

December 11, 2024

~~**WHEREAS**, on April 25, 1984, the City of Dallas ("City") authorized the creation of the City of Dallas Housing Finance Corporation ("DHFC") as a Texas nonprofit corporation, pursuant to the Texas Housing Finance Corporation Act, Chapter 394, Local Government Code, V.T.C.A., as amended (the "Act"), to act on behalf of the City in carrying out the public purpose of the Act by Resolution No. 84-1458; and~~

~~**WHEREAS**, on February 28, 2007, the City Council authorized an amendment to the DHFC Bylaws to allow the DHFC to purchase, lease, own, hold title to, or otherwise acquire an interest in a residential development, directly or indirectly through a subsidiary of the DHFC, subject to City Council approval by Resolution No. 07-0733; and~~

~~**WHEREAS**, on March 27, 2013, the City Council authorized an amendment to the DHFC's Articles of Incorporation to allow the DHFC to classify all its income as tax exempt in accordance with 509(a)(2) of the Internal Revenue Service Code by Resolution No. 13-0541; and~~

~~**WHEREAS**, on April 12, 2023, the City Council adopted the Dallas Housing Policy 2033 ("DHP33") by Resolution No. 23-0443, and the Dallas Housing Resource Catalog ("DHRC") to include the approved programs by Resolution No. 23-0444; and~~

~~**WHEREAS**, pursuant to Section 394.9025(a) of the Act, following a public hearing, the DHFC may issue bonds to finance a multifamily residential development to be owned by the DHFC if at least 50 percent of the units in the multifamily residential development are reserved for occupancy by individuals and families earning less than 80 percent of the area median family income; and~~

~~**WHEREAS**, pursuant to the Act, the Project will be exempt from all ad valorem taxes; and~~

~~**WHEREAS**, on September 10, 2024, the DHFC adopted a resolution declaring its intent to issue bonds for the financing of the acquisition and authorizing negotiation and execution of a memorandum of understanding with the Applicant; and~~

~~**WHEREAS**, pursuant to the Act, the City desires to authorize the DHFC's issuance of tax-exempt essential function bonds and ownership of the Project in order to provide mixed-income, affordable and workforce housing in the City.~~

~~**Now, Therefore,**~~

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

December 11, 2024

**SECTION 1.** ~~That City of Dallas, acting through its Governing Body, does hereby find and determine that the transaction to acquire the Oak & Ellum, an existing 424-unit market rate residential housing development located at 2627 Live Oak St, Dallas, TX 75204 ("Project") should be undertaken, and does hereby approve the form of the transaction through the issuance of tax-exempt essential function bonds by the Dallas Housing Finance Corporation ("DHFC"), the proceeds of which will be used by the DHFC or its affiliate to purchase and acquire the Project.~~

- ~~a. Dallas Housing Finance Corporation ("DHFC or Corporation") to acquire and own Oak & Ellum, a multifamily development located at 2627 Live Oak St, Dallas, TX 75204.~~
- ~~b. Disbursement of \$1,489,361.00 from Waterford Property Company, LLC Funds to Tax Increment Financing Reinvestment Zone Number Twelve ("Deep Ellum TIF District" or "TIF District") Fund, a payment in lieu of annual TIF District increment for tax years 2025, 2026, and 2027 (TIF District termination in tax year 2027 with fiscal year 2028 collections).~~
- ~~c. Waterford Property Company, LLC (Applicant), submitted an application to the Dallas Housing Finance Corporation (DHFC or Corporation) to acquire, develop, and own Oak & Ellum, a 424-unit multifamily development, located at 2627 Live Oak St, Dallas, TX 75204 (Project). The Corporation will own the site and improvements while contracting with the Applicant who will act as the Project Administrator.~~
- ~~d. Upon acquisition by the Corporation, the property will have at least 20% of the units reserved for residents earning below 60% Area Median Income (AMI), 30% of the units reserved for residents earning 80% AMI, 40% of the units reserved for residents earning 140% AMI and 10.00% of the units at market rate. The affordability period will remain for the duration of the DHFC ownership, at a minimum of 15 years.~~
- ~~e. This proposed Corporation acquisition results in foregone tax revenues to the City until the project is sold and income restrictions are removed. However, the workforce housing rental savings and the value of the property provides the City with benefits that outweigh the foregone revenue. This acquisition and financial structure also allows the DHFC to immediately own and provide mixed-income housing in a high opportunity area near jobs, parks, transportation, retail, and other amenities.~~
- ~~f. Upon acquisition, the unit mix and rental rates will be the lesser of the Texas Department of Housing and Community Affairs (TDHCA) published income restricted rents or market rents:~~

**SECTION 1.** (continued)

Unit Type	AMI	Units	Rent
0BR	60.00%	4	\$1,253.00
0BR	80.00%	6	\$1,253.00
0BR	140.00%	8	\$1,253.00
0BR	Market	4	\$1,253.00
1BR	60.00%	63	\$1,439.00
1BR	80.00%	95	\$1,439.00
1BR	140.00%	126	\$1,439.00
1BR	Market	31	\$1,439.00
2BR	60.00%	18	\$1,975.00
2BR	80.00%	27	\$1,975.00
2BR	140.00%	36	\$1,975.00
2BR	Market	9	\$1,975.00

**SECTION 2.** That the authorization of the Governing Body is not to be construed as an undertaking by the City of Dallas. The Bonds shall not constitute a liability, an indebtedness, or obligation of the City of Dallas nor shall any of the assets of the City of Dallas be pledged to the payment of the Bonds. The Bonds shall specifically provide that the Bonds are not a debt of the City of Dallas, Dallas County, or the State of Texas and that the City of Dallas, Dallas County and State of Texas are not liable with respect to the Bonds.

**SECTION 3.** That to the extent applicable, the Governing Body hereby approves the application of the Act to the property on which the Project will be acquired and grants its approval for the use of proceeds of bonds issued by the DHFC pursuant to the Act to acquire the Project.

**SECTION 4.** That the Chief Financial Officer is hereby authorized to deposit funds from Applicant co-terminus with DHFC acquisition in an amount not to exceed \$1,489,361.00 in to the Deep Ellum TIF District Fund, Fund 0056, Department ECO, Unit P406, Revenue Code 6006, a payment in lieu of annual increment for tax years 2025, 2026, and 2027 (until Deep Ellum TIF District termination).

**SECTION 5.** That it is FURTHER RESOLVED that the City of Dallas hereby confirms that its Governing Body has voted specifically to authorize the Project to be acquired.

**SECTION 6.** That this resolution shall take effect immediately from and after its passage in accordance with the provision of the charter of the City of Dallas, and it is accordingly so resolved.