

October 23, 2019

WHEREAS, the U.S. Department of Housing and Urban Development (“HUD”) provides grant funds through the Housing Opportunities for Persons with AIDS (“HOPWA”) program according to the terms of 24 C.F.R. Part 574, to assist grantees in meeting the housing needs of low-income persons with HIV/AIDS and HIV-related illness and their families within the grantee’s Eligible Metropolitan Statistical Area (“EMSA”); and

WHEREAS, the City is a grantee of HOPWA funds to serve the Dallas EMSA, and the City’s FY 2019-20 HUD Consolidated Plan Budget includes the HOPWA Grant Funds from HUD, in the amount of \$7,058,692.00; and

WHEREAS, PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas (“ASD”) submitted a proposal in response to the City’s Request for Proposals (#BRZ19-00010793) to provide for non-substantial rehabilitation of certain properties, which provide permanent housing for persons with HIV/AIDS; and

WHEREAS, the City of Dallas seeks to enter into a contract with ASD to make these site improvements, funded by FY 2019-20 HOPWA Grant Funds, which are available beginning October 1, 2019, contingent upon HUD’s approval of the City’s Five-Year Consolidated Plan and FY 2019-20 Action Plan (which is based on the approved HUD Consolidated Plan Budget, submitted on August 15, 2019) and execution of grant agreements with HUD; and

WHEREAS, the site improvements at the properties will constitute non-substantial rehabilitation at the facility and, under federal regulations, the facility must be maintained, to provide housing or assistance for persons with HIV/AIDS for a minimum use period of not less than three years after the rehabilitation is completed.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a loan agreement with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as borrower, and Supportive Housing, Inc. and Hillcrest House Partnership, Ltd. as owners, approved as to form by the City Attorney, for a secured, zero percent interest, forgivable loan to provide for non-substantial rehabilitation of properties located at 731 North Ewing Street, 720 North Lancaster Avenue, 717 Comal Street, and 834 North Marsalis Avenue, which provide permanent housing for persons with HIV/AIDS for the period October 1, 2019 through September 30, 2020 and to execute any and all documents required by the loan agreement.

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SECTION 2. That the terms of the loan documents include:

- a. Supportive Housing, Inc. and Hillcrest House Partnership, Ltd. shall execute a deed of trust and note payable to the City of Dallas.
- b. Supportive Housing, Inc. shall execute deed restrictions on 731 North Ewing Street, 720 North Lancaster Avenue, and 717 Comal Street, and Hillcrest House Partnership, Ltd. shall execute deed restrictions on 834 North Marsalis Avenue, to continue to provide housing and services to persons with HIV/AIDS for three years commencing upon completion of the non-substantial rehabilitation.
- c. The deed of trust and deed restrictions will be released upon successful completion of the rehabilitation, in accordance with the loan agreement, and the provision of housing services for persons with HIV/AIDS continuously for three years after completion of the non-substantial rehabilitation.
- d. The loan may be forgiven three years after completion of the non-substantial rehabilitation, upon compliance with all terms of the loan agreement and loan documents by PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas, Supportive Housing, Inc., and Hillcrest House Partnership, Ltd.

SECTION 3. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute subordination and release of liens, release of notes payable, and termination of deed restrictions on the properties upon the parties' compliance with all terms of the loan agreement and any other loan documents.

SECTION 4. That this resolution does not constitute a binding agreement on the City or subject the City to any liability or obligations with respect to this project until such time as the loan is legally awarded and the documents are duly approved by all parties and executed.

SECTION 5. That the Chief Financial Officer is hereby authorized to disburse grant funds in an amount not to exceed \$300,000.00 to PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas from the 2019-20 Housing Opportunities for Persons with AIDS Grant Fund, Fund HW19, Department MGT, Unit 930D, Object 3015, Service Contract No. OHS-2019-00011447, Vendor 238632.

SECTION 6. That the City Financial Officer is hereby authorized to set up receivable Balance Sheet Account 033F and an allowance for Uncollectible Debt 022D in Unit 930D for the amount of the loan.

SECTION 7. 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.