

**APRIL 6, 2016 CITY COUNCIL BRIEFING AGENDA
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Briefing Agenda dated April 6, 2016. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.



A.C. Gonzalez
City Manager



Date



Jeanne Chipperfield
Chief Financial Officer



Date

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CITY SECRETARY
DALLAS, TEXAS



COUNCIL BRIEFING AGENDA

April 6, 2016

Date

(For General Information and Rules of Courtesy, Please See Opposite Side.)
(La Información General Y Reglas De Cortesía Que Deben Observarse
Durante Las Asambleas Del Consejo Municipal Aparecen En El Lado Opuesto, Favor De Leerlas.)

General Information

The Dallas City Council regularly meets on Wednesdays beginning at 9:00 a.m. in the Council Chambers, 6th floor, City Hall, 1500 Marilla. Council agenda meetings are broadcast live on WRR-FM radio (101.1 FM) and on Time Warner City Cable Channel 16. Briefing meetings are held the first and third Wednesdays of each month. Council agenda (voting) meetings are held on the second and fourth Wednesdays. Anyone wishing to speak at a meeting should sign up with the City Secretary's Office by calling (214) 670-3738 by 5:00 p.m. of the last regular business day preceding the meeting. Citizens can find out the name of their representative and their voting district by calling the City Secretary's Office.

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-5208 V/TDD. The City of Dallas is committed to compliance with the Americans with Disabilities Act.

The Council agenda is available in alternative formats upon request.

If you have any questions about this agenda or comments or complaints about city services, call 311.

Rules of Courtesy

City Council meetings bring together citizens of many varied interests and ideas. To insure fairness and orderly meetings, the Council has adopted rules of courtesy which apply to all members of the Council, administrative staff, news media, citizens and visitors. These procedures provide:

- That no one shall delay or interrupt the proceedings, or refuse to obey the orders of the presiding officer.
- All persons should refrain from private conversation, eating, drinking and smoking while in the Council Chamber.
- Posters or placards must remain outside the Council Chamber.
- No cellular phones or audible beepers allowed in Council Chamber while City Council is in session.

"Citizens and other visitors attending City Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the City Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting shall be removed from the room if the sergeant-at-arms is so directed by the presiding officer, and the person shall be barred from further audience before the City Council during that session of the City Council. If the presiding officer fails to act, any member of the City Council may move to require enforcement of the rules, and the affirmative vote of a majority of the City Council shall require the presiding officer to act." Section 3.3(c) of the City Council Rules of Procedure.

Información General

El Ayuntamiento de la Ciudad de Dallas se reúne regularmente los miércoles en la Cámara del Ayuntamiento en el sexto piso de la Alcaldía, 1500 Marilla, a las 9 de la mañana. Las reuniones informativas se llevan a cabo el primer y tercer miércoles del mes. Estas audiencias se transmiten en vivo por la estación de radio WRR-FM 101.1 y por cablevisión en la estación *Time Warner City Cable* Canal 16. El Ayuntamiento Municipal se reúne el segundo y cuarto miércoles del mes para tratar asuntos presentados de manera oficial en la agenda para su aprobación. Toda persona que desee hablar durante la asamblea del Ayuntamiento, debe inscribirse llamando a la Secretaría Municipal al teléfono (214) 670-3738, antes de las 5:00 pm del último día hábil anterior a la reunión. Para enterarse del nombre de su representante en el Ayuntamiento Municipal y el distrito donde usted puede votar, favor de llamar a la Secretaría Municipal.

Intérpretes para personas con impedimentos auditivos están disponibles si lo solicita con 48 horas de anticipación llamando al (214) 670-5208 (aparato auditivo V/TDD). La Ciudad de Dallas está comprometida a cumplir con el decreto que protege a las personas con impedimentos, *Americans with Disabilities Act*. **La agenda del Ayuntamiento está disponible en formatos alternos si lo solicita.**

Si tiene preguntas sobre esta agenda, o si desea hacer comentarios o presentar quejas con respecto a servicios de la Ciudad, llame al 311.

Reglas de Cortesía

Las asambleas del Ayuntamiento Municipal reúnen a ciudadanos de diversos intereses e ideologías. Para asegurar la imparcialidad y el orden durante las asambleas, el Ayuntamiento ha adoptado ciertas reglas de cortesía que aplican a todos los miembros del Ayuntamiento, al personal administrativo, personal de los medios de comunicación, a los ciudadanos, y a visitantes. Estos reglamentos establecen lo siguiente:

- Ninguna persona retrasará o interrumpirá los procedimientos, o se negará a obedecer las órdenes del oficial que preside la asamblea.
- Todas las personas deben abstenerse de entablar conversaciones, comer, beber y fumar dentro de la cámara del Ayuntamiento.
- Anuncios y pancartas deben permanecer fuera de la cámara del Ayuntamiento.
- No se permite usar teléfonos celulares o enlaces electrónicos (*paggers*) audibles en la cámara del Ayuntamiento durante audiencias del Ayuntamiento Municipal.

"Los ciudadanos y visitantes presentes durante las asambleas del Ayuntamiento Municipal deben obedecer las mismas reglas de comportamiento, decoro y buena conducta que se aplican a los miembros del Ayuntamiento Municipal. Cualquier persona que haga comentarios impertinentes, utilice vocabulario obsceno o difamatorio, o que al dirigirse al Ayuntamiento lo haga en forma escandalosa, o si causa disturbio durante la asamblea del Ayuntamiento Municipal, será expulsada de la cámara si el oficial que esté presidiendo la asamblea así lo ordena. Además, se le prohibirá continuar participando en la audiencia ante el Ayuntamiento Municipal. Si el oficial que preside la asamblea no toma acción, cualquier otro miembro del Ayuntamiento Municipal puede tomar medidas para hacer cumplir las reglas establecidas, y el voto afirmativo de la mayoría del Ayuntamiento Municipal precisará al oficial que esté presidiendo la sesión a tomar acción." Según la sección 3.3(c) de las reglas de procedimientos del Ayuntamiento.

SUPPLEMENTAL NOTICE

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistola oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

AGENDA
CITY COUNCIL BRIEFING MEETING
WEDNESDAY, APRIL 6, 2016
CITY HALL
1500 MARILLA
DALLAS, TEXAS 75201
9:00 A.M.

9:00 am Invocation and Pledge of Allegiance 6ES

 Special Presentations

 Open Microphone Speakers

VOTING AGENDA 6ES

1. Approval of Minutes of the March 2, 2016 City Council Meeting
2. Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

BRIEFINGS 6ES

- A. The Homeless in Dallas
- B. The Bridge-Shelter, Homeless Recovery, and Housing

Lunch

- C. Property Acquisition Issues: Authorizing Eminent Domain

Closed Session 6ES

Attorney Briefings (Sec. 551.071 T.O.M.A.)

- City of Dallas v. Cary "Mac" Abney, et al., v. Sabine River Authority of Texas, No. D-150045-C, City of Dallas v. Sabine River Authority of Texas, No. D-1-GN-15-000398.
- Three Expo Events, LLC v. City of Dallas, Texas, et al., No. 3:16-CV-00513-D, and others who want to lease a city facility for an adult entertainment event.
- City of Dallas v. George F. Lucas Irrevocable Trust, et al., No. CC-13-01704-D.

AGENDA
CITY COUNCIL BRIEFING MEETING
WEDNESDAY, APRIL 6, 2016

Open Microphone Speakers

6ES

The above schedule represents an estimate of the order for the indicated briefings and is subject to change at any time. Current agenda information may be obtained by calling (214) 670-3100 during working hours.

Note: An expression of preference or a preliminary vote may be taken by the Council on any of the briefing items.

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.

Memorandum



DATE April 1, 2016

TO The Honorable Mayor and Members of the City Council

SUBJECT The Homeless in Dallas

On Wednesday, April 6, 2016, you will be briefed on The Homeless in Dallas. The briefing is attached for your review.

Please let me know if you have any questions.



Alan E. Sims
Chief of Neighborhood Plus

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



The Homeless in Dallas

A Briefing to the Dallas City Council
April 6, 2016

Purpose

- To collectively **review data**, information and derive knowledge about the nature and extent of homelessness
- To **inform our decisions** on how to move forward and build an effective homeless response system
- To be honest with one another about the challenges, barriers and obstacles our homeless residents face and as providers **own up** to what role we play in removing or creating them
- To **welcome ideas and insights** from all persons on how to make homelessness **rare, brief and non recurring** in our community

The Department of Housing & Urban Development (HUD) Requirements for Continuum of Care

- The Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009 amended and reauthorized the McKinney-Vento Homeless Assistance Act.
 - Amendment streamlined HUD’s homeless grants by consolidating the Supporting Housing, Shelter Plus Care, and Single Room Occupancy grant programs into what is now the CoC program.
- The CoC is *“a geographically based group of representatives that carries out the planning responsibilities of the [CoC] program [...] These representatives come from organizations that provide services to persons experiencing homelessness, or represent the interests of the homeless or formerly homeless.”* (HEARTH Act Interim Rule, page 45423)
- The CoC is required to designate a collaborative applicant to apply to HUD for CoC funding on behalf of all of the local applicants (Dallas and Collin counties) as well as designate a Homeless Management Information System (HMIS) administrator.
 - The local CoC has designated **Metro Dallas Homeless Alliance (MDHA)** as the collaborative applicant and HMIS administrator

:60 second tutorial

- **MDHA** = Metro Dallas Homeless Alliance
- **PIT** = Point in Time census of the homeless
- **HUD** = US Department of Housing and Urban Development
- **HMIS** = Homeless Management Information System (the database of homeless persons and programs)
- **CoC** = Continuum of Care which is *BOTH* a local Board of Directors of stakeholders and professionals charged with our homeless response system *AND* a federal grant from HUD
- **UN** = Unsheltered **ES** = Emergency Shelter **TH** = Transitional



Leading the development of an effective homeless response system that will make the experience of homelessness rare, brief and non-recurring in Dallas and Collin Counties.

MISSION

Primary Functions of MDHA

- Lead agency for Continuum of Care Operations and Planning for the homeless response system
- Conducts local CoC Program Grant competition and grant submission
- Administer the single Homeless Management Information System for additional HUD, VA, SAMHSA, RHY, HOPWA, ESG and other housing and homeless services programs
- Develop the Coordinated Assessment/Access System
- Maintain inventory count of homeless housing (ES, SH, TH, RRH, PSH, Other PH)
- Maintain count of persons experiencing homelessness
- Coordinate the efforts of over 60 agencies that provide services to homeless people

2015-2016 Accomplishments of the Continuum of Care Group

- **Addressing the Data Gap:** IRIS as the new HMIS, built HUD latest standards. Mapping pathways between clinical and social information.
- **Improving quality of care** through professional development and interagency communication
- **Building the system** infrastructure: Data, Inventories and Prioritization
- **Reinforcing the policy infrastructure:** amended bylaws, leadership



2016 POINT IN TIME COUNT

Homeless Count

- Geographic Coverage Blitz Style = Improved Accuracy
- Sheltered data came from HMIS and agency data
- Unsheltered from Volunteer Interviews and Observations
- Just over 700 volunteers in both counties
- + Police Officers

It was big, but it needs to be bigger

Goal was 750 volunteers

We need 1,000 in Dallas to improve geographic coverage **in 2017**

All Homeless – 2016 PIT

| | UN | ES | SafeHaven | Transitional Housing | Total | Change |
|-------------|------------|--------------|-----------|----------------------|--------------|--------------|
| 2016 | 739 | 1,873 | 23 | 1,269 | 3,904 | 24% + |
| 2015 | 363 | 1,748 | 23 | 1,007 | 3,141 | |

2014 National AHAR 31% of homeless are unsheltered.

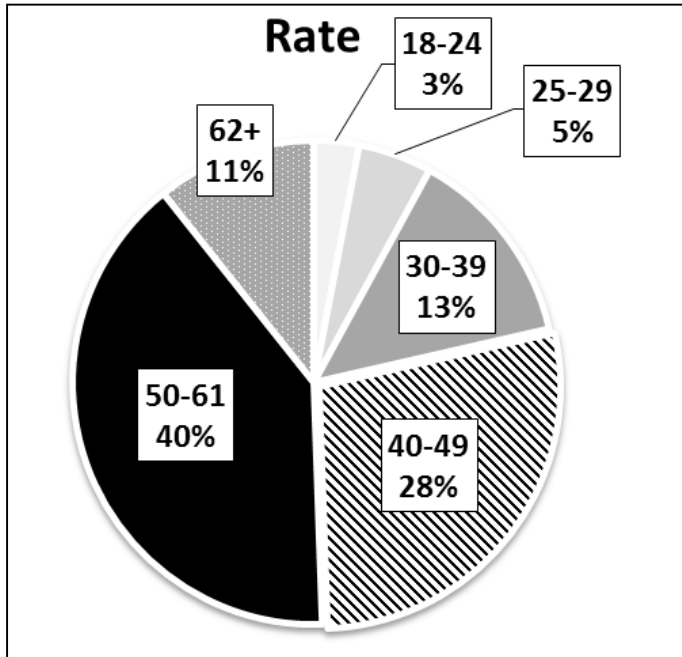
PIT GIS Maps Dallas County

- [Total CoC Area Density Map](#)
- [Dallas Area Density Map](#)

Unsheltered Homeless

| TOTAL UNSHELTERED | 739 | Proportion |
|--------------------------|------------|-------------------|
| Dallas | 586 | 79% |
| Irving | 27 | 4% |
| Garland | 70 | 9% |
| Dallas County | 680 | 92% |
| Plano | 35 | 5% |
| Frisco | 1 | 0% |
| McKinney | 15 | 2% |
| Wylie | 5 | 1% |
| Collin County | 56 | 8% |

Age of Unsheltered

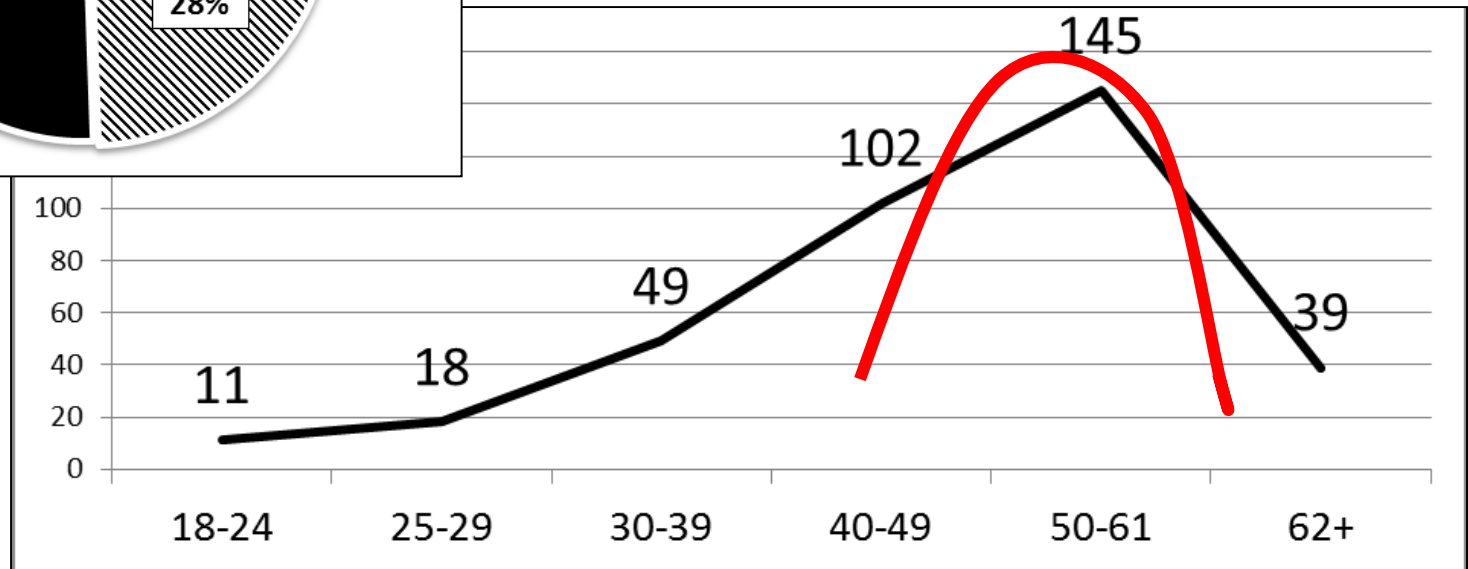


Average Age: 47.5

Youngest: 19

Oldest: 79

48% of Unsheltered 40-61



Gender of Unsheltered

Total Responses: 562

Men: 440

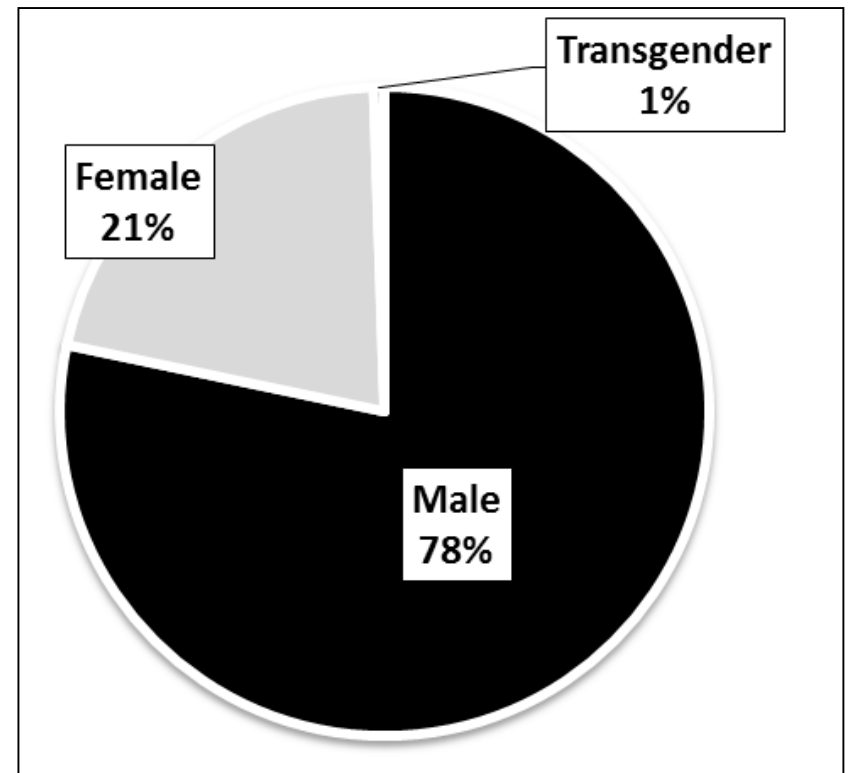
Women: 119

Transgendered: 3

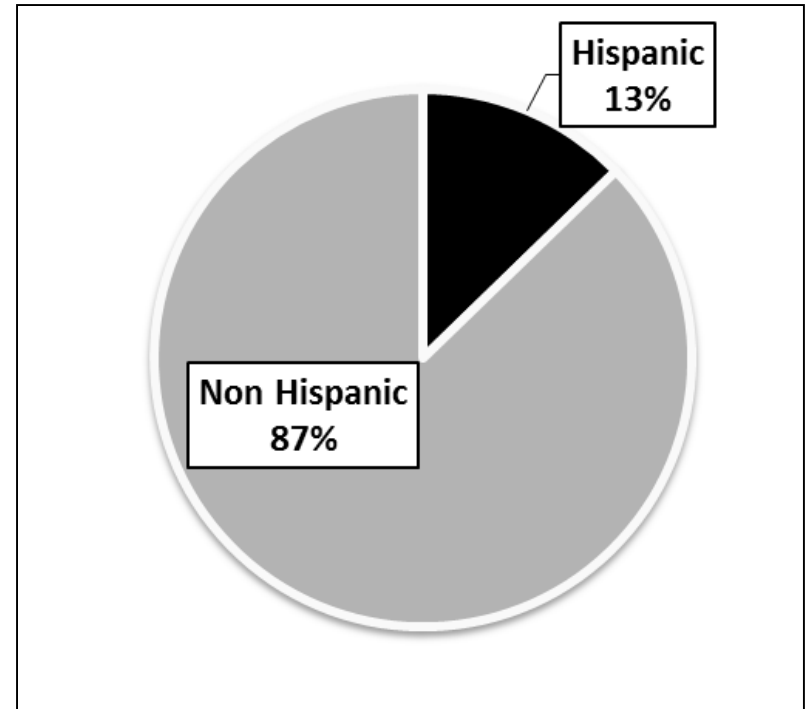
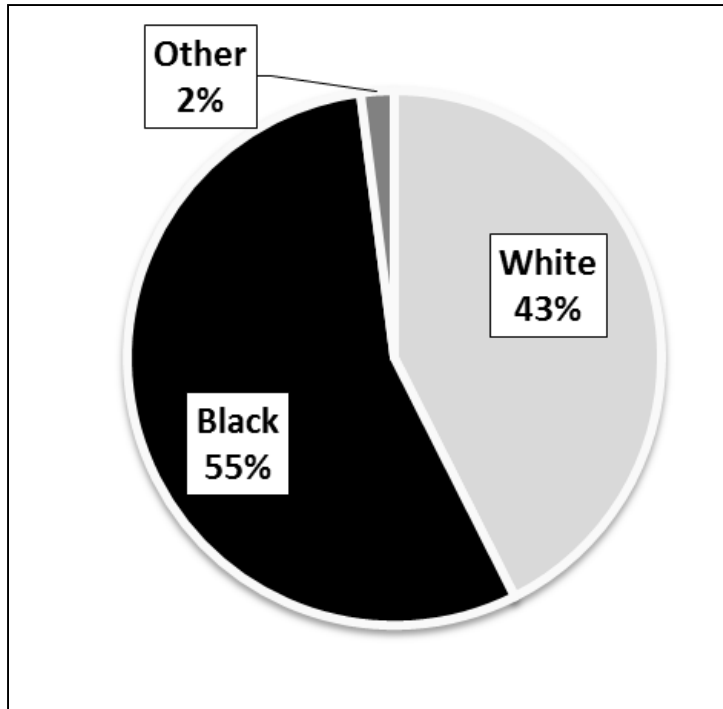
Been Attacked While Homeless?

Women: 19 16%

Men: 86 20%



Race and Ethnicity of Unsheltered



Unsheltered Veterans

Total Veterans: 54

Men: 54

Women: 0

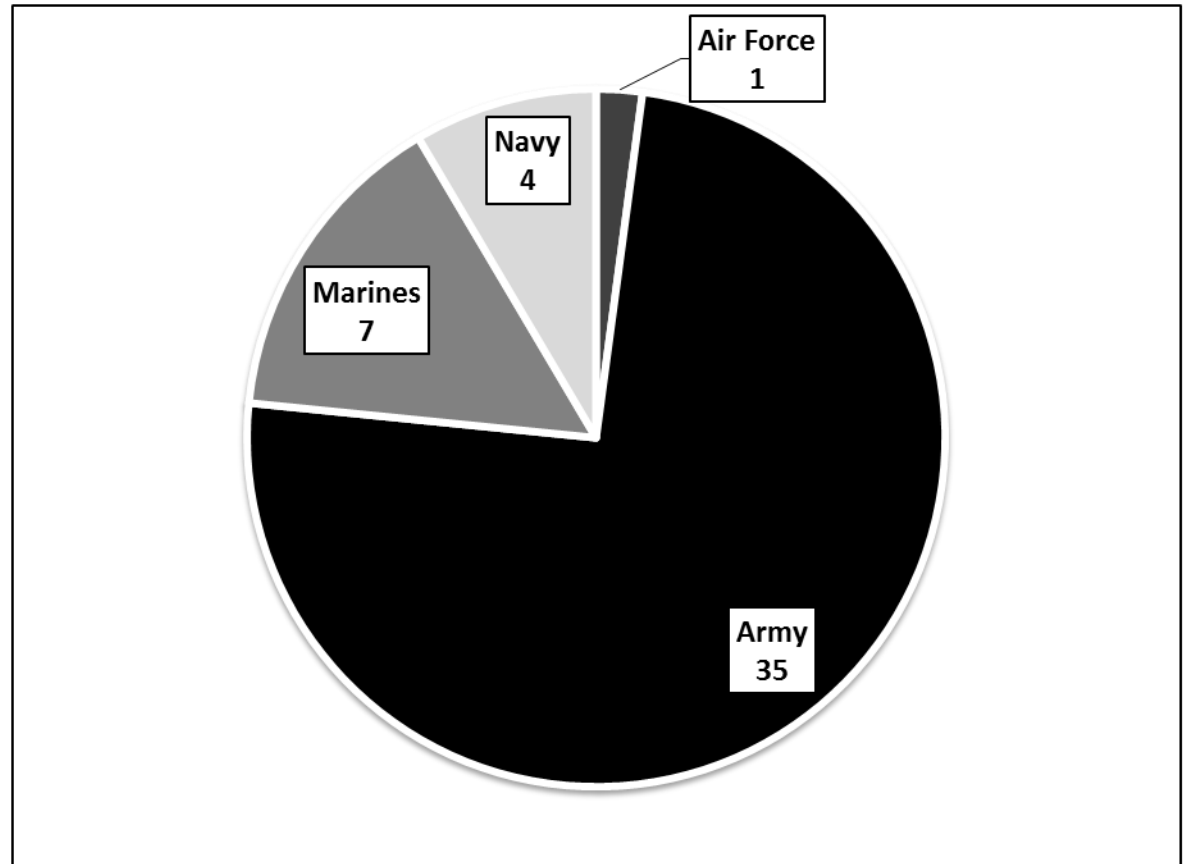
Discharge Status

Honorable: 25

General: 6

Dishonorable: 6

Bad Conduct: 2

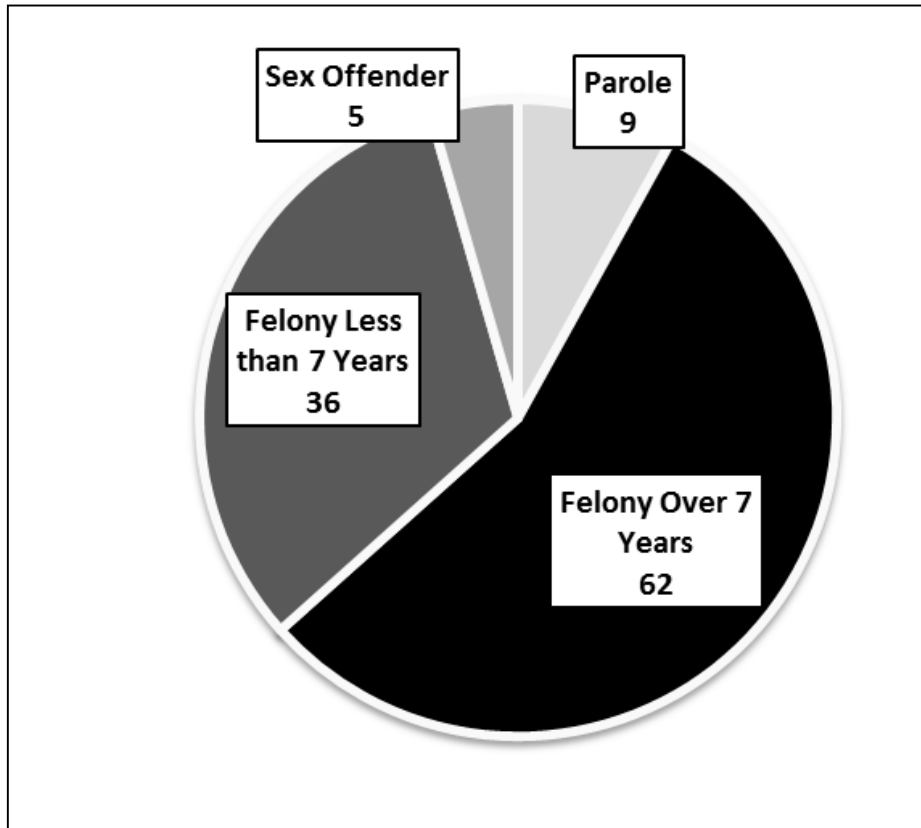


Total Veterans

| | UN | ES | SH | TH | Total |
|--------------------------|----|-----|----|--------------|---------------------|
| Individuals | 54 | 170 | 0 | 75 | 299 |
| Households with Children | 0 | | 0 | 5/15 | 5/15 |
| | | | | TOTAL | 304 Veterans |

- Of the 304 Veterans, 189 directly connected to a Veterans program.
- Significant improvement in VA and emergency response system collaboration
- **7.7%** of all homeless

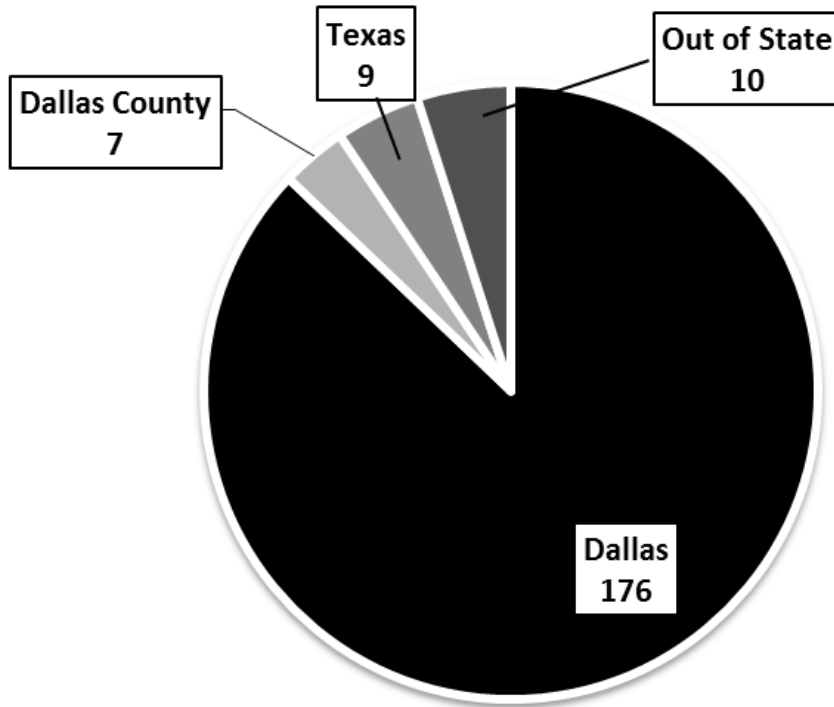
Experience in Criminal Justice System



Total Responses: 358
Served in Jail or Prison: 267

75% have exited in some capacity from the criminal justice system

Where Homeless in Dallas are from



Total Responses: 202

From Dallas: 87%

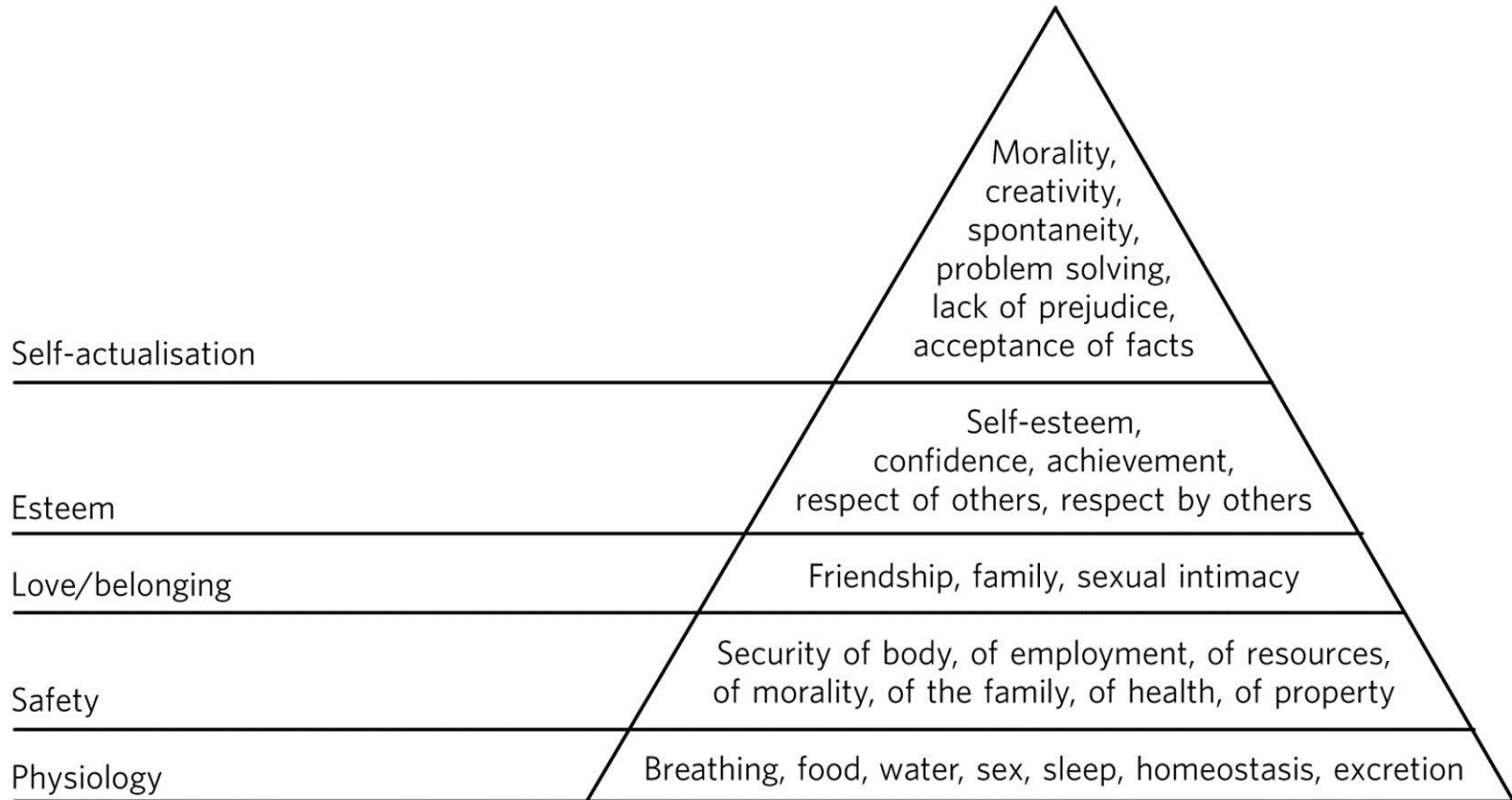
From Dallas County: 3%

From Texas: 4%

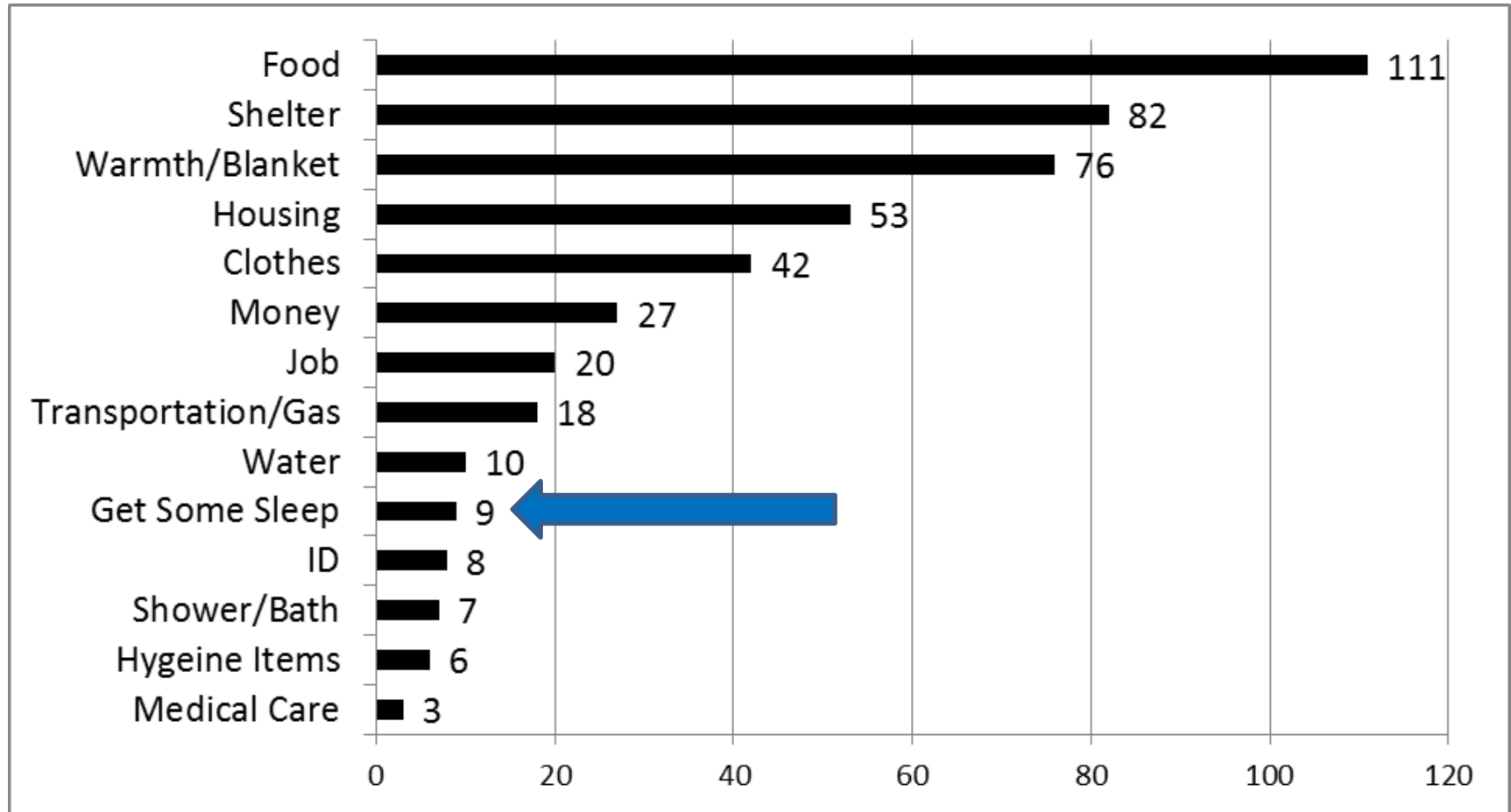
From Other Stats: 5%

This is a typical distribution.

Hierarchy of Needs



What I Need Tonight - Unsheltered



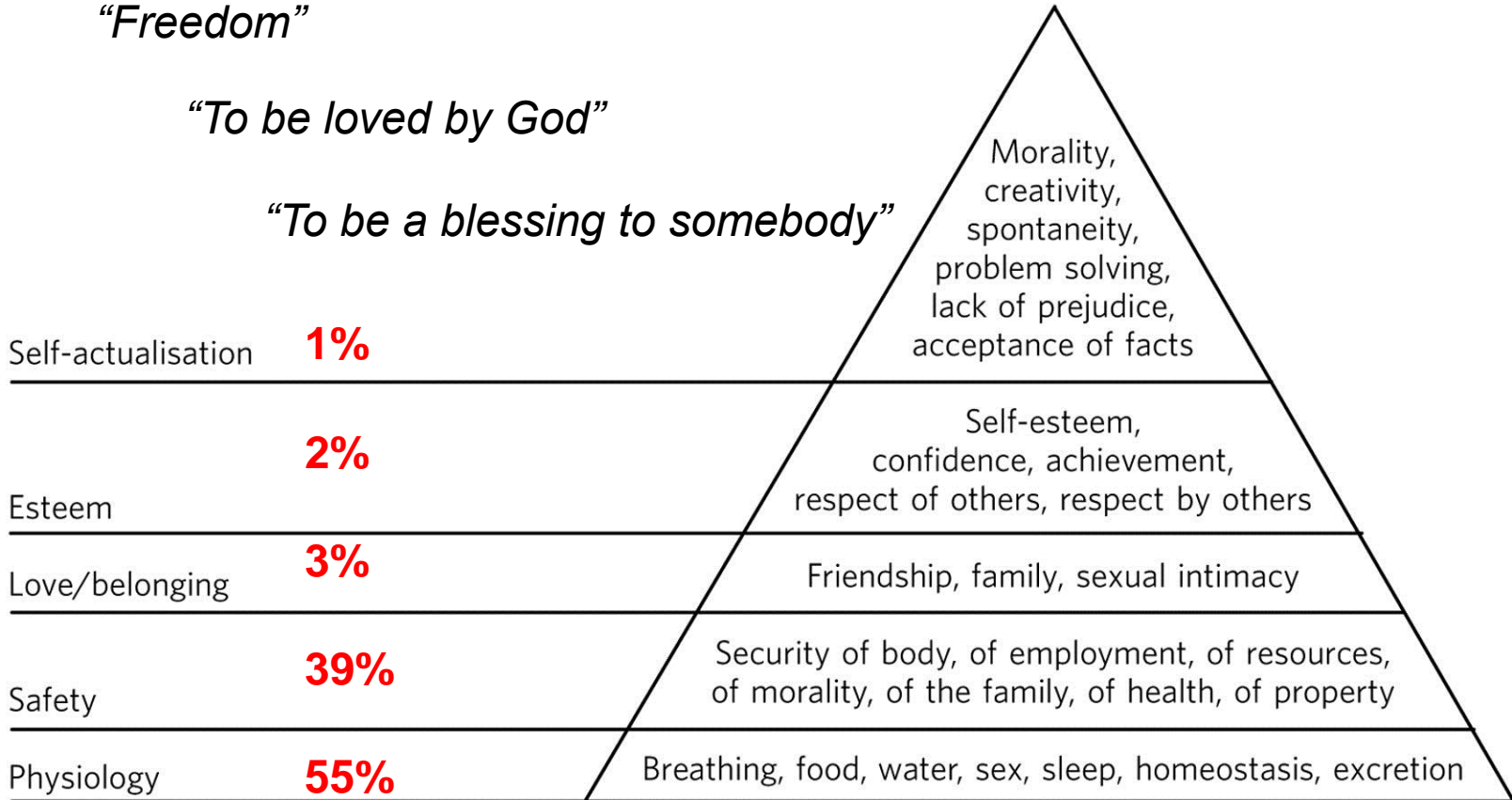
What I Need Tonight

“Medicine for my friend”

“Freedom”

“To be loved by God”

“To be a blessing to somebody”

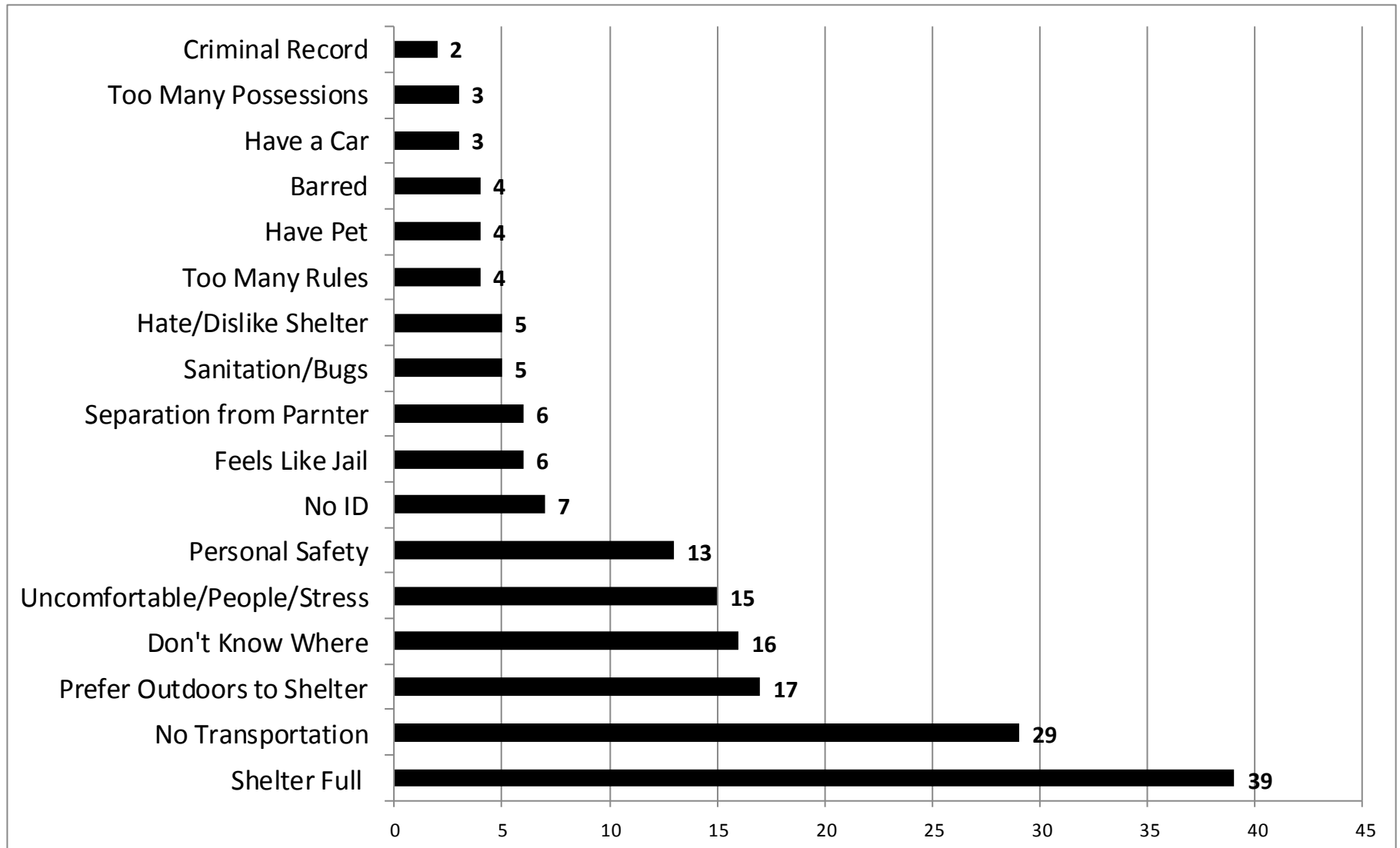


Do unsheltered homeless want help?

- 365 persons gave us their full name
- 216 asked for a street outreach follow up visit
- 186 gave detailed contact information
- 136 let us take their picture for the HMIS

Yes.

Why are you not staying in an Emergency Shelter?



Chronic Homeless

Definition:

*Homeless **at least 1 year** or homeless four or more times in the last 3 years where the cumulative time homeless is at least 1 year AND Possess a documented **disabling condition**.*

Goal:

End chronic homelessness moved, again, to December 2017.

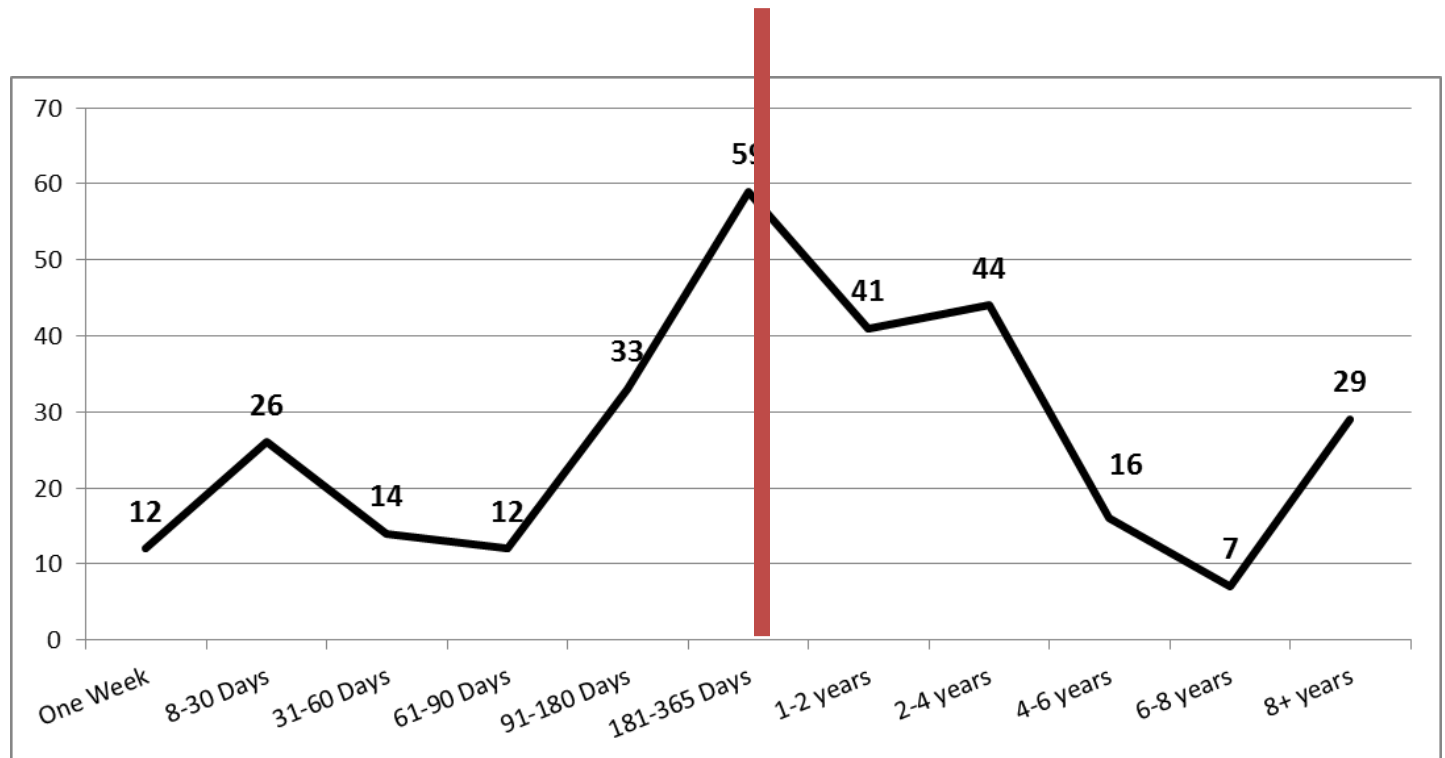
Length of time homeless - Unsheltered

Total Responses: 293

Homeless less than 30 days: 13%

Homeless over one year: 47%

First Time Homeless: 147



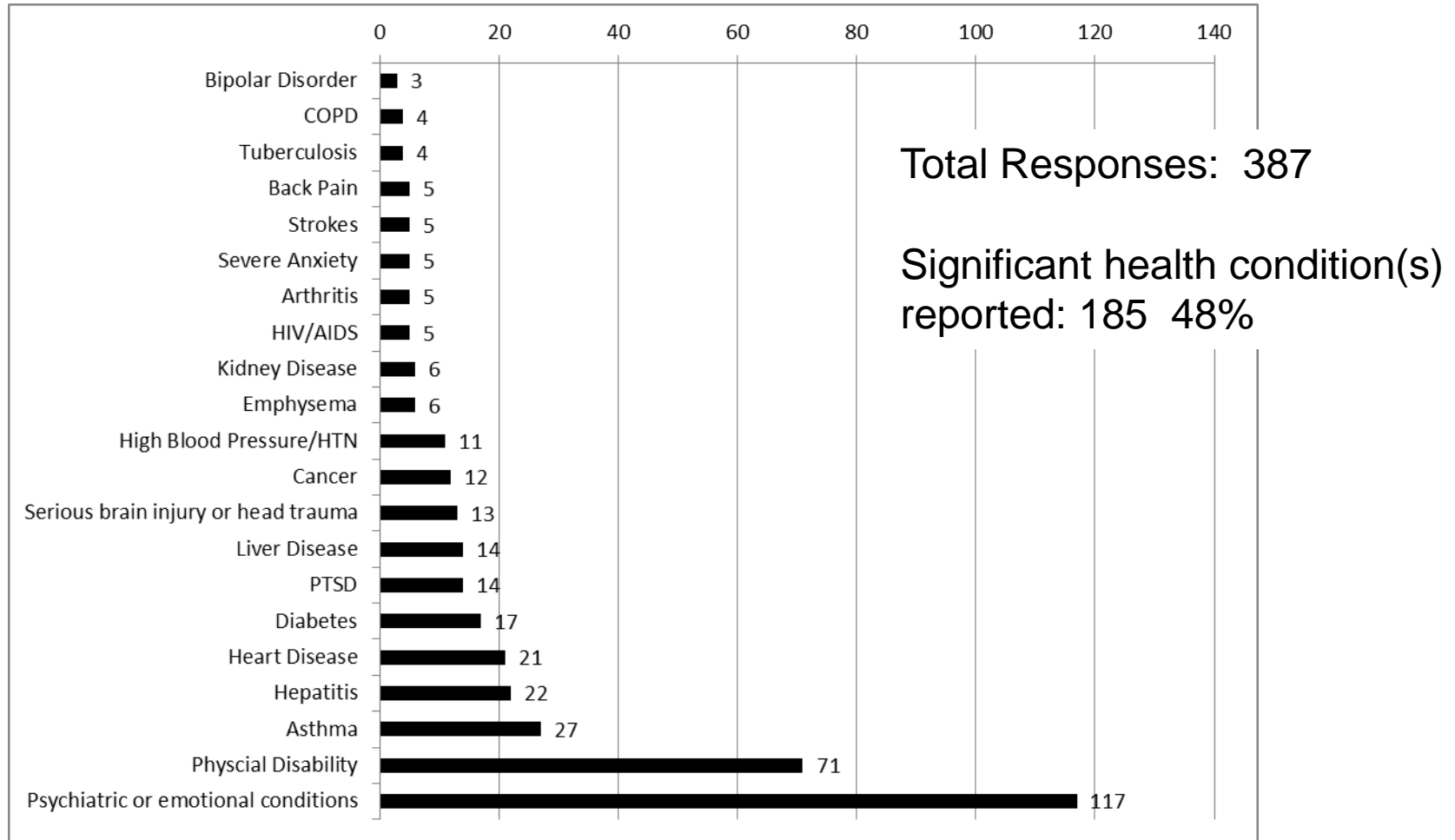
Health and Unsheltered Homelessness

- Irregular or no proper administration of prescription drugs (lost, no storage, stolen, sold)
- Insufficient, irregular nutrition
- Irregular access to clean water
- Unsanitary living conditions
- **Sleep deprivation**

Health and Unsheltered Homelessness

- Poor physical health is associated with poverty in general but is more pronounced among those who are without homes (APA, 2010).
- Rates of mental illness among people who are homeless in the United States are twice the rate found for the general population (Bassuk et al., 1998).
- 47% of homeless women meet the criteria for a diagnosis of major depressive disorder—twice the rate of women in general (Buckner, Beardslee, & Bassuk, 2004).
- When compared with the general population, people without homes have poorer physical health, including higher rates of tuberculosis, hypertension, asthma, diabetes, and HIV/AIDS (Zlotnick & Zerger, 2008), as well as higher rates of medical hospitalizations (Kushel et al., 2001).
- **Housing is Healthcare**

Health Status - Unsheltered



Chronic Homeless – Disabling Conditions

133 Chronic Unsheltered (34% of the 387 interviewed)*

- 64 with 1 disabling condition
- 51 with 2 disabling conditions
- 15 with 3 disabling conditions
- 3 with 4 disabling conditions

**HUD report will include only the actual identified. For local CoC Planning, the 34% rate applied to the total unsheltered would yield an estimated additional 118 chronically homeless.*

Total Chronically Homeless

| 2016 | UN | ES | SafeHaven | Total | 2015 |
|----------------------------------|-----|-----------------------------|--------------|------------|------------|
| Chronically Homeless Individuals | 133 | 411 | 22 | 566 | |
| Chronically Homeless Families | 0 | 12 Households 31 persons | 0 | 31 | |
| | | | TOTAL | 597 | 615 |

Where the Chronic live:

- Unsheltered – 22%
- Metrocare Safehaven – 4%
- The Bridge – 5%
- Austin Street – 28%
- Dallas Life Center – 19%
- The Salvation Army – 19%
- Union Gospel Mission – 3%

Families with Children

| 2016 | UN | ES | SH | TH | Total |
|---------------------|----|-----|----|-----|--------------|
| Total Households | 2 | 149 | 0 | 283 | 434 |
| Total Adults | 3 | 172 | 0 | 308 | 660 |
| Total Children | 3 | 356 | 0 | 485 | 844 |
| Unaccompanied Youth | | | | 7 | 7 |
| | | | | | 1,511 |

21.7% of total homeless are under 18.
National 2014 average was 23%.

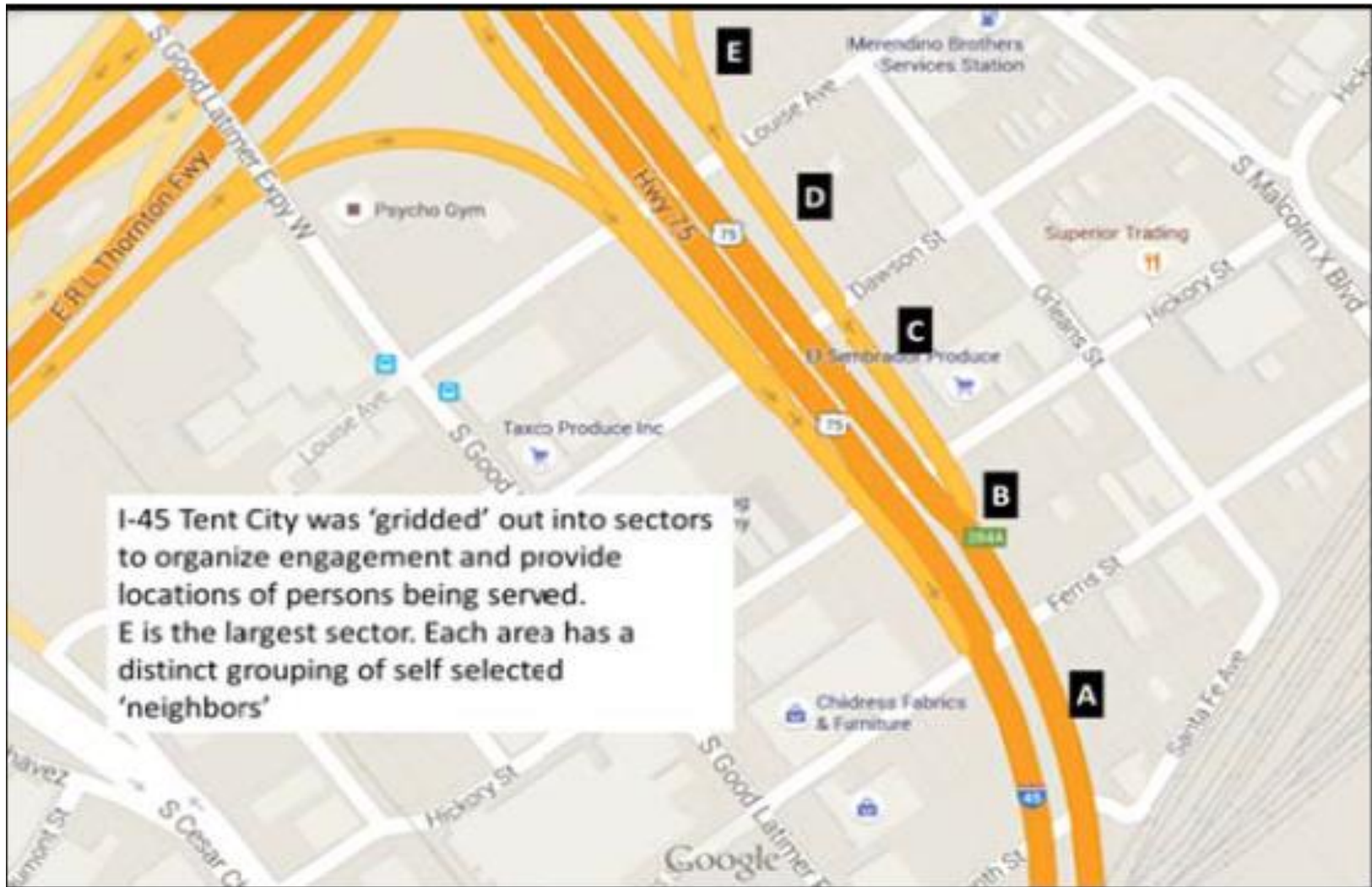


TENT CITY

I-45 Encampment – “Tent City”

- Location: I -30 to the North, Corinth to the South, under the I-45 Bridge
- Size: length is 1,759 ft. with the number of occupants varying from 60 in summer 2015 to over 300 a month ago
- Sections: Five sections labelled A-E

Location Map



Tent City Population

- Mean age: 50
- Median Age: 52
- Men: 60%
- Women: 40%
- 92% from Dallas
- 85% previously incarcerated
- 50% with psychiatric or emotional conditions
- Low of 60 tents with a peak of 300 tents

Who's Involved

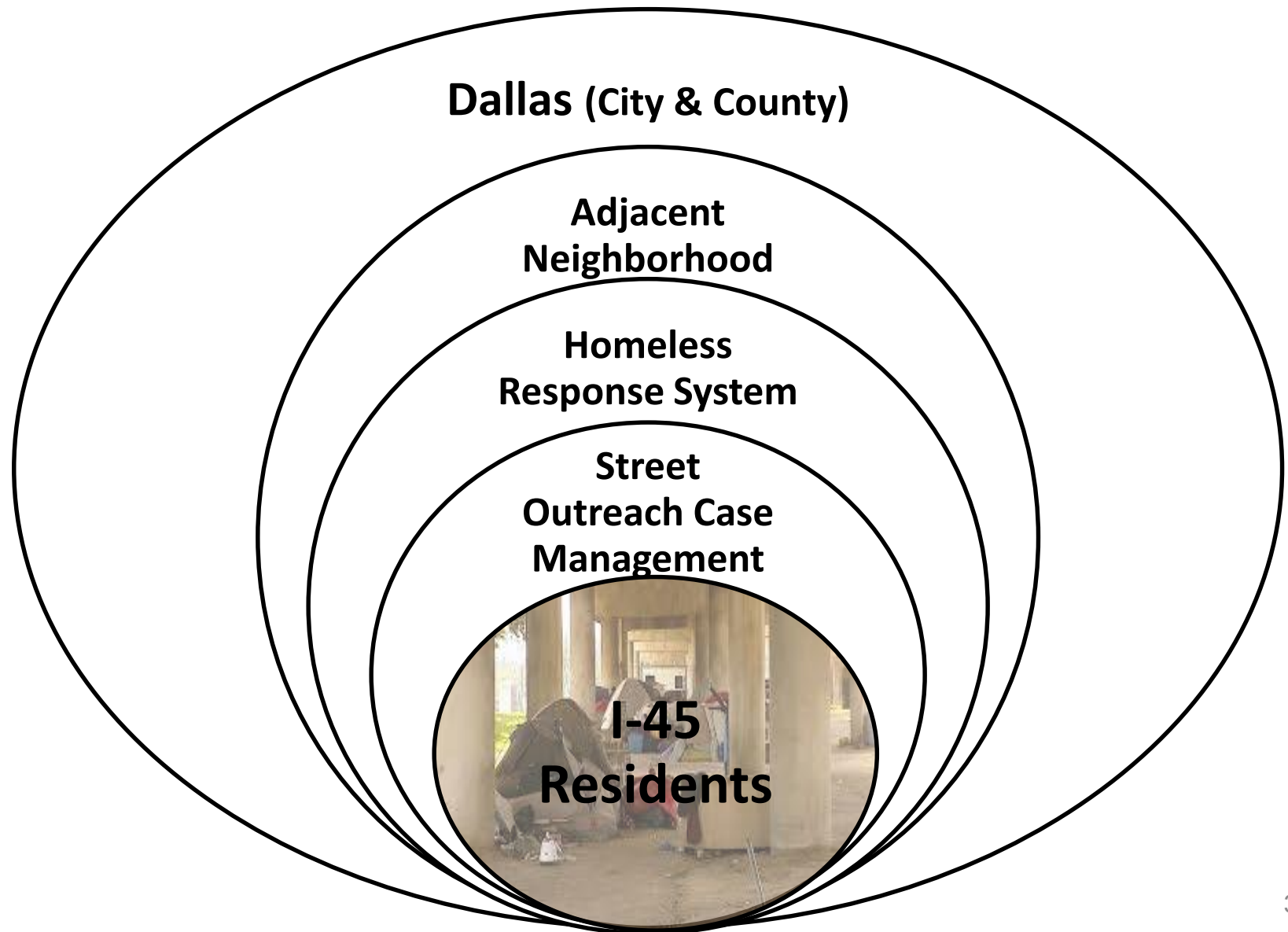
- City, State, and Dallas County Elected Officials
- Metro Dallas Homeless Alliance
- City of Dallas: DPD, Crisis Intervention, City Attorneys, Community Courts, Community Prosecutors, Housing, Inter Governmental Services, Streets, Sanitation, Public Works, City Managers
- Dallas County: Health and Human Services, Criminal Justice
- Cedars and Farmers' Market Neighborhood Associations
- Emergency Shelters
- Nonprofit organizations serving homeless
- Churches

I-45 Encampment – “Tent City”

- 8.5 case workers since March 21, 2016
- 221 case files established, entered into the HMIS, vulnerability and housing barrier assessments complete
- ID Blitz at City Square
- Daily contact, **daily problem solving**
- Weekly resident meetings started 3/21
- Weekly Community Court services
- Weekly SSI/SSDI services
- 20 moved out through services, 23 scheduled in next 10 days
- Self-selecting and camp migration
- Closure Notices began 3/25/16

Tent City Communication Targets

Building a System



Lessons from I45 Encampment to Date

- Dallas **must** increase professional **Street Outreach**/ACT Teams
- ID access cannot be funneled to ONE agency when it is a pervasive need
- **HMIS HMIS HMIS** – must document episodes of unsheltered homeless
- **Interagency collaboration** saves time, money, and improves care.
- **Interagency staffing** breaks down barriers, stops service ‘shopping’ and focuses on problem solving
- Homeless can and should when possible be housed **directly from the street.**

Next Steps

- Continue daily outreach efforts to connect residents with resources and obtain critical documents
- City to complete assessment of what it will cost to close each section (A-E) of Tent City and secure the site with TxDOT assistance
 - Secure sections as vacated
- City will formalize agreements with shelters for an overflow plan
- Notices of Closure began March 25, 2016 and will continue every two weeks

Possible Outcomes

- Ideally, all residents will:
 - move into stable housing
 - go to shelters
- Consider using vacant buildings/sites for emergency shelter
 - Dawson State Jail
 - Parkland
 - Hensley



STRATEGIC WORK PLAN

Supply – Emergency Shelter Beds

100 beds in an Emergency Shelter
Average Length of Stay is **180 days**.

Can serve **200 people** in a year.

OR

100 beds in an Emergency Shelter
Average Length of Stay is **90 Days**

Can serve **400 people** in a year

Supply – Emergency Shelter Beds

How many beds do we need?

More.

But, to plan properly, more data is required to ‘right-size’:

- Number of *new* homeless each month
- *Length of Stay* in the emergency system (UN, ES, TH)
- Recidivism rates
- Shelters have to share information and plan together

What do we do in the *Short Term* ?

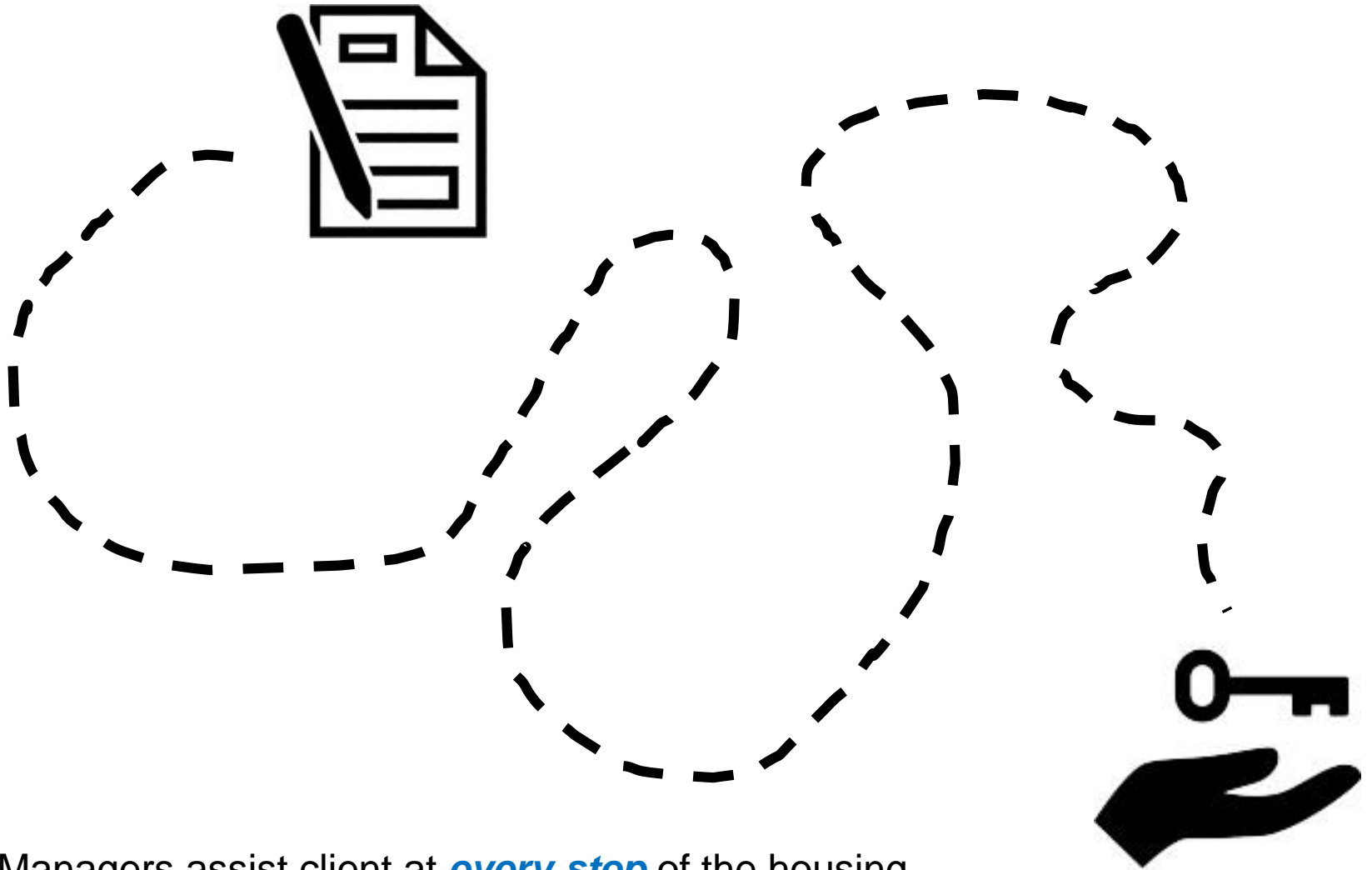
- Continue Street Outreach Work- Funding from State and Federal Grants
- Work with All Emergency Shelters
 - To accommodate overflow
 - To cover costs (estimate:240 people x\$25/day x 365 days=\$2,190,000)
- Paid professional real estate Apartment Finder Brokers to place voucher holders– \$125 per person x 250 =\$31,250
- Aggressive implementation of Coordinated Assessment System to *prioritize* resources- Funding from HUD
- Ready-to-Rent curriculum to Improve Tenancy- \$5,000
- *Real-time housing inventories* within HMIS- Funding from HUD
- Pervasive top to bottom mantra “*What is your Housing Plan?*”- Continuum of Care group

Emergency Shelter Capacity

| Agency | Estimated Occupancy/Night* | Additional Guests that may be Served within Available Space** |
|-----------------------|----------------------------|---|
| Austin Street Shelter | 411 | At maximum capacity |
| Bridge Steps | 250 | 50 |
| Dallas Life | 320 | 100 |
| Salvation Army | 600 | 40 |
| Union Gospel Mission | 700 | 50 |
| TOTAL | 2,281 | 240 |

* Includes emergency and transitional beds

**Additional funding will be necessary to cover increasing bed space



Case Managers assist client at **every step** of the housing process **till the key is in the door**

And Long Term Housing solutions?

- Total service provider participation in HMIS (data sharing)
- Provide more supportive services for DHA homeless preference vouchers
- Policy Changes: NIMBY and acceptance of vouchers
- Prioritize Development Incentives for Permanent Supportive Housing units
 - Estimate of 1250 units needed
- Private ‘Matching Funds’ for State and Federal Grants
 - Example: Funders Together to End Homelessness
- Capital Improvement Program ***General Obligation Bond Election: Affordable Housing***
- Transportation Pilot to access health & human services
 - Example: Seattle’s circulator bus



THE TAKE-AWAYS

Final Thoughts

How the Community Can Help?

- *Contact and donate to emergency shelters*
- *Donate to the homeless service providers*
- *Donate to MDHA flex fund*
- *Volunteer to assist in the shelters*
- *Support Affordable Housing opportunities in your neighborhood*

Each of us can do better.



DISCUSSION

Memorandum



DATE April 1, 2016

TO The Honorable Mayor and Members of the City Council

SUBJECT The Bridge - Shelter, Homeless Recovery, and Housing

On Wednesday, April 6, 2016, you will be briefed on The Bridge - Shelter, Homeless Recovery, and Housing. The briefing is attached for your review.

Please let me know if you have any questions.

Alan E. Sims
for

Alan E. Sims
Chief of Neighborhood Plus

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

The Bridge - Shelter, Homeless Recovery, and Housing

A Briefing to the Dallas City Council
April 6, 2016



History – Pre-Opening

- 2003
 - Private and local government leaders determine that Dallas should devise strategies to:
 - Increase shelter capacity to meet the outstanding needs of adults experiencing homelessness
 - Establish a recovery-oriented system of care for people at-risk of or already experiencing long-term homelessness
 - Dallas voters approve a \$3 million bond referendum to begin the planning process for development of a multi-service campus for homeless services

- 2005
 - Led by a task force of business executives, advocates and philanthropists, Dallas voters support a \$23.8 million bond referendum to fund construction of The Bridge

- 2009
 - State of Texas works with The Bridge, City of Dallas and Dallas County to establish a state-wide Homeless Housing and Services Program (HHSP), expanding related activities in our area and throughout the state

History – Post Opening (2008)

- 2011
 - Campus wins Rudy Bruner Award for Urban Excellence
- 2014
 - State of Texas recognizes The Bridge as an exemplary Recovery-Oriented System of Care (ROSC) and provides grant funding for services expansion through establishment of Healthy Community Collaborative (HCC) program
 - New entrance/intake building constructed and emergency shelter renovated
- 2015
 - City of Dallas extends partnership with The Bridge for an additional five years

Accomplishments

- Collaborating to help reduce surrounding area crime
 - Serious crime (Part I offenses) downtown has dropped 47% since The Bridge opened, according to Dallas Police Department data
 - Homeless jail stays have been significantly reduced, resulting in millions of dollars of cost benefits, according to Dallas County Criminal Justice data
- Collaborating to help develop surrounding area
- Supported by downtown residents and corporations through fundraising and other volunteer activities
- Supported by Dallas voters
 - Overwhelmingly approved two bond referendums that funded The Bridge's development
 - A survey in 2015 of registered voters by *The Dallas Morning News* indicated that more residents favor reducing funding for law enforcement and parks than cuts to homeless services should the City of Dallas' budget need to be reduced

Organization Profile

- The Bridge represents Dallas' commitment to providing assistance and recovery services to its most disadvantaged residents
- The Bridge is a private, nonprofit organization that provides services 24 hours a day, 365 days a year and employs more than 100 people
 - 55% female employees; 75% minority employees
 - All employees and contracted staff are paid living wages

Collaborative Network

- Austin Street Center
- City of Dallas
- Dallas County
- Dallas Housing Authority
- Dallas LIFE
- First Presbyterian Church/The Stewpot
- Legal Aid of NorthWest Texas
- Metrocare Services
- Metro Dallas Homeless Alliance & member organizations
- North Texas Behavioral Health Authority (NTBHA)
- Parkland Health & Hospital System
- The Salvation Army
- Social Security Administration
- Union Gospel Mission
- ValueOptions NorthSTAR & specialty provider networks
- Veterans Affairs
- Workforce Solutions Greater Dallas

Contributions

| | FY2013 | FY2014 | FY2015 |
|------------------------|-------------|-------------|--------------|
| Revenue | | | |
| Public | | | |
| City | \$3,500,000 | \$3,971,561 | \$4,137,712 |
| County | 1,168,840 | 1,000,000 | 1,000,000 |
| TDHCA | 746,202 | 756,818 | 776,960 |
| TDSHS | - | 1,171,313 | 1,630,587 |
| FEMA | 100,185 | 102,190 | 111,303 |
| HUD – ESG (via City) | 426,796 | 748,434 | 378,279 |
| HUD – ESG (via County) | - | - | 172,453 |
| Total public | 5,942,023 | 7,750,316 | 8,207,294 |
| Private | 2,146,412 | 1,657,092 | 2,034,634 |
| Total revenues | \$8,088,435 | \$9,407,408 | \$10,241,928 |

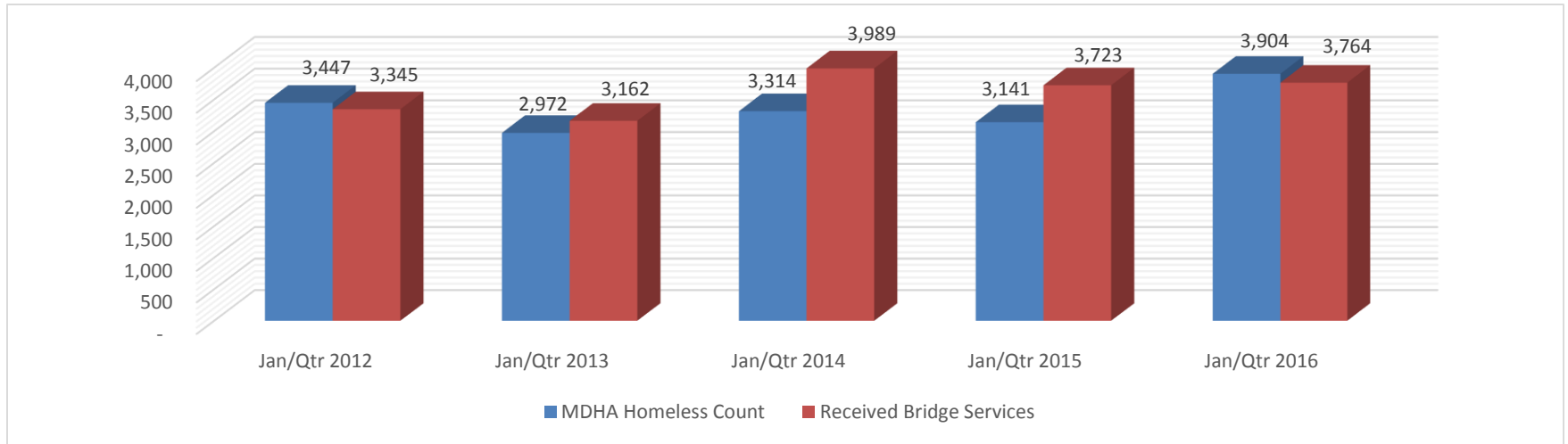
- Funding from the City of Dallas accounts for 40% of the annual budget of The Bridge’s public-private partnership; volunteers and executives work diligently to steward valuable relationships with philanthropists, foundations, Dallas County, State of Texas and federal government to ensure that 60% of contributions are consistent and steadfast

Key Outcomes

| | FY2013 | FY2014 | FY2015 |
|--|--------|--------|--------|
| Emergency services for people experiencing (or at-risk of) homelessness | | | |
| Individuals provided shelter services | 8,495 | 8,608 | 9,147 |
| Individuals provided care coordination | 5,404 | 5,558 | 6,968 |
| | | | |
| Transitional services for people experiencing (or at-risk of) long-term homelessness | | | |
| Individuals engaging in Guests Giving Back | 331 | 1,723 | 2,279 |
| Individuals provided behavioral health services | 1,297 | 1,534 | 1,373 |
| Individuals attaining housing | 317 | 323 | 364 |
| Individuals attaining income | 176 | 204 | 240 |

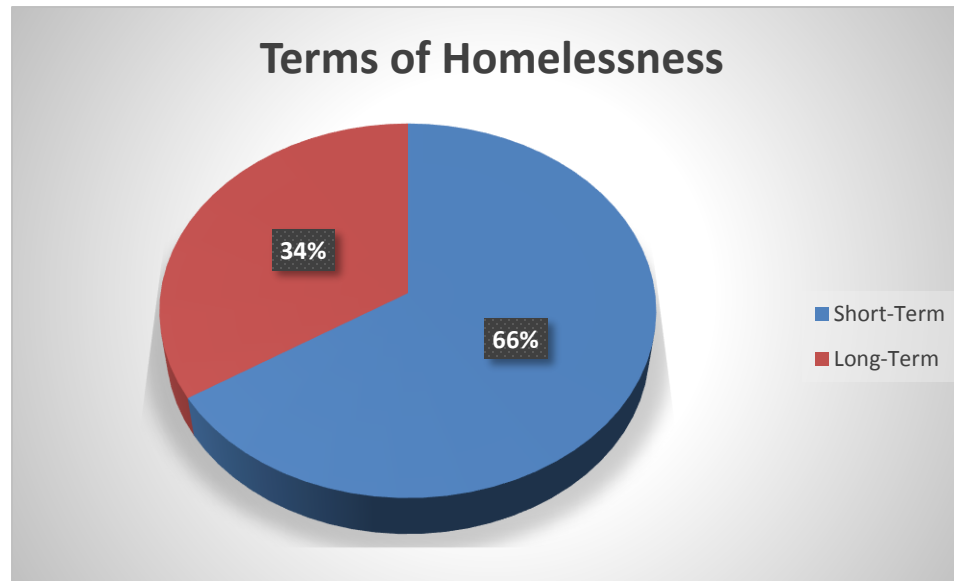
Key Findings

- The Bridge serves as the “front door” for almost all of Dallas’ adults seeking homeless services



- Triage assessments include behavioral health and psychosocial screenings in order to identify people struggling with urgent and emergent issues
 - Persons with urgent or emergent issues are offered Bridge night shelter and day services, as capacities allow
 - Persons with more routine issues are referred to partner night shelters, as capacities allow, the majority of whom return for Bridge day services

Key Findings (Cont.)



- Nearly 66% (approximately 5,775 people per year) rapidly exit The Bridge’s collaborative network after receiving emergency services
- Nearly 34% (approximately 2,975 people per year) experience (or are at-risk of) long-term homelessness because:
 - Need for night shelter exceeds supply
 - Need for affordable and supportive housing exceeds supply

Night Shelter Challenges/Opportunities

- Need exceeds supply:
 - Many people participating in Bridge services are not able to access night shelter because of lack of capacity
 - As a result, they reside in unsafe encampments or other places not intended for habitation
- Prospects for expansion:
 - While negotiations are still taking place, my team and I are confident about increasing community-wide shelter and homeless recovery capacity by an additional 200-250 beds
 - After reviewing options for “new” facilities with City, County, State officials and partner shelters, we recommend increasing utilization of “current” facilities, as an immediate next step
 - Shelters partnering with The Bridge to explore expanding capacities include Austin Street Center, Dallas LIFE, Salvation Army, and Union Gospel Mission
 - City and Bridge officials are working to identify best practices for increasing utilization of “current” facilities, both at The Bridge and at partner shelters, while abiding by important code and fire-rescue guidelines

Night Shelter Challenges/Opportunities (Cont.)

- Expansion cost:
 - City and Bridge officials are forecasting annual investments of \$1,825,000-\$2,281,250 million will cover the expenses associated with such activities, including payments to partner shelters
- Cost sharing proposal:
 - My team and I are offering to raise private funds to kickoff such expansions and will work with the State of Texas to have such investments matched
 - We need additional investments from City of Dallas and Dallas County to take next steps

Affordable and Supportive Housing Challenges

- Need exceeds supply:
 - While there are many reasons why encampments exist, the lack of available affordable and supportive housing units is most significant
 - This housing deficiency creates a bottleneck in the homeless recovery system because shelter beds are used by individuals who have vouchers and are ready to transition out of homelessness, but cannot find anywhere to go
 - On average, only 40% of the people for which we partner with the Dallas Housing Authority to provide subsidies are able use them to transition from shelters to housing before their subsidies expire



Affordable and Supportive Housing Opportunities

- Prospects for expansion:
 - The Bridge partners with several organizations/agencies to increase access to affordable and supportive housing for special needs populations through Dallas County's Behavioral Health/Housing Work Group
 - Regular participants include:
 - Dallas County, City of Dallas, Dallas Housing Authority, property development/management associations, tenant associations, The Meadows Foundation, North Texas Behavioral Health Authority (NTBHA), ValueOptions NorthSTAR, Metrocare Services and The Salvation Army
 - Consensus amongst the group is still being formed, but Bridge representatives have recognized the following best practices:
 - Scattered-site housing is preferable to single-site projects because they lessen Not-In-My-Back-Yard (NIMBY) issues
 - Nonprofit ownership is imperative because it ensures rent revenue can be allocated for supportive services
 - Local investment in addition to state and federal programs is essential in order for people transitioning from homelessness to regularly access adequate housing

Models for Local Investment

- Boston
 - Residential developers set aside 13% of units for low-income tenants or pay into the Neighborhood Housing Trust Fund
 - 2,000 affordable units developed
 - \$74 million for the trust fund since 2000
 - Commercial developers contribute \$8.34 per square foot (for new construction exceeding 100,000 square feet) to the Neighborhood Housing Trust Fund
 - \$7 million for the trust fund annually
- Miami
 - More than \$23 million was raised in 2015 alone for homeless and housing programs via a dedicated tax on meals totaling more than \$100
- Seattle
 - More than \$388 million has been raised since 1981 for affordable housing via a dedicated property tax

Guests' Story

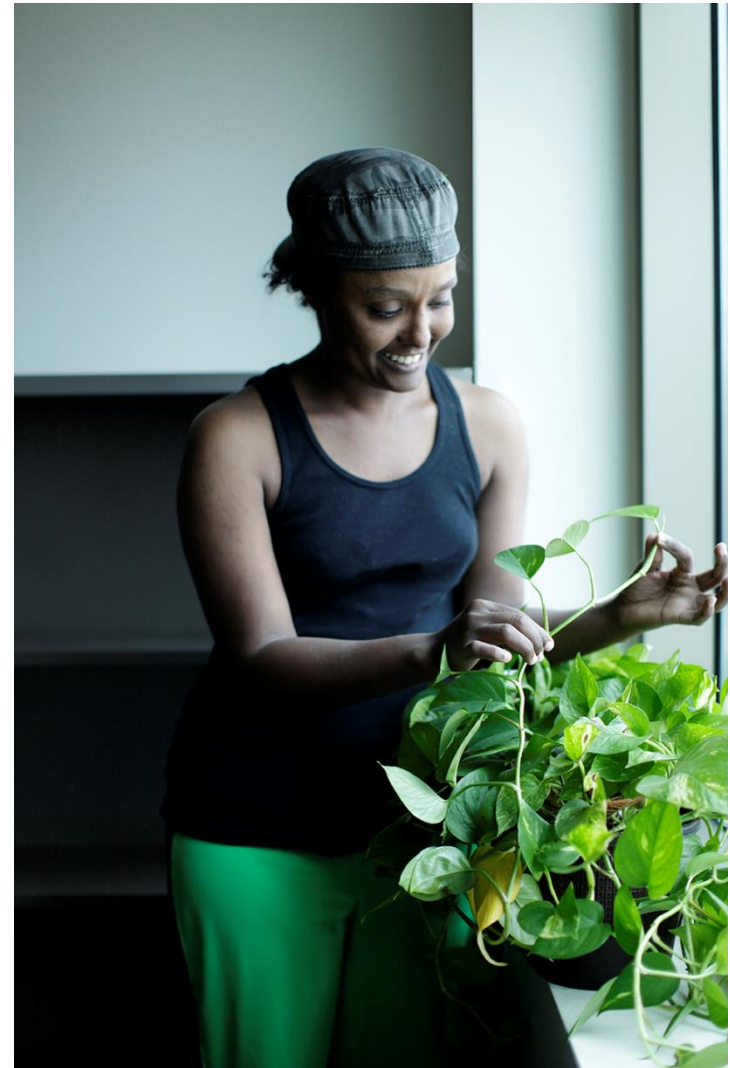
When Dallas native Ricky Rand and his wife Patricia were connected to The Bridge by DPD Crisis Intervention last summer, they believed their stay would be short. After all, they both had all of their identification documents; neither struggled with mental illness or chemical dependency; and neither had a criminal background.

But their stay has been longer than expected, because after receiving a housing voucher more than three months ago, they have been unable to find a landlord willing to accept it. They explored units in Dallas, Addison, Carrollton, Duncanville and Garland, but no one has been willing to accept a voucher, even landlords who had in the past, because of the hot housing market.

Ricky's and Patricia's voucher is now expired, and they are awaiting an extension. But even if that is granted, the couple is unsure how successful they will be in their search.

"The Bridge has truly been a blessing to me and my husband, but we are ready to move into our own apartment now," Patricia says. "We just need a place to go."

Questions/Comments



Memorandum



DATE April 01, 2016

TO Honorable Mayor and Members of the City Council

SUBJECT **Property Acquisition Issues: Authorizing Eminent Domain**

On Wednesday, April 6, 2016, you will be briefed on the Property Acquisition Issues: Authorizing Eminent Domain. The briefing materials are attached for your review.

If you have any questions, please let me know.



Ryan S. Evans
First Assistant City Manager



Arthur Hudman
Executive Assistant City Attorney

c: A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
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Mark McDaniel, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

PROPERTY ACQUISITION ISSUES: AUTHORIZING EMINENT DOMAIN

BY
CITY MANAGER'S OFFICE
AND
CITY ATTORNEY'S OFFICE

April 6, 2016

PURPOSE AND BACKGROUND:

- Council deferred three acquisition resolutions from the March 23, 2016 Agenda and the Mayor requested the City Manager and City Attorney give Council a brief presentation at the April 6, 2016, Council meeting regarding options for handling such matters.
- This briefing is not a comprehensive overview of eminent domain law or the City's land acquisition policies and procedures.
- Rather, it focuses on issues raised at the March 23, 2016, Council meeting regarding resolution language authorizing acquisition, including the exercise of eminent domain, if such becomes necessary, of property needed for City projects.

ACQUISITIONS AND EMINENT DOMAIN: Some Legal Considerations

- The City must provide owners with due process as required by the United States and Texas Constitutions and State law.
- Legal Procedures and Safeguards Involving Eminent Domain (examples):
 - Acquisitions must be for a valid public purpose.
 - The City is required to make an initial offer in writing to the owner.
 - The City is required to provide the owner at the time of an offer all appraisal reports the City has acquired.
 - The City is required to make a final offer in writing to the owner.
 - The final offer must be made at least 30 days after the initial offer and the owner must be provided at least 14 days to respond.
 - The City must give owners the **Landowner's Bill of Rights** (See Attachments) before or at the same time as it first represents that it has eminent domain authority and at least 7 days before a final offer.
 - Eminent domain actions must be authorized via state mandated motion language and a record vote of Council.

THE AUTHORIZATION PROCESS:

The City used a single acquisition resolution that addresses both voluntary, agreed acquisitions and use of eminent domain for the three pulled items:

- See the Attachments for an example.
- The form of resolution specifies, among other matters:
 - Owner information;
 - Price and closing costs authorized to be paid;
 - Project (public purpose) for which the property is being acquired;
 - Type of property interest being acquired (fee simple title, easement, leasehold, etc.); and
 - Description of the property being acquired.
- The form of resolution authorizes acquisition on the specified terms, including the use of eminent domain, if necessary.
- This single resolution approach is most frequently used for projects considered time sensitive.
- The City also often does a separate resolution for voluntary, agreed acquisitions and/or a separate resolution for use of eminent domain, rather than addressing the two possible events into a single resolution.

THE AUTHORIZATION PROCESS: (continued)

- The single resolution approach works as follows:
 - If the parties can agree to a voluntary sale on substantially the terms authorized in the resolution, there is a closing without further action before Council.
 - If the parties cannot agree on a voluntary sale on substantially the terms authorized in the resolution, the City is free to file an eminent domain action without going back to Council.
 - The parties are free to continue negotiations up to and even after the filing of an eminent domain action.
 - Any material change from the terms originally approved by Council in the resolution, either through an agreement before or in a later settlement of a filed eminent domain action, will require a further Council resolution approving the changed terms.

CLARIFICATIONS ABOUT THE PROCESS:

- The City communicates with owners prior to adoption of acquisition resolutions whether or not eminent domain is involved.
 - A resolution of Council is not necessary for Staff to initiate contacts or start negotiations with owners.
 - City Staff regularly contacts the owners before an acquisition resolution is taken to Council.
 - Community meetings to announce and explain the Project are held.
 - Written notices/solicitations to individual owners are sent.
 - Telephone calls and site visits are made in an effort to open a dialog.
 - This outreach often involves requests by the City to inspect, survey, and/or appraise the property.
 - Staff receives all manner of responses to its outreach.
 - Staff continues communications as long as a deal seems possible or project deadlines do not become an issue.
 - If owners will not deal or project deadlines dictate, Staff refers the file to the City Attorney's Office for filing of an eminent domain action. Even then negotiations continue in hopes of voluntary agreement.

CLARIFICATIONS ABOUT THE PROCESS: (continued)

- The City starts with fair offers to owners.
 - The United States Constitution and Texas law require just compensation.
 - The City is required by State law to get appraisals from state certified appraisers. Owners are not similarly obligated.
 - The City is required by State law to provide copies of the appraisals supporting its offer. Owners are not similarly obligated.
 - The City is required by State law to make a reasonable, good faith offer to owners as a jurisdictional prerequisite to any eminent domain action. An aggressive, “low ball” offer could put the action at risk of being abated or dismissed.
 - City Staff knows that should an eminent domain action be filed, the Commissioners panel (comprised of three impartial land owners appointed by an elected judge) will be ruling on the compensation issue and, ultimately, a jury of citizens will decide compensation at trial.
 - Staff has no personal or professional incentive to “low ball” owners.

CLARIFICATIONS ABOUT THE PROCESS: (continued)

- The purchase price / eminent domain award is not the only compensation available to many owners.
 - For acquisitions involving eminent domain, owners are entitled to receive:
 - Reasonable fair market value compensation for the property taken and
 - Compensation for damage, if any, to an owner's remaining property.
 - Relocation Benefits: Displaced owners and tenants can get replacement housing assistance and moving costs in addition to the purchase price / eminent domain award.
 - Required for projects using federal funds.
 - Other projects are covered by city code.
 - The conditions to and formulas for relocation benefits are very fact specific.
 - Historically, the City has been very generous with relocation benefits.
 - Relocation benefits can exceed the purchase price / eminent domain award.

CLARIFICATIONS ABOUT THE PROCESS: (continued)

- The City does not have unlimited discretion to voluntarily pay any amount deemed necessary to get a deal.
 - The City is generally limited to FMV and other statutory compensation.
 - The Texas Constitution prohibits gifts of public funds.

CLARIFICATIONS ABOUT THE PROCESS: (continued)

- The City does not have unlimited discretion over the land to be acquired.
 - Eminent domain must have a valid “public purpose.”
 - The City cannot take property for just any purpose or for no purpose.
 - Examples – streets and alleys, parks and open spaces, utility lines and facilities, drainage and flood control, water and wastewater facilities, landfills, municipal buildings, etc.
 - Eminent domain for economic development is prohibited.
 - The public purpose must be identified.
 - If property is acquired through an eminent domain judgment, the former owner has a right to reacquire the property if the public purpose is not pursued.
 - The projects being pursued by the City dictate the property needed.
 - Holdouts can threaten the physical viability of, delay, or increase the cost of an entire public project.
 - Without the possibility of eminent domain action, every owner would have an incentive to be the last holdout.

CLARIFICATIONS ABOUT THE PROCESS: (continued)

- The City Attorney's Office is not in contact with owners during routine negotiations.
 - Acquisition staff conducts negotiations with owners until those efforts seem useless or deadlines loom.
 - Staff then refers the file to the City Attorney's Office for filing of an eminent domain action.

CITY MANAGER'S RECOMMENDATIONS:

- If the single resolution format, authorizing in one resolution both a voluntary, agreed acquisition and the use of eminent domain, if necessary, is to be changed the City Manager's Office recommends using:
 - a single specific resolution for voluntary, agreed acquisitions that would go to Council if and only if a deal is ready to close; and
 - a separate resolution for eminent domain authorizations that would go to Council if and only if Staff is convinced that a deal is not likely or project deadlines dictate.

(This is the process currently most often used by Sustainable Development – Real Estate for acquisitions.)
- Direct Staff to provide more information in the Agenda Information Sheets about negotiations, contact history and possible relocation benefits.

QUESTIONS?

ATTACHEMENTS

- Attachment A – Resolution Example “click”
- Attachment B – Landowner’s Bill of Rights “click”

Attachment A

COUNCIL CHAMBER

March 23, 2016

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 35,920 square feet of property located in Dallas County, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel

"USE": The construction, installation, use, and maintenance of a realigned section of roadway, utility relocation, land area to support tunnel construction and operation, together with such appurtenant facilities as may be necessary.

"PROPERTY INTEREST": Fee Simple

"OWNER": Floyd E. Garner, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": \$31,000.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$3,000.00

"AUTHORIZED AMOUNT": \$34,000.00

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

SECTION 1. That the USE of the PROPERTY for the PROJECT is a public use.

SECTION 2. That public necessity requires that the CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

Attachment A

COUNCIL CHAMBER

March 23, 2016

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Department of Sustainable Development and Construction Department, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.

SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, the Chief Financial Officer is authorized and directed to draw a warrant in favor of the OWNER, the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT payable out of 2006 Bond Funds: Fund No. 3T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4210, Encumbrance No. CT-TWM06T525J9 and CLOSING COSTS AND TITLE EXPENSES payable out of 2006 Bond Funds: Fund No. 3T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4230, Encumbrance No. CT-TWM06T525J10. The OFFER AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 5. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay the CLOSING COSTS AND TITLE EXPENSES. In the event of condemnation, the CITY will pay costs as may be assessed by the Special Commissioners or the Court. Further, that expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 6. That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary proceeding(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.

SECTION 7. That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation proceedings or suit(s).

SECTION 8. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION 9. That OWNER has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

Attachment A

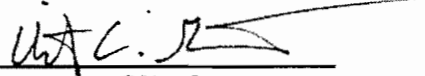
COUNCIL CHAMBER

March 23, 2016

SECTION 10. That in the event the City Attorney files a condemnation proceeding because the OWNER refused to accept the OFFER AMOUNT; and in the event the special commissioners appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to deposit the award in the registry of the Court and to settle the condemnation proceeding, or if the condemnation proceeding becomes a lawsuit, the lawsuit, for amount not to exceed the OFFER AMOUNT; and the Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the OFFER AMOUNT made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council; and the Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed \$3,000.00 for CLOSING COSTS and TITLE EXPENSES in favor of the title company closing the transaction described herein. The Award, CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

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.

APPROVED AS TO FORM:
WARREN M. S. ERNST, City Attorney

BY 
Assistant City Attorney

Attachment A

EXHIBIT A
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 151)
DESCRIPTION OF A 0.8246 ACRE (35,920 SQ. FT.)
TRACT TO BE ACQUIRED
ALL OF LOT 13, BLOCK 7,
SOUTH DALLAS GARDENS ADDITION
CITY OF DALLAS BLOCK 7/6122
THOMAS LAGOW SURVEY, ABSTRACT NO. 759
CITY OF DALLAS, DALLAS COUNTY, TEXAS
FROM FLOYD E. GARNER

Being situated in the Thomas Lagow Survey, Abstract Number 759, Dallas County, Texas, and being all of Lot 13, Block 7 (Block 7/6122, Official City of Dallas Block Numbers) of the South Dallas Gardens addition, an addition to the City of Dallas dated May 27, 1913, and Recorded in Volume 1, Page 448 of the Map Records of Dallas County, Texas, and being all of the property conveyed to Floyd E. Garner by Warranty Deed with Vendor's Lien dated March 17, 1994, and recorded in Volume 94056, Page 00463 of the Deed Records of Dallas County, Texas, and containing approximately 0.8246 of an acre (35,920 square feet) of land, according to the plat thereof.

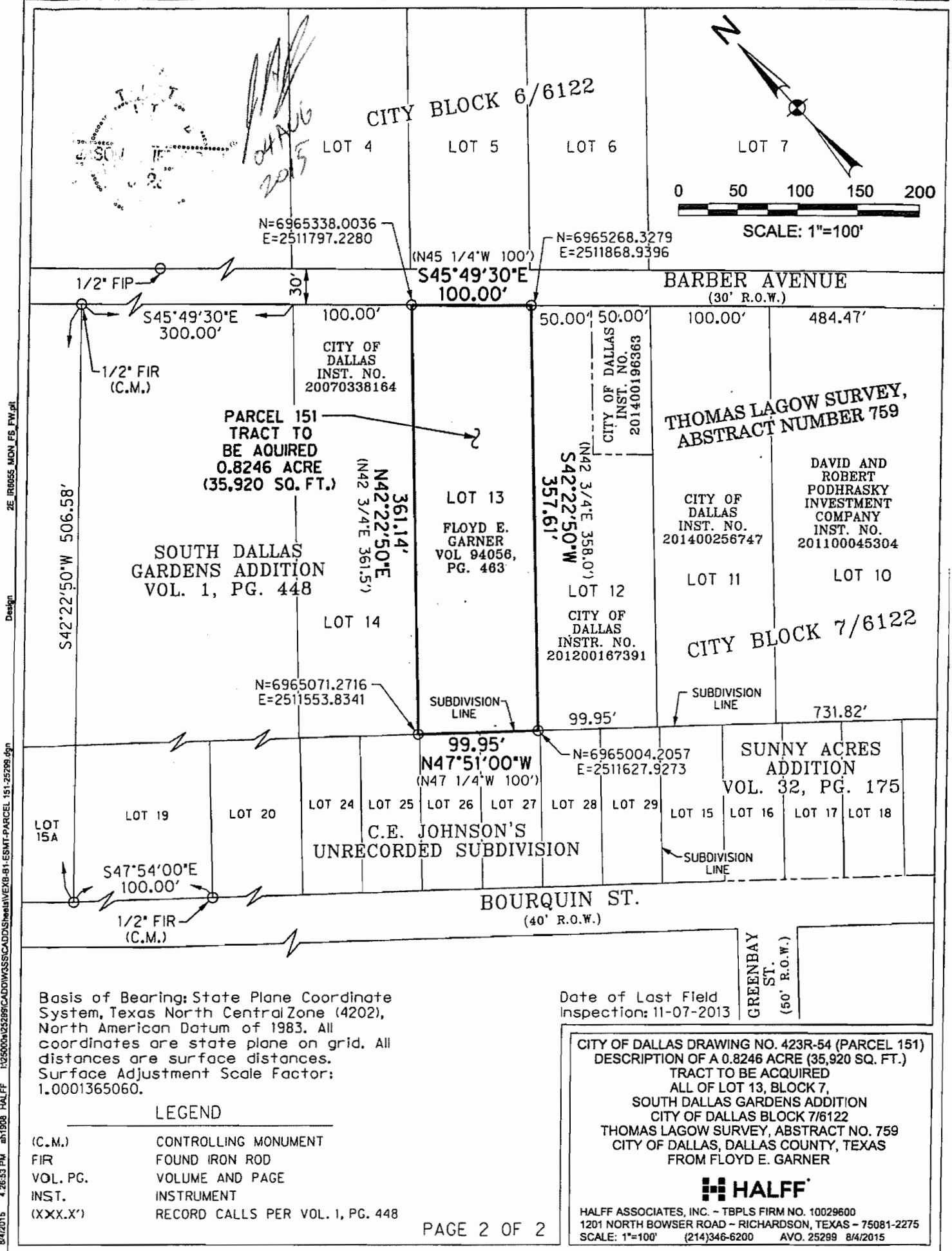
This description is approved as to form.



Scott Holt, RPLS
Survey Program Manager

8/7/2015
Date

Attachment A



2E IR055 MON FS_PW.plt
 Design
 1:2500000025289\CADD\DWG\SS\CADD\SS\I\VE\X-B-81-ESMT-PARCEL 151-25298.dgn
 8/4/2015 4:26:53 PM ah1908 HALFF

Basis of Bearing: State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

Date of Last Field Inspection: 11-07-2013

GREENBAY ST.
 (50' R.O.W.)

- LEGEND**
- (C.M.) CONTROLLING MONUMENT
 - FIR FOUND IRON ROD
 - VOL. PG. VOLUME AND PAGE
 - INST. INSTRUMENT
 - (XX.X'X') RECORD CALLS PER VOL. 1, PG. 448

CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 151)
 DESCRIPTION OF A 0.8246 ACRE (35,920 SQ. FT.)
 TRACT TO BE ACQUIRED
 ALL OF LOT 13, BLOCK 7,
 SOUTH DALLAS GARDENS ADDITION
 CITY OF DALLAS BLOCK 7/6122
 THOMAS LAGOW SURVEY, ABSTRACT NO. 759
 CITY OF DALLAS, DALLAS COUNTY, TEXAS
 FROM FLOYD E. GARNER



HALFF ASSOCIATES, INC. - TBPLS FIRM NO. 10029600
 1201 NORTH BOWSER ROAD - RICHARDSON, TEXAS - 75081-2275
 SCALE: 1"=100' (214)346-6200 AVO. 25299 8/4/2015



THE STATE OF TEXAS
LANDOWNER'S
BILL OF RIGHTS

PREPARED BY THE



OFFICE OF THE
ATTORNEY GENERAL OF TEXAS

Attachment B



This Landowner's Bill of Rights applies to any attempt by the government or a private entity to take your property. The contents of this Bill of Rights are prescribed by the Texas Legislature in Texas Government Code Sec. 402.031 and Chapter 21 of the Texas Property Code.

1. You are entitled to receive adequate compensation if your property is taken for a public use.
2. Your property can only be taken for a public use.
3. Your property can only be taken by a governmental entity or private entity authorized by law to do so.
4. The entity that wants to take your property must notify you about its interest in taking your property.
5. The entity proposing to take your property must provide you with an assessment of the adequate compensation for your property.
6. The entity proposing to take your property must make a good faith offer to buy the property before it files a lawsuit to condemn the property.
7. You may hire an appraiser or other professional to determine the value of your property or to assist you in any condemnation proceeding.
8. You may hire an attorney to negotiate with the condemning entity and to represent you in any legal proceedings involving the condemnation.
9. Before your property is condemned, you are entitled to a hearing before a court appointed panel that includes three special commissioners. The special commissioners must determine the amount of compensation the condemning entity owes for the taking of your property. The commissioners must also determine what compensation, if any, you are entitled to receive for any reduction in value of your remaining property.
10. If you are unsatisfied with the compensation awarded by the special commissioners, or if you question whether the taking of your property was proper, you have the right to a trial by a judge or jury. If you are dissatisfied with the trial court's judgment, you may appeal that decision.

CONDEMNATION PROCEDURE

Eminent Domain is the ability of certain entities to take private property for a public use. Private property can include land and certain improvements that are on that property.

Private property may only be taken by a governmental entity or private entity authorized by law to do so. Your property may be taken only for a public use. That means it can only be taken for a purpose or use that serves the general public. However, Texas law prohibits condemnation authorities from taking your property to enhance tax revenues or foster economic development.

Your property cannot be taken without adequate compensation. Adequate compensation includes the market value of the property being taken. It may also include certain damages, if any, to your remaining property caused by the acquisition itself or by the way the condemning entity will use the property.

Attachment B

HOW THE TAKING PROCESS BEGINS

The taking of private property by eminent domain must follow certain procedures. First, the entity that wants to condemn your property must provide you a copy of this Landowner's Bill of Rights before or at the same time the entity first represents in any manner to you that it possesses eminent domain authority.

Second, if it has not been previously provided, the condemning entity must send this Landowner's Bill of Rights to the last known address of the person in whose name the property is listed on the most recent tax roll at least seven days before the entity makes a final offer to acquire your property.

Third, the condemning entity must make a good faith offer to purchase the property. The condemning entity's offer must be based on an investigation and an assessment of adequate compensation for the property. At the time the offer is made, the governmental condemning entity must disclose any appraisal reports it used to determine the value of its offer to acquire the property. You have the right to either accept or reject the offer made by the condemning entity.

CONDEMNATION PROCEEDINGS

If you and the condemning entity do not agree on the value of the property being taken, the entity may begin condemnation proceedings. Condemnation is the legal process for the taking of private property. It begins with a condemning entity filing a claim for your property in court. If you live in a county where part of the property being condemned is located, the claim must be filed in that county. Otherwise, the claim can be filed in any county where at least part of the property being condemned is located. The claim must describe the property being condemned, the intended public use, the name of the landowner, a statement that the landowner and the condemning entity were unable to agree on the value of the property, and that the condemning entity provided the landowner with the Landowner's Bill of Rights statement.

SPECIAL COMMISSIONERS' HEARING

After the condemning entity files a claim in court, the judge will appoint three landowners to serve as special commissioners. These special commissioners must live in the county where the condemnation proceeding is filed, and they must take an oath to assess the amount of adequate compensation fairly, impartially, and according to the law. The special commissioners are not authorized to decide whether the condemnation is necessary or if the public use is proper. After being appointed, the special commissioners must schedule a hearing at the earliest practical time and place and provide you written notice of that hearing.

You are required to disclose to the governmental condemning entity, at least ten days before the special commissioners' hearing, any appraisal reports used to determine your opinion about adequate compensation for the property. You may hire an appraiser or real estate professional to help you determine the value of your private property. You may also hire an attorney regarding these proceedings.

At the hearing, the special commissioners will consider evidence on the value of the property, the damages to remaining property, any value added to the remaining property as a result of the project, and the uses to be made of the property being taken.

SPECIAL COMMISSIONERS' AWARD

After hearing evidence from all interested parties, the special commissioners will determine the amount of money to be awarded as adequate compensation. You may be responsible for the costs if the Award is less than or equal to the amount the condemning entity offered before the condemnation proceeding began. Otherwise, the condemning entity will be responsible for the costs. The special commissioners will give a written decision to the court that appointed them. That decision is called the "Award." The Award must be filed with the court and the court must send written notice of the Award to all parties.

Attachment B

After the Award is filed, the condemning entity may take possession of the property being condemned, even if either party appeals the Award of the special commissioners. To take possession of the property, the condemning entity must either pay you the amount of the Award or deposit the amount of the Award into the registry of the court. You have the right to withdraw the deposited funds from the registry of the court.

OBJECTION TO THE SPECIAL COMMISSIONERS' AWARD

If either you or the condemning entity is dissatisfied with the amount of the Award, either party can object to the Award by filing a written statement of objection with the court. If neither party timely objects to the Award, the court will adopt the Award as the final judgment of the court. If a party timely objects to the special commissioners' Award, the court will hear the case in the same manner as other civil cases.

If you object to the Award and ask the court to hear the matter, you have the right to a trial by judge or jury. The allocation of costs is handled in the same manner as with the special commissioners' Award. After that trial, either party may appeal any judgment entered by the court.

DISMISSAL OF THE CONDEMNATION ACTION

A condemning entity may file a motion to dismiss the condemnation proceeding if it decides it no longer needs your property. If the court grants the motion to dismiss, the case is over and you are entitled to recover reasonable and necessary fees for attorneys, appraisers, photographers, and for other expenses incurred to the date of the hearing on the motion to dismiss.

You may also file a motion to dismiss the condemnation proceeding on the ground that the condemning entity did not have the right to condemn the property, including a challenge as to whether the property is being taken for a public use. If the court grants your motion, the court may award you reasonable and necessary fees for attorneys, appraisers, photographers, and for other expenses incurred to the date of the hearing or judgment.

RELOCATION COSTS

If you are displaced from a residence or place of business, you may be entitled to reimbursement for reasonable expenses incurred while moving personal property from the residence or relocating the business to a new site. You are not entitled to these relocation costs if they are recoverable under another law. If you are entitled to these costs, they cannot exceed the market value of the property being moved and can only be reimbursed for moving distances within 50 miles.

RECLAMATION OPTIONS

If private property was condemned by a governmental entity, and the purpose for which the property was acquired is canceled before the 10th anniversary of the date of the acquisition, you may have the right to seek to repurchase the property for the fair market value of the property at the time the public use was canceled. This provision does not apply to property acquired by a county, a municipality, or the Texas Department of Transportation.

DISCLAIMER

The information in this statement is intended to be a summary of the applicable portions of Texas state law as required by HB 1495, enacted by the 80th Texas Legislature, Regular Session. This statement is not legal advice and is not a substitute for legal counsel.

ADDITIONAL RESOURCES

Further information regarding the procedures, timelines and requirements outlined in this document can be found in Chapter 21 of the Texas Property Code.