

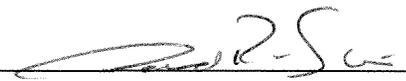
**FEBRUARY 20, 2008 SPECIAL COMMUNITY MEETING
OF THE DALLAS CITY COUNCIL
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the Special Community Meeting of the Dallas City Council dated February 20, 2008. 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.



Mary K. Suhm
City Manager

2-15-08
Date



Edward Scott
City Controller

2/15/08
Date

RECEIVED

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CITY SECRETARY
DALLAS, TEXAS



SPECIAL COMMUNITY MEETING

February 20, 2008

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 AT&T CityCable Channel 6B. 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 before 9:00 a.m. on the meeting date. 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.

Informacion 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 AT&T CityCable Canal 6B. 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 9 de la mañana del día de la asamblea. 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 se esfuerza por 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 Cortesia

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 (*pagers*) 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.

AGENDA
SPECIAL COMMUNITY MEETING
OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 20, 2008
DALLAS EXECUTIVE AIRPORT
5303 CHALLENGER
DALLAS, TEXAS 75237
6:30 P.M.

6:30 pm Invocation and Pledge of Allegiance Galaxy Hangar

Briefing Galaxy Hangar

Realizing Potential: A Framework for Enhancing the Southern Portion of Dallas

ITEMS FOR INDIVIDUAL CONSIDERATION

Economic Development

1. Authorize **(1)** the acceptance of an Economic Development Initiative (EDI) grant from the U.S. Department of Housing and Urban Development for acquisition, planning, design, purchase of equipment, revitalization, redevelopment or construction of the Dallas Fair Park Commercial District for the period of October 1, 2006 to September 30, 2013; and **(2)** execution of the grant agreement - Not to exceed \$198,000 - Financing: U.S. Department of Housing and Urban Development Grant Funds
2. Authorize a public hearing to be held on March 26, 2008 to receive comments concerning the creation of City of Dallas Reinvestment Zone No. 70 located at property south of Beckleymeade Road and east of Hampton Road; and, at the close of the hearing, consideration of: **(1)** an ordinance creating City of Dallas Reinvestment Zone No. 70; **(2)** a 90 percent real property tax abatement for ten years with TCDFW I20 II, LP; and **(3)** a public infrastructure cost participation agreement of 30 percent for total public infrastructure costs in an amount not to exceed \$442,932 - Financing: No cost consideration to the City

Housing

3. Authorize a funding allocation to facilitate acquisition, environmental remediation, related demolition, and relocation cost of improved and unimproved properties along the Bexar Street Corridor-Phase II/Neighborhood Improvement Program target area CT 39.02/115.00 for mixed-use development - \$500,000 - Financing: 2006 Bond Funds

AGENDA
SPECIAL COMMUNITY MEETING
OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 20, 2008

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

Galaxy Hangar

Housing (Continued)

4. Authorize a loan in the amount of \$500,000 at 0% interest to South Dallas/Fair Park Innercity Community Development Corporation (ICDC) for the acquisition of improved and unimproved properties located within the 4700-4900 block of Spring Avenue and associated relocation, environmental remediation, or demolition costs for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment - Not to exceed \$500,000 - Financing: 2006 Bond Funds
5. Authorize an amendment to the Single-Family Housing Infrastructure Development Bond Program Statement to clarify the City's participation structure to allow for pro-rata payment to the developer of the City's portion of eligible infrastructure costs at the time of each qualified homebuyer closing and to further amend the Single-Family Housing Infrastructure Development Bond Program Statement to allow for pro-rata payment to the developer of the City's portion of eligible infrastructure costs at the time of a closing of the sale of lots to a non-profit entity - Financing: No cost consideration to the City
6. Authorize a resolution declaring approximately 18 acres located near the intersection of St. Augustine and Elam Roads at 318 North St. Augustine Road unwanted and unneeded and authorizing its conveyance to Dallas Neighborhood Alliance for Habitat, a City certified Community Housing Development Organization, through the Land Transfer Program - Revenue: \$104,465
7. Authorize a participation agreement and private development contract with St. Andrews Housing, LLC, for street infrastructure development costs to support the development of a 71 lot single-family housing subdivision at 318 North St. Augustine Road - Not to exceed \$377,304 - Financing: 2003 Bond Funds
8. Authorize a secured, no interest, forgivable loan pursuant to the Residential Development Acquisition Loan Program in the amount of \$940,000 to Dallas Neighborhood Alliance for Habitat to pay part of the acquisition cost of 94 unimproved properties at I-20 and Bonnie View for the development of low-to-moderate income single-family homes - Not to exceed \$940,000 - Financing: FY 2006-07 Community Development Grant Funds (\$350,000); FY 2007-08 Community Development Grant Funds (\$590,000)

AGENDA
SPECIAL COMMUNITY MEETING
OF THE DALLAS CITY COUNCIL
WEDNESDAY, FEBRUARY 20, 2008

Open Microphone Speakers

Galaxy Hangar

Adjournment

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.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 20, 2008
COUNCIL DISTRICT(S): All
DEPARTMENT: Office of Economic Development
CMO: A. C. Gonzalez, 671-8925
MAPSCO: N/A

SUBJECT

Authorize **(1)** the acceptance of an Economic Development Initiative (EDI) grant from the U.S. Department of Housing and Urban Development for acquisition, planning, design, purchase of equipment, revitalization, redevelopment or construction of the Dallas Fair Park Commercial District for the period of October 1, 2006 to September 30, 2013; and **(2)** execution of the grant agreement – Not to exceed \$198,000 – Financing: U.S. Department of Housing and Urban Development Grant Funds

BACKGROUND

As a parallel initiative to the Comprehensive Development Plan for Fair Park, a concurrent study by Hargreaves Associates presented an evaluation for a potential entertainment district in South Dallas/Fair Park. This study evaluated the potential for a development focused on the need for entertainment and related retail goods and services. The study stated that once a prominent residential neighborhood, retail center and entertainment district, the South Dallas/Fair Park area has experienced decline and neglect of its infrastructure, housing and businesses.

The redevelopment of the South Dallas/Fair Park neighborhood is tied closely with Fair Park achieving its full potential as a year-round, urban cultural park as identified in the Fair Park Comprehensive Development Plan. Working closely with community leaders and stakeholders, the following vision statement was developed and used to evaluate the potential of an entertainment district in the neighborhood. The vision for the Dallas Fair Park Commercial District is to develop an area that offers a mixture of entertainment, retail, restaurant and personal service businesses that economically benefit the South Dallas/Fair Park neighborhood and creates economic synergy with Fair Park, home of the Texas State Fair, the Women’s Museum, the Cotton Bowl, the Dallas Museum of Natural History, the Age of Steel Railroad Museum and the Museum of African American Life and Culture.

On April 24, 2006 a grant of \$198,000 was awarded by the U.S. Department of Housing and Urban Development for the Dallas Fair Park Commercial District.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 26, 2002, the City Council authorized a contract for the preparation of the Fair Park Comprehensive Development Plan by Resolution No. 02-1894.

On October 1, 2003, the City Council was briefed on the Fair Park Comprehensive Development Plan and South Dallas/Fair Park Entertainment District Study, which recommended a need for an Entertainment District and Cultural District near the Fair Park area

In a letter dated April 24, 2006, addressed to Mr. Rocky Vaz, Manager, Intergovernmental Services, City of Dallas, the City was awarded a grant in the amount of \$198,000 to be used for public improvements for the Dallas Fair Park Commercial District.

FISCAL INFORMATION

\$198,000 - U.S. Department of Housing and Urban Development Grant Funds

February 20, 2008

WHEREAS, the City recognizes the importance of its role in local economic development; and

WHEREAS, the U.S. Department of Housing and Urban Development through its Economic Development Initiative grant program has made funding available to the City of Dallas to complete planning and initiate construction of public improvements for a Dallas Fair Park Commercial District; and

WHEREAS, on June 26, 2002, the City Council authorized a contract for the preparation of the Fair Park Comprehensive Development Plan by Resolution No. 02-1894; and

WHEREAS, on October 1, 2003, the City Council was briefed on the Fair Park Comprehensive Development Plan and South Dallas/Fair Park Entertainment District Study, which recommended the need for an Entertainment District and a Cultural District near Fair Park.

NOW, THEREFORE,

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

Section 1. That the City Manager upon approval as to form by the City Attorney is hereby authorized to **(1)** accept an Economic Development Initiative (EDI) grant from the U.S. Department of Housing and Urban Development for acquisition, planning, design, purchase of equipment, revitalization, redevelopment or construction related to a Dallas Fair Park Commercial District for the period of October 1, 2006 to September 30, 2013; and **(2)** execute a grant agreement in an amount not to exceed \$198,000.

Section 2. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed \$198,000 in Fund F179, Department ECO, Unit 3202, Object 3090.

Section 3. That the City Controller is hereby authorized to deposit grant funds received of the U.S. Department of Housing and Urban Development relating to the Dallas Fair Park Commercial District in Fund F179, Department ECO, Unit 3202, Revenue Source 6506.

Section 4. That the City Controller is hereby authorized to disburse funds from Fund F179, Department ECO, Unit 3202, Object 3090 in an amount not to exceed \$198,000.

February 20, 2008

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

Distribution: Office of Economic Development – Tenna Kirk – 5CS
Office of Economic Development – Lee McKinney
City Attorney’s Office- Michael Bostic
Office of Intergovernmental Services – Anna Holmes

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 20, 2008
COUNCIL DISTRICT(S): 8
DEPARTMENT: Office of Economic Development
CMO: A. C. Gonzalez, 671-8925
MAPSCO: 74 E and J

SUBJECT

Authorize a public hearing to be held on March 26, 2008 to receive comments concerning the creation of City of Dallas Reinvestment Zone No. 70 located at property south of Beckleymeade Road and east of Hampton Road; and, at the close of the hearing, consideration of **(1)** an ordinance creating City of Dallas Reinvestment Zone No. 70; **(2)** a 90 percent real property tax abatement for ten years with TCDFW I20 II, LP; and **(3)** a public infrastructure cost participation agreement of 30 percent for total public infrastructure costs in an amount not to exceed \$442,932 - Financing: No cost consideration to the City

BACKGROUND

The Trammell Crow Company seeks City Council approval of incentives for Phase II of its I-20 Distribution Center development in Southern Dallas on a 46 acre site at a property located south of Beckleymeade Road and east of Hampton Road to support a new 850,000 square foot distribution warehouse facility. The private investment in this Phase II project is approximately \$20,000,000. The 500,000 square foot Phase I building was recently occupied by a home improvement center's regional distribution facility which employs approximately 400 individuals. To encourage further development of this Southern Dallas site, the City Council will be asked to authorize a 90 percent real property tax abatement for ten years for this new facility and approve a public infrastructure cost participation agreement in an amount not to exceed \$442,932 after the public hearing on March 26, 2008. City staff attempted to negotiate a specific dollar cap on the tax abatement agreement but was unsuccessful due to competition with suburban communities. This facility is slated for completion by May 2009.

ESTIMATED SCHEDULE OF THE PROJECT

Begin Construction May 2008
Complete Construction May 2009

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City

OWNER

TCDFW I20 II, LP

S. Denton Walker III, Vice President

DEVELOPER

Trammell Crow Company

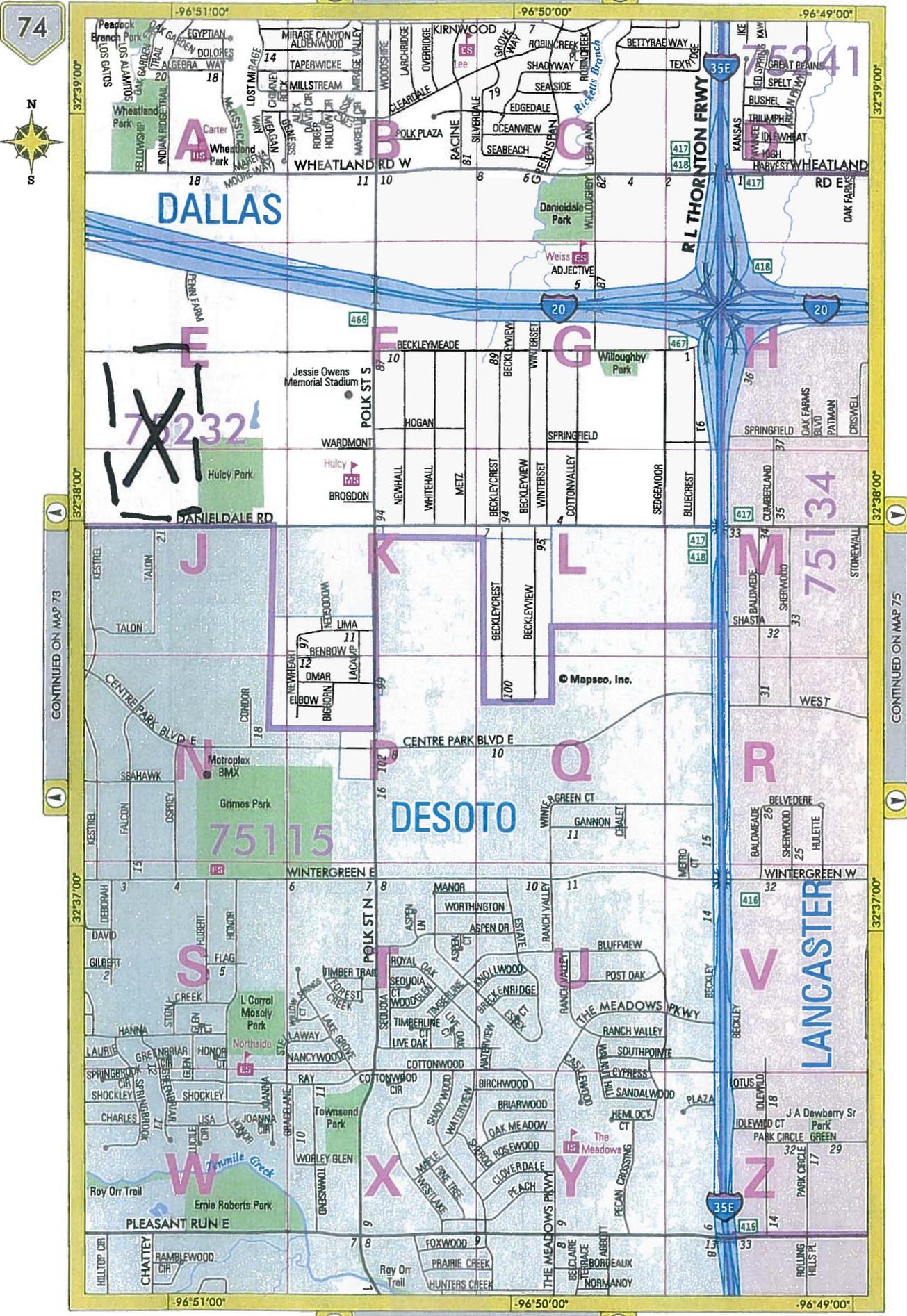
S. Denton Walker III, Vice President

MAP

Attached.

TCDFW I-20 II, LP

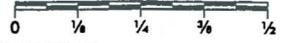
CONTINUED ON MAP 64



74



SCALE IN MILES



CONTINUED ON MAP 64

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SCALE IN FEET



February 20, 2008

WHEREAS, the City recognizes the importance of its role in local economic development; and

WHEREAS, on April 12, 2006, the City Council elected to continue its participation in tax abatement and the Public/Private Partnership Program Guidelines and Criteria governing tax abatement agreements to be entered by the City as required by the Property Redevelopment and Tax Abatement Act, as amended, V.T.C.A. Tax Code, Chapter 312 (the "Act") by Resolution No. 06-1105; and

WHEREAS, the City has determined that the area depicted on the metes and bounds description attached hereto as **Exhibit A** meets the criteria for a reinvestment zone under the Act; and

WHEREAS, the Act further requires that prior to the adoption of the ordinance providing for the establishment of a reinvestment zone to promote development or redevelopment within such zone through the use of tax abatement as authorized by the Act, the City must hold a public hearing on the adoption of the proposed reinvestment zone and find that the improvements sought are feasible and practical and would be of benefit to the land to be included in the zone and to the community and provide interested persons the opportunity to speak and present evidence for or against the designation; and

WHEREAS, the City desires by calling and holding such public hearing to provide a reasonable opportunity for any owner of property located within the proposed zone, any other taxing districts, and any other interested persons to speak for or against the creation of the proposed reinvestment zone or the inclusion of any property therein; and

WHEREAS, the City Council desires to enter into a real property tax abatement agreement with TCDFW I20 II, LP to encourage the development of a warehouse distribution facility south of Beckleymeade Avenue and east of Hampton Road in Dallas.

NOW, THEREFORE,

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

Section 1. That a public hearing shall be held at 1:00 P.M. on March 26, 2008, in the City Council Chambers, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas, at which time any interested person may appear and speak for or against the creation of Reinvestment Zone No. 70 for the purpose of granting a real property tax abatement agreement and at the close of the public hearing the City Council shall consider:

February 20, 2008

Section 1 (continued)

(1) an ordinance creating City of Dallas Reinvestment Zone No. 70 on March 26, 2008; (2) authorization of a real property tax abatement agreement with TCDFW I20 II, LP; and (3) authorization of a public infrastructure cost participation agreement of 30 percent for total infrastructure costs in an amount not to exceed \$442,932.

Section 2. That notice of such public hearing shall be published in the official newspaper of the City of Dallas not later than seven (7) days prior to the date of such hearing, and that written notice of such hearing along with a copy of this resolution shall be delivered in writing to the presiding officer of the governing body of each taxing unit that has real property that is to be included in the proposed reinvestment zone within its boundaries.

Section 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Distribution: Office of Economic Development - Tenna Kirk, 5CS
Office of Economic Development - Sheri Price, 2CN
City Attorney's Office - Barbara Martinez

EXHIBIT A

PROPOSED PHASE 2 LEGAL DESCRIPTION

Being a tract of land situated in the John Stephens Survey, Abstract No. 1302, the City of Dallas, Dallas County, Texas and being part of that tract of land described in deed to TCDFW, I-20 II, LP as recorded in Volume 2005167, Page 2481 of the Deed Records of Dallas County, Texas (D.R.D.C.T.), and being more particularly described as follows:

BEGINNING at the southeast corner of said TCDFW, I-20 II, LP tract and on the west line of a tract of land described in deed to the City of Dallas as recorded in Volume 97016, Page 1265 D.R.D.C.T. said point being in the north right-of-way line of Danieldale Road (a called 40 foot right-of-way);

THENCE South 89 degrees 42 minutes 35 seconds West, along said north right-of-way line, a distance of 392.42 feet to a 1/2-inch iron rod with cap set for corner;

THENCE North 00 degrees 04 minutes 06 seconds East, departing said north right-of-way line, a distance of 599.47 feet to a point for corner;

THENCE North 89 degrees 46 minutes 53 seconds West, a distance of 603.98 feet to a 1/2-inch iron rod with cap set for corner on the east line of Beckleymeade Addition No. 2, Phase 1 addition, as recorded in Document No. 20070446833, D.R.D.C.T.;

THENCE northerly along the east line of said Beckleymeade Addition No. 2, Phase 1 as follows:

North 13 degrees 10 minutes 07 seconds East, a distance of 232.84 feet to a 1/2-inch iron rod with cap set for corner;

South 89 degrees 55 minutes 58 seconds East, a distance of 67.70 feet to a fence corner post for corner;

North 00 degrees 04 minutes 02 seconds East, a distance of 583.10 feet to a to a 1/2-inch iron rod with cap set for the beginning of a tangent curve to the left with a radius of 250.00 feet and a chord bearing North 02 degrees 52 minutes 19 seconds West, a distance of 25.64 feet;

Northerly along said curve, through a central angle of 05 degrees 52 minutes 44 seconds, an arc distance of 25.65 feet to a 1/2-inch iron rod with cap set for the point of tangency;

North 05 degrees 48 minutes 42 seconds West, a distance of 132.45 feet to a to a 1/2-inch iron rod with cap set for the beginning of a tangent curve to the right with a radius of 239.50 feet and a chord bearing North 02 degrees 50 minutes 08 seconds West, a distance of 24.87 feet;

Northerly along said curve, through a central angle of 05 degrees 57 minutes 08 seconds, for a distance of 24.88 feet to a 1/2-inch iron rod with cap set for the point of tangency;

North 00 degrees 08 minutes 26 seconds East, a distance of 994.47 feet to an "X" in concrete set for the northeast corner of said addition, said corner being on the south right-of-way line of

Beckleymeade Avenue (a 60 foot right-of-way) as recorded in County Clerk's Document No. 200600436953;

THENCE North 89 degrees 49 minutes 57 seconds East, along the south right-of-way line of said Beckleymeade Avenue, a distance of 893.01 feet to a 1/2-inch iron rod with cap set on the west line of a tract of land described in deed to D.I.S.D. as recorded in Volume 73251, Page 479 D.R.D.C.T.;

THENCE South 00 degrees 07 minutes 00 seconds West, departing said south line and along the west line of said D.I.S.D. tract, passing at a distance of 1284.74 feet the southwest corner of said D.I.S.D tract and the northwest corner of said City of Dallas tract and continuing, in all a total distance of 2,588.82 feet to the POINT OF BEGINNING AND CONTAINING 2,018,623 square feet, or 46.34 acres of land, more or less.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 20, 2008
COUNCIL DISTRICT(S): 7
DEPARTMENT: Housing
CMO: A. C. Gonzalez, 671-8925
MAPSCO: 56G

SUBJECT

Authorize a funding allocation to facilitate acquisition, environmental remediation, related demolition, and relocation cost of improved and unimproved properties along the Bexar Street Corridor-Phase II/Neighborhood Improvement Program target area CT 39.02/115.00 for mixed-use development - \$500,000 - Financing: 2006 Bond Funds

BACKGROUND

On February 26, 2003, City Council approved the Neighborhood Investment Program (NIP) target areas which included five census tracts and later on September 28, 2005, approved the redesignation and expansion of three of the existing five NIP targeted areas. The Bexar Street Redevelopment project is in one of the approved target areas (CT 39.02/115.00). The Bexar Street Redevelopment project is being implemented in two phases. Phase I is north of Interstate 175 and Phase II is south of Interstate 175. Phase I began with master planning, design, acquisition and demolition. Currently street improvements are underway with pedestrian lighting, landscaping and new DART bus shelters to follow. These improvements should be completed by Fall 2008. Construction of new residential townhouses, and two mixed-use buildings with ground level commercial/retail uses and 2nd floor residential apartments should begin Spring/Summer 2008. Construction of Phase II street improvements should begin by late Summer 2008. Master planning for proposed redevelopment is currently underway.

The 2006 Bond Election provided \$41.495 million in general obligation bonds to provide funds for promoting economic development in the Southern Sector. On December 12, 2007, the City Council approved an amendment to the Public/Private Partnership Program to set forth the Economic Development Program for Southern Dallas. This project will be implemented under the amended program.

This Council action will allow for land acquisition to facilitate implementation of master planned development projects.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS COMMISSIONS)

On February 26, 2003, the City Council approved five target areas (delineated by census tracts) to receive focused housing & public improvements, and code enforcement under the Neighborhood Investment Program (NIP) by Resolution No. 03-0830.

On September 28, 2005, the City Council re-designated and expanded three of the original five NIP target areas. The Bexar Street Redevelopment Project is located in target area CT 39.02/115.00 by Resolution No. 05-2795

On August 9, 2006, the City Council approved the ordering of a special election to be held in the City of Dallas on November 7, 2006, for the purpose of authorizing general obligation bonds for funding permanent improvements by Ordinance No. 26421.

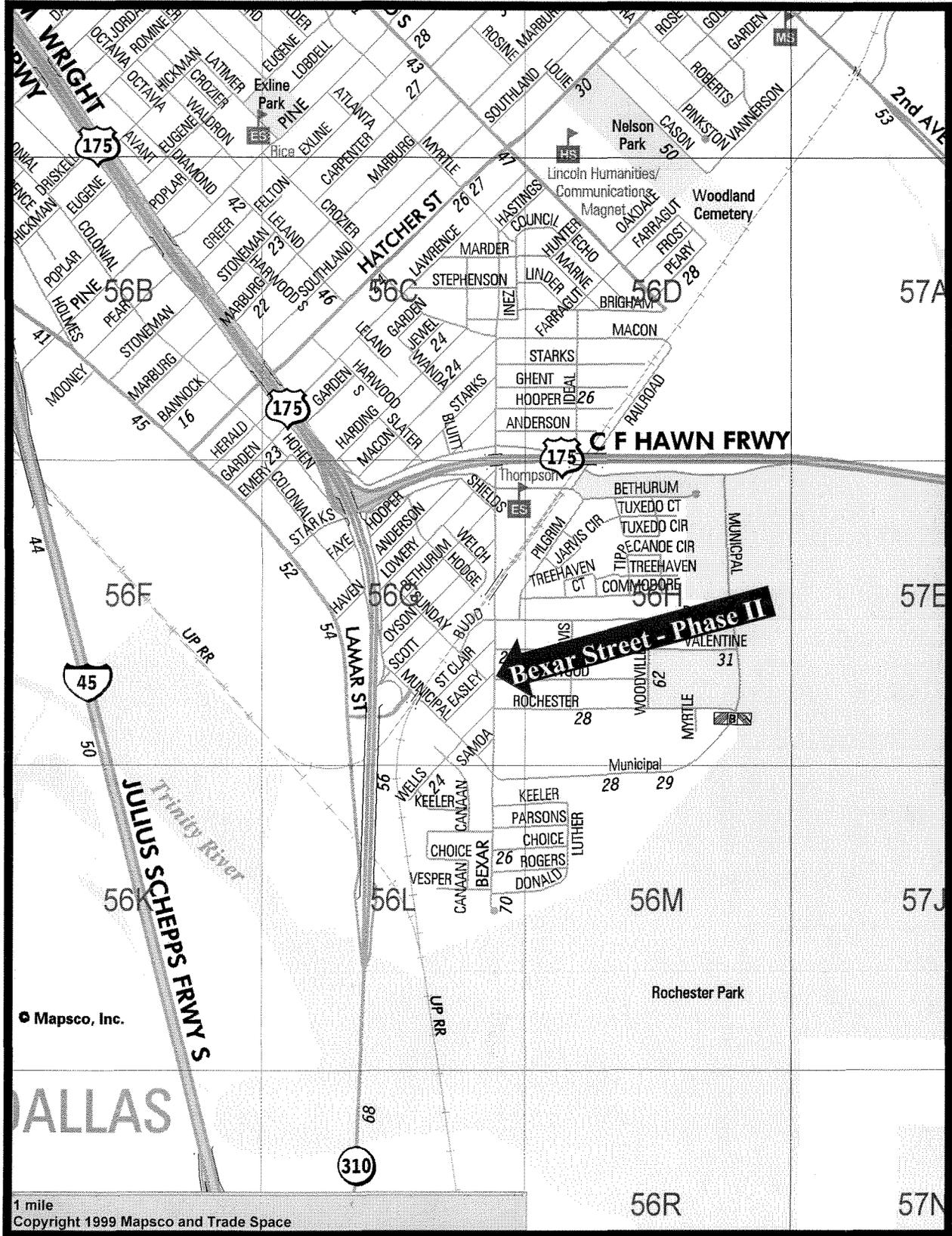
On February 4, 2008, the Bexar Street Corridor-Phase II/NIP was briefed to the Housing Committee.

FISCAL INFORMATION

2006 Bond Funds - \$500,000

MAP(s)

Attached



MAPSCO 56G

February 20, 2008

WHEREAS, on February 26 2003, the City Council approved five target areas (delineated by census tracts) to receive focused housing & public improvements, and code enforcement under the Neighborhood Investment Program (NIP) by Resolution No. 03-0830; and

WHEREAS, on September 28, 2005, the City Council re-designated and expanded three of the original five NIP target areas. The Bexar Street Redevelopment Project is located in target area CT 39.02/115.00 by Resolution No. 05-2795; and

WHEREAS, on August 9, 2006, the City Council approved the ordering of a special election to be held in the City of Dallas on November 7, 2006, for the purpose of authorizing general obligation bonds by for funding permanent improvements by Ordinance No. 26421;

WHEREAS, on November 7, 2006, Dallas voters approved a \$1.35B General Obligation Bond Program, of which \$41.4M was allocated for land acquisition to facilitate economic development within the Southern sector and transit-oriented developments city-wide under Proposition 8; and

WHEREAS, on February 4, 2008, the Bexar Street Corridor-Phase II/NIP was briefed to the Housing Committee; **NOW, THEREFORE,**

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

Section 1. That the City Manager is hereby authorized to appropriate \$500,000 for the acquisition, environmental remediation, related demolition, and relocation cost of improved and unimproved properties within the Bexar Street Corridor-Phase II/Neighborhood Investment Program target area CT 39.02/115.00 for mixed-use development.

Section 2. That the City Controller is hereby authorized to encumber funds in accordance with this Resolution as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJ</u>	<u>Activity</u>	<u>Program #</u>	<u>AMOUNT</u>
7T52	HOU	T807	4260	AQDM	BEXAR01	\$500,000

CT
HOU5807C008

February 20, 2008

Section 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

DISTRIBUTION:

Housing Department
City Attorney's Office
Office of Financial Services- Billerae Johnson, 4FN

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 20, 2008
COUNCIL DISTRICT(S): 7
DEPARTMENT: Housing
CMO: A. C. Gonzalez, 671-8925
MAPSCO: 47N

SUBJECT

Authorize a loan in the amount of \$500,000 at 0% interest to South Dallas/Fair Park Inncity Community Development Corporation (ICDC) for the acquisition of improved and unimproved properties located within the 4700-4900 block of Spring Avenue and associated relocation, environmental remediation, or demolition costs for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment – Not to exceed \$500,000 - Financing: 2006 Bond Funds

BACKGROUND

Over the period of 2003-2008, master planning, leveraging of capital investments, public/private developments, and redevelopment has been completed or has begun in the Frazier Neighborhood Investment Program (NIP) Area. In order to implement components of the master plan, catalyst projects for new private/public development and redevelopment have been considered by the City Council on an individual basis.

The 2006 Bond Election provided \$41.495 million in general obligation bonds to provide funds for promoting economic development in the Southern Sector. On December 12, 2007, the City Council approved an amendment to the Public/Private Partnership Program to set forth the Economic Development Program for Southern Dallas. This project will be implemented under the amended program.

One of the key Frazier Neighborhood community stakeholders, South Dallas/Fair Park Inncity Community Development Corporation (ICDC), who is a certified Community Housing Development Organization (CHDO) proposed to work with the City of Dallas to undertake the Spring Avenue Revitalization which is a component of the master plan. ICDC will begin acquisition of improved and unimproved properties, address any relocation issues, address environmental remediation, and demolish existing improvements in order to begin revitalization efforts. If private sector funding is available and certain intermediate benchmarks are met, ICDC will redevelop the properties in accordance with the master plan or another City of Dallas approved use.

BACKGROUND (continued)

City Council approval of this agenda item from FY06 Bond proceeds will provide a loan in the amount of \$500,000 at 0% interest to South Dallas/Fair Park Innercity Community Development Corporation (ICDC) for the acquisition of improved and unimproved properties that are located within the 4700-4900 block of Spring Avenue and associated relocation, environmental remediation, or demolition costs. Sites are to be acquired for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment.

ICDC's loan will carry zero interest with a seven year term, subject to multiple acceleration for failure to expend the \$500,000 within two years or complete and sell or lease the residential housing to persons at 140% or less of area median family income or obtain a certificate of occupancy for completed non-residential structures and projects within seven years of execution of the note. ICDC will be required to file deed restrictions and liens on acquired properties in order to assure their redevelopment in accordance with Bond Program requirements.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 26, 2003, the City Council approved the designation of five (5) census tracts, (CT 25.00, CT 39.02, CT 49.00, CT 89.00, and CT 101.01) as Neighborhood Investment Program (NIP) target areas for two years beginning October 1, 2003.

On September 28, 2005, the City Council approved the redesignation and expansion of three of the existing five NIP targeted areas as follows: CT 25.00 expanded to include CT 27.01 and CT 27.02; CT 39.02 expanded to include CT 115.00 (part); and CT 101.01 expanded to include CT 101.02. These census tracts were designated for a minimum of three years, beginning October 1, 2005.

On August 9, 2006, the City Council approved an ordinance ordering a bond election to be held in the City of Dallas on November 7, 2006, for the purpose of submitting propositions for the issuance of general obligation bonds for funding permanent public improvements.

On December 12, 2007, the City Council approved an amendment to the Public/Private Partnership Program to include a special category for an Economic Development General Obligation Bond Program for Southern Dallas.

On January 22, 2008, the Housing Committee of the City Council was briefed on the Frazier Neighborhood Investment Area and the Spring Avenue Revitalization Project .

FISCAL INFORMATION

2006 Bond Funds - \$500,000

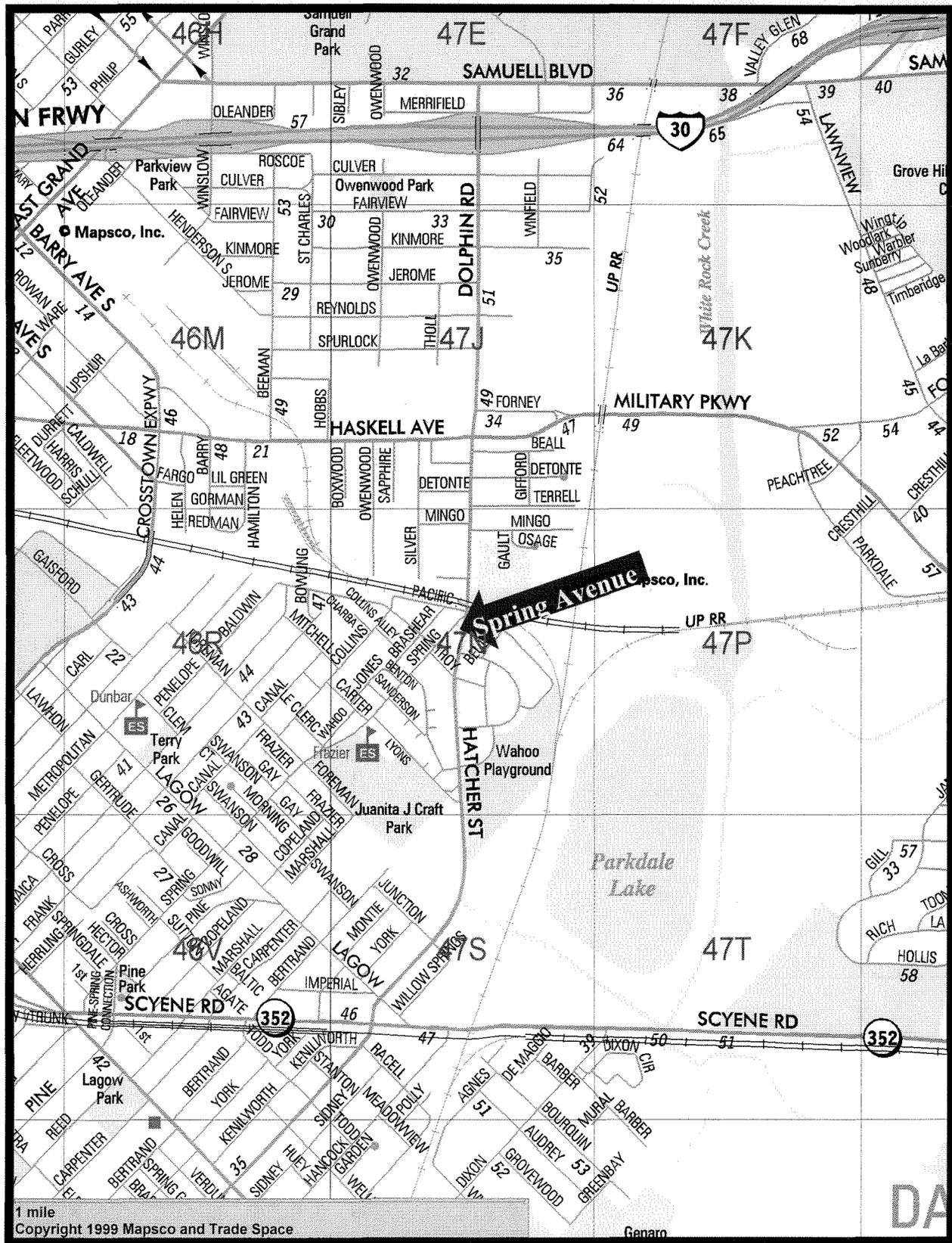
OWNERS

South Dallas/Fair Park Innercity Community Development Corporation

Diane Ragsdale, Executive Director

MAP(S)

Attached



MAPSCO 47N

February 20, 2008

WHEREAS, the City of Dallas seeks to increase the supply of new affordable workforce housing in order to attract and retain economic growth; and

WHEREAS, on February 26, 2003, the City Council approved the designation of five (5) census tracts, (CT 25.00, CT 39.02, CT 49.00, CT 89.00, and CT 101.01) as Neighborhood Investment Program (NIP) target areas for two years beginning October 1, 2003; and

WHEREAS, on September 28, 2005, the City Council approved the redesignation and expansion of three of the existing five NIP targeted areas as follows: CT 25.00 expanded to include CT 27.01 and CT 27.02; CT 39.02 expanded to include CT 115.00 (part); and CT 101.01 expanded to include CT 101.02. These census tracts were designated for a minimum of three years, beginning October 1, 2005; and

WHEREAS, on August 9, 2006, the City Council approved an ordinance ordering a bond election to be held in the City of Dallas on November 7, 2006, for the purpose of submitting propositions for the issuance of general obligation bonds for funding permanent public improvements; and

WHEREAS, On November 7, 2006, the voters of Dallas approved a \$1.35 billion General Obligation Bond Program of which \$41,495,000 was set aside for the purpose of providing funds for promoting economic development in the Southern area of the City, and promoting economic development in other areas of the City in connection with transit-oriented development; and

WHEREAS, on December 12, 2007, the City Council approved an amendment to the Public/Private Partnership Program to include a special category for an Economic Development General Obligation Bond Program for Southern Dallas; and

WHEREAS, on January 22, 2008, the Housing Committee of the City Council was briefed on the Frazier Neighborhood Investment Area and the Spring Avenue Revitalization Project; and

WHEREAS, South Dallas/Fair Park Inncity Community Development Corporation (ICDC) proposes to work with the City of Dallas for the Frazier Neighborhood Investment Program Area-Spring Avenue Revitalization Project; **NOW, THEREFORE,**

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

February 20, 2008

Section 1. That the City Manager or designee, upon approval as to form by the City Attorney, is hereby authorized to execute loan documents for the City's loan in the amount of \$500,000 at 0% interest to South Dallas/Fair Park Innerscity Community Development Corporation ("Borrower"). Loan funds may be used for 4700-4900 block of Spring Avenue and the acquisition of improved and unimproved properties, associated relocation costs, and demolition within the Frazier Neighborhood Investment Program area to support residential and mixed-use redevelopment.

Section 2. That some of the terms of the loan documents include:

- a. Borrower's note payable to the City of Dallas will have a maturity date of seven (7) years; provided, however, if Borrower fails to expend all of the Loan proceeds within two years of execution of the Note or to redevelop the acquired properties with residential, retail, commercial, or mixed-use structures and projects within seven years of execution of the Note, then the entire amount of the loan becomes due and payable. To be considered "redeveloped," the properties must be either residential units that have all been constructed and sold or rented to households at 140% or less of area median income or all the construction for the retail, commercial, or mixed-use redevelopment structures and projects on the acquired properties have all been completed, as evidenced by a certificate of occupancy having been obtained from the City of Dallas for each unit in all the structures or projects.
- b. If Borrower fails to timely comply with the expenditure or construction requirements in Section 2(a) hereof, the City of Dallas has the option to require Borrower to convey fee simple title to the properties acquired with the bond funds under the loan to the City of Dallas, free of any liens or encumbrances not acceptable to the City.
- c. Borrower shall execute deed restrictions and a first lien deed of trust on each property acquired for which acquisition, relocation, environmental remediation, or demolition costs have been expended from loan proceeds.
- d. For Borrower to receive approval from the City to purchase a property or expend funds for other allowable costs, Borrower must provide a property survey, title commitment, environmental assessment, and appraisal performed by an independent fee appraiser, acceptable to the City in the City's sole discretion. The City retains the right to conduct a review appraisal of the property for which approval is sought, and in no event will the City loan in excess of the appraised value of the property as determined by the City. Leases for the non-residential structures of projects must be provided to the City for approval in the City's sole discretion prior to construction commencing on those structures or projects.

February 20, 2008

Section 2. (continued)

- e. No approval by the City of the expenditure of any loan funds shall bind or obligate the City to approve any zoning or replat change that Borrower may request for the properties.
- f. Borrower shall obtain approval from the City for the permitted uses of the properties. Residential units must be sold or rented to persons at 140% or less of area median income. "Permitted uses" includes those uses that are permitted under the Dallas Development Code on the property, but in no event may they include any use that requires a sexually oriented business license under Chapter 41A of the Dallas City Code, or a liquor store, a pawn shop, a body piercing studio, or a tattoo studio, as those terms are defined by the Dallas Development Code.
- g. As each property is sold or fully leased for a residential project on a property or a certificate of occupancy has been obtained for a constructed non-residential structure or project on a property, Borrower will be released from the indebtedness on the note for the corresponding loan proceeds advanced and the Deed Restrictions thereon shall be terminated on that property.
- h. Intermediate benchmarks for progress acceptable to the City of Dallas will be established in the loan documents.
- i. If Borrower obtains acquisition loan for remainder of acquisition costs, the City and Lender will share a pro-rata lien position in proportion to actual expenditures.
- j. If another Lender provide acquisition financing, the City of Dallas must be in first lien or a shared pro-rata first lien position.

Section 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a subordination of lien to a lender who is providing interim construction financing on the property and an intercreditor agreement with a lender who is providing acquisition or interim construction financing, if necessary.

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

Section 5. That the Controller is hereby authorized to encumber and disburse funds in accordance with the terms and conditions of the contracts as follows:

South Dallas/Fair Park Inncity Development Corp. Vendor # 266539

Fund 7T52, Dept HOU, Unit T807, ACT AQDM, Obj 3099,
Program# FRAZIER1, CT HOUT807D010 - not to exceed \$500,000

February 20, 2008

Section 6. That nothing in this resolution shall be construed as a binding contract or agreement upon the City, that it is subject to available bond funding, and there will be no liability or obligation on the City until final contract documents are approved, executed, and final closing completed.

Section 7. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

DISTRIBUTION:

Housing Department
City Attorney's Office
Office of Financial Services/Community Development, 4FN

AGENDA ITEM # 5

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 20, 2008
COUNCIL DISTRICT(S): All
DEPARTMENT: Housing
CMO: A. C. Gonzalez, 671-8925
MAPSCO: N/A

SUBJECT

Authorize an amendment to the Single-Family Housing Infrastructure Development Bond Program Statement to clarify the City's participation structure to allow for pro-rata payment to the developer of the City's portion of eligible infrastructure costs at the time of each qualified homebuyer closing and to further amend the Single-Family Housing Infrastructure Development Bond Program Statement to allow for pro-rata payment to the developer of the City's portion of eligible infrastructure costs at the time of a closing of the sale of lots to a non-profit entity - Financing: No cost consideration to the City

BACKGROUND

On May 3, 2003, the voters of Dallas approved the sale of General Obligation Bonds to fund public infrastructure development of mixed-income single-family workforce housing developments under a \$67 million street bond package.

On June 25, 2003, the City Council authorized the Single Family Housing Infrastructure Development Bond Program which pays for up to 30% of the required street infrastructure costs for a single-family housing subdivision.

On February 22, 2006, the City Council authorized the use of \$1,000,000 of available Bond proceeds and also authorized the Public Works Department to provide infrastructure development with the remaining \$1,195,614 for eligible Neighborhood Investment Program (NIP) census tracts; 25.00, 27.01, 27.02, 39.02, 101.01, 101.02, and 115.00 for the provision of additional street infrastructure improvements to include resurfacing/reconstruction and sidewalk improvements.

BACKGROUND (Continued)

The Bond Program Statement needs to be amended to clarify the City's participation structure to allow for pro-rata payment to the developer of the City's portion of eligible infrastructure costs at the time each closing of a home purchase by a qualified homebuyer. Staff now recommends adding to the Bond Program Statement to allow for pro-rata payment to the developer of the City's portion of eligible infrastructure costs at the time of a closing of the sale of lots to a non-profit entity, approved by the City of Dallas, that has committed to build homes and resell the lots to qualified buyers.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2003, the City Council authorized the 2003 General Obligation Bond program for the Infrastructure Development Bond Program and issuance of a Request for Applications (RFA), to solicit proposals from developers to build street and alley infrastructure improvements, including incidental drainage improvements for new low- to moderate-income single-family subdivisions contingent upon the availability of future bond proceeds, by Resolution No. 03-1931.

On June 23, 2004, the City Council authorized the second Single-Family Housing Infrastructure Development Bond Program and issuance of an RFA, to solicit proposals from developers to build street and alley infrastructure improvements, including incidental drainage improvements, for new low- to moderate-income single-family subdivisions contingent upon the availability of future bond proceeds, by Resolution No. 04-2142.

On February 22, 2006, the City Council authorized the use of \$1,000,000 of available FY03 Single-Family Bond Infrastructure and carry-forward proceeds and also authorized the Public Works Department to provide infrastructure development with the remaining \$1,195,614 for eligible Neighborhood Investment Program census tracts, by Resolution No. 06-0631.

FISCAL INFORMATION

No cost consideration to the City.

February 20, 2008

WHEREAS, the City of Dallas seeks to increase the supply of new affordable workforce housing in order to attract and retain economic growth; and

WHEREAS, on June 25, 2003, the City Council authorized the Infrastructure Development Bond Program and issuance of a Request for Applications (RFA), to solicit proposals from developers to build street and alley infrastructure improvements, including incidental drainage improvements for new low to moderate income single-family subdivisions contingent on the availability of future bond proceeds, by Resolution No. 03-1931; and

WHEREAS, on June 23, 2004, the City Council authorized issuance of a Request for Applications (RFA) under the Single-Family Housing Infrastructure Development Bond Program to solicit proposals from developers to build street and alley infrastructure improvements, including incidental drainage improvements, for new low- to moderate-income single-family subdivisions, contingent on the availability of future bond proceeds by Resolution No. 04-2142; and

WHEREAS, on February 22, 2006, the City Council authorized the use of \$1,000,000 of available Bond and carry-forward proceeds and also authorized the Public Works Department to provide infrastructure development with the remaining \$1,195,614 for eligible Neighborhood Investment Program (NIP) census tracts; 25.00, 27.01, 27.02, 39.02, 101.01, 101.02, and 115.00 for the provision of additional street infrastructure improvements to include resurfacing/reconstruction and sidewalk improvements by Resolution No. 06-0631;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That the City Manager or designee, upon approval as to form by the City Attorney, is hereby authorized to amend the Single-Family Housing Infrastructure Development Bond Program Statement to clarify the City's participation structure to allow for pro-rata payment to the developer of the City's portion of eligible infrastructure costs at the time of each qualified homebuyer closing and to further amend the Single-Family Housing Infrastructure Development Bond Program Statement to allow for pro-rata payment to the developer of the City portion of eligible infrastructure costs at the time of a closing of the sale of lots to a non-profit entity as indicated on Exhibit A.

February 20, 2008

Section 2. That this resolution shall take effect immediately from and after its passage in accordance with the provision of the Charter of the City of Dallas, and it is accordingly so resolved.

DISTRIBUTION:

Housing Department
City Attorney's Office
Office of Financial Services/Community Development, 4FN

EXHIBIT A

PROGRAM STATEMENT SINGLE-FAMILY HOUSING INFRASTRUCTURE DEVELOPMENT BOND PROGRAM

Program Purpose: To provide General Obligation Bond (GOB) funds for street and alley infrastructure (Public Right-of-way only) development costs, including incidental drainage improvements, of new single-family housing developments to achieve affordability for low and moderate-income homebuyers. To increase the supply of new affordable housing for low and moderate-income individuals and families in order to attract and retain economic growth.

**Program Description:
Subdivision Development**

- The City will make available General Obligation Bond funds for street and alley infrastructure construction, (including incidental drainage improvements) in connection with the development of single-family low to moderate-income housing in accordance with City of Dallas Development Code requirements, (Bond funds will not apply to Water and Sewer.)
- Low/Moderate Housing, for this program, is defined as housing for households with incomes up to 140% of Area Median Family Income (AMFI) and residence in targeted areas. Projects previously approved under this program will be allowed to qualify homebuyers at this same income level.
- The City's participation will be subject to the availability of proceeds from General Obligation Bonds to fund this program.
- The City's participation will be set forth in a developer infrastructure participation contract between the City and developer. The participation contract must establish the limit of participation by the City at a level not to exceed 50 30% percent of the total contract price for the eligible infrastructure improvements and that the City's participation will be required to be either: (1) matched in an equal amount by the developer in amenities that otherwise would not have been included in the subdivision (i.e. gated, dedicated park area, clubhouse, tree-lined medians, stone perimeter fencing, etc.), or (2) passed on as a per lot subsidy to eligible homebuyers, set as a pro-rata payment to the developer of the City's portion of eligible infrastructure costs at the time each closing of a home purchase by a qualified homebuyer, or (3) set as a pro-rata payment to the developer of the City's portion of eligible infrastructure costs at the time of a closing of the sale of lots to a non-profit entity, approved by the City of Dallas, that has committed to build homes and re-sell the lots to qualified buyers.
- The City will establish an Application Review Committee with minimum representation from three (3) lending institutions, one (1) community person, and

Director of Housing to evaluate, rank and make recommendations to the Housing Committee (HC) and City Manager for the projects submitted.

- The City Housing Department may consider unsolicited applications or solicit applications with a Request for Applications (RFA) that meet the overall program purpose.
- The City Council HC Committee must be briefed on the Application Review Committee project recommendations.
- City Council approval is required for each project prior to award of General Obligation Bond funds to successful applicant pursuant to this Program.
- At a minimum, the project must meet City of Dallas property standards and applicable City Codes and all other City and State requirements.
- The participation agreement and the Private Development Contract will require the developer to execute a performance bond for the construction of the infrastructure improvements to ensure completion of the improvements. The bond must be executed by a corporate surety in accordance with Chapter 2253, Government Code.
- Affordability requirements and eligibility requirements will be met through the use of deed restrictions.

Neighborhood Investment Program

- The City will make available General Obligation Bond funds for Neighborhood Investment Program (NIP) streets and alley infrastructure construction, (including incidental drainage improvements) and sidewalk replacement in connection with the development of single-family low to moderate-income housing in accordance with City of Dallas Development Code requirements. (Bond funds will not apply to Water and Sewer.)_ NIP infrastructure development will be coordinated and implemented through the Public Works Department.
- The City's participation will be subject to the availability of proceeds from General Obligation Bonds to fund this program and from reallocation of a portion of the Bond proceeds from subdivision development to supplement limited public infrastructure funds for improvements in the designated NIP areas.
- Bond infrastructure eligible NIP census tracts include; 25.00, 27.01, 27.02, 39.02, 101.01, 101.02, and 115.00.
- NIP street infrastructure improvements will include re-surfacing/reconstruction and sidewalk replacement to complement Dallas Urban Land Bank lots that are

becoming available for new home construction.

Program Operations:

- Requests for Applications are made, subject to available funding being sufficient to support a project according to the requirements of this program statement.
- City staff is responsible for reviewing completeness of funding proposals, unsolicited or through an RFA, and determining if the applicant meets the minimum requirements, prior to review by the Application Review Committee. Those applications not meeting the RFA criteria will not be sent to the Application Review Committee for consideration.
- The City Housing Department is responsible for management of the Application Review Committee, timing of the RFA, administering the contract with the successful applicant(s) (Developer(s)), and monitoring the program deed restrictions.
- The Application Review Committee is responsible for reviewing and ranking the applications that are forwarded to them by City staff once City staff has deemed that the applications meet the minimum requirements contained in the Bond Program Statement or RFA. The City reserves the right to reject all applications, in part or in whole.
- The Developer will be responsible for: 1) site control which must be documented at time of application by an executed (dated and signed by seller and buyer) contract or deed; 2) securing primary financing with guarantees where required; 3) securing commitment(s) from home builder(s); 4) completing the project on time and within budget; 5) managing the build out of the development, with a minimum of 20% of the properties but no less than the percentage of the City's Participation in the development hard costs to be deed restricted for homebuyer affordability.

Project Criteria:

- Project must be located within the city of Dallas
- A minimum of 20 % of new houses built in the subdivision must be affordable and sold to buyers with household income at 140% or below of Area Median Family Income
- City infrastructure participation, up to 30% of the infrastructure hard costs, will be matched in an equal amount by the developer in amenities that otherwise would not have been included in the subdivision (i.e. gated, dedicated park area, clubhouse, tree-lined medians, stone retaining walls, stone perimeter fencing, etc.)
- The development must contain a minimum of 100 lots
- NIP street infrastructure improvement projects will include re-surfacing, reconstruction and sidewalk replacement within the current NIP target areas

- NIP Public infrastructure improvements will be approved by the Housing Director and scheduling coordinated with the City's Public Works Department
- The City will require its approval of the site plan, floor plans, product mix, and sale to buyers with household income at or below 140% of Area Median Family Income
- Developer equity is encouraged but not required
- The Developer will be required to contract with infrastructure construction contractors acceptable to the City
- The Developer must have site control of the proposed property at the time the proposal is submitted in response to the Request for Applications or as part of an unsolicited proposal. Site control of property is defined as owned or under an executed contract (dated and signed by buyer and seller)
- The Developer must have, at a minimum, a contingency commitment for a loan for development financing from a lender acceptable to the City
- The Developer must have, at a minimum, a contingency commitment(s) from home builder(s) with a schedule for financing construction and sales of homes to eligible buyers acceptable to the City
- Consideration will be given to those projects wherein the homebuilder(s) are proposing to build environmentally friendly homes which conserve energy and reduce utility costs
- The Developer or any of its associated companies must not have any outstanding compliance issues, delinquent taxes, or code violations with the City of Dallas
- The Developer, or any of its associated companies, must not have had any bankruptcies in the last seven (7) years

Subdivision Design Criteria:

All homes must have a minimum of a two-car garage

- 10% of the homes in the subdivision can be less than 2000 sq. ft. but no less than 1500 sq. ft
- All remaining houses in the subdivision must exceed 2500 square feet
- Minimum lot size will be R-5 or 5,000 square feet

- Garage conversions will be prohibited by private deed restriction
- Brick or stone veneer required on 60% of exterior surfaces
- Bonus points for homes over \$300,000
- Bonus points for alleys; and
- Bonus points for environmentally friendly homes

Selection Criteria:

- Feasibility of development project – 70 points
- Development history of similar projects – 20 points
- Organizational capacity – 15 points
- Use of General Partner equity – 20 points
- Citizen Participation – 10 points
- Acceptable development loan commitment – 20 points
- Acceptable Home Builder commitments – 20 points
- Bonus points for homes priced over \$300,000 – 25 points
- Bonus points for alleys and/or environmentally friendly homes - 20
- Maximum Points: 220

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 20, 2008
COUNCIL DISTRICT(S): 8
DEPARTMENT: Housing
CMO: A. C. Gonzalez, 671-8925
MAPSCO: 59T

SUBJECT

Authorize a resolution declaring approximately 18 acres located near the intersection of St. Augustine and Elam Roads at 318 North St. Augustine Road unwanted and unneeded and authorizing its conveyance to Dallas Neighborhood Alliance for Habitat, a City certified Community Housing Development Organization, through the Land Transfer Program - Revenue: \$104,465

BACKGROUND

This item will declare approximately 18 acres located near the intersection of St. Augustine Road and Elam Road unwanted and unneeded and authorize its conveyance to Dallas Neighborhood Alliance for Habitat (DNAfH), a City certified Community Housing Development Organization. DNAfH will pay the City \$104,465 for the land and, at the close of the sale, will pay approximately \$48,000 in delinquent taxes owed to the taxing units on the property by a prior owner.

DNAfH will seek to replat the property, develop 71 single family homes on it and sell the houses to homebuyers at or below 80% of the Area Median Family Income adjusted for family size. The homes will contain from approximately 1,200 square feet to 1,500 square feet with a sales price from between \$85,000 and \$130,000. The construction of the homes shall be completed within three (3) years from the execution date of the Deed without Warranty for the property. Upon resale the deed restrictions requiring affordable housing for low and moderate income persons will remain in effect for five (5) years after initial occupancy.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Revenue: \$104,465

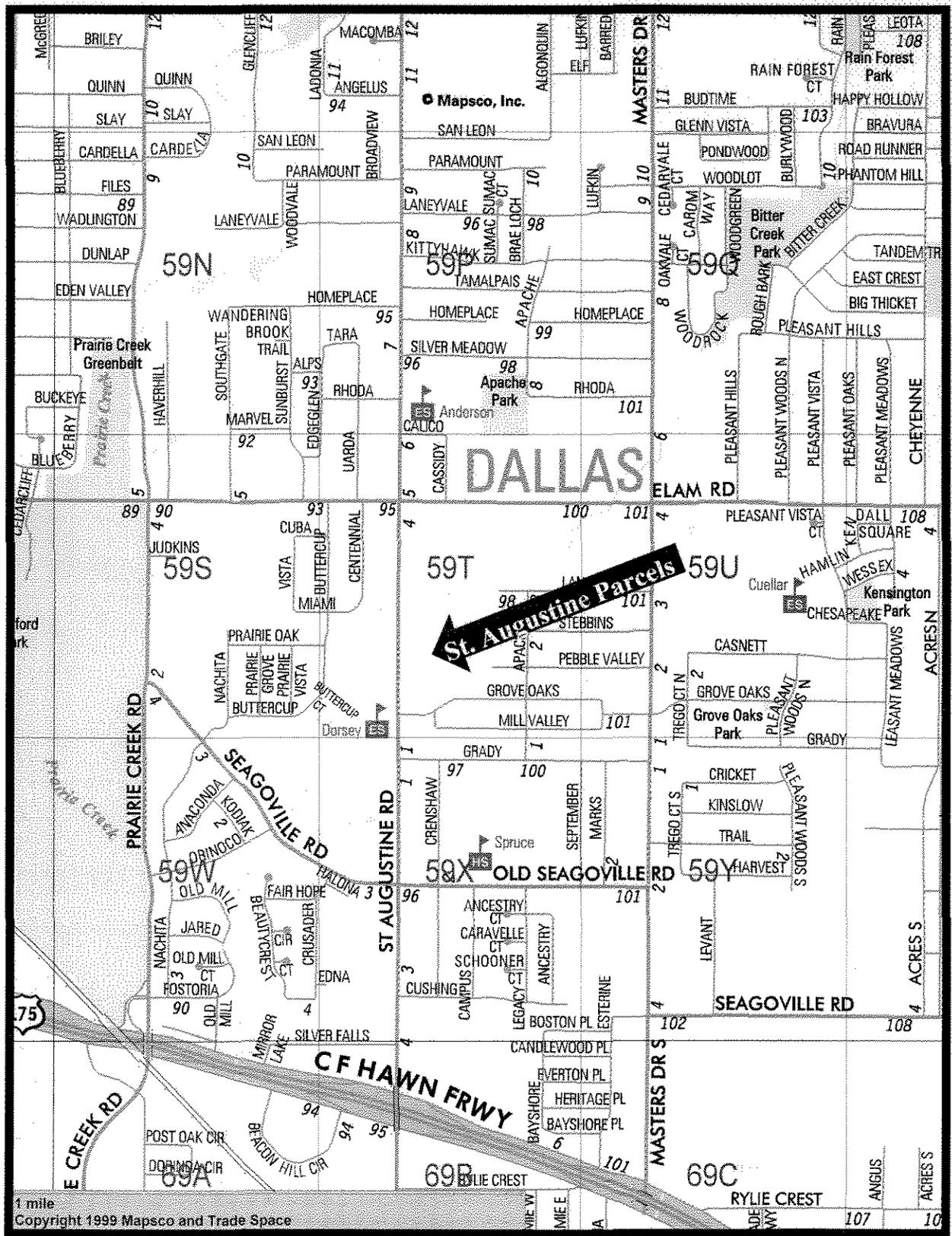
OWNER

**Dallas Neighborhood Alliance for Habitat,
Inc.**

Norm Wilbur, Executive Director

MAP

Attached



MAPSCO 59T

February 20, 2008

WHEREAS, the City of Dallas acquired the tract of land identified by legal description ("Property") on Exhibit "A", attached hereto and made a part hereof; and

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

WHEREAS, the City recognizes certain "qualified nonprofit organizations" as those which:

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

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

WHEREAS, the City Council desires to declare the Property shown on Exhibit "A" unwanted and unneeded and authorize its conveyance to Dallas Neighborhood Alliance for Habitat (DNAfH) to be used in the development of 71 single family homes; and

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

- (1) a requirement that DNAfH replat the property for residential single family homes,
- (2) a requirement that the purchaser develop the Property as affordable housing for approximately 71 households whose incomes are less than 80% of the area median family income within three (3) years of execution of the Deed without Warranty in accordance with the Proposal,
- (3) a requirement that the purchaser transfer title to the developed Property to households whose incomes are less than 80% of the area median family income within three (3) years of execution of the Deed without Warranty,

February 20, 2008

WHEREAS, (continued)

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

NOW THEREFORE,

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

Section 1. That the Property identified on Exhibit "A" is declared unwanted and unneeded by the City Council.

Section 2. That upon receipt of the monetary consideration from DNAfH and the payment of all delinquent taxes on the Property on Exhibit "A", the City Manager is hereby authorized to execute a Deed without Warranty, upon approval as to form by the City Attorney and attested by the City Secretary, conveying the land to DNAfH, subject to the City's right of reverter and deed restrictions.

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

- (1) a requirement that DNAfH replat the property for residential single family homes,
- (2) a requirement that the purchaser develop the Property as affordable housing with sales price from between \$85,000 and \$130,000 within three (3) years of execution of the Deed,
- (3) a requirement that the purchaser transfer title to the developed Property to households whose incomes are less than 80% of the area median family income within three (3) years of execution of the Deed,
- (4) deed restrictions on the Property, acceptable to the City, requiring the Property to remain affordable to households whose incomes are less than 80% of the area median family income for five (5) years after initial occupancy, and
- (5) a right of reverter.

Section 4. That the conveyance of the Property shall be subject to any visible and apparent easements, any encroachments, any restrictions, easements and rights-of-way or other instruments of record.

Section 5. That the City Manager is authorized to execute an instrument, approved as to form by the City Attorney, releasing the City's reverter rights and terminating the deed restrictions to the land upon compliance with all terms and conditions of the deed restrictions.

February 20, 2008

Section 6. That the sale proceeds shall be deposited into the General Fund 0001, Department HOU, Bal Sheet 0519 and Housing Department shall be reimbursed for administrative costs incurred (Fund 0001, Department HOU, Unit 5514, Object 5011). Any remaining proceeds shall be transferred to the General Capital Reserve Fund 0625, Department HOU, Unit 8888, Revenue Source 8118.

Section 7. That if a title policy is desired, same shall be at the expense of the purchaser.

Section 8. That any procedures required by Code Section 2-24 that are not required by state law are hereby waived with respect to this conveyance.

Section 9. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

DISTRIBUTION:

Housing Department

City Attorney's Office

Office of Financial Services/Community Development, 4FN

EXHIBIT "A"

ALL THAT lot, tract or parcel of land lying and being situated in the City and County of Dallas ,Texas, more particularly described as follows:

BEING situated in the Noah Henderson Survey, Abstract No.583, and being part of Blocks 6649 and 7887, official City of Dallas numbers, and being all of the land conveyed by TEXAS COMMERCE-DALLAS, N.A., to NEIGHBORHOOD HOUSING SERVICES INC. by deed dated December 21, 1988, recorded in Volume 88251, Page 3630 of Deed Records, Dallas County, Texas and being more particularly described in said deed as follows;

"Beginning AT THE Northwest corner of A TRACT of land CONVEYED TO JAMES M. ADAMS and wife, MARY H. ADAMS BY LANGLEY W. PARKER and wife, JUANITA A. PARKER BY DEED dated September 1, 1949, recorded in VOLUME 3182, Page 241-242 of THE DEED RECORDS, DALLAS COUNTY, TEXAS AN "X" IN CONCRETE FOR corner.

THENCE North 89 degrees 48 minutes 18 seconds East, PASSING A found 1/2 INCH IRON ROD AT 9.5 feet AND CONTINUING A TOTAL DISTANCE of 1045.50 feet TO A 1/2 INCH IRON ROD SET FOR corner;

THENCE, South 00 degrees 43 minutes 52 seconds East, WITH A WIRE FENCE, a distance of 438.81 feet TO A found 1/2 INCH IRON ROD FOR corner;

THENCE, South 89 degrees 48 minutes 18 seconds West, WITH AN OLD WIRE FENCE a distance of 137.51 FEET TO A 1/2 INCH IRON ROD FOR corner;

THENCE, South 00 degrees 04 minutes 45 seconds East, a distance of 364.49 feet TO A 1/2 INCH IRON ROD found for corner;

THENCE, South 89 degrees 40 minutes 00 seconds West, a distance of 895.25 feet TO A 1/2 INCH IRON ROD SET FOR corner IN THE OLD LINE of ST. AUGUSTINE ROAD;

THENCE, ALONG THE said OLD line of ST. AUGUSTINE ROAD THE FOLLOWING COURSES AND DISTANCES AS SHOWN ON City of Dallas, PUBLIC WORKS DEPARTMENT DRAWINGS, FILE 312D, NO. 83 dated March 1965;

North 00 degrees 11 minutes 42 seconds West a distance of 274.65 feet TO A 1/2 INCH IRON ROD SET FOR corner;

North 89 degrees 48 minutes 18 seconds East, a distance of 8.0 feet TO A 1/2 INCH IRON ROD SET FOR corner;

North 00 degrees 11 minutes 42 seconds West, a distance of 92.0 feet TO A 1/2 INCH IRON ROD SET FOR corner;

THENCE North 00 degrees 43 minutes 52 seconds West, CONTINUING ALONG said OLD line of ST. AUGUSTINE ROAD, a distance of 438.81 feet TO THE Point of Beginning AND CONTAINING 785,437 SQUARE feet or 18.0311 ACRES of land." LGII

LGII/1g11
10/29/90-1440S
dk65S

FIELD NOTES O.K.

James M. Adams

AGENDA ITEM # 7

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: February 20, 2008

COUNCIL DISTRICT(S): 8

DEPARTMENT: Housing
Public Works & Transportation

CMO: A. C. Gonzalez, 671-8925
Ramon F. Miguez, P.E., 670-3308

MAPSCO: 59T

SUBJECT

Authorize a participation agreement and private development contract with St. Andrews Housing, LLC, for street infrastructure development costs to support the development of a 71 lot single-family housing subdivision at 318 North St. Augustine Road – Not to exceed \$377,304 - Financing: 2003 Bond Funds

BACKGROUND

On May 3, 2003, the voters of Dallas approved the sale of General Obligation Bonds to fund public infrastructure development under a \$67 million street bond package. As part of the public infrastructure bond package, \$8M in GO Bonds was approved to provide street infrastructure financing to support construction of new single-family homes.

On June 25, 2003, the City Council authorized the Single-Family Housing Infrastructure Development Bond (Bond) Program, which pays for street paving, incidental drainage and alleys by Resolution No. 04-2142.

On June 23, 2004, the City Council authorized issuance of a Request for Applications (RFA) under the Single-Family Housing Infrastructure Development Bond Program to solicit proposals from developers to build street and alley infrastructure improvements, including incidental drainage improvements, for new low- to moderate-income single-family subdivisions, contingent on the availability of future bond proceeds by Resolution No. 04-2142.

BACKGROUND (continued)

On February 22, 2006, the City Council authorized the use of \$1,000,000 of available Bond proceeds and also authorized the Public Works Department to provide infrastructure development with the remaining \$1,195,614 for eligible Neighborhood Investment Program (NIP) census tracts; 25.00, 27.01, 27.02, 39.02, 101.01, 101.02, and 115.00 for the provision of additional street infrastructure improvements to include resurfacing/reconstruction and sidewalk improvements.

In May 2007, Dallas Neighborhood Alliance for Habitat (Habitat) submitted a development proposal to the City of Dallas requesting funding for the St. Augustine Project. The proposal requests \$377,304 in infrastructure bond funds to prepare an 18 acre parcel of unwanted City of Dallas surplus property located at 318 N. St. Augustine in South Dallas for an estimated 71 single family homes. Habitat will also be provided with \$1.1 M for construction subsidies from the federal HOME Program CHDO set-aside funds to further make the homes affordable to eligible homebuyers.

Habitat in partnership with St. Andrews Housing, LLC will construct the seventy-one homes, which will range between 1200 and 1500 square feet. Prices for the homes will range between \$85,000 and \$130,000. The homes will be built with one and two car garages.

Habitat and St. Andrews Housing, LLC will invest up to an additional \$1.5 million dollars in the acquisition and infrastructure development for the St. Augustine Project. Private financing will provide for the construction costs of the homes. Habitat and St. Andrews Housing, LLC will commit to sell the homes to households whose incomes are less than 80% of the area median family income.

City Council approval of this agenda item from FY03 Single-Family Bond Infrastructure proceeds will fund up to 30% of the required street infrastructure costs for the development of a 71 single-family housing subdivision, not to exceed \$377,304.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2003, the City Council authorized the 2003 General Obligation Bond program for the Infrastructure Development Bond Program and issuance of a Request for Applications (RFA), to solicit proposals from developers to build street and alley infrastructure improvements, including incidental drainage improvements for new low- to moderate-income single-family subdivisions contingent upon the availability of future bond proceeds, by Resolution No. 03-1931.

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

On June 23, 2004, the City Council authorized the second Single-Family Housing Infrastructure Development Bond Program and issuance of an RFA, to solicit proposals from developers to build street and alley infrastructure improvements, including incidental drainage improvements, for new low- to moderate-income single-family subdivisions contingent upon the availability of future bond proceeds, by Resolution No. 04-2142.

On February 22, 2006, the City Council authorized the use of \$1,000,000 of available FY03 Single-Family Bond Infrastructure and carry-forward proceeds and also authorized the Public Works Department to provide infrastructure development with the remaining \$1,195,614 for eligible Neighborhood Investment Program census tracts, by Resolution No. 06-0631.

On December 3, 2007, the Housing Committee of the City Council was briefed on this project.

FISCAL INFORMATION

2003 Bond Funds - \$377,304

OWNERS

St. Andrews Housing, LLC

John Bunten, Partner
Dayton Macatee, Partner

Dallas Neighborhood Alliance for Habitat

Norm Wilbur, Executive Director

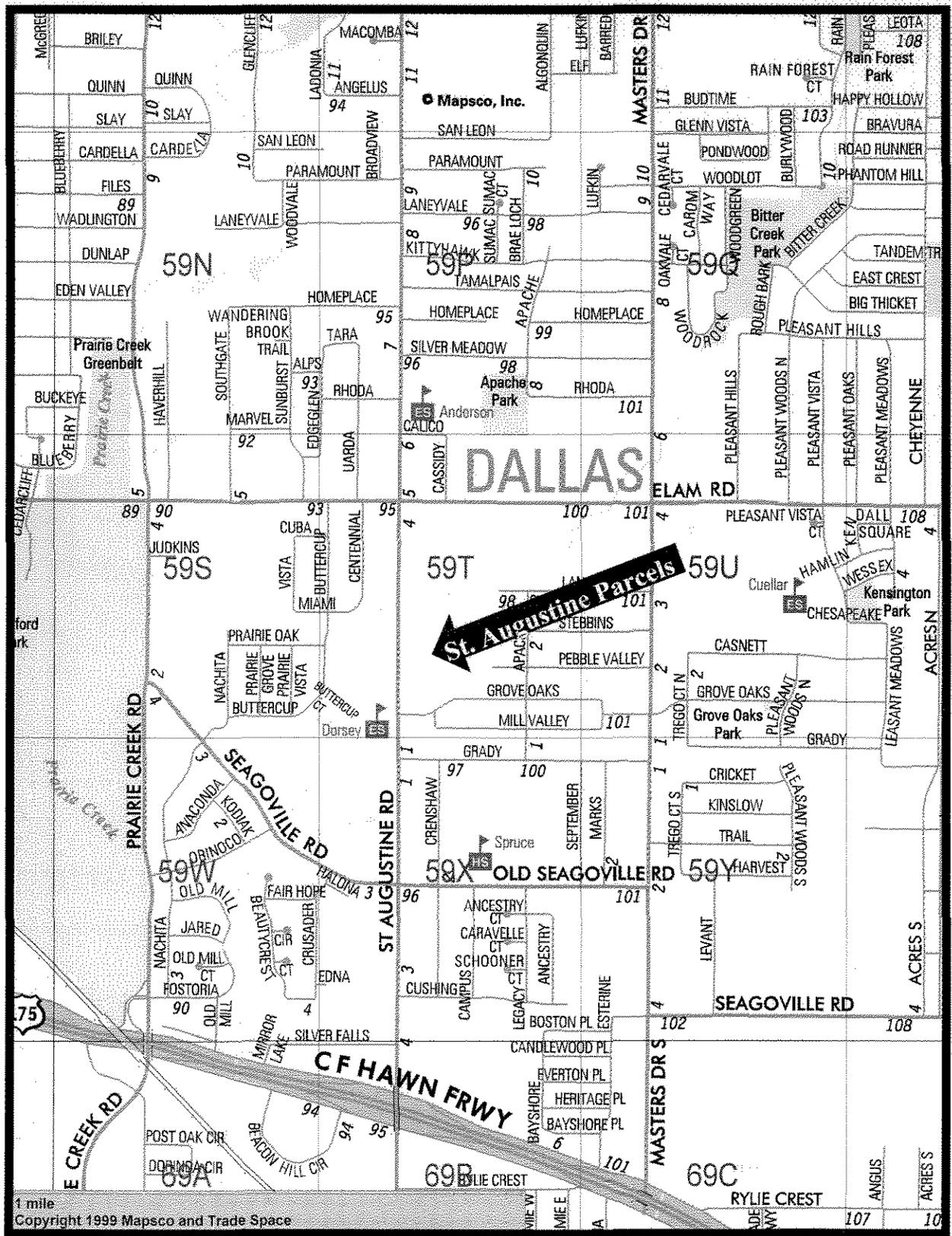
MAP(S)

Attached

DEVELOPER

St. Andrews Housing, LLC

John Bunten, Partner
Dayton Macatee, Partner



MAPSCO 59T

February 20, 2008

WHEREAS, the City of Dallas seeks to increase the supply of new affordable workforce housing in order to attract and retain economic growth; and

WHEREAS, on June 25, 2003, the City Council authorized the Infrastructure Development Bond Program and issuance of a Request for Applications (RFA), to solicit proposals from developers to build street and alley infrastructure improvements, including incidental drainage improvements for new low to moderate income single-family subdivisions contingent on the availability of future bond proceeds, by Resolution No. 03-1931; and

WHEREAS, on June 23, 2004, the City Council authorized issuance of a Request for Applications (RFA) under the Single-Family Housing Infrastructure Development Bond Program to solicit proposals from developers to build street and alley infrastructure improvements, including incidental drainage improvements, for new low- to moderate-income single-family subdivisions, contingent on the availability of future bond proceeds; and

WHEREAS, on February 22, 2006, the City Council authorized the use of \$1,000,000 of available Bond and carry-forward proceeds and also authorized the Public Works Department to provide infrastructure development with the remaining \$1,195,614 for eligible Neighborhood Investment Program (NIP) census tracts; 25.00, 27.01, 27.02, 39.02, 101.01, 101.02, and 115.00 for the provision of additional street infrastructure improvements to include resurfacing/reconstruction and sidewalk improvements; and

WHEREAS, in May 2007, Dallas Neighborhood Alliance for Habitat submitted a development proposal to the City of Dallas requesting Bond financing for street infrastructure development for the St. Augustine Project in South Dallas at 318 North St. Augustine Road for \$377,304 to develop 71 single-family lots; and

WHEREAS, on December 3, 2007, the Housing Committee was briefed on the St. Augustine Project; and

WHEREAS, on February 20, 2008, the City Council will be asked to declare property at 318 North St. Augustine unwanted and unneeded and authorize its conveyance to Dallas Neighborhood Alliance for Habitat; **NOW, THEREFORE**,

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

February 20, 2008

Section 1. That the City Manager or designee, upon approval as to form by the City Attorney, is hereby authorized to execute a participation agreement and a private development contract, including the applicable specifications, with St. Andrews Housing, LLC, not to exceed \$377,304.00 to fund infrastructure development at 318 North St. Augustine Road for a mixed income development of 71 single family homes for sale to households whose income are less that 80% of the area median family income. The terms of the agreement include:

- (a) The participation agreement will be executed for \$377,304, constituting no more than 30% of eligible infrastructure cost, with a four-year term; St. Andrews Housing, LLC must complete the lot development within the four years to receive the bond funds.
- (b)St. Andrews Housing, LLC will execute Deed Restrictions for the Bond funding on the entire development to ensure sales to households whose income are less that 80% of the area median family income.
- (c) Deed Restrictions will be released on a per property basis as each home is completed and sold to households whose income are less that 80% of the area median family income.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to terminate deed restrictions on the properties upon compliance with the terms.

Section 3. That the Controller is hereby authorized to encumber and disburse funds in accordance with the terms and conditions of the contracts as follows:

St. Andrews Housing, LLC Vendor # VS0000026609

Fund 5R21, Dept PBW, Unit R873, Obj 4599, Act. HOIN,
Program # PB05R873 CT HOU05R871B1 - not to exceed \$377,304

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

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

DISTRIBUTION:

Housing Department
City Attorney's Office
Office of Financial Services/Community Development, 4FN

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 20, 2008
COUNCIL DISTRICT(S): 8
DEPARTMENT: Housing
CMO: A. C. Gonzalez, 671-8925
MAPSCO: 66X 66Y

SUBJECT

Authorize a secured, no interest, forgivable loan pursuant to the Residential Development Acquisition Loan Program in the amount of \$940,000 to Dallas Neighborhood Alliance for Habitat to pay part of the acquisition cost of 94 unimproved properties at I-20 and Bonnie View for the development of low-to-moderate income single-family homes – Not to exceed \$940,000 - Financing: FY 2006-07 Community Development Grant Funds (\$350,000); FY 2007-08 Community Development Grant Funds (\$590,000)

BACKGROUND

In December 2007, Dallas Neighborhood Alliance for Habitat submitted a proposal to the City of Dallas requesting funding for the Cedar Creek Ranch project. The proposal requests \$940,000 in Community Development Block Grant (CDBG) funds to acquire 94 unimproved properties for the construction of single-family homes available to low-to-moderate income families at I-20 and Bonnie View. Habitat will provide independent appraisals, environmental assessments, and title commitments for the City to review and approve. These 94 homes are part of a larger mixed-income subdivision development of 333 single-family homes. The other 239 single-family homes are being built by History Maker Homes and Klingaman Development Company.

Dallas Neighborhood Alliance for Habitat will construct the 94 homes with approximately 1400 square feet, three and four bedrooms, two car garages, and prices ranging from \$85,000 to \$100,000.

Properties will be deed restricted for families at 80% or less of Area Median Family Income for sale or resale to eligible homebuyers for a period of five years. Habitat will execute a note payable to of the City of Dallas for \$940,000. The 0% RDALP note will be forgiven 1/94th as each home is constructed and sold to a low- to-moderate income family.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 26, 2002, the City Council adopted the final FY 2002-03 Consolidated Plan Budget, which included \$1,000,000 in CDBG funds for single-family development by Resolution No. 02-1980.

In September 24, 2003, City Council authorized (1) the use of \$1,000,000 in Community Development Block Grant (CDBG) funds, for the acquisition of real property for single-family and multi-family developments, (2) a Program Statement for the Residential Development Acquisition Loan Program (RDALP), and (3) implementation of the RDALP by Resolution No. 03-2552

On June 9, 2004, the City Council adopted the final FY 2004-05 Consolidated Plan Budget, which included \$300,000 in CDBG funds for single-family development by Resolution No. 04-1865.

On August 10, 2005, the City Council adopted the final FY 2005-06 Consolidated Plan Budget, which included \$1,000,000 of CDBG funds for the RDALP by Resolution No. 05-2233.

On June 28, 2006, the City Council adopted the final FY 2006-07 Consolidated Plan Budget, which included \$1,000,000 of CDBG funds for the RDALP by Resolution No. 06-1739.

On June 27, 2007, the City Council adopted the final, FY 2007-08 Consolidated Plan Budget, which included \$825,000 of CDBG funds for the RDALP by Resolution No. 07-1978.

On February 19, 2008, the Housing Committee was briefed on this project.

FISCAL INFORMATION

FY 2006-07 - Community Development Grant Funds - \$350,000

FY 2007-08 - Community Development Grant Funds - \$590,000

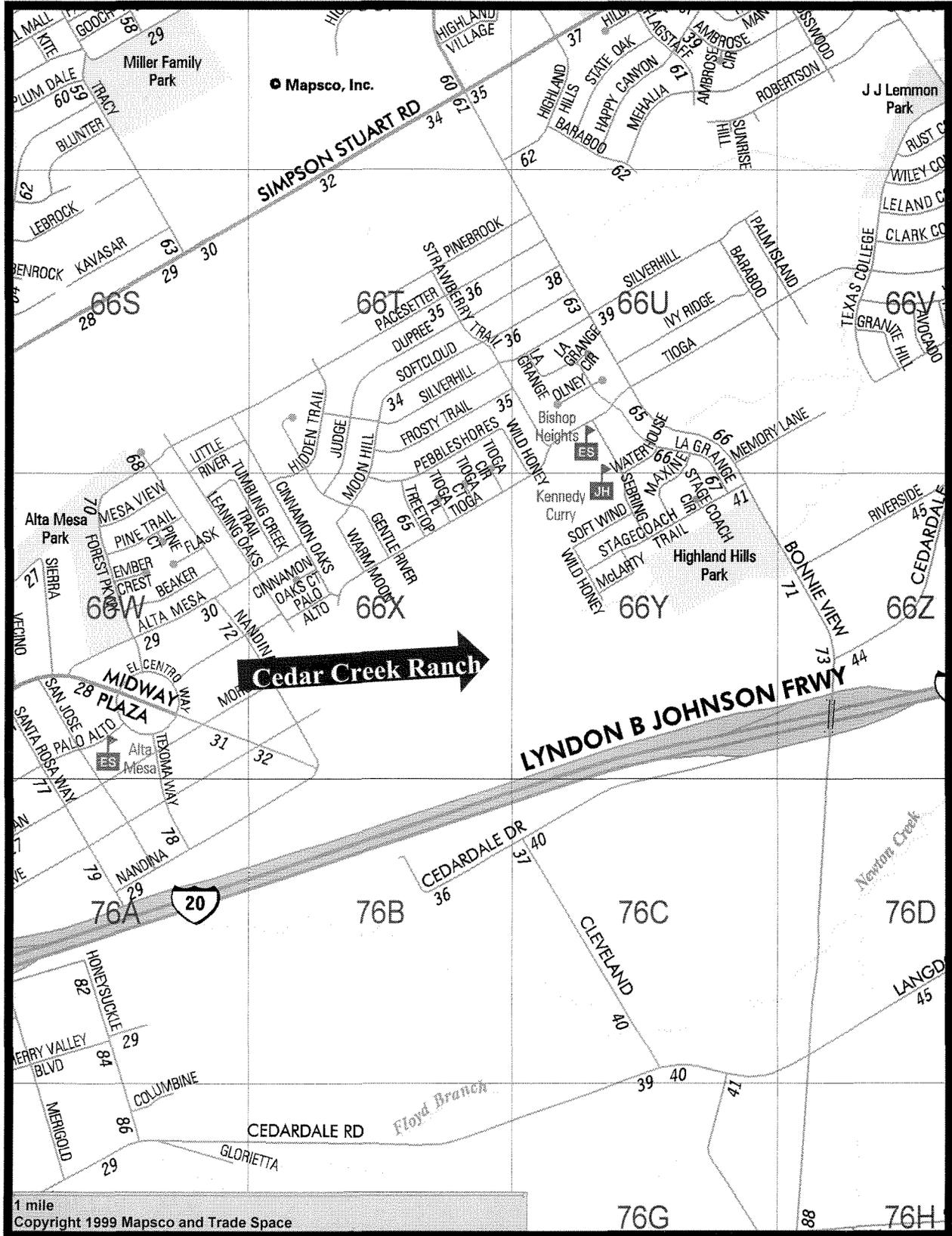
OWNERS

**Dallas Neighborhood Alliance
for Habitat**

Norm Wilbur, Executive Director

MAP(S)

Attached



MAPSCO 66X & 66Y

February 20, 2008

WHEREAS, the City of Dallas seeks to increase the supply of new affordable workforce housing in order to attract and retain economic growth; and

WHEREAS, on June 26, 2002, the City Council adopted the FY 2002-03 Consolidated Plan Budget which included \$1,000,000 in CDBG funds for single-family development by Resolution No. 02-1980; and

WHEREAS, on June 9, 2004, the City Council adopted the FY 2004-05 Consolidated Plan Budget which included \$300,000 in CDBG funds for single-family development by Resolution No. 04-1865; and

WHEREAS, on August 10, 2005, the City Council adopted the FY 2005-06 Consolidated Plan Budget which included \$1,000,000 of CDBG funds for the Residential Development Acquisition Loan Program (RDALP) by Resolution No. 05-2233; and

WHEREAS, on June 28, 2006, the City Council adopted the FY 2006-07 Consolidated Plan Budget which included \$1,000,000 of CDBG funds for the RDALP by Resolution No. 06-1739; and

WHEREAS, on June 27, 2007, the City Council adopted the FY 2007-08 Consolidated Plan Budget which included \$825,000 of CDBG funds for the RDALP by Resolution No. 07-1978; and

WHEREAS, in December 2007, Dallas Neighborhood Alliance for Habitat submitted a proposal to the City of Dallas requesting financing for acquisition of unimproved properties for the Cedar Creek Ranch Project in South Dallas for \$940,000 to develop 94 single-family homes; and

WHEREAS, on February 19, 2008, the Housing Committee was briefed on the DNAfH proposed project; and

WHEREAS, the City of Dallas desires to provide a \$940,000 0% interest loan under the RDALP to the Dallas Neighborhood Alliance for Habitat for the acquisition of unimproved properties at I-20 and Bonnie View; **NOW, THEREFORE,**

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

February 20, 2008

Section 1. That the City Manager or designee, upon approval as to form by the City Attorney, is hereby authorized to execute a secured, no interest, forgivable loan pursuant to the RDALP in the amount of \$940,000 to Dallas Neighborhood Alliance for Habitat (“Borrower”) for the acquisition of 94 unimproved properties at I-20 and Bonnie View for the development of low-to-moderate income single-family homes.

The terms of the agreement include:

- (a) The Borrower must execute a note payable to the City of Dallas for \$940,000 that is interest free with a four-year maturity;
- (b) Borrower must complete and sell 94 homes to low-to- moderate income families whose incomes are 80% or less of area median family income by the maturity date.
- (c) Prior to the maturity date, Borrower will be released from \$10,000 (1/94 of \$940,000) liability on the Note at the same time the low-to-moderate income family closes the purchase of the home.
- (d) Borrower will execute a Deed of Trust and Deed Restrictions on the lots. Properties will be deed restricted for affordability at 80% or less of Area Median Family Income for sale and resale to eligible homebuyers for a period of five years.
- (e) If Borrower obtains acquisition loan for remainder of acquisition costs, the City and Lender will share a pro-rata lien position in proportion to actual expenditures.
- (f) if another lender provides acquisition financing, the City of Dallas must be in first lien or a shared pro-rata first lien position.

Section 2. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a subordination of lien to a lender who is providing construction financing on the property and an intercreditor agreement, with a lender who is providing acquisition financing if necessary.

Section 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute releases of liens and terminate deed restrictions on the 94 properties upon compliance with the loan terms and deed restrictions.

Section 4. That the Controller is hereby authorized to encumber and disburse funds in accordance with the terms and conditions of the contracts as follows:

Dallas Neighborhood Alliance for Habitat Vendor# 500903

Fund	Dept	Unit	Obj	Act.	Program	Amount
CD06	HOU	3955	3099	H098	CCRANCH1	\$350,000
CD07	HOU	2888	3099	H098	CCRANCH1	\$590,000

CT HOU3955D009 - not to exceed \$940,000

February 20, 2008

Section 5. That nothing in this resolution shall be construed as a binding contract or agreement upon the City, that it is subject to available CDBG funding, and there will be no liability or obligation on the City until final contract documents are approved, executed, and final closing completed.

Section 6. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

DISTRIBUTION:

Housing Department
City Attorney's Office
Office of Financial Services/Community Development, 4FS

