

WHEREAS, on August 31, 2004, the Texas Department of Housing and Community Affairs (TDHCA) received a tax-exempt bond and 4% tax credit application from Hines 68, L.P. for the Providence at Mockingbird Apartments, a proposed rehabilitation of existing 155 units for seniors and the new construction of 96 multi-family units for families for a total of 251 units located at 1893/1853 W. Mockingbird Lane; and

WHEREAS, on February 7, 2005, the Housing and Neighborhood Development Committee was briefed on the proposed Providence at Mockingbird development; and

WHEREAS, on April 13, 2005, the City Council authorized the award of the tax credits with Hines 68, L.P. committing to 126 units with rents affordable to tenants with household incomes capped at 50% or below the Area Median Family (AMFI) and 125 units with rents affordable to tenants with household incomes capped at 60% or below the AMFI in compliance with the maximum Low Income Housing Tax Credit rents published by the Texas Department of Housing and Community Affairs, by Resolution No. 05-1225; and

WHEREAS, on May 25, 2005, the City Council granted authority to Hines 68, L.P. to change the affordability Priority from Priority 1 to Priority 2 allowing 251 or 100% of the units with rents affordable to tenants with household incomes capped at 60% or below AMFI by Resolution No. 05-1610; and

WHEREAS, on February 8, 2007, the City Council authorized an amendment to the Dallas Housing Finance Corporation (DHFC) Bylaws to allow the DHFC, by a majority vote of its Board of Directors, 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 by Resolution 07-0733; and

WHEREAS, on February 2, 2012, the DHFC approved the proposal for the DHFC LLC to assume the General Partnership position of the Hines 68, L.P., the entity that owns the Providence at Mockingbird Project, and Authority to create a DHFC LLC to replace the current General Partner, authorization for the DHFC to get approval from the City Council to receive \$625,000 in funding from the City to be loaned to the DHFC's LLC to be repaid to the DHFC at the time of the sale/transfer of the property after the compliance period ends, and for the DHFC LLC to accept 28 Permanent Supportive Housing Vouchers for tenants residing in the Senior Project from the Central Dallas CDC, who will also be the Asset Manager, for tenants residing in the Senior Project and Other Required Conditions; and

WHEREAS, on February 6, 2012, the Housing and Community Services Department was briefed on the Providence at Mockingbird project proposal for a DHFC wholly owned LLC to become the General Partner and other conditions contained herein.

NOW, THEREFORE,

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

Section 1. That the City Manager, upon approval as to the form by the City Attorney's Office is hereby authorize to execute a resolution allowing (1) the Dallas Housing Finance Corporation (DHFC) to create a single asset LLC; (2) DHFC to transfer \$625,000 to the newly created DHFC LLC to purchase General Partnership (GP) interest in the Providence at Mockingbird, a 251 unit senior and family rental complex located at 1893/1853 West Mockingbird Lane; and (3) a contract between the City and DHFC to require the use of annual DHFC project fees, less asset management fees and replacement reserve set aside, be used to provide additional new affordable housing throughout the City.

Section 2. That the City Manager or designee, upon approval as to form by the City Attorney, is here by authorized to execute documents for a conditional grant in the amount of \$625,000 from the Dallas Housing Financing Corporation to the DHFC, LLC.

The terms of the agreement include:

- (a) Dallas Housing Finance Corporation shall establish a single asset LLC.
- (b) DHFC LLC annual project fees estimated to be \$160,000 in year 1, increasing to \$200,000 in year five and thereafter, net of annual asset management fees and replacement reserve set asides must be committed to support the creation of new additional affordable housing throughout the City of Dallas.

Section 3. That the City Manager is authorized to convey a copy of this resolution to the Dallas Housing Finance Corporation and the Texas Department of Housing and Community Affairs.

Section 4. 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.

