

Memorandum



CITY OF DALLAS

DATE June 7, 2024

TO Honorable Mayor and Members of the City Council

SUBJECT **June 12, 2024 City Council FINAL Agenda – Additions/Revisions/Deletions Memorandum**

On May 31, 2024, a DRAFT City Council Agenda June 12, 2024, was provided for your review. This memorandum outlines any additions, revisions or deletions made to the FINAL agenda after the distribution of the DRAFT agenda. In addition, we have highlighted agenda items which have been briefed to the City Council and/or Committee by briefing memorandums.

Additional items and deletions to the DRAFT agenda are outlined below, including *revisions* to the FINAL agenda are underlined in blue and *deletions* are strikethrough in red. A brief explanation for revisions along with staff's contact information is provided.

Additions:

44. 24-1978 A resolution that does not support construction of any aboveground rail lines through the Downtown, Uptown, and Victory Park areas of Dallas, except for streetcar expansion projects currently under consideration and that the City Council will reconsider the Dallas to Fort Worth high speed rail alignment upon completion of the economic impact study - Financing: No cost consideration to the City
45. 24-1776 Authorize the adoption of the Senate Bill 4 Resolution, which **(1)** condemns Senate Bill 4 for its potential negative impact on public safety; and **(2)** emphasizes the importance of maintaining cooperation and trust between city officials, law enforcement, and the community - Financing: This action has no cost consideration to the City (see Fiscal Information)

Revisions:

14. 24-1696 Authorize an amendment to **(1)** the Dallas Housing Policy 2033, as shown in the attached Exhibit A page 11 to **(a)** require 50% of the Department of Housing & Neighborhood Revitalization's annual funding to Equity Strategy Target Areas; **(2)** the Dallas Housing Resource Catalog to New Construction and Substantial Rehabilitation Program, as shown in the attached Exhibit B pages 31-39 to **(a)** add a preference to award to developer partners with no current outstanding housing projects with the City; **(b)** cap all gap funding provided to a developer at a maximum 25% of total development cost or \$5,000,000.00, whichever is less (subject to exceptions for affordable housing projects in target areas and

developments with specific project initiatives); (c) revise and provide consistency in repayment terms for annual cash surplus payments for developers; (3) Single Family Development Requirements/Underwriting, as shown in the attached Exhibit B pages 71-81 to (a) add a preference for single-family and homeownership development; (b) add a preference to award to developer partners with no current outstanding housing projects with the City; (c) cap all gap funding provided to a developer at a maximum 25% of total development cost or \$5,000,000.00, whichever is less (subject to exceptions for affordable housing projects in target areas and developments with specific project initiatives); (d) revise and provide consistency in repayment terms for annual cash surplus payments for developers; and (4) the Land Transfer Program, as shown in the attached Exhibit B pages 44-49 (a) to authorize the City Manager to provide a defaulting developer's third-party private financial institution an opportunity to cure the developer's default before the City exercises its Right of Reverter with a right of reentry for affordable multi-family rental or single-family homeownership projects when the third-party lender's loan is in an amount greater than the City's financing – Financing: No cost consideration to the City

This item is being revised to update the Agenda Information Sheet and Resolution. Please contact Cynthia Rogers-Ellickson, Director, Department of Housing & Neighborhood Revitalization, at 214-670-3601, for more information.

31. 24-1772 Authorize a Chapter 380 Economic Development Grant Agreement and all other necessary documents with Low Ervay, LLC and/or its affiliates ("Developer") in an amount not to exceed \$1,854,995.00 payable from the Economic Development (3) Fund (2012 General Obligation Bond Funds) in consideration of the Power & Light Mixed-Income Redevelopment Project ("Project") on property to be addressed as 2220 S. Ervay Street, Dallas, Texas 75215 and to assist with the extraordinary cost of required off-site wastewater infrastructure improvements for the Project - Not to exceed \$1,854,995.00 - Financing: 2012 General Obligation Bond Funds
This item is being revised to update the Prior Action section and Resolution. Please contact Kevin Spath, Director (i), Office of Economic Development, at 214-670-1691, for more information.

Deletions:

32. 24-1770 A resolution adopting the City's Federal Legislative Program for the 119th Session of the United States Congress - Financing: No cost consideration to the City
This item is being deleted due to the Federal Legislative Program briefing being postponed. Please contact Carrie Rogers, Director, Office of Government Affairs, at 214-670-5682, for more information.

A memorandum was previously provided to the City Council and/or Committee regarding the following items. A link to the specific memorandums is also attached for more information.

Memorandums:

9. 24-1752 A resolution authorizing the **(1)** execution of the Amended and Restated Revolving Credit Agreement with JPMorgan Chase Bank, National Association (“JPMorgan”) in support of the City of Dallas, Texas Waterworks and Sewer System Commercial Paper Notes, Series F; and **(2)** execution of the Amended and Restated Fee Letter Agreement with JPMorgan; and **(3)** the execution of agreements pertaining thereto and resolving other matters related thereto for a three-year extension from July 8, 2024 to July 8, 2027 - Not to exceed \$6,230,579 - Financing: Dallas Water Utilities Fund (\$683,300 upfront closing costs plus three-year cost of \$5,547,279) (subject to annual appropriations)

[The City Council was briefed by memorandum regarding this matter on June 7, 2024.](#)

14. 24-1696 Authorize an amendment to **(1)** the Dallas Housing Policy 2033, as shown in the attached Exhibit A page 11 to **(a)** require 50% of the Department of Housing & Neighborhood Revitalization’s annual funding to Equity Strategy Target Areas; **(2)** the Dallas Housing Resource Catalog to New Construction and Substantial Rehabilitation Program, as shown in the attached Exhibit B pages 31-39 to **(a)** add a preference to award to developer partners with no current outstanding housing projects with the City; **(b)** cap all gap funding provided to a developer at a maximum 25% of total development cost or \$5,000,000.00, whichever is less (subject to exceptions for affordable housing projects in target areas and developments with specific project initiatives); **(c)** revise and provide consistency in repayment terms for annual cash surplus payments for developers; **(3)** Single Family Development Requirements/Underwriting, as shown in the attached Exhibit B pages 71-81 to **(a)** add a preference for single-family and homeownership development; **(b)** add a preference to award to developer partners with no current outstanding housing projects with the City; **(c)** cap all gap funding provided to a developer at a maximum 25% of total development cost or \$5,000,000.00, whichever is less (subject to exceptions for affordable housing projects in target areas and developments with specific project initiatives); **(d)** revise and provide consistency in repayment terms for annual cash surplus payments for developers; and **(4)** the Land Transfer Program, as shown in the attached Exhibit B pages 44-49 **(a)** to authorize the City Manager to provide a defaulting developer’s third-party private financial institution an opportunity to cure the developer’s default before the City exercises its Right of Reverter with a right of reentry for affordable multi-family rental or

single-family homeownership projects when the third-party lender's loan is in an amount greater than the City's financing – Financing: No cost consideration to the City

[The Housing and Homelessness Solutions Committee was briefed by memorandum regarding this matter on May 24, 2024.](#)

15. 24-1713 Authorize an amendment to Resolution 23-0544, previously approved on April 26, 2023 authorizing the **(1)** Dallas Public Facility Corporation (DPFC) or its affiliate to purchase, using Community Development Block Grant (CDBG) Funds, and own property located at 9999 West Technology Boulevard, Dallas, Texas 75220 (the Property); **(2)** City Manager to negotiate and execute a development agreement and security instruments with the DPFC, each as approved to form by the City Attorney, and in compliance with 24 CFR 570.201(a) and (b), in an amount not to exceed \$10,000,000.00 in CDBG Funds to acquire and own, and facilitate the development of a mixed-income affordable multifamily complex known as The Park at Northpoint to be located at the Property; and **(3)** DPFC to enter into a seventy-five-year ground lease with the LDG – The Park at Northpoint, LP and/or its affiliate, for the development of the Project at the Property – Not to exceed \$10,000,000.00 – Financing: Community Development Block Grant Funds; Estimated Revenue Forgone: General Fund \$178,205,551.00 for 75 years (see Fiscal Information)

[The Housing and Homelessness Solutions Committee was briefed by memorandum regarding this matter on May 24, 2024.](#)

20. 24-1657 Authorize the Sixth Amendment to the Project Supplemental Agreement with Dallas County for Medical District Drive from Interstate Highway to Southwestern Medical Avenue for the City's share of additional construction costs for additional paving and drainage, structural, landscape, streetlight, and water and wastewater improvements – Not to exceed \$264,936.00 – Financing: Street and Transportation (A) (2017 General Obligation Bond Fund) (\$123,535.00), Water Capital Improvement G Fund (\$63,816.00), Water Construction Fund (\$896.00), and Wastewater Capital Improvement F Fund (\$76,689.00)

[The City Council was briefed by memorandum regarding the upcoming Agenda Items for the June 28, 2017 Council Agenda Meeting on June 23, 2017.](#)

36. 24-1757 Authorize a Memorandum of Understanding with the United States Capitol Police (USCP) to provide reimbursement for support and enhancements provided by the Dallas Police Department and Dallas Fire Rescue for Congressional events and/or USCP protective operations occurring in the jurisdiction of the City of Dallas - Not to exceed \$150,000.00 - Financing: General Fund

The Public Safety Committee will be briefed by memorandum regarding this matter on June 10, 2024.

41. 24-1651 Authorize **(1)** final adoption of the FY 2024-25 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$30,949,109 for the following programs and estimated amounts: **(a)** Community Development Block Grant (CDBG) in the amount of \$13,023,068; **(b)** HOME Investment Partnerships Program (HOME) in the amount of \$5,078,453; **(c)** Emergency Solutions Grant in the amount of \$1,213,719; **(d)** Housing Opportunities for Persons with AIDS in the amount of \$9,864,583; **(e)** estimated CDBG and HOME Program Income in the amount of \$700,000; and **(f)** FY 2023-24 Reprogramming Funds in the amount of \$1,069,286; and **(2)** the new Five-Year Consolidated Plan, covering the period of FY 2024-25 through FY 2028-29 - Financing: This action has no cost consideration to the City (see Fiscal Information)

[The City Council was briefed by memorandum regarding this matter on December 8, 2023.](#)

[The Government Performance and Financial Management Committee was briefed by memorandum regarding this matter on January 19, 2024.](#)

[The Government Performance and Financial Management Committee was briefed by memorandum regarding this matter February 26, 2024.](#)

[The City Council was briefed by memorandum on the actual HUD grant allocations for the FY 2024-25 Consolidated Plan Budget on May 17, 2024.](#)

43. 24-1826 Authorize **(1)** the approval of the City Council of the City of Dallas, to act as the applicable elected representative, as defined by Section 147(f)(2)(E) of the Internal Revenue Code of 1986, as amended (Code), of the issuance of multifamily residential mortgage revenue bonds (Bonds) issued by the City of Dallas Housing Finance Corporation (DHFC or Issuer) in one or more series of tax-exempt bonds in an amount not to exceed \$31,000,000.00; proceeds of the Bonds will be loaned April Housing, or its affiliate, 13695 Goldmark Drive (TX) Owner, LP (collectively referred to as Borrower) to finance a portion of the cost of the renovation of units for an affordable multifamily complex to be known as Waterford at Goldmark and located at 13695 Goldmark Drive, Dallas, Texas, 75240 (Development); and **(2)** the approval of the application of the Texas Housing Finance Corporations Act, Chapter 394, Local Government Code (Act), to the property on which the Development will be constructed and the use of proceeds of the bonds issued by the DHFC pursuant to the Act to finance and construct the Development; a public hearing with respect to the Bonds and the Development was held on April

18, 2024 after reasonable public notice was published in a newspaper of general circulation in the City of Dallas all in compliance with Section 147(f) of the Code - Financing: No cost consideration to the City (This item was deferred on May 22, 2024)

[The Housing and Homelessness Solutions Committee was briefed by memorandum regarding this matter on May 17, 2024.](#)

PH1. 24-1892 A public hearing to receive comments on **(1)** the Proposed FY 2024-25 HUD Consolidated Plan Budget for U.S. Department of Housing and Urban Development (HUD) Grant Funds and Fiscal Year (FY) 2023-24 Reprogramming Funds; and **(2)** the new Five-Year Consolidated Plan, covering the period of FY 2024-25 through FY 2028-29 - Financing: No cost consideration to the City

Note: This item was considered by the City Council at a public hearing on May 22, 2024, and was held under advisement until June 12, 2024, with the public hearing open.

[The City Council was briefed by memorandum regarding this matter on December 8, 2023.](#)

[The Government Performance and Financial Management Committee was briefed by memorandum regarding this matter on January 19, 2024.](#)

[The Government Performance and Financial Management Committee was briefed by memorandum regarding this matter February 26, 2024.](#)

PH2. 24-1699 A public hearing to receive comments regarding an application by LDG The Legacy on Kiest, LP an affiliate of LDG Development, LLC (Applicant) to the Texas Department of Housing and Community Affairs (TDHCA) for 4% Non-Competitive Low Income Housing Tax Credits for the development of The Legacy on Kiest, a 180-unit multifamily development located at 2621 Southerland Avenue, Dallas, Texas 75203 (Property); and, at the close of the public hearing adopt a Resolution of No Objection for Applicant, related to its application to TDHCA for the development of The Legacy on Kiest, a multifamily development (Development), and in accordance with 10 TAC § 11.3(d) (the Administrative Code) and the Qualified Allocation Plan (QAP), specifically allow the construction of the Development, as required by the Administrative Code, because the Development is within one linear mile or less of Skyline at Cedar Crest (a recent 4% housing tax credit project located at 2720 East Kiest Boulevard, Dallas, Texas 75216), and is therefore subject to the One Mile Three Year Rule - Financing: No cost consideration to the City

[The Housing and Homelessness Solutions Committee was briefed by memorandum on May 24, 2024.](#)

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Please feel free to reach out to me or Vhee Anastacio, City Agenda Manager, if you have questions or should you require additional information at this time.

Service First, Now!



Kimberly Bizzor Tolbert
City Manager (I)

c: Tammy Palomino, City Attorney
Mark Swann, City Auditor
Billerae Johnson, City Secretary
Preston Robinson, Administrative Judge
Dominique Artis, Chief of Public Safety (I)
Majed A. Al-Ghafry, Assistant City Manager
M. Elizabeth (Liz) Cedillo-Pereira, Assistant City Manager

Alina Ciocan, Assistant City Manager
Donzell Gipson, Assistant City Manager (I)
Robin Bentley, Assistant City Manager (I)
Jack Ireland, Chief Financial Officer
Elizabeth Saab, Chief of Strategy, Engagement, and Alignment (I)
Directors and Assistant Directors