8810 Briley Drive in the amount of \$103,000; 1207 Morrell Avenue in the amount of \$103,000; 3602 Gallagher Street in the amount of \$103,000; 510 East Woodin Boulevard in the amount of \$103,000; 322 East Woodin Boulevard in the amount of \$103,000; 3822 Metropolitan Avenue in the amount of \$103,000; and 2507 Harlandale Avenue in the amount of \$103,000 - Total not to exceed \$1,236,000 - Financing: 2009-10 HOME Investment Partnership Program Grant Funds (\$7,927); 2011-12 HOME Investment Partnership Program Grant Funds (\$99); 2012-13 HOME Investment Partnership Program Grant Funds (\$94,974); 2012-13 Community Development Block Grant Reprogramming Funds (\$94,389); 2013-14 Community Development Block Grant Funds (\$8,611); 2013-14 HOME Investment Partnership Program Grant Funds (\$22,922); 2014-15 HOME Investment Partnership Program Grant Funds (\$904,078) and 2014-15 Community Development Block Grant Funds (\$103,000)

BACKGROUND

The homeowners and the properties herein described are eligible for Reconstruction Program loans. The homeowners are below 80% AMFI and their names, ages and property addresses are as follows: Bobbie Lee Williams, an elderly female, 78 years old, residing at 4505 Bonnie View Road; Willie L. Burks Sr., an elderly male, 79 years old, residing at 2936 East Ann Arbor Avenue; Janeal Potts, an elderly female, 66 years old, residing at 2311 Custer Drive; Debra Calico, a disabled female, 59 years old, residing at 3811 Elsie Faye Heggins Street; Jimmy Isbell & Deborah Isbell, an elderly couple, 73 & 56 years old, residing at 8309 Ryoak Drive; Mary R. Hollis, an elderly female, 82 years old, residing at 8810 Briley Drive; Mary Jones & Wilmer Sterling Jr., an elderly couple, 69 & 67 years old, residing at 1207 Morrell Avenue; Lillie Perry, an elderly female, 94 years old, residing at 3602 Gallagher Street;

BACKGROUND (continued)

Gwendolyn Pipkins, an elderly female, 66 years old, residing at 510 East Woodin Boulevard ; Bennie Smith & Mattie Smith, an elderly couple, 76 & 76 years old, residing at 322 East Woodin Boulevard; and Ruby Smith, an elderly female, 68 years old, residing at 3822 Metropolitan Avenue.

On September 22, 2010, City Council authorized 10% of funds to be used to assist persons younger than 62 years of age, or without a disability, and still meeting all other loan criteria. The homeowner, Sharon Beard, a 55 year old female, residing at 2507 Harlandale Avenue, has been found eligible for the Reconstruction Program.

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

This action provides the authority to proceed with on-site reconstruction of twelve (12) single-family homes. Homeowners are allowed to select their builder from a certified list of contractors. The City provides the financing for the complete demolition and reconstruction for eligible homeowners. A lien and deed restriction is placed on the home for twenty years to ensure occupancy.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 22, 2010, City Council authorized modifications to the Program Statement for the Reconstruction/SHARE Program including using 10% to assist persons younger than 62 years of age, or without a disability, and still meeting all other loan criteria, by Resolution No. 10-2465.

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

On May 25, 2011, City Council authorized modifications to the Reconstruction/SHARE Program Statement to increase the maximum Reconstruction Program Assistance Type One loan amount from up to \$93,400 to up to \$103,000, by Resolution No. 11-1349.

On January 22, 2014, City Council authorized modifications to the Reconstruction Program Statement to provide assistance as a twenty-year forgivable loan, by Resolution No. 14-0180.

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

Information about this item will be provided to the Housing Committee on August 17, 2015.

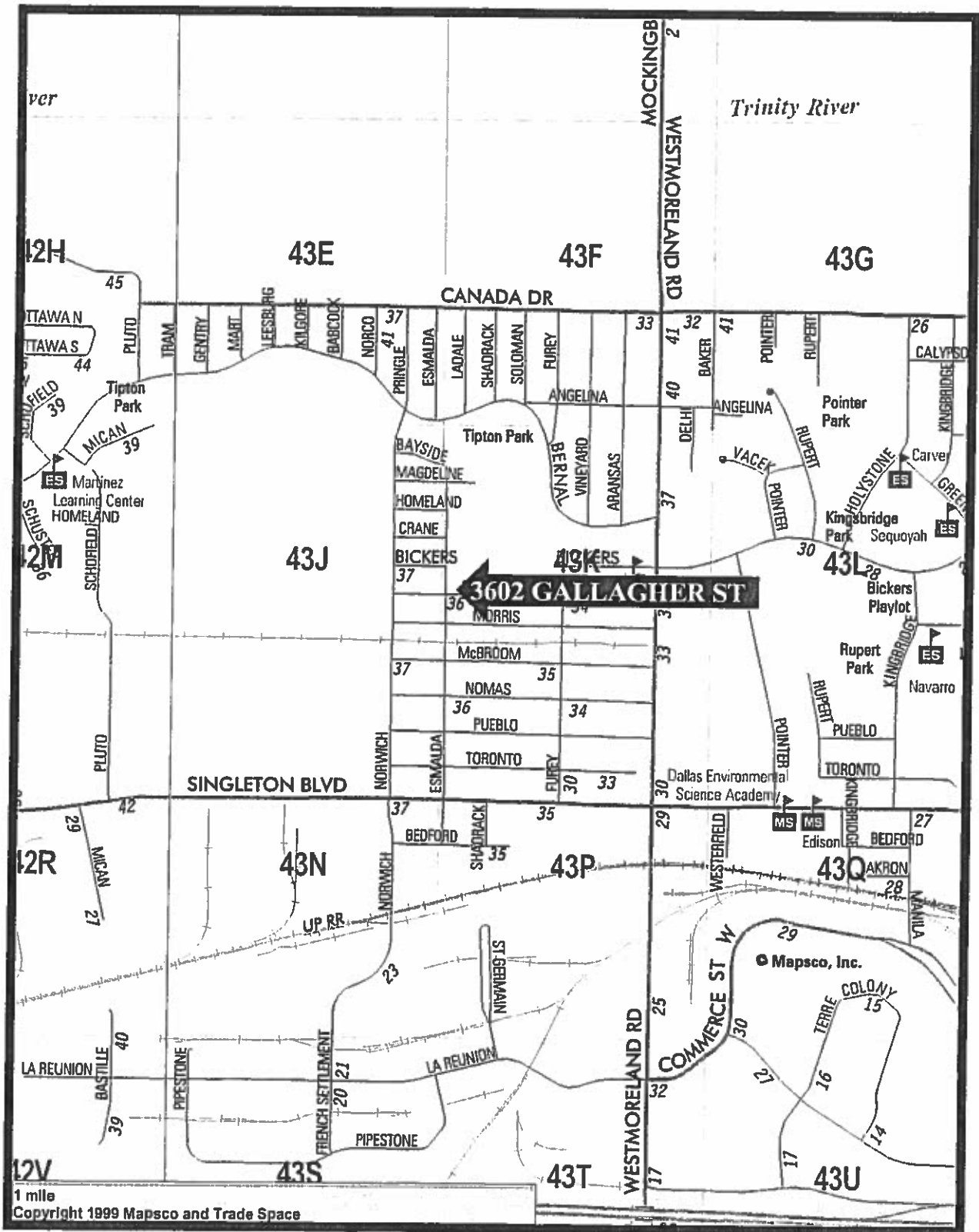
FISCAL INFORMATION

2009-10 HOME Investment Partnerships Program Grant Funds - \$7,927
2011-12 HOME Investment Partnerships Program Grant Funds - \$99
2012-13 HOME Investment Partnerships Program Grant Funds - \$94,974
2012-13 Community Development Block Grant Reprogramming Funds - \$94,389
2013-14 Community Development Block Grant Funds - \$8,611
2013-14 HOME Investment Partnerships Program Grant Funds - \$22,922
2014-15 HOME Investment Partnerships Program Grant Funds - \$904,078
2014-15 Community Development Block Grant Funds - \$103,000

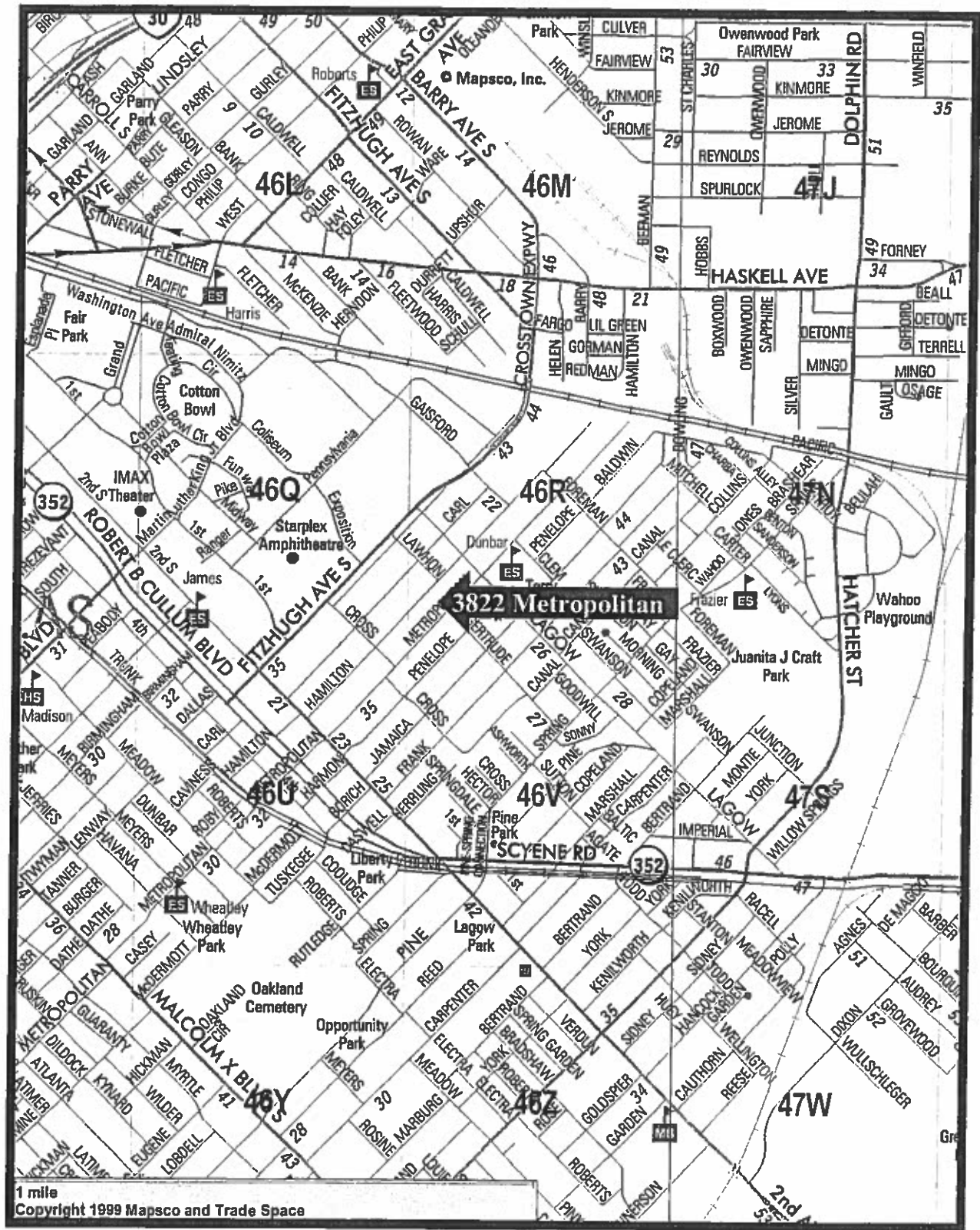
| <u>Council District</u> | <u>Amount</u> |
|------------------------------------|----------------------|
| 4 | \$721,000 |
| 5 | \$103,000 |
| 6 | \$103,000 |
| 7 | \$206,000 |
| 8 | <u>\$103,000</u> |
| Total | \$1,236,000 |

MAPS

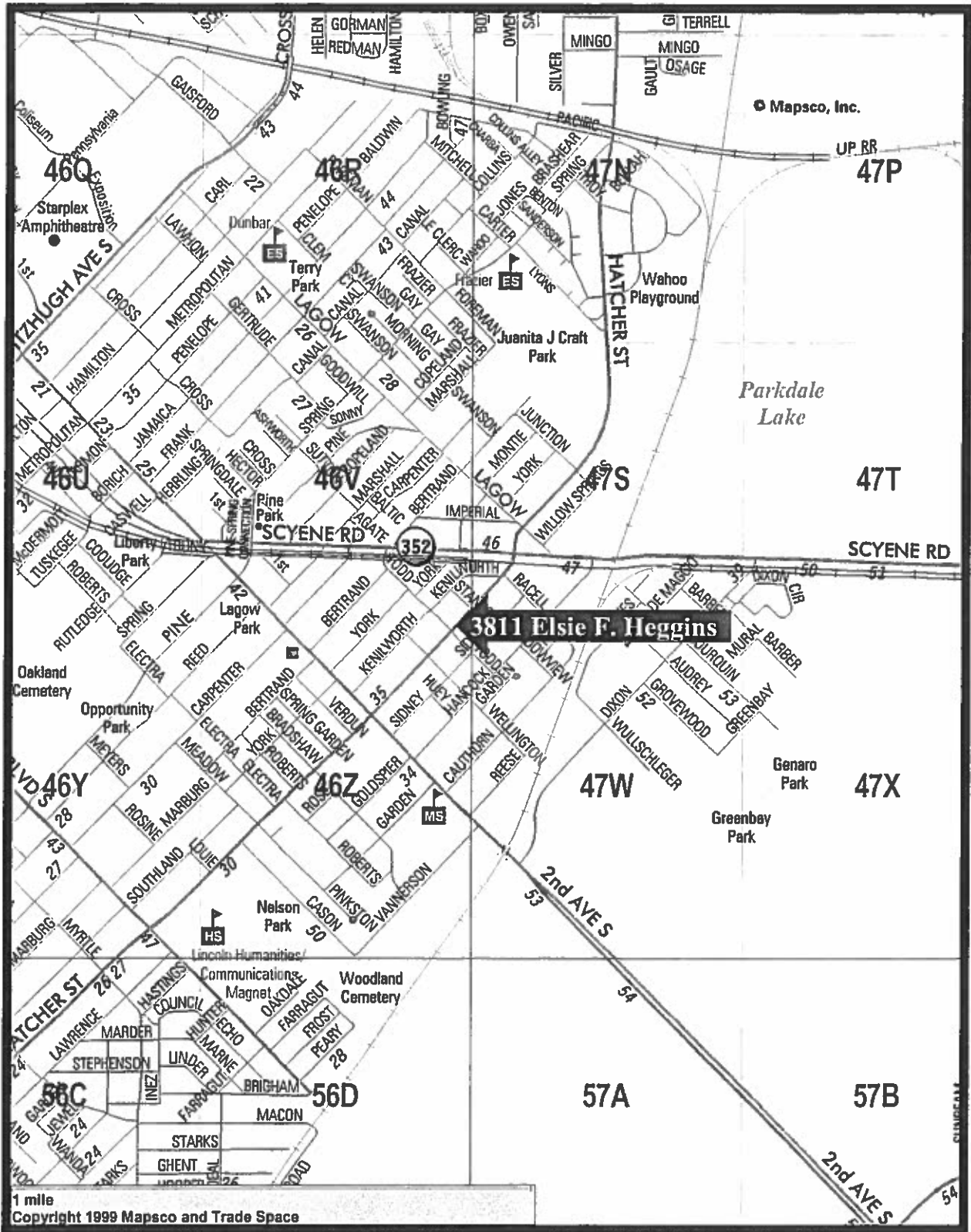
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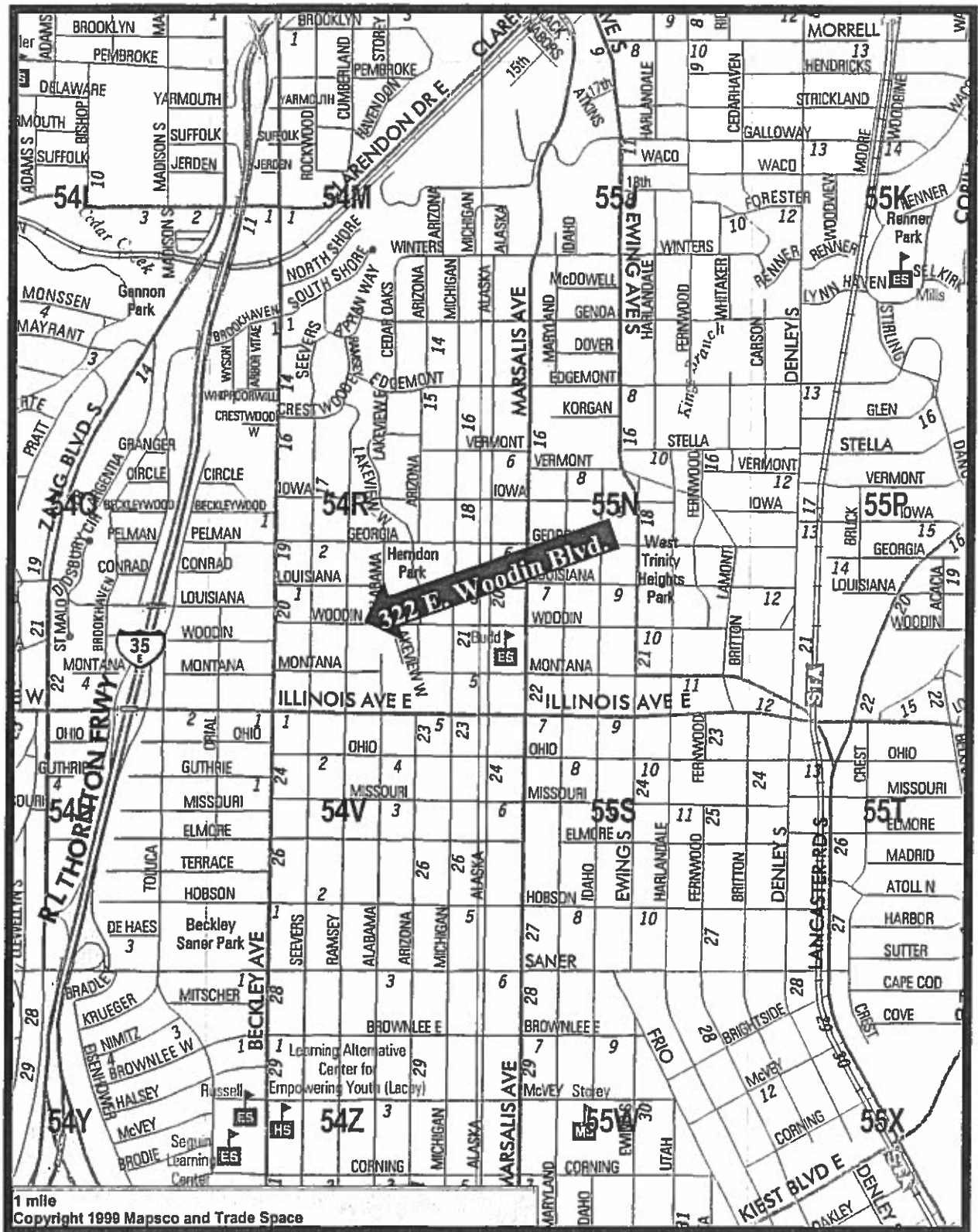
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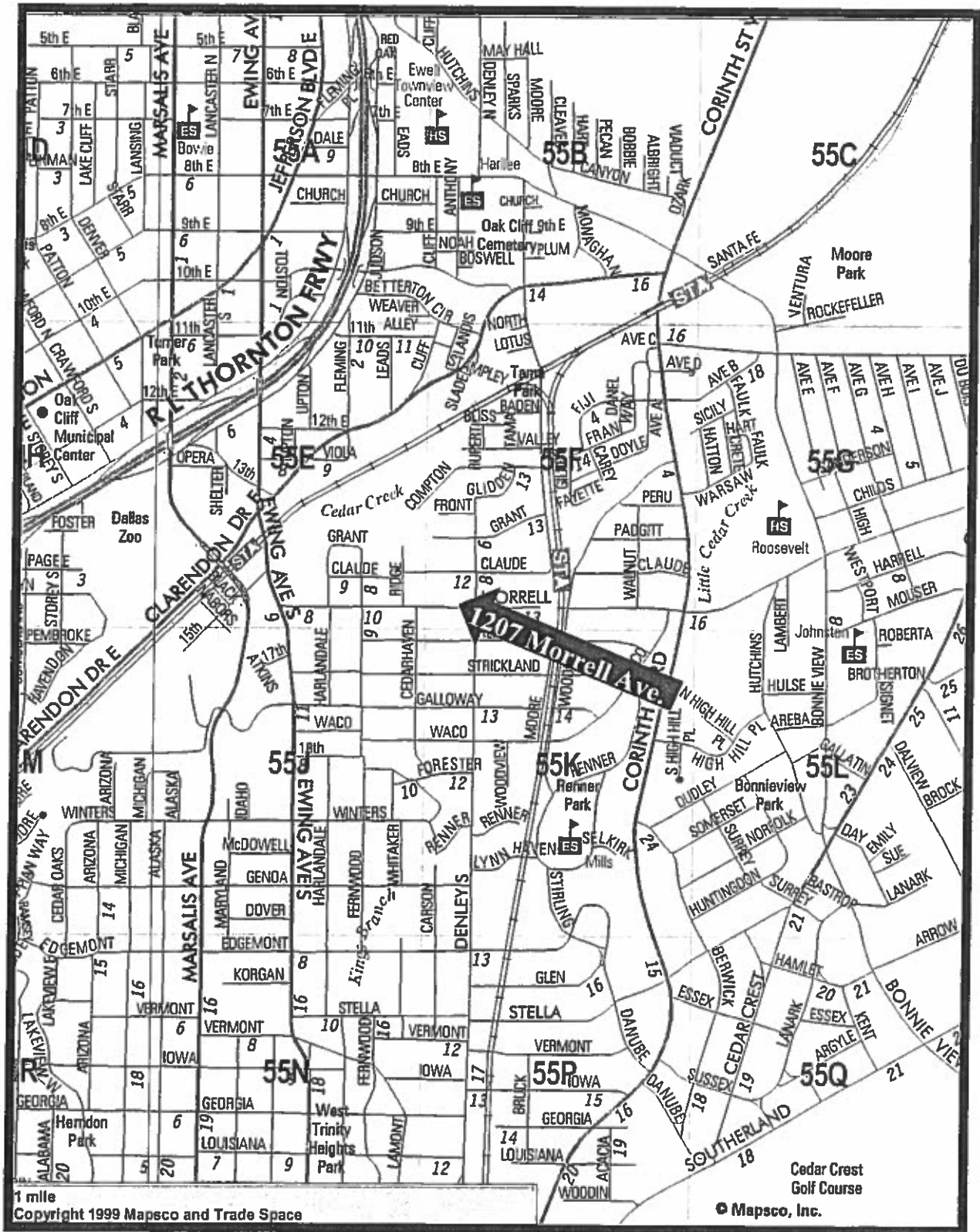
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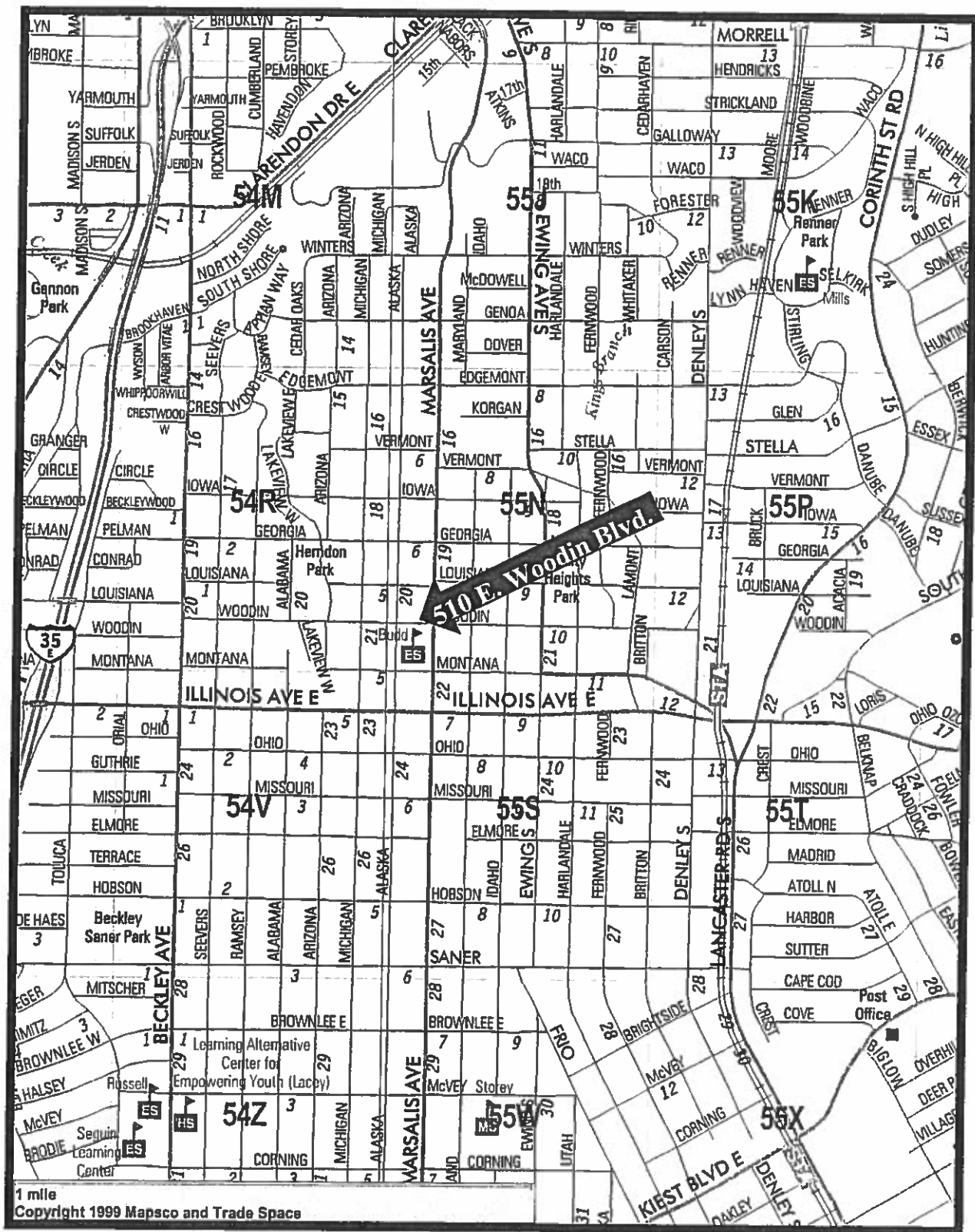
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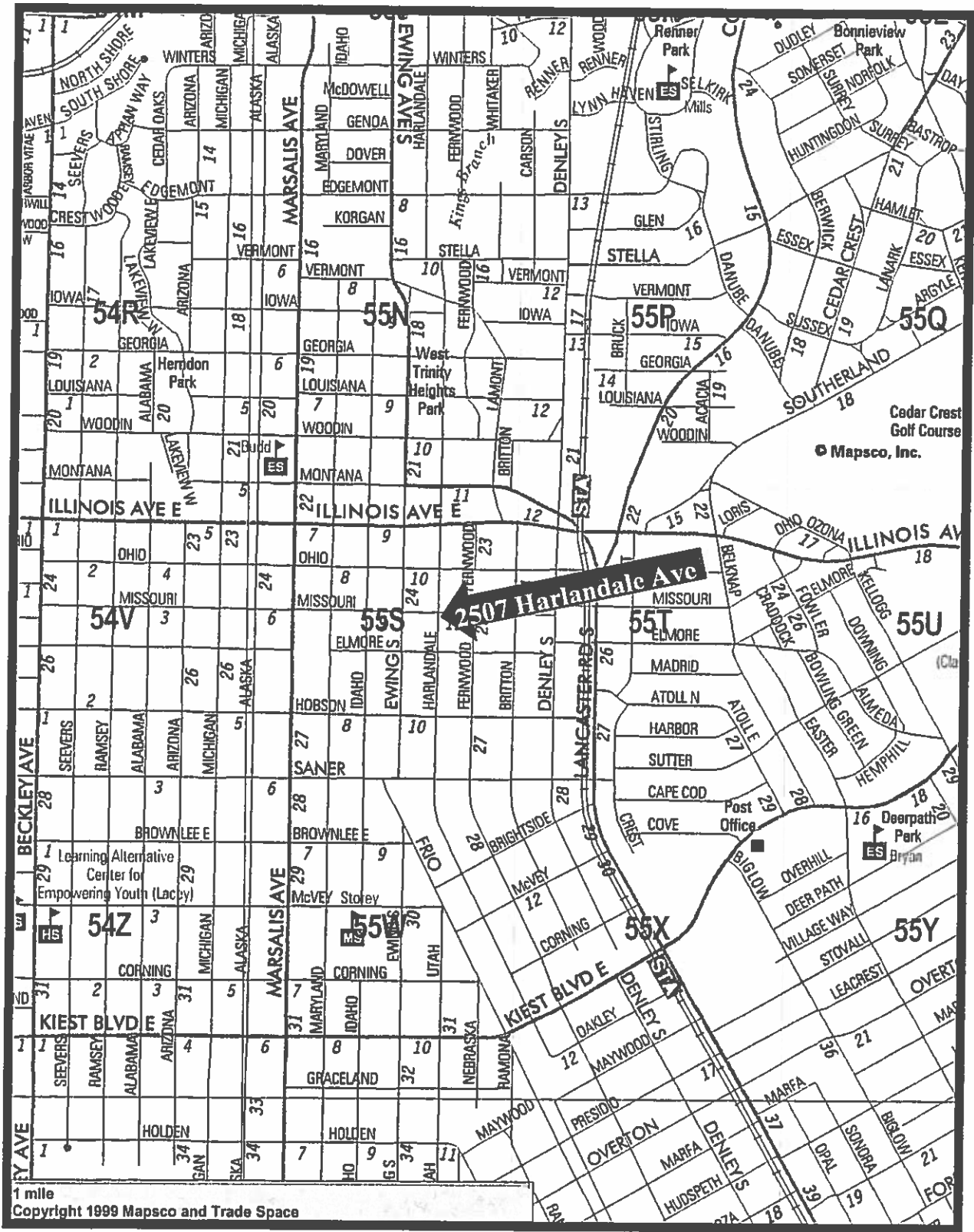
MAPSCO 54R



MASPCO 55F

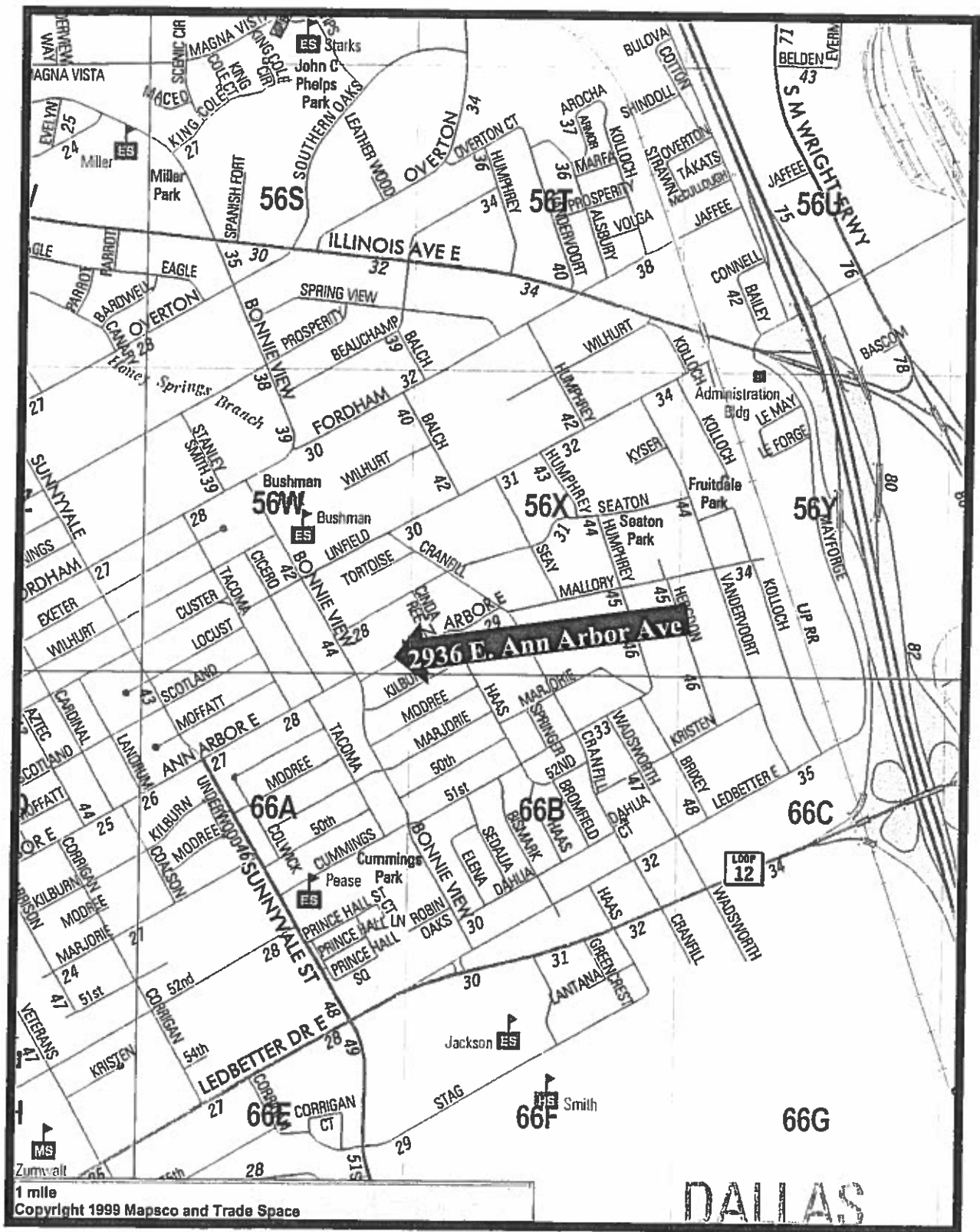


MAPSCO 55N

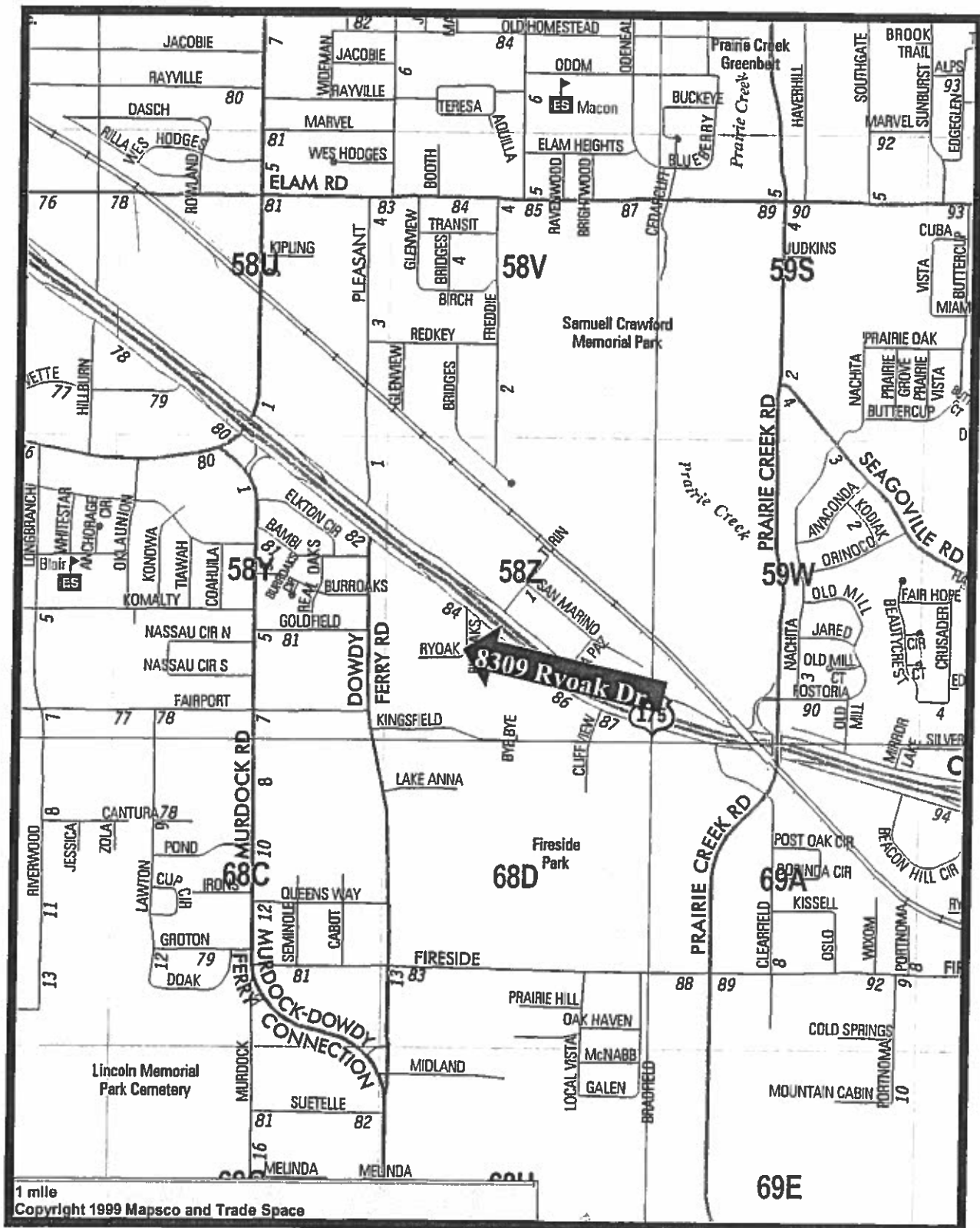


1 mile
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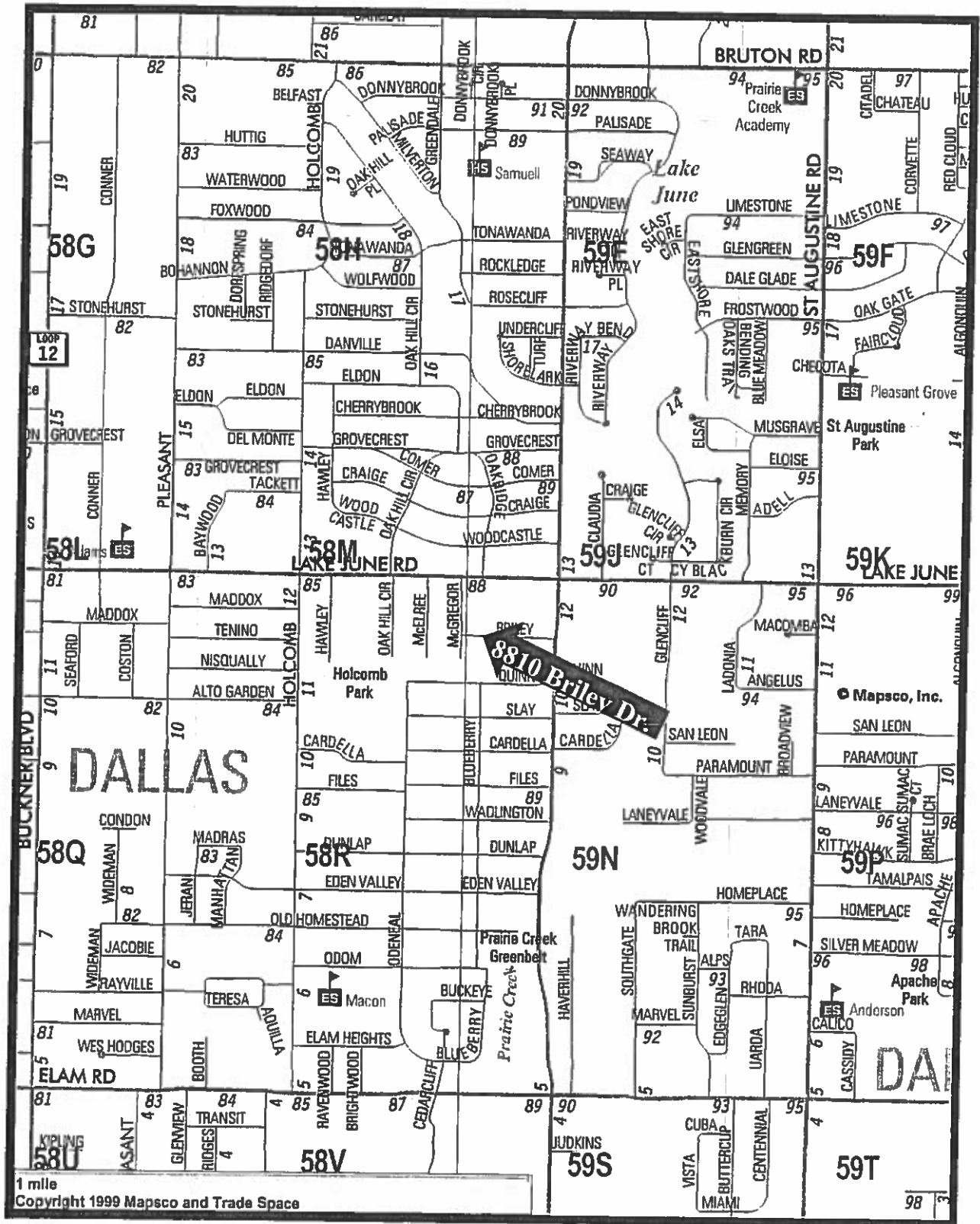
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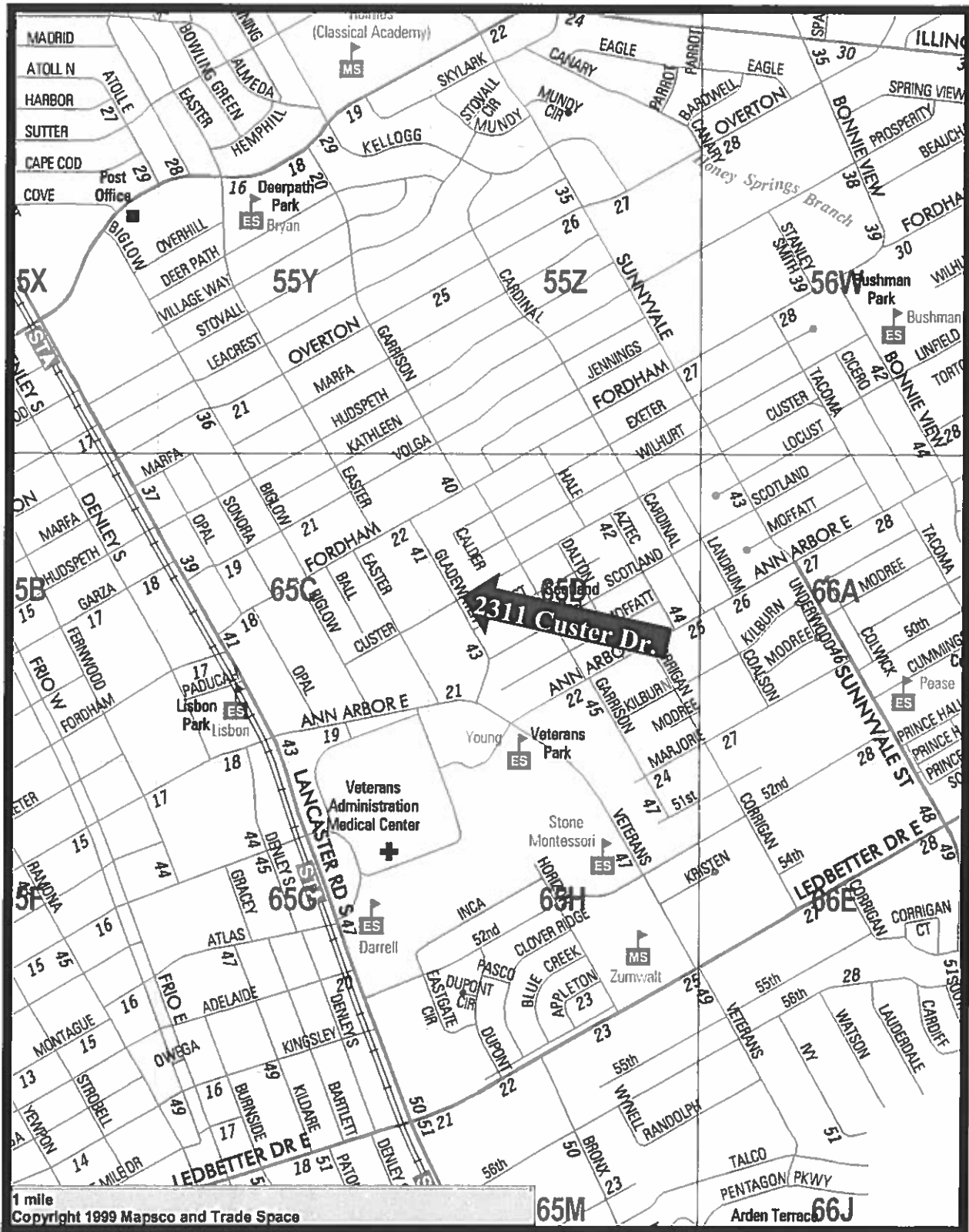
MAPSCO 56X



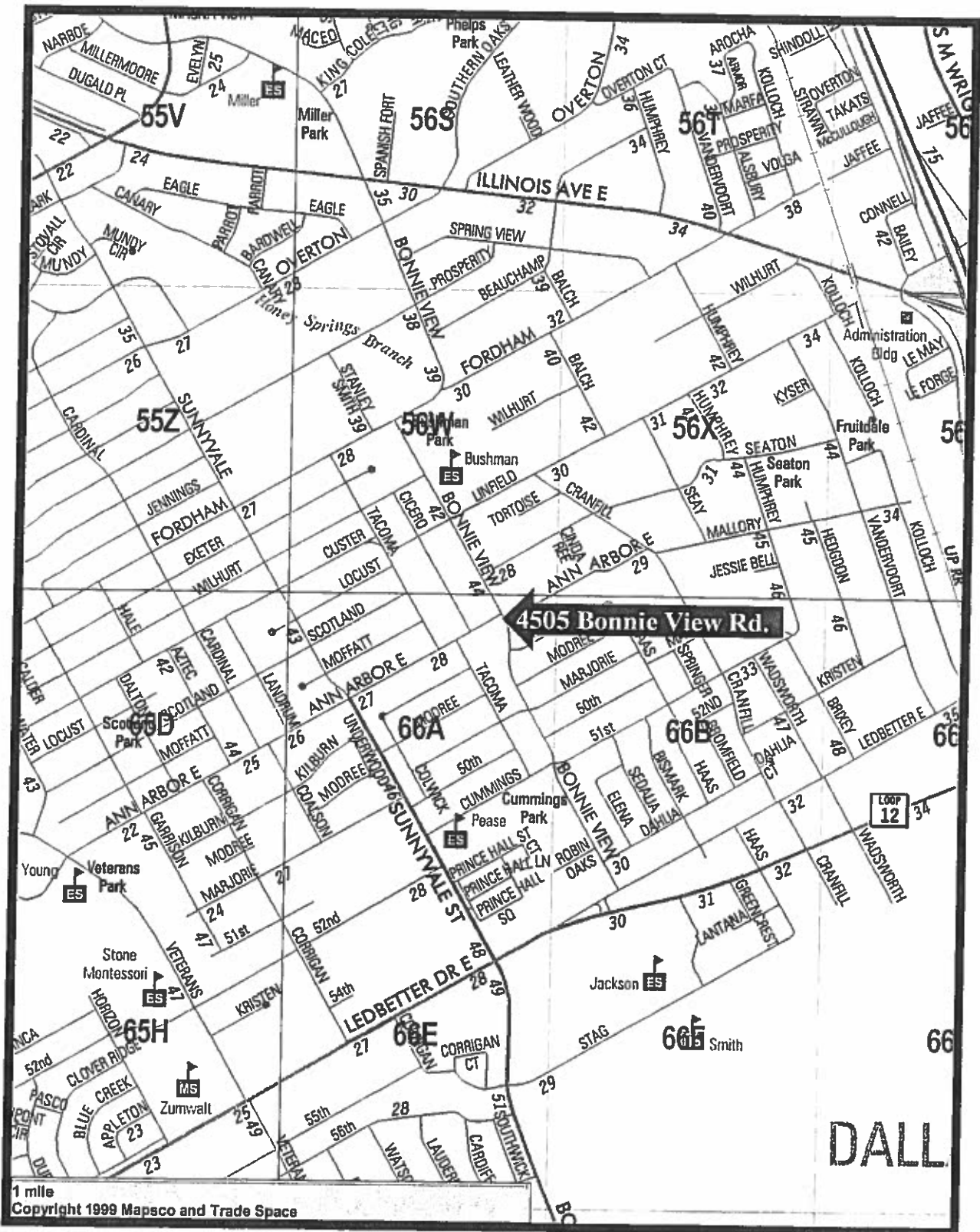
MAPSCO 58Z



MAPSCO 59J



MAPSCO 65D



MAPSCO 66A

DALL

August 26, 2015

WHEREAS, on September 22, 2010, the City Council authorized modifications to the Program Statement for the Reconstruction/SHARE Program to allow for 10 % of available funding to be used for homeowners that are not seniors or disabled by Resolution No. 10-2465; and

WHEREAS, on May 25, 2011, City Council authorized modifications to the Reconstruction/SHARE Program Statement to increase the maximum Reconstruction Program Assistance Type One loan amount from up to \$93,400 to up to \$103,000 by Resolution No. 11-1349; and

WHEREAS, on January 22, 2014, City Council authorized modifications to the Reconstruction Program Statement to provide assistance as a twenty-year forgivable loan by Resolution No. 14-0180; and

WHEREAS, the homeowners at the addresses herein described have made applications to the Home Repair Program: Bobbie Lee Williams at 4505 Bonnie View Road; Willie L. Burks Sr. at 2936 East Ann Arbor Avenue; Janeal Potts at 2311 Custer Drive; Debra Calico at 3811 Elsie Faye Heggins Street; Jimmy Isbell & Deborah Isbell at 8309 Ryoak Drive; Mary R. Hollis at 8810 Briley Drive; Mary Jones & Wilmer Sterling Jr. at 1207 Morrell Avenue; Lillie Perry at 3602 Gallagher Street; Gwendolyn Pipkins at 510 East Woodin Boulevard; Bennie Smith & Mattie Smith at 322 East Woodin Boulevard; Ruby Smith at 3822 Metropolitan Avenue; and Sharon Beard at 2507 Harlandale Avenue; and

WHEREAS, all three conditions outlined in the Reconstruction Program Statement for on-site reconstruction of the homes were met for the property owners: Bobbie Lee Williams; Willie L. Burks Sr.; Janeal Potts; Debra Calico; Jimmy Isbell & Deborah Isbell; Mary R. Hollis; Mary Jones & Wilmer Sterling Jr.; Lillie Perry; Gwendolyn Pipkins; Bennie Smith & Mattie Smith; Ruby Smith; and Sharon Beard; **NOW, THEREFORE,**

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

SECTION 1. That the City Manager, can approve the on-site reconstruction of twelve homes in accordance with the requirements of the Reconstruction Program Statement for properties for: Bobbie Lee Williams at 4505 Bonnie View Road; Willie L. Burks Sr. at 2936 East Ann Arbor Avenue; Janeal Potts at 2311 Custer Drive; Debra Calico at 3811 Elsie Faye Heggins Street; Jimmy Isbell & Deborah Isbell at 8309 Ryoak Drive; Mary R. Hollis at 8810 Briley Drive; Mary Jones & Wilmer Sterling Jr. at 1207 Morrell Avenue; Lillie Perry at 3602 Gallagher Street; Gwendolyn Pipkins at 510 East Woodin Boulevard; Bennie Smith & Mattie Smith at 322 East Woodin Boulevard; Ruby Smith at 3822 Metropolitan Avenue; and Sharon Beard at 2507 Harlandale Avenue.

August 26, 2015

SECTION 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute the loan documents with each of the reconstruction eligible homeowners.

SECTION 3. That the Chief Financial Officer is authorized to make payments for reconstruction of the homes in accordance with the following funding information:

Fund HM14, Dept HOU, Unit 510G, Obj 3100 CT HOU510GJ166 (\$103,000)
Vendor # VC14407 – Dry Quick Restoration LLC – 4505 Bonnie View Road

Fund HM14, Dept HOU, Unit 510G, Obj 3100 CT HOU510GJ167 (\$103,000)
Vendor # VC14407 – Dry Quick Restoration LLC – 2936 East Ann Arbor Avenue

Fund HM14, Dept HOU, Unit 510G, Obj 3100 CT HOU510GJ169 (\$103,000)
Vendor # VC14407 – Dry Quick Restoration LLC – 2311 Custer Drive

Fund HM14, Dept HOU, Unit 510G, Obj 3100 CT HOU510GJ168 (\$103,000)
Vendor # VC14407 – Dry Quick Restoration LLC – 3811 Elsie Faye Heggins Street

Fund HM14, Dept HOU, Unit 510G, Obj 3100 CT HOU510GJ170 (\$103,000)
Vendor # VC14407 – Dry Quick Restoration LLC – 8309 Ryoak Drive

Fund CD14, Dept HOU, Unit 455G, Obj 3100 CT HOU455GJ176 (\$103,000)
Vendor # VC14407 – Dry Quick Restoration LLC – 8810 Briley Drive

Fund HM14, Dept HOU, Unit 510G, Obj 3100 CT HOU510GJ171 (\$80,078)
Fund HM13, Dept HOU, Unit 509G, Obj 3100 CT HOU510GJ171 (\$22,922)
Vendor # VC14407 – Dry Quick Restoration LLC – 1207 Morrell Avenue

Fund 12R1, Dept HOU, Unit 954E, Obj 3100 CT HOU510GJ175 (\$94,389)
Fund CD13, Dept HOU, Unit 225F, Obj 3100 CT HOU510GJ175 (\$8,611)
Vendor # VC14424 – Nickerson Construction Company – 3602 Gallagher Street

Fund HM14, Dept HOU, Unit 510G, Obj 3100 CT HOU510GJ172 (\$103,000)
Vendor # VC14407 – Dry Quick Restoration LLC – 510 East Woodin Boulevard

Fund HM14, Dept HOU, Unit 510G, Obj 3100 CT HOU510GJ173 (\$103,000)
Vendor # 337798 – Torres Construction – 322 East Woodin Boulevard

Fund HM14, Dept HOU, Unit 510G, Obj 3100 CT HOU510GJ174 (\$103,000)
Vendor # 337798 – Torres Construction – 3822 Metropolitan Avenue

August 26, 2015

Fund HM09, Dept HOU, Unit 663B, Obj 3100 CT HOU896EF094A (\$7,927)
Fund HM11, Dept HOU, Unit 744D, Obj 3100 CT HOU896EF094A (\$99)
Fund HM12, Dept HOU, Unit 896E, Obj 3100 CT HOU896EF094A (\$94,974)
Vendor # VC14424 – Nickerson Construction Company – 2507 Harlandale Avenue

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

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: August 26, 2015
COUNCIL DISTRICT(S): 7
DEPARTMENT: Housing/Community Services
CMO: A. C. Gonzalez, 670-3297
MAPSCO: 56V Z 57S

SUBJECT

A public hearing to receive comments on the proposed sale of nine unimproved properties acquired by the taxing authorities from the Sheriff to Dallas Neighborhood Alliance for Habitat, Inc., a qualified non-profit organization; and, at the close of the public hearing, authorize the City Manager to: **(1)** quitclaim nine unimproved properties to Dallas Neighborhood Alliance for Habitat, Inc. 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: \$9,000

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 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. 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.

BACKGROUND (continued)

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.

Dallas Neighborhood Alliance for Habitat, Inc. (DNAH) submitted a proposal to construct nine (9) single-family homes with the homes containing approximately 1,691 square feet on the nine unimproved HB110 process-eligible, Land Transfer Program properties, identified on Exhibit A, attached to the resolution, for purchase by a low to moderate income homebuyer at a proposed sales price of \$85,000 - \$95,000 with construction to begin in August 2018.

This item calls for a public hearing to allow the public an opportunity to comment on the proposed sale of the nine unimproved properties to DNAH and, at the close of the public hearing, authorizes the sale of the properties to DNAH 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 June 17, 2015, City Council authorized a public hearing to receive comments on the proposed sale by quitclaim deed of nine unimproved properties acquired by the taxing jurisdictions from the Sheriff to Dallas Neighborhood Alliance for Habitat, Inc. by Resolution No. 15-1147.

Information about this item will be provided to the Housing Committee on August 17, 2015.

FISCAL INFORMATION

Revenue - \$9,000

OWNER

Dallas Neighborhood Alliance for Habitat, Inc.

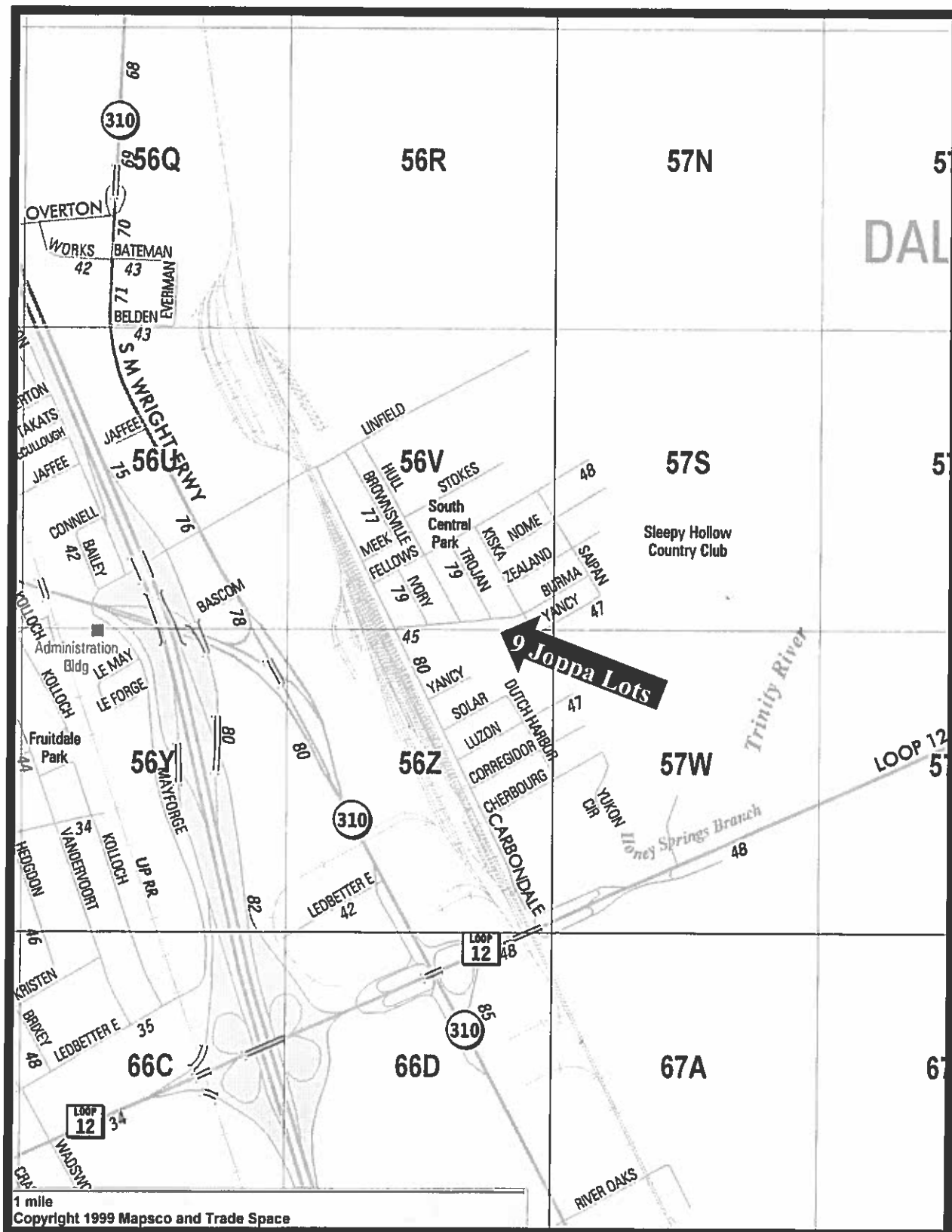
William D. Hall, Chief Executive Officer

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>Non-Tax Liens</u> | <u>Council District</u> |
|-------------------|----------------|--|---------------|--------------------|--------------------|-----------------|----------------------|-------------------------|
| 1. | 4749 Yancy | Dallas Neighborhood Alliance for Habitat, Inc. | 57S | \$2,000 | \$1,000.00 | V | \$9,517.48 | 7 |
| 2. | 4528 Luzon | Dallas Neighborhood Alliance for Habitat, Inc. | 56Z | \$2,000 | \$1,000.00 | V | \$7,273.19 | 7 |
| 3. | 4812 Nome | Dallas Neighborhood Alliance for Habitat, Inc. | 57S | \$2,000 | \$1,000.00 | V | \$3,135.55 | 7 |
| 4. | 4832 Fellows | Dallas Neighborhood Alliance for Habitat, Inc. | 57S | \$2,000 | \$1,000.00 | V | \$8,096.08 | 7 |
| 5. | 7920 Saipan | Dallas Neighborhood Alliance for Habitat, Inc. | 56V | \$2,000 | \$1,000.00 | V | \$1,180.49 | 7 |
| 6. | 7927 Ivory | Dallas Neighborhood Alliance for Habitat, Inc. | 56V | \$2,000 | \$1,000.00 | V | \$4,891.29 | 7 |
| 7. | 4550 Solar | Dallas Neighborhood Alliance for Habitat, Inc. | 56Z | \$2,000 | \$1,000.00 | V | \$8,559.68 | 7 |
| 8. | 4742 Zealand | Dallas Neighborhood Alliance for Habitat, Inc. | 56V | \$2,000 | \$1,000.00 | V | \$0.00 | 7 |
| 9. | 4561 Cherbourg | Dallas Neighborhood Alliance for Habitat, Inc. | 56Z | \$2,000 | \$1,000.00 | V | \$10,941.56 | 7 |



MAPSCO 56V, Z 57S

August 26, 2015

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 Neighborhood Alliance for Habitat, Inc., (DNAH) submitted a proposal to construct nine (9) single-family homes with the home containing approximately 1,691 square feet on nine 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 homebuyer at a proposed sales price of \$85,000 - \$95,000, with construction to begin in August 2018; 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:

August 26, 2015

Section 1. That upon receipt of the requisite monetary consideration from DNAH (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

August 26, 2015

(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 Deed without Warranty 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.

August 26, 2015

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 | | | | |
|---------------------------------|---|--|----------------------------------|--------------------|
| PARCEL NUMBER | STREET ADDRESS LEGAL DESCRIPTION | QUALIFIED PURCHASER | NUMBER OF HOMEOWNER UNITS | SALE AMOUNT |
| 1 | 4749 Yancy Lot 22, Central Avenue # 5 Addition Block G/7650 | Dallas Neighborhood Alliance for Habitat, Inc. | 1 | \$1,000.00 |
| 2 | 4528 Luzon Lot 7, Central Avenue Addition Block D/7647 | Dallas Neighborhood Alliance for Habitat, Inc. | 1 | \$1,000.00 |
| 3 | 4812 Nome Lot 3, Central Avenue Addition Block D/7648 | Dallas Neighborhood Alliance for Habitat, Inc. | 1 | \$1,000.00 |
| 4 | 4832 Fellows Lot 8, Central Avenue #3 Addition Block B/7648 | Dallas Neighborhood Alliance for Habitat, Inc. | 1 | \$1,000.00 |
| 5 | 7920 Saipan Lot 15, Central Avenue #3 Addition Block B/7648 | Dallas Neighborhood Alliance for Habitat, Inc. | 1 | \$1,000.00 |
| 6 | 7927 Ivory Lot 14, Central Avenue Addition Block A/7646 | Dallas Neighborhood Alliance for Habitat, Inc. | 1 | \$1,000.00 |
| 7 | 4550 Solar Lot 12, Central Avenue Addition Block B/7647 | Dallas Neighborhood Alliance for Habitat, Inc. | 1 | \$1,000.00 |
| 8 | 4742 Zealand Lot 10, Central Avenue #3 Addition Block F/7648 | Dallas Neighborhood Alliance for Habitat, Inc. | 1 | \$1,000.00 |
| 9 | 4561 Cherbourg Lot 30, Central Avenue #2 Addition Block F/7647 | Dallas Neighborhood Alliance for Habitat, Inc. | 1 | \$1,000.00 |
| TOTAL | | | | \$9,000.00 |

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: August 26, 2015
COUNCIL DISTRICT(S): 7
DEPARTMENT: Housing/Community Services
CMO: A. C. Gonzalez, 670-3297
MAPSCO: 46T

SUBJECT

A public hearing to receive comments on the proposed sale of one unimproved property 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 one unimproved property 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: \$1,000

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. 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.

BACKGROUND (continued)

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 one (1) single-family home with the home containing approximately 1,350 square feet on the one unimproved HB110 process-eligible, Land Transfer Program property, identified on Exhibit A, attached to the resolution, for purchase by a low to moderate income homebuyer at a proposed sales price of \$105,000 with construction to begin in October 2015.

This item calls for a public hearing to allow the public an opportunity to comment on the proposed sale of the one unimproved property to ICDC and, at the close of the public hearing, authorizes the sale of the property 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 June 17, 2015, City Council authorized a public hearing to receive comments on the proposed sale by quitclaim deed of one unimproved property acquired by the taxing jurisdictions from the Sheriff to South Dallas Fair Park Inncity Community Development Corporation, by Resolution No. 15-1148.

Information about this item will be provided to the Housing Committee on August 17, 2015.

FISCAL INFORMATION

Revenue - \$1,000

OWNER

South Dallas Fair Park Inncity Community Development Corporation

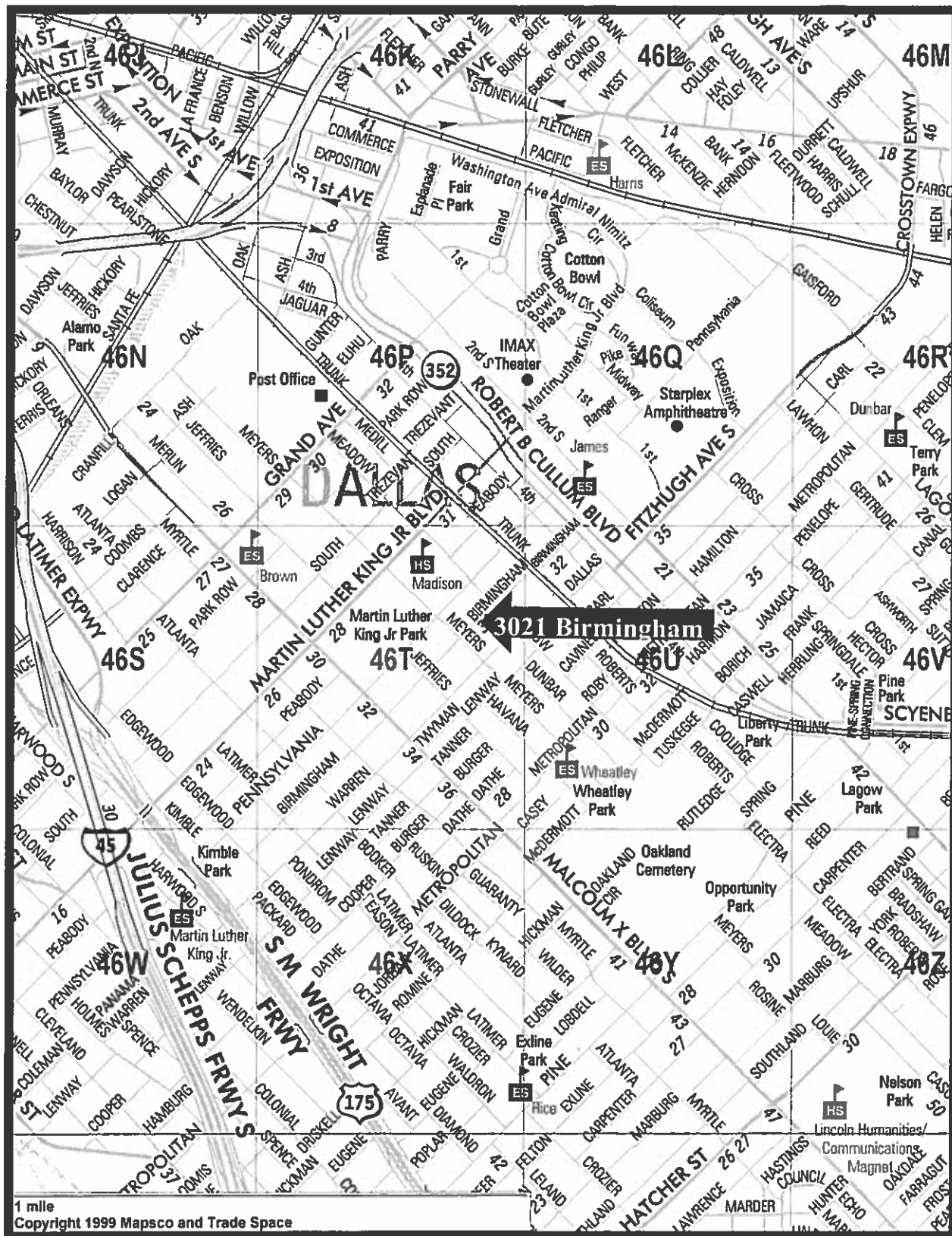
Diane Ragsdale, Managing Director

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>Non-Tax Liens</u> | <u>Council District</u> |
|-------------------|--------------------|--|---------------|--------------------|--------------------|-----------------|----------------------|-------------------------|
| 1. | 3021 Birmingham | South Dallas Fair Park Innecity Community Development Corporation | 46T | \$5,000 | \$1,000.00 | V | \$0.00 | 7 |



1 mile
 Copyright 1999 Mapsco and Trade Space

MAPSCO 46T

August 26, 2015

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, South Dallas Fair Park Inncity Community Development Corporation (ICDC) submitted a proposal to construct one (1) single-family home with the home containing approximately 1,350 square feet on one unimproved HB110 process-eligible, Land Transfer Program property, identified on Exhibit A, attached hereto and made a part hereof (hereinafter the "property"), for purchase by a low to moderate income homebuyer at a proposed sales price of \$105,000 with construction to begin in October 2015; 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:

August 26, 2015

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

August 26, 2015

(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 quitclaim deed 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.

August 26, 2015

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 PROPERTY | | | | |
|-------------------------------|---|--|----------------------------------|--------------------|
| PARCEL NUMBER | STREET ADDRESS LEGAL DESCRIPTION | QUALIFIED PURCHASER | NUMBER OF HOMEOWNER UNITS | SALE AMOUNT |
| 1 | 3021 Birmingham Lots 30 & 31, Winchester Place Addition Block 18/1372 | South Dallas Fair Park InnerCity Community Development Corporation | 1 | \$1,000.00 |
| TOTAL | | | | \$1,000.00 |