

Memorandum



CITY OF DALLAS

DATE July 28, 2017

TO Honorable Mayor and Members of the City Council

SUBJECT **Tax Foreclosure Procedures**

The purpose of this memo is to update the City Council on a process change for handling tax foreclosure properties. An item will be on the August 23, 2017 agenda authorizing the acceptance of the highest bid as the sales price, release of tax liens and the execution of quitclaim deeds prior to a tax foreclosure sale, like the surplus property public auction process. Currently, City Council approval of the high bids is obtained after the City's tax foreclosure sale. Staff cannot process the deed to transfer ownership and return the property to the tax roll until the City Council authorizes the execution of the deed to the purchaser(s) of the properties.

Below is a brief description of the current process that properties undergo because of foreclosure proceedings:

1. Dallas County notifies Linebarger Goggan Blair & Simpson, LLP law firm of a delinquency, then the law firm files suit;
2. District court enters judgment and orders Sheriff to sell property;
3. Real Estate Division reviews paperwork (judgment, tax statements, plats, orders of sale) and notifies law firm of those properties that are unacceptable (usually title imperfections);
4. Sheriff conducts sale on first Tuesday of each month, and properties not sold by Sheriff are "struck off" to the City of Dallas;
5. Sheriff's deed is prepared giving City title as trustee for all taxing authorities (subject to the right of redemption);
6. Sheriff sends deeds to Real Estate Division, and Sheriff deeds are reviewed and recorded in the Deeds Records;
7. Real Estate Division routes properties to City departments, DISD and Dallas County for possible needs and to Code to determine demolition-worthiness and place on maintenance list;
8. Property is advertised in the Dallas Morning News and posted on the City website;
9. Sealed bids are accepted and opened in public where bid packet includes a certification and assurance of no debts owed to the City, including judgments, tax delinquencies and unpaid liens for code violations;
10. High bidders checked for any pending or history of code violations, and balance due is collected from bidder;
11. City Council authorizes quit claim of properties to highest qualified bidders;
12. Deed is prepared and approved by City Attorney, then deed is recorded and sale is closed, or;
13. If no bid is received, property is included in the next tax sale.

DATE July 28, 2017
SUBJECT Tax Foreclosure Procedures

Proposed Procedure:

City Council authorizes quit claim of properties to proposed highest qualified bidders prior to the tax sale so staff can process the deeds in a timelier manner. All other procedures indicated above will remain.

We are requesting your approval of this item on the August 23, 2017 agenda. Please let me know if you need additional information.



T.C. Broadnax
City Manager

c: Larry Casto, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Kimberly Bizer Tolbert, Chief of Staff to the City Manager
Majed A. Al-Ghafry, Assistant City Manager
Jo M. (Jody) Puckett, Assistant City Manager (Interim)

Jon Fortune, Assistant City Manager
Joey Zapata, Assistant City Manager
M. Elizabeth Reich, Chief Financial Officer
Nadia Chandler Hardy, Chief of Community Services
Raquel Favela, Chief of Economic Development & Neighborhood Services
Theresa O'Donnell, Chief of Resilience
Directors and Assistant Directors

Memorandum



CITY OF DALLAS

DATE July 28, 2017

TO Honorable Mayor and Members of the City Council

SUBJECT **Community Court Review**

As you know, the City of Dallas Community Court is a restorative justice program that provides an alternative way to help restore individuals who perform certain criminal behavior with those communities that have been victimized by quality-of-life crime. The Community Court serves as an alternative to supplement normal case processing in the Municipal Court to prevent recidivism among certain offenders of quality-of-life crimes, and serves as a conduit for delivery of a variety social services to the defendant. An individual who receives a Class C misdemeanor citation for a quality-of-life crime in the court's target area is eligible to participate in the Community Court. Upon receiving a citation, the defendant meets with a trained social worker who assesses their social needs and links the defendant to available social services. Also, in lieu of paying a fine, a defendant may be ordered to perform supervised community service in the community for which the crime occurred. The Dallas Community Court has been very successful in its mission, and is having a positive impact on defendants and the community.

Oversight of the Community Court is currently provided by the City Attorney's Office; it receives support from Municipal Court, and it collaborates with many other City departments. Due to the demand on operations, I received a request for additional resources as well as a question about the most effective organizational alignment for the court. To help me better evaluate these requests, I have asked the Center for Performance Excellence (CPE) to conduct an evaluation of the program and assess the efficiency of operations first before determining what, if any, additional resources may be necessary. The evaluation will also provide information to help determine whether a different organization alignment can enhance the services provided by the Community Court. **With an emphasis on maintaining and enhancing restorative services**, I requested the CPE review to help ensure that we are first making the most efficient use of current available resources before addressing whether additional support is needed.

While the review is not yet complete, I wanted to provide you this memorandum so that you can better understand why the review is being conducted should you be contacted about it. I plan to include input from all stakeholders before reaching any conclusions and will be sure to keep the City Council informed should any enhancements or changes be recommended. I expect the review to be completed soon, but until then, please let me know if you have any questions.

Please contact me or Assistant City Manager Jon Fortune if you have any concerns or additional questions.


T.C. Broadnax
City Manager

cc: Larry Casto, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Kimberly Bizzor Tolbert, Chief of Staff to the City Manager
Majed A. Al-Ghafry, Assistant City Manager
Raquel Favela, Chief of Economic Development & Neighborhood Services

Jo (Jody) M. Puckett, P.E., Interim Assistant City Manager
Jon Fortune, Assistant City Manager
Joey Zapata, Assistant City Manager
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Memorandum



CITY OF DALLAS

DATE July 28, 2017

TO Honorable Mayor and Members of the City Council

SUBJECT August 9, 2017 Park and Recreation Department City Council Agenda Items

On Wednesday, August 9, 2017, the Dallas City Council will be considering the following agenda items:

- Agenda Item 24 – Katy Trail – Authorize preparation of a twenty-year development, operation, and maintenance agreement with one five-year renewal option with Magnolia Station, LLC for the development, operation, and maintenance of a plaza, pedestrian sidewalk and landscape improvements for purposes of connecting to and providing access from an adjacent development to the Katy Trail located at 1607 Lyte Street - Financing: No cost consideration to the City. This item was approved by the Dallas Park and Recreation Board on Thursday, May 18, 2017.
- Agenda Item 25 - Katy Trail – Authorize preparation of a twenty-year development, operation, and maintenance agreement with one five-year renewal option with Travis Cole Apartments 2012, LP for the development, operation and maintenance of a pedestrian sidewalk and landscape improvements for purposes of connecting to and providing access from an adjacent development to the Katy Trail located at 4719 Cole Avenue - Financing: No cost consideration to the City. This item was approved by the Dallas Park and Recreation Board on Thursday, May 18, 2017.

Due to the Quality of Life Committee's meeting schedule, these items will not be able to be reviewed by the committee prior to the council agenda meeting. City Council agenda fact sheets for each of these agenda items are enclosed with this memo to provide further details. If you have any questions, please contact me at 214-670-4071.

A handwritten signature in black ink that reads "Willis C. Winters".

Willis C. Winters, FAIA
Director
Park and Recreation Department

Attachment

c: T.C. Broadnax, City Manager
Larry Casto, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Kimberly Bizer Tolbert, Chief of Staff to the City Manager
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KEY FOCUS AREA: Culture, Arts and Recreation and Educational Enhancements
AGENDA DATE: August 9, 2017
COUNCIL DISTRICT(S): 2
DEPARTMENT: Park & Recreation
CMO: Willis Winters, 670-4071
MAPSCO: 45E

SUBJECT

Authorize a twenty-year development, operation, and maintenance agreement with one five-year renewal option with Magnolia Station, LLC for the development, operation, and maintenance of a plaza, pedestrian sidewalk and landscape improvements for purposes of connecting to and providing access from an adjacent development to the Katy Trail located at 1607 Lyte Street - Financing: No cost consideration to the City

BACKGROUND

This action will authorize a twenty-year development, operation, and maintenance agreement with one five-year renewal option with Magnolia Station, LLC (Magnolia) for the development, operation, and maintenance of a plaza, pedestrian sidewalk and landscape improvements for purposes of connecting to and providing access from an adjacent development to the Katy Trail located at 1607 Lyte Street.

The agreement will be subject to the following terms:

1. The term is for 20 years with one consecutive five-year renewal option.
2. Magnolia, at their own cost, is responsible for the development of the design, plans and specifications for the improvements to be made to the park. Magnolia will submit the design to the Park and Recreation Department for review and approval prior to commencement of construction.
3. Magnolia, at their own cost, is responsible for the maintenance and repair of the improvements during the term of the agreement.
4. Magnolia will manage the design and construction through its own consultants and contractors and will be responsible for all permits and other approvals. All consultants and contractors are required to provide insurance that is consistent with what is required by City consultants and contractors.

August 9, 2017

WHEREAS, the City Charter provides for the Park and Recreation Board to grant contracts and agreements within park facilities with such terms and conditions as it shall deem proper; and

WHEREAS, the City of Dallas Park and Recreation Department (City) and Magnolia Station, LLC (MS), a Texas limited liability company, desire to enter into a twenty-year development, operation, and maintenance agreement, with one five-year renewal option, for the development, operation, and maintenance of a plaza, pedestrian sidewalk and landscape improvements for purposes of connecting to and providing access from an adjacent development to the Katy Trail located at 1607 Lyte Street as described in Exhibit B; and

WHEREAS, the City desires to have MS develop, operate, and maintain parkland during the Term of the Agreement for use and enjoyment of all City of Dallas citizens.

Now, Therefore,

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:

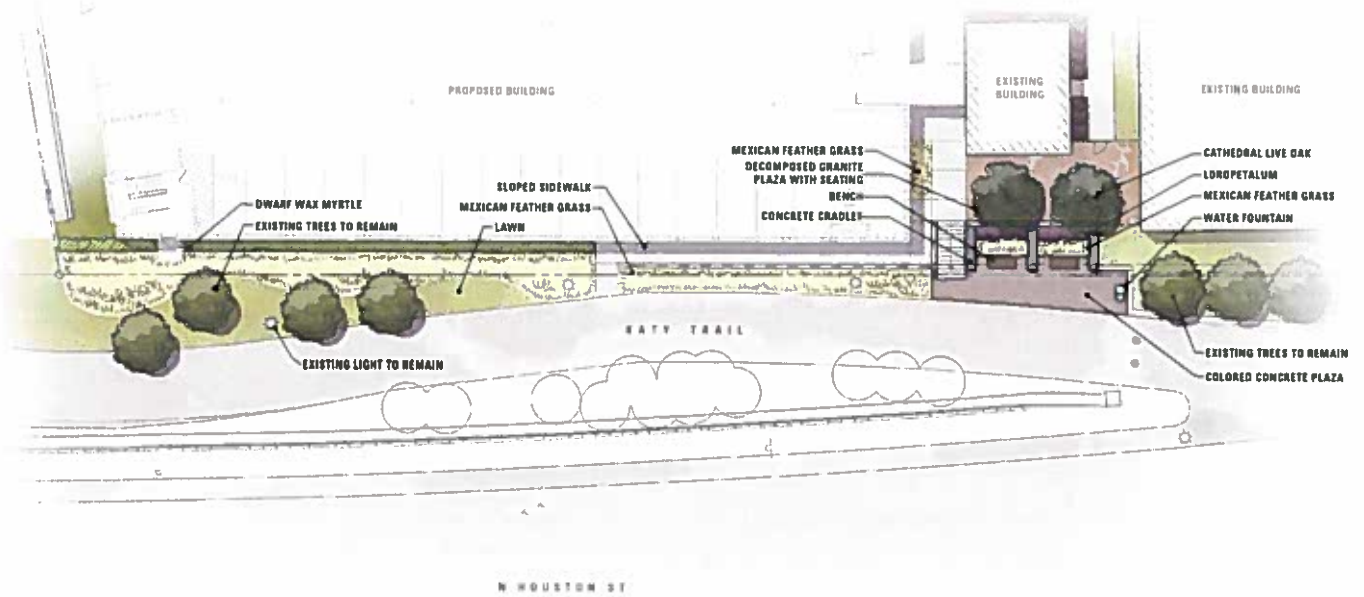
SECTION 1. That the City Manager is hereby authorized to sign a twenty-year development, operation, and maintenance agreement, with one five-year renewal option, with Magnolia Station, LLC, approved as to form by the City Attorney, for the development, operation, and maintenance of a plaza, pedestrian sidewalk and landscape improvements for purposes of connecting to and providing access from an adjacent development to the Katy Trail located at 1607 Lyte Street.

SECTION 2. That the President of the Park and Recreation Board and City Manager are hereby authorized to execute a twenty-year development, operation, and maintenance agreement, with one five-year renewal option, with Magnolia Station, LLC, approved as to form by the City Attorney.

SECTION 3. That the duration of the agreement will be for a term of 20 years with one five-year renewal option.

SECTION 4. That this contract is designated as Contract No. PKR-2017-00002806.

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.



ONE MAGNOLIA / KATY TRAIL CONNECTION - PLAN

📍 10101 Katy Trail, Houston, TX 77055 | 📅 August 2018

Exhibit B





0 50 100 200 300 Feet



**Katy Trail Agreement—Magnolia Station
(1607 Lyte St)**

Mapsc0
45 E

District
2

May 18, 2017

KEY FOCUS AREA: Culture, Arts and Recreation and Educational Enhancements
AGENDA DATE: August 9, 2017
COUNCIL DISTRICT(S): 14
DEPARTMENT: Park & Recreation
CMO: Willis Winters, 670-4071
MAPSCO: 35R

SUBJECT

Authorize a twenty-year development, operation, and maintenance agreement with one five-year renewal option with Travis Cole Apartments 2012, LP for the development, operation and maintenance of a pedestrian sidewalk and landscape improvements for purposes of connecting to and providing access from an adjacent development to the Katy Trail located at 4719 Cole Avenue - Financing: No cost consideration to the City

BACKGROUND

This action will authorize a twenty-year development, operation, and maintenance agreement with one five-year renewal option with Travis Cole Apartments 2012, LP (TCA) for the development, operation, and maintenance of a pedestrian sidewalk and landscape improvements for purposes of connecting to and providing development to the Katy Trail, adjacent to 4719 Cole Avenue.

The agreement will be subject to the following terms:

1. The term is for 20 years with one consecutive five-year renewal option.
2. TCA, at their own cost, is responsible for the development of the design, plans, and specifications for the improvements to be made to the park. TCA will submit the design to the Park and Recreation Department for review and approval prior to commencement of construction.
3. TCA, at their own cost, is responsible for the maintenance and repair of the improvements during the term of the agreement.
4. TCA will manage the design and construction through its own consultants and contractors and will be responsible for all permits and other approvals. All consultants and contractors are required to provide insurance that is consistent with what is required by City consultants and contractors.



0 30 60 120 180 Feet
 May 5, 2017



**Katy Trail Agreement—Saltillo
 (4719 Cole Ave)**

Mapsco
 35 R

District
 14

Exhibit A

SALTILLO
Provident Realty Advisors | ZCA

K&W Landscape Architects
7335 Old Eddy Road
Suite 270
Houston, Texas 77054
713-969-4237

August 9, 2017

WHEREAS, the City Charter provides for the Park and Recreation Board to grant contracts and agreements within park facilities with such terms and conditions as it shall deem proper; and

WHEREAS, the City of Dallas Park and Recreation Department (City) and Travis Cole Apartments 2012, LP (TCA) desire to enter into a twenty-year development, operation, and maintenance agreement, with one five-year renewal option, for the development, operation, and maintenance of a pedestrian sidewalk and landscape improvements for purposes of connecting to and providing access from an adjacent development to the Katy Trail located at 4719 Cole Avenue as described in Exhibit A; and

WHEREAS, the City desires to have Travis Cole Apartments 2012, LP develop, operate, and maintain parkland during the Term of the Agreement for use and enjoyment of all City of Dallas citizens.

Now, Therefore,

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to sign a twenty-year development, operation, and maintenance agreement, with one five-year renewal option, with Travis Cole Apartments 2012, LP, approved as to form by the City Attorney, for the development, operation, and maintenance of a pedestrian sidewalk and landscape improvements for purposes of connecting to and providing access from an adjacent development to the Katy Trail located at 4719 Cole Avenue.

SECTION 2. That the President of the Park and Recreation Board and City Manager are hereby authorized to execute a twenty-year development, operation, and maintenance agreement, with one five-year renewal option, with Travis Cole Apartments 2012, LP, approved as to form by the City Attorney.

SECTION 3. That the duration of the agreement will be for a term of 20 years with one five-year renewal option.

SECTION 4. That this contract is designated as Contract No. PKR-2017-00002807.

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.