



Wylie City Council

AGENDA REPORT

Department: City Manager

Account Code: _____

Prepared By: Renae' Ollie

Subject

Consider, and act upon, Resolution No. 2024-18(R), amending Resolution No. 2023-08(R) approving an Assignment and First Amendment to a Chapter 380 Agreement between the City of Wylie, Agape Resource & Assistance Center, Inc., and Jericho Village, LLC., and authorizing the City Manager to execute any necessary documents. Property located at 511 W. Brown Street.

Recommendation

Motion to approve the Item as presented.

Discussion

Owner: Agape Resource and Assistance Center

On May 16, 2023, the City entered into a Chapter 380 Agreement with Agape Resource & Assistance Center, Inc. to develop 38 multi-family residential units and community center known as Jericho Village, located at 511 W. Brown Street. The property is to be used and operated for affordable housing to serve individuals and families earning 80% or less of the then-current Area Median Family Income (AMFI) for the Wylie, Texas area, as set or established by the U.S. Department of Housing and Urban Development (HUD).

Agape Resource & Assistance Center, Inc. continues to move forward with Jericho Village, and has been awarded several grants from various sources including permanent financing. In October 2023 Agape pursued a Project Based Voucher application to help with cash flow challenges resulting from escalating construction costs and interests.

During the process of acquiring funding, Agape's lenders have asked them to set up a separate entity as a wholly owned disregarded subsidiary with Agape as its only member to own and operate the Jericho Village development. That process has been completed and the land is now under the ownership of Jericho Village, LLC.

Section 9. Miscellaneous, Subsection n. Assignment of the executed Agreement allows the agreement to be assigned or transferred by any party only with prior written consent of the other party. If approved, this Resolution shall serve as written consent from the City to allow the assignment from Agape Resource & Assistance Center, Inc. to Jericho Village, LLC.

With the new name, staff is presenting to Council for consideration a modification to the agreement to list Jericho Village, LLC as the owner. This does not have an impact on the Zoning Ordinance, as that approval is tied to the land and the use rather than an entity.

In addition, the construction commencement date is amended to reflect December 31, 2024, with December 31, 2026 as the completion date to have received permanent certificate of occupancy and occupy the facilities. The grant reimbursement is payable within 30 days of issuance of the permanent certificate of occupancy. In accordance with the Declaration of Deed Restriction, the property must continue the use for affordable housing for a period of 10 years.

Only the amendments as outlined in the subject Assignment and First Amendment are modified.