

September 27, 2023

~~**WHEREAS**, on June 22, 2022, the City Council authorized an interlocal agreement between the City of Dallas (City) and the County of Dallas (County) for the City's acceptance of funds in an amount not to exceed \$10,000,000.00 from the County's allocated ARPA State and Local Fiscal Recovery funds (ARPA SLFR Funds) for the period of September 1, 2022 to September 30, 2024 to be used: (i) for the redevelopment of 4150 Independence Drive, Dallas, Texas 75237; and (ii) to provide housing opportunities and supportive services for unsheltered youth (ages 18-24) with a focus on LGBTQIA+ youth at or below 30% Area Median Income (collectively, the Target Populations) by Resolution No. 22-1011; and~~

~~**WHEREAS**, the City has a long-standing commitment to protect the health and safety of Dallas's homeless and housing insecure through medical services, supportive services, job training, temporary and permanent housing, and other emergent services; and~~

~~**WHEREAS**, as part of the \$362 billion in federal fiscal recovery aid allocated to state and local governments, \$65.1 billion was provided under the American Rescue Plan Act ("ARPA"), Coronavirus State and Local Fiscal Recovery ("SLFR") Funds, codified as Social Security Act §§ 602 and 603, as added by section 9901 of ARPA (collectively, the "Act") direct aid to counties, on June 1, 2021, the Dallas County Commissioners Court accepted and authorized the use of federal funds received by Dallas County (the "County") and the CARES Act Coronavirus Relief Fund in the amount of \$511,918,088.00 via court order 2021-0573; and~~

~~**WHEREAS**, the County intends to utilize a portion of its allocation of ARPA SLFR Funds for regional projects and programs that assist disadvantaged and underserved communities through housing support and infrastructure improvements; and~~

~~**WHEREAS**, the City and the County desire to address the needs of the homeless, unsheltered, or unstably housed populations at or below thirty percent (30%) of the Area Median Income (the "Target Population"), by providing supportive housing and supportive services; and~~

~~**WHEREAS**, the County of Dallas (the "County") also recognizes the importance of, and has established as a public purpose, the creation and maintenance of emergency, transitional and affordable housing, improving housing security, and providing supportive services to the homeless and housing insecure, by Order No. 23-\_\_\_\_\_; and~~

~~**WHEREAS**, anticipate four or more supportive housing and/or supportive services projects to be identified and mutually agreed to by the City and the County prior to December 31, 2024; and~~

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~~**WHEREAS**, the Interlocal Cooperation Act, codified as Chapter 791 of the Texas Government Code, authorizes local governments and political subdivisions of the State of Texas to contract with each other for the performance of governmental functions and services in which the parties are mutually interested; and~~

~~**WHEREAS**, the City and the County are mutually interested in the development of supportive housing and services with a focus on the Target Population; and~~

~~**WHEREAS**, the City and the County seek to enter into an interlocal agreement, attached hereto as **Exhibit A** and incorporated by reference, to establish a regional initiative under which the County will provide the City with an allocation not to exceed \$2,500,000.00 per project, with an overall amount not to exceed \$10,000,000.00 of ARPA SLFR Funds to enable the City to redevelop the Properties, along with two other projects to be identified, to serve the region's need for supportive housing and services for those experiencing homelessness or housing insecurity; and~~

~~**WHEREAS**, the City will be the lead agency for the Projects, including taking lead in all public solicitations to solicit one or more proposals, and shall be responsible for any cost overruns in excess of the County funding participation, subject to annual appropriation; and~~

~~**WHEREAS**, on June 22, 2022, the City authorized the acceptance of \$10,000,000.00 from Dallas County to provide for the creation and maintenance of supportive housing, improving housing security, and providing supportive services to the homeless, including homeless youth and/or homeless lesbian, gay, bisexual, transgender, queer, questioning, intersex, and asexual/agender ("LGBTQIA+") youth, and the larger unsheltered and/or unstably housed population at or below 30% Area Median Income, within the City of Dallas and Dallas County (the "public purpose"), by Resolution No. 22-1011; and~~

~~**WHEREAS**, during discussions regarding the eligible projects under the interlocal agreement, the County has conditioned its reimbursement of the City's costs from the ARPA SLFR Funds as follows: (i) total reimbursement is an amount not to exceed \$2,500,000.00 per project; and (ii) no more than one project serving eligible beneficiaries under ARPA to be located within the current geographical boundary of each Dallas County Commissioner's District; and~~

~~**WHEREAS**, the City desires to amend Resolution No. 22-1011 to clarify the permissible uses of the Funds, the Target Population, and the project location by County Commissioner District.~~

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**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 an interlocal agreement (the "Agreement"), attached hereto as **Exhibit A**, incorporated herein, and approved as to form by the City Attorney, with the County of Dallas (the "County"), to accept funds payable on a reimbursement basis in an amount not to exceed \$2,500,000.00, per supportive housing and/or services project for eligible ARPA beneficiaries, and an overall amount not to exceed \$10,000,000.00 from the County's allocated ARPA State and Local Fiscal Recovery funds (ARPA SLFR Funds) for the period of October 1, 2023 to September 30, 2026.~~

~~**SECTION 2.** The City and County anticipate the City's use of the ARPA SLFR Funds for four or more supportive housing and/or supportive services projects. Accordingly, the City Manager is hereby authorized to: (a) identify, obtain agreement from the County, and seek approval of two or more additional supportive housing and/or supportive services projects for the Target Population with no more than one project to be located within the current geographical boundary of each Dallas County Commissioner's District; and (b) prior to December 31, 2024, execute a subrecipient agreement, each approved as to form by the City Attorney, for each approved projects, which includes the terms, conditions, and obligations consistent with those set forth in the sample subrecipient agreement attached to **Exhibit A** and incorporated herein.~~

~~**SECTION 3.** That the term "Target Populations" set forth in Section 2 of Resolution No. 22-1011 is replaced with the term "Target Population" as defined in **Exhibit A** and the special terms, conditions and obligations set forth in Section 4 of Resolution No. 22-1011 are replaced with those set forth in **Exhibit A**.~~

~~**SECTION 4.** That all other terms and conditions as set forth in Resolution No. 22-1011 approved on June 22, 2022 shall remain in full force and effect, except as specifically outlined in Section 3 above.~~

~~**SECTION 5.** That this resolution does not constitute a binding agreement upon the City or subject to the City to any liability or obligation until such time as the interlocal agreement and subrecipient agreements are duly approved by all parties and executed.~~

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**SECTION 6.** ~~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.~~