

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** April 28, 2010  
**COUNCIL DISTRICT(S):** 3, 7  
**DEPARTMENT:** Housing/Community Services  
**CMO:** A. C. Gonzalez, 671-8925  
**MAPSCO:** 44J 56H

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### **SUBJECT**

Authorize **(1)** a public hearing to be held on May 26, 2010 to receive comments on the proposed private sale by quitclaim deed of two unimproved properties acquired by the taxing authorities from the Sheriff's Sale to Dallas Neighborhood Alliance For Habitat, Inc. a qualified non-profit organization; and **(2)** at the close of the public hearing, consideration of approval of the sale of these properties (list attached) - Financing: No cost consideration to the City

### **BACKGROUND**

This item will begin the acquisition process for Dallas Neighborhood Alliance For Habitat, Inc. to purchase two (2) unimproved properties for construction of two (2) single-family homes containing approximately 1,303 – 1,706 square feet each for purchase by a low to moderate income homebuyer at the proposed sales price of \$85,000 - \$90,000 each. The anticipated commencement date of construction is May 2012. The calling of a public hearing is part of the state requirements under House Bill 110.

The 1997 Texas State Legislature enacted House Bill 110 which amended Chapter 34 of the Texas Property Tax Code. Subsequently, Tax Code Section 34.015 was redesignated as Local Government Code Section 253.010. The legislation allows a municipality to adopt an ordinance which provides for land acquired by the municipality following the foreclosure of a tax lien in favor of or seizure by the municipality, to be sold to non-profit organizations for the development of affordable housing for low income individuals and families. The City Council approved Ordinance No. 23713, implementing House Bill 110, on November 11, 1998. Subsequently, the Texas Legislature moved these provisions by redesignating Tax Code Section 34.015 as Local Government Code Section 253.010. On December 8, 2003, the City Council approved Ordinance No. 25443 to reference this applicable state law.

## **BACKGROUND (continued)**

The ordinance requires that housing be provided to households with incomes at or below 80% of Area Median Family Income. The ordinance defines non-profit organization as either: (1) a non-profit corporation as provided by the State law, or (2) a joint venture or partnership between a nonprofit corporation and a non-profit corporation or other non-profit legal entity composed of residents or property owners in the community or neighborhood in which the land subject to a purchase proposal under the ordinance is located.

Housing units require a 5-year deed restriction for single-family properties and a 15-year deed restriction for multi-family properties developed under this program. Rental property to be developed that contains more than 25 housing units will also be deed-restricted to require that social services be provided to residents based on the needs of the residents.

Non-profit organizations are allowed to purchase the property for a fixed sum of \$1,000 for up to 7,500 square feet of land purchased under the single proposal plus \$0.133 for each additional square foot of land purchased under the proposal. This revenue is paid first for court costs and maintenance costs and then any excess to taxing units in proportion to their share of taxes on the property. An additional sum will be paid to the City for costs of recording legal documents associated with the transaction. The purchase of properties is subject to any redemption rights of the owners. Approval by the City Council and the other taxing units will be required for all land transactions under this ordinance. The affordable housing unit(s) must be constructed within 3 years from the date on which the City conveys the quitclaim deed, unless City Council extends the time line.

## **PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

On November 13, 1996, the City Council authorized the development of procedures to allow for the private sale of tax foreclosed or seized properties to qualified non-profit organizations by Resolution No. 96-3691.

On May 14, 1997, the City Council authorized implementation of the procedures for the Land Assembly Program by Resolution No. 97-1504.

On November 11, 1998, the City Council authorized an ordinance amending Chapter 2 of the Dallas City Code to allow for an alternate manner of sale for tax foreclosed property to non-profit housing corporations and non-profit organizations by Ordinance No. 23713.

## **PRIOR ACTION/REVIEW (Council, Boards, Commissions) (continued)**

On September 22, 1999, the City Council authorized an ordinance amending Chapter 2 of the Dallas City Code to authorize and provide requirements, qualifications, restrictions, and procedures for an alternate manner of sale of seized real property to nonprofit organizations for the development of affordable housing by Ordinance No. 24046.

On May 9, 2001, the City Council authorized implementation of the procedures contained in the Land Transfer Program Statement and consolidate all land assembly processes under the Land Transfer Program Statement to allow for the private sale of City surplus, tax foreclosed and seized property to qualified, non-profit organizations for the public purpose of creating or preserving affordable housing by Resolution No. 01-1411.

On June 27, 2001, the City Council authorized implementation of policies and procedures contained in the adopted Housing Policy and to allow for modifications to Housing Program Statements under the adopted Housing Policy by Resolution No. 01-2049.

On December 8, 2003, the City Council authorized an ordinance amending Chapter 2 of the Dallas City Code to allow for changes in and extension of the development periods under H.B. 110 proposals and update references to applicable state law by Ordinance No. 25443.

On December 8, 2003, the City Council authorized an amendment to the program statement of the Land Transfer Program Policy to reflect the December 8, 2003 Ordinance change and changes to Section V. of the program statement by Resolution No. 03-3355.

On November 10, 2004, the City Council authorized an amendment to the program statement of the House Bill 110 Program to prohibit the placement of industrialized housing on properties sold by the City by Resolution No. 04-3193.

## **FISCAL INFORMATION**

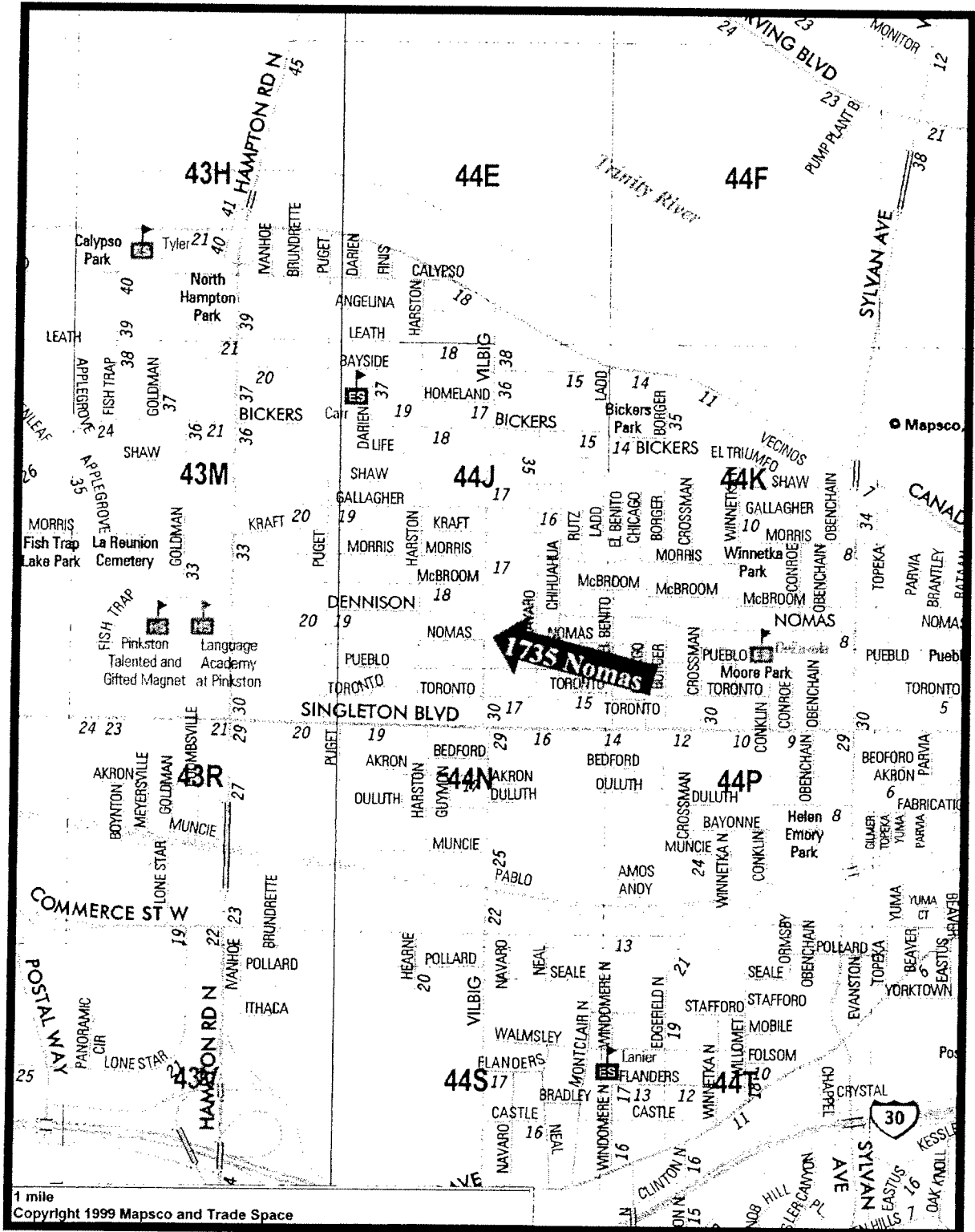
No cost consideration to the City.

## **MAP**

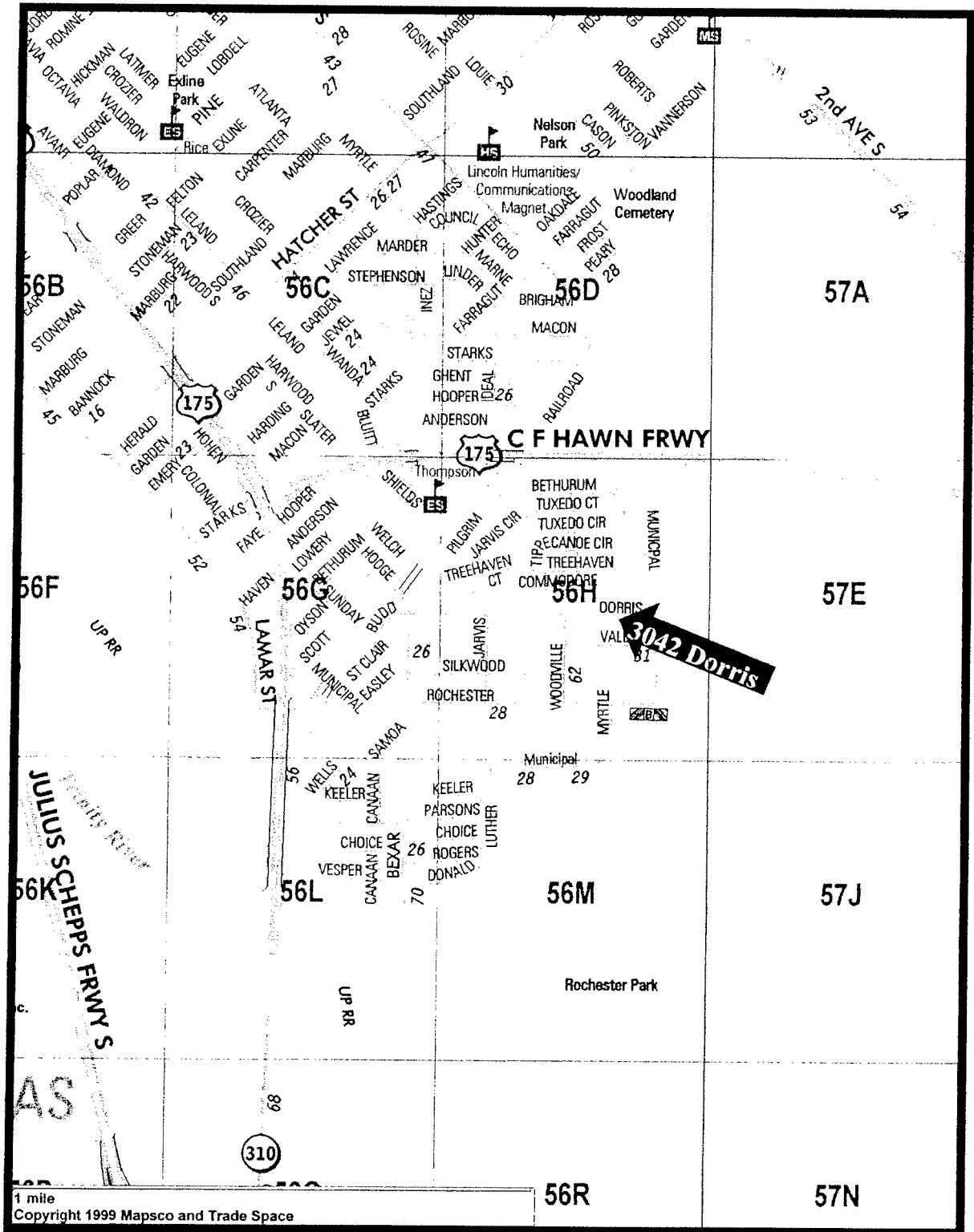
Attached

## Tax Foreclosure and Seizure Property Resale

<u>Parcel No.</u>	<u>Address</u>	<u>Non-Profit Organization</u>	<u>Mapsco</u>	<u>DCAD Value</u>	<u>Sale Amount</u>	<u>Vac/ Imp Zoning</u>	<u>Council District</u>
1.	1735 Nomas	Dallas Neighborhood Alliance For Habitat, Inc.	44J	\$10,000	\$1,000	V R-5(A)	3
2.	3042 Dorris	Dallas Neighborhood Alliance For Habitat, Inc.	56H	\$1,000	\$1,000	V R-5(A)	7



**MAPSCO 44J**



**MAPSCO 56H**

April 28, 2010

**WHEREAS**, on November 13, 1996, The City Council authorized the development of procedures to allow for the private sale of tax foreclosed or seized properties to qualified non-profit organizations by Resolution No. 96-3691; and

**WHEREAS**, on May 14, 1997, the City Council authorized implementation of the procedures for the Land Assembly Program by Resolution No. 97-1504; and

**WHEREAS**, on November 11, 1998, the City Council authorized an ordinance amending Chapter 2 of the Dallas City Code to allow for an alternate manner of sale for tax foreclosed property to non-profit housing corporations and non-profit organizations by Ordinance No. 23713; and

**WHEREAS**, on September 22, 1999, the City Council authorized an ordinance amending Chapter 2 of the Dallas City Code to authorize and provide requirements, qualifications, restrictions, and procedures for an alternate manner of sale of seized real property to nonprofit organizations for the development of affordable housing by Ordinance No. 24046; and

**WHEREAS**, on May 9, 2001, the City Council authorized implementation of the procedures contained in the Land Transfer Program Statement and consolidate all land assembly processes under the Land Transfer Program Statement to allow for the private sale of City surplus, tax foreclosed and seized property to qualified, non-profit organizations for the public purpose of creating or preserving affordable housing by Resolution No. 01-1411; and

**WHEREAS**, on June 27, 2001, the City Council authorized implementation of policies and procedures contained in the adopted Housing Policy and to allow for modifications to Housing Program Statements under the adopted Housing Policy by Resolution No. 01-2049; and

**WHEREAS**, on December 8, 2003, the City Council authorized an ordinance amending Chapter 2 of the Dallas City Code to allow for changes in and extension of the development periods under H.B. 110 proposals and update references to applicable state law by Ordinance No. 25443; and

**WHEREAS**, on December 8, 2003, the City Council authorized an amendment of the program statement of the Land Transfer Program Policy to reflect the December 8, 2003 Ordinance change and changes to the program statement by Resolution No. 03-3355; and

**WHEREAS**, on November 10, 2004, the City Council authorized an amendment of the program statement of the House Bill 110 Program to prohibit the placement of industrialized housing on properties sold by the City by Resolution No. 04-3193; and

April 28, 2010

**WHEREAS**, on March 4, 2010, the City received two proposals from Dallas Neighborhood Alliance For Habitat, Inc. to purchase two (2) properties shown on Exhibit "A" for construction of two (2) single-family homes for purchase by low to moderate income homebuyers; **NOW, THEREFORE**,

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

**SECTION 1.** That the public hearing shall be held at 1:00 p.m. on May 26, 2010 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 proposed private sale by quitclaim deed of two (2) unimproved properties acquired by the taxing authorities from the Sheriff's Sale to a qualified non-profit organization; and, at the close of the public hearing, consider approval of the sale of the properties to the nonprofit organization, all as shown on Exhibit "A".

**SECTION 2.** That notice of such public hearing shall be published in the newspaper of record not later than ten (10) days prior to the date of such hearing. Written notice of such hearing shall be sent to all owners of real property lying within 200 feet of the boundary of the area subject to the purchase and notice of the 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 includes in its boundaries real property that is to be included in the proposed purchase.

**SECTION 3.** 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/Community Department  
City Attorney's Office  
Office of Financial Services/Community Development, 4FN  
Office of Property Management



**EXHIBIT "A"**

**TAX FORECLOSURE PROPERTY SALE**

<b>PARCEL NO.</b>	<b>Address</b>	<b>Mapsco</b>	<b>Non-Profit Organization</b>	<b>Sale Amount</b>	<b>Council District</b>
1.	1735 Nomas	44J	Dallas Neighborhood Alliance For Habitat, Inc.	\$1,000	3
2.	3042 Dorris	56H	Dallas Neighborhood Alliance For Habitat, Inc.	\$1,000	7

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** April 28, 2010  
**COUNCIL DISTRICT(S):** 3, 6  
**DEPARTMENT:** Housing/Community Services  
**CMO:** A. C. Gonzalez, 671-8925  
**MAPSCO:** 44E 42H U 43J

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### **SUBJECT**

Authorize **(1)** a public hearing to be held on May 26, 2010 to receive comments on the proposed private sale by quitclaim deed of four unimproved properties acquired by the taxing authorities from the Sheriff's Sale to Builders of Hope Community Development Corporation, a qualified non-profit organization; and **(2)** at the close of the public hearing, consideration of approval of the sale of these properties (list attached) - Financing: No cost consideration to the City

### **BACKGROUND**

This item will begin the acquisition process for Builders of Hope Community Development Corporation to purchase four (4) unimproved properties for construction of four (4) single-family homes containing approximately 1,100 – 2,100 square feet each for purchase by a low to moderate income homebuyer at the proposed sales price of \$96,000 - \$150,000 each. The anticipated commencement date of construction is May 2013. The calling of a public hearing is part of the state requirements under House Bill 110.

The 1997 Texas State Legislature enacted House Bill 110 which amended Chapter 34 of the Texas Property Tax Code. Subsequently, Tax Code Section 34.015 was redesignated as Local Government Code Section 253.010. The legislation allows a municipality to adopt an ordinance which provides for land acquired by the municipality following the foreclosure of a tax lien in favor of or seizure by the municipality, to be sold to non-profit organizations for the development of affordable housing for low income individuals and families. The City Council approved Ordinance No. 23713, implementing House Bill 110, on November 11, 1998. Subsequently, the Texas Legislature moved these provisions by redesignating Tax Code Section 34.015 as Local Government Code Section 253.010. On December 8, 2003, the City Council approved Ordinance No. 25443 to reference this applicable state law.

## **BACKGROUND (continued)**

The ordinance requires that housing be provided to households with incomes at or below 80% of Area Median Family Income. The ordinance defines non-profit organization as either: (1) a non-profit corporation as provided by the State law, or (2) a joint venture or partnership between a nonprofit corporation and a non-profit corporation or other non-profit legal entity composed of residents or property owners in the community or neighborhood in which the land subject to a purchase proposal under the ordinance is located.

Housing units require a 5-year deed restriction for single-family properties and a 15-year deed restriction for multi-family properties developed under this program. Rental property to be developed that contains more than 25 housing units will also be deed-restricted to require that social services be provided to residents based on the needs of the residents.

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## **PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

On November 13, 1996, the City Council authorized the development of procedures to allow for the private sale of tax foreclosed or seized properties to qualified non-profit organizations by Resolution No. 96-3691.

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## **PRIOR ACTION/REVIEW (Council, Boards, Commissions) (continued)**

On September 22, 1999, the City Council authorized an ordinance amending Chapter 2 of the Dallas City Code to authorize and provide requirements, qualifications, restrictions, and procedures for an alternate manner of sale of seized real property to nonprofit organizations for the development of affordable housing by Ordinance No. 24046.

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## **FISCAL INFORMATION**

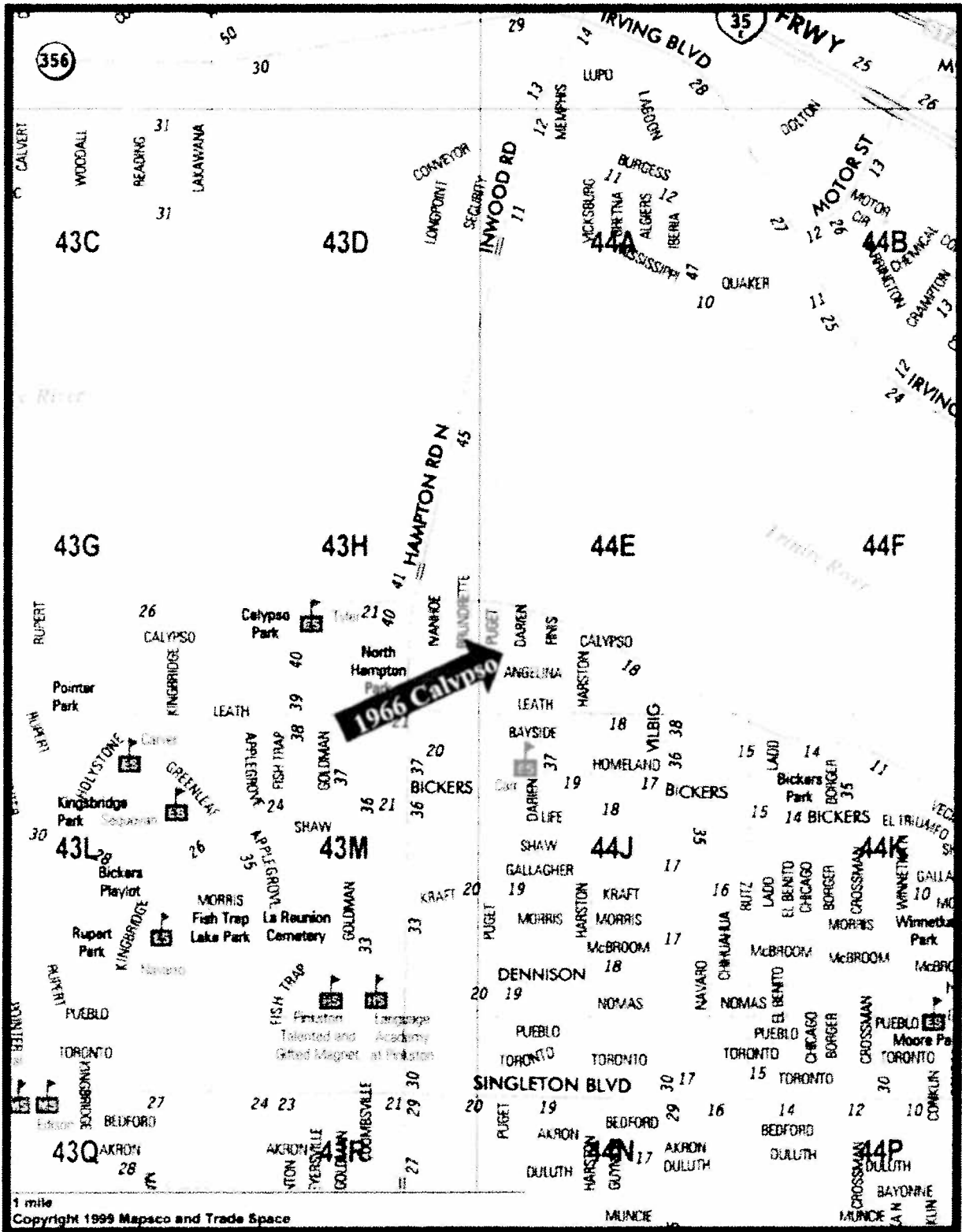
No cost consideration to the City.

## **MAP**

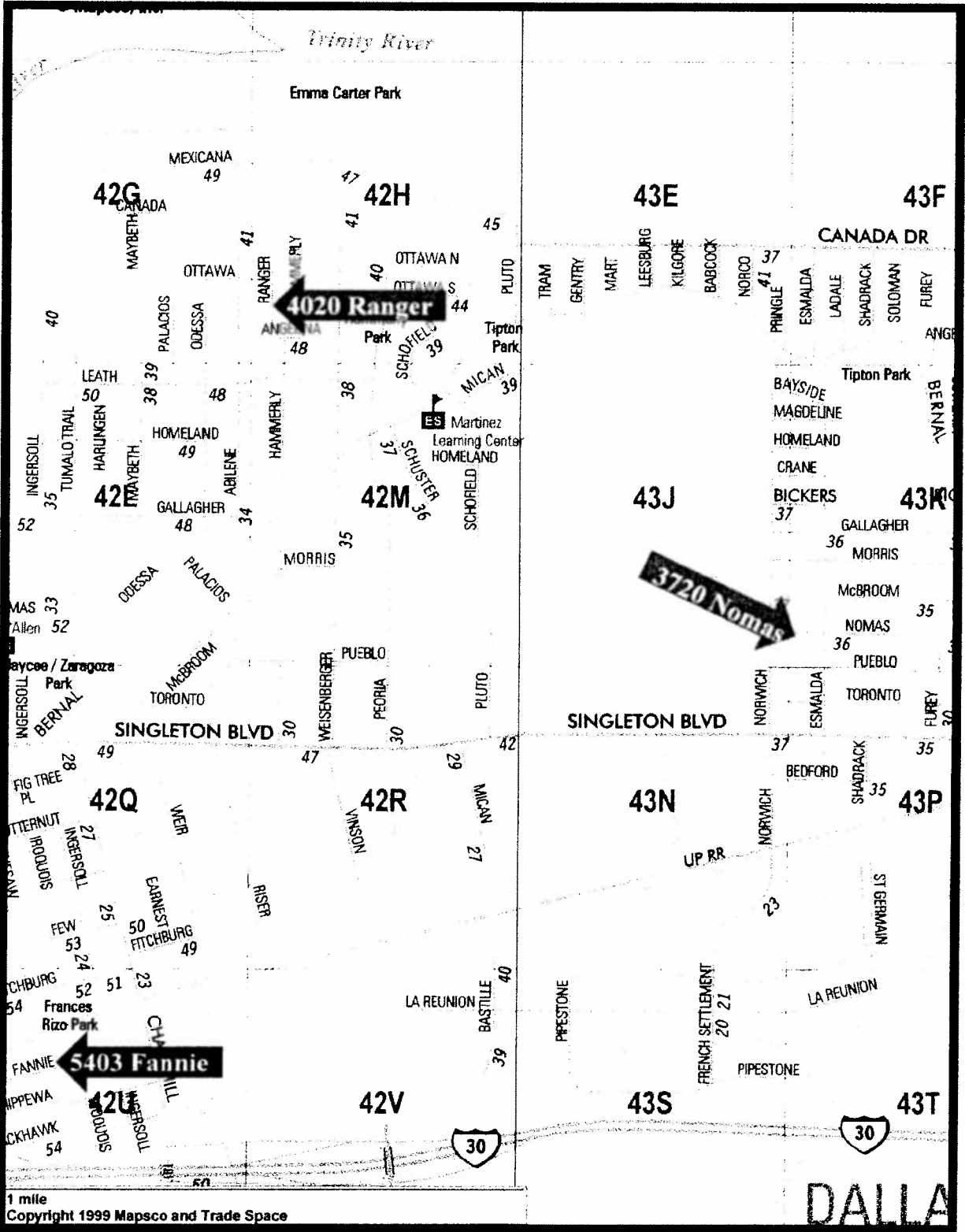
Attached

### Tax Foreclosure and Seizure Property Resale

<u>Parcel No.</u>	<u>Address</u>	<u>Non-Profit Organization</u>	<u>Mapsco</u>	<u>DCAD Value</u>	<u>Sale Amount</u>	<u>Vac/ Imp Zoning</u>	<u>Council District</u>
1.	1966 Calypso	Builders of Hope Community Development Corporation	44E	\$7,000	\$1,000	V R-5(A)	3
2.	5403 Fannie	Builders of Hope Community Development Corporation	42U	\$18,000	\$5,744.70	V R-5(A)	6
3.	3720 Nomas	Builders of Hope Community Development Corporation	43K	\$12,000	\$1,000	V R-5(A)	3
4.	4020 Ranger	Builders of Hope Community Development Corporation	42H	\$12,000	\$1,000	V R-5(A)	6



**MAPSCO 44E**



1 mile  
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DALLAS

April 28, 2010

**WHEREAS**, on November 13, 1996, The City Council authorized the development of procedures to allow for the private sale of tax foreclosed or seized properties to qualified non-profit organizations by Resolution No. 96-3691; and

**WHEREAS**, on May 14, 1997, the City Council authorized implementation of the procedures for the Land Assembly Program by Resolution No. 97-1504; and

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**WHEREAS**, on September 22, 1999, the City Council authorized an ordinance amending Chapter 2 of the Dallas City Code to authorize and provide requirements, qualifications, restrictions, and procedures for an alternate manner of sale of seized real property to nonprofit organizations for the development of affordable housing by Ordinance No. 24046; and

**WHEREAS**, on May 9, 2001, the City Council authorized implementation of the procedures contained in the Land Transfer Program Statement and consolidate all land assembly processes under the Land Transfer Program Statement to allow for the private sale of City surplus, tax foreclosed and seized property to qualified, non-profit organizations for the public purpose of creating or preserving affordable housing by Resolution No. 01-1411; and

**WHEREAS**, on June 27, 2001, the City Council authorized implementation of policies and procedures contained in the adopted Housing Policy and to allow for modifications to Housing Program Statements under the adopted Housing Policy by Resolution No. 01-2049; and

**WHEREAS**, on December 8, 2003, the City Council authorized an ordinance amending Chapter 2 of the Dallas City Code to allow for changes in and extension of the development periods under H.B. 110 proposals and update references to applicable state law by Ordinance No. 25443; and

**WHEREAS**, on December 8, 2003, the City Council authorized an amendment of the program statement of the Land Transfer Program Policy to reflect the December 8, 2003 Ordinance change and changes to the program statement by Resolution No. 03-3355; and

**WHEREAS**, on November 10, 2004, the City Council authorized an amendment of the program statement of the House Bill 110 Program to prohibit the placement of industrialized housing on properties sold by the City by Resolution No. 04-3193; and



April 28, 2010

**WHEREAS**, on March 31, 2010, the City received four proposals from Builders of Hope Community Development Corporation to purchase four (4) properties shown on Exhibit "A" for construction of four (4) single-family homes for purchase by low to moderate income homebuyers; **NOW, THEREFORE,**

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

**SECTION 1.** That the public hearing shall be held at 1:00 p.m. on May 26, 2010 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 proposed private sale by quitclaim deed of four (4) unimproved properties acquired by the taxing authorities from the Sheriff's Sale to a qualified non-profit organization; and, at the close of the public hearing, consider approval of the sale of the properties to the nonprofit organization, all as shown on Exhibit "A".

**SECTION 2.** That notice of such public hearing shall be published in the newspaper of record not later than ten (10) days prior to the date of such hearing. Written notice of such hearing shall be sent to all owners of real property lying within 200 feet of the boundary of the area subject to the purchase and notice of the 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 includes in its boundaries real property that is to be included in the proposed purchase.

**SECTION 3.** 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/Community Department  
City Attorney's Office  
Office of Financial Services/Community Development, 4FN  
Office of Property Management

## TAX FORECLOSURE PROPERTY SALE

<b>PARCEL NO.</b>	<b>Address</b>	<b>Mapsco</b>	<b>Non-Profit Organization</b>	<b>Sale Amount</b>	<b>Council District</b>
1.	1966 Calypso	44E	Builders of Hope Community Development Corporation	\$1,000.00	3
2.	5403 Fannie	42U	Builders of Hope Community Development Corporation	\$5,774.70	6
3.	3720 Nomas	43K	Builders of Hope  Community Development Corporation	\$1,000.00	3
4.	4020 Ranger	42H	Builders of Hope Community Development Corporation	\$1,000.00	6

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** April 28, 2010  
**COUNCIL DISTRICT(S):** 7, 8  
**DEPARTMENT:** Housing/Community Services  
**CMO:** A. C. Gonzalez, 671-8925  
**MAPSCO:** 46X 70B

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### **SUBJECT**

Authorize the reconstruction on-site of two homes in accordance with the Reconstruction/SHARE Program Statement requirements for the properties located at: 2220 Jordan Street in the amount of \$93,400; and 12511 Fish Road in the amount of \$93,400 - Total not to exceed \$186,800 - Financing: 2008-09 Community Development Block Grant Funds

### **BACKGROUND**

On November 12, 2007, City Council approved an amendment to the Program Statement for the Home Repair Program which authorizes loans for reconstruction on site of new homes to low-income homeowners in Dallas earning less than 50% Citywide, and 80% in NIP areas of Area Median Family Income (AMFI).

On December 9, 2009, City Council approved an amendment to the Program Statement for the Reconstruction/SHARE program to provide to homeowners a maximum of \$93,400 for a new home on-site of approximately 1,200 sq ft.

City Council authorization is required prior to proceeding with reconstruction on site when all of the following conditions exist: (a) repairs necessary to meet the City's locally adopted Housing Rehabilitation Standards or Federal Housing Quality Standards, and all applicable codes cannot be accomplished within the program funding limits; (b) the conditions of the home create an imminent danger to the life, health and/or safety of the residents, and/or the neighborhood; and (c) repairs are not feasible so as to extend the life of the repaired structure beyond 15 years.

## **BACKGROUND (continued)**

On October 8, 2008, City Council approved an amendment to the Program Statement for the Home Repair Program which authorizes loans for reconstruction on site of new homes to low-income homeowners in Dallas earning less than 80% of Area Median Family Income (AMFI), and who are older than 62 years of age or disabled, and to provide assistance with one (1) tax and insurance payment.

The homeowners herein described and their properties are eligible for a reconstruction/SHARE Program loan. The homeowners are 80% and below AMFI and their names, ages and property addresses are as follows: Cecil Earl Phillips & Viola Phillips, an elderly couple 86 & 82 years old residing at 2220 Jordan Street; and Maria L. Villarreal, a 59 year old disabled female residing at 12511 Fish Road.

This action provides authority to proceed with reconstruction of two (2) single-family homes on-site, as all conditions noted above have been met.

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

On October 28, 1998, City Council approved the Program Statement authorizing the Housing Department to implement the Home Improvement Loan Program, and clarified the procedures for reconstruction on-site under certain conditions by Council Resolution No. 98-3157.

On August 23, 2000, City Council authorized approval of the Program Statement for the Home Improvement Loan Program by Resolution No. 00-2656.

On June 27, 2001, City Council authorized approval of the Program Statement for the Home Repair Program by Resolution No. 01-2049.

On August 14, 2002, City Council authorized the Program Statement for the Home Repair Program by Resolution No. 02-2272.

On October 23, 2002, City Council authorized the Program Statement for the Home Repair Program by Resolution No. 02-3047.

On October 22, 2003, City Council authorized the Program Statement for the Replacement and SHARE Housing Program by Resolution No. 03-2833.

On June 23, 2004, City Council authorized an amendment to the Program Statement for the Replacement and SHARE Housing Program by Resolution No. 04-2097.

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

On October 18, 2004, the Housing and Neighborhood Development Committee recommended to increase the Maximum loan for a replacement home to \$70,000.

On November 10, 2004, City Council authorized an amendment to the Program Statement for the Replacement and SHARE Housing Program to increase the maximum amount to \$70,000 by Resolution No. 04-3194.

On November 12, 2007, City Council approved the Program Statement authorizing the Housing Department to implement the Reconstruction/SHARE Program Statement for reconstruction on-site pursuant to certain conditions for assistance up to \$87,500 by Resolution No. 07-3307.

On April 23, 2008, City Council authorized an amendment to the Reconstruction/SHARE Program Statement to add an amenities package up to \$5,900 by Resolution No. 08-1266.

On October 8, 2008, City Council authorized an amendment to the Reconstruction/SHARE Program Statement to assist low-income homeowners in Dallas earning less than 80% of Area Median Family Income (AMFI), and who are older than 62 years of age or disabled, and to provide assistance with one (1) tax and insurance payment in Resolution No. 08-2768.

On December 9, 2009, City Council authorized an amendment to the Reconstruction/SHARE Program Statement to increase the maximum Reconstruction Program Assistance Type One loan amount from \$87,500 to \$93,400 in Resolution No. 09-2951.

## **FISCAL INFORMATION**

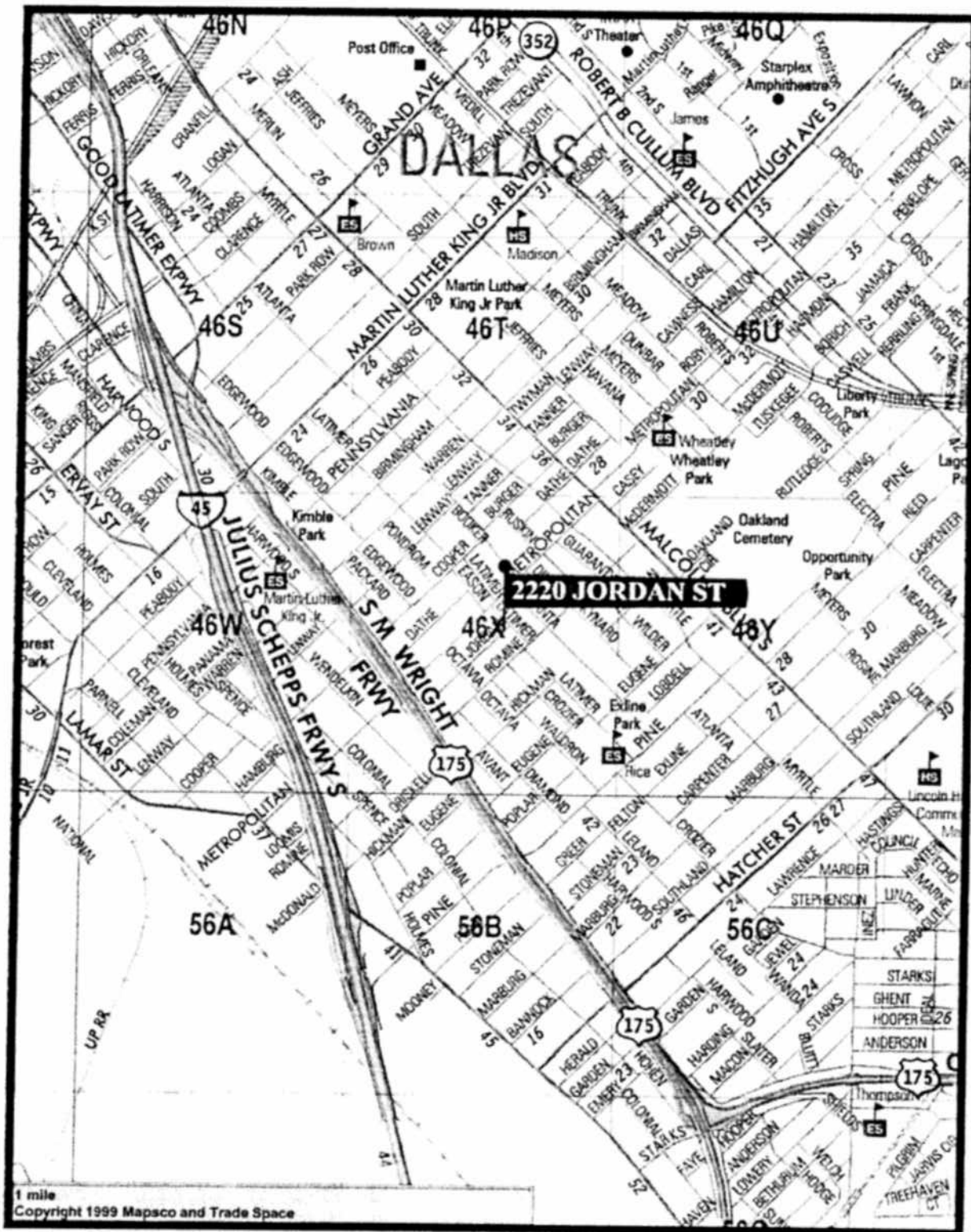
2008-09 Community Development Block Grant Funds - \$186,800

Council District 7 - \$93,400

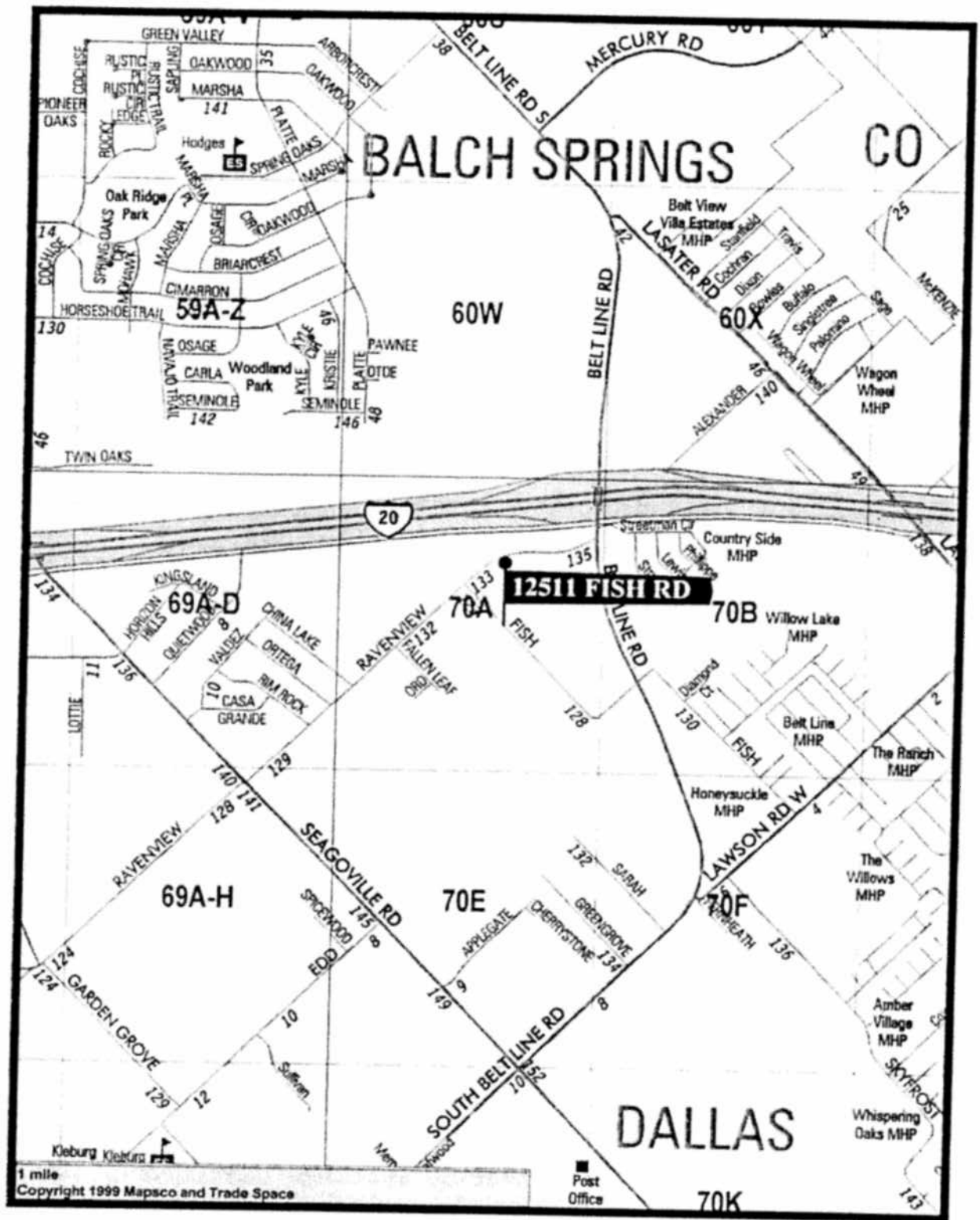
Council District 8 - \$93,400

## **MAP(S)**

Attached



MAPSCO 46X



**MAPSCO 70A**

April 28, 2010

**WHEREAS**, on October 28, 1998, City Council approved the Program Statement authorizing the Housing Department to implement the Home Improvement Loan Program and clarified the procedures for reconstruction on-site under certain conditions by Resolution No. 98-3157; and

**WHEREAS**, on August 23, 2000, City Council authorized approval of the Program Statement for the Home Improvement Loan Program by Resolution No. 00-2656; and

**WHEREAS**, on June 27, 2001, City Council authorized approval of a Program Statement for the Home Repair Program by Resolution No. 01-2049; and

**WHEREAS**, on August 14, 2002, City Council authorized the Program Statement for the Home Repair Program by Resolution No. 02-2272; and

**WHEREAS**, on October 23, 2002, City Council authorized the Program Statement for the Home Repair Program by Resolution No. 02-3047; and

**WHEREAS**, on October 22, 2003, City Council authorized the Program Statement for the Replacement and SHARE Housing Program by Resolution No. 03-2833; and

**WHEREAS**, on June 23, 2004, City Council authorized an amendment to the Program Statement for the Replacement and SHARE Housing Program by Resolution No. 04-2097; and

**WHEREAS**, on October 18, 2004, the Housing and Neighborhood Development Committee recommended increasing the Maximum loan for a replacement home to \$70,000; and

**WHEREAS**, on November 10, 2004, City Council authorized an amendment to the Program Statement for the Replacement and SHARE Housing Program to increase the maximum amount to \$70,000 by Resolution No. 04-3194; and

**WHEREAS**, on November 12, 2007, City Council approved the Program Statement authorizing the Housing Department to implement the Reconstruction/SHARE Program Statement for reconstruction on-site pursuant to certain conditions for assistance up to \$87,500 by Resolution No. 07-3307; and

**WHEREAS**, on April 23, 2008, City Council authorized an amendment to the Reconstruction/SHARE Program Statement to add an amenities package up to \$5,900 by Resolution No. 08-1266; and



April 28, 2010

**WHEREAS**, on October 8, 2008, City Council authorized an amendment to the Reconstruction/SHARE Program Statement to assist low-income homeowners at 80% of AMFI, who are older than 62 years old or disabled, and to provide assistance with one (1) tax and insurance payment; and

**WHEREAS**, on December 9, 2009, City Council authorized an amendment to the Reconstruction/SHARE Program Statement to increase the maximum Reconstruction Program Assistance Type One loan amount from \$87,500 to \$93,400 by Resolution No. 09-2951; and

**WHEREAS**, the homeowners herein described made application to the Home Repair Program: Cecil Earl Phillips & Viola Phillips at 2220 Jordan Street; and Maria L. Villarreal at 12511 Fish Road; and

**WHEREAS**, all three conditions outlined in the Reconstruction/SHARE Program Statement for reconstruction of a home on-site have been met for the property owners Cecil Earl Phillips & Viola Phillips, and Maria L. Villarreal; **NOW THEREFORE**,

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

**SECTION 1.** That the application and property from homeowners described for a reconstruction loan be approved under the Reconstruction/SHARE Program: Cecil Earl Phillips & Viola Phillips at 2220 Jordan Street; and Maria L. Villarreal at 12511 Fish Road. All loans are in the amounts shown in Section 3 hereof.

**SECTION 2.** That the City Manager, upon approval as to form by the City Attorney, is authorized to execute loan documents with Cecil Earl Phillips & Viola Phillips, and Maria L. Villarreal for reconstruction on-site of the homes to be located at: 2220 Jordan Street; and 12511 Fish Road.

**SECTION 3.** That the City Controller is authorized to make payments for reconstruction of the home in accordance with the funding information listed according to:

Fund CD08 Dept HOU, Unit 304A, Obj 3100 CT HOU304AF374 (\$93,400)  
Vendor # 337798 – Torres Construction. – 2220 Jordan Street

Fund CD08 Dept HOU, Unit 304A, Obj 3100 CT HOU304AE361 (\$93,400)  
Vendor # 337798 – Torres Construction. – 12511 Fish Road

April 28, 2010

**SECTION 4.** 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/Community Services Department  
City Attorney's Office  
Office of Financial Services/Community Development, 4FS

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** April 28, 2010  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Housing/Community Services  
**CMO:** A. C. Gonzalez, 671-8925  
**MAPSCO:** 47N

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**SUBJECT**

Authorize an amendment to Resolution No. 09-2085, previously approved on August 26, 2009, to increase the loan amount by \$500,000 on an existing economic development loan with South Dallas/Fair Park Inncity Community Development Corporation (ICDC) for the acquisition of improved and unimproved properties, located within the Frazier Neighborhood Investment Program (NIP) area, including associated closing costs, relocation, environmental remediation, or demolition costs for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment as part of the Economic Development Plan for the Frazier area – Not to exceed \$500,000, from \$1,000,000 to \$1,500,000 - Financing: 2006 Bond Funds

**BACKGROUND**

Over the period of 2003-2008, master planning, leveraging of capital investments, public/private developments, and redevelopment has begun in the Frazier Neighborhood Investment Program (NIP) Area. In order to implement components of the master plan, catalyst projects for new public/private 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.

## **BACKGROUND (continued)**

On February 20, 2008, the City Council approved a \$500,000 economic development loan for ICDC to begin acquisition of improved and unimproved properties, address any relocation issues, address environmental remediation, and demolish existing improvements in order to begin revitalization efforts. ICDC has expended these funds and acquired parcels.

On August 26, 2009, the City Council approved an additional \$500,000 of FY06 Bond proceeds to ICDC to continue the acquisition of improved and unimproved properties located within the Frazier Neighborhood Investment Program (NIP) area, including associated closing costs, relocation, environmental remediation, or demolition costs. Sites are being acquired for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment in accordance with the Economic Development Master Plan for the Frazier area.

ICDC's loan will continue to be a zero percent interest rate with a seven year term, subject to multiple acceleration for failure to expend the additional funds 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 must begin vertical construction by 2014 in order to comply with this contract. ICDC will have to continue to file deed restrictions and liens on acquired properties in order to assure their redevelopment in accordance with Bond Program requirements.

ICDC has already purchased a number of improved and unimproved properties within the Frazier area. They have expended \$856,261 of the allocated amounts to date. The additional \$500,000 will allow ICDC to continue their efforts to acquire improved and unimproved property on Spring Street for the greater purpose of constructing residential, retail, commercial, or mixed-use redevelopment in accordance with the Economic Development Master Plan for the Frazier area.

## **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.

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

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.

On February 20, 2008, the City Council approved an economic development loan in the amount of \$500,000 at 0% interest to South Dallas/Fair Park Inncity Community Development Corporation by Resolution No. 08-0595.

On August 26, 2009, the City Council approved an additional \$500,000 of FY06 Bond proceeds to ICDC to continue the acquisition of improved and unimproved properties located within the Frazier Neighborhood Investment Program (NIP) area, including associated closing costs, relocation, environmental remediation, or demolition costs by Resolution No. 09-2085. Sites are being acquired for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment in accordance with the Economic Development Master Plan for the Frazier area.

**FISCAL INFORMATION**

2006 Bond Funds - \$500,000

**OWNERS**

**South Dallas/Fair Park Inncity  
Community Development  
Corporation**

Diane Ragsdale, Executive Director

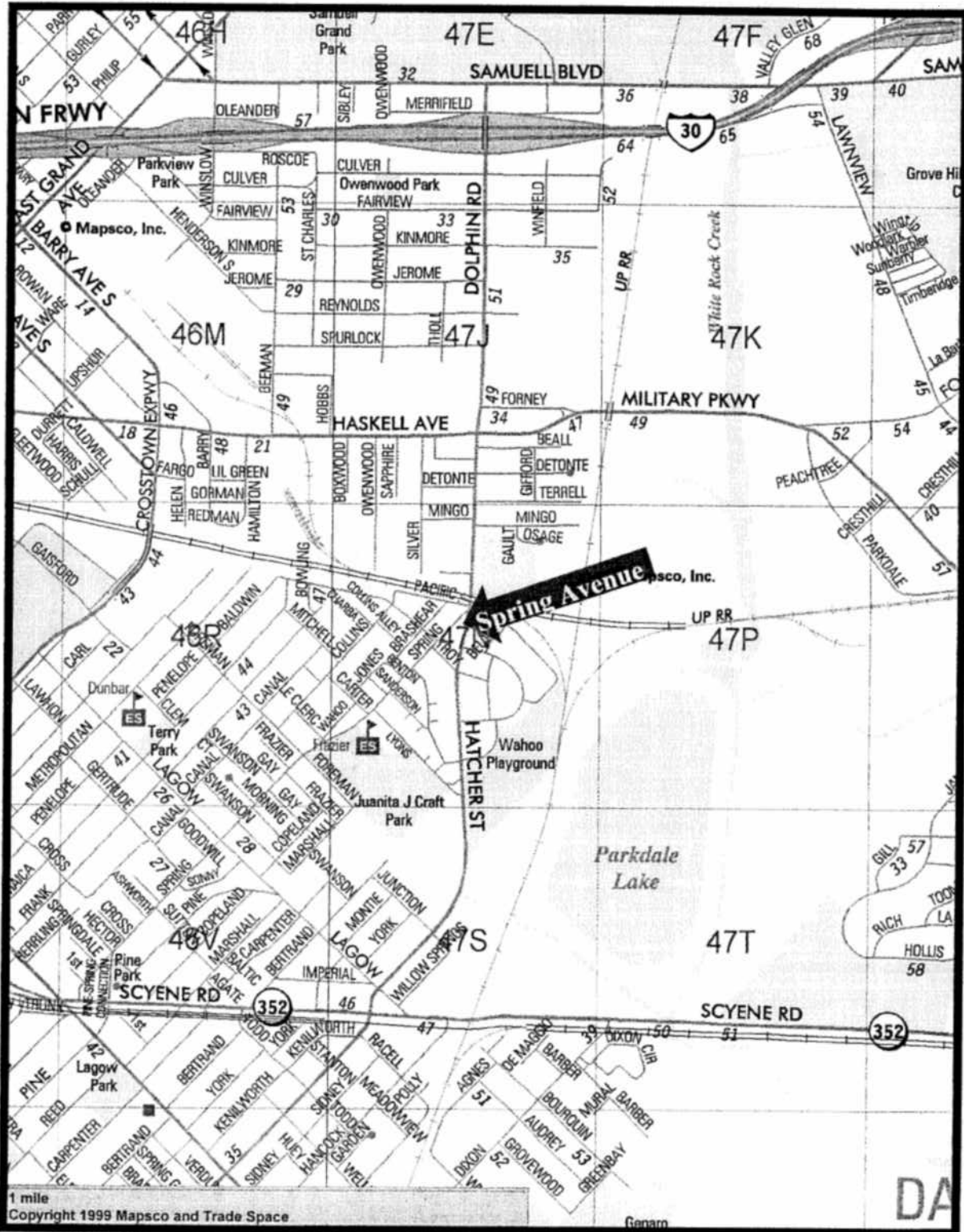
**DEVELOPER**

**South Dallas/Fair Park Inncity  
Community Development  
Corporation**

Diane Ragsdale, Executive Director

**MAP(S)**

Attached



**MAPSCO 47N**

April 28, 2010

**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**, on February 20, 2008, the City Council approved an economic development loan in the amount of \$500,000 at 0% interest to South Dallas/Fair Park Innercity Community Development Corporation; and

April 28, 2010

**WHEREAS**, On August 26, 2009, the City Council approved an additional \$500,000 of FY06 Bond proceeds to ICDC to continue the acquisition of improved and unimproved properties located within the Frazier Neighborhood Investment Program (NIP) area, including associated closing costs, relocation, environmental remediation, or demolition costs. Sites are to be acquired for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment in accordance with the Economic Development Master Plan for the Frazier area; 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:**

**Section 1.** That the City Manager or designee, upon approval as to form by the City Attorney, is hereby authorized to increase the loan amount by \$500,000, from \$1,000,000 to \$1,500,000 on an existing economic development loan with South Dallas/Fair Park Inncity Community Development Corporation (ICDC) for the acquisition of improved and unimproved properties, located within the Frazier Neighborhood Investment Program (NIP) area, including associated closing costs, relocation, environmental remediation, or demolition costs for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment as part of the Economic Development Plan for the Frazier area.

**Section 2.** That the City Manager, upon approval as to form by the City Attorney, is authorized to execute modifications to South Dallas/Fair Park Inncity Community Development Corporation's (ICDC's) loan documents.

**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:

South Dallas/Fair Park Inncity Development Corp. Vendor # 266539  
Fund 9T52, Dept HOU, Unit T807, Act AQDM, Obj 3015  
Program # FRAZIER1, CT HOUT807J277 - in an amount not to exceed \$500,000

**Section 4.** That the City Controller is hereby authorized to set up receivable balance sheet account (033F) and an allowance for uncollectible debt (022D) in fund 8T52 for the amount of the loan.



April 28, 2010

**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 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 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, 4FN