

HOUSING COMMITTEE DALLAS CITY COUNCIL COMMITTEE AGENDA

2015 SEP - 3 PM 4:03

U.LL.N.C. TEANS

TUESDAY, SEPTEMBER 8, 2015 CITY HALL COUNCIL BRIEFING ROOM, 6ES 1500 MARILLA DALLAS, TEXAS 75201 11:00 A.M. – 12:30 P.M.

Chair, Councilmember Scott Griggs Vice-Chair, Councilmember Carolyn King Arnold Mayor Pro Tem Monica R. Alonzo Councilmember Tiffinni A. Young Councilmember Mark Clayton Councilmember Casey Thomas, II

Call to Order

- 1. Approval of Minutes
- 2. WIC Award Presentation

BRIEFINGS

- 3. "Fighting Blight: Improving Neighborhoods", Proposed Changes to Chapter 27 All Districts
- 4. Neighborhood Plus Update Neighborhood Revitalization Plan for Dallas All Districts

USDA Food and Nutrition Services

Kris Sweckard Director Code Compliance

Theresa O'Donnell Chief Planning Officer Planning & Neighborhood Vitality

5. UPCOMING AGENDA ITEMS

September 9, 2015

- A. Agenda Item #29: Authorize (1) a housing development loan in an amount not to exceed \$900,000; and (2) a conditional grant agreement in an amount not to exceed \$405,040 for a mixed-income housing development project with East Dallas Community Organization, a certified Community Housing Development Organization, for the construction of eight single family homes located in the 2400 block of Hooper Street - Total not to exceed \$1,305,040 -District 7
- B. Agenda Item #46: A public hearing to receive comments on the proposed sale of six 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) convey by Deed without Warranty six 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 postjudgment non-tax liens, if any (list attached)

Adjourn

Scott Griggs, Chair Housing Committee

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 Attomey. Section 551.071 of the Texas Open Meetings Act.
- 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.
- 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.
- 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.
- The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.
- 6. Deliberations regarding economic development negotiations. Section 551.087 of the Texas Open Meetings Act.

Housing Committee

Meeting Record

August 17, 2015

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

Meeting Date: August 17, 2015

Meeting Start time: <u>11:05 A.M.</u>

Committee Members Present:	Staff Present:
Councilmember Scott Griggs (Chair)	Theresa O'Donnell-Chief Planning Officer, PNV
Councilmember Carolyn King Arnold-Vice-Chair	Bernadette Mitchell-Interim/Director/H/CS
Mayor Pro Tem Monica R. Alonzo	Charles Brideau-Assistant Director-H/CS
Councilmember Mark Clayton	Patrick Inyabri-Interim Assistant Director
Councilmember Casey Thomas, II	Don Babers-H/CS
Councilmember Tiffinni A. Young	Beverly Davis-Asst. Director/FHO
-	Robin Bentley-CAO
	Barbara Martinez-CAO
	Michael Bostic-CAO
	Cassandra Luster-H/CS
	Doris Edmon-H/CS
Sup.	Alida Allen-H/CS
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Other Council Members Present:	
Committee Members Absent:	Other Attendees
Councilmember Philip Kingston	Jay Dunn-The Bridge
Councilmember B. Adam McGough	Sherman Roberts-City Wide CDC
Councilmember Adam Medrano	Larry James-City Square
	Cindy Crain-MDHA
	MaryAnn Russ DHA
	Tanya Ragan-FMSA
	David Woody-The Bridge
	Ashley Reaka-The Bridge
	Terry Ann Garcia
alle, "Aller all and the second se	Erin McFaye-The Bridge
	Sam Merten-The Bridge
	Jane Massey-Habitat for Humanity
	Gail Misener-Habitat for Humanity
	Nanci Williams-Austin Street Center
	Tasha Tsiaperas-Dallas Morning News
	Hue Nguyen-Unlocking Doors
	Jacqueline Espinal-JNE Consultants
	Veronica Simmons-Downtown Dallas Neighborhood Assoc.
//	-

AGENDA:

Housing Committee Meeting Called to Order by CM Scott Griggs

1. <u>Approval of August 3, 2015 Minutes of the Housing Committee</u> Presenter(s): Council Member Scott Griggs, Chair

Action Taken/Committee Recommendation(s)

Motion made by: CM Monica Alonzo	Motion seconded by: CM Tiffinni Young
Item passed unanimously: X	Item passed on a divided vote
Item failed unanimously:	Item failed on a divided vote:
Follow up (if percent):	111

Follow-up (if necessary):

2. Metro Dallas Homeless Alliance – All Districts

Presenter(s): Theresa O'Donnell, Chief Planning Officer/Bernadette Mitchell, Interim Director/Don Babers, HOU/Cindy Crain, President/CEO, Metro Dallas Homeless Alliance

Information Only: X

Action Taken/Committee Recommendation(s)

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

Follow-up (if necessary):

3. The Bridge-Our Way Back Home- All Districts

Presenter(s): Theresa O'Donnell, Chief Planning Officer/Bernadette Mitchell, Interim Director/Don Babers, HOU/Jay Dunn, President/CEO, The Bridge

Information Only: X

Action Taken/Committee Recommendation(s)

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

Follow-up (if necessary):

4. <u>Unlocking Doors Texas Reentry Network-All Districts</u> Presenter(s): Theresa O'Donnell, Chief Planning Officer/Bernadette Mitchell, Interim Director/Don Babers, HOU/Christina Melton Crain, Esq., President/CEO

Information Only: X

Action Taken/Committee Recommendation(s)

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

Follow-up (if necessary):

5. Upcoming Agenda Items

UPCOMING AGENDA ITEMS for August 26, 2015

- A. Agenda Item: 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 -District 7
- B. Agenda Item: 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 Districts 4,6
- C Agenda Item: 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 Housing Plan to build communities and affirmatively further fair housing, for a term of one year from the date of execution of the agreement All Districts
- D. Agenda Item: 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 Street *District 4*
- E. Agenda Item: 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 – *Districts 4, 5, 6, 7, 8*

- F. Agenda Item: 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 District 7
- G. Agenda Item: 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 Innercity Community Development Corporation, a qualified non-profit organization; and, at the close of the public hearing, authorize the City Manager to: (1) convey by quitclaim deed one unimproved property to South Dallas Fair Park Innercity 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 District 7

Information Only: ____

Action Taken/Committee Recommendation(s) Motion to move to full Council on August 26, 2015

Motion made by: CM Casey_Thomas	Motion seconded by: CM Carolyn King Arnold
Item passed unanimously X	Item passed on a divided vote:
Item failed unanimously:	Item failed on a divided vote:

Follow-up (if necessary):

Meeting Adjourned by CM Scott Griggs

Meeting Adjourned:	12:39	<u> </u>	
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Approved By:			
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WIC AWARD PRESENTATION

BY

USDA FOOD AND NUTRITION SERVICES

1.0

Memorandum

DATE September 4, 2015

Honorable Members of the Housing Committee: Scott Griggs (Chair)

^{TO} Carolyn King Arnold (Vice Chair), Mayor Pro Tem Monica R. Alonzo, Mark Clayton, Casey Thomas, II, and Tiffinni A. Young

SUBJECT "Fighting Blight: Improving Neighborhoods", Proposed Changes to Chapter 27

On Tuesday, September 8, 2015, you will be briefed on "Fighting Blight: Improving Neighborhoods", Proposed Changes to Chapter 27. The briefing is attached for your review.

Please contact me if you have any questions.

Joey Zapata Assistant City Manager

Attachment

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





Fighting Blight: Improving Neighborhoods

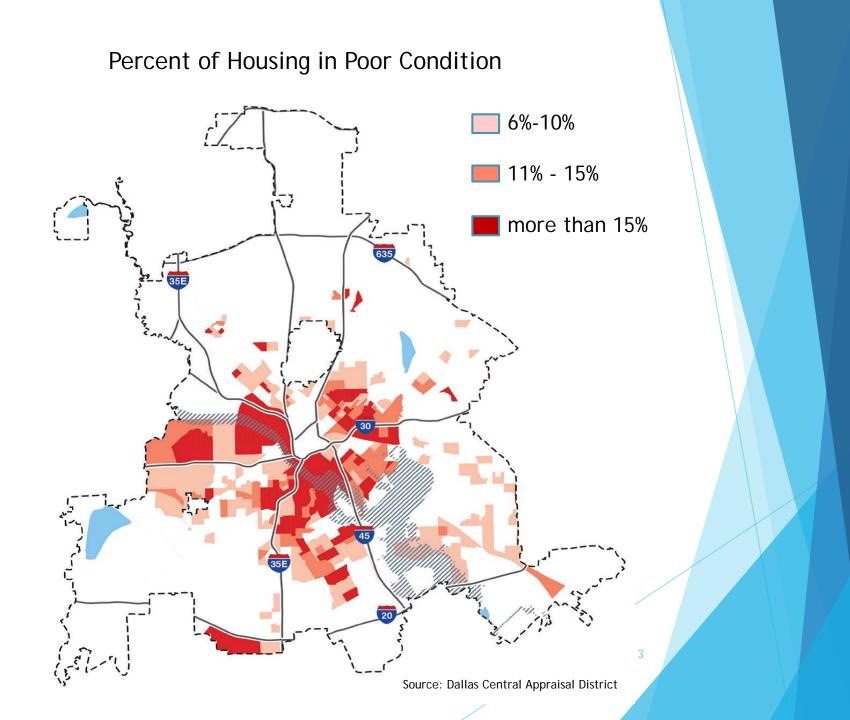
Proposed Changes to Chapter 27

Briefing to the Housing Committee September 8, 2015





Vacant Buildings and Housing in Poor Condition Affect Quality of Life



Chapter 27 - Minimum Urban Rehabilitation Standards

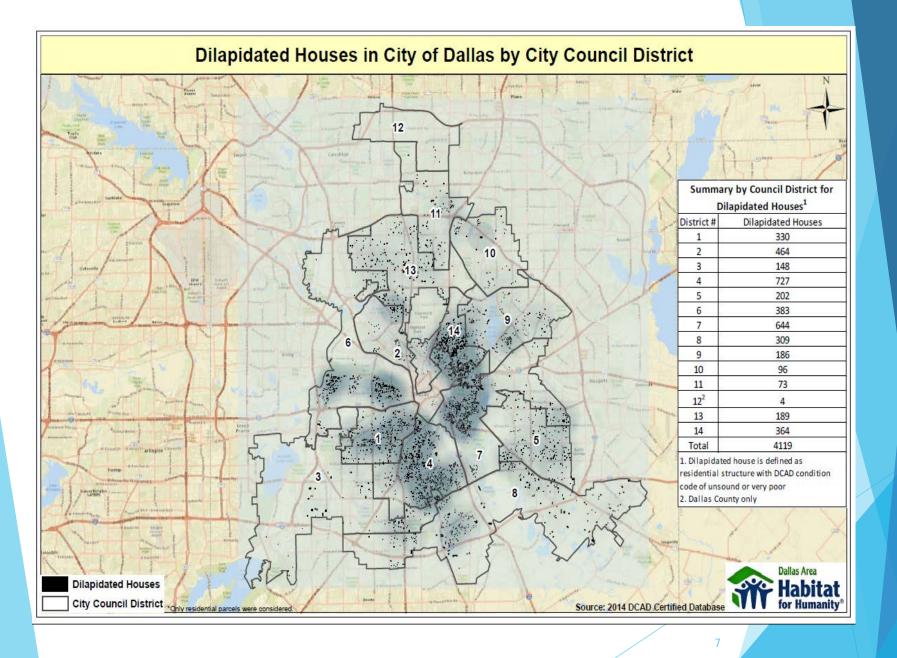
- The purpose of this chapter is to protect the health, safety, morals, and welfare of the citizens of the city of Dallas by establishing minimum standards applicable to residential and nonresidential structures
- Standards are established with respect to utilities, facilities, and other physical components essential to make structures safe, sanitary, and fit for human use and habitation

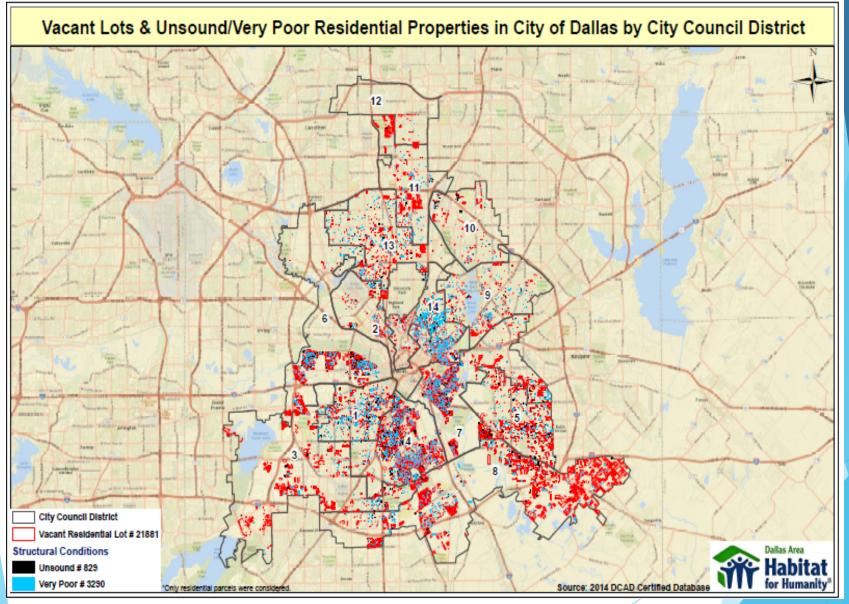
Scope of Chapter 27

- Minimum Urban Housing Standards
- Regulation of Urban Nuisances
- Administrative Adjudication Procedures
- Multi-Family Registration and Inspections
- Non-Owner Occupied Rental Program (NOORP)
- Mandatory Crime Reduction Program (MCRP)

Current Problems Which Suggest Changes Are Needed

- Property conditions
- There are significant areas of blight and pre-blight
 - Over 4000 dilapidated structures as identified in Dallas County Appraisal District files
 - > Disproportionate impact on low and moderate income families
 - Structures surround the city core
 - East Dallas
 - Fair Park
 - South Central
 - West and Southwest
 - There are a large number of vacant lots which degrade neighborhoods and require City maintenance





8

NOTE: Collin and Denton County Appraisal Districts

Why Do Properties Degrade?

- Physical factors
 - > Abandonment, vacancy, deterioration and foreclosure
- Socio-economic factors
 - > Poverty, unemployment
- Code Enforcement limited to physical factors
 - Efficient enforcement requires
 - > Clear and fair rules to enforce
 - > Metrics that relate to strategic goals
 - > Commitment to strategy not short term appeasement

As Properties Degrade There Can Be an Impact on Occupant Health

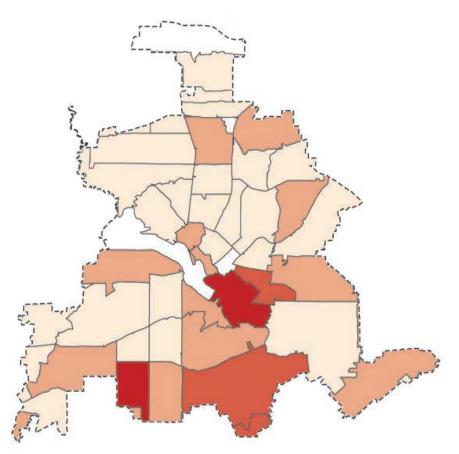
Poor housing conditions can be triggers of asthma

- Insect infestation
- ≻Mold

Indoor air quality

Asthma is a major source of hospitalization for children according to the Health & Wellness Alliance for Children

2012 Asthma Hospitalization Rate



Hospitalization Rates per 1000

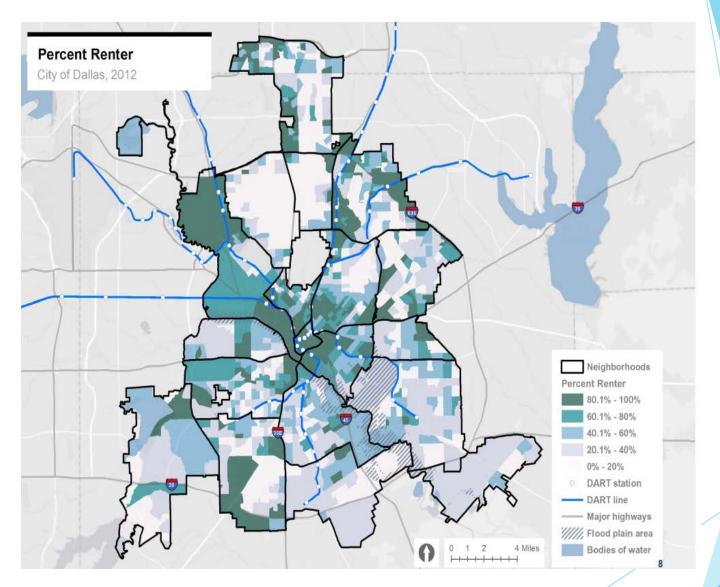
0.15 - 2.00
2.01 - 4.00
4.01 - 5.00
5.01 - 6.83

Provided by Health & Wellness Alliance for Children. Source: DFWHC 2012 (www.dfwhc.org), U.S. Census; ACS, 2012

Rental Housing is a Major Influence in Some Neighborhoods

- > 40% of residents live in apartments which are subject to periodic inspection by Code Compliance and Dallas Fire-Rescue
- > 20% of residents live in rented single-family or condominium properties (approximately 50,000 households) with no periodic inspection required

Concentration of Rental Properties



Proposed Changes: Process

- > Review began in 2013 by Code Compliance
- Related effort by the City Attorney's Office began in 2014
- In 2015, Code and CAO combined efforts and sought stakeholder input
 - Neighborhood groups
 - Industry organizations
 - Non-profit housing advocates and providers
 - Property owners and managers
 - Municipal court
 - Community prosecutors
 - Dallas Police and Fire Departments
- Community Prosecution and Code Compliance met with over 30 groups and individuals
 - Geographically dispersed across the City
- > Briefing to the Housing Committee on April 6, 2015

Purpose of Proposed Changes

- Increase compliance with housing standards by creating standards that are clear and concise
- Identify and document rental, vacant, and blighted properties to enable the City to strategically address these issues
- Ensure that Dallas' most vulnerable citizens are protected
- Ensure that housing in Dallas is clean and safe
- Ensure that Chapter 27 complies with State codes
- Improve the registration procedures for multifamily properties, non-owner occupied rental properties (NOORP), and vacant buildings

What Changes Can We Make

> Update and clarify housing standards in Chapter 27-11

- No major changes in many years
- > Clear rules make it easier for citizens to comply
- Nearby cities have made changes in the past 10 years
 - > Fort Worth, Arlington, Irving, Mesquite
- Include standards advocated by National Center for Healthy Housing
- Evolve toward a more strategic approach to code enforcement
 - Consistent with Neighborhood Plus strategy
 - Allows better use of code resources to address the property conditions that lead to blight

Examples of Proposed Clarifications

- Reorganize and clarify standards; easier to follow format
 - > Example regarding insects/pests:
 - Current Chapter 27-11 (d)(4): "keep the interior of a structure free from insects, rodents, and vermin"
 - Proposed: "Infestations. Where evidence of infestation exists, the owner or landlord of a building, structure, or property, including but not limited to a vacant or occupied one-or twofamily dwelling, or multi-family dwelling, shall eliminate infestations of vectors, rodents, or pests through the use of a licensed pest control company"
 - > Example regarding roofs:
 - > Current Chapter 27-11: Nothing included
 - Proposed: (among several) "Roofs shall be repaired when leaks, sags, or holes occur, or when there are missing, charred, or deteriorated shingles, or rotten wood."

Stakeholders Consulted

 Revitalize South Dallas Services of Hope Apartment Association of Greater Dallas Dallas Police Department Texas Tenants 	Neighborhoods	Industry	Agencies
 Lake Highlands Casa View Mill City Homestead Ferguson Road Old East Dallas Downtown Resident Claremont West Dallas Vickery Meadow Casa View Oaks South Central Southeast Northwest Northwest North Oak Cliff Union Vickery Meadow Casa View Oaks 	Dallas • Services of Hope • Lake Highlands • Casa View • Mill City • Homestead • Ferguson Road • Old East Dallas • Downtown Resident • Claremont • West Dallas • Vickery Meadow	Association of Greater Dallas • MetroTex Realtors • Real Estate Council • Apartment Property Owners • Dallas Builders Association Super Neighborhoods South Central Southeast Northwest Northeast	Department • Texas Tenants Union • Vickery Meadows PID • Housing Crisis Center • Neighborhood Plus • Habitat for Humanity • Children's Health and Wellness Alliance

Stakeholder Comments

- Many of the comments from stakeholders were directed to administration of the two rental programs
- The major complaint about the multi-tenant rental program is that the program is onerous for well-managed properties
 - Suggestions for a "risk based" inspection program that rewards well-managed properties with less frequent inspections
 - > Other incentives are possible
- The single-family rental program does not include inspections and is considered ineffective in addressing adverse effects in neighborhoods

Housing Standards-Stakeholder Input

- Most stakeholders agree that clarifying the standards would aid inspector training; increase understanding and compliance from residents and businesses
- Most concerns were about uneven or inconsistent enforcement

Highlights of Proposed Changes

- Change the name of Chapter 27 to "Property Standards"
- Update housing standards
 - Clarify to increase enforcement efficiency and eliminate confusion of property owners
- Enhance enforcement of nuisance properties
 - Property owners could become personally liable
- Revise rental regulation and inspection process
 - > Add risk-based inspection
 - Strengthen single-family rental regulation
- Tighten administrative court procedures
 - Require minimum penalties, allow City to appeal, simplify process for appearing for hearing

Proposed Changes: Property Standards

- Air conditioning
 - Establish year-round requirement rather than limited to April to November
 - Lower maximum indoor temperature to 80 degrees (from 85 or 20 degrees cooler than maximum outdoor temperature)
 - > If landlord provides air conditioning, landlord must maintain it
- All appliances supplied by landlord must be maintained by the landlord
- Infestations in any building, structure or property must be addressed by a licensed pest control business or individual
- Require security lighting for all multi-family dwellings, not only those with 20 or more units

Proposed Changes: Property Standards(cont.)

- Adds new tenant responsibilities to include
 - Landlord has no continuing duty to provide batteries for smoke detectors after tenant has taken possession if there was documented testing of the smoke detector upon move-in
- Increase responsibilities of tenants to include
 - > Not disabling smoke detectors
 - > Not using extension cords exceeding 6 feet in length
- Adds a provision to maintain private swimming pools to not harbor mosquitos or produce foul odors

Proposed Changes: Legal Enforcement Tools & Remedies

- Nuisance Dockets: Allow City Attorney to sue a property owner individually in Municipal Court in addition to a suit against the property by itself
- Hearing Officer Court: The goal is to strengthen the court procedures to support enforcement
 - > Set minimum threshold for penalties
 - > Require Texas Rules of Evidence to apply
 - > Limit hearing officer's findings
 - > Allow City to appeal a ruling of the hearing officer

Proposed Changes: Rental Registration and Inspection

- Standardize application process and procedures for rental registration programs
 - Single-family, multi-family and condominiums
- Extend the downtown vacant building registration ordinance to all vacant structures
- Create risk-based inspection protocols that reward landlords for properties that consistently meet property standards
 - Encourage maintenance personnel to be qualified by national certification or Texas state license to conduct repairs
- Add a requirement that condominium associations register as a multi-tenant property

Proposed Changes: Multi-tenant Registration and Inspection

- Establish one registration date for all properties
- Remove the supplemental license inspection and associated fees
 - A property that fails a graded license inspection is allowed 45 days to make repairs and then a re-inspection is conducted. If failed, a fee of \$30 times the number of units in the property is assessed.
 - Proposal allows citations to be issued for violations not corrected following a failed graded license inspection and no additional fee
- Change the inspection for violations from 45 to 30 days
- Invoice for administrative inspection failures at the time of inspection
- Add fees for additional re-inspections
 - > Currently \$50 for each violation not corrected

Proposed Changes: Single-Family Rental Registration

- Refocus single-family registration on improved quality of life
 - Add required inspections for single-family rental properties when registered and once every three years thereafter
 - If tenants change, the landlord must provide a property condition affidavit to the new tenant
- Change the fee structure and require an annual fee
- Require that rental properties have valid registration on file in order for tenant to obtain a water connection
- Require that all landlords of rental properties use a crime addendum
 - Currently required for multi-tenant properties

Proposed Changes: Single-Family Rental Registration

- Volume of Registrations
 - Census data suggests that there are over 50,000 single-family rental properties
 - > Over 10,000 properties were registered in FY2010, the first year the ordinance was enacted
 - Current registration is just over 2,000
- Financial Impact
 - > One inspector can inspect 1500 properties per year
 - First year inspectors would be required to inspect 10,000 properties
 - Cost approximately \$300,000
 - Revenue based on \$50 fee, \$500,000
 - Fees will be adjusted to break even

Challenges of Tackling the Housing Problems

- No specific knowledge about the scope of the problem
 - We rely on general data from third party sources and not a property survey
- Registration is a beginning step in identifying the problems with rental and vacant properties
 - > Single family rentals is a large and unregulated business
 - > With registration, there will be inspection for worst offenders
- Real estate interests are well developed and very influential
 - Property owners and managers resist change, especially if it costs them money or they perceive it as a government intrusion
 - Dallas has a need for affordable housing for low income residents and some single family rental companies help provide that service

Budget Implications

- The principal costs for updating property standards are internal
 - > Update web sites and community outreach
 - > There will be some costs for mailings to affected property owners
 - > Phasing in the programs can minimize a major impact
- Additional resource costs required for revised single family rentals and vacant property programs will be offset by fees
 - > Fees are set to so that revenue does not exceed costs

Summary & Next Steps

- > Summary:
 - Chapter 27 has not been extensively reviewed since it was originally created
 - Significant Stakeholder input has been received and confirmed that changes are warranted
- Next Steps:
 - Convene community meetings to seek feedback on proposed changes
 - > Meeting with key stakeholders to evaluate changes
 - Develop a detailed implementation process
 - Continue planning with other city departments
 - > Seek Council approval by end of calendar year 2015

Memorandum



DATE September 4, 2015

- Housing Committee Members: Scott Griggs, Chair, Carolyn King Arnold, Vice-Chair, Monica R. Alonzo, Tiffinni A. Young, Mark Clayton, and Casey Thomas, II
- SUBJECT Neighborhood Plus Update Neighborhood Revitalization Plan for Dallas

On Tuesday, September 8 2015, you will be briefed on the Neighborhood Plus – Neighborhood Revitalization Plan for Dallas. A copy of the briefing is attached.

Please let me know if you have any questions.

Levesa OX Dunell

Theresa O'Donnell Chief Planning Officer

c: The Honorable Mayor and Members of the City Council A. C. Gonzalez, City Manager Rosa A. Rios, City Secretary Warren M.S. Ernst, City Attorney Craig Kinton, City Auditor 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

Neighborhood PlusUpdate

Housing Committee September 8, 2015

Neighborhood Revitalization Plan for Dallas









Fight Blight

Collective Impact





Enhance Rental Options



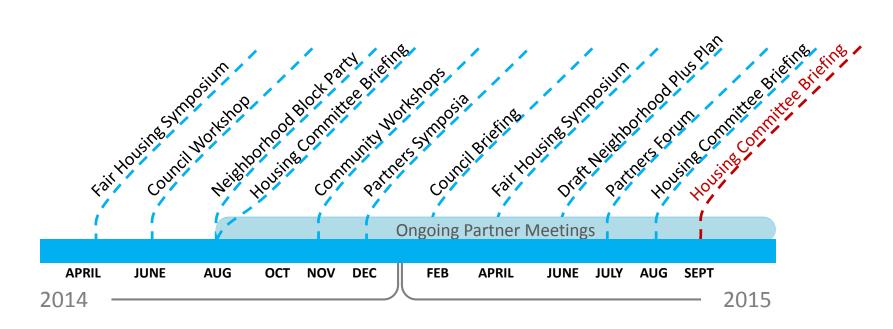
Purpose of the briefing

- Provide an update to the Housing Committee
- Provide a broad overview of the Neighborhood Plus implementation strategy
- Outline areas of focus for Housing Committee on the housing continuum
- List next steps for the Housing Committee and for finalization of the Neighborhood Plus document

Purpose of the Plan

- Shape Housing Policy and set a new direction for housing development in Dallas.
- Strengthen Neighborhood Revitalization policy and develop a framework to guide community investment decisions.
- Acknowledge the inter-dependence of local government with other public and private agencies, non-profits and philanthropic institutions.
- Establish a collaborative relationship that leverages planning and investment to strengthen Dallas' regional leadership.

Process Thus Far





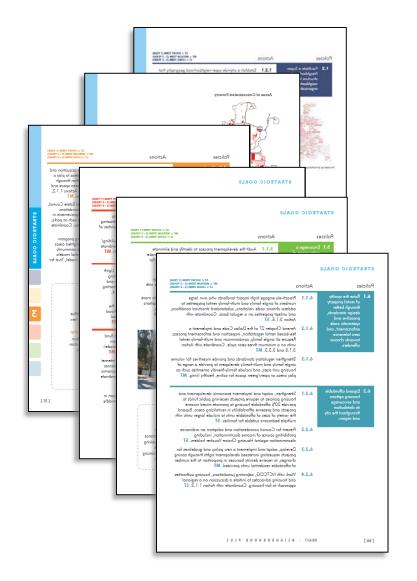






How Will Neighborhood Plus be Implemented?

- The Neighborhood Plus document includes more than 75 individual concepts and ideas that will serve as the foundation for policies, programs and action items
- These policies and programs will require a further development, refinement and a considerable amount of guidance and direction from Council Committees
- Most will require a formal review and adoption process before implementation.
- Many may have city-wide application, while others will be designed to be deployed in targeted areas



Who Will Implement Neighborhood Plus?

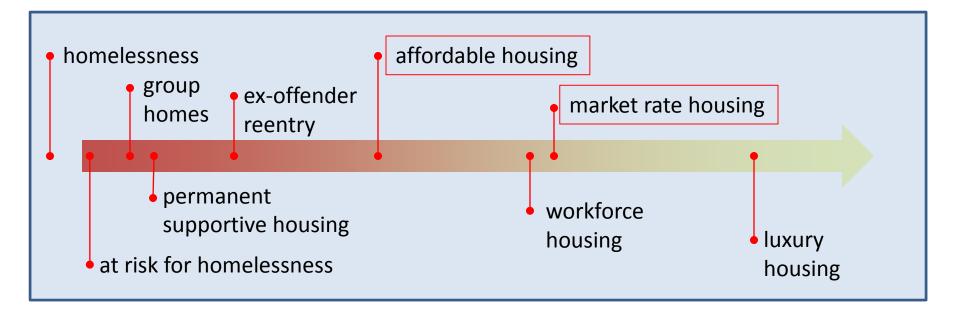
- Planning and Neighborhood Vitality Department, Housing Department, Fair Housing Department and the City Attorney's Office have played a leadership role in the development of the plan.
- However, implementation will be a multidepartmental and multi-agency effort.
- Key city departments will include -
 - Housing Department
 - Planning and Neighborhood Vitality
 - Code Enforcement
 - Community Prosecutors' Office
 - Economic Development

Planning and Neighborhood Vitality Budget Request

- Proposed budget increase will add new staffing to create the Neighborhood Vitality program.
- This work group will be primarily responsible for:
 - Working through Council Committees to establish Council priorities for implementation
 - Establishing a work plan and calendars
 - Facilitating program and policy development and collaborating with other departments
 - Target Area coordination

Housing Committee Focus

Continuum of Housing



 Primary focus on Affordable Housing and Market Rate Housing

Next Steps: Housing Committee

- Staff will develop a work plan and calendar for the identified focus topics
- Host guest speakers and subject-area experts to assist in shaping policy and program direction
- Seek guidance from Committee on policy and program refinement and approval

Next Steps: Neighborhood Plus Plan

- Presentation to the City Council on September 16, 2015
- Staff will finalize the Neighborhood Plus draft
- Target date for City Council consideration and action on September 22, 2015
- Staff will continue development of a multiyear implementation strategy
- Implementation strategy will be presented to the Housing Committee for direction

Questions



AGENDA ITEM # 29

KEY FOCUS AREA:	Economic Vibrancy
AGENDA DATE:	September 9, 2015
COUNCIL DISTRICT(S):	7
DEPARTMENT:	Housing/Community Services
CMO:	A. C. Gonzalez, 670-3297
MAPSCO:	56C

SUBJECT

Authorize (1) a housing development loan in an amount not to exceed \$900,000; and (2) a conditional grant agreement in an amount not to exceed \$405,040 for a mixed-income housing development project with East Dallas Community Organization, a certified Community Housing Development Organization, for the construction of eight single family homes located in the 2400 block of Hooper Street - Total not to exceed \$1,305,040 - Financing: 2012-13 HOME Investment Partnerships Program Grant Funds (\$506,002), 2013-14 HOME Investment Partnerships Program Grant Funds (\$393,998) and General Obligation Commercial Paper Funds (\$405,040)

BACKGROUND

On February 2, 2015, the City posted a Notice of Funding Availability (NOFA) requesting developers to submit proposals to build single family homes in the city limits of Dallas. East Dallas Community Organization (EDCO) submitted a proposal to the City of Dallas for the development of eight (8) single family homes for low to moderate and market rate income families to include an alley installation, predevelopment costs, construction costs and approved closing costs. EDCO is a certified Community Housing Development Organization (CHDO) and has obtained interim construction financing with Inwood Bank for a portion of the construction costs of the units.

EDCO is familiar with the area and has previously completed four prior phases of the development. They have built and sold 27 single family mixed-income units in the prior phases.

The project will receive 2012 and 2013 HOME Funds from the Department of Housing and Urban Development (HUD) and 2012 Bond Funds which the City Council appropriated for housing developments such as this. The City of Dallas will provide interim construction financing for the units to be built and sold to six (6) eligible low to moderate income families at or below 80% of Area Median Family Income (AMFI) and two (2) households up to 140% of AMFI.

BACKGROUND (continued)

The construction work will be completed within two years and occupancy within the second year. As each affordable unit is sold, the net proceeds from the sales of the affordable units will be repaid to the City and the lien/debt forgiven prorata. EDCO will retain the proceeds from the sales of the market rate units and the lien/debt is forgiven prorata. All developer fees must be expensed from bond funds, up to \$15,000 per home. The deed restrictions for the affordable units will remain on the property for 15 years from the date of sale. Deed Restrictions but will be released for the market rate units upon sale.

City Council approval of this agenda item will authorize the City Manager to execute the loan and conditional grant documents with EDCO for these funds, with payment of draws subject to environmental clearance by the City of Dallas and HUD.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 27, 2012, City Council approved the FY 2012-13 Consolidated Plan Budget for FY 2012-13 federal funds which included the Community Based Development Organizations (CBDOs) in the Community Development Block Grant Funds, by Resolution No. 12-1629.

On June 26, 2013, City Council approved the City of Dallas Consolidated Plan Budget for FY 2013-14 federal funds which included the HOME Investment Partnerships Funds for Housing Development Loan Program, by Resolution No. 13-1142.

On April 6, 2015, the Housing Committee received a briefing memo on the Single Family NOFA project submissions.

Information about this item will be provided to the Housing Committee on September 8, 2015.

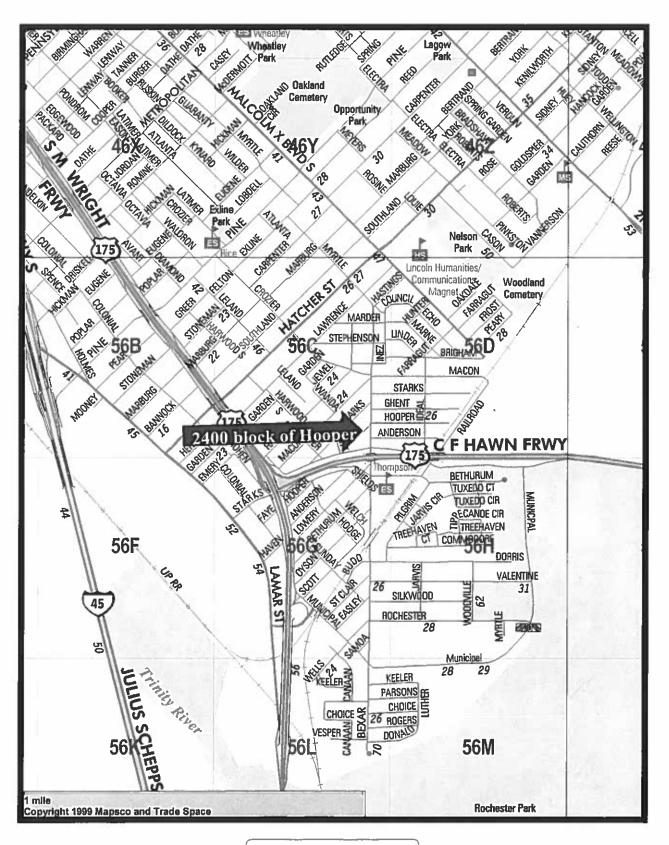
FISCAL INFORMATION

2012-13 HOME Investment Partnerships Program Grant Funds - \$506,002 2013-14 HOME Investment Partnerships Program Grant Funds - \$393,998 2012 Bond Program (General Obligation Commercial Paper Funds) - \$405,040

OWNER	DEVELOPER
East Dallas Community Organization	East Dallas Community Organization
Gerald Carlton, President	Gerald Carlton, President

<u>MAP</u>

Attached



MAPSCO 56C

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

WHEREAS, on June 27, 2012, City Council approved the FY 2012-13 Consolidated Plan Budget for FY 2012-13 federal funds which included the Community Based Development Organizations (CBDOs) in the Community Development Block Grant Funds, by Resolution No. 12-1629; and

WHEREAS, on June 26, 2013, City Council approved the City of Dallas Consolidated Plan Budget for FY 2013-14 federal funds which included the HOME Investment Partnerships Funds for Housing Development Loan Program, by Resolution No. 13-1142; and

WHEREAS, on April 6, 2015, the Housing Committee received a briefing memo on the Single Family NOFA Project submissions; and

WHEREAS, East Dallas Community Organization (EDCO) proposes to work with the City of Dallas to undertake the development of eight (8) units at the 2400 Block of Hooper Street; and

WHEREAS, the City desires for EDCO to develop affordable units for low and moderate income families; **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 (1) a housing development loan in an amount not to exceed \$900,000; and (2) a conditional grant agreement in an amount not to exceed \$405,040 for a mixed income housing development project with East Dallas Community Organization, a certified Community Housing Development Organization, for construction of eight (8) single family homes located in the 2400 block of Hooper Street.

Section 2. The terms of the loan agreement include:

- (a) Six (6) of the 8 units will be subject to the HOME loan conditions.
- (b) EDCO must execute a note payable of \$900,000.00 to the City of Dallas for the HOME loan.
- (c) EDCO will execute a lien through a Deed of Trust and deed restrictions for a 15-year term for the affordable units.
- (d) EDCO will remit any proceeds from the sale of each home to the City of Dallas after paying any interim construction liens and approved closing cost.
- (e) EDCO will have two (2) years to fully complete the project.

- (f) EDCO must build and occupy the affordable units to low and moderate income families with incomes at or below 80% of area median family income (AMFI).
- (g) The City may subordinate first lien position to the interim construction lender.
- (h) The City will release EDCO's lien and forgive the debt on a prorata basis as each unit is sold to a low-income household at or below 80% AMFI and the loan proceeds will be returned to the City.

Section 3. The terms of the conditional grant agreement include:

- (a) Two (2) of the 8 units will be subject to the conditional grant agreement conditions.
- (b) EDCO will execute and record a performance deed of trust and deed restrictions. The performance deed of trust and deed restriction will be released as to each property as the house is built and sold to a household earning at or below 140% AMFI.
- (c) EDCO may receive up to \$15,000 for each of the eight homes from bond funds for developer fees.
- (d) EDCO will have two (2) years to fully complete the project.
- (e) EDCO must build and occupy the affordable units to households earning at or below 140% AMFI.
- (f) The City will subordinate first lien position to the interim construction lender.

Section 4. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute releases of liens, forgive the debt and terminate deed restrictions on the properties upon compliance with the loan and conditional grant terms or deed restrictions.

Section 5. That the Chief Financial Officer is authorized to disburse funds in accordance with this resolution as follows:

East Dallas Community Organization Vendor # 354413

<u>Fund</u>	<u>Dept</u>	<u>Unit</u>	Object <u>Code</u>	<u>Program #</u>	Encumbrance	<u>Amount</u>
HM12	HOU	893E	3015	3U53HOOP	HOU893EK180	\$506,002
HM13	HOU	236F	3015	3U53HOOP	HOU893EK180	\$369,051
HM13	HOU	233F	3015	3U53HOOP	HOU893EK180	\$24,947
3U53	HOU	W025	3015	3U53HOOP	HOU893EK180	\$405,040

Section 6. That the City Controller is hereby authorized to record notes receivable - developers loan in balance sheet account (033F) and deferred revenue-home loan in (0859) in funds HM12 and HM13 for the amount of the \$900,000 loan.

Section 7. That the City Controller is hereby authorized to record notes receivable in balance sheet account (033F) and an allowance for uncollectible debt (022D) in fund 3U53 (forgivable grant) for the amount of the \$405,040 grant.

Section 8. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the loan or conditional grant, until such time as the loan and conditional grant documents are duly approved by all parties and executed.

Section 9. 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.

AGENDA ITEM # 46

KEY FOCUS AREA:	Economic Vibrancy
AGENDA DATE:	September 9, 2015
COUNCIL DISTRICT(S):	4, 6
DEPARTMENT:	Housing/Community Services
CMO:	A. C. Gonzalez, 670-3297
MAPSCO:	43H 44J 65D

SUBJECT

A public hearing to receive comments on the proposed sale of six 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) convey by Deed without Warranty six 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: \$6,000

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 Deed without Warranty 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 Deed without Warranty. The Deed without Warranty 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 Deed without Warranty 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 six (6) single-family homes with the homes containing approximately 1,279 square feet on the six unimproved HB110 process-eligible, Land Transfer Program properties, identified on Exhibit A, attached to the resolution, for purchase by a low to moderate income homebuyers at a proposed sales price of \$85,000 - \$95,000 with construction to begin in September 2018.

This item calls for a public hearing to allow the public an opportunity to comment on the proposed sale of the six unimproved properties to DNAH and, at the close of the public hearing, authorizes the sale of the properties to DNAH by Deed without Warranty 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 August 12, 2015, City Council authorized a public hearing to receive comments on the proposed sale by Deed without Warranty of six unimproved properties acquired by the taxing jurisdictions from the Sheriff to Dallas Neighborhood Alliance for Habitat, Inc., by Resolution No.15-1376.

Information about this item will be provided to the Housing Committee on September 8, 2015.

FISCAL INFORMATION

Revenue - \$6,000

OWNER

Dallas Neighborhood Alliance for Habitat, Inc.

William D. Hall, Chief Executive Officer

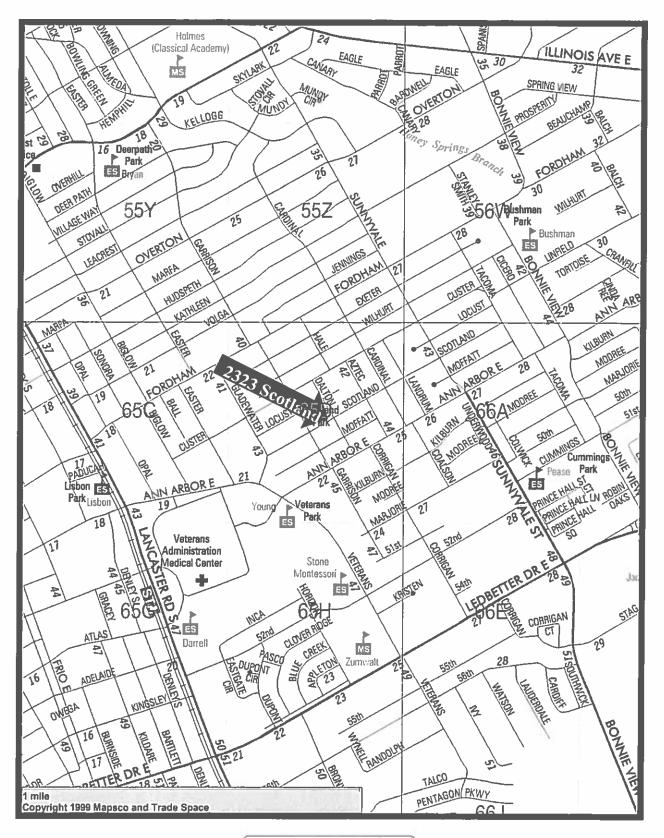
<u>MAPS</u>

Attached

Tax Foreclosure and Seizure Property Resale

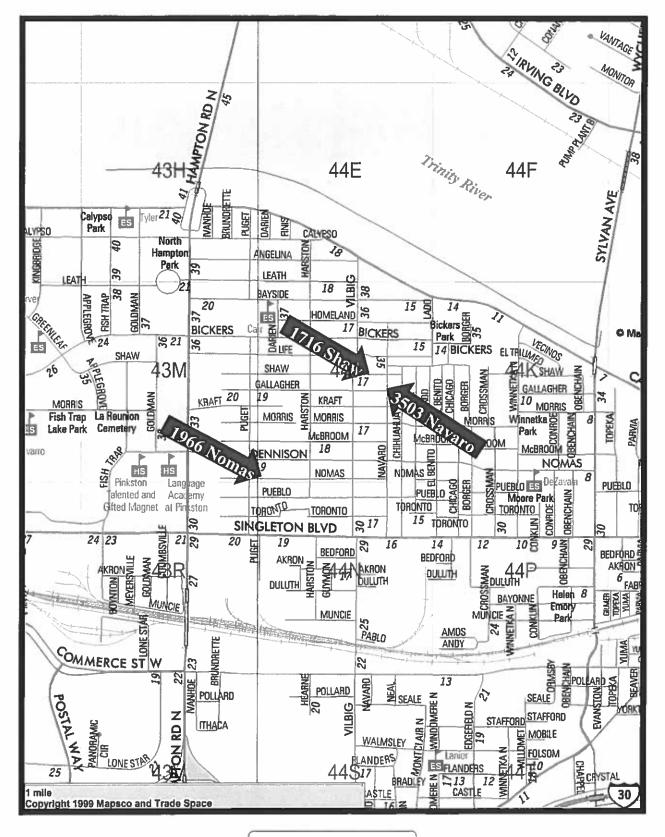
Pai <u>No</u>	cel <u>Address</u>	Non-Profit <u>Organization</u>	<u>Mapsco</u>	DCAD <u>Amount</u>	Sale <u>Amount</u>	Vac/ Imp	Non- Tax <u>Liens</u>	Council <u>District</u>
1.	1966 Nomas	Dallas Neighborhood Alliance for Habitat, Inc.	44J	\$9,380	\$1,000.00	V	\$1,933.0	36
2.	4010 Ivanhoe	Dallas Neighborhood Alliance for Habitat, Inc.	43H	\$7,360	\$1,000.00	V	\$2,445.1	06
3.	1716 Shaw	Dallas Neighborhood Alliance for Habitat, Inc.	44J	\$8,000	\$1,000.00	V	\$679.30	6
4.	3503 Navaro	Dallas Neighborhood Alliance for Habitat, Inc.	44J	\$7,730	\$1,000.00	V	\$512.37	6
5.	2043 Leath	Dallas Neighborhood Alliance for Habitat, Inc.	43H	\$10,730	\$1,000.00	V	\$2,010.7	56
6.	2323 Scotland	Dallas Neighborhood Alliance for Habitat, Inc.	65D	\$6,900	\$1,000.00	V	\$5,974.0	84

MAPSCO 65D



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MAPSCO 43H



MAPSCO 44J

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

WHEREAS, property eligible for the HB110 process of the City's Land Transfer Program may be sold by Deed without Warranty 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 Deed without Warranty; and

WHEREAS, the Deed without Warranty 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 Deed without Warranty 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 six (6) single-family homes with the home containing approximately 1,279 square feet on six 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 September 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:

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 Deed without Warranty, approved as to form by the City Attorney and attested by the City Secretary, conveying 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 Deed without Warranty 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 of Housing/Community Services determines that the non-profit organization:

(i) has failed to take possession of the property within ninety calendar days after receiving the Deed without Warranty;

(ii) has failed to complete construction of affordable housing on the property 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;

(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 Deed without Warranty; and

(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 Deed without Warranty.

(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 conveyed 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 Deed without Warranty. 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.

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 Deed without Warranty, 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 Deed without Warranty.

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 with Section 34.06 of the Texas Tax Code, and 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"

9

LAND TRANSFER PROPERTIES					
PARGEL STREET ADDRESS NUMBER LEGAL DESCRIPTION		QUALIRIED PURCHASER	NUMBER OF HOMEOWNER UNITS	SALE AMOUNT	
1	1966 Nomas Lot 2, Victory Gardens No. 4 Addition Block 8/7126	Dallas Neighborhood Alliance for Habitat, Inc.	1	\$1,000.00	
2	4010 Ivanhoe Lot 5, Roosevelt Manor 2nd Inst. Addition Block 3/7130 - S 40 Ft LT 5	Dallas Neighborhood Alliance for Habitat, Inc.	1	\$1,000.00	
3	1716 Shaw Lot 8, Homestead Manor Annex Addition Block 11/7118	Dallas Neighborhood Alliance for Habitat, Inc.	1 <u>;</u>	\$1,000.00	
4	3503 Navaro Lot 20, Homestead Manor Annex Addition Block 11/7118	Dallas Neighborhood Alliance for Habitat, Inc.	Ľ	\$1,000.00	
5	2043 Leath Lot 24, Roosevelt Manor 1st Inst. Addition Block 11/7130	Dallas Neighborhood Alliance for Habitat, Inc.	t	\$1,000.00	
6	2323 Scotland Lot 6, Southern Crest Addition Block 8/5851	Dallas Neighborhood Alliance for Habitat, Inc.	E	\$1,000.00	
AL	CONTRACTOR AND A STATE OF			\$6,000.00	