

December 13, 2023

WHEREAS, the City of Dallas (“City”) has a long-standing commitment to protect the health and safety of City’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 Fund (CSLFRF), 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 CSLFRF grant 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 30 percent of the Area Median Income (the Target Population), by providing supportive housing and supportive services; 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 a subrecipient agreement to provide certain services and to establish a regional initiative under which the County will provide the City with an allocation not to exceed \$2,500,000.00 to enable the City to redevelop the Property located at 4150 Independence Drive, to help meet 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 Project, 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 percent Area Median Income, within the City of Dallas and Dallas County, by Resolution No. 22-1011; and

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WHEREAS, during discussions the County has since redirected City staff to seek separate approval of potential projects via subrecipient agreement(s) instead of by an interlocal agreement, and, at this time, the City has provided sufficient detail for the County to consider authorization of \$2,500,000.00 for one project located at 4150 Independence Drive. The County has conditioned its reimbursement of the City's costs from the ARPA CSLFRF grant funds as follows: **(1)** total reimbursement is in an amount not to exceed \$2,500,000.00; and

WHEREAS, the City desires to rescind Resolution No. 22-1011, which authorized the execution of an interlocal agreement with Dallas County to accept funds in an amount not to exceed \$10,000,000.00 and authorize (a) acceptance of \$2,500,000.00 of ARPA CSLFRF grant funds and (b) execution of a subrecipient agreement with the County to utilize the \$2,500,000.00 grant for redevelopment of a building on City-owned land located at 4150 Independence Drive; and

WHEREAS, anticipate two 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.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to **(1)** rescind Resolution No. 22-1011, previously approved on June 22, 2022 that authorized the execution of an interlocal agreement with Dallas County to accept funds in an amount not to exceed \$10,000,000.00; **(2)** accept \$2,500,000.00 grant from the County's allocated ARPA Coronavirus State and Local Fiscal Recovery Funds; and **(3)** execute a subrecipient agreement using such funds for the redevelopment, renovation, and construction of 4150 Independence Drive, Dallas, Texas 75237 (city-owned real property) to provide supportive housing and services for households at or below 30 percent Area Median Income for the period December 13, 2023 through September 30, 2026 as further described in the subrecipient agreement, attached hereto as **Exhibit A**.

SECTION 2. That the City hereby identifies the lack of supportive housing for unsheltered and/or unstably housed populations within the City and the surrounding region.

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SECTION 3. That the City hereby establishes as a public purpose the creation and maintenance of supportive housing, improving housing security, and providing supportive services to the unsheltered and/or unstably housed population at or below 30 percent Area Median Income (the "Target Population"), within the City of Dallas and Dallas County (the "public purpose").

SECTION 4. That the City Manager is hereby authorized to work with the County Administrator to establish a regional partnership to provide housing opportunities for the Target Population to serve the public purpose.

SECTION 5. The City and County anticipate the City's use of the ARPA CSLFRF Funds for two 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 project(s), 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 6. That the City Manager is hereby authorized to reimburse the County or the U.S. Department of the Treasury ("Treasury") for any expenditures identified as ineligible. That the City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than thirty (30) days after the reimbursement. Further, that the City Manager shall keep the appropriate City Council Committee informed of all final audit reports to the County or the Treasury not later than thirty (30) days after the receipt of the report.

SECTION 7. That the City Manager is hereby authorized to make changes to the receipt of funds in accordance with ARPA Treasury Guidance and to provide additional information, make adjustments, and take other actions relating to the funds as may be necessary to satisfy County or Treasury grant requirements.

SECTION 8. That the Chief Financial Officer is hereby authorized to receive and deposit from Dallas County funds in the amount not to exceed \$2,500,000.00, upon receipt of a fully executed subrecipient agreement in an amount not to exceed \$2,500,000.00 in the FY22 Dallas County ARPA Fund, Fund FC30, Department MGT, Unit 935G, Revenue Code 6506.

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SECTION 9. That the subrecipient agreement with Dallas County is designated as Contract No. OHS-2022-00019345.

SECTION 10. 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 subrecipient agreements are duly approved by all parties and executed.

SECTION 11. 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.