OCTOBER 24, 2018 CITY COUNCIL AGENDA
CERTIFICATION

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated October 24, 2018. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.

T.C. Broadnax
City Manager

10/12/2018
Date

M. Elizabeth Reich

Elizabeth Reich
Chief Financial Officer

10-12-18
Date

RECEIVED
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CITY SECRETARY
DALLAS, TEXAS

City of Dallas

1500 Marilla Street
Dallas, Texas 75201

COUNCIL AGENDA

October 24, 2018

(For General Information and Rules of Courtesy, Please See Opposite Side.)
(La Información General Y Reglas De Cortesía Que Deben Observarse
Durante Las Asambleas Del Consejo Municipal Aparecen En El Lado Opuesto, Favor De Leerlas.)

General Information

The Dallas City Council regularly meets on Wednesdays beginning at 9:00 a.m. in the Council Chambers, 6th floor, City Hall, 1500 Marilla. Council agenda meetings are broadcast live on WRR-FM radio (101.1 FM) and on Time Warner City Cable Channel 16. Briefing meetings are held the first and third Wednesdays of each month. Council agenda (voting) meetings are held on the second and fourth Wednesdays. Anyone wishing to speak at a meeting should sign up with the City Secretary's Office by calling (214) 670-3738 by 5:00 p.m. of the last regular business day preceding the meeting. Citizens can find out the name of their representative and their voting district by calling the City Secretary's Office.

If you need interpretation in Spanish language, please contact the City Secretary's Office at 214-670-3738 with a 48 hour advance notice.

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-3738 V/TDD. The City of Dallas is committed to compliance with the Americans with Disabilities Act. ***The Council agenda is available in alternative formats upon request***.

If you have any questions about this agenda or comments or complaints about city services, call 311.

Rules of Courtesy

City Council meetings bring together citizens of many varied interests and ideas. To insure fairness and orderly meetings, the Council has adopted rules of courtesy which apply to all members of the Council, administrative staff, news media, citizens and visitors. These procedures provide:

- That no one shall delay or interrupt the proceedings, or refuse to obey the orders of the presiding officer.
- All persons should refrain from private conversation, eating, drinking and smoking while in the Council Chamber.
- Posters or placards must remain outside the Council Chamber.
- No cellular phones or audible beepers allowed in Council Chamber while City Council is in session.

"Citizens and other visitors attending City Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the City Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting shall be removed from the room if the sergeant-at-arms is so directed by the presiding officer, and the person shall be barred from further audience before the City Council during that session of the City Council. If the presiding officer fails to act, any member of the City Council may move to require enforcement of the rules, and the affirmative vote of a majority of the City Council shall require the presiding officer to act." Section 3.3(c) of the City Council Rules of Procedure.

Información General

El Ayuntamiento de la Ciudad de Dallas se reúne regularmente los miércoles en la Cámara del Ayuntamiento en el sexto piso de la Alcaldía, 1500 Marilla, a las 9 de la mañana. Las reuniones informativas se llevan a cabo el primer y tercer miércoles del mes. Estas audiencias se transmiten en vivo por la estación de radio WRR-FM 101.1 y por cablevisión en la estación *Time Warner City Cable* Canal 16. El Ayuntamiento Municipal se reúne el segundo y cuarto miércoles del mes para tratar asuntos presentados de manera oficial en la agenda para su aprobación. Toda persona que desee hablar durante la asamblea del Ayuntamiento, debe inscribirse llamando a la Secretaría Municipal al teléfono (214) 670-3738, antes de las 5:00 pm del último día hábil anterior a la reunión. Para enterarse del nombre de su representante en el Ayuntamiento Municipal y el distrito donde usted puede votar, favor de llamar a la Secretaría Municipal.

Si necesita interpretación en idioma español, por favor comuníquese con la oficina de la Secretaria del Ayuntamiento al 214-670-3738 con notificación de 48 horas antes.

Intérpretes para personas con impedimentos auditivos están disponibles si lo solicita con 48 horas de anticipación llamando al (214) 670-3738 (aparato auditivo V/TDD). La Ciudad de Dallas está comprometida a cumplir con el decreto que protege a las personas con impedimentos, *Americans with Disabilties Act*. ***La agenda del Ayuntamiento está disponible en formatos alternos si lo solicita***.

Si tiene preguntas sobre esta agenda, o si desea hacer comentarios o presentar quejas con respecto a servicios de la Ciudad, llame al 311.

Reglas de Cortesía

Las asambleas del Ayuntamiento Municipal reúnen a ciudadanos de diversos intereses e ideologías. Para asegurar la imparcialidad y el orden durante las asambleas, el Ayuntamiento ha adoptado ciertas reglas de cortesía que aplican a todos los miembros del Ayuntamiento, al personal administrativo, personal de los medios de comunicación, a los ciudadanos, y a visitantes. Estos reglamentos establecen lo siguiente:

- Ninguna persona retrasará o interrumpirá los procedimientos, o se negará a obedecer las órdenes del oficial que preside la asamblea.
- Todas las personas deben de abstenerse de entablar conversaciones, comer, beber y fumar dentro de la cámara del Ayuntamiento.
- Anuncios y pancartas deben permanecer fuera de la cámara del Ayuntamiento.
- No se permite usar teléfonos celulares o enlaces electrónicos (*pagers*) audibles en la cámara del Ayuntamiento durante audiencias del Ayuntamiento Municipal.

"Los ciudadanos y visitantes presentes durante las asambleas del Ayuntamiento Municipal deben de obedecer las mismas reglas de comportamiento, decoro y buena conducta que se aplican a los miembros del Ayuntamiento Municipal. Cualquier persona que haga comentarios impertinentes, utilice vocabulario obsceno o difamatorio, o que al dirigirse al Ayuntamiento lo haga en forma escandalosa, o si causa disturbio durante la asamblea del Ayuntamiento Municipal, será expulsada de la cámara si el oficial que esté presidiendo la asamblea así lo ordena. Además, se le prohibirá continuar participando en la audiencia ante el Ayuntamiento Municipal. Si el oficial que preside la asamblea no toma acción, cualquier otro miembro del Ayuntamiento Municipal puede tomar medidas para hacer cumplir las reglas establecidas, y el voto afirmativo de la mayoría del Ayuntamiento Municipal precisará al oficial que esté presidiendo la sesión a tomar acción." Según la sección 3.3(c) de las reglas de procedimientos del Ayuntamiento.

Handgun Prohibition Notice for Meetings of Governmental Entities

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistol oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

AGENDA
CITY COUNCIL MEETING
WEDNESDAY, OCTOBER 24, 2018
ORDER OF BUSINESS

Agenda items for which individuals have registered to speak will be considered no earlier than the time indicated below:

9:00 a.m.	**INVOCATION AND PLEDGE OF ALLEGIANCE**	
	OPEN MICROPHONE	
	MINUTES	Item 1
	CONSENT AGENDA	Items 2 - 55
	ITEMS FOR INDIVIDUAL CONSIDERATION	
No earlier than 9:15 a.m.		Items 56 - 61
	PUBLIC HEARINGS AND RELATED ACTIONS	
1:00 p.m.		Items 62 - 77

NOTE: A revised order of business may be posted prior to the date of the council meeting if necessary.

Invocation and Pledge of Allegiance (Council Chambers)

Agenda Item/Open Microphone Speakers

VOTING AGENDA

1. 18-1072 Approval of Minutes of the September 26, 2018 City Council Meeting

CONSENT AGENDA

Building Services Department

2. 18-994 Authorize **(1)** the rejection of the proposals received for removing and replacing underground fuel storage tanks and removing a used oil tank at the Northcentral Police Substation located at 6969 McCallum Boulevard and removing and replacing underground fuel storage tanks at the Southeast Police Substation located at 725 North Jim Miller Road; and **(2)** the re-advertisement for new proposals - Financing: No cost consideration to the City

City Attorney's Office

3. 18-999 Authorize settlement of the lawsuit styled Juan Rangel v. 505 & 509 N. Winnetka Ave., LLC, et al., Cause No. CC-16-01997-B - Not to exceed $102,500.00 - Financing: Risk Management Funds

4. 18-1000 Authorize partial settlement of the lawsuit styled Rosalyn Henry, et al. v. City of Dallas, Cause No. DC-16-13267 - Not to exceed $40,000.00 - Financing: Risk Management Funds

5. 18-1007 Authorize settlement of the lawsuit styled McKinley Thompson v. City of Dallas, Cause No. DC-17-11907 - Not to exceed $30,000.00 - Financing: Risk Management Funds

6. 18-1015 Authorize settlement of the lawsuit styled Janet Henderson v. City of Dallas, et al., Cause No. 3:16-CV-3317-S - Not to exceed $50,000.00 - Financing: Risk Management Funds

Department of Aviation

7. 18-895 Authorize a professional services contract with JLM Consulting Group, Inc. for project management, construction consulting and facility maintenance services at Dallas Love Field - Not to exceed $110,625.00 - Financing: Aviation Fund

8. 18-985 Authorize **(1)** new parking rates for new Garage C parking areas; **(2)** a decrease in the daily rates charged for parking in Garages A and B; **(3)** closing Love Connection remote parking to the public; **(4)** an increased rate for valet services and premium area parking; and **(5)** improved parking product options and value to the traveling public to gain market share - Estimated Total Annual Revenue: $33,755,322.00

9. 18-1013 Authorize a ten-year lease agreement, with two five-year renewal options with Trinity Industries, Inc. for approximately 42,750 square feet of land and facilities located at Dallas Love Field for continued aviation related operations - Estimated Annual Revenue: $104,418.48

10. 18-884 Authorize a seven-year concessions contract, with two twelve-month renewal options, for food and beverage concession services at Dallas Love Field with Creative Bar Concepts, LLC - Estimated Annual Revenue: $60,000.00 (minimum annual guarantee or 10% rental rate on food and non-alcoholic beverages and 15% on alcohol, whichever is greater)

11. 18-890 Authorize the Second Amendment to the food and beverage concession contract with Air Star Concessions Ltd., previously approved by Resolution No. 12-0706 on March 7, 2012, for food and beverage concession services at Dallas Love Field for Contract No. 2, Concept B, C and D, to **(1)** add terminal space next to Whataburger, with 1,126 square feet for the purpose of constructing, operating and managing a bar with limited food service and limited retail sales space; **(2)** add approximately 500 square feet of noncontiguous space for patio seating with full bar service to the existing Cantina Laredo restaurant at Dallas Love Field; and **(3)** add a provision whereby Air Star Concessions Ltd. releases the City from any and all claims relating to a right of first refusal to food and beverage space at Dallas Love Field - Estimated Annual Revenue: $147,500.00 ($95,000.00 Minimum Annual Guarantee on the space next to Whataburger; Cantina Laredo Patio, $52,500.00 additional revenue based on $350,000.00 in sales)

12. 18-894 Authorize the Second Amendment to the food and beverage concession contract with Air Star-LTS/Marquis-DAL, LLC, previously approved by Resolution No. 12-0706 on March 7, 2012, for food and beverage concession services at Dallas Love Field for Contract No. 2, Concept A, to add approximately 500 square feet of noncontiguous space for patio seating to the existing Chili's restaurant at Dallas Love Field - Estimated Annual Revenue: $48,000.00 (on estimated $400,000.00 in sales from the patio)

13. 18-864 Authorize the Second Amendment to the retail concession contract with HG-Multiplex-Regali Dallas JV, previously approved by Resolution No. 12-0707 on March 7, 2012, for retail concession services at Dallas Love Field for Contract No. 2, to **(1)** reduce the Minimum Annual Guarantee (MAG) by $308,550.44; **(2)** exercise two one-year renewal options; and **(3)** reclaim contract space, Billy Bob's Texas and upon acceptance of the space, to credit concessionaire for unamortized capital expense, not to exceed $115,584.96 and reduce the contract's reallocated MAG attributable to the Billy Bob's Texas space by $74,889.88 - Estimated Annual Revenue Foregone: $308,550.44

14. 18-891 Authorize the Second Amendment to the retail concession contract with Hudson Retail Dallas JV, previously approved by Resolution No. 12-0707 on March 7, 2012, for retail concession services at Dallas Love Field for Contract No. 3, to **(1)** increase the Minimum Annual Guarantee by $308,550.44; and **(2)** exercise two one-year renewal options - Estimated Annual Revenue: $308,550.44

Department of Public Works

15. 18-915 Authorize **(1)** a Project Specific Agreement with Dallas County for funding participation in the design and construction of paving and drainage improvements for Montfort Drive from Interstate Highway 635 frontage road to Alpha Road; **(2)** the receipt and deposit of funds from Dallas County in an amount not to exceed $1,900,000.00; and **(3)** an increase in appropriations in an amount not to exceed $1,900,000.00 in the Capital Projects Reimbursement Fund - Not to exceed $1,900,000.00 - Financing: Capital Projects Reimbursement Funds

16. 18-1044 Authorize an architectural services contract with DSGN Associates, Inc. for architectural, engineering design, and construction administration services for the Vickery Meadow Branch Library to be located at 8255 Park Lane - Not to exceed $800,353.00 - Financing: Library (E) Funds (2017 Bond Funds)

17. 18-1003 Authorize a professional services contract with ARS Engineers, Inc. for the engineering design of Alley Reconstruction Group 17-1102 (list attached to the Agenda Information Sheet) - Not to exceed $274,810.80 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($248,709.39) and Wastewater Capital Improvement Funds ($26,101.41)

18. 18-1011 Authorize a professional services contract with Dal-Tech Engineering, Inc. for the engineering design of Alley Reconstruction Group 17-1304 (list attached to the Agenda Information Sheet) - Not to exceed $294,229.10 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($202,729.10) and Water Utilities Capital Improvement Funds ($91,500.00)

19. 18-996 Authorize a professional services contract with Multatech Engineering, Inc. for the engineering design of Alley Reconstruction Project Group 17-2004 (list attached to the Agenda Information Sheet) - Not to exceed $302,864.75 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($271,754.75) and Water Utilities Capital Improvement Funds ($31,110.00)

20. 18-997 Authorize a professional services contract with Salcedo Group, Inc., for the engineering design of Alley Reconstruction Group 17-3001 (list attached to the Agenda Information Sheet) - Not to exceed $165,118.76 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($161,598.76) and Wastewater Capital Improvement Funds ($3,520.00)

21. 18-1001 Authorize a professional services contract with Neel-Schaffer, Inc. for the engineering design of Alley Reconstruction Group 17-4002 (list attached to the Agenda Information Sheet) - Not to exceed $171,874.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($146,889.00) and Wastewater Capital Improvement Funds ($24,985.00)

22. 18-1002 Authorize a professional services contract with Binkley & Barfield, Inc. for the engineering design of Alley Reconstruction Group 17-5005 (list attached to the Agenda Information Sheet) - Not to exceed $257,418.62 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)

23. 18-914 Authorize a construction contract with Johnson Bros. Corporation, a Southland Company, lowest responsible bidder of six, for the construction of the West Davis Street Project from North Clinton Avenue to Cedar Hill Avenue - Not to exceed $3,016,209.50 - Financing: Street and Transportation Improvements Fund (2012 Bond Funds) ($1,356,896.74), Street and Transportation (A) Fund (2017 Bond Funds) ($1,375,320.26) and Capital Projects Reimbursement Fund (Dallas County) ($283,992.50)

24. 18-950 Authorize a construction services contract for the removal and replacement of the existing Federal Pacific switchgear and the existing Uninterruptable Power Supply system at Dallas City Hall located at 1500 Marilla Street - Schneider Electric Buildings Americas, Inc., most advantageous proposer of three - Not to exceed $2,771,536.00 - Financing: City Facilities (H) Funds (2017 Bond Funds)

Department of Sustainable Development and Construction

25. 18-966 Authorize a thirty nine-year lease agreement, with two ten-year renewal options, with EdCor Health Initiatives for approximately 3.733 acres of City-owned land located at 1900 Wheatland Road to be used for the development, use and operation of an integrated health clinic for the period November 1, 2018 through October 31, 2057 - Financing: No cost consideration to the City

26. 18-812 A resolution declaring approximately 5,155 square feet of City-owned undevelopable land unwanted and unneeded, located in Dallas County near the intersection of Sandy Lake Road and President George Bush Turnpike; and authorizing its sale to NHC-TX103, LLC, the abutting owner - Revenue: $6,444.00

27. 18-835 A resolution **(1)** declaring twelve properties unwanted and unneeded and authorizing their sale by public auction (list attached to the Agenda Information Sheet); **(2)** authorizing a Purchase and Sale Agreement to be prepared for each auctioned surplus property receiving the highest qualified bid that is sold absolute; and **(3)** waving the minimum reserve amount - Estimated Revenue: $946,060.00

28. 18-475 An ordinance granting a revocable license to Commissary at 1217 Main, LLC for the use of approximately 80 square feet of land to occupy, maintain and utilize a sidewalk café on a portion of Main Street right-of-way located near the intersection of Main and Field Streets - Revenue: $200.00 annually, plus the $20.00 ordinance publication fee

29. 18-918 An ordinance abandoning a portion of a floodway easement to William Keith Martin and Alyssa Griggs Martin, the abutting owners, containing approximately 1,813 square feet of land, located near the intersection of Inwood Road and Lakehill Court - Revenue: $5,400.00, plus the $20.00 ordinance publication fee

30. 18-698 An ordinance abandoning a portion of Blanco Drive to C5LC at Bonnie View, LLC, the abutting owner, containing approximately 54,106 square feet of land, located near the intersection of Bonnie View and Wintergreen Roads; and authorizing the quitclaim; and providing for the dedication of approximately 401,828 square feet of land needed for street right-of-way - Revenue: $5,400.00, plus the $20.00 ordinance publication fee

Department of Transportation

31. 18-978 Authorize a Design Development Contract with Uptown Dallas, Inc. for a binding minimum financial contribution of $1,000,000.00 for the preparation, review, and donation of privately funded engineering and design plans to the City for the McKinney Avenue/Cole Avenue Two-Way Conversion 2017 Bond Program Project - Financing: This action has no cost consideration to the City (see Fiscal Information)

Office of Budget

32. 18-1066 Authorize adoption of the 2019 City Calendar - Financing: No cost consideration to the City

Office of Cultural Affairs

33. 18-1064 Authorize a contract with Madeline Wiener for the fabrication and installation of a site-specific artwork at Pleasant Oaks Park located at 8701 Greenmound Avenue - Not to exceed $87,862.48 - Financing: 2006 Bond Funds ($68,004.08) and 2017 Bond Funds ($19,858.40)

34. 18-800 Authorize contracts with cultural organizations for the provision of artist services to the City through the Cultural Services Contracts Program for the period October 1, 2018 through September 30, 2019 (list attached to the Agenda Information Sheet) - Not to exceed $4,869,205.00 - Financing: General Fund

Office of Equity and Human Rights

35. 18-689 Authorize the **(1)** acceptance of the FY 2018-19 grant from the U.S. Department of Housing and Urban Development (HUD) for the Fair Housing Assistance Program (Grant No. FF206K186005, CFDA No. 14.401) to process, investigate and conciliate housing discrimination complaints, administrative costs and HUD required staff training for the period October 1, 2018 through September 30, 2019; **(2)** receipt and deposit of funds in an amount not to exceed $279,900.00 in the HUD-FY18 Fair Housing Assistance Program Award FY19 Fund; **(3)** establishment of appropriations in an amount not to exceed $279,900.00 in the HUD-FY18 Fair Housing Assistance Program Award FY19 Fund; and **(4)** execution of the cooperative agreement and all terms, conditions, and documents required by the grant agreement - Not to exceed $279,900.00 - Financing: U.S. Department of Housing and Urban Development Grant Funds

Office of Procurement Services

36. 18-628 Authorize a three-year service price agreement for janitorial services for the Park and Recreation Department - Wesson Construction Services, LLC, lowest responsible bidder of six - Not to exceed $69,600.00 - Financing: General Fund

37. 18-773 Authorize a three-year service price agreement for medical waste removal and disposal services - Cyntox, LLC, lowest responsible bidder of three - Not to exceed $85,223.50 - Financing: General Fund ($59,673.50), Aviation Fund ($14,750.00) and Department of State Health Services Grant Funds ($10,800.00)

38. 18-976 Authorize a three-year service price agreement for street sweeping services - Mister Sweeper LP in the amount of $3,617,246.22 and KAT Klean, Inc. in the amount of $100,570.00, lowest responsible bidders of three - Total not to exceed $3,717,816.22 - Financing: General Fund ($3,617,246.22) and Dallas Water Utilities Fund ($100,570.00)

39. 18-946 Authorize a five-year service price agreement for the purchase of desktop, laptop computers, computer related equipment, accessories, and managed services for Communication and Information Services - GTS Technology Solutions, Inc., most advantageous proposer of two - Estimated amount of $17,188,983.20 - Financing: Municipal Lease Agreement Funds (subject to annual appropriations)

40. 18-960 Authorize a five-year service price agreement, with three two-year renewal options, for passenger and employee ground transportation management services at Love Field for the Department of Aviation - Parking Concepts, Inc. in the amount of $14,399,796.00 and Parking Systems of America, Inc. in the amount of $3,344,616.00, most advantageous proposers of seven - Total not to exceed $17,744,412.00 - Financing: Aviation Fund

41. 18-844 Authorize a three-year service contract for marketing and selling, through public auction, of City owned land and facilities that have been declared surplus property for the Department of Sustainable Development and Construction - Hudson & Marshall, LLC, most advantageous proposer of three - Estimated Net Revenue: $967,310.00

42. 18-607 Authorize a five-year service contract, with two one-year renewal options, to process fingerprint based criminal history record checks for all individuals who are issued airport identification badges for the Department of Aviation - American Association of Airport Executives dba Transportation Security Clearinghouse, only proposer - Not to exceed $343,500.00 - Financing: Aviation Fund (subject to annual appropriations)

43. 18-1040 Authorize the purchase of one piece of surface paint and rubber removal equipment to be used by the Department of Aviation with Waterblasting Technologies, Inc. through the Sourcewell cooperative agreement - Not to exceed $703,839.25 - Financing: Aviation Fund

44. 18-982 Authorize a one-year master agreement for the purchase of heartworm medications for the Department of Dallas Animal Services - Butler Animal Health Supply, LLC, dba Henry Schein Animal Health in the amount of $481,552.49 and Midwest Veterinary Supply, Inc. in the amount of $3,903.49, lowest responsible bidders of two - Total not to exceed $485,455.98 - Financing: General Fund

45. 18-965 Authorize a three-year master agreement for the purchase of liquid dipotassium orthophosphate solution for the Water Utilities Department - Carus Corporation, lowest responsible bidder of three - Not to exceed $7,816,398.00 - Financing: Dallas Water Utilities Fund

46. 18-907 Authorize a five-year master agreement for the purchase of various software including perpetual, fixed term, subscription and software as a service, software maintenance, support, and implementation services for the Department of Communication and Information Services with SHI Government Solutions, Inc. in an estimated amount of $5,533,013.50, Mobile Wireless, LLC in an estimated amount of $409,750.00, and Carahsoft Technology Corporation in an estimated amount of $210,000.00 through the State of Texas Department of Information Resources cooperative agreement - Estimated amount of $6,152,763.50 - Financing: Data Services Fund

47. 18-969 Authorize a five-year master agreement for the purchase of Cisco communications equipment and SmartNet maintenance for the Department of Communication and Information Services with Presidio Networked Solutions Group, LLC through the State of Texas Department of Information Resources cooperative agreement - Estimated amount of $12,714,309.90 - Financing: Municipal Lease Agreement Funds

Office of Welcoming Communities & Immigrant Affairs

48. 18-1043 Authorize **(1)** adoption of the recommendations of the Welcoming Plan Task Force in the Welcoming Plan as a reference and guide; and **(2)** the affirmation that Dallas is a welcoming community - Financing: This item has no cost consideration to the City (see Fiscal Information)

Park & Recreation Department

49. 18-680 Authorize **(1)** an Advance Funding Agreement with the Texas Department of Transportation (TxDOT) for a Transportation Alternatives Set-Aside Program Project (Agreement No. CSJ 0918-47-204, CFDA No. 20.205) in the amount of $5,421,124.00 for construction of the Trinity Strand Trail - Phase II Project; **(2)** a required local match in the amount of $64,314.00 to be paid by warrant check to the State at the beginning of the project; **(3)** the receipt and deposit of funds in an amount not to exceed $5,421,124.00 in the Transportation Alternatives Set-Aside Program Fund; **(4)** the establishment of appropriations in an amount not to exceed $5,421,124.00 in the Transportation Alternatives Set-Aside Program Fund; **(5)** allocation of $5,197.91 in 2006 Bond Funds and $2,069,298.09 in 2012 Bond Funds as the City of Dallas' local cash match; and **(6)** execution of the grant agreement including all terms, conditions, and documents required by the grant agreement - Total not to exceed $7,495,620.00 - Financing: Texas Department of Transportation Funds ($5,421,124.00), 2006 Bond Funds ($5,197.91), and 2012 Bond Funds ($2,069,298.09)

50. 18-763 Authorize a professional services contract with Corgan Associates, Inc. for architectural and engineering services for programming, schematic design, design development, construction documents, bidding and negotiation, and construction administration phases for the senior activity center and gymnasium additions and parking lot expansion at Willie B. Johnson Recreation Center located at 12225 Willowdell Drive - Not to exceed $604,000.00 - Financing: 2017 Bond Funds

51. 18-761 Authorize a professional services contract with The Broussard Group, Inc. dba TBG Partners for design development, construction documents, procurement and construction observation phases for Hillcrest Village Green located at 6959 Arapaho Road - Not to exceed $312,700.00 - Financing: 2017 Bond Funds

52. 18-896 Authorize a ten-year agreement with two five-year renewal options, with the Dallas Rowing Club for the renovation, operation and maintenance of the existing boathouse at Bachman Lake Park located at 2829 Shorecrest Drive - Annual Revenue: $1,000.00

Police Department

Note: Agenda Item Nos. 53 and 54 must be considered collectively.

53. 18-862 Authorize **(1)** an application for and acceptance of supplemental funding for the 2016-2019 Internet Crimes Against Children Continuation Grant from the U.S. Department of Justice (DOJ), Office of Juvenile Justice and Delinquency Prevention (Grant No. 2016-MC-FX-K034, CFDA No. 16.543), for response to the sexual abuse and exploitation of children facilitated by the use of computer technology related to the investigation of the Internet-facilitated child exploitation for the period July 1, 2016 through September 30, 2019; **(2)** an increase in appropriations in an amount not to exceed $476,608.00 in the DOJ-Internet Crimes Against Children Grant 16-17 Fund; **(3)** the receipt and deposit of additional grant funds in an amount not to exceed $476,608.00 in the DOJ-Internet Crimes Against Children Grant 16-17 Fund; and **(4)** execution of the grant agreement and all documents required by the grant agreement - Not to exceed $476,608.00, from $954,641.00 to $1,431,249.00 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

54. 18-866 Authorize a continuation of cooperative working agreements with various Police Departments, District Attorney's Offices, Sheriff Offices, and the Dallas Children's Advocacy Center (list attached to the Agenda Information Sheet) for the period July 1, 2016 through September 30, 2019 through the 2016-2019 Internet Crimes Against Children Continuation Grant supplement - Total not to exceed $167,000.00 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

55. 18-1025 Authorize **(1)** an application for and acceptance of the Dallas Police Department Victim Services/17 grant (Grant No. 1578117, Federal/State Award ID No. 2018-V2-GX-0040, CFDA #16.575), from the U.S. Department of Justice through the Office of the Governor, Criminal Justice Division in an amount not to exceed $109,469.20 to adequately respond to victims of violent crime with needed aid for the period October 1, 2018 through September 30, 2020; **(2)** the establishment of appropriations in an amount not to exceed $109,469.20 in the DPD Victim Services Grant/17 18-20 Fund; **(3)** the receipt and deposit of grant funds in an amount not to exceed $109,469.20 in the DPD Victim Services Grant/17 18-20 Fund; **(4)** a local match in the amount of $31,012.26; and **(5)** execution of the grant agreement and all documents required by the grant agreement - Total not to exceed $140,481.46 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds ($109,469.20) and General Fund ($31,012.26) (subject to annual appropriations)

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

56. 18-1073 Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

Mayor and City Council Office

57. 18-993 A resolution requesting the Board of Adjustment to authorize compliance proceedings for Jim's Car Wash located at 2702 Martin Luther King, Jr. Boulevard, Dallas, Texas - Financing: No cost consideration to the City (via Council Members Felder, Clayton, Griggs, Thomas, Narvaez)

Office of Procurement Services

58. 18-992 Execute the casting of lots to identify the recommended vendor resulting from tie bid on group 5 for bid BI1818 for a three-year master agreement for the purchase of electrical supplies - Crawford Electrical Supply Co. and Graybar Electric Company, Inc. - Financing: No cost consideration to the City

Note: Agenda Item No. 59 must pass before Agenda Item No. 60 may be considered.

59. 18-911 Authorize **(1)** a twenty-year management contract, with two five-year extension options, for the management and operation of Fair Park for the Park and Recreation Department - Fair Park First, most advantageous proposer of three - initial ten years shall not exceed $34,598,909.00; years 11 - 20 will be negotiated between the parties during the 10th year based on a newly projected operating budget for years 11 - 20; if unable to agree, the 11th year will be calculated on the average of the last 3 years, and years 12 - 20 will be the Annual Appropriation for year 11 adjusted by Consumer Price Index; **(2)** provide the Manager $500,000.00 to be used for initial funding of an operational reserve to be maintained in a separate account for operational reserves for the term of agreement; **(3)** provide the Manager an additional $2,000,000.00 to be used for a transition reserve in the event the Manager is unable to meet its fundraising targets during the first three years of the contract, City of Dallas fiscal years 2019, 2020, and 2021; and **(4)** provide for the repayment of the unamortized portion of the Spectra Investment of $1,000,000.00 for transition costs if the contract is terminated prior to the end of the initial term - Not to exceed $38,098,909.00 - Financing: Park and Recreation Department General Fund (subject to annual appropriations)

Mayor and City Council Office

60. 18-1109 A resolution directing the City Manager to, in collaboration with Fair Park First, negotiate any necessary amendments or options to the existing Fair Park resident institutions, State Fair of Texas, and Texas Department of Transportation contracts, including extending the length of the terms to coincide with the Fair Park First contract and making any other improvements to other provisions of said contracts - Financing: This action has no cost consideration to the City

ITEMS FOR FURTHER CONSIDERATION

Office of Economic Development

61. 18-1096 Authorize a business personal property tax abatement agreement with Velocity, A Viracon Company or an affiliate ("Velocity") for a period of five-years in an amount equal to the City's ad valorem taxes assessed on 50 percent of the increased taxable value of Velocity's business personal property associated with the establishment of a new manufacturing operation to be located on approximately 8.427 acres at the southeast corner of Clover Haven Street and Cargo Road in Dallas, Texas in accordance with the City's Public/Private Partnership Program - Estimated Revenue Foregone: $308,103.00 over a five-year period (This item was deferred on September 26, 2018)

PUBLIC HEARINGS AND RELATED ACTIONS

Department of Sustainable Development and Construction

ZONING CASES - CONSENT

62. 18-1019 A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District, on the north line of Lake June Road, east of Holcomb Road
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z167-146(PD)

63. 18-1020 A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 353, on the northwest corner of Inwood Road and Willow Lane
Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan, a revised development plan, a revised landscape plan, a traffic management plan, and conditions
Z178-275(JM)

64. 18-1029 A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1712 for a financial institution with drive-in window on property zoned an LO-3 Limited Office District and Subdistrict B-2 within Planned Development District No. 749, the Baylor University Medical Center Special Purpose District, with a D Liquor Control Overlay, on the north corner of Crutcher Street and North Hill Avenue
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to conditions
Z178-290(JM)

65. 18-1030 A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District on property zoned an IR Industrial Research District, on the northwest corner of West Red Bird Lane and Blue Bird Avenue
Recommendation of Staff and CPC: Approval
Z178-293(CT)

66. 18-1031 A public hearing to receive comments regarding an application for and an ordinance granting an IR Industrial Research District on property zoned an MU-3 Mixed Use District, on the east side of Emerald Street, at the terminus of Alberta Drive
Recommendation of Staff and CPC: Approval
Z178-295(CY)

67. 18-1032 A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and a renewal of Specific Use Permit No. 2240 for the sale of alcoholic beverages in conjunction with a restaurant without drive-in service on property zoned a CR-D-1 Community Retail District, with a D-1 Liquor Control Overlay, on the southeast corner of Garland Road and Moran Drive
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions
Z178-296(JM)

ZONING CASES - INDIVIDUAL

68. 18-1033 A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2146 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District, with a D-1 Liquor Control Overlay, on the north corner of Kleberg Road and Carleta Street
Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to staff's recommended conditions
Recommendation of CPC: Approval for a three-year period, subject to conditions
Z167-299(SM)

69. 18-1034 A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1343 for a drive-through restaurant use on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest side of North Fitzhugh Avenue between the southeast line of McKinney Avenue and the northwest line of North Central Expressway
Recommendation of Staff: Approval, subject to a revised site plan, a revised landscape plan, and staff's recommended conditions
Recommendation of CPC: Approval for a 20-year period, subject to a revised site plan, a revised landscape plan, and conditions
Z178-161(PD)

70. 18-1035 A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict to allow additional retail and personal service uses, on property zoned Blocks 12 and 13 within Planned Development District No. 800, on the southwest line of South Riverfront Boulevard, between Dearborn Street and Corinth Street
Recommendation of Staff: Approval, subject to a revised conceptual plan, revised form-based urban design standards, and staff's recommended conditions
Recommendation of CPC: Approval, subject to a revised conceptual plan, revised form-based urban design standards, and conditions
Z178-265(SM)

71. 18-1036 A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subdistrict B, Tract I within Planned Development District No. 375 to allow an increase in nonresidential floor area ratio on property bound by Lemmon Avenue East, Oak Grove Avenue, Cityplace West Boulevard, and Howell Street
Recommendation of Staff: Approval, subject to a revised conceptual plan and staff's recommended conditions
Recommendation of CPC: Approval, subject to a revised conceptual plan and conditions
Z178-270(SM)

72. 18-1037 A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict within Planned Development District No. 842 with a MD-1 Modified Delta Overlay, on the west side of Greenville Avenue, north of Alta Avenue
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to conditions
Z178-272(CY)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

73. 18-1046 A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned an MF-2(A) Multifamily Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the south corner of JB Jackson Jr Boulevard and Park Row Avenue
Recommendation of Staff and CPC: Approval for a 10-year period with eligibility for automatic renewals for additional 10-year periods, subject to a site plan and conditions
Z178-193(SM)
Note: This item was deferred by the City Council before opening the public hearings on September 12, 2018 and September 26, 2018, and is scheduled for consideration on October 24, 2018

SPECIAL PROVISION SIGN DISTRICT

74. 18-1039 A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subdistrict A of the Arts District Special Provision Sign District, Sections 51A-7.1203 and 51A-7.1214.1 of the Dallas City Code on property zoned Planned Development District No. 145, the Arts District Special Purpose District, in an area bounded by Flora Street, Leonard Street, Ross Avenue, and Crockett Street
Recommendation of Staff: Denial
Recommendation of CPC: Approval
SPSD178-002

FLOODPLAIN APPLICATIONS

Water Utilities Department

75. 18-955 A public hearing to receive comments regarding the application for and approval of the fill permit and removal of the floodplain (FP) prefix from approximately 0.029 acres of the current 0.658 acres of land located at 3810 Frontier Lane, within the floodplain of Williamson Branch, Fill Permit 18-05 - Financing: No cost consideration to the City

MISCELLANEOUS HEARINGS

Park & Recreation Department

76. 18-693 A public hearing to receive comments on the proposed use of a portion of L.B. Houston Nature Area located at 10401 Wildwood Drive, totaling approximately 1,058 square feet of land, and temporary use of approximately 3,233 square feet of land, for the installation of a wastewater facility by the City of Irving for the benefit of the public; and at the close of the public hearing, consideration of a resolution authorizing the proposed use of parkland pursuant to Chapter 26 of the Texas Parks and Wildlife Code - Revenue: $194.00

MISCELLANEOUS HEARINGS - UNDER ADVISEMENT

Department of Sustainable Development and Construction

77. 18-1055 An appeal of the City Plan Commission's decision to deny an application for a certificate appropriateness for a 43.56 square foot multi-tenant monument sign at 2121 North Pearl Street on the southeast corner - Financing: No cost consideration to the City (This item was deferred on September 26, 2018)

EXECUTIVE SESSION NOTICE

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]

2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]

3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]

4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]

5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]

6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.087]

7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex Govt. Code §551.089]

Agenda Date: October 24,2018

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
1.	N/A	V	N/A	N/A	Approval of Minutes of the September 26, 2018 City Council Meeting
2.	5, 12	C	BSD	NC	Authorize (1) the rejection of the proposals received for removing and replacing underground fuel storage tanks and removing a used oil tank at the Northcentral Police Substation located at 6969 McCallum Boulevard and removing and replacing underground fuel storage tanks at the Southeast Police Substation located at 725 North Jim Miller Road; and (2) the re-advertisement for new proposals - Financing: No cost consideration to the City
3.	N/A	C	ATT	$102,500.00	Authorize settlement of the lawsuit styled Juan Rangel v. 505 & 509 N. Winnetka Ave., LLC, et al., Cause No. CC-16-01997-B - Not to exceed $102,500.00 - Financing: Risk Management Funds
4.	N/A	C	ATT	$40,000.00	Authorize partial settlement of the lawsuit styled Rosalyn Henry, et al. v. City of Dallas, Cause No. DC-16-13267 - Not to exceed $40,000.00 - Financing: Risk Management Funds
5.	N/A	C	ATT	$30,000.00	Authorize settlement of the lawsuit styled McKinley Thompson v. City of Dallas, Cause No. DC-17-11907 - Not to exceed $30,000.00 - Financing: Risk Management Funds
6.	N/A	C	ATT	$50,000.00	Authorize settlement of the lawsuit styled Janet Henderson v. City of Dallas, et al., Cause No. 3:16-CV-3317-S - Not to exceed $50,000.00 - Financing: Risk Management Funds
7.	2	C	AVI	$110,625.00	Authorize a professional services contract with JLM Consulting Group, Inc. for project management, construction consulting and facility maintenance services at Dallas Love Field - Not to exceed $110,625.00 - Financing: Aviation Fund
8.	2	C	AVI	REV $33,755,322.00	Authorize (1) new parking rates for new Garage C parking areas; (2) a decrease in the daily rates charged for parking in Garages A and B; (3) closing Love Connection remote parking to the public; (4) an increased rate for valet services and premium area parking; and (5) improved parking product options and value to the traveling public to gain market share - Estimated Total Annual Revenue: $33,755,322.00
9.	2	C	AVI	REV $104,418.48	Authorize a ten-year lease agreement, with two five-year renewal options with Trinity Industries, Inc. for approximately 42,750 square feet of land and facilities located at Dallas Love Field for continued aviation related operations - Estimated Annual Revenue: $104,418.48

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
10.	2	C	AVI	REV $60,000.00	Authorize a seven-year concessions contract, with two twelve-month renewal options, for food and beverage concession services at Dallas Love Field with Creative Bar Concepts, LLC - Estimated Annual Revenue: $60,000.00 (minimum annual guarantee or 10% rental rate on food and non-alcoholic beverages and 15% on alcohol, whichever is greater)
11.	2	C	AVI	REV $147,500.00	Authorize the Second Amendment to the food and beverage concession contract with Air Star Concessions Ltd., previously approved by Resolution No. 12-0706 on March 7, 2012, for food and beverage concession services at Dallas Love Field for Contract No. 2, Concept B, C and D, to (1) add terminal space next to Whataburger, with 1,126 square feet for the purpose of constructing, operating and managing a bar with limited food service and limited retail sales space; (2) add approximately 500 square feet of noncontiguous space for patio seating with full bar service to the existing Cantina Laredo restaurant at Dallas Love Field; and (3) add a provision whereby Air Star Concessions Ltd. releases the City from any and all claims relating to a right of first refusal to food and beverage space at Dallas Love Field - Estimated Annual Revenue: $147,500.00 ($95,000.00 Minimum Annual Guarantee on the space next to Whataburger; Cantina Laredo Patio, $52,500.00 additional revenue based on $350,000.00 in sales)
12.	2	C	AVI	REV $48,000.00	Authorize the Second Amendment to the food and beverage concession contract with Air Star-LTS/Marquis-DAL, LLC, previously approved by Resolution No. 12-0706 on March 7, 2012, for food and beverage concession services at Dallas Love Field for Contract No. 2, Concept A, to add approximately 500 square feet of noncontiguous space for patio seating to the existing Chili's restaurant at Dallas Love Field - Estimated Annual Revenue: $48,000.00 (on estimated $400,000.00 in sales from the patio)
13.	2	C	AVI	REV - $308,550.44	Authorize the Second Amendment to the retail concession contract with HG-Multiplex-Regali Dallas JV, previously approved by Resolution No. 12-0707 on March 7, 2012, for retail concession services at Dallas Love Field for Contract No. 2, to (1) reduce the Minimum Annual Guarantee (MAG) by $308,550.44; (2) exercise two one-year renewal options; and (3) reclaim contract space, Billy Bob's Texas and upon acceptance of the space, to credit concessionaire for unamortized capital expense, not to exceed $115,584.96 and reduce the contract's reallocated MAG attributable to the Billy Bob's Texas space by $74,889.88 - Estimated Annual Revenue Foregone: $308,550.44

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
14.	2	C	AVI	REV $308,550.44	Authorize the Second Amendment to the retail concession contract with Hudson Retail Dallas JV, previously approved by Resolution No. 12-0707 on March 7, 2012, for retail concession services at Dallas Love Field for Contract No. 3, to (1) increase the Minimum Annual Guarantee by $308,550.44; and (2) exercise two one-year renewal options - Estimated Annual Revenue: $308,550.44
15.	11	C	PBW	$1,900,000.00	Authorize (1) a Project Specific Agreement with Dallas County for funding participation in the design and construction of paving and drainage improvements for Montfort Drive from Interstate Highway 635 frontage road to Alpha Road; (2) the receipt and deposit of funds from Dallas County in an amount not to exceed $1,900,000.00; and (3) an increase in appropriations in an amount not to exceed $1,900,000.00 in the Capital Projects Reimbursement Fund - Not to exceed $1,900,000.00 - Financing: Capital Projects Reimbursement Funds
16.	13	C	PBW	$800,353.00	Authorize an architectural services contract with DSGN Associates, Inc. for architectural, engineering design, and construction administration services for the Vickery Meadow Branch Library to be located at 8255 Park Lane - Not to exceed $800,353.00 - Financing: Library (E) Funds (2017 Bond Funds)
17.	11	C	PBW	$274,810.80	Authorize a professional services contract with ARS Engineers, Inc. for the engineering design of Alley Reconstruction Group 17-1102 (list attached to the Agenda Information Sheet) - Not to exceed $274,810.80 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($248,709.39) and Wastewater Capital Improvement Funds ($26,101.41)
18.	13	C	PBW	$294,229.10	Authorize a professional services contract with Dal-Tech Engineering, Inc. for the engineering design of Alley Reconstruction Group 17-1304 (list attached to the Agenda Information Sheet) - Not to exceed $294,229.10 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($202,729.10) and Water Utilities Capital Improvement Funds ($91,500.00)
19.	2	C	PBW	$302,864.75	Authorize a professional services contract with Multatech Engineering, Inc. for the engineering design of Alley Reconstruction Project Group 17-2004 (list attached to the Agenda Information Sheet) - Not to exceed $302,864.75 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($271,754.75) and Water Utilities Capital Improvement Funds ($31,110.00)
20.	3	C	PBW	$165,118.76	Authorize a professional services contract with Salcedo Group, Inc., for the engineering design of Alley Reconstruction Group 17-3001 (list attached to the Agenda Information Sheet) - Not to exceed $165,118.76 - Financing:

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Street and Transportation (A) Fund (2017 Bond Funds) ($161,598.76) and Wastewater Capital Improvement Funds ($3,520.00)
21.	4	C	PBW	$171,874.00	Authorize a professional services contract with Neel-Schaffer, Inc. for the engineering design of Alley Reconstruction Group 17-4002 (list attached to the Agenda Information Sheet) - Not to exceed $171,874.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($146,889.00) and Wastewater Capital Improvement Funds ($24,985.00)
22.	5	C	PBW	$257,418.62	Authorize a professional services contract with Binkley & Barfield, Inc. for the engineering design of Alley Reconstruction Group 17-5005 (list attached to the Agenda Information Sheet) - Not to exceed $257,418.62 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)
23.	1	C	PBW	$3,016,209.50	Authorize a construction contract with Johnson Bros. Corporation, a Southland Company, lowest responsible bidder of six, for the construction of the West Davis Street Project from North Clinton Avenue to Cedar Hill Avenue - Not to exceed $3,016,209.50 - Financing: Street and Transportation Improvements Fund (2012 Bond Funds) ($1,356,896.74), Street and Transportation (A) Fund (2017 Bond Funds) ($1,375,320.26) and Capital Projects Reimbursement Fund (Dallas County) ($283,992.50)
24.	2	C	PBW	$2,771,536.00	Authorize a construction services contract for the removal and replacement of the existing Federal Pacific switchgear and the existing Uninterruptable Power Supply system at Dallas City Hall located at 1500 Marilla Street - Schneider Electric Buildings Americas, Inc., most advantageous proposer of three - Not to exceed $2,771,536.00 - Financing: City Facilities (H) Funds (2017 Bond Funds)
25.	8	C	DEV	NC	Authorize a thirty nine-year lease agreement, with two ten-year renewal options, with EdCor Health Initiatives for approximately 3.733 acres of City-owned land located at 1900 Wheatland Road to be used for the development, use and operation of an integrated health clinic for the period November 1, 2018 through October 31, 2057 - Financing: No cost consideration to the City
26.	Outside	C	DEV	REV $6,444.00	A resolution declaring approximately 5,155 square feet of City-owned undevelopable land unwanted and unneeded, located in Dallas County near the intersection of Sandy Lake Road and President George Bush Turnpike; and authorizing its sale to NHC-TX103, LLC, the abutting owner - Revenue: $6,444.00

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
27.	6, 7, 14	C	DEV	REV $946,060.00	A resolution (1) declaring twelve properties unwanted and unneeded and authorizing their sale by public auction (list attached to the Agenda Information Sheet); (2) authorizing a Purchase and Sale Agreement to be prepared for each auctioned surplus property receiving the highest qualified bid that is sold absolute; and (3) waving the minimum reserve amount - Estimated Revenue: $946,060.00
28.	14	C	DEV	REV $200.00	An ordinance granting a revocable license to Commissary at 1217 Main, LLC for the use of approximately 80 square feet of land to occupy, maintain and utilize a sidewalk café on a portion of Main Street right-of-way located near the intersection of Main and Field Streets - Revenue: $200.00 annually, plus the $20.00 ordinance publication fee
29.	13	C	DEV	REV $5,400.00	An ordinance abandoning a portion of a floodway easement to William Keith Martin and Alyssa Griggs Martin, the abutting owners, containing approximately 1,813 square feet of land, located near the intersection of Inwood Road and Lakehill Court - Revenue: $5,400.00, plus the $20.00 ordinance publication fee
30.	8	C	DEV	REV $5,400.00	An ordinance abandoning a portion of Blanco Drive to C5LC at Bonnie View, LLC, the abutting owner, containing approximately 54,106 square feet of land, located near the intersection of Bonnie View and Wintergreen Roads; and authorizing the quitclaim; and providing for the dedication of approximately 401,828 square feet of land needed for street right-of-way - Revenue: $5,400.00, plus the $20.00 ordinance publication fee
31.	14	C	TRN	NC	Authorize a Design Development Contract with Uptown Dallas, Inc. for a binding minimum financial contribution of $1,000,000.00 for the preparation, review, and donation of privately funded engineering and design plans to the City for the McKinney Avenue/Cole Avenue Two-Way Conversion 2017 Bond Program Project - Financing: This action has no cost consideration to the City (see Fiscal Information)
32.	N/A	C	OFS	NC	Authorize adoption of the 2019 City Calendar - Financing: No cost consideration to the City
33.	5	C	OCA	$87,862.48	Authorize a contract with Madeline Wiener for the fabrication and installation of a site-specific artwork at Pleasant Oaks Park located at 8701 Greenmound Avenue - Not to exceed $87,862.48 - Financing: 2006 Bond Funds ($68,004.08) and 2017 Bond Funds ($19,858.40)
34.	All	C	OCA	$4,869,205.00	Authorize contracts with cultural organizations for the provision of artist services to the City through the Cultural Services Contracts Program for the period October 1, 2018 through September 30, 2019 (list attached to the

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Agenda Information Sheet) - Not to exceed $4,869,205.00 - Financing: General Fund
35.	All	C	OEH	GT	Authorize the (1) acceptance of the FY 2018-19 grant from the U.S. Department of Housing and Urban Development (HUD) for the Fair Housing Assistance Program (Grant No. FF206K186005, CFDA No. 14.401) to process, investigate and conciliate housing discrimination complaints, administrative costs and HUD required staff training for the period October 1, 2018 through September 30, 2019; (2) receipt and deposit of funds in an amount not to exceed $279,900.00 in the HUD-FY18 Fair Housing Assistance Program Award FY19 Fund; (3) establishment of appropriations in an amount not to exceed $279,900.00 in the HUD-FY18 Fair Housing Assistance Program Award FY19 Fund; and (4) execution of the cooperative agreement and all terms, conditions, and documents required by the grant agreement - Not to exceed $279,900.00 - Financing: U.S. Department of Housing and Urban Development Grant Funds
36.	9, 10	C	PBD	$69,600.00	Authorize a three-year service price agreement for janitorial services for the Park and Recreation Department - Wesson Construction Services, LLC, lowest responsible bidder of six - Not to exceed $69,600.00 - Financing: General Fund
37.	All	C	PBD	$74,423.50	Authorize a three-year service price agreement for medical waste removal and disposal services - Cyntox, LLC, lowest responsible bidder of three - Not to exceed $85,223.50 - Financing: General Fund ($59,673.50), Aviation Fund ($14,750.00) and Department of State Health Services Grant Funds ($10,800.00)
38.	All	C	PBD	$3,717,816.22	Authorize a three-year service price agreement for street sweeping services - Mister Sweeper LP in the amount of $3,617,246.22 and KAT Klean, Inc. in the amount of $100,570.00, lowest responsible bidders of three - Total not to exceed $3,717,816.22 - Financing: General Fund ($3,617,246.22) and Dallas Water Utilities Fund ($100,570.00)
39.	All	C	PBD	$17,188,983.20	Authorize a five-year service price agreement for the purchase of desktop, laptop computers, computer related equipment, accessories, and managed services for Communication and Information Services - GTS Technology Solutions, Inc., most advantageous proposer of two - Estimated amount of $17,188,983.20 - Financing: Municipal Lease Agreement Funds (subject to annual appropriations)
40.	2	C	PBD	$17,744,412.00	Authorize a five-year service price agreement, with three two-year renewal options, for passenger and employee ground transportation management

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					services at Love Field for the Department of Aviation - Parking Concepts, Inc. in the amount of $14,399,796.00 and Parking Systems of America, Inc. in the amount of $3,344,616.00, most advantageous proposers of seven - Total not to exceed $17,744,412.00 - Financing: Aviation Fund
41.	All	C	PBD	REV $967,310.00	Authorize a three-year service contract for marketing and selling, through public auction, of City owned land and facilities that have been declared surplus property for the Department of Sustainable Development and Construction - Hudson & Marshall, LLC, most advantageous proposer of three - Estimated Net Revenue: $967,310.00
42.	2	C	PBD	$343,500.00	Authorize a five-year service contract, with two one-year renewal options, to process fingerprint based criminal history record checks for all individuals who are issued airport identification badges for the Department of Aviation - American Association of Airport Executives dba Transportation Security Clearinghouse, only proposer - Not to exceed $343,500.00 - Financing: Aviation Fund (subject to annual appropriations)
43.	2	C	PBD	$703,839.25	Authorize the purchase of one piece of surface paint and rubber removal equipment to be used by the Department of Aviation with Waterblasting Technologies, Inc. through the Sourcewell cooperative agreement - Not to exceed $703,839.25 - Financing: Aviation Fund
44.	All	C	PBD	$485,455.98	Authorize a one-year master agreement for the purchase of heartworm medications for the Department of Dallas Animal Services - Butler Animal Health Supply, LLC, dba Henry Schein Animal Health in the amount of $481,552.49 and Midwest Veterinary Supply, Inc. in the amount of $3,903.49, lowest responsible bidders of two - Total not to exceed $485,455.98 - Financing: General Fund
45.	All	C	PBD	$7,816,398.00	Authorize a three-year master agreement for the purchase of liquid dipotassium orthophosphate solution for the Water Utilities Department - Carus Corporation, lowest responsible bidder of three - Not to exceed $7,816,398.00 - Financing: Dallas Water Utilities Fund
46.	All	C	PBD	$6,152,763.50	Authorize a five-year master agreement for the purchase of various software including perpetual, fixed term, subscription and software as a service, software maintenance, support, and implementation services for the Department of Communication and Information Services with SHI Government Solutions, Inc. in an estimated amount of $5,533,013.50, Mobile Wireless, LLC in an estimated amount of $409,750.00, and Carahsoft Technology Corporation in an estimated amount of $210,000.00 through the State of Texas Department of Information Resources cooperative agreement

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					- Estimated amount of $6,152,763.50 - Financing: Data Services Fund
47.	All	C	PBD	$12,714,309.90	Authorize a five-year master agreement for the purchase of Cisco communications equipment and SmartNet maintenance for the Department of Communication and Information Services with Presidio Networked Solutions Group, LLC through the State of Texas Department of Information Resources cooperative agreement - Estimated amount of $12,714,309.90 - Financing: Municipal Lease Agreement Funds
48.	All	C	OWC	NC	Authorize (1) adoption of the recommendations of the Welcoming Plan Task Force in the Welcoming Plan as a reference and guide; and (2) the affirmation that Dallas is a welcoming community - Financing: This item has no cost consideration to the City (see Fiscal Information)
49.	2	C	PKR	$2,074,496.00	Authorize (1) an Advance Funding Agreement with the Texas Department of Transportation (TxDOT) for a Transportation Alternatives Set-Aside Program Project (Agreement No. CSJ 0918-47-204, CFDA No. 20.205) in the amount of $5,421,124.00 for construction of the Trinity Strand Trail - Phase II Project; (2) a required local match in the amount of $64,314.00 to be paid by warrant check to the State at the beginning of the project; (3) the receipt and deposit of funds in an amount not to exceed $5,421,124.00 in the Transportation Alternatives Set-Aside Program Fund; (4) the establishment of appropriations in an amount not to exceed $5,421,124.00 in the Transportation Alternatives Set-Aside Program Fund; (5) allocation of $5,197.91 in 2006 Bond Funds and $2,069,298.09 in 2012 Bond Funds as the City of Dallas' local cash match; and (6) execution of the grant agreement including all terms, conditions, and documents required by the grant agreement - Total not to exceed $7,495,620.00 - Financing: Texas Department of Transportation Funds ($5,421,124.00), 2006 Bond Funds ($5,197.91), and 2012 Bond Funds ($2,069,298.09)
50.	10	C	PKR	$604,000.00	Authorize a professional services contract with Corgan Associates, Inc. for architectural and engineering services for programming, schematic design, design development, construction documents, bidding and negotiation, and construction administration phases for the senior activity center and gymnasium additions and parking lot expansion at Willie B. Johnson Recreation Center located at 12225 Willowdell Drive - Not to exceed $604,000.00 - Financing: 2017 Bond Funds
51.	12	C	PKR	$312,700.00	Authorize a professional services contract with The Broussard Group, Inc. dba TBG Partners for design development, construction documents, procurement and construction observation phases for Hillcrest Village Green located at 6959 Arapaho Road - Not to exceed $312,700.00 - Financing:

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					2017 Bond Funds
52.	2, 6	C	PKR	REV $1,000.00	Authorize a ten-year agreement with two five-year renewal options, with the Dallas Rowing Club for the renovation, operation and maintenance of the existing boathouse at Bachman Lake Park located at 2829 Shorecrest Drive - Annual Revenue: $1,000.00
53.	All	C	POL	GT	Authorize (1) an application for and acceptance of supplemental funding for the 2016-2019 Internet Crimes Against Children Continuation Grant from the U.S. Department of Justice (DOJ), Office of Juvenile Justice and Delinquency Prevention (Grant No. 2016-MC-FX-K034, CFDA No. 16.543), for response to the sexual abuse and exploitation of children facilitated by the use of computer technology related to the investigation of the Internet-facilitated child exploitation for the period July 1, 2016 through September 30, 2019; (2) an increase in appropriations in an amount not to exceed $476,608.00 in the DOJ-Internet Crimes Against Children Grant 16-17 Fund; (3) the receipt and deposit of additional grant funds in an amount not to exceed $476,608.00 in the DOJ-Internet Crimes Against Children Grant 16-17 Fund; and (4) execution of the grant agreement and all documents required by the grant agreement - Not to exceed $476,608.00, from $954,641.00 to $1,431,249.00 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds
54.	All	C	POL	GT	Authorize a continuation of cooperative working agreements with various Police Departments, District Attorney's Offices, Sheriff Offices, and the Dallas Children's Advocacy Center (list attached to the Agenda Information Sheet) for the period July 1, 2016 through September 30, 2019 through the 2016-2019 Internet Crimes Against Children Continuation Grant supplement - Total not to exceed $167,000.00 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds
55.	All	C	POL	$31,012.26	Authorize (1) an application for and acceptance of the Dallas Police Department Victim Services/17 grant (Grant No. 1578117, Federal/State Award ID No. 2018-V2-GX-0040, CFDA #16.575), from the U.S. Department of Justice through the Office of the Governor, Criminal Justice Division in an amount not to exceed $109,469.20 to adequately respond to victims of violent crime with needed aid for the period October 1, 2018 through September 30, 2020; (2) the establishment of appropriations in an amount not to exceed $109,469.20 in the DPD Victim Services Grant/17 18-20 Fund; (3) the receipt and deposit of grant funds in an amount not to exceed $109,469.20 in the DPD Victim Services Grant/17 18-20 Fund; (4) a local match in the amount of $31,012.26; and (5) execution of the grant agreement

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					and all documents required by the grant agreement - Total not to exceed $140,481.46 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds ($109,469.20) and General Fund ($31,012.26) (subject to annual appropriations)
56.	N/A	I	SEC	NC	Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)
57.	7	I	MCC	NC	A resolution requesting the Board of Adjustment to authorize compliance proceedings for Jim's Car Wash located at 2702 Martin Luther King, Jr. Boulevard, Dallas, Texas - Financing: No cost consideration to the City (via Council Members Felder, Clayton, Griggs, Thomas, Narvaez)
58.	N/A	I	PBD	NC	Execute the casting of lots to identify the recommended vendor resulting from tie bid on group 5 for bid BI1818 for a three-year master agreement for the purchase of electrical supplies - Crawford Electrical Supply Co. and Graybar Electric Company, Inc. - Financing: No cost consideration to the City
59.	7	I	PBD	$38,098,909.00	Authorize (1) a twenty-year management contract, with two five-year extension options, for the management and operation of Fair Park for the Park and Recreation Department - Fair Park First, most advantageous proposer of three - initial ten years shall not exceed $34,598,909.00; years 11 - 20 will be negotiated between the parties during the 10th year based on a newly projected operating budget for years 11 - 20; if unable to agree, the 11th year will be calculated on the average of the last 3 years, and years 12 - 20 will be the Annual Appropriation for year 11 adjusted by Consumer Price Index; (2) provide the Manager $500,000.00 to be used for initial funding of an operational reserve to be maintained in a separate account for operational reserves for the term of agreement; (3) provide the Manager an additional $2,000,000.00 to be used for a transition reserve in the event the Manager is unable to meet its fundraising targets during the first three years of the contract, City of Dallas fiscal years 2019, 2020, and 2021; and (4) provide for the repayment of the unamortized portion of the Spectra Investment of $1,000,000.00 for transition costs if the contract is terminated prior to the end of the initial term - Not to exceed $38,098,909.00 - Financing: Park and Recreation Department General Fund (subject to annual appropriations)
60.	7	I	MCC	NC	A resolution directing the City Manager to, in collaboration with Fair Park First, negotiate any necessary amendments or options to the existing Fair Park resident institutions, State Fair of Texas, and Texas Department of Transportation contracts, including extending the length of the terms to

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					coincide with the Fair Park First contract and making any other improvements to other provisions of said contracts - Financing: This action has no cost consideration to the City
61.	7	I	ECO	REV- $308,103.00	Authorize a business personal property tax abatement agreement with Velocity, A Viracon Company or an affiliate ("Velocity") for a period of five-years in an amount equal to the City's ad valorem taxes assessed on 50 percent of the increased taxable value of Velocity's business personal property associated with the establishment of a new manufacturing operation to be located on approximately 8.427 acres at the southeast corner of Clover Haven Street and Cargo Road in Dallas, Texas in accordance with the City's Public/Private Partnership Program - Estimated Revenue Foregone: $308,103.00 over a five-year period (This item was deferred on September 26, 2018)
62.	5	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District, on the north line of Lake June Road, east of Holcomb Road Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant Z167-146(PD)
63.	13	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 353, on the northwest corner of Inwood Road and Willow Lane Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan, a revised development plan, a revised landscape plan, a traffic management plan, and conditions Z178-275(JM)
64.	2	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1712 for a financial institution with drive-in window on property zoned an LO-3 Limited Office District and Subdistrict B-2 within Planned Development District No. 749, the Baylor University Medical Center Special Purpose District, with a D Liquor Control Overlay, on the north corner of Crutcher Street and North Hill Avenue Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to conditions

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Z178-290(JM)
65.	3	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District on property zoned an IR Industrial Research District, on the northwest corner of West Red Bird Lane and Blue Bird Avenue Recommendation of Staff and CPC: Approval Z178-293(CT)
66.	6	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an IR Industrial Research District on property zoned an MU-3 Mixed Use District, on the east side of Emerald Street, at the terminus of Alberta Drive Recommendation of Staff and CPC: Approval Z178-295(CY)
67.	9	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and a renewal of Specific Use Permit No. 2240 for the sale of alcoholic beverages in conjunction with a restaurant without drive-in service on property zoned a CR-D-1 Community Retail District, with a D-1 Liquor Control Overlay, on the southeast corner of Garland Road and Moran Drive Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions Z178-296(JM)
68.	8	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2146 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District, with a D-1 Liquor Control Overlay, on the north corner of Kleberg Road and Carleta Street Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to staff's recommended conditions Recommendation of CPC: Approval for a three-year period, subject to conditions Z167-299(SM)
69.	14	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1343 for a drive-through restaurant use on property zoned a GR General Retail

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest side of North Fitzhugh Avenue between the southeast line of McKinney Avenue and the northwest line of North Central Expressway Recommendation of Staff: Approval, subject to a revised site plan, a revised landscape plan, and staff's recommended conditions Recommendation of CPC: Approval for a 20-year period, subject to a revised site plan, a revised landscape plan, and conditions Z178-161(PD)
70.	2	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict to allow additional retail and personal service uses, on property zoned Blocks 12 and 13 within Planned Development District No. 800, on the southwest line of South Riverfront Boulevard, between Dearborn Street and Corinth Street Recommendation of Staff: Approval, subject to a revised conceptual plan, revised form-based urban design standards, and staff's recommended conditions Recommendation of CPC: Approval, subject to a revised conceptual plan, revised form-based urban design standards, and conditions Z178-265(SM)
71.	14	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subdistrict B, Tract I within Planned Development District No. 375 to allow an increase in nonresidential floor area ratio on property bound by Lemmon Avenue East, Oak Grove Avenue, Cityplace West Boulevard, and Howell Street Recommendation of Staff: Approval, subject to a revised conceptual plan and staff's recommended conditions Recommendation of CPC: Approval, subject to a revised conceptual plan and conditions Z178-270(SM)
72.	14	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict within Planned Development District No. 842 with a MD-1 Modified Delta Overlay, on the west side of Greenville Avenue, north of Alta Avenue Recommendation of Staff: Denial Recommendation of CPC: Approval, subject to conditions Z178-272(CY)
73.	7	PH	DEV	NC	A public hearing to receive comments regarding an application for and an

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned an MF-2(A) Multifamily Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the south corner of JB Jackson Jr Boulevard and Park Row Avenue Recommendation of Staff and CPC: Approval for a 10-year period with eligibility for automatic renewals for additional 10-year periods, subject to a site plan and conditions Z178-193(SM) Note: This item was deferred by the City Council before opening the public hearings on September 12, 2018 and September 26, 2018, and is scheduled for consideration on October 24, 2018
74.	14	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subdistrict A of the Arts District Special Provision Sign District, Sections 51A-7.1203 and 51A-7.1214.1 of the Dallas City Code on property zoned Planned Development District No. 145, the Arts District Special Purpose District, in an area bounded by Flora Street, Leonard Street, Ross Avenue, and Crockett Street Recommendation of Staff: Denial Recommendation of CPC: Approval SPSD178-002
75.	9	PH	WTR	NC	A public hearing to receive comments regarding the application for and approval of the fill permit and removal of the floodplain (FP) prefix from approximately 0.029 acres of the current 0.658 acres of land located at 3810 Frontier Lane, within the floodplain of Williamson Branch, Fill Permit 18-05 - Financing: No cost consideration to the City
76.	6	PH	PKR	REV $194.00	A public hearing to receive comments on the proposed use of a portion of L.B. Houston Nature Area located at 10401 Wildwood Drive, totaling approximately 1,058 square feet of land, and temporary use of approximately 3,233 square feet of land, for the installation of a wastewater facility by the City of Irving for the benefit of the public; and at the close of the public hearing, consideration of a resolution authorizing the proposed use of parkland pursuant to Chapter 26 of the Texas Parks and Wildlife Code - Revenue: $194.00
77.	14	PH	DEV	NC	An appeal of the City Plan Commission's decision to deny an application for a certificate appropriateness for a 43.56 square foot multi-tenant monument sign at 2121 North Pearl Street on the southeast corner - Financing: No cost consideration to the City (This item was deferred on September 26, 2018)

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION

TOTAL $123,377,225.82

Agenda Information Sheet

File #: 18-1072 **Item #:** 1.

SUBJECT

Approval of Minutes of the September 26, 2018 City Council Meeting

Agenda Information Sheet

File #: 18-994 **Item #:** 2.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	October 24, 2018
COUNCIL DISTRICT(S):	5, 12
DEPARTMENT:	Building Services Department
EXECUTIVE:	Joey Zapata

SUBJECT

Authorize **(1)** the rejection of the proposals received for removing and replacing underground fuel storage tanks and removing a used oil tank at the Northcentral Police Substation located at 6969 McCallum Boulevard and removing and replacing underground fuel storage tanks at the Southeast Police Substation located at 725 North Jim Miller Road; and **(2)** the re-advertisement for new proposals - Financing: No cost consideration to the City

BACKGROUND

This action will authorize the rejection of the proposals received for removing and replacing underground fuel storage tanks and removing a used oil tank at the Northcentral Police Substation and removing and replacing underground fuel storage tanks at the Southeast Police Substation.

On June 6, 2017 and June 13, 2017, a Request for Competitive Sealed Proposals was issued in accordance with the City of Dallas procurement guidelines for construction services for the removal and replacement of the underground fuel storage tanks and removing a used oil tank at the Northcentral Police Substation located at 6969 McCallum Boulevard and the removal and replacement of the underground fuel storage tanks at the Southeast Police Substation located at 725 North Jim Miller Road.

On July 14, 2017, two proposals were submitted to the Office of Procurement Services. Staff recommends rejecting the proposals and re-advertising based on changes to the scope of the project and in an effort to increase competition and participation.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on October 22, 2018.

FISCAL INFORMATION

No cost consideration to the City.

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WHEREAS, the existing underground fuel storage tanks and a used oil tank at the Northcentral Police Substation located at 6969 McCallum Boulevard and the underground fuel storage tanks at the Southeast Police Substation located at 725 North Jim Miller Road have reached the end of their service life and are scheduled to be removed and replaced; and

WHEREAS, on June 6, 2017 and June 13, 2017, the Department of Equipment and Building Services advertised in the Dallas Morning News for Competitive Sealed Proposals for removing and replacing the underground fuel storage tanks and a used oil tank at the Northcentral Police Substation, and removing and replacing the underground fuel storage tanks at the Southeast Police Substation; and

WHEREAS, on July 14, 2017, two sealed proposals for construction services were received for removing and replacing the underground fuel storage tanks and removing a used oil tank at the Northcentral Police Substation and removing and replacing the underground fuel storage tanks at the Southeast Police Substation; and

WHEREAS, it has been determined that it is in the best interest of the City of Dallas to reject the proposals received for removing and replacing the underground fuel storage tanks and removing a used oil tank at the Northcentral Police Substation and removing and replacing the underground fuel storage tanks at the Southeast Police Substation and re-advertise for proposals at a later date.

Now, Therefore,

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

SECTION 1. That the proposals received for removing and replacing the underground fuel storage tanks and removing a used oil tank at the Northcentral Police Substation located at 6969 McCallum Boulevard and removing and replacing the underground fuel storage tanks at the Southeast Police Substation located at 725 North Jim Miller Road are hereby rejected and authorization to solicit new proposals is granted.

SECTION 2. 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.

Agenda Information Sheet

File #: 18-999 **Item #:** 3.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office

EXECUTIVE: Christopher J. Caso, Interim City Attorney

SUBJECT

Authorize settlement of the lawsuit styled Juan Rangel v. 505 & 509 N. Winnetka Ave., LLC, et al., Cause No. CC-16-01997-B - Not to exceed $102,500.00 - Financing: Risk Management Funds

BACKGROUND

Plaintiff Juan Rangel filed a lawsuit against the City of Dallas and others seeking compensation for alleged bodily injuries resulting from a fall occurring on June 25, 2015, off of a ramp that was installed under the direction of a Public Works Department employee. The City and Mr. Rangel have reached a proposed settlement subject to Council approval. Plaintiff is represented by Ramey Law Firm, PLLC.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council will be briefed by memorandum regarding this matter on October 19, 2018.

FISCAL INFORMATION

Funding for this item is budgeted in the current fiscal year.

Risk Management Funds - $102,500.00

October 24, 2018

WHEREAS, a lawsuit styled Juan Rangel v. 505 & 509 N. Winnetka Ave., LLC, et al., Cause No. CC-16-01997-B, was filed by the plaintiff, Juan Rangel, seeking compensation from the City of Dallas and others for alleged bodily injuries and other damages resulting from a fall occurring on June 25, 2015, off of a ramp that was installed under the direction of a Public Works Department employee; and

WHEREAS, the plaintiff has agreed to a settlement of the case whereby the City will pay Juan Rangel, Ramey Law Firm, PLLC, and all other persons having an interest in the settlement proceeds, the total amount of $102,500.00; and

WHEREAS, it is in the best interest of the City to settle this lawsuit.

Now, Therefore,

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

SECTION 1. That the proposed settlement of the lawsuit, styled Juan Rangel v. 505 & 509 N. Winnetka Ave., LLC, et al., Cause No. CC-16-01997-B, in an amount not to exceed $102,500.00 is hereby approved.

SECTION 2. That the Chief Financial Officer is hereby authorized to pay Juan Rangel, Ramey Law Firm, PLLC, and all other persons having an interest in the settlement proceeds, the amount of $102,500.00, from Fund 0192, Department ORM, Unit 3890, Object 3521, Vendor CTORM001.

SECTION 3. 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.

Agenda Information Sheet

File #: 18-1000 **Item #:** 4.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office

EXECUTIVE: Christopher J. Caso, Interim City Attorney

SUBJECT

Authorize partial settlement of the lawsuit styled Rosalyn Henry, et al. v. City of Dallas, Cause No. DC-16-13267 - Not to exceed $40,000.00 - Financing: Risk Management Funds

BACKGROUND

Plaintiff Latia Richardson filed a lawsuit against the City of Dallas seeking compensation for alleged bodily injuries and other damages sustained in an automobile collision on January 24, 2015, involving a Dallas Police Department vehicle. The City and Ms. Richardson have reached a proposed settlement subject to Council approval. Plaintiff is represented by The Law Offices of Tim O'Hare. The City did not reach a settlement with the other Plaintiff in the lawsuit, Rosalyn Henry, and the case went to trial September 18-19, 2018. The jury rendered a verdict of $75,693.72, plus interest and court costs.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council will be briefed by memorandum regarding this matter on October 19, 2018.

FISCAL INFORMATION

Funding for this item is budgeted in the current fiscal year.

Risk Management Funds - $40,000.00

October 24, 2018

WHEREAS, a lawsuit styled Rosalyn Henry, et al. v. City of Dallas, Cause No. DC-16-13267, was filed by the plaintiff, Latia Richardson, seeking compensation from the City of Dallas for alleged bodily injuries and other damages sustained in an automobile collision on January 24, 2015, involving a Dallas Police Department vehicle; and

WHEREAS, the plaintiff has agreed to a settlement of the case whereby the City will pay Latia Richardson, The Law Offices of Tim O'Hare, and all other persons having an interest in the settlement proceeds, the total amount of $40,000.00; and

WHEREAS, it is in the best interest of the City to settle this lawsuit.

Now, Therefore,

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

SECTION 1. That the proposed settlement of Latia Richardson's claims in the lawsuit, styled Rosalyn Henry, et al. v. City of Dallas, Cause No. DC-16-13267, in an amount not to exceed $40,000.00 is hereby approved.

SECTION 2. That the Chief Financial Officer is hereby authorized to pay Latia Richardson, The Law Offices of Tim O'Hare, and all other persons having an interest in the settlement proceeds, the amount of $40,000.00, from Fund 0192, Department ORM, Unit 3890, Object 3521, Vendor CTORM001.

SECTION 3. 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.

Agenda Information Sheet

File #: 18-1007 **Item #:** 5.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office

EXECUTIVE: Christopher J. Caso, Interim City Attorney

SUBJECT

Authorize settlement of the lawsuit styled McKinley Thompson v. City of Dallas, Cause No. DC-17-11907 - Not to exceed $30,000.00 - Financing: Risk Management Funds

BACKGROUND

Plaintiff McKinley Thompson filed a lawsuit against the City of Dallas seeking compensation for alleged bodily injuries and other damages sustained in an automobile-pedestrian collision on March 29, 2016, involving a Dallas Park & Recreation Department vehicle. The City and McKinley Thompson have reached a proposed settlement subject to Council approval. Plaintiff is represented by the Law Firm of Aaron A. Herbert.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council will be briefed by memorandum regarding this matter on October 19, 2018.

FISCAL INFORMATION

Funding for this item is budgeted in the current fiscal year.

Risk Management Funds - $30,000.00

October 24, 2018

WHEREAS, a lawsuit styled McKinley Thompson v. City of Dallas, Cause No. DC-17-11907, was filed by the plaintiff seeking compensation from the City of Dallas for alleged bodily injuries and other damages sustained in an automobile-pedestrian collision on March 29, 2016, involving a Dallas Park & Recreation Department vehicle; and

WHEREAS, the plaintiff has agreed to a settlement of the case whereby the City will pay McKinley Thompson and the Law Firm of Aaron A. Herbert, and all other persons having an interest in the settlement proceeds, the total amount of $30,000.00; and

WHEREAS, it is in the best interest of the City to settle this lawsuit.

Now, Therefore,

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

SECTION 1. That the proposed settlement of the lawsuit, styled McKinley Thompson v. City of Dallas, Cause No. DC-17-11907, in an amount not to exceed $30,000.00 is hereby approved.

SECTION 2. That the Chief Financial Officer is hereby authorized to pay McKinley Thompson and the Law Firm of Aaron A. Herbert, and all other persons having an interest in the settlement proceeds, the amount of $30,000.00, from Fund 0192, Department ORM, Unit 3890, Object 3521, Vendor CTORM001.

SECTION 3. 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.

Agenda Information Sheet

File #: 18-1015 **Item #:** 6.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office

EXECUTIVE: Christopher J. Caso, Interim City Attorney

SUBJECT

Authorize settlement of the lawsuit styled Janet Henderson v. City of Dallas, et al., Cause No. 3:16-CV-3317-S - Not to exceed $50,000.00 - Financing: Risk Management Funds

BACKGROUND

Plaintiff Janet Henderson filed a lawsuit against the City of Dallas and several City employees, seeking compensation for alleged violations of the Americans with Disabilities Act and the Family Medical Leave Act, arising out of her termination from employment with the City. The parties have reached a proposed settlement subject to Council approval. Ms. Henderson is represented by the firm of Tremain Artaza, PLLC.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council will be briefed by memorandum regarding this matter on October 19, 2018.

FISCAL INFORMATION

Funding for this item is budgeted in the current fiscal year.

Risk Management Funds - $50,000.00

October 24, 2018

WHEREAS, a lawsuit styled Janet Henderson v. City of Dallas, et al., Cause No. 3:16-CV-3317-S, was filed by the plaintiff seeking compensation from defendants for alleged violations of the Americans with Disabilities Act and the Family Medical Leave Act arising out of the plaintiff's termination from employment with the City; and

WHEREAS, the plaintiff has agreed to a settlement of the case whereby the City will pay Janet Henderson, Christine A. Hopkins, and all other persons having an interest in the settlement proceeds, the total amount of $50,000.00; and

WHEREAS, it is in the best interest of the City to settle this lawsuit.

Now, Therefore,

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

SECTION 1. That the proposed settlement of the lawsuit, styled Janet Henderson v. City of Dallas, et al., Cause No. 3:16-CV-3317-S, in an amount not to exceed $50,000.00 is hereby approved.

SECTION 2. That the Chief Financial Officer is hereby authorized to pay Janet Henderson, Christine A. Hopkins, and all other persons having an interest in the settlement proceeds, the amount of $50,000.00, from Fund 0192, Department ORM, Unit 3890, Object 3521, Vendor CTORM001.

SECTION 3. 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.

Agenda Information Sheet

File #: 18-895 **Item #:** 7.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Aviation

EXECUTIVE: Kimberly Bizor Tolbert

SUBJECT

Authorize a professional services contract with JLM Consulting Group, Inc. for project management, construction consulting and facility maintenance services at Dallas Love Field - Not to exceed $110,625.00 - Financing: Aviation Fund

BACKGROUND

This action will authorize a professional services contract with JLM Consulting Group Inc. for project management, construction consulting and facility maintenance services at Dallas Love Field. This contract is necessary to maintain continuity of operations and transfer of knowledge during the next phase of planned Oncor upgrades and implementation of future Department of Aviation capital and facilities projects such as the Vulnerability Assessment of Back Up-Power, Energy Efficiency Program, Plant Operations Review and various other maintenance and enhancement projects. Over the next eighteen months Oncor will implement a project to replace the remaining two power feeders, securing new feeds for all three lines which support the terminal and all airport systems.

With City Council approval, JLM Consulting Group, Inc. will assist the Department of Aviation in analyzing the vulnerabilities associated with possible power loss and determining solutions to minimize risk. Dallas Love Field will use the expertise and historical knowledge of JLM Consulting Group, Inc. to identify potential risks to operations from lack of backup power or other threats to electrical, mechanical, and network systems.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	December 2018
Complete	May 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Economic Development Committee was briefed on this item on April 4, 2016.

On April 13, 2016, City Council authorized a one-year professional services contract with JLM Consulting Group, Inc. for project management, construction consulting and facility maintenance services at Dallas Love by Resolution No. 16-0514.

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on October 22, 2018.

FISCAL INFORMATION

Aviation Fund - $110,625.00

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$110,625.00	Professional Services	36.30%	0.00%	0.00%
• This contract does not meet the M/WBE goal.				

OWNER

JLM Consulting Group, Inc.

Jimmy L. Mayhew, Principal

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October 24, 2018

WHEREAS, the City owns and operates a municipal airport, Dallas Love Field; and

WHEREAS, due to the Love Field Modernization Program, airport expansion has placed a greater demand on the electrical supply needed to support the airport terminal and outlying facility operations; and

WHEREAS, the airport has experienced periodic power spikes in the terminal and outlying areas; and

WHEREAS, Oncor has scheduled the replacement of two power feeders, securing new feeds for all three lines which support the terminal and all airport systems to occur over the next 15 months at no cost to the City of Dallas; and

WHEREAS, it is desirable to authorize a professional services contract with JLM Consulting Group, Inc. for project management, construction consulting and facility maintenance services at Dallas Love Field, in an amount not to exceed $110,625.00.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a professional services contract with JLM Consulting Group, Inc., approved as to form by the City Attorney, for project management, construction consulting and facility maintenance services at Dallas Love Field, in an amount not to exceed $110,625.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $110,625.00 from Aviation Fund, Fund 0130, Department AVI, Unit 7739, Object 3110.

SECTION 3. That this contract is designated as Contract No. AVI-2018-00007836.

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.

Agenda Information Sheet

File #: 18-985 **Item #:** 8.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Aviation

EXECUTIVE: Kimberly Bizor Tolbert

SUBJECT

Authorize **(1)** new parking rates for new Garage C parking areas; **(2)** a decrease in the daily rates charged for parking in Garages A and B; **(3)** closing Love Connection remote parking to the public; **(4)** an increased rate for valet services and premium area parking; and **(5)** improved parking product options and value to the traveling public to gain market share - Estimated Total Annual Revenue: $33,755,322.00

BACKGROUND

In 2018, the Department of Aviation completed a review of competitor parking and ground transportation rates. Current issues that impact Love Field parking occupancy and revenues include increased use of transportation network companies, and low-priced competitor parking. To respond to competition, the Department of Aviation is seeking new parking rates for Dallas Love Field.

Garage C, scheduled to open on November 1, 2018 will add 5,100 parking spaces to the current parking inventory which decreases the need for Love Connection remote parking. Closing Love Connection remote parking will remove 1,500 parking spaces. The result is a net increase of 3,600 additional parking spaces that can allow Dallas Love Field to provide a greater range of parking products and pricing.

Short-term parking will continue to be provided in parking Garage A and will have a maximum parking rate of $15.00 per day with 3,000 spaces. Long-term parking will be provided in parking Garage B and will have a maximum standard parking rate of $9.00 per day for 2,900 spaces or $7.00 for 1,100 rooftop spaces. Garage C will provide both short-term and long-term parking and will have a maximum parking rate of $15.00 per day for 3,100 spaces, $13.00 per day for 400 spaces and $25.00 per day for 500 spaces. Valet parking will continue to be provided and will have a maximum rate of $26.00 per day for 1,000 spaces. Airport tenant employees will continue to be charged $30.00 per month and park offsite.

The new parking garage rates and Garage C occupancy estimated at 55 percent will generate

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approximately $33,755,322.00 in estimated total annual revenue over the next year.

The following information details the current and proposed parking rates at Dallas Love Field.

Existing Parking & Valet Rates (since August 1, 2014):

SHORT-TERM (Parking Garage A)		LONG-TERM (Parking Garage B)		VALET (since 2013)	
0 - ½ Hour	$ 0.00	0 - ½ Hour	$ 0.00	0 - 1 Hour	$ 8.00
½ - 1 Hour	$ 4.00	½ - 1 Hour	$ 3.00	1 - 2 Hours	$13.00
1 - 2 Hours	$ 6.00	1 - 2 Hours	$ 5.00	2 - 3 Hours	$16.00
2 - 3 Hours	$10.00	2 - 3 Hours	$ 7.00	3 - 5 Hours	$19.00
3 - 5 Hours	$13.00	3 - 5 Hours	$10.00	5- 24 Hours	$24.00
5 - 24 Hours	$17.00	5 - 24 Hours	$13.00		

Proposed Parking & Valet Rates:

SHORT-TERM (Parking Garage A)		LONG-TERM (Parking Garage B)		VALET	
0 - ½ Hour	$ 0.00	0 - ½ Hour	$0.00	0 - 1 Hour	$ 8.00
½ - 1 Hour	$ 4.00	½ - 1 Hour	$3.00	1 - 2 Hours	$13.00
1 - 2 Hours	$ 6.00	1 - 2 Hours	$5.00	2 - 3 Hours	$16.00
2 - 3 Hours	$10.00	2 - 3 Hours	$7.00	3 - 5 Hours	$19.00
3 - 5 Hours	$13.00	3 - 24 Hours	$9.00	5- 24 Hours	$26.00
5 - 24 Hours	$15.00	3- 24 Hours	$7.00 (Roof)		

(Parking Garage C)

0 - ½ Hour	$ 0.00
½ - 1 Hour	$ 4.00
1 - 2 Hours	$ 6.00
2 - 3 Hours	$10.00
3 - 5 Hours	$13.00
3 - 24 Hours	$13.00 (Roof)
5 - 24 Hours	$15.00
5 - 24 Hours	$25.00 (Premium)

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On March 18, 1987, City Council authorized Parking Rate Revision by Resolution No. 87-0905.

On February 10, 1988, City Council authorized Parking Rate Revision by Resolution No. 88-0518.

On September 28, 1988, City Council authorized Parking Rate Revision by Resolution No. 88-3127.

On June 24, 1992, City Council authorized Parking Rate Revision by Resolution No. 92-2473.

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On September 10, 2008, City Council authorized an increase in the daily parking rates charged for Garages A and B at Dallas Love Field, to become effective October 1, 2008, by Resolution No. 08-2405.

On October 22, 2008, City Council authorized an amendment to Resolution No. 08-2405, previously approved on September 10, 2008, to correct the hourly rates charged for parking at Dallas Love Field by Resolution No. 08-2825.

On September 8, 2010, City Council authorized an increase in the daily rates charged for parking in Garages A and B at Dallas Love Field, to become effective October 1, 2010, by Resolution No. 10-2266.

On June 25, 2014, City Council authorized an increase in the daily rates charged for parking in Garages A and B and valet services at Dallas Love Field, effective August 1, 2014, by Resolution No. 14-0984.

The Mobility Solutions, Infrastructure, and Sustainability Committee will be briefed regarding this item on October 22, 2018.

FISCAL INFORMATION

Estimated Total Annual Revenue: $33,755,322.00

October 24, 2018

WHEREAS, the 2007 Airport Rates and Charges Study provides the framework for setting fees and charges for the Department of Aviation; and

WHEREAS, the 2007 Airport Rates and Charges Study directed staff to review and, if necessary, adjust parking rates every 18 to 24 months to achieve market level parking rates; and

WHEREAS, on September 10, 2008, City Council authorized an increase in the daily parking rates charged for Garages A and B at Dallas Love Field to become effective October 1, 2008, by Resolution No. 08-2405 ; and

WHEREAS, on October 22, 2008, City Council authorized an amendment to Resolution No. 08-2405, previously approved on September 10, 2008, to correct the hourly rates charged for parking at Dallas Love Field by Resolution No. 08-2825; and

WHEREAS, on September 8, 2010, City Council authorized an increase in the daily rates charged for parking in Garages A and B at Dallas Love Field, to become effective October 1, 2010, by Resolution No. 10-2266; and

WHEREAS, on June 25, 2014 City Council authorized an increase in the daily rates charged for parking in Garages A and B and valet services at Dallas Love Field, effective August 1, 2014, by Resolution No. 14-0984; and

WHEREAS, increased competition is impacting Love Field Airport occupancy and revenues; and

WHEREAS, it is now necessary to authorize new parking rates for new Garage C parking areas; a decrease in the daily rates charged for parking in Garages A and B; closing Love Connection remote parking to the public; an increased rate for valet services and premium area parking; and improved parking product options and value to the traveling public to gain market share.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to change the daily parking rates charged for Garages A and B, Garage C and Valet services at Dallas Love Field to become effective November 1, 2018 in accordance with the following schedule:

Proposed Parking & Valet Rates:

SHORT-TERM (Parking Garage A)		LONG-TERM (Parking Garage B)		VALET	
0 - ½ Hour	$ 0.00	0 - ½ Hour	$0.00	0 - 1 Hour	$ 8.00
½ - 1 Hour	$ 4.00	½ - 1 Hour	$3.00	1 - 2 Hours	$13.00
1 - 2 Hours	$ 6.00	1 - 2 Hours	$5.00	2 - 3 Hours	$16.00
2 - 3 Hours	$10.00	2 - 3 Hours	$7.00	3 - 5 Hours	$19.00
3 - 5 Hours	$13.00	3 - 24 Hours	$9.00	5- 24 Hours	$26.00
5 - 24 Hours	$15.00	3- 24 Hours	$7.00 (Roof)		

(Parking Garage C)

0 - ½ Hour	$ 0.00
½ - 1 Hour	$ 4.00
1 - 2 Hours	$ 6.00
2 - 3 Hours	$10.00
3 - 5 Hours	$13.00
3 - 24 Hours	$13.00 (Roof)
5 - 24 Hours	$15.00
5 - 24 Hours	$25.00 (Premium)

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit all revenues received from operating the parking garage to Aviation Operating Fund, Fund 0130, Department AVI, Unit 7751, Revenue Code - Various.

SECTION 3. 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.

Agenda Information Sheet

File #: 18-1013 **Item #:** 9.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Aviation

EXECUTIVE: Kimberly Bizor Tolbert

SUBJECT

Authorize a ten-year lease agreement, with two five-year renewal options with Trinity Industries, Inc. for approximately 42,750 square feet of land and facilities located at Dallas Love Field for continued aviation related operations - Estimated Annual Revenue: $104,418.48

BACKGROUND

Trinity Industries, Inc. has conducted their aviation operations at Dallas Love Field for over 25 years through a sublease. Trinity Industries, Inc. acquired a sublease from LLM Aircraft on February 12, 1992 and has conducted operations from that date through the present. The terms of that sublease expire November 30, 2018.

A walk-through inspection was conducted by Aviation staff during July 2018 and found that the facility and lease premises meet acceptable city standards and the City desires to enter into a new ten-year lease agreement with two five-year renewal options to allow for continued operations by Trinity Industries, Inc. at Dallas Love Field.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on October 22, 2018.

FISCAL INFORMATION

Estimated Annual Revenue: $104,418.48

OWNER

Trinity Industries, Inc.

S. Theis Rice, Sr. Vice President and Chief Legal Officer

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October 24, 2018

WHEREAS, the City of Dallas owns and operates that certain airport property in the City of Dallas, Dallas County, Texas, known as Dallas Love Field (the "Airport"); and

WHEREAS, Trinity Industries, Inc. has submitted a request for a new ten-year lease, with two five-year option periods, and the City desires to lease approximately 42,750 square feet of land and facilities to Trinity Industries, Inc. for continuing operations at Dallas Love Field airport, to begin December 1, 2018 upon approval of the lease by the City of Dallas.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a ten-year lease agreement, with two five-year renewal options with Trinity Industries, Inc., approved as to form by the City Attorney, for approximately 42,750 square feet of land and facilities located at Dallas Love Field for continued aviation related operations.

SECTION 2. That the proposed lease agreement between the City of Dallas and Trinity Industries, Inc for a primary term of ten years plus two five-year renewal options, and providing annual rent of approximately $104,418.48, payable in monthly installments of approximately $8,701.54 is hereby approved.

SECTION 3. That the proposed lease agreement contains the following terms and conditions:

(a) The proposed lease shall include approximately 42,750 square feet of land and facilities as follows: $0.80/sq. ft./yr improved ground, $0.65 sq. ft./yr unimproved ground and landscaped area; $4.25 sq. ft./yr aircraft hangar area; and $8.50 sq/yr of office area.

(b) The ten-year primary term and payment of rent shall commence upon the execution date of the lease agreement after approval of the City Council. The lease shall contain two five-year options to extend the lease, which shall commence, if properly exercised, upon expiration of the term then in effect.

(c) The lease will permit the City to escalate rental rates every three years, beginning in year 4 of the primary term, by the greater of 3% of prior year annual rent or the prevailing rate not to exceed 12% from the previous four-year period. Upon commencement of the first and any subsequent renewal option period, rental rates may be adjusted to the then prevailing rental rates at Dallas Love Field Airport for land and improvements.

(d) That the leased premises shall be used for aviation related purposes.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit all revenues received under this leases to Aviation Operating Fund, Fund 0130, Department AVI, Unit 7722, Revenue Code 7814.

SECTION 5. That this contract is designated as Contract No. AVI-2019-00008241.

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.

Agenda Information Sheet

File #: 18-884 **Item #:** 10.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Aviation

EXECUTIVE: Kimberly Bizor Tolbert

SUBJECT

Authorize a seven-year concessions contract, with two twelve-month renewal options, for food and beverage concession services at Dallas Love Field with Creative Bar Concepts, LLC - Estimated Annual Revenue: $60,000.00 (minimum annual guarantee or 10% rental rate on food and non-alcoholic beverages and 15% on alcohol, whichever is greater)

BACKGROUND

On March 7, 2012, City Council awarded the current Food and Beverage concession contracts at Dallas Love Field. The food and beverage program produces approximately $59 million in sales annually with retail providing approximately $23 million. The food and beverage program needs additional locations to help alleviate the lack of seating and available options.

The Fly Bar, located on the far end of Love Landing, is the only pre-security location that is not paired with a post security location. Dunkin Donuts has a post security location near the food court, Bruegger's Bagels has Cru Wine Bar and Texas Monthly News has D Magazine News. The Pre-Security Fly Bar was intended as a pilot project initiated after receiving customer feedback on the lack of a pre-security bar with limited food service. Fly Bar, currently on a month to month concession contract, has performed well for the location it occupies. In order to ensure a successful venture, a corresponding post security location is needed.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On March 7, 2012, City Council authorized concessions contracts, with renewal options, for the operation of food and beverage concessions at Dallas Love Field Airport by Resolution No. 12-0706.

The Government Performance & Financial Management Committee was briefed on this item on September 17, 2018.

FISCAL INFORMATION

Estimated Annual Revenue - $60,000.00 (minimum annual guarantee or 10% rental rate on food and non-alcoholic beverages and 15% on alcohol, whichever is greater)

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$60,000.00	Revenue	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to Revenue contracts.				

OWNER

Creative Bar Concepts, LLC

Charles Bush, President

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WHEREAS, City owns and operates a municipal airport, Dallas Love Field ("Airport"); and

WHEREAS, on July 11, 2006, the City of Fort Worth, the Dallas-Fort Worth International Airport Board, Southwest Airlines Co. ("Southwest"), and American Airlines, Inc. entered into an agreement to seek the elimination of restrictions on air service at the Airport contained in existing federal legislation known as the "Wright Amendment", and if such legislation was approved, the parties agreed to allow for the redevelopment and modernization of the existing Airport terminal facilities ("Five Party Agreement"); and

WHEREAS, reform to the Wright Amendment, the "Wright Amendment Reform Act of 2006", was enacted on October 13, 2006, which requires that the last of the interstate flight restrictions, first imposed on the Airport in 1979, be removed in October 2014; and

WHEREAS, after approval of the Wright Amendment Reform Act of 2006, in accordance with the Five Party Agreement, City and Southwest agreed to redevelop and modernize the Airport through the Love Field Modernization Program ("LFMP"), which included redevelopment of the existing Airport terminal building and construction of a new twenty (20) gate concourse (collectively "Terminal"); and

WHEREAS, after completion by the LFMP, the Terminal accommodates nearly twice the amount of food and beverage concession space than was housed in the previous Airport concourse and terminal building and City solicited proposals, made recommendations and received Council approval for qualified food and beverage operators for the development, operation, and management of food and beverage concessions in the Terminal; and

WHEREAS, Concessionaire engages in the business of developing, operating, and managing food and beverage concessions similar in nature to those approved in the Terminal; and

WHEREAS, City wishes to contract with Concessionaire for development, operation, and management of food and beverage concessions in the Terminal.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a seven-year concessions contract, with two twelve-month renewal options with Creative Bar Concepts, LLC, approved as to form by the City Attorney, for food and beverage concession services at Dallas Love Field, for an estimated annual revenue amount of $60,000.00 (minimum annual guarantee or 10% rental rate on food and non-alcoholic beverages and 15% on alcohol, whichever is greater).

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit funds from the concessionaires in Fund 0130, Department AVI, Unit 7725, Revenue Code 7811.

SECTION 3. That this contract is designated as Contract No. AVI-2018-00008181.

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.

Agenda Information Sheet

File #: 18-890 **Item #:** 11.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Aviation

EXECUTIVE: Kimberly Bizor Tolbert

SUBJECT

Authorize the Second Amendment to the food and beverage concession contract with Air Star Concessions Ltd., previously approved by Resolution No. 12-0706 on March 7, 2012, for food and beverage concession services at Dallas Love Field for Contract No. 2, Concept B, C and D, to **(1)** add terminal space next to Whataburger, with 1,126 square feet for the purpose of constructing, operating and managing a bar with limited food service and limited retail sales space; **(2)** add approximately 500 square feet of noncontiguous space for patio seating with full bar service to the existing Cantina Laredo restaurant at Dallas Love Field; and **(3)** add a provision whereby Air Star Concessions Ltd. releases the City from any and all claims relating to a right of first refusal to food and beverage space at Dallas Love Field - Estimated Annual Revenue: $147,500.00 ($95,000.00 Minimum Annual Guarantee on the space next to Whataburger; Cantina Laredo Patio, $52,500.00 additional revenue based on $350,000.00 in sales)

BACKGROUND

Dallas Love Field has experienced considerable growth in passenger traffic since the repeal of the Wright Amendment. Passenger traffic has increased from 4.7 million enplanements in 2014 to 7.8 million enplanements in 2017. Food and beverage sales increased over 100 percent in the same time period.

As the incumbent food and beverage operator, Air Star Concessions Ltd. (Air Star) was guaranteed 27% of the new terminal value. There is a disagreement with Air Star as to whether or when the 27% value guarantee ended. In order to proceed with the current Request for Proposal (RFP) process and recommended award for additional food and beverage locations, Air Star has agreed to waive its claim for the 27% value under the condition that a repurposed vacant concession space next to Whataburger, is awarded to Air Star for the purpose of constructing, operating and managing a bar location with limited food service and limited retail sales space. The 1,126 square foot space next to Whataburger will include a $95,000 Minimum Annual Guarantee (MAG) or 14% on food and non-alcoholic beverage sales up to $500,000 and 15% above $500,000; 20% on alcohol sales up to $1,000,000, 22% above $1,000,000 to $2,000,000 and 23% above $2,000,000 and 12% of sales on

retail merchandise up to $500,000 and 14% above $500,000, whichever is greater. The alcohol rate is the highest in the airport. Capital expense will be $400 per square foot or $450,400. Primary Term is nine years, with two one year options.

On March 7, 2012, City Council authorized a concession contract with Air Star Concessions, Ltd. for food and beverage concessions at Dallas Love Field that included Cantina Laredo, Whataburger and Campisi's Pizza by Resolution No. 12-0706. The primary term of the contract commenced on November 1, 2014 for a primary term of nine years for the sit down restaurant location (Cantina Laredo) and seven years for the quick serve restaurants (Whataburger and Campisi's Pizza) with two one-year renewal terms.

In addition, based on the increased passenger traffic, additional food and beverage services need to be added. A Cantina Laredo patio, of approximately 500 square feet will be added, offering full bar service and overflow seating for the Cantina Laredo in-line unit.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On March 7, 2012, City Council authorized concessions contracts, with renewal options, for the operation of food and beverage concessions at Dallas Love Field Airport by Resolution No. 12-0706.

On August 12, 2015, City Council authorized the City Manager to offer City vendors operating as food and beverage concessionaires at Dallas Love Field an amendment to their current concession contracts to: allow product pricing at no greater than street pricing plus ten percent; establish a minimum hourly pay rate of $10.37, defined as a living wage, for non-tipped and non-managerial food and beverage concession employees; and remove the shared costs provisions by Resolution No. 15-1335.

The Government Performance & Financial Management Committee was briefed on this item on September 17, 2018.

FISCAL INFORMATION

Estimated Annual Revenue: $147,500.00 ($95,000.00 Minimum Annual Guarantee on the space next to Whataburger; Cantina Laredo Patio, $52,500.00 additional revenue based on $350,000.00 in sales)

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$147,500.00	Revenue	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to Revenue contracts.				

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OWNER

Air Star Concessions, Ltd. owned by

Multirestaurants Concepts, Ltd. (99% limited partner interest

Multirestaurants Management, Inc. (1%)

Gilbert Aranza, President

October 24, 2018

WHEREAS, the City owns and operates a municipal airport, Dallas Love Field; and

WHEREAS, Air Star Concessions, Ltd. ("Air Star") (formerly Dallas Love Field Joint Venture) was the sole food and beverage provider in the terminal prior to the Love Field Modernization Program's completion of the new terminal; and

WHEREAS, Air Star was guaranteed 27% of the value of the new terminal food and beverage program for extending its contract until the new terminal was opened; and

WHEREAS, on March 7, 2012, City Council authorized concessions contracts, with renewal options, for the operation of food and beverage concessions at Dallas Love Field Airport by Resolution No. 12-0706; and

WHEREAS, on August 12, 2015, City Council authorized the City Manager to offer City vendors operating as food and beverage concessionaires at Dallas Love Field an amendment to their current concession contracts to: allow product pricing at no greater than street pricing plus ten percent; establish a minimum hourly pay rate of $10.37, defined as a living wage, for non-tipped and non-managerial food and beverage concession employees; and remove the shared costs provisions by Resolution No. 15-1335; and

WHEREAS, there is a disagreement between the City and Air Star as to whether or when the 27% guarantee ended; and

WHEREAS, there has been a Request for Proposal issued for new food and beverage services based on passenger traffic at the airport; and

WHEREAS, Air Star has agreed to waive its claim for 27% of the terminal value under the condition that a vacant repurposed retail space next to Whataburger, be awarded to Air Star to construct, manage and operate a bar location with limited food service and limited retail sales space and an additional non-contiguous patio space with bar and overflow seating be added to the Cantina Laredo Assigned Premises.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign the Second Amendment to the food and beverage concession contract with Air Star Concessions Ltd., previously approved by Resolution No. 12-0706 on March 7, 2012, for food and beverage concession services at Dallas Love Field for Contract No. 2, Concept B, C and D, to **(1)** add terminal space next to Whataburger, with 1,126 square feet for the purpose of constructing, operating and managing a bar with limited food service and limited retail sales space; **(2)** add approximately 500 square feet of noncontiguous space for patio seating with full bar service to the existing Cantina Laredo restaurant at Dallas Love Field; and **(3)** add a provision whereby Air Star Concessions Ltd. releases the City from any and all claims relating to a right of first refusal to food and beverage space at Dallas Love Field, for an estimated revenue of $147,500.00 ($95,000.00 Minimum Annual Guarantee on the space next to Whataburger; Cantina Laredo Patio, $52,500.00 additional revenue based on $350,000.00 in sales), approved as to form by the City Attorney.

SECTION 2. That all other terms under the existing contract shall remain the same.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit all revenues received from the concessionaire in Fund 0130, Department AVI, Unit 7725, Revenue Code 7811.

SECTION 4. That this contract is designated as Contract No. AVI-2017-00002729.

SECTION 5. 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.

Agenda Information Sheet

File #: 18-894 **Item #:** 12.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	October 24, 2018
COUNCIL DISTRICT(S):	2
DEPARTMENT:	Department of Aviation
EXECUTIVE:	Kimberly Bizor Tolbert

SUBJECT

Authorize the Second Amendment to the food and beverage concession contract with Air Star-LTS/Marquis-DAL, LLC, previously approved by Resolution No. 12-0706 on March 7, 2012, for food and beverage concession services at Dallas Love Field for Contract No. 2, Concept A, to add approximately 500 square feet of noncontiguous space for patio seating to the existing Chili's restaurant at Dallas Love Field - Estimated Annual Revenue: $48,000.00 (on estimated $400,000.00 in sales from the patio)

BACKGROUND

Dallas Love Field has experienced considerable growth in passenger traffic since the repeal of the Wright Amendment. Passenger traffic has increased from 4.7 million enplanements in 2014 to 7.8 million enplanements in 2017. Food and beverage sales increased over 100 percent in the same time period.

On March 7, 2012, Air Star Concessions, Ltd. was awarded a food and beverage concession contract to develop four locations at Dallas Love Field by Resolution No. 12-0706. On August 14, 2014, space No. C2396 was assigned to Air Star-LTS/Marquis-DAL, LLC to construct, manage and operate the Chili's restaurant with the primary term of the contract commencing November 1, 2014 for a term of nine years with two one-year renewal terms.

This amendment will add approximately 500 square feet of noncontiguous space as overflow patio seating for the Chili's in-line unit with full bar service.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On March 7, 2012, City Council authorized concessions contracts, with renewal options, for the operation of food and beverage concessions at Dallas Love Field Airport by Resolution No. 12-0706.

On August 12, 2015, City Council authorized the City Manager to offer City vendors operating as food and beverage concessionaires at Dallas Love Field an amendment to their current concession contracts to: allow product pricing at no greater than street pricing plus ten percent; establish a minimum hourly pay rate of $10.37, defined as a living wage, for non-tipped and non-managerial food and beverage concession employees; and remove the shared costs provisions by Resolution No. 15-1335.

The Government Performance & Financial Management Committee was briefed on this item on September 17, 2018.

FISCAL INFORMATION

Estimated Revenue: $48,000.00 (on estimated $400,000.00 in sales from the patio)

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$48,000.00	Revenue	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to Revenue contracts.				

OWNERS

Air Star-LTS/Marquis-DAL, LLC, a Texas Limited Liability Company

Air Star Concessions II, Ltd.
(ACDBE certified)(51% membership interest),
Owned by Air Star Concessions, Ltd, Managing Member.

Multirestaurants Management Inc.
Gilbert Aranza, President

LTS DLV/IAH, LLC
Cary Platt, President

Marquis DLV/IAH, LLC
Doug Hickok, President

October 24, 2018

WHEREAS, the City owns and operates a municipal airport, Dallas Love Field; and

WHEREAS, on March 7, 2012, City Council authorized concessions contracts, with renewal options, for the operation of food and beverage concessions at Dallas Love Field Airport by Resolution No.12-0706; and

WHEREAS, on August 12, 2015, City Council authorized the City Manager to offer City vendors operating as food and beverage concessionaires at Dallas Love Field an amendment to their current concession contracts to: allow product pricing at no greater than street pricing plus ten percent; establish a minimum hourly pay rate of $10.37, defined as a living wage, for non-tipped and non-managerial food and beverage concession employees; and remove the shared costs provisions by Resolution No. 15-1335; and

WHEREAS, due to increased passenger traffic and increased sales, additional seating and food services are needed.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized sign the Second Amendment to the food and beverage concession contract with Air Star-LTS/Marquis-DAL, LLC, previously approved by Resolution No. 12-0706 on March 7, 2012, for food and beverage concessions services at Dallas Love Field for Contract No. 2, Concept A, to add approximately 500 square feet of noncontiguous space for patio seating to the existing Chili's restaurant at Dallas Love Field, for an estimate annual revenue of $48,000.00 (on estimated $400,000.00 in sales from the patio), approved as to form by the City Attorney.

SECTION 2. That all other terms under the existing contract shall remain the same.

SECTION 3. That the Chief Financial Officer is herby authorized to receive and deposit all revenues received from the concessionaire in Fund 0130, Department AVI, Unit 7725, Revenue Code 7811.

SECTION 4. That this contract is designated as Contract No. AVI-2018-00008179.

SECTION 5. 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.

Agenda Information Sheet

File #: 18-864 **Item #:** 13.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Aviation

EXECUTIVE: Kimberly Bizor Tolbert

SUBJECT

Authorize the Second Amendment to the retail concession contract with HG-Multiplex-Regali Dallas JV, previously approved by Resolution No. 12-0707 on March 7, 2012, for retail concession services at Dallas Love Field for Contract No. 2, to **(1)** reduce the Minimum Annual Guarantee (MAG) by $308,550.44; **(2)** exercise two one-year renewal options; and **(3)** reclaim contract space, Billy Bob's Texas and upon acceptance of the space, to credit concessionaire for unamortized capital expense, not to exceed $115,584.96 and reduce the contract's reallocated MAG attributable to the Billy Bob's Texas space by $74,889.88 - Estimated Annual Revenue Foregone: $308,550.44

BACKGROUND

The food and beverage program produces approximately $59 million in sales annually with retail providing approximately $23 million. The food and beverage program requires additional locations to address current capacity issues. The City and HG-Multiplex-Regali Dallas JV has agreed that HG-Multiplex-Regali Dallas JV will return the Billy Bob's Texas retail location, containing approximately 709 square feet to the City for repurposing the space to a food and beverage location. In return, the City will credit the HG-Multiplex-Regali Dallas JV contract with the unamortized capital expense not to exceed $115,584.96 and reduce the reallocated Minimum Annual Guarantee (MAG) associated with the location by $74,889.88.

Based on initial projections from 2012, the retail component of this contract has several under-performing units. It is mutually agreed upon that some of these units will need to be rebranded or co-branded to improve performance. The retail contract has been operating for approximately three years of the seven years of the Primary Term. In order to allow additional time to amortize these re-branding efforts, the exercising of the two one-year renewal options for this contract is necessary.

All retail contracts provide for payment of either the MAG or percentage rental. . The current total combined MAG of both contracts, totaling $3,511,397.00, will remain the same.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On March 7, 2012, City Council authorized concessions contracts, with renewal options, for the operation of retail concessions at Dallas Love Field Airport by Resolution No. 12-0707.

On August 12, 2015, City Council authorized the City Manager to offer City vendors operating as food and beverage concessionaires at Dallas Love Field an amendment to their current concession contracts to: allow product pricing at no greater than street pricing plus ten percent; establish a minimum hourly pay rate of $10.37, defined as a living wage, for non-tipped and non-managerial food and beverage concession employees; and remove the shared costs provisions by Resolution No. 15-1335.

The Government Performance & Financial Management Committee was briefed on this item on September 17, 2018.

FISCAL INFORMATION

Estimated Annual Revenue Foregone: $308,550.44 (Reallocation of the MAG results in a MAG reduction of $308,550.44)

Credit rental payments for the unamortized cost of the initial capital expense for the retail space, Billy Bob's Texas, not to exceed $115,584.96 and reduce the reallocated contract MAG by $74,889.88

OWNERS

Hudson Group (HG) Retail, LLC
Joseph DiDomizio, President

Multiplex, Inc.
Helen Giddings, President

Regali, Inc.
Rupa Dutia, President

October 24, 2018

WHEREAS, the City owns and operates a municipal airport, Dallas Love Field; and

WHEREAS, on March 7, 2012, City Council authorized concessions contracts, with renewal options, for the operation of retail concessions at Dallas Love Field Airport by Resolution No. 12-0707; and

WHEREAS, on August 12, 2015, City Council authorized the City Manager to offer City vendors operating as food and beverage concessionaires at Dallas Love Field an amendment to their current concession contracts to: allow product pricing at no greater than street pricing plus ten percent; establish a minimum hourly pay rate of $10.37, defined as a living wage, for non-tipped and non-managerial food and beverage concession employees; and remove the shared costs provisions by Resolution No. 15-1335; and

WHEREAS, HG-Multiplex-Regali Dallas JV requests to reallocate the Minimum Annual Guarantee (MAG) of the concession contract to allow for a more even distribution of the MAG among two of the HG-Multiplex-Regali Dallas JV retail concession contracts; and

WHEREAS, several underperforming retail units, will require rebranding or co-branding, HG-Multiplex-Regali Dallas JV requests that the City exercise the two one-year renewal options to allow additional amortization term for this effort; and

WHEREAS, the food and beverage program needs additional space to provide more services to the passengers and the retail program has underperforming specialty units, HG-Multiplex-Regali Dallas JV has agreed to release the Billy Bob's Texas space back to the City to be repurposed to food and beverage, the City will credit HG-Multiplex-Regali Dallas JV for unamortized costs not to exceed $115,584.96 and, upon the effective date of the release, will reduce the HG-Multiplex-Regali Dallas JV reallocated MAG associated with the space by $74,889.88.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign the Second Amendment to the retail concession contract with HG-Multiplex-Regali Dallas JV, previously approved by Resolution No. 12-0707 on March 7, 2012, for retail concession services at Dallas Love Field for Contract No. 2, to **(1)** reduce the Minimum Annual Guarantee by $308,550.44, **(2)** exercise two one-year renewal options; and **(3)** reclaim contract space, Billy Bob's Texas and upon acceptance of the space, to credit concessionaire for unamortized capital expense, not to exceed $115,584.96 and reduce the contract's reallocated MAG attributable to the Billy Bob's Texas space by $74,889.88, approved as to form by the City Attorney.

SECTION 2. That all other terms under the existing contract shall remain the same.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit all revenues received from the concessionaires in Fund 0130, Department AVI, Unit 7725, Revenue Code 7811.

SECTION 4. That this contract is designated as Contract No. AVI-2018-00008177.

SECTION 5. 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.

Agenda Information Sheet

File #: 18-891 **Item #:** 14.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Aviation

EXECUTIVE: Kimberly Bizor Tolbert

SUBJECT

Authorize the Second Amendment to the retail concession contract with Hudson Retail Dallas JV, previously approved by Resolution No. 12-0707 on March 7, 2012, for retail concession services at Dallas Love Field for Contract No. 3, to **(1)** increase the Minimum Annual Guarantee by $308,550.44; and **(2)** exercise two one-year renewal options - Estimated Annual Revenue: $308,550.44

BACKGROUND

The specialty retail component of this contract has several under-performing units, based on initial projections in 2012. The Department of Aviation and Hudson Retail Dallas JV agree that some of these units will need to be rebranded or co-branded. The retail contract has been operating for approximately three years out of the seven years of the Primary Term. In order to allow additional time to amortize these re-branding efforts, the exercising of the two one-year renewal options for this contract is necessary to allow for this effort.

The Primary Terms for all retail contracts in the new terminal commenced November 1, 2014 for a Primary Term of seven years, with two one-year renewal options. All retail contracts provide for payment of either the Minimum Annual Guarantee (MAG) or percentage rental. In order to create a more even distribution of the MAG among two of the Hudson Retail Dallas JV contracts, the MAG requires reallocation based on sales performance of each location. The current total combined MAG of both contracts, totaling $3,511,397.00, will remain the same.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On March 7, 2012, City Council authorized concessions contracts, with renewal options, for the operation of retail concessions at Dallas Love Field Airport by Resolution No. 12-0707.

On August 12, 2015, City Council authorized the City Manager to offer City vendors operating as food

and beverage concessionaires at Dallas Love Field an amendment to their current concession contracts to: allow product pricing at no greater than street pricing plus ten percent; establish a minimum hourly pay rate of $10.37, defined as a living wage, for non-tipped and non-managerial food and beverage concession employees; and remove the shared costs provisions by Resolution No. 15-1335.

The Government Performance & Financial Management Committee was briefed on this item on September 17, 2018.

FISCAL INFORMATION

Estimated Annual Revenue: $308,550.44 (Reallocation of the MAG results in a MAG increase of $308,550.44)

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$1,804,536.08	Revenue	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to Revenue contracts.				

OWNERS

Hudson Retail Dallas JV, a joint venture comprised of:

Hudson Group (HG) Retail, LLC (75%)
Joseph DiDomizio, President

Multiplex, Inc. (25%) (ACDBE Certified)
Helen Giddings, President

October 24, 2018

WHEREAS, the City owns and operates a municipal airport, Dallas Love Field; and

WHEREAS, on March 7, 2012, City Council authorized concessions contracts, with renewal options, for the operation of retail concessions at Dallas Love Field Airport by Resolution No. 12-0707; and

WHEREAS, on August 12, 2015, City Council authorized the City Manager to offer City vendors operating as food and beverage concessionaires at Dallas Love Field an amendment to their current concession contracts to: allow product pricing at no greater than street pricing plus ten percent; establish a minimum hourly pay rate of $10.37, defined as a living wage, for non-tipped and non-managerial food and beverage concession employees; and remove the shared costs provisions by Resolution No. 15-1335; and

WHEREAS, Hudson Retail Dallas JV requests to reallocate the Minimum Annual Guarantee (MAG) of the concession contract to allow for a more even distribution of the MAG among two of the Hudson Retail Dallas JV retail concession contracts; and

WHEREAS, several underperforming retail units will require rebranding or co-branding, Hudson Retail Dallas JV requests that the City exercise the two one-year renewal options to allow additional amortization term for this effort.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign the Second Amendment to the retail concession contract with Hudson Retail Dallas JV, previously approved by Resolution No. 12-0707 on March 7, 2012, for retail concession services at Dallas Love Field for Contract No. 3, to **(1)** increase the Minimum Annual Guarantee by $308,550.44; and **(2)** exercise two one-year renewal options, for an estimated annual revenue of $308,550.44, approved as to form by the City Attorney.

SECTION 2. That all other terms under the existing contract shall remain the same.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit all revenues received from the concessionaires in Fund 0130, Department AVI, Unit 7725, Revenue Code 7811.

SECTION 4. That this contract is designated as Contract No. AVI-2018-00008183.

SECTION 5. 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.

Agenda Information Sheet

File #: 18-915 **Item #:** 15.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	October 24, 2018
COUNCIL DISTRICT(S):	11
DEPARTMENT:	Department of Public Works
EXECUTIVE:	Majed Al-Ghafry

SUBJECT

Authorize **(1)** a Project Specific Agreement with Dallas County for funding participation in the design and construction of paving and drainage improvements for Montfort Drive from Interstate Highway 635 frontage road to Alpha Road; **(2)** the receipt and deposit of funds from Dallas County in an amount not to exceed $1,900,000.00; and **(3)** an increase in appropriations in an amount not to exceed $1,900,000.00 in the Capital Projects Reimbursement Fund - Not to exceed $1,900,000.00 - Financing: Capital Projects Reimbursement Funds

BACKGROUND

The Montfort Drive Project from Interstate Highway (IH)-635 frontage road to Alpha Road is a partnership project between the City of Dallas and Dallas County for the design and construction of paving and drainage improvements. The City is the lead agency responsible for administering the design and construction of the project. This action will authorize a Project Specific Agreement with Dallas County for the design and construction of the Montfort Drive Project.

The dimensional classification of Montfort Drive from IH-635 frontage road to Alpha Road was recently amended from a six-lane divided roadway to a four-lane divided roadway with bicycle facilities, in order to create a multimodal roadway that facilitates traffic calming through the Dallas Midtown Park, and supports the Midtown development. The Midtown Area Plan foresees a pedestrian friendly neighborhood with a network of streets that support higher density and safe pedestrian and bicycle connectivity to the Dallas Midtown Park. Currently, this segment of Montfort Drive functions as follows: (1) Montfort Drive between IH-635 and Peterson Lane operates as a six-lane divided roadway, three-lanes southbound and three-lanes northbound, within 80 feet of right-of-way; and (2) Montfort Drive between Peterson Lane and Alpha Road operates as a five-lane divided roadway, three lanes southbound and two-lanes northbound, within 80 feet of right-of-way. The proposed project will reconstruct Montfort Drive between IH-635 frontage road and Peterson Lane from a six-lane divided roadway to a four-lane divided roadway with sidewalks and buffered bike lanes in each direction.

The project will also re-stripe the existing pavement between Peterson Lane and Alpha Road from three-lanes southbound to two-lanes southbound with a buffered bike lane. A northbound bike lane will be constructed along Montfort Place.

The total estimated project costs for design and construction is $5,432,254.42 of which $1,932,254.42 is to be funded by Dallas County and $3,500,000.00 is to be funded by the City of Dallas. Dallas County will reserve $32,254.42 for their in-house project delivery (IHPD) cost. Both entities will reallocate funding from the cancelled Alpha Road Project to the Montfort Drive Project.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	January 2019
Complete Design	September 2019
Award Construction Contract	December 2019
Begin Construction	January 2020
Complete Construction	February 2022

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 10, 2001, City Council authorized a Master Agreement with Dallas County governing future transportation major capital improvement projects between the City of Dallas and Dallas County by Resolution No. 01-0104.

On April 13, 2011, City Council authorized a new ten-year Master Agreement with Dallas County governing transportation major capital improvement projects with Dallas County by Resolution No. 11 -0927.

On November 16, 2017, the City Plan Commission Thoroughfare Committee acted on this item and motioned to deny staff's recommendation based on the need for a more comprehensive evaluation of Montfort Drive and the Midtown Park.

On December 14, 2017, the City Plan Commission acted on this item and held this item until January 18, 2018.

On January 18, 2018, the City Plan Commission acted on this item and followed staff recommendation.

The Mobility Solutions, Infrastructure & Sustainability Committee was briefed by memorandum regarding this matter on February 26, 2018.

On February 28, 2018, City Council authorized amending the City of Dallas Thoroughfare Plan to change the dimensional classification of Montfort Drive from Alpha Road to IH-635 from a special six-lane divided (SPCL 6D) roadway within 117 feet of right-of-way with 92 feet of pavement with bike lanes to a special four-lane divided (SPCL 4D) roadway within 80 feet of right-of-way with bicycle facilities by Resolution No. 18-0402, Ordinance No. 30804.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on October 22, 2018.

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FISCAL INFORMATION

Capital Projects Reimbursement Funds - $1,900,000.00

Project Costs

Design	$ 648,000.00 (est.)
Dallas County IHPD	$ 32,254.42
Construction	$ 4,752,000.00 (est.)
Estimated Total Project Costs	$ 5,432,254.42

Project Share Cost

City's Share of Cost (2006 Bond)	$ 3,500,000.00
Dallas County's Share of Cost (MCIP)	$ 1,900,000.00 (this action)
Dallas County's Share of Cost (IHPD)	$ 32,254.42
Total Project Share Costs	$ 5,432,254.42

MAP

Attached

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Montfort Drive

IH-635 to Alpha Road

Council District: 11
MAPSCO: 15N





WHEREAS, on January 10, 2001, City Council authorized a Master Agreement with Dallas County governing future transportation major capital improvement projects between the City of Dallas and Dallas County by Resolution No. 01-0104; and

WHEREAS, on April 13, 2011, City Council authorized a new ten-year Master Agreement with Dallas County governing transportation major capital improvement projects by Resolution No. 11-0927; and

WHEREAS, on February 28, 2018, City Council authorized amending the City of Dallas Thoroughfare Plan to change the dimensional classification of Montfort Drive from Alpha Road to Interstate Highway (IH)-635 from a special six-lane divided (SPCL 6D) roadway within 117 feet of right-of-way with 92 feet of pavement with bike lanes to a special four-lane divided (SPCL 4D) roadway within 80 feet of right-of-way with bicycle facilities by Resolution No. 18-0402, Ordinance No. 30804; and

WHEREAS, the City of Dallas is the lead agency for administering the design and construction services for the Montfort Drive Project from IH-635 frontage road to Alpha Road; and

WHEREAS, it is now necessary to authorize a Project Specific Agreement with Dallas County for funding participation in the design and construction of paving and drainage improvements for Montfort Drive from IH 635 frontage road to Alpha Road, and the receipt and deposit of payment from Dallas County, in an amount not to exceed $1,900,000.00 for Dallas County's share of the project costs.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a Project Specific Agreement with Dallas County approved as to form by the City Attorney, for funding participation in the design and construction of paving and drainage improvements for Montfort Drive from Interstate Highway-635 frontage road to Alpha Road.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit funds in an amount not to exceed $1,900,000.00 from Dallas County in the Capital Projects Reimbursement Fund, Fund 0556, Department PBW, Unit W330, Activity INGV, Revenue Code 6511.

SECTION 3. That the City Manager is hereby authorized to increase appropriations in an amount not to exceed $1,900,000.00 in the Capital Projects Reimbursement Fund, Fund 0556, Department PBW, Unit W330, Activity INGV, Object 4510.

SECTION 4. That in accordance with the provisions of the Project Specific Agreement with Dallas County, the Chief Financial Officer is hereby authorized to return any unused funds and interest earned on the funds upon completion of this project to Dallas County.

SECTION 5. That this contract is designated as Contract No. PBW-2018-00007847.

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.

Agenda Information Sheet

File #: 18-1044 **Item #:** 16.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 13

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize an architectural services contract with DSGN Associates, Inc. for architectural, engineering design, and construction administration services for the Vickery Meadow Branch Library to be located at 8255 Park Lane - Not to exceed $800,353.00 - Financing: Library (E) Funds (2017 Bond Funds)

BACKGROUND

This action will authorize an architectural services contract with DSGN Associates, Inc. to provide architectural, engineering design, and construction administration services for the Vickery Meadow Branch Library facility. In this contract, services will include schematic design, design development, construction documents, bid evaluation, and construction administration. This facility will be designed to achieve Gold Level certification under the Leadership in Energy & Environmental Design (LEED) program.

DSGN Associates, Inc. was selected following a qualifications-based selection process in accordance with the City of Dallas procurement guidelines.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	November 2018
Complete Design	May 2019
Begin Construction	July 2019
Complete Construction	November 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 9, 2009, City Council authorized the acquisition of property at 8255 Park Lane for the new Vickery Meadow Branch Library facility by Resolution No. 09-2247.

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability

Committee on October 22, 2018.

FISCAL INFORMATION

Library (E) Funds (2017 Bond Funds) - $800,353.00

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$800,353.00	Professional Services	36.30%	37.39%	$299,228.00
• This contract exceeds the M/WBE goal.				

OWNER

DSGN Associates, Inc.

Robert Meckfessel, Principal

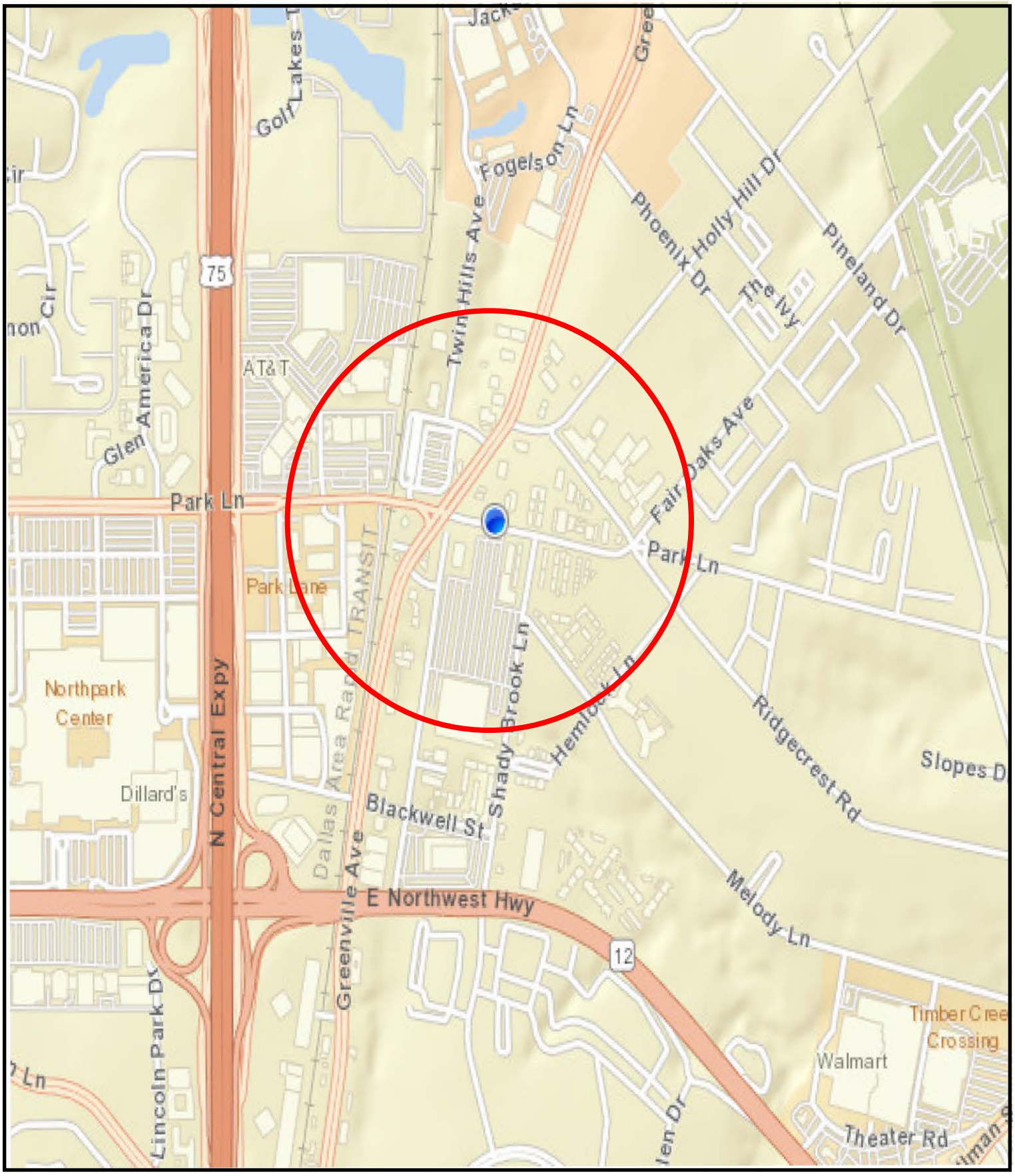
MAP

Attached

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VICKERY MEADOW BRANCH LIBRARY

8255 PARK LANE



COUNCIL DISTRICT 13

October 24, 2018

WHEREAS, in the 2006 Bond Program, the citizens of Dallas approved funding for the land acquisition of a new library facility for the Vickery Meadow service area; and

WHEREAS, on September 9, 2009, Resolution No. 09-2247 authorized acquisition of a site at 8255 Park Lane for the new Vickery Meadow Branch Library facility; and

WHEREAS, in the 2017 Bond Program, the citizens of Dallas approved funding for design and construction of a new library facility for the Vickery Meadow service area; and

WHEREAS, at the conclusion of a selection process conducted by City staff, DSGN Associates, Inc. was chosen as the most qualified firm to provide architectural services for this project; and

WHEREAS, it is now desirable to authorize an architectural services contract with DSGN Associates, Inc. for architectural, engineering design, and construction administration services for the new Vickery Meadow Branch Library facility located at 8255 Park Lane, in an amount not to exceed $800,353.00.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign an architectural services contract with DSGN Associates, Inc., approved as to form by the City Attorney, to provide architectural, engineering design, and construction administration services, in an amount not to exceed $800,353.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $800,353.00 to DSGN Associates, Inc. in accordance with the terms and conditions of the contract from Library (E) Funds (2017 Bond Funds), Fund 1V42, Department EBS, Unit VE03, Activity. LIBF, Object 4112, Program EB17VE03, Encumbrance/Contract No. CX PBW-2018-00008070, Vendor 335615.

SECTION 3. 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.

Agenda Information Sheet

File #: 18-1003 **Item #:** 17.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 11

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with ARS Engineers, Inc. for the engineering design of Alley Reconstruction Group 17-1102 (list attached to the Agenda Information Sheet) - Not to exceed $274,810.80 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($248,709.39) and Wastewater Capital Improvement Funds ($26,101.41)

BACKGROUND

The Request for Qualifications (CIZ1721) was issued on May 31, 2018 for the 2017 Bond projects. The consulting firm, ARS Engineers, Inc., was selected following a qualifications-based selection process in accordance with the City of Dallas procurement guidelines

This action will authorize a professional services contract with ARS Engineers, Inc. for the engineering design of nine alley reconstruction projects as Alley Reconstruction Group 17-1102. The alley reconstruction projects will include replacing the existing deteriorating concrete alleys with new reinforced concrete alley pavement, storm drainage, water, and wastewater improvements.

Following are the locations and design costs for each project.

Alley Reconstruction Improvements

Project	Council District	Amount
15632-15724 Golden Creek Road and 6231-6239 La Cosa Drive and 15503-15531 Bay Point Drive	11	$27,451.35
6506-6556 Crestmere Drive and 6515-6555 Meadowcreek Drive	11	$21,782.59

6510-6580 Calais Drive and 6509-6565 Crestmere Drive	11	$23,425.79
6808-7038 Hunters Ridge Drive and 6807-6959 Town Bluff Drive	11	$41,112.49
6920-7038 Midbury Drive and 6919-7033 Northaven Road	11	$55,122.29
7309-7435 Tangleglen Drive and 7364-7450 Tophill Lane	11	$36,086.68
7405-7443 Lynworth Drive and 7408-7438 Chattington Drive	11	$19,334.27
7606-7672 Rolling Acres Drive and 7615-7651 Tophill Lane	11	$22,444.03
6906-7030 Orchid Lane and 6909-7007 Meadowbriar Lane and 7017 Pemberton Drive	11	$28,051.31

ESTIMATED SCHEDULE OF PROJECT

Begin Design	December 2018
Complete Design	October 2019
Begin Construction	January 2020
Complete Construction	December 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on October 22, 2018.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $248,709.39
Wastewater Capital Improvement Funds - $26,101.41

Project Costs	
Design - PBW (this action)	$ 248,709.39
Design - DWU (this action)	$ 26,101.41
Construction (est.)	$2,169,717.80
Total Project Costs	$2,444,528.60

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$274,810.80	Architecture & Engineering	25.66%	100.00%	$274,810.80
• This contract exceeds the M/WBE goal.				

OWNER

ARS Engineers, Inc.

Ayub Sandhu, P.E., President

MAPS

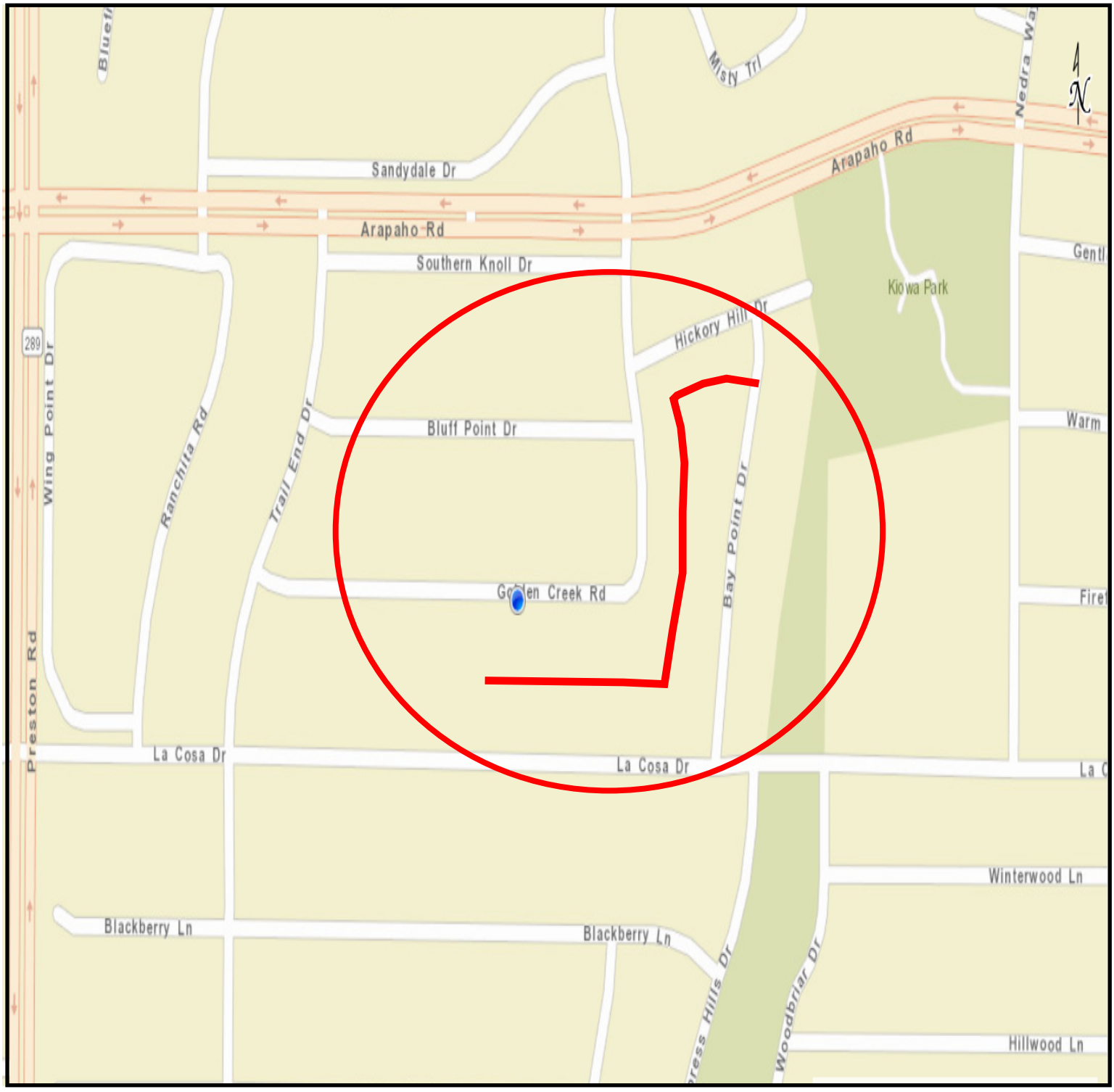
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Alley Reconstruction Group 17-1102

Project	**Council District**
Golden Creek Road (15632-15724) and La Cosa Drive (6231-6239) and Bay Point Drive (15503-15531)	11
Crestmere Drive (6506-6556) and Meadowcreek Drive (6515-6555)	11
Calais Drive (6510-6580) and Crestmere Drive (6509-6565)	11
Hunters Ridge Drive (6808-7038) and Town Bluff Drive (6807-6959)	11
Midbury Drive (6920-7038) and Northaven Road (6919-7033)	11
Tangleglen Drive (7309-7435) and Tophill Lane (7364-7450)	11
Lynworth Drive (7405-7443) and Chattington Drive (7408-7438)	11
Rolling Acres Drive (7606-7672) and Tophill Lane (7615-7651)	11
Orchid Lane (6906-7030) and Meadowbriar Lane (6909-7007) and Pemberton Drive (7017)	11

ALLEY RECONSTRUCTION
15632 - 15724 GOLDEN CREEK ROAD & 6231 - 6239 LACOSA DRIVE & 15503 - 15531 BAY POINT DRIVE



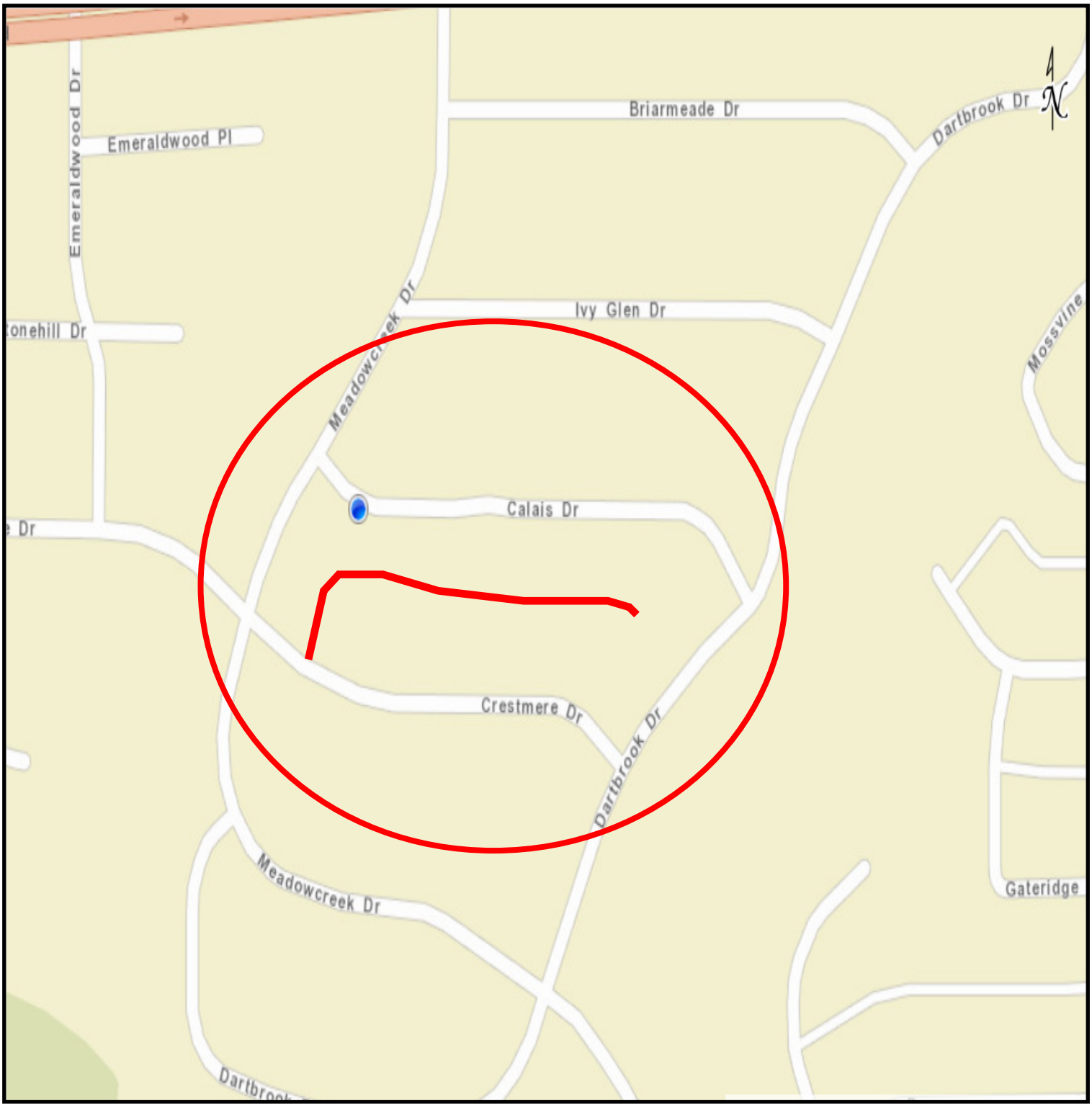
COUNCIL DISTRICT 11

ALLEY RECONSTRUCTION
6506 - 6556 CRESTMERE DRIVE
& 6515 - 6555 MEADOWCREEK DRIVE



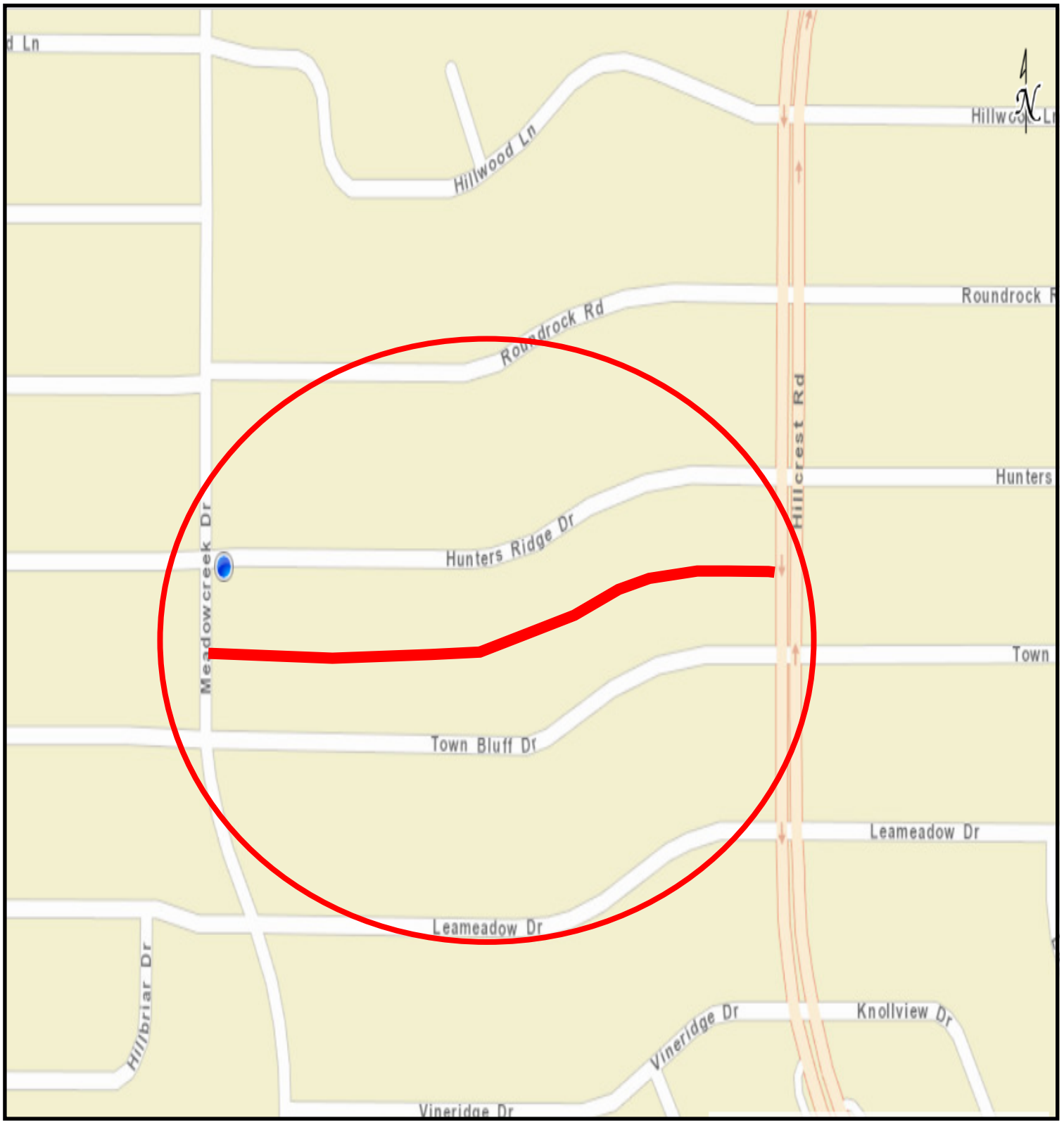
COUNCIL DISTRICT 11

ALLEY RECONSTRUCTION
6510 - 6580 CALAIS DRIVE & 6509 - 6565 CRESTMERE DRIVE



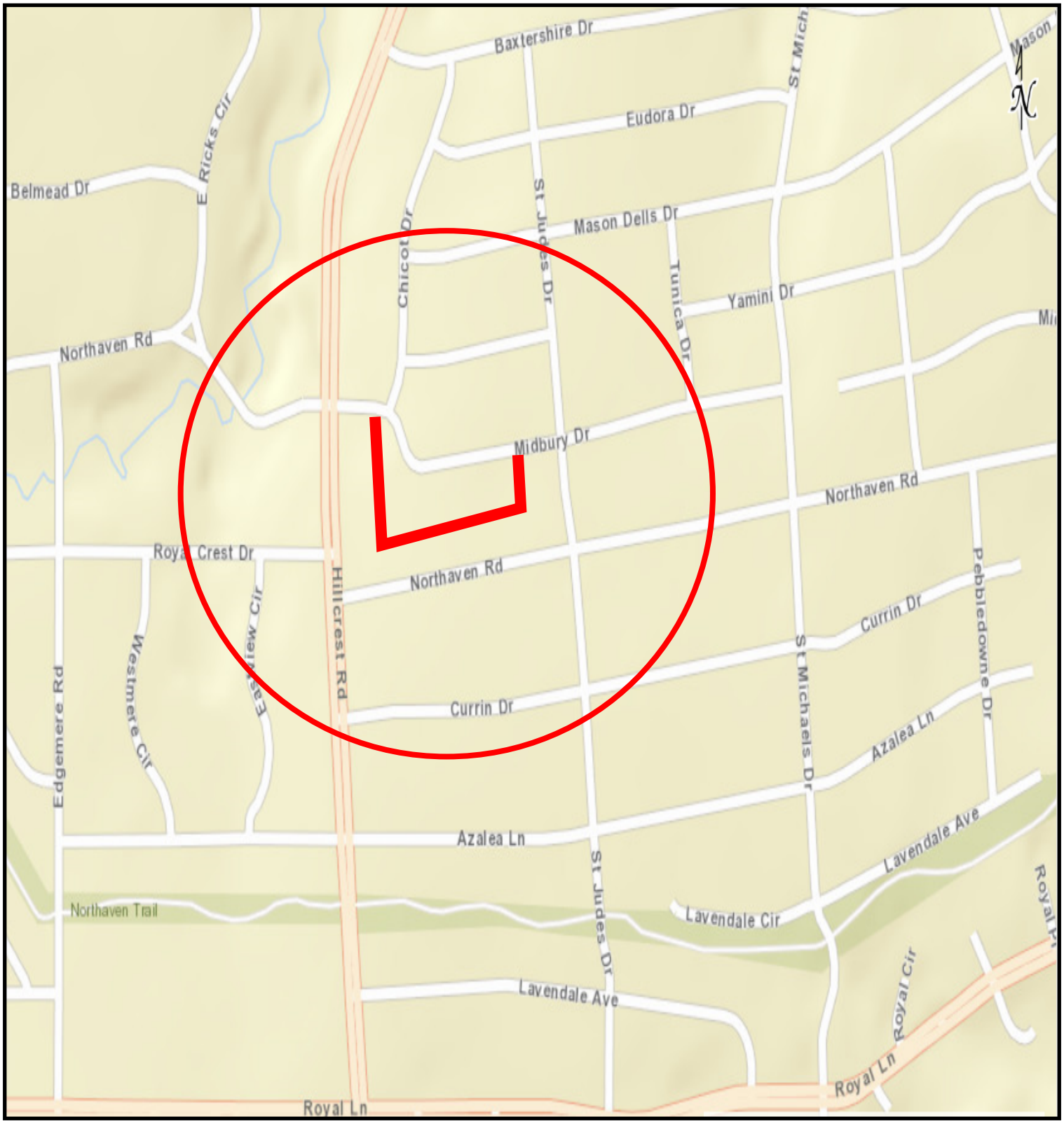
COUNCIL DISTRICT 11

ALLEY RECONSTRUCTION
6808 - 7038 HUNTERS RIDGE DRIVE
& 6807 - 6959 TOWN BLUFF DRIVE



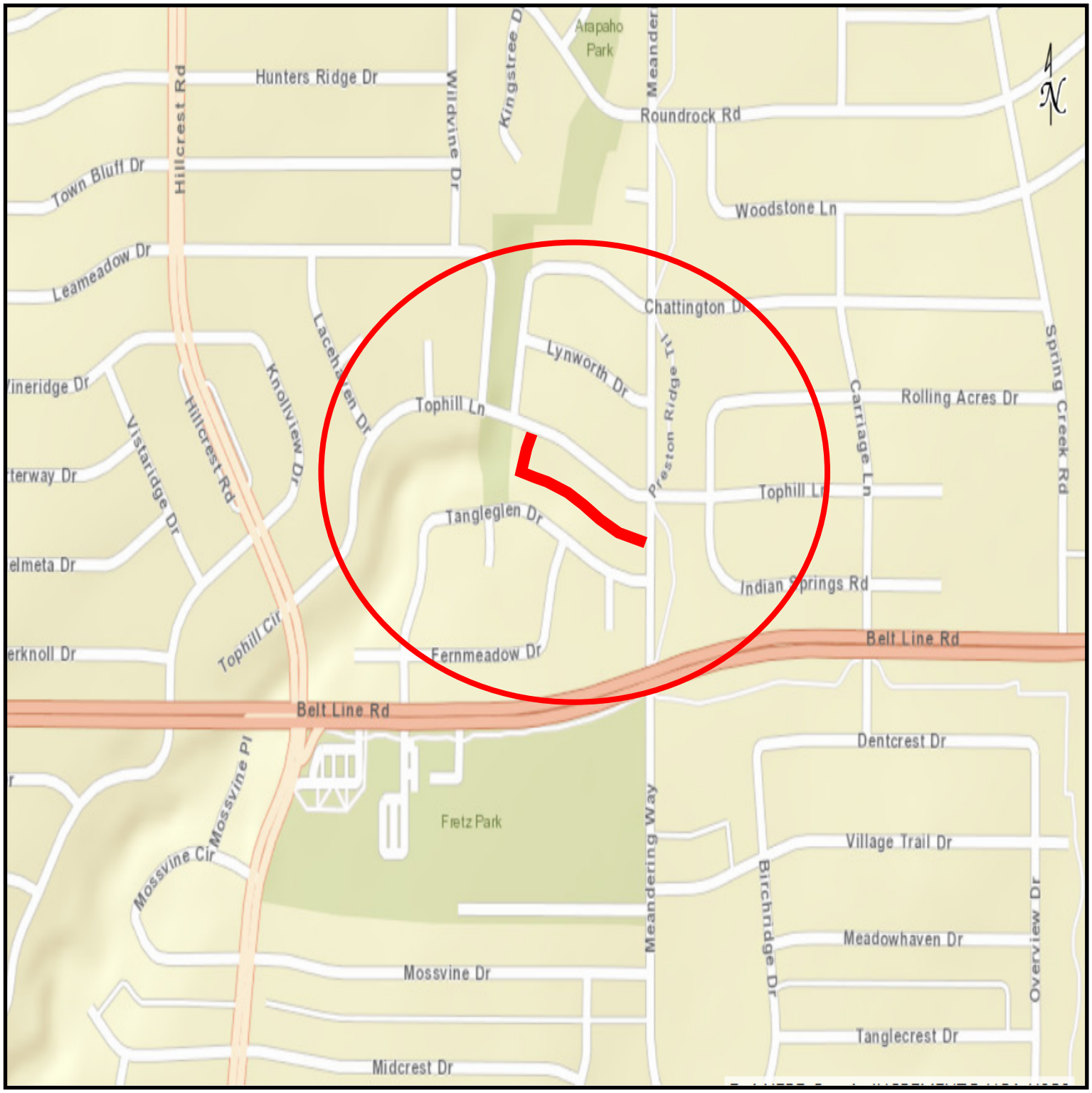
COUNCIL DISTRICT 11

ALLEY RECONSTRUCTION
6920 - 7038 MIDBURY DRIVE & 6919 - 7033 NORTHAVEN ROAD



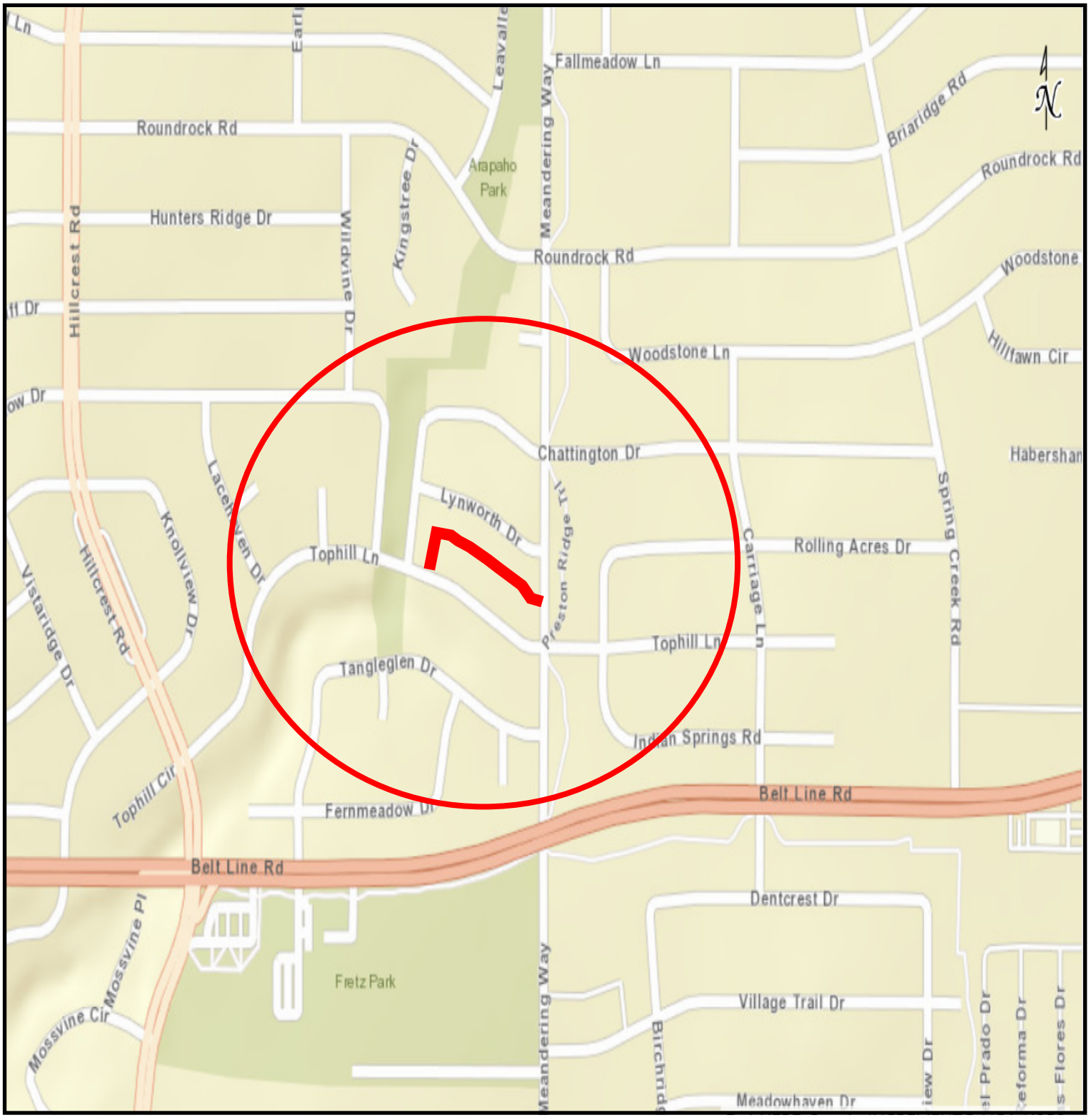
COUNCIL DISTRICT 11

ALLEY RECONSTRUCTION
7309 - 7435 TANGLEGLEN DRIVE & 7364 - 7450 TOPHILL LANE



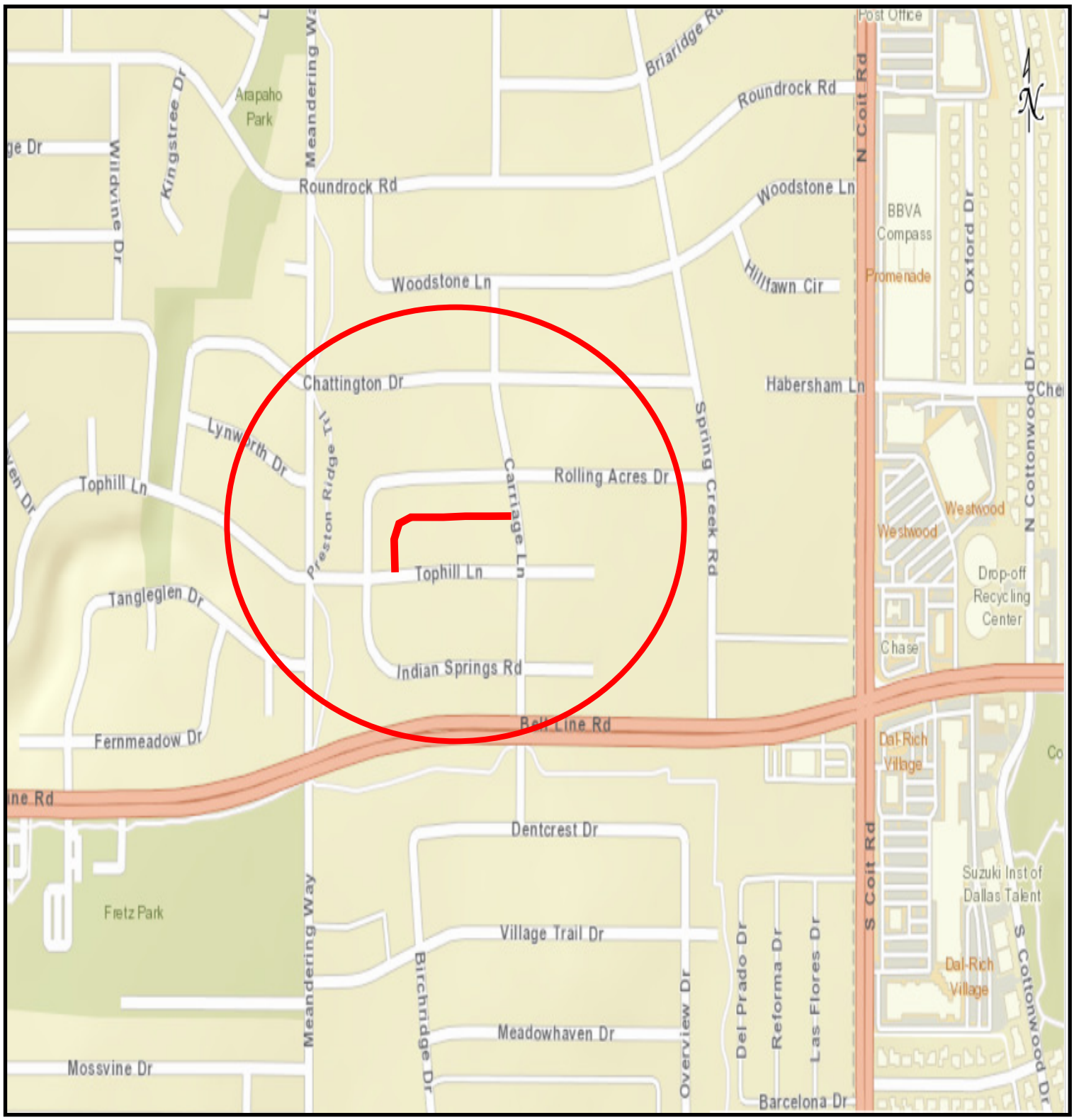
COUNCIL DISTRICT 11

ALLEY RECONSTRUCTION
7405 - 7443 LYNWORTH DRIVE & 7408 - 7438 CHATTINGTON DRIVE



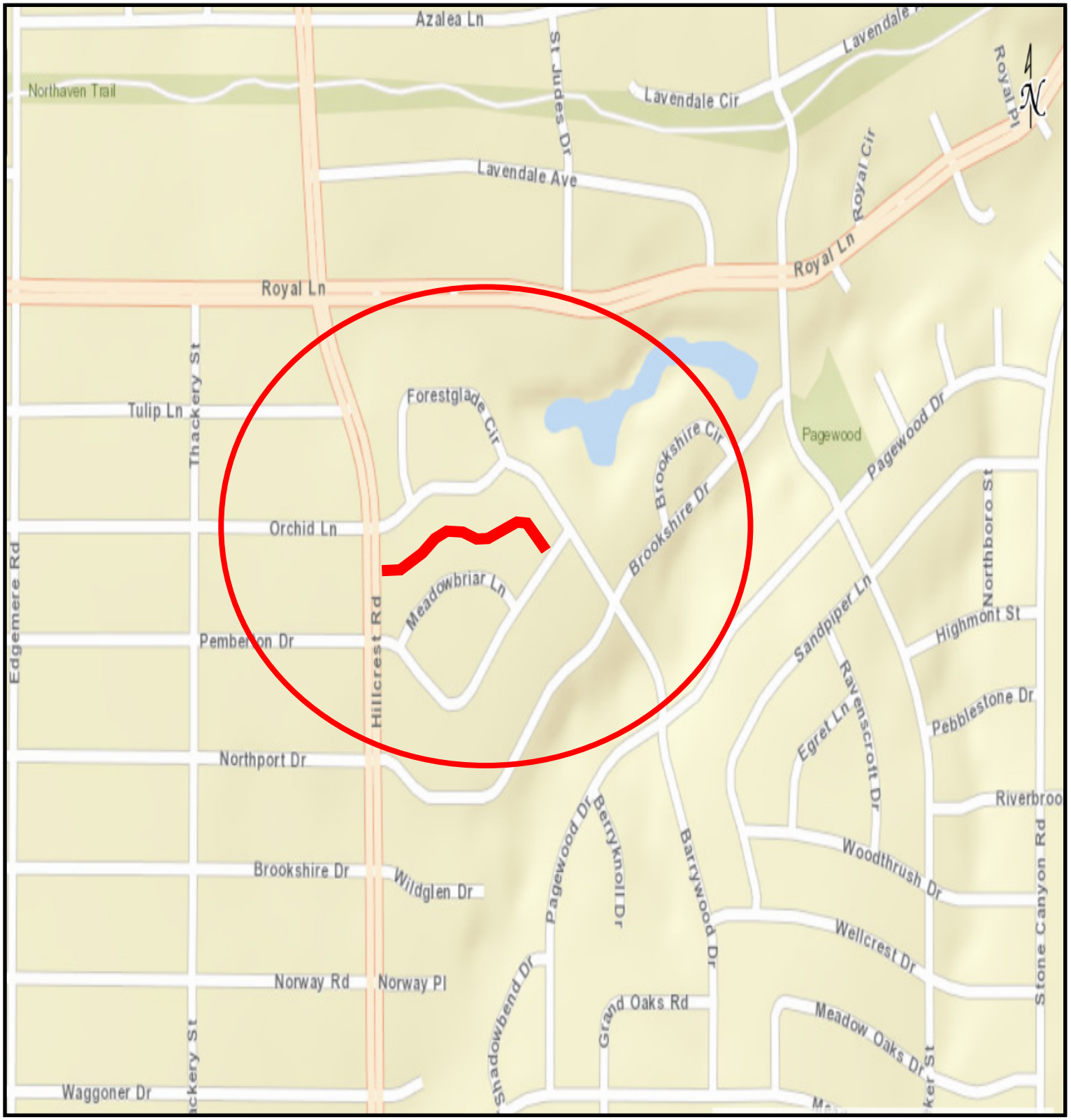
COUNCIL DISTRICT 11

ALLEY RECONSTRUCTION
7606 - 7672 ROLLING ACRES DRIVE & 7615 - 7651 TOPHILL LANE



COUNCIL DISTRICT 11

ALLEY RECONSTRUCTION
6906 - 7030 ORCHID LANE & 6909 - 7007 MEADOWBRIAR LANE & 7017 PEMBERTON DRIVE



COUNCIL DISTRICT 11

WHEREAS, ARS Engineers, Inc. was selected to provide engineering design for Alley Reconstruction Group 17-1102.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a professional services contract with ARS Engineers, Inc., approved as to form by the City Attorney, for engineering design services for the indicated projects in an amount not to exceed $274,810.80.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contracts:

ARS Engineers, Inc. for the engineering design of alley reconstruction projects on alleys between: Golden Creek Road (15632-15724) and La Cosa Drive (6231-6239) and Bay Point Drive (15503-15531); Crestmere Drive (6506-6556) and Meadowcreek Drive (6515-6555); Calais Drive (6510-6580) and Crestmere Drive (6509-6565); Hunters Ridge Drive (6808-7038) and Town Bluff Drive (6807-6959); Midbury Drive (6920-7038) and Northaven Road (6919-7033); Tangleglen Drive (7309-7435) and Tophill Lane (7364-7450); Lynworth Drive (7405-7443) and Chattington Drive (7408-7438); Rolling Acres Drive (7606-7672) and Tophill Lane (7615-7651); Orchid Lane (6906-7030) and Meadowbriar Lane (6909-7007) and Pemberton Drive (7017):

Street and Transportation (A) Fund 1V22, Department PBW, Unit V086, Activity AREC Object 4111, Program PB17V086 Encumbrance/Contract No. CX PBW-2018-00007927 Vendor VS0000000438	$ 27,451.35
Street and Transportation (A) Fund 1V22, Department PBW, Unit V087, Activity AREC Object 4111, Program PB17V087 Encumbrance/Contract No. CX PBW-2018-00007927 Vendor VS0000000438	$ 21,782.59
Street and Transportation (A) Fund 1V22, Department PBW, Unit V088, Activity AREC Object 4111, Program PB17V088 Encumbrance/Contract No. CX PBW-2018-00007927 Vendor VS0000000438	$ 23,425.79

SECTION 2. (continued)

Street and Transportation (A) Fund 1V22, Department PBW, Unit V089, Activity AREC Object 4111, Program PB17V089 Encumbrance/Contract No. CX PBW-2018-00007927 Vendor VS0000000438	$ 41,112.49
Street and Transportation (A) Fund 1V22, Department PBW, Unit V090, Activity AREC Object 4111, Program PB17V090 Encumbrance/Contract No. CX PBW-2018-00007927 Vendor VS0000000438	$ 39,416.71
Street and Transportation (A) Fund 1V22, Department PBW, Unit V091, Activity AREC Object 4111, Program PB17V091 Encumbrance/Contract No. CX PBW-2018-00007927 Vendor VS0000000438	$ 25,690.85
Street and Transportation (A) Fund 1V22, Department PBW, Unit V092, Activity AREC Object 4111, Program PB17V092 Encumbrance/Contract No. CX PBW-2018-00007927 Vendor VS0000000438	$ 19,334.27
Street and Transportation (A) Fund 1V22, Department PBW, Unit V093, Activity AREC Object 4111, Program PB17V093 Encumbrance/Contract No. CX PBW-2018-00007927 Vendor VS0000000438	$ 22,444.03
Street and Transportation (A) Fund 1V22, Department PBW, Unit V094, Activity AREC Object 4111, Program PB17V094 Encumbrance/Contract No. CX PBW-2018-00007927 Vendor VS0000000438	$ 28,051.31
Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS42, Activity RELO Object 4111, Program 719014 Encumbrance/Contract No. CX PBW-2018-00007927 Vendor VS0000000438	$ 26,101.41
Total amount not to exceed	$274,810.80

SECTION 3. 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.

Agenda Information Sheet

File #: 18-1011 **Item #:** 18.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 13

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Dal-Tech Engineering, Inc. for the engineering design of Alley Reconstruction Group 17-1304 (list attached to the Agenda Information Sheet) - Not to exceed $294,229.10 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($202,729.10) and Water Utilities Capital Improvement Funds ($91,500.00)

BACKGROUND

The Request for Qualifications (CIZ1721) was issued on May 31, 2018 for the 2017 Bond projects. The consulting firm, Dal-Tech Engineering, Inc., was selected following a qualifications-based selection process in accordance with the City of Dallas procurement guidelines.

This action will authorize a professional services contract with Dal-Tech Engineering, Inc. for the engineering design of six alley reconstruction projects as Alley Reconstruction Project Group 17-1304. The alley reconstruction projects will include replacing the existing deteriorating concrete alleys with new reinforced concrete alley pavement, storm drainage, water, and wastewater improvements.

Following are the locations and design costs for each project.

Alley Reconstruction Improvements

Project	Council District	Amount
5737-5763 Caruth Boulevard and 5708-5728 Surrey Square Lane	13	$24,567.71
6407-6475 Glendora Avenue and 6406-6474 Meadow Road	13	$44,577.47

6421-6543 Northwood Road and 6426-6542 Deloache Avenue	13	$47,074.79
6505-6635 Mimosa Lane and 6506-6630 Lakehurst Avenue	13	$44,032.47
6607-6831 Desco Drive and 6706-6838 Prestonshire Lane	13	$67,037.11
4806-5034 Mill Creek Road and 4807-4923 and 12515-12531 Planters Glen Drive	13	$66,939.55

ESTIMATED SCHEDULE OF PROJECT

Begin Design	December 2018
Complete Design	October 2019
Begin Construction	January 2020
Complete Construction	December 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on October 22, 2018.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $202,729.10
Water Utilities Capital Improvement Funds - $91,500.00

Design - PBW (this action)	$ 202,729.10
Design - DWU (this action)	$ 91,500.00
Construction (est.)	$2,890,713.35
Total Project Costs	$3,184,942.45

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$294,229.10	Professional Services	36.30%	100.00%	$294,229.10
• This contract exceeds the M/WBE goal.				

OWNER

Dal-Tech Engineering, Inc.

Sedi Toumani, President

MAPS

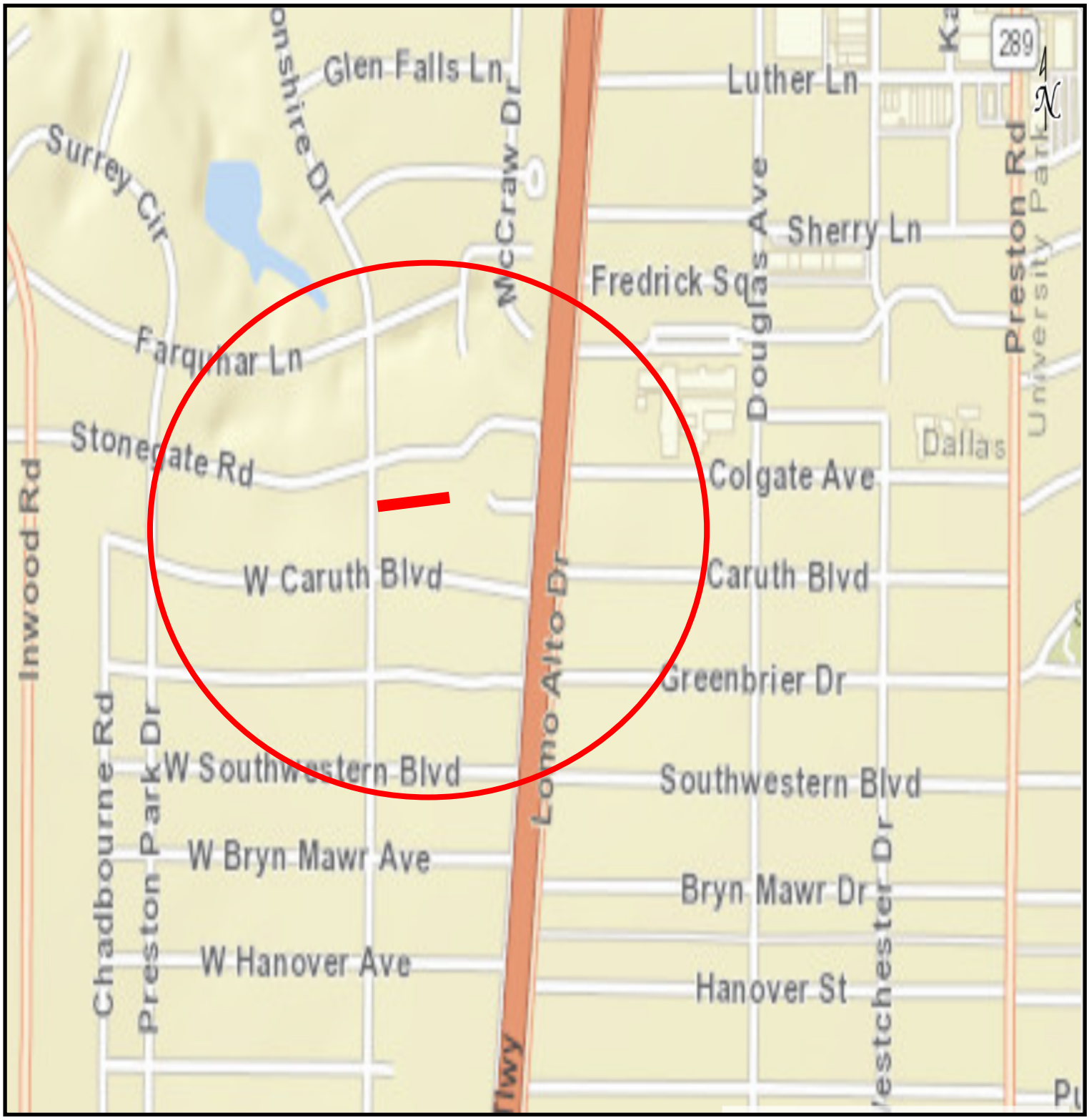
Attached

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Alley Reconstruction Project Group 17-1304

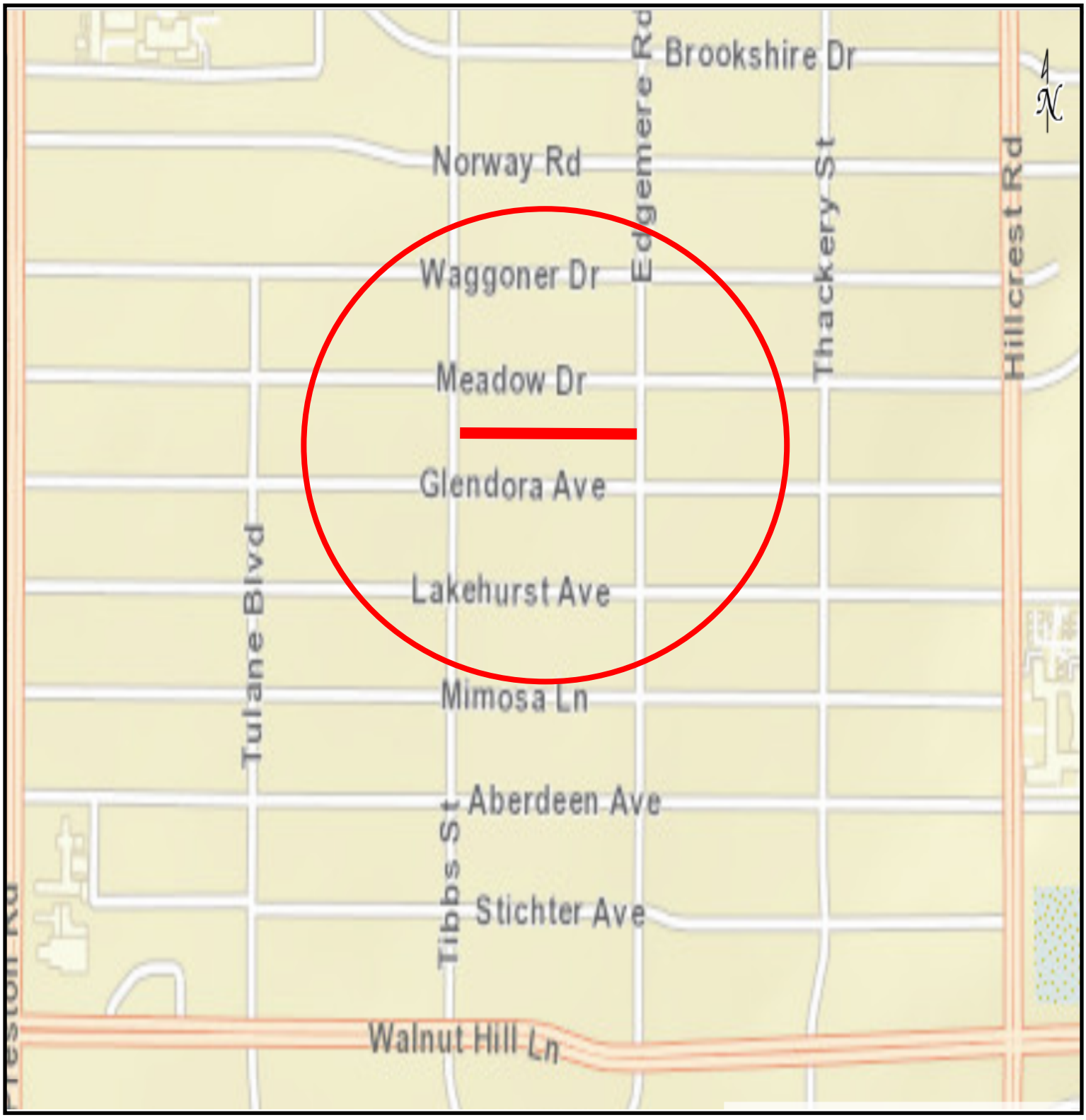
Project	Council **District**
Caruth Boulevard (5737-5763) and Surrey Square Lane (5708-5728)	13
Glendora Avenue (6407-6475) and Meadow Road (6406-6474)	13
Northwood Road (6421-6543) and Deloache Avenue (6426-6542)	13
Mimosa Lane (6505-6635) and Lakehurst Avenue (6506-6630)	13
Desco Drive (6607-6831) and Prestonshire Lane (6706-6838)	13
Mill Creek Road (4806-5034) and Planters Glen Drive (4807-4923 and 12515-12531)	13

ALLEY RECONSTRUCTION
5737 - 5763 CARUTH BOULEVARD &
5708 - 5728 SURREY SQUARE LANE



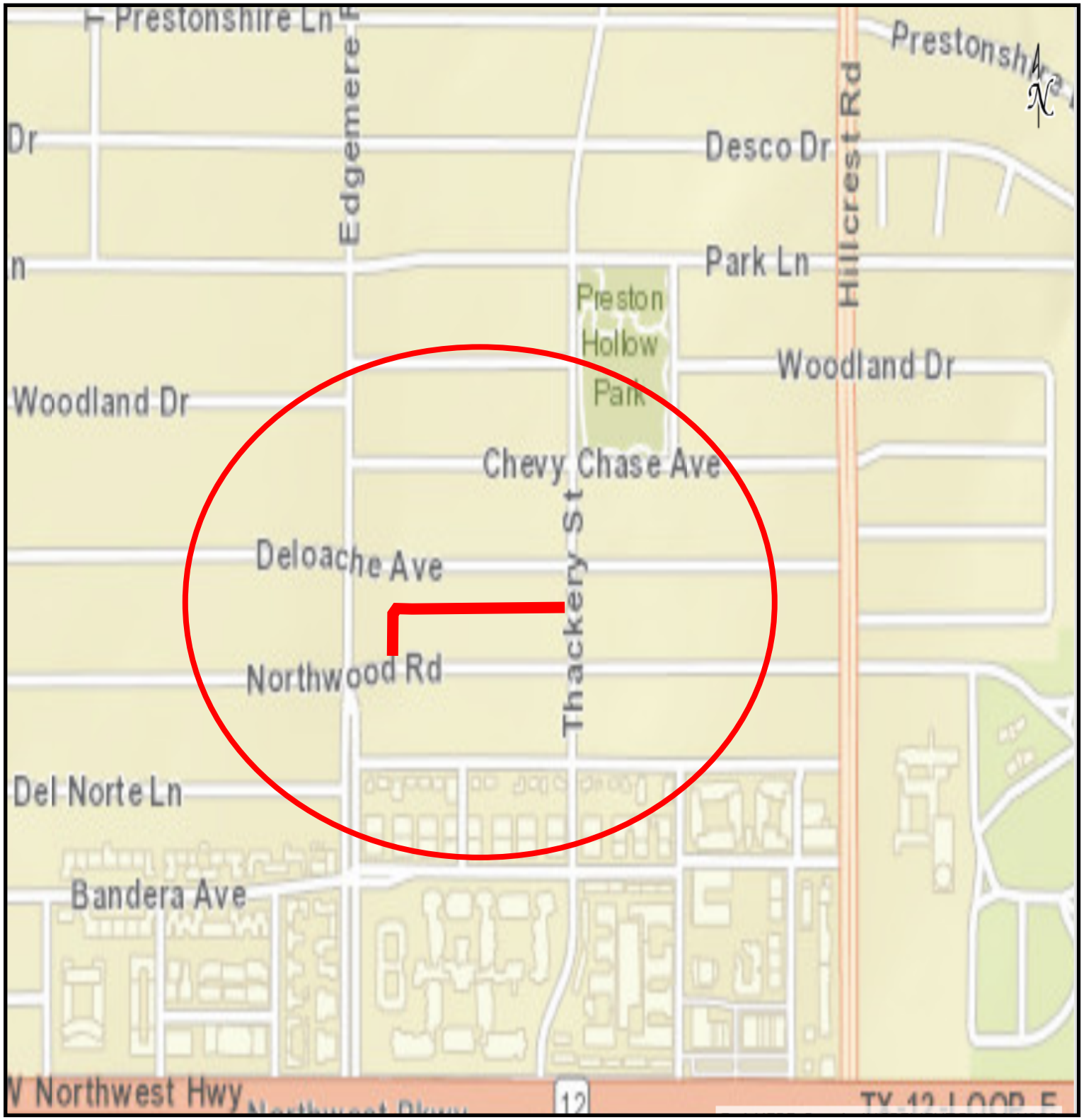
COUNCIL DISTRICT 13

ALLEY RECONSTRUCTION
6407 - 6475 GLENDORA AVENUE & 6406 - 6474 MEADOW ROAD



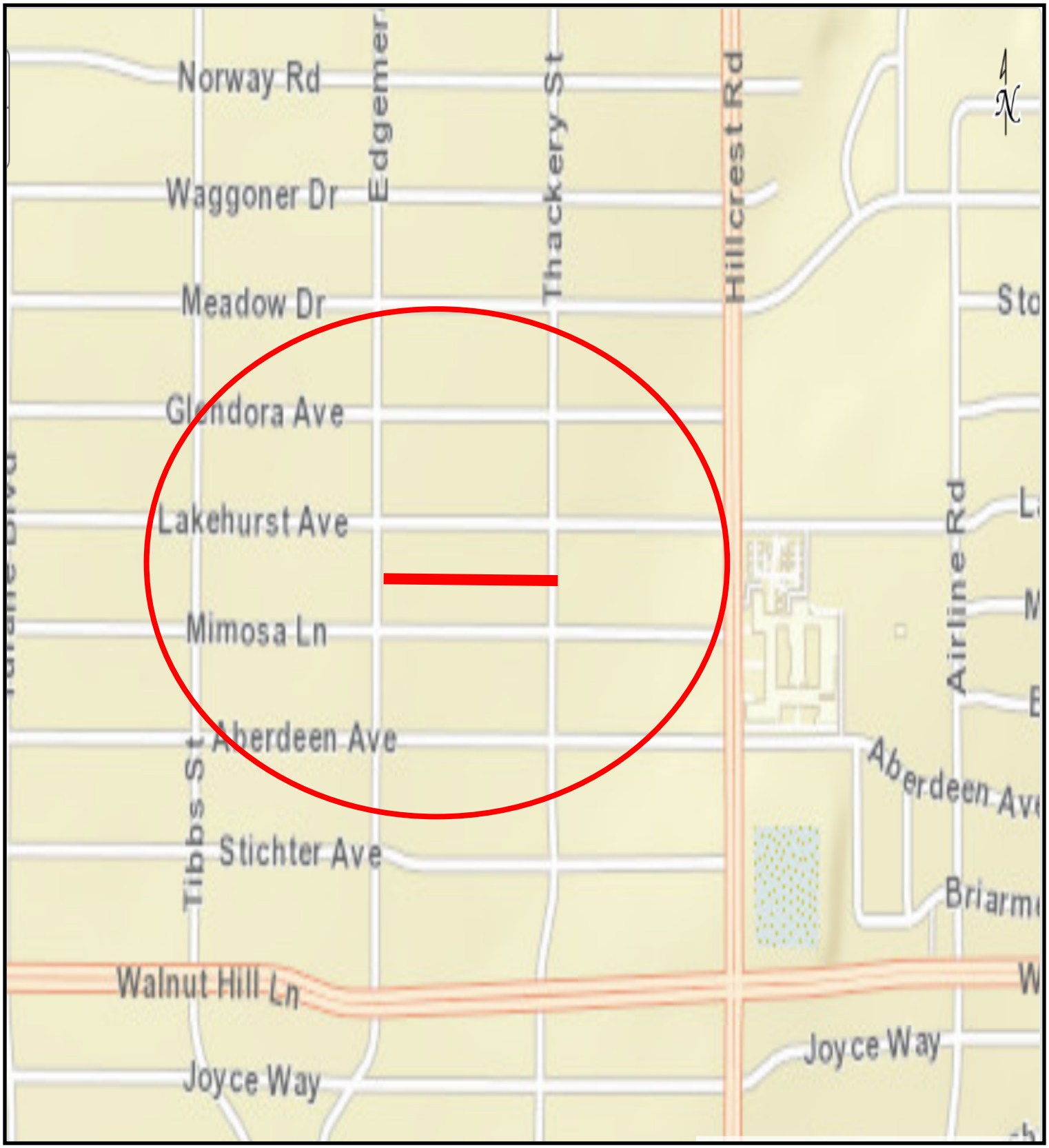
COUNCIL DISTRICT 13

ALLEY RECONSTRUCTION
6421 - 6543 NORTHWOOD ROAD & 6426 - 6542 DELOACHE AVENUE



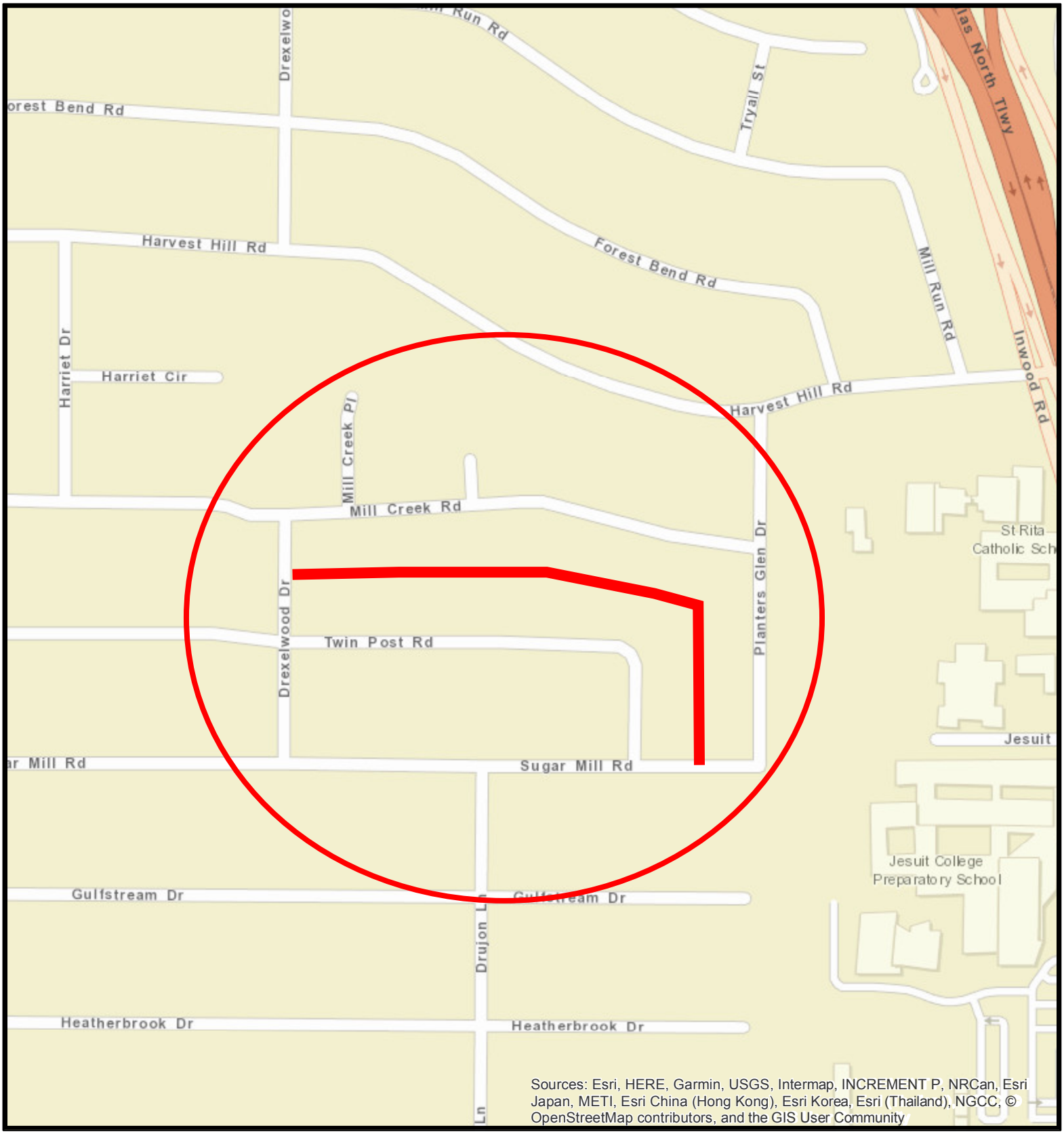
COUNCIL DISTRICT 13

ALLEY RECONSTRUCTION
6505 - 6635 MIMOSA LANE & 6506 - 6630 LAKEHURST AVENUE



COUNCIL DISTRICT 13

ALLEY RECONSTRUCTION
4806 - 5034 MILL CREEK ROAD & 4807 - 4923 & 12515 - 12531 PLANTERS GLEN DRIVE



COUNCIL DISTRICT 13

ALLEY RECONSTRUCTION
6607 - 6831 DESCO DRIVE & 6706 - 6838 PRESTONSHIRE LANE



COUNCIL DISTRICT 13

WHEREAS, Dal-Tech Engineering, Inc. was selected to provide engineering design for Alley Reconstruction Group 17-1304.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a professional services contract with Dal-Tech Engineering, Inc., approved as to form by the City Attorney, for engineering design services for the indicated projects in an amount not to exceed $294,229.10.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contracts:

Dal-Tech Engineering, Inc. for the engineering design of alley reconstruction projects on alleys between: Caruth Boulevard (5737-5763) and Surrey Square Lane (5708-5728); Glendora Avenue (6407-6475) and Meadow Road (6406-6474); Northwood Road (6421-6543) and Deloache Avenue (6426-6542); Mimosa Lane (6505-6635) and Lakehurst Avenue (6506-6630); Desco Drive (6607-6831) and Prestonshire Lane (6706-6838); Mill Creek Road (4806-5034) and Planters Glen Drive (4807-4923 and 12515-12531):

Street and Transportation (A) Fund 1V22, Department PBW, Unit V119, Activity AREC Object 4111, Program PB17V119 Encumbrance/Contract No. CX PBW-2018-00007917 Vendor 262063	$ 17,067.71
Street and Transportation (A) Fund 1V22, Department PBW, Unit V120, Activity AREC Object 4111, Program PB17V120 Encumbrance/Contract No. CX PBW-2018-00007917 Vendor 262063	$ 29,577.47
Street and Transportation (A) Fund 1V22, Department PBW, Unit V121, Activity AREC Object 4111, Program PB17V121 Encumbrance/Contract No. CX PBW-2018-00007917 Vendor 262063	$ 30,074.79

SECTION 2. (continued)

Street and Transportation (A) Fund 1V22, Department PBW, Unit V122, Activity AREC Object 4111, Program PB17V122 Encumbrance/Contract No. CX PBW-2018-00007917 Vendor 262063	$ 29,032.47
Street and Transportation (A) Fund 1V22, Department PBW, Unit V123, Activity AREC Object 4111, Program PB17V123 Encumbrance/Contract No. CX PBW-2018-00007917 Vendor 262063	$ 47,939.55
Street and Transportation (A) Fund 1V22, Department PBW, Unit V124, Activity AREC Object 4111, Program PB17V124 Encumbrance/Contract No. CX PBW-2018-00007917 Vendor 262063	$ 49,037.11
Water Capital Improvement Fund Fund 3115, Department DWU, Unit PW42, Activity RELO Object 4111, Program 719015 Encumbrance/Contract No. CX PBW-2018-00007917 Vendor 262063	$ 15,000.00
Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS42, Activity RELO Object 4111, Program 719016 Encumbrance/Contract No. CX PBW-2018-00007917 Vendor 262063	$ 76,500.00
Total amount not to exceed	$294,229.10

SECTION 3. 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.

Agenda Information Sheet

File #: 18-996 **Item #:** 19.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Multatech Engineering, Inc. for the engineering design of Alley Reconstruction Project Group 17-2004 (list attached to the Agenda Information Sheet) - Not to exceed $302,864.75 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($271,754.75) and Water Utilities Capital Improvement Funds ($31,110.00)

BACKGROUND

The Request for Qualifications (CIZ1721) was issued on May 31, 2018 for the 2017 Bond projects. The consulting firm Multatech Engineering, Inc. was selected following a qualifications-based selection process in accordance with the City of Dallas procurement guidelines.

This action will authorize a professional services contract with Multatech Engineering, Inc. for the engineering design of eight alley reconstruction projects as Alley Reconstruction Group 17-2004. The alley reconstruction projects will include replacing the existing deteriorating concrete alleys with new reinforced concrete alley pavement, storm drainage, water, and wastewater improvements.

Following are the locations and design costs for each project.

Alley Reconstruction Improvements

Project	Council District	Amount
1503-1551 BriarCliff Road and 5503-5537 Mesa Circle	2	$37,291.75
2503-2623 West Lovers Lane and 2502-2614 West Amherst Avenue	2	$30,314.25

3805-3945 Hawick Lane and 3804-3858 Eaton Drive	2	$53,394.25
4503-4535 Live Oak Street and 4514-4522 Bryan Street	2	$29,869.25
4902-5032 Thrush Street and 4903-5033 Wenonah Drive	2	$45,159.25
503-511 North Prairie Avenue and 4721-4721 Tremont Street	2	$19,695.00
5100-5152 Lahoma Street and 5101-5147 North Hall Street	2	$43,494.25
5300-5358 Willis Avenue and 5303-5355 Richard Avenue	2	$43,646.75

ESTIMATED SCHEDULE OF PROJECT

Begin Design	December 2018
Complete Design	October 2019
Begin Construction	January 2020
Complete Construction	December 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on October 22, 2018.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $271,754.75
Water Utilities Capital Improvement Funds - $31,110.00

Design - PBW (this action)	$ 271,754.75
Design - DWU (this action)	$ 31,110.00
Construction Cost (est.)	$2,372,215.76
Total Project Costs	$2,675,080.51

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$302,864.75	Professional Services	36.30%	100.00%	$302,864.75
• This contract exceeds the M/WBE goal.				

OWNER

Multatech Engineering, Inc.

Paul J. Padilla, Vice President

MAPS

Attached

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Alley Reconstruction Group 17-2004

Project	Council District
BriarCliff Road (1503-1551) and Mesa Circle (5503-5537)	2
West Lovers Lane (2503-2623) and West Amherst Avenue (2502-2614)	2
Hawick Lane (3805-3945) and Eaton Drive (3804-3858)	2
Live Oak Street (4503-4535) and Bryan Street (4514-4522)	2
Thrush Street (4902-5032) and Wenonah Drive (4903-5033)	2
North Prairie Avenue (503-511) and Tremont Street (4721-4721)	2
Lahoma Street (5100-5152) and North Hall Street (5101-5147)	2
Willis Avenue (5300-5358) and Richard Avenue (5303-5355)	2

ALLEY RECONSTRUCTION
1503 - 1551 BRIARCLIFF ROAD & 5503 - 5537 MESA CIRCLE



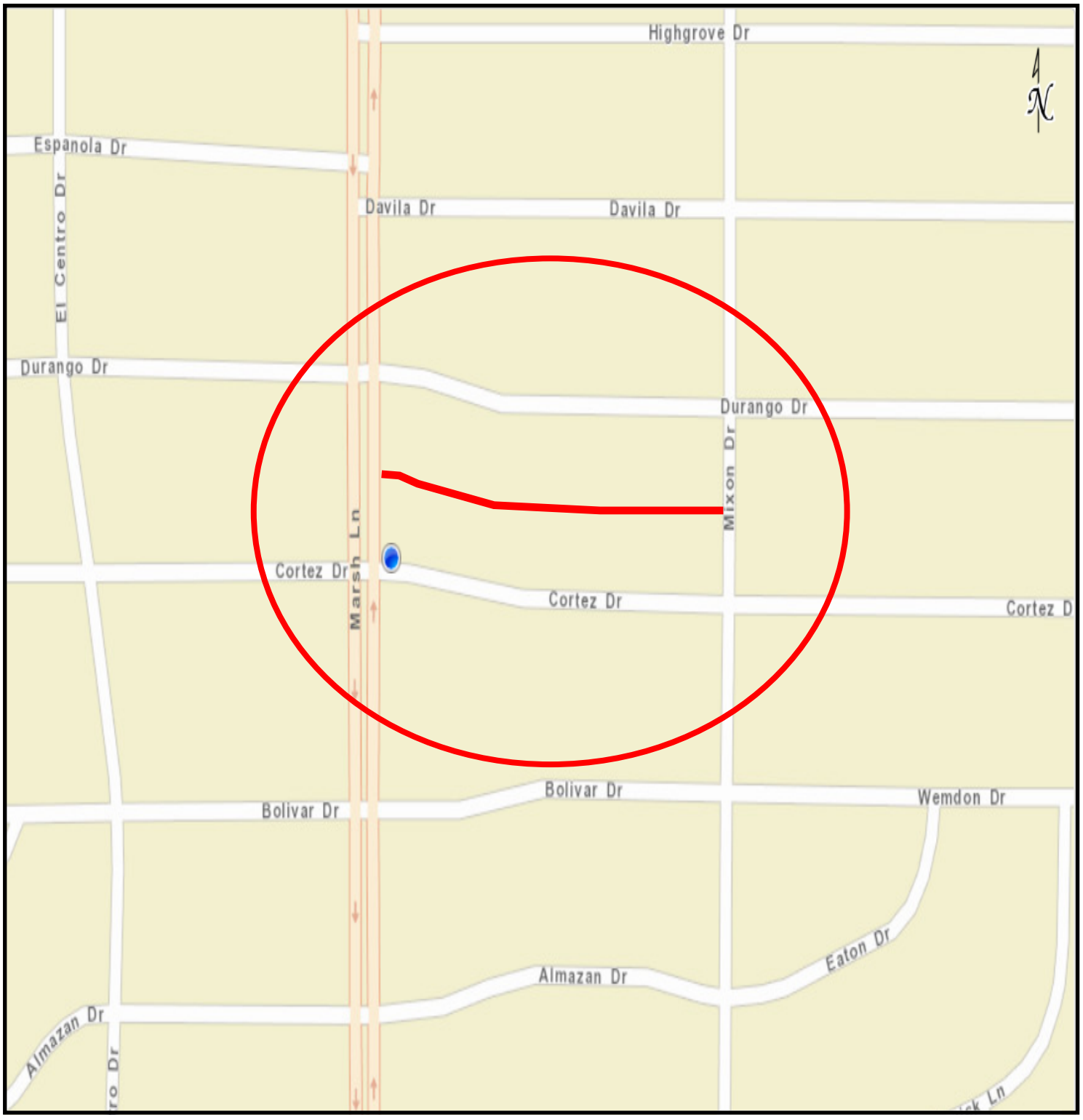
COUNCIL DISTRICT 2

ALLEY RECONSTRUCTION
2503 - 2623 W. LOVERS LANE & 2502 - 2614 W. AMHERST AVENUE



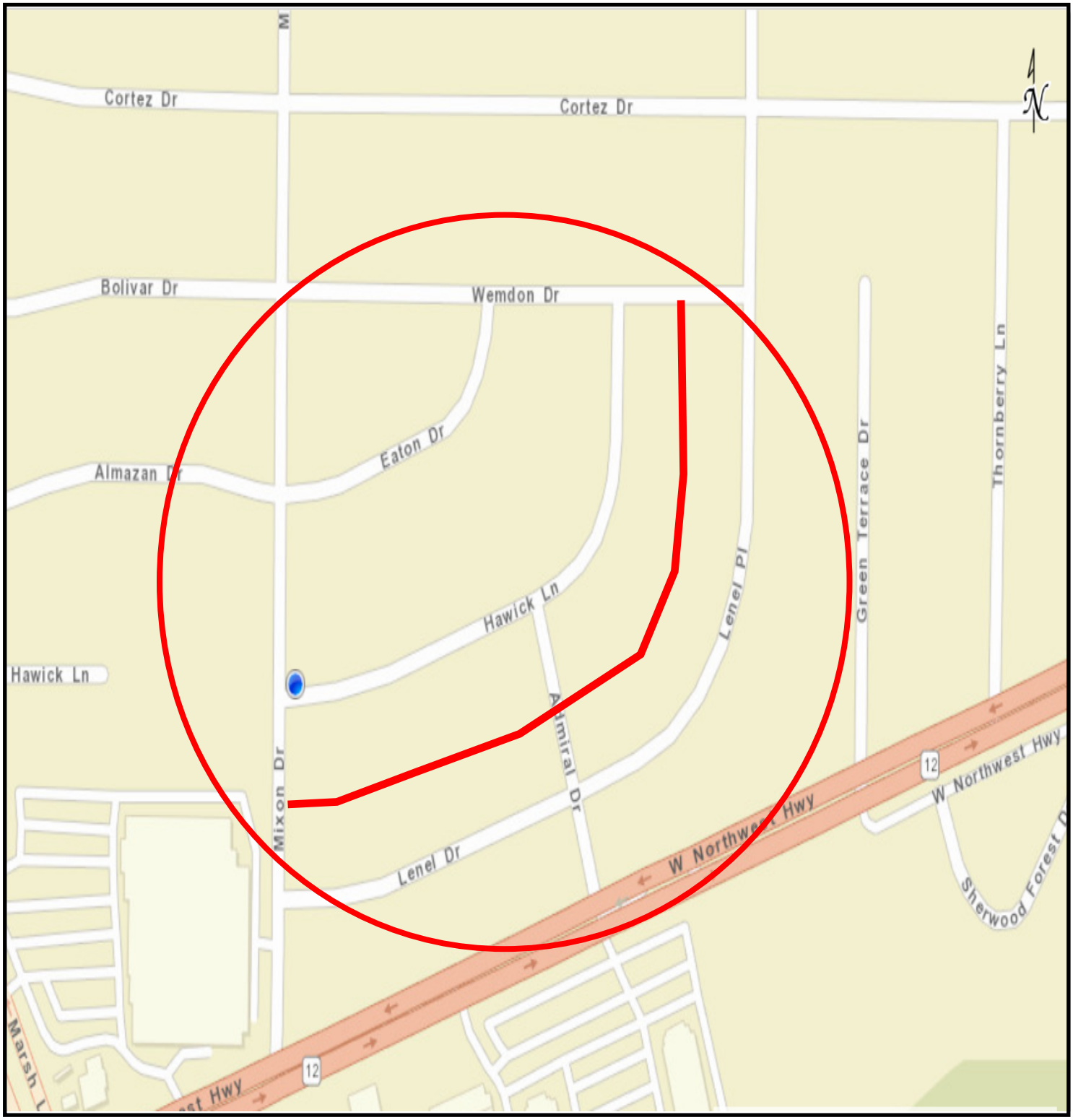
COUNCIL DISTRICT 2

ALLEY RECONSTRUCTION
3703 - 3771 CORTEZ DRIVE & 3702 - 3770 DURANGO DRIVE



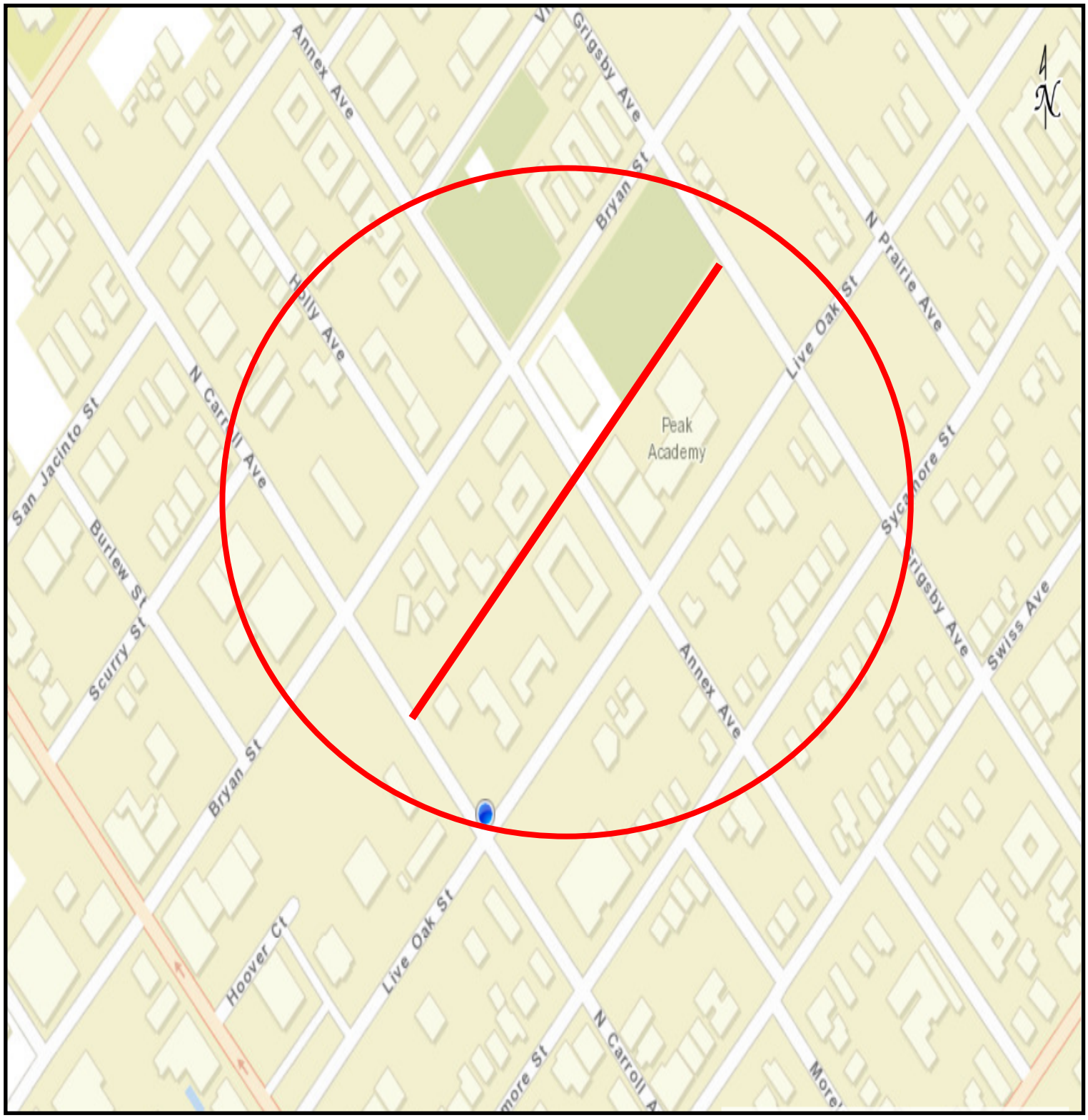
COUNCIL DISTRICT 2

ALLLEY RECONSTRUCTION
3805 - 3945 HAWICK LANE & 3804 - 3858 EATON DRIVE



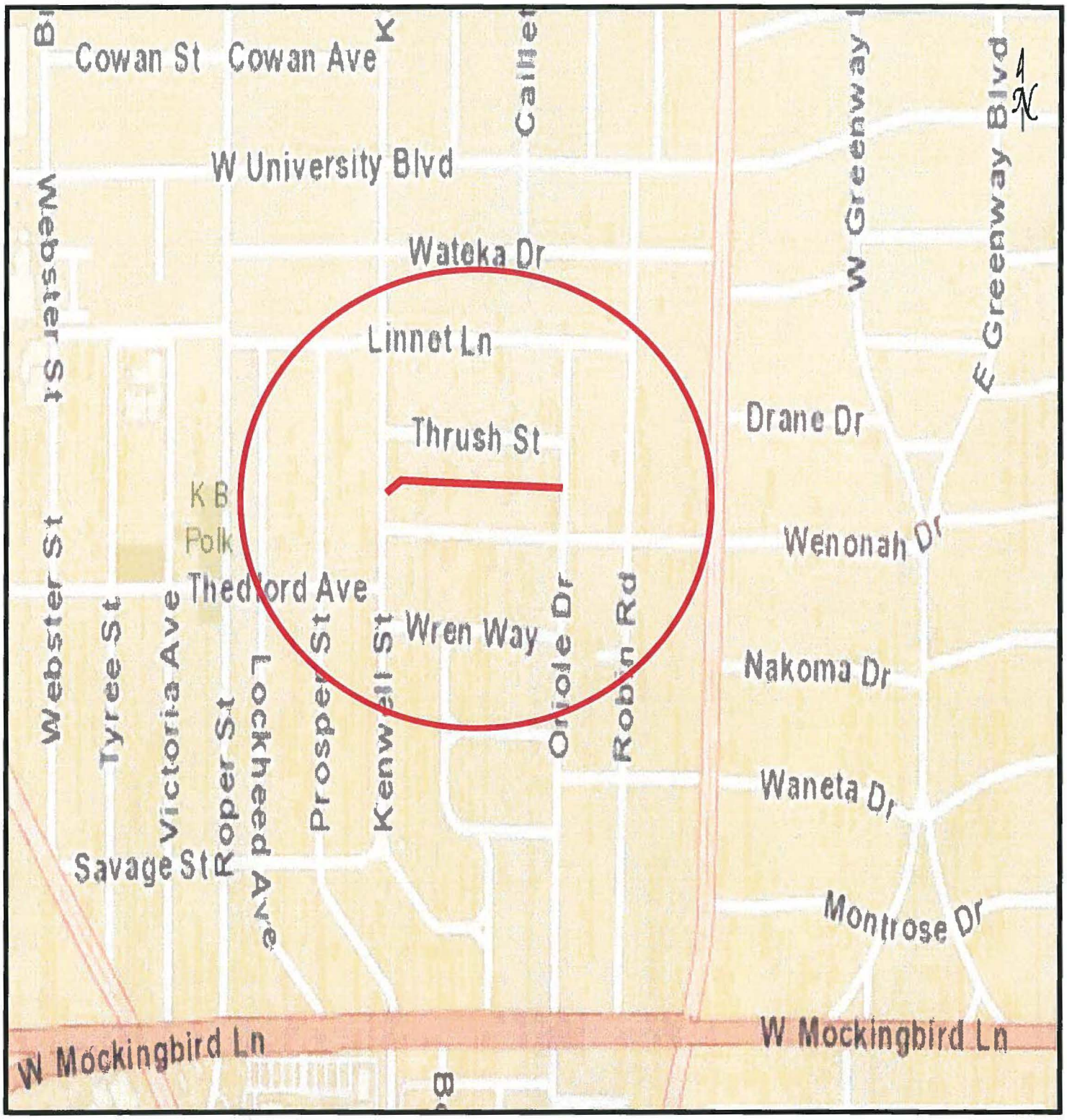
COUNCIL DISTRICT 2

ALLEY RECONSTRUCTION
4503 - 4535 LIVE OAK STREET & 4514 - 4522 BRYAN STREET



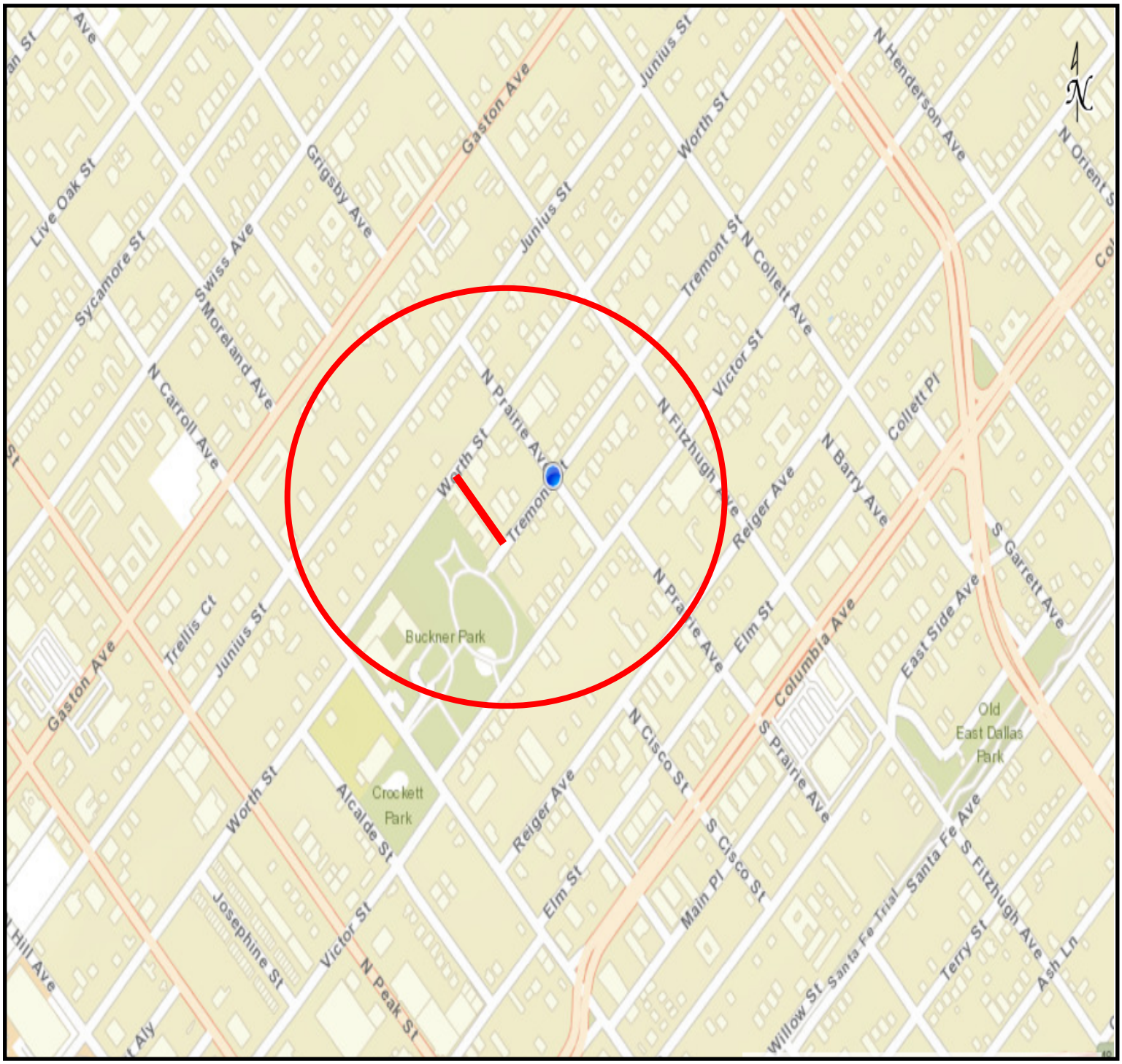
COUNCIL DISTRICT 2

ALLEY RECONSTRUCTION
4902 - 5032 THRUSH STREET & 4903 - 5033 WENONAH DRIVE



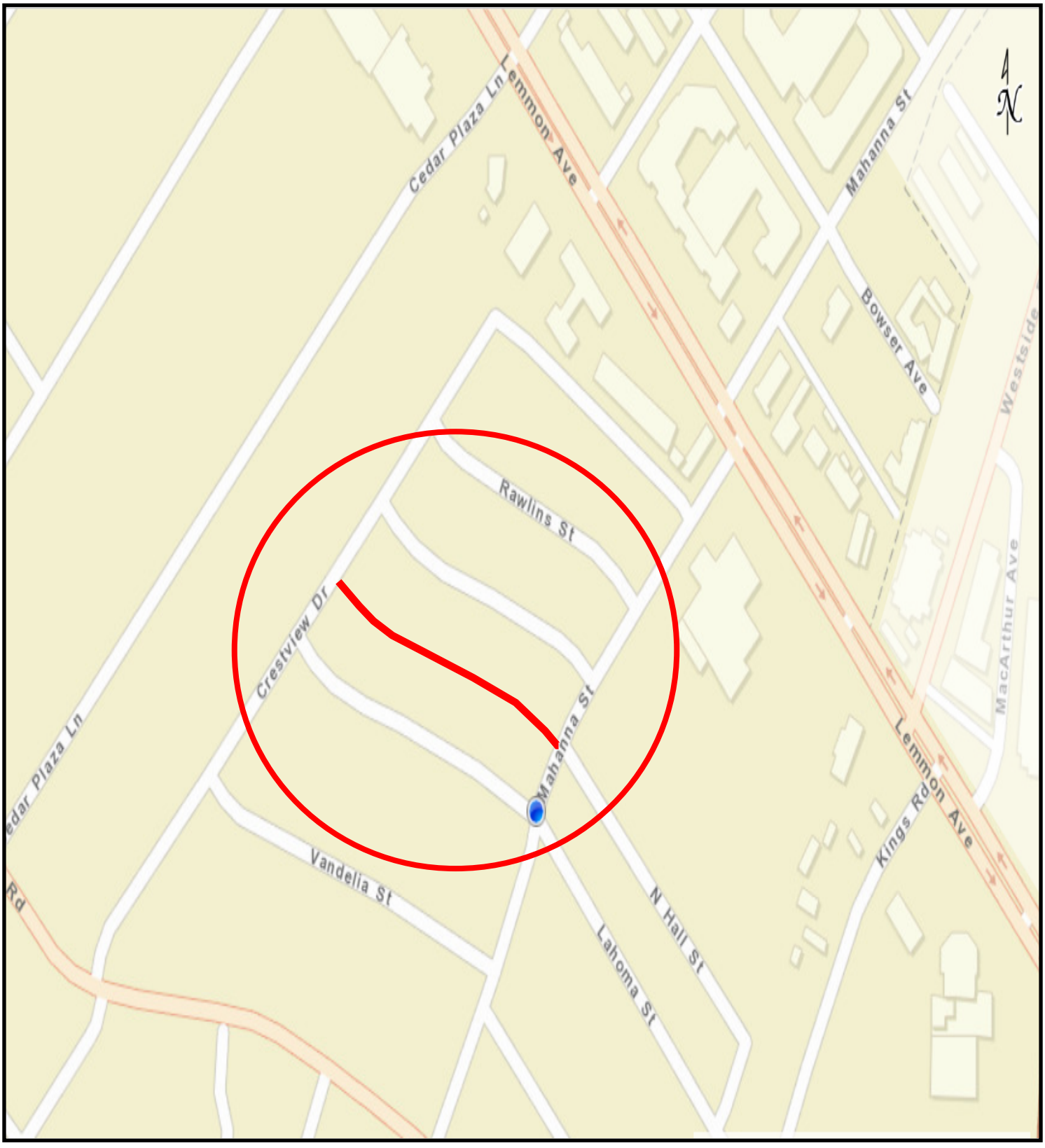
COUNCIL DISTRICT 2

ALLEY RECONSTRUCTION
503 - 511 N. PRAIRIE AVENUE & 4721 - 4721 TREMONT STREET



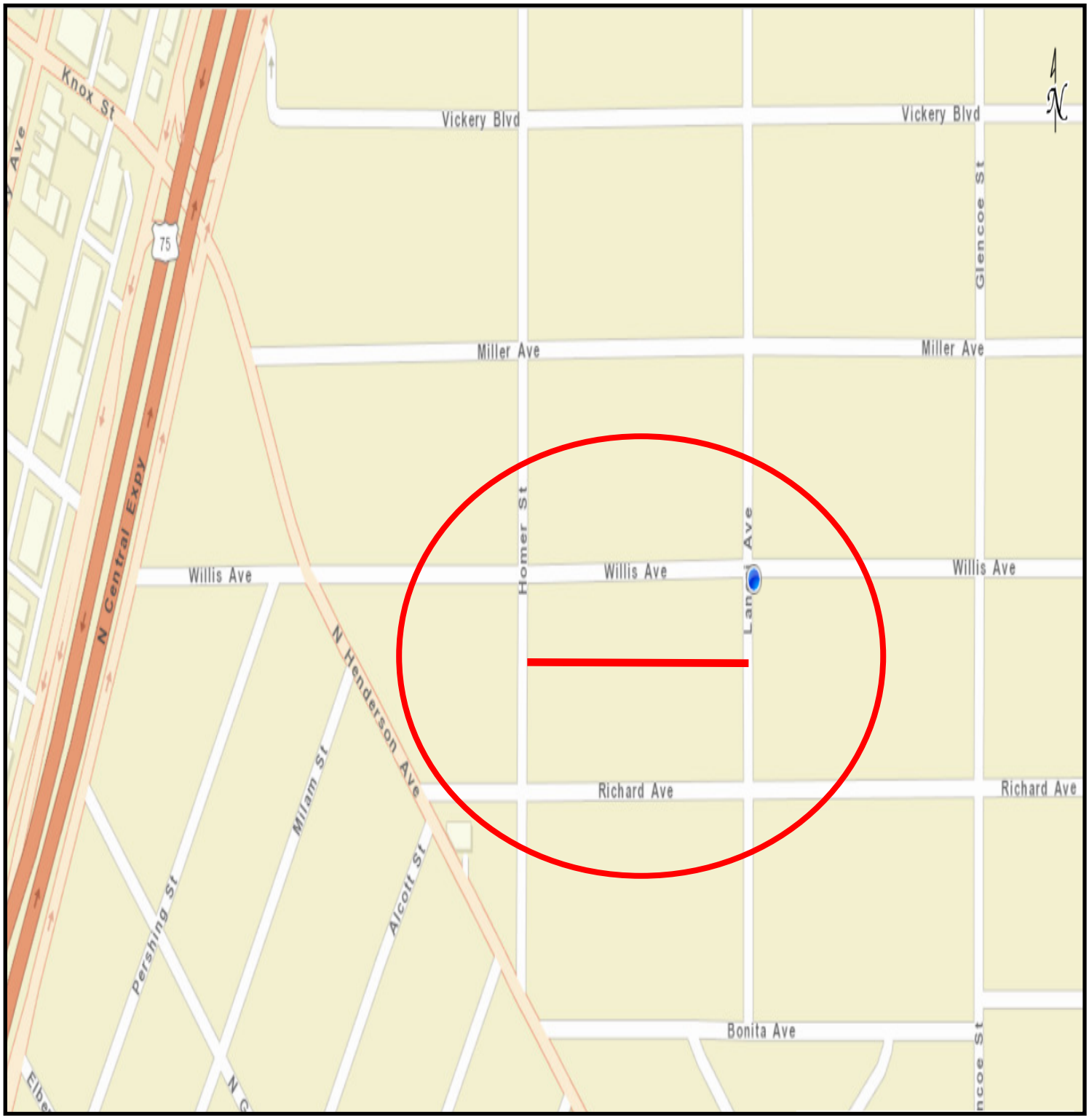
COUNCIL DISTRICT 2

ALLEY RECONSTRUCTION
5100 - 5152 LAHOMA STREET & 5101 - 5147 N. HALL STREET



COUNCIL DISTRICT 2

ALLEY RECONSTRUCTION
5300 - 5358 WILLIS AVENUE & 5303 - 5355 RICHARD AVENUE



COUNCIL DISTRICT 2

WHEREAS, Multatech Engineering, Inc. was selected to provide engineering design for Alley Reconstruction Group 17-2004.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a professional services contract with Multatech Engineering, Inc., approved as to form by the City Attorney, for engineering design services for the indicated projects in an amount not to exceed $302,864.75.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contracts:

Multatech Engineering, Inc. for the engineering design of alley reconstruction projects on alleys between: Briar Cliff Road (1503-1551) and Mesa Circle (5503-5537); West Lovers Lane (2503-2623) and West Amherst Avenue (2502-2614); Hawick Lane (3805-3945) and Eaton Drive (3804-3858); Live Oak Street (4503-4535) and Bryan Street (4514-4522); Thrush Street (4902-5032) and Wenonah Drive (4903-5033); North Prairie Avenue (503-511) and Tremont Street (4721-4721); Lahoma Street (5100-5152) and North Hall Street (5101-5147); Willis Avenue (5300-5358) and Richard Avenue (5303-5355):

Street and Transportation (A)
Fund 1V22, Department PBW, Unit V008, Activity AREC
Object 4111, Program PB17V008
Encumbrance/Contract No. CX PBW-2018-00007759
Vendor VS0000011274 $37,291.75

Street and Transportation (A)
Fund 1V22, Department PBW, Unit V009, Activity AREC
Object 4111, Program PB17V009
Encumbrance/Contract No. CX PBW-2018-00007759
Vendor VS0000011274 $30,314.25

Street and Transportation (A)
Fund 1V22, Department PBW, Unit V011, Activity AREC
Object 4111, Program PB17V011
Encumbrance/Contract No. CX PBW-2018-00007759
Vendor VS0000011274 $45,616.75

SECTION 2. (continued)

Street and Transportation (A) Fund 1V22, Department PBW, Unit V012, Activity AREC Object 4111, Program PB17V012 Encumbrance/Contract No. CX PBW-2018-00007759 Vendor VS0000011274	$29,869.25
Street and Transportation (A) Fund 1V22, Department PBW, Unit V013, Activity AREC Object 4111, Program PB17V013 Encumbrance/Contract No. CX PBW-2018-00007759 Vendor VS0000011274	$37,381.75
Street and Transportation (A) Fund 1V22, Department PBW, Unit V014, Activity AREC Object 4111, Program PB17V014 Encumbrance/Contract No. CX PBW-2018-00007759 Vendor VS0000011274	$19,695.00
Street and Transportation (A) Fund 1V22, Department PBW, Unit V015, Activity AREC Object 4111, Program PB17V015 Encumbrance/Contract No. CX PBW-2018-00007759 Vendor VS0000011274	$35,716.75
Street and Transportation (A) Fund 1V22, Department PBW, Unit V016, Activity AREC Object 4111, Program PB17V016 Encumbrance/Contract No. CX PBW-2018-00007759 Vendor VS0000011274	$35,869.25
Water Capital Improvement Fund Fund 3115, Department DWU, Unit PW42, Activity RELO Object 4111, Program 718531 Encumbrance/Contract No. CX PBW-2018-00007759 Vendor VS0000011274	$5,599.80
Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS42, Activity RELO Object 4111, Program 718532 Encumbrance/Contract No. CX PBW-2018-00007759 Vendor VS0000011274	$25,510.20
Total amount not to exceed	$302,864.75

SECTION 3. 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.

Agenda Information Sheet

File #: 18-997 **Item #:** 20.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 3

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Salcedo Group, Inc., for the engineering design of Alley Reconstruction Group 17-3001 (list attached to the Agenda Information Sheet) - Not to exceed $165,118.76 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($161,598.76) and Wastewater Capital Improvement Funds ($3,520.00)

BACKGROUND

The Request for Qualifications (CIZ1721) was issued on May 31, 2018 for the 2017 Bond projects. The consulting firm, Salcedo Group, Inc., was selected following a qualifications-based selection process in accordance with the City of Dallas procurement guidelines.

This action will authorize a professional services contract with Salcedo Group, Inc. for the engineering design of five alley reconstruction projects as Alley Reconstruction Group 17-3001. The alley reconstruction projects will include replacing the existing deteriorating concrete alleys with new reinforced concrete alley pavement, storm drainage, water, and wastewater improvements.

Following are the locations and design costs for each project.

Alley Reconstruction Improvements

Project	Council District	Amount
2408-2564 Club Manor Drive and 2435-2549 Matland Drive	3	$55,572.28
5179-5107 Chalet Lane and 1404-1550 Drury Drive	3	$38,340.95

5306-5342 Lake Placid Drive and 1572-1568 Drury Place	3	$16,690.29
6216-6226 Autumn Woods Trail and 804-814 West Red Bird Lane	3	$15,402.52
7501-7631 Ashcrest Lane and 7502-7578 Christie Lane	3	$39,112.72

ESTIMATED SCHEDULE OF PROJECT

Begin Design	December 2018
Complete Design	October 2019
Begin Construction	January 2020
Complete Construction	December 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on October 22, 2018.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $161,598.76
Wastewater Capital Improvement Funds - $3,520.00

Design - PBW (this action)	$ 161,598.76
Design - DWU (this action)	$ 3,520.00
Construction Cost (est.)	$1,147,586.00
Total Project Costs	$1,312,704.76

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$165,118.76	Architecture & Engineering	25.66%	100.00%	$165,118.76
• This contract exceeds the M/WBE goal.				

OWNER

Salcedo Group, Inc.

Michael Salcedo, President

MAPS

Attached

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Alley Reconstruction Group 17-3001

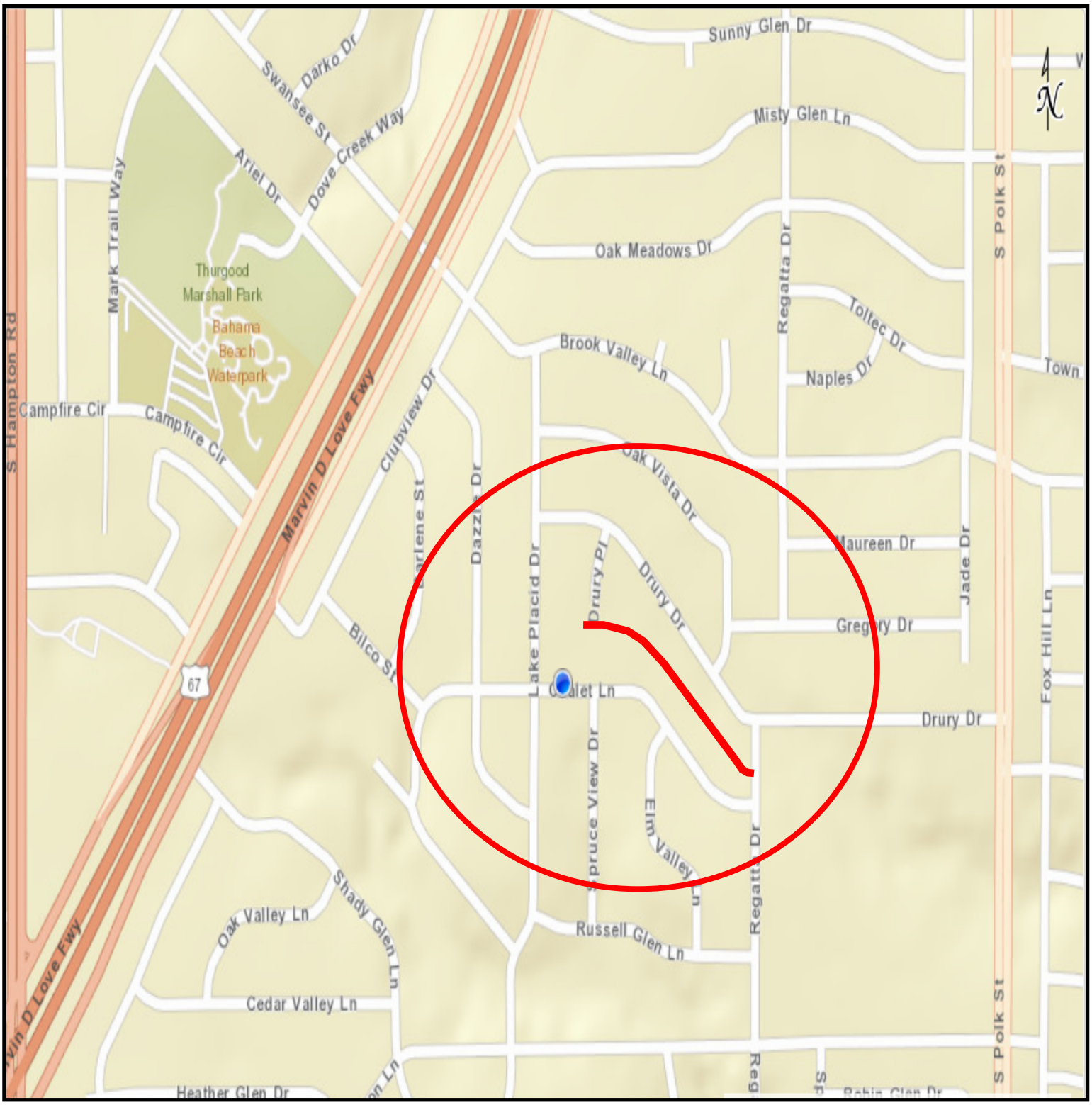
Project	Council District
Club Manor Drive (2408-2564) and Matland Drive (2435-2549)	3
Chalet Lane (5179-5107) and Drury Drive (1404-1550)	3
Lake Placid Drive (5306-5342) and Drury Place (1572-1568)	3
Autumn Woods Trail (6216-6226) and West Red Bird Lane (804-814)	3
Ashcrest Lane (7501-7631) and Christie Lane (7502-7578)	3

ALLEY RECONSTRUCTION
2408 - 2564 CLUB MANOR DRIVE & 2435 - 2549 MATLAND DRIVE



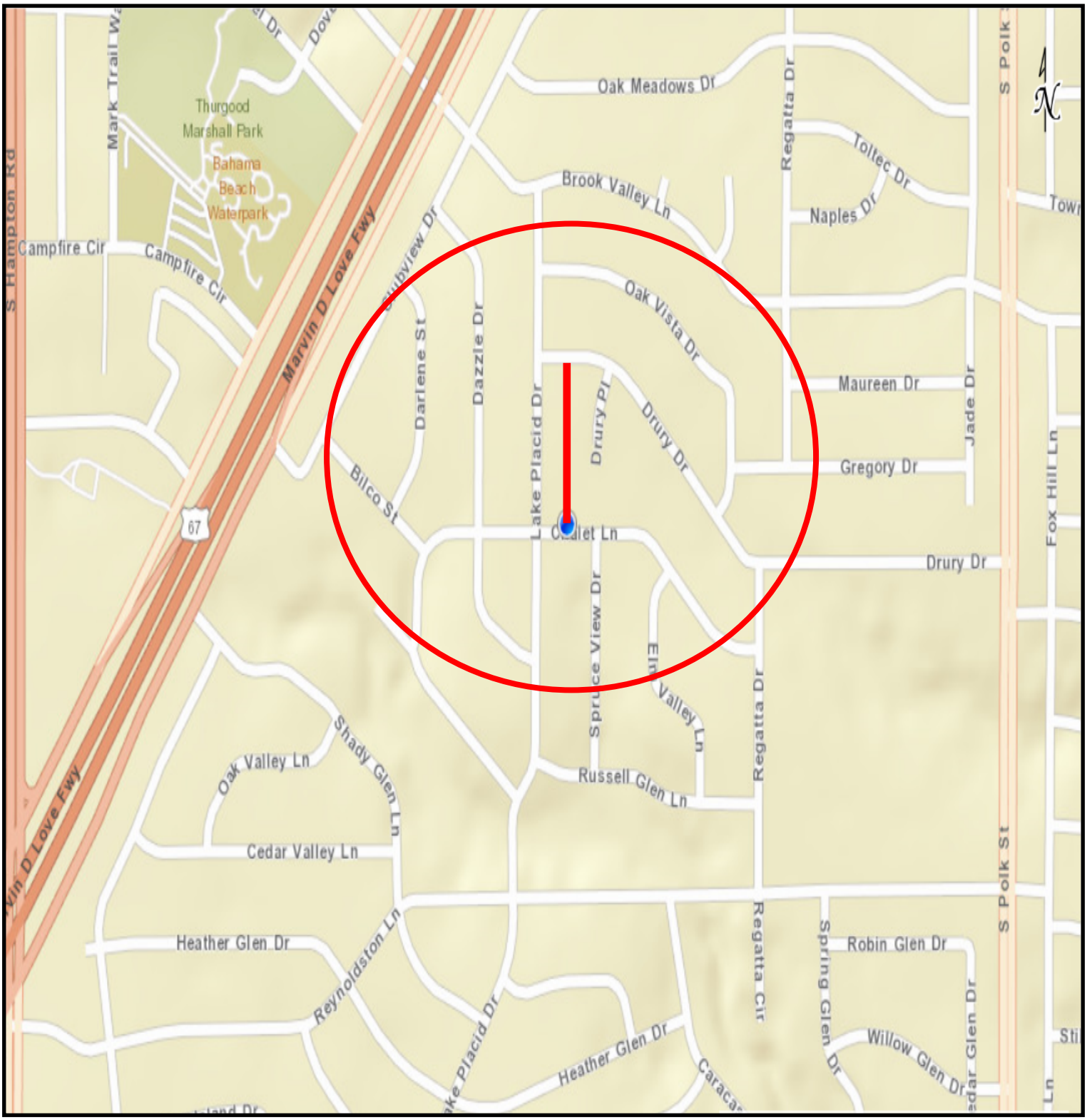
COUNCIL DISTRICT 3

ALLEY RECONSTRUCTION
5179 - 5107 CHALET LANE & 1404 - 1550 DRURY DRIVE



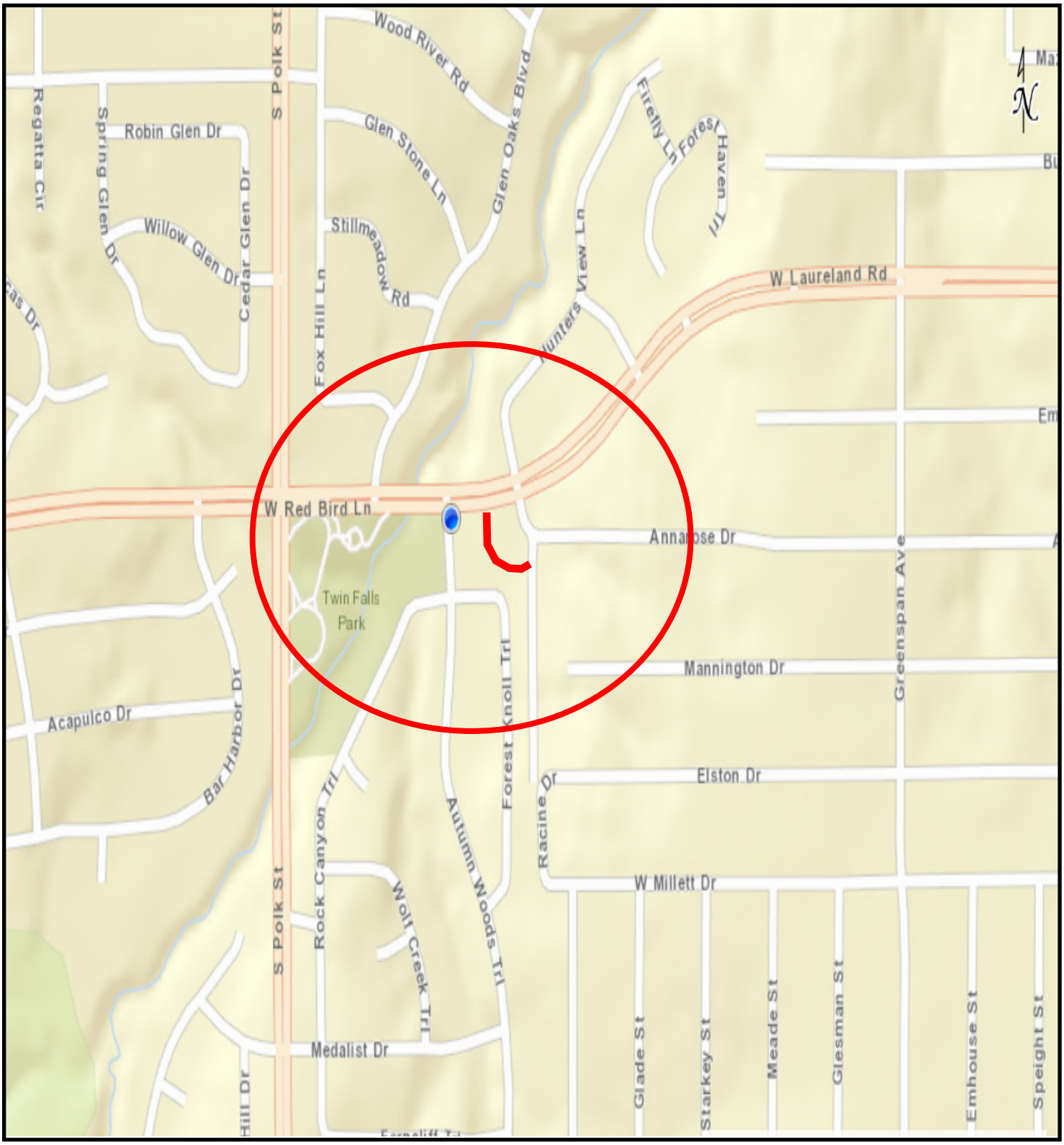
COUNCIL DISTRICT 3

ALLEY RECONSTRUCTION
5306 - 5342 LAKE PLACID DRIVE & 1572 - 1568 DRURY PLACE



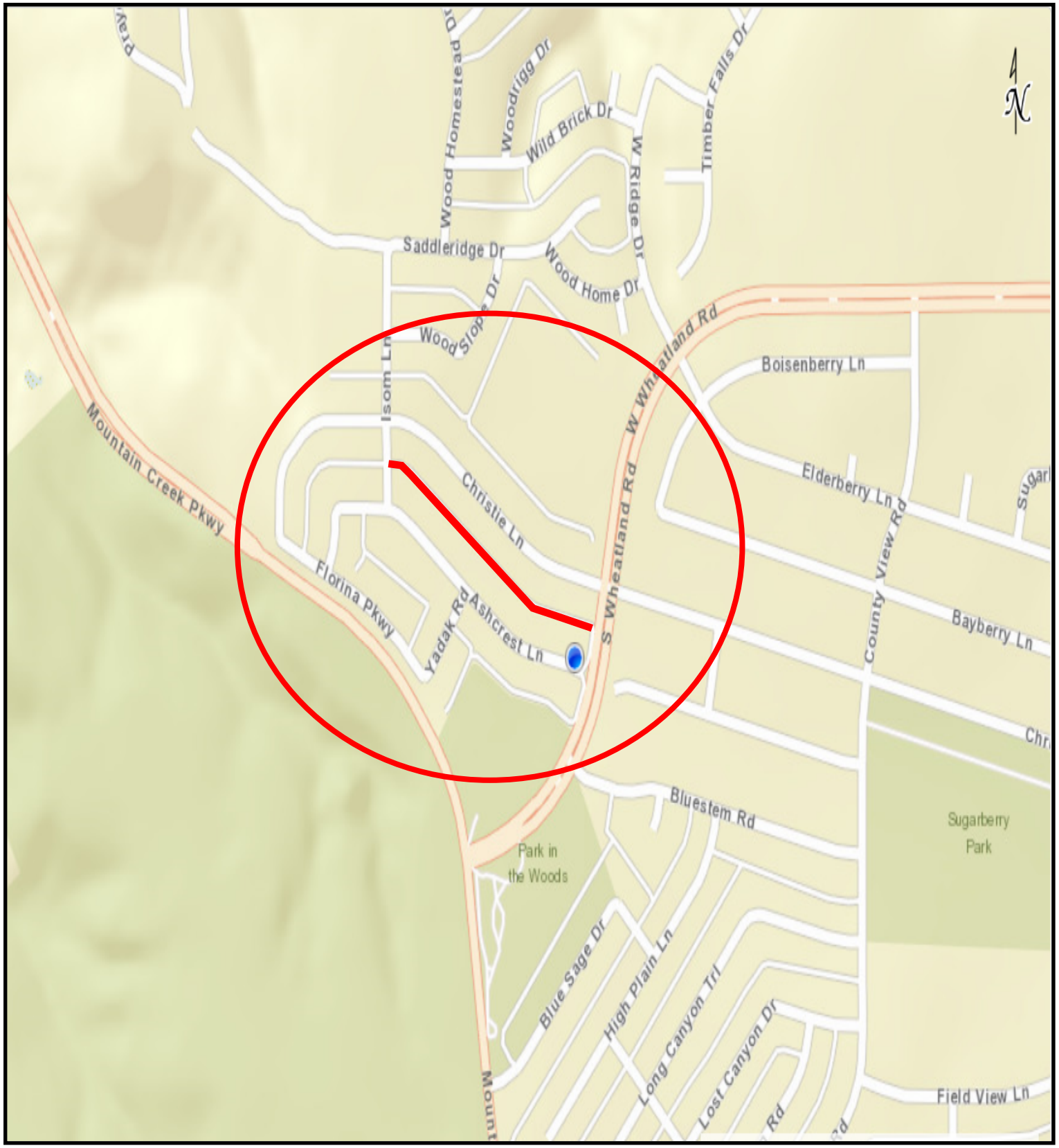
COUNCIL DISTRICT 3

ALLEY RECONSTRUCTION
6216 - 6226 AUTUMN WOODS TRAIL & 804 - 814 W. RED BIRD LANE



COUNCIL DISTRICT 3

ALLEY RECONSTRUCTION
7501 - 7631 ASHCREST LANE & 7502 - 7578 CHRISTIE LANE



COUNCIL DISTRICT 3

WHEREAS, Salcedo Group, Inc. was selected to provide engineering design for Alley Reconstruction Group 17-3001.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a professional services contract with Salcedo Group, Inc., approved as to form by the City Attorney, for engineering design services for the indicated projects in an amount not to exceed $165,118.76.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contracts:

Salcedo Group, Inc. for the engineering design of alley reconstruction projects on alleys between: Club Manor Drive (2408-2564) and Matland Drive (2435-2549); Chalet Lane (5179-5107) and Drury Drive (1404-1550); Lake Placid Drive (5306-5342) and Drury Place (1572-1568); Autumn Woods Trail (6216-6226) and West Red Bird Lane (804-814); Ashcrest Lane (7501-7631) and Christie Lane (7502-7578):

Street and Transportation (A) Fund 1V22, Department PBW, Unit V017, Activity AREC Object 4111, Program PB17V017 Encumbrance/Contract No. CX PBW-2018-00007882 Vendor 509399	$53,852.28
Street and Transportation (A) Fund 1V22, Department PBW, Unit V018, Activity AREC Object 4111, Program PB17V018 Encumbrance/Contract No. CX PBW-2018-00007882 Vendor 509399	$38,340.95
Street and Transportation (A) Fund 1V22, Department PBW, Unit V019, Activity AREC Object 4111, Program PB17V019 Encumbrance/Contract No. CX PBW-2018-00007882 Vendor 509399	$16,690.29
Street and Transportation (A) Fund 1V22, Department PBW, Unit V020, Activity AREC Object 4111, Program PB17V020 Encumbrance/Contract No. CX PBW-2018-00007882 Vendor 509399	$13,602.52

SECTION 2. (continued)

Street and Transportation (A) Fund 1V22, Department PBW, Unit V021, Activity AREC Object 4111, Program PB17V021 Encumbrance/Contract No. CX PBW-2018-00007882 Vendor 509399	$39,112.72
Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS42, Activity RELO Object 4111, Program 719012 Encumbrance/Contract No. CX PBW-2018-00007882 Vendor 509399	$3,520.00
Total amount not to exceed	$165,118.76

SECTION 3. 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.

Agenda Information Sheet

File #: 18-1001 **Item #:** 21.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 4

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Neel-Schaffer, Inc. for the engineering design of Alley Reconstruction Group 17-4002 (list attached to the Agenda Information Sheet) - Not to exceed $171,874.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($146,889.00) and Wastewater Capital Improvement Funds ($24,985.00)

BACKGROUND

The Request for Qualifications (CIZ1721) was issued on May 31, 2018 for the 2017 Bond projects. The consulting firm, Neel-Schaffer, Inc., was selected following a qualifications-based selection process in accordance with the City of Dallas procurement guidelines.

This action will authorize a professional services contract with Neel-Schaffer, Inc. for the engineering design of four alley reconstruction projects as Alley Reconstruction Group 17-4002. The alley reconstruction projects will include replacing the existing deteriorating concrete alleys with new reinforced concrete alley pavement, storm drainage, water, and wastewater improvements.

Following are the locations and design costs for each project.

Alley Reconstruction Improvements

Project	Council District	Amount
2104-2336 Dugald Place and 2005-2249 East Illinois Avenue	4	$42,944.00
2211-2323 Deer Path Drive and 2905-3311 Kellogg Avenue	4	$71,679.50

3163-3241 East Ledbetter Drive and 3132-3244 Dahlia Drive	4	$25,979.50
4307-4435 Bonnie View Road and 4302-4446 Cicero Street	4	$31,271.00

ESTIMATED SCHEDULE OF PROJECT

Begin Design	December 2018
Complete Design	October 2019
Begin Construction	January 2020
Complete Construction	December 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on October 22, 2018.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $146,889.00
Wastewater Capital Improvement Funds - $24,985.00

Design - PBW (this action)	$ 146,889.00
Design - DWU (this action)	$ 24,985.00
Construction Cost (est.)	$1,303,405.90
Total Project Costs	$1,475,279.90

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$171,874.00	Architecture & Engineering	25.66%	35.73%	$61,405.00
• This contract exceeds the M/WBE goal.				

OWNER

Neel-Schaffer, Inc.

James P. Amick, Engineer Manager

MAPS

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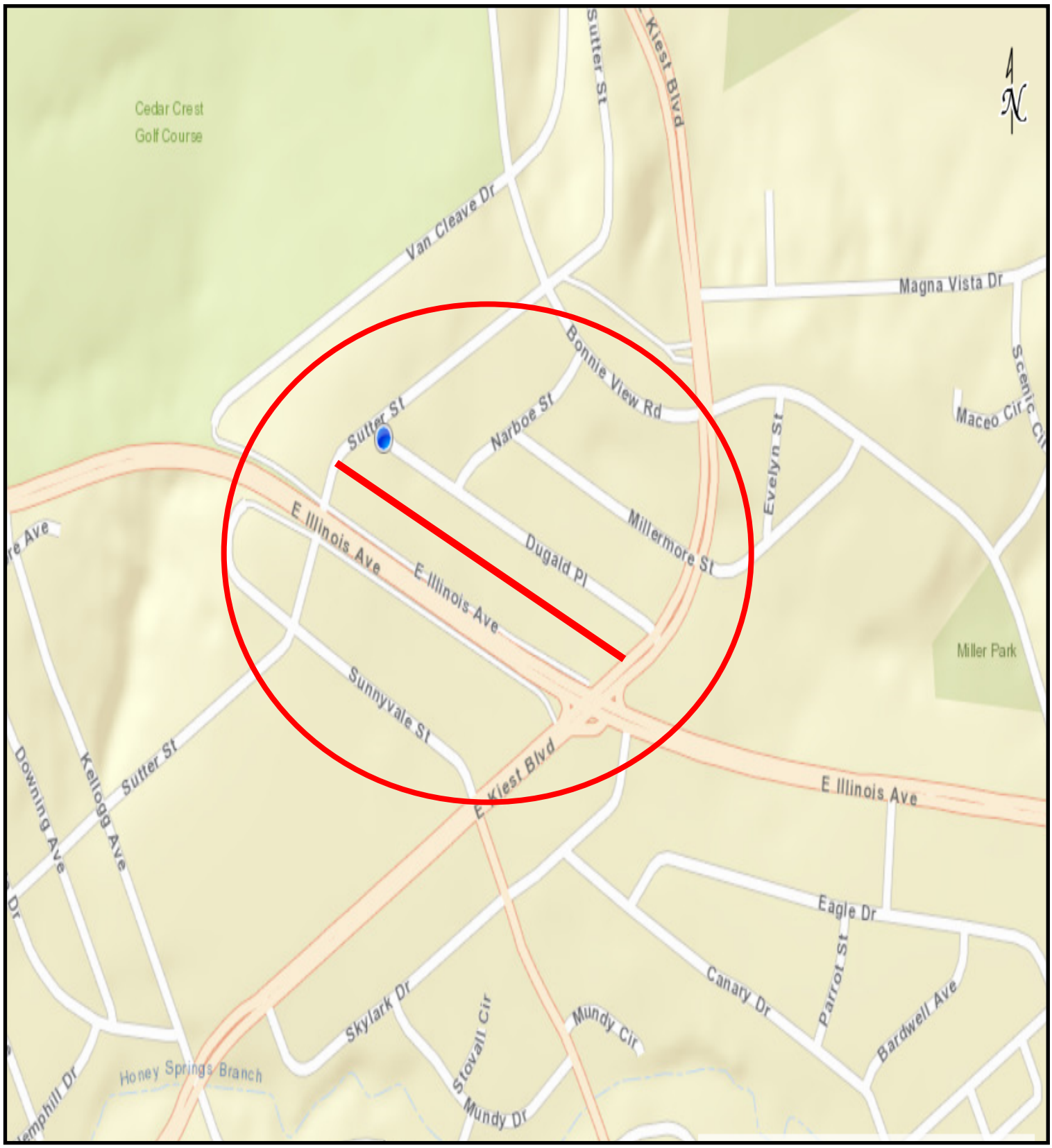
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Alley Reconstruction Group 17-4002

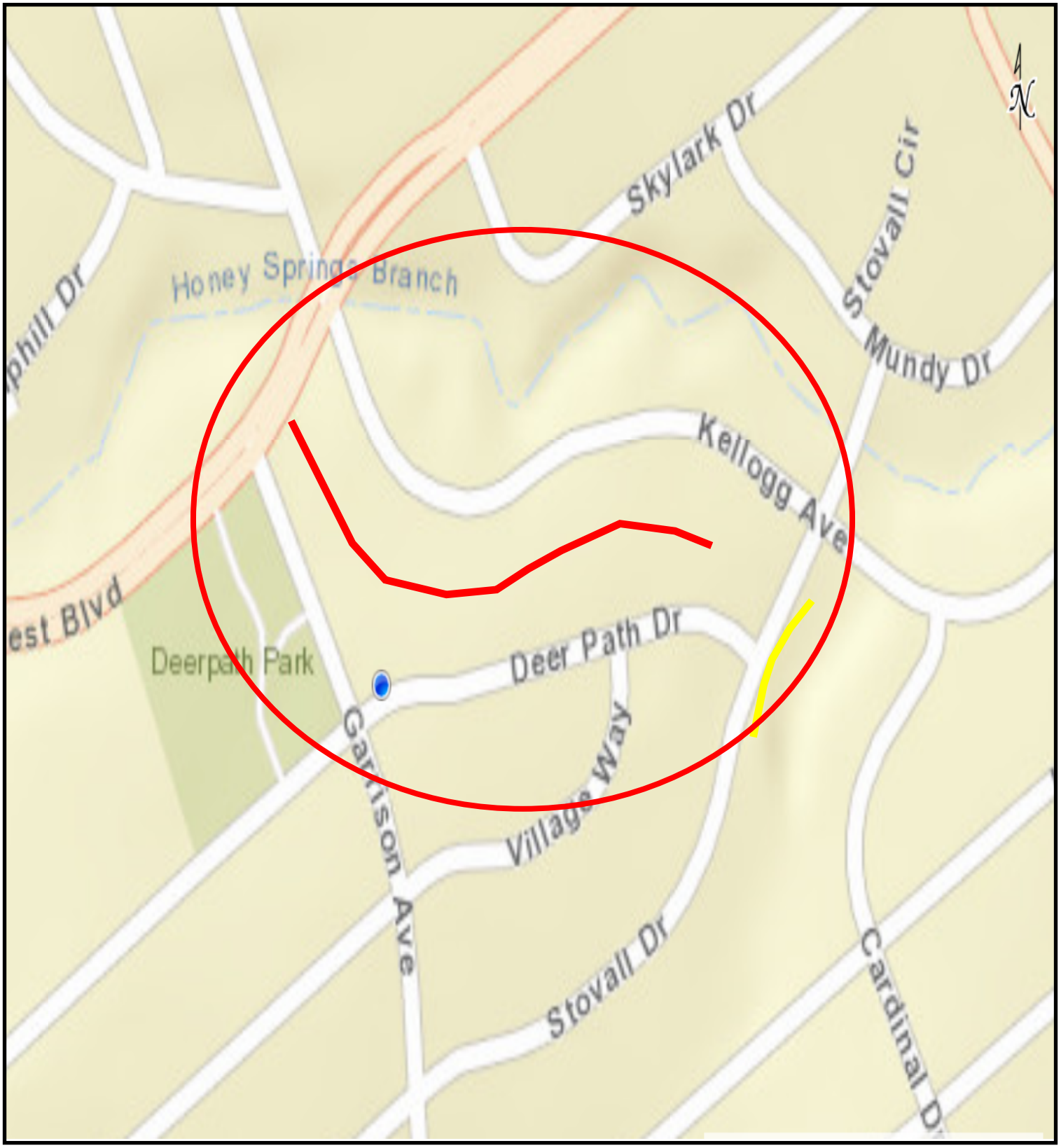
Project	Council District
Dugald Place (2104-2336) and East Illinois Avenue (2005-2249)	4
Deer Path Drive (2211-2323) and Kellogg Avenue (2905-3311)	4
East Ledbetter Drive (3163-3241) and Dahlia Drive (3132-3244)	4
Bonnie View Road (4307-4435) and Cicero Street (4302-4446)	4

ALLEY RECONSTRUCTION
2104 - 2336 DUGALD PLACE & 2005 - 2249 E. ILLINOIS AVENUE



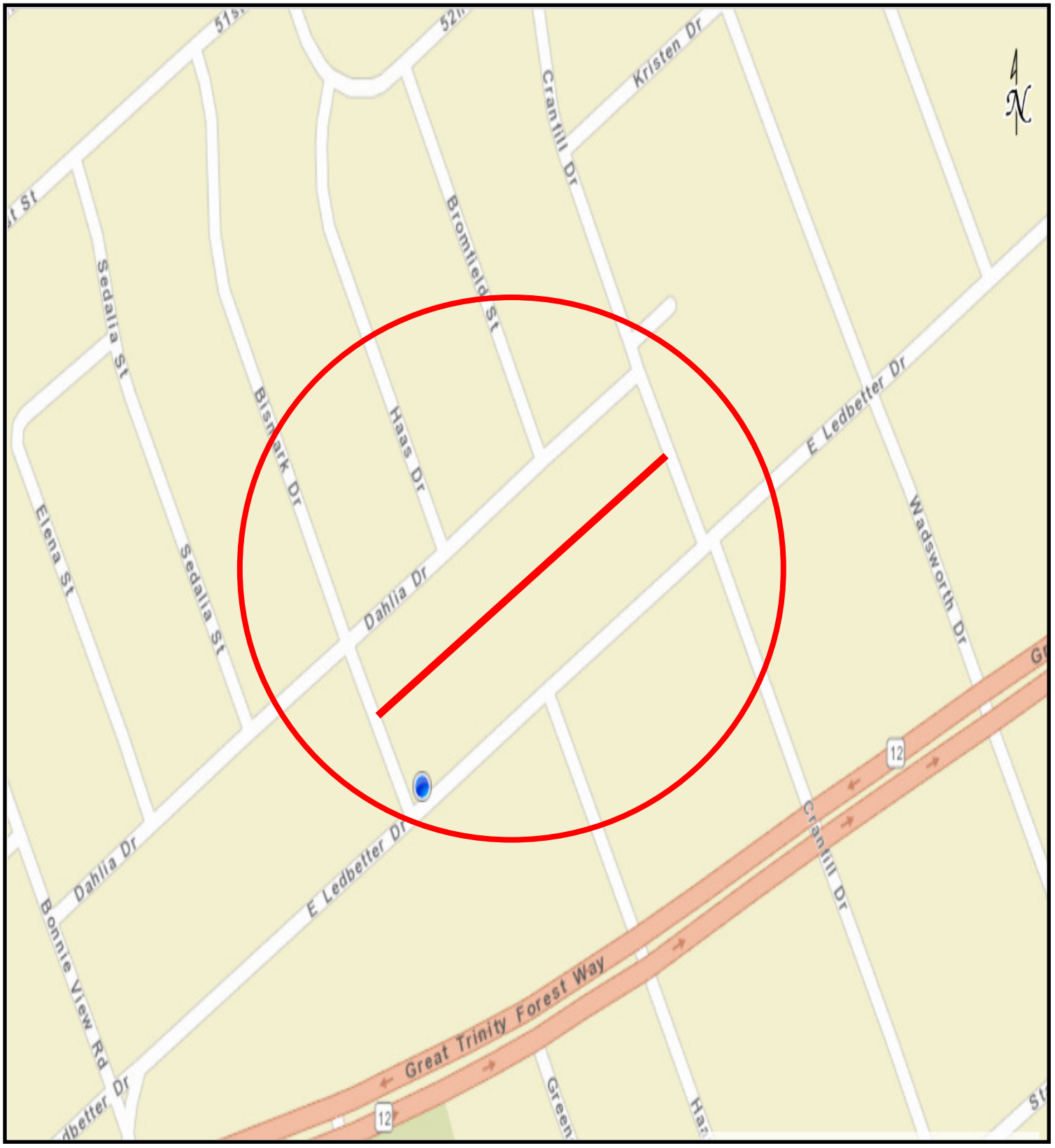
COUNCIL DISTRICT 4

ALLEY RECONSTRUCTION
2211 - 2323 DEER PATH DRIVE & 2905 - 3311 KELLOGG AVENUE



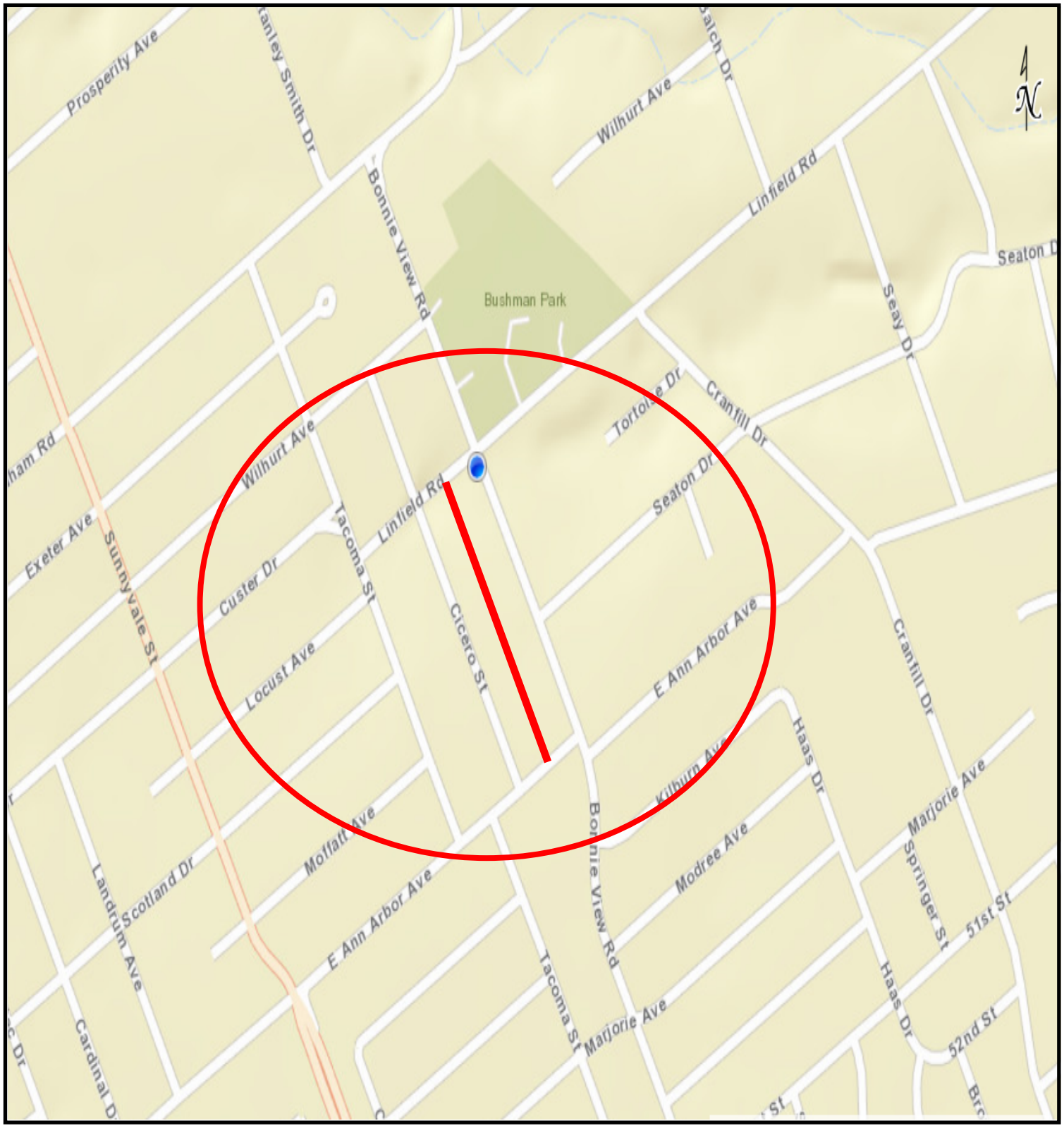
COUNCIL DISTRICT 4

ALLEY RECONSTRUCTION
3163 - 3241 E. LEDBETTER DRIVE & 3132 - 3244 DAHLIA DRIVE



COUNCIL DISTRICT 4

ALLEY RECONSTRUCTION
4307 - 4435 BONNIE VIEW ROAD & 4302 - 4446 CICERO STREET



COUNCIL DISTRICT 4

WHEREAS, Neel-Schaffer, Inc. consulting firm was selected to provide engineering design for Alley Reconstruction Group 17-4002.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a professional services contract with Neel-Schaffer, Inc., approved as to form by the City Attorney, for engineering design services for the indicated projects in an amount not to exceed $171,874.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract:

Neel-Schaffer, Inc. for the engineering design of alley reconstruction projects on alleys between: Dugald Place (2104-2336) and East Illinois Avenue (2005-2249); Deer Path Drive (2211-2323) and Kellogg Avenue (2905-3311); East Ledbetter Drive (3163-3241) and Dahlia Drive (3132-3244); Bonnie View Road (4307-4435) and Cicero Street (4302-4446):

Street and Transportation (A)
Fund 1V22, Department PBW, Unit V026, Activity AREC
Object 4111, Program PB17V026
Encumbrance/Contract No. CX PBW-2018-00007737
Vendor VS0000007942 $42,944.00

Street and Transportation (A)
Fund 1V22, Department PBW, Unit V027, Activity AREC
Object 4111, Program PB17V027
Encumbrance/Contract No. CX PBW-2018-00007737
Vendor VS0000007942 $46,694.50

Street and Transportation (A)
Fund 1V22, Department PBW, Unit V029, Activity AREC
Object 4111, Program PB17V029
Encumbrance/Contract No. CX PBW-2018-00007737
Vendor VS0000007942 $25,979.50

Street and Transportation (A)
Fund 1V22, Department PBW, Unit V031, Activity AREC
Object 4111, Program PB17V031
Encumbrance/Contract No. CX PBW-2018-00007737
Vendor VS0000007942 $31,271.00

SECTON 2. (continued)

Wastewater Capital Improvement Fund	
Fund 2116, Department DWU, Unit PS42, Activity RELO	
Object 4111, Program 718534	
Encumbrance/Contract No. CX PBW-2018-00007737	
Vendor VS0000007942	$24,985.00
Total amount not to exceed	$171,874.00

SECTION 3. 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.

Agenda Information Sheet

File #: 18-1002 **Item #:** 22.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 5

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Binkley & Barfield, Inc. for the engineering design of Alley Reconstruction Group 17-5005 (list attached to the Agenda Information Sheet) - Not to exceed $257,418.62 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)

BACKGROUND

The Request for Qualifications (CIZ1721) was issued on May 31, 2018 for the 2017 Bond projects. The consulting firm, Binkley & Barfield, Inc., was selected following a qualifications-based selection process in accordance with the City of Dallas procurement guidelines.

This action will authorize a professional services contract with Binkley & Barfield, Inc. for the engineering design of five alley reconstruction projects as Alley Reconstruction Group 17-5005. The alley reconstruction projects will include replacing the existing deteriorating concrete alleys with new reinforced concrete alley pavement, and storm drainage.

Following are the locations and design costs for each project.

Alley Reconstruction Improvements

Project	Council District	Amount
10005-10119 Shayna Drive and 10002-10106 Hymie Circle	5	$36,139.62
10315-10542 Castlerock Drive and 10315-10529 Checotah Drive and 1608-1604 Gardenside Drive	5	$67,114.32

1611-1727 Red Cloud Drive and 9704-9780 Faircloud Drive (A7003)	5	$54,925.95
1830-1886 Red Cloud Drive and 9803-9851 Glengreen Drive (A6972)	5	$32,359.44
1885-2025 Red Cloud Drive and 2002-2080 Corvette Drive (A6966)	5	$66,879.29

ESTIMATED SCHEDULE OF PROJECT

Begin Design	December 2018
Complete Design	October 2019
Begin Construction	January 2020
Complete Construction	December 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on October 22, 2018.

FISCAL INFORMATION

Financing: Street and Transportation (A) Fund (2017 Bond Funds) - $257,418.62

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$257,418.62	Professional Services	36.30%	38.90%	$100,138.18
• This contract exceeds the M/WBE goal.				

OWNER

Binkley & Barfield, Inc.

Antonio "Tony" Romo II, P.E., Vice President

MAPS

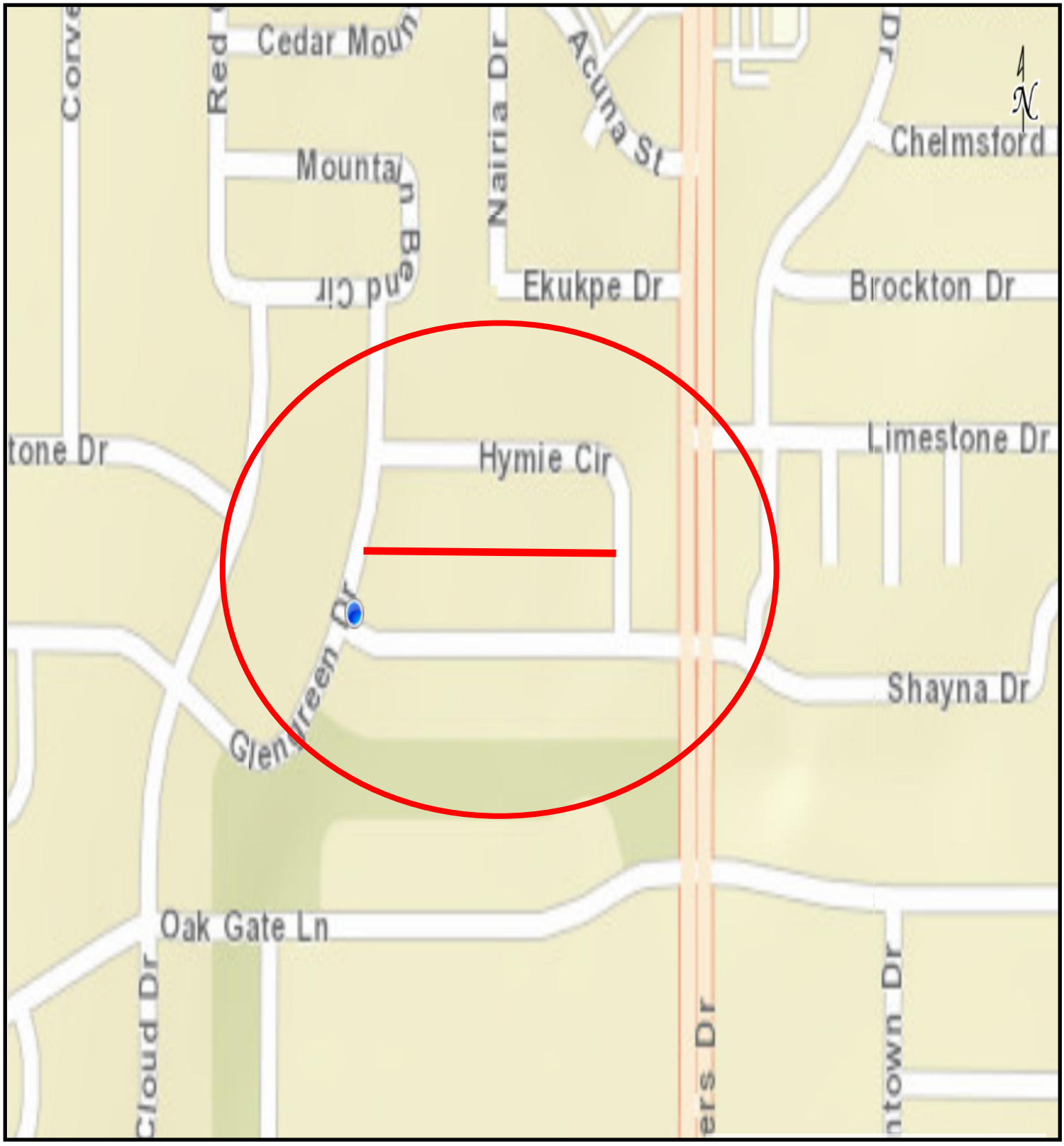
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Alley Reconstruction Group 17-5005

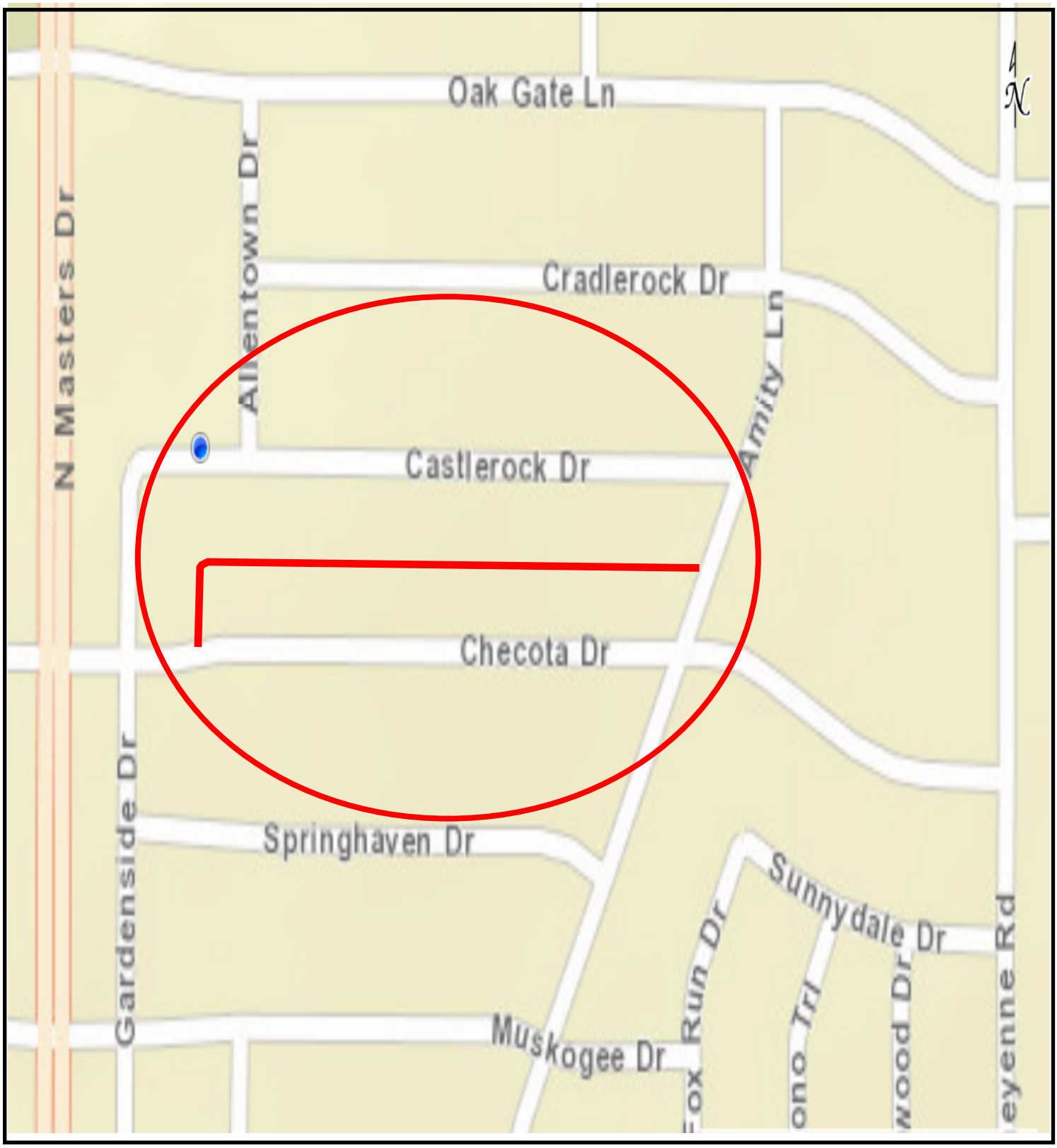
Project	Council District
Shayna Drive (10005-10119) and Hymie Circle (10002-10106)	5
Castlerock Drive (10315-10542) and Checota Drive (10315-10529) and Gardenside Drive (1608-1604)	5
Red Cloud Drive (1611-1727) and Faircloud Drive (9704-9780)	5
Red Cloud Drive (1830-1886) and Glengreen Drive (9803-9851)	5
Red Cloud Drive (1885-2025) and Corvette Drive (2002-2080)	5

ALLEY RECONSTRUCTION
10005 - 10119 SHAYNA DRIVE & 10002 - 10106 HYMIE CIRCLE



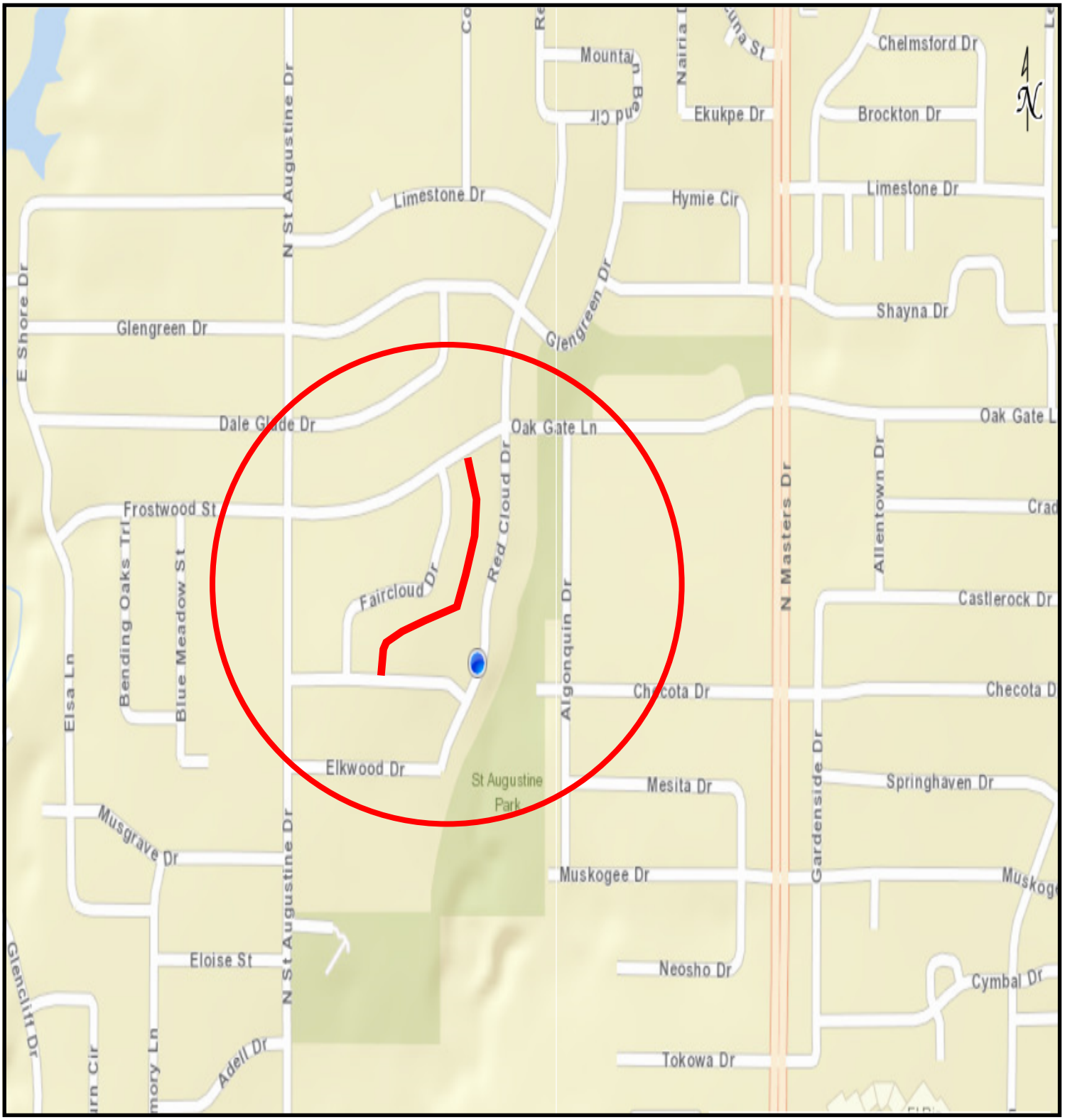
COUNCIL DISTRICT 5

ALLEY RECONSTRUCTION
10315 - 10542 CASTLEROCK DRIVE & 10315 - 10529 CHECOTA DRIVE & 1608 - 1604 GARDENSIDE DRIVE



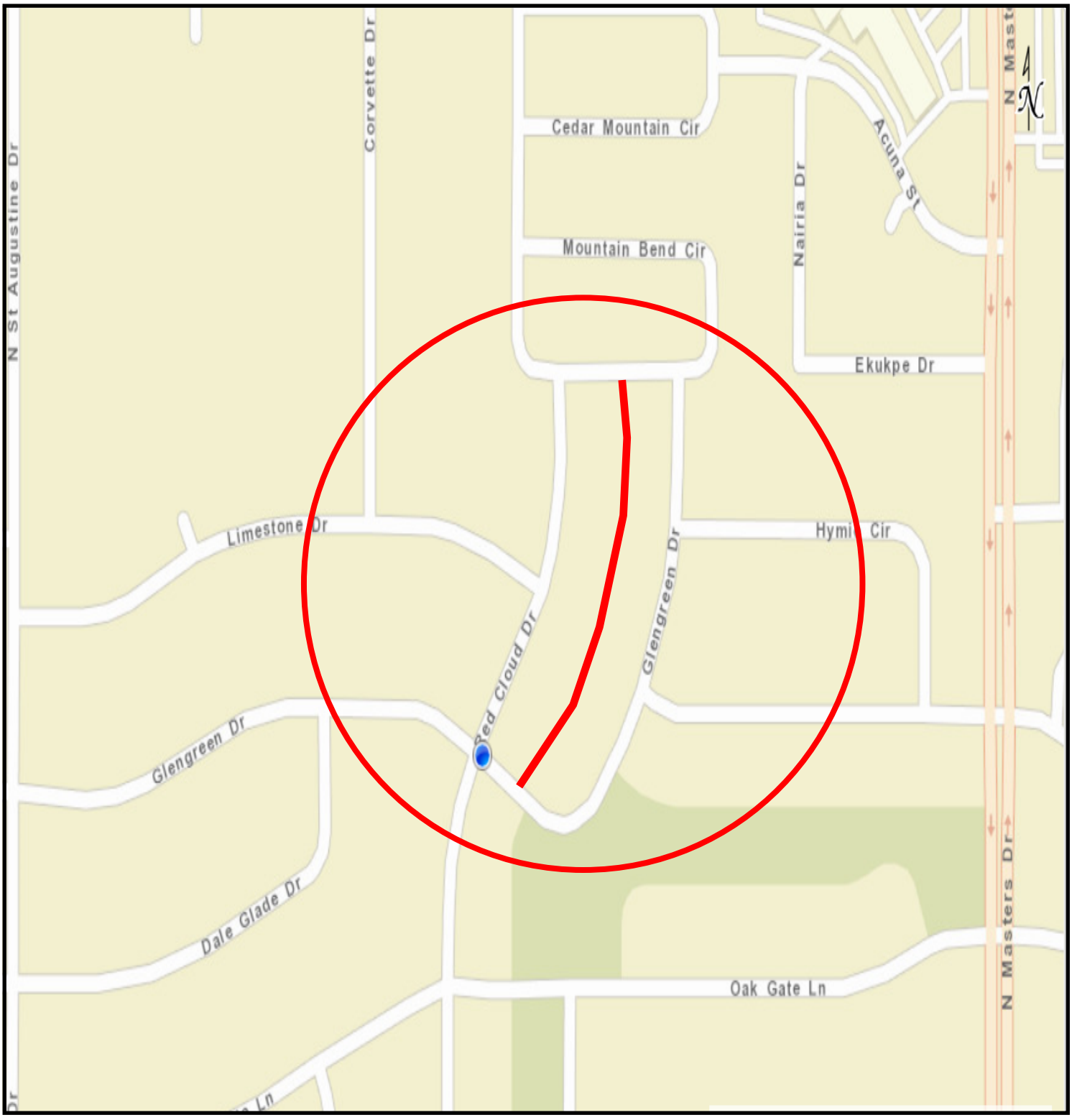
COUNCIL DISTRICT 5

ALLEY RECONSTRUCTION
1611 - 1727 RED CLOUD DRIVE & 9704 - 9780 FAIRCLOUD DRIVE



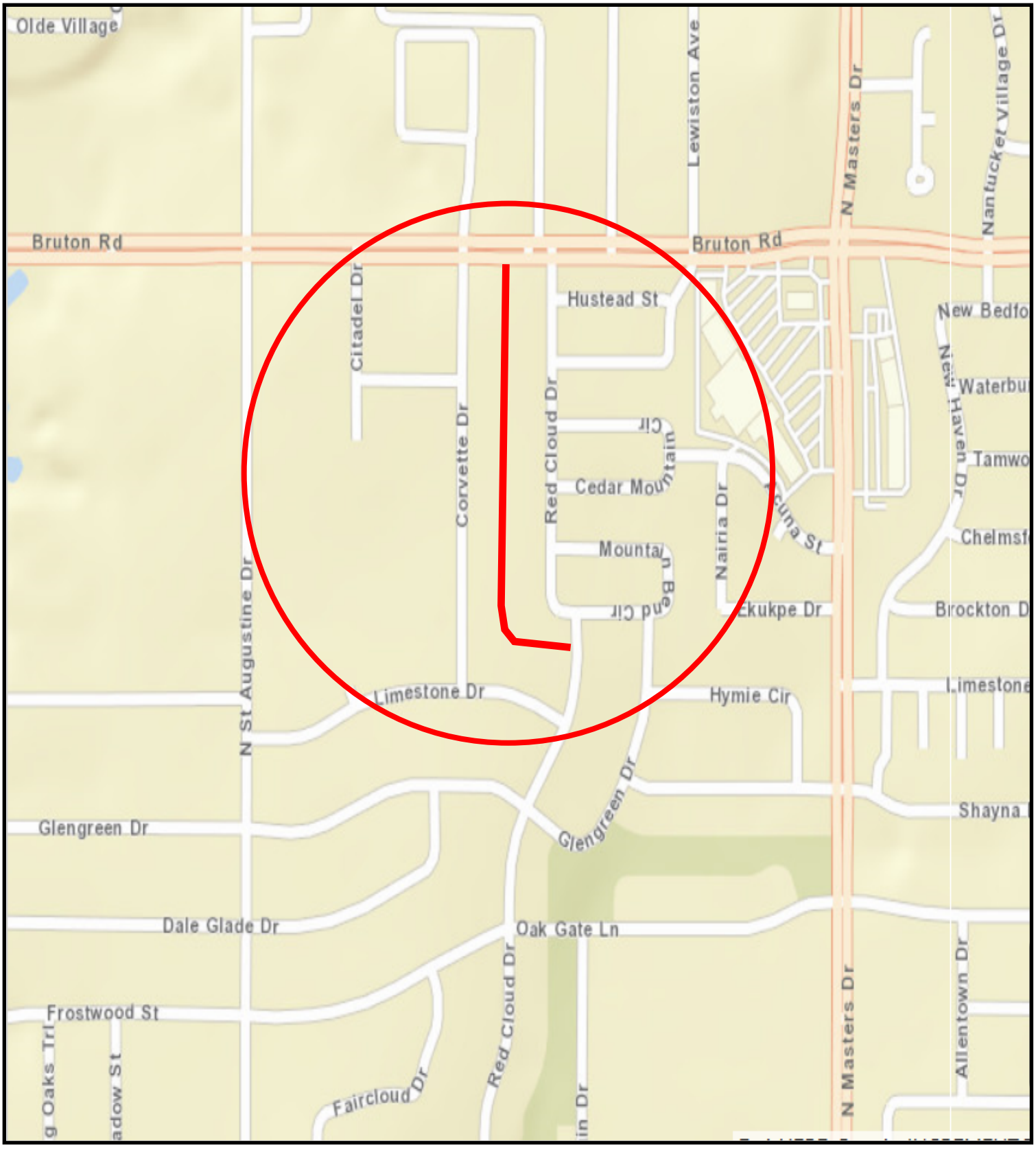
COUNCIL DISTRICT 5

ALLEY RECONSTRUCTION
1830 - 1886 RED CLOUD DRIVE & 9803 - 9851 GLENGREEN DRIVE



COUNCIL DISTRICT 5

ALLEY RECONSTRUCTION
1885 - 2025 RED CLOUD DRIVE & 2002 - 2080 CORVETTE DRIVE



COUNCIL DISTRICT 5

WHEREAS, Binkley & Barfield, Inc. was selected to provide engineering design for Alley Reconstruction Group 17-5005.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a professional services contract with Binkley & Barfield, Inc., approved as to form by the City Attorney, for engineering design services for the indicated projects in an amount not to exceed $257,418.62.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract:

Binkley and Barfield, Inc. for the engineering design of alley reconstruction projects on alleys between: Shayna Drive (10005-10119) and Hymie Circle (10002-10106); Castlerock Drive (10315-10542) and Checota Drive (10315-10529) and Gardenside Drive (1608-1604); Red Cloud Drive (1611-1727) and Faircloud Drive (9704-9780); Red Cloud Drive (1830-1886) and Glengreen Drive (9803-9851); Red Cloud Drive (1885-2025) and Corvette Drive (2002-2080):

Street and Transportation (A) Fund 1V22, Department PBW, Unit V032, Activity AREC Object 4111, Program PB17V032 Encumbrance/Contract No. CX PBW-2018-00007676 Vendor 240395	$ 36,139.62
Street and Transportation (A) Fund 1V22, Department PBW, Unit V033, Activity AREC Object 4111, Program PB17V033 Encumbrance/Contract No. CX PBW-2018-00007676 Vendor 240395	$ 67,114.32
Street and Transportation (A) Fund 1V22, Department PBW, Unit V034, Activity AREC Object 4111, Program PB17V034 Encumbrance/Contract No. CX PBW-2018-00007676 Vendor 240395	$ 54,925.95

SECTION 2 (continued)

Street and Transportation (A) Fund 1V22, Department PBW, Unit V035, Activity AREC Object 4111, Program PB17V035 Encumbrance/Contract No. CX PBW-2018-00007676 Vendor 240395	$ 32,359.44
Street and Transportation (A) Fund 1V22, Department PBW, Unit V036, Activity AREC Object 4111, Program PB17V036 Encumbrance/Contract No. CX PBW-2018-00007676 Vendor 240395	$ 66,879.29
Total amount not to exceed	$257,418.62

SECTION 3. 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.

Agenda Information Sheet

File #: 18-914 **Item #:** 23.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 1

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a construction contract with Johnson Bros. Corporation, a Southland Company, lowest responsible bidder of six, for the construction of the West Davis Street Project from North Clinton Avenue to Cedar Hill Avenue - Not to exceed $3,016,209.50 - Financing: Street and Transportation Improvements Fund (2012 Bond Funds) ($1,356,896.74), Street and Transportation (A) Fund (2017 Bond Funds) ($1,375,320.26) and Capital Projects Reimbursement Fund (Dallas County) ($283,992.50)

BACKGROUND

This action will authorize a contract with Johnson Bros. Corporation, a Southland Company, for the construction of the West Davis Street Project from North Clinton Avenue to Cedar Hill Avenue.

This is a partnership project between the City of Dallas and Dallas County under the 2014 Dallas County Major Capital Improvement Programs. The original project limits were West Davis Street from Zang Boulevard to Montclair Avenue and later modified to the West Davis Street Project from North Clinton Avenue to Cedar Hill Avenue due to budgetary constraints.

The scope of the West Davis Street Project from North Clinton Avenue to Cedar Hill Avenue entails sidewalk enhancements and paving improvements which will include asphalt overlay, crosswalks, sidewalks, and barrier free ramps, as well as benches, trash receptacles, lighting and landscaping. The City of Dallas is the lead agency for this project and is responsible for administering the design and construction. The construction is estimated to commence in the winter of 2018 and be completed in late 2019.

Johnson Bros. Corporation, a Southland Company, has had no contractual activities with the City of Dallas for the past three years.

ESTIMATED SCHEDULE OF PROJECT

Began Design	October 2014
Completed Design	March 2018
Begin Construction	December 2018
Complete Construction	December 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 10, 2001, City Council authorized a Master Agreement with Dallas County governing future major capital improvement projects between the City of Dallas and Dallas County by Resolution No. 01-0104.

On April 13, 2011, City Council authorized a new ten-year master agreement governing major transportation capital improvement projects with Dallas County for future transportation projects by Resolution No. 11-0927.

On June 25, 2014, City Council authorized a professional services contract with Salcedo Group, Inc. for the engineering design of streetscape improvements for West Davis Street from Zang Boulevard to Montclair Avenue by Resolution No. 14-1013.

On November 12, 2014, City Council authorized Supplemental Agreement No. 1 to the contract with Salcedo Group, Inc. for additional engineering services along Jefferson Boulevard from Zang Boulevard to Adams Avenue for streetscape improvements by Resolution No. 14-1919.

On August 23, 2017, City Council authorized a Project Specific Agreement with Dallas County for funding participation in the design and construction of sidewalk enhancements and paving improvements for West Davis Street from North Clinton Avenue to Cedar Hill Avenue by Resolution No. 17-1299.

FISCAL INFORMATION

Street and Transportation Improvements Fund (2012 Bond Funds) - $1,356,896.74
Street and Transportation (A) Fund (2017 Bond Funds) - $1,375,320.26
Capital Projects Reimbursement Fund (Dallas County) - $283,992.50

Design - 2012 Bond Fund	$ 256,941.00
Construction (this action)	$3,016,209.50
Total Project Costs	$3,273,150.50

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $

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$3,016,209.50	Construction	25.00%	25.00%	$754,053.00
• This contract meets the M/WBE goal.				

PROCUREMENT INFORMATION

The following six bids with quotes were received and opened on March 30, 2018:

*Denotes successful bidder

Bidders	Bid Amount
* Johnson Bros. Corporation, a Southland Company 608 Henrietta Creek Road Roanoke, TX 76262	$3,016,209.50
Vescorp Construction, LLC.	$3,269,539.00
Joe Funk Construction, Inc.	$4,087,086.50
Gibson & Associates, Inc.	$3,700,022.19
Camino Construction, LP.	$3,903,839.00
Texas Standard Construction, LTD	$5,353,627.90
Original estimate: PBW	$2,598,702.00
Total	$2,598,702.00

OWNER

Johnson Bros. Corporation, a Southland Company

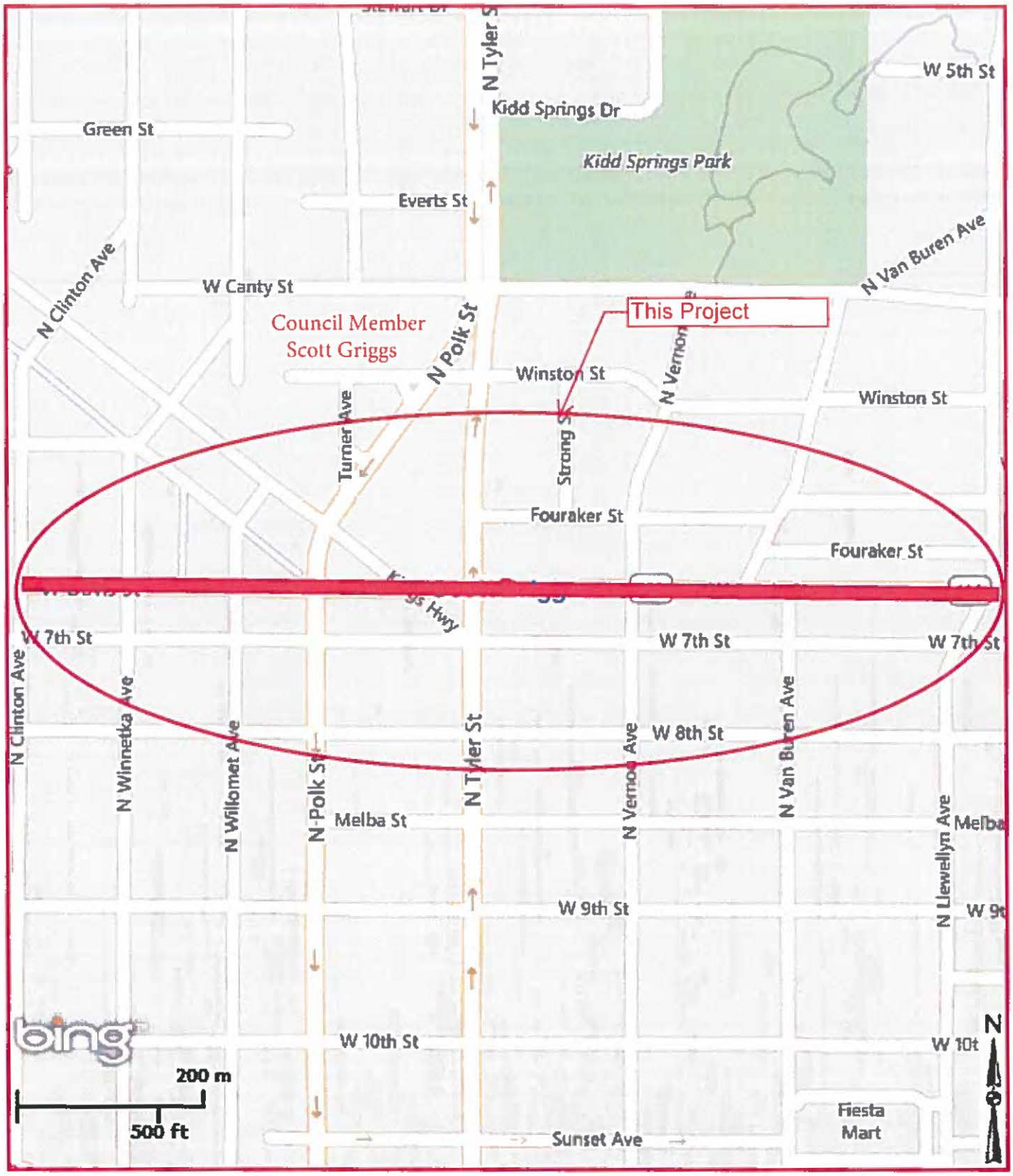
Frank Renda, President

MAP

Attached

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DAVIS STREET FROM N. CLINTON AVENUE TO CEDAR HILL AVENUE



COUNCIL DISTRICT 1

WHEREAS, on January 10, 2001, City Council authorized a Master Agreement with Dallas County governing future major capital improvement projects between the City of Dallas and Dallas County, by Resolution No. 01-0104; and

WHEREAS, West Davis Street from Zang Boulevard to Montclair Avenue was submitted and subsequently selected for implementation in Dallas County's 2014 Major Capital Improvement Program Sixth Call for Projects; and

WHEREAS, on April 13, 2011, City Council authorized a new ten-year master agreement governing major transportation capital improvement projects with Dallas County for future transportation projects, by Resolution No. 11-0927; and

WHEREAS, the City of Dallas is the lead agency for administering the design and construction of the West Davis Street Project from Zang Boulevard to Montclair Avenue; and

WHEREAS, Dallas County has agreed to participate with the project costs in an amount not to exceed $840,000; and

WHEREAS, on June 25, 2014, City Council authorized a professional services contract with Salcedo Group, Inc. for the engineering design of streetscape improvements for West Davis Street from Zang Boulevard to Montclair Avenue, in an amount not to exceed $299,881.00, by Resolution No. 14-1013; and

WHEREAS, due to budgetary constraints, it became necessary to modify the original project limits from the West Davis Street Project from Zang Boulevard to Montclair Avenue to the West Davis Street Project from North Clinton Avenue to Cedar Hill Avenue; and

WHEREAS, on November 12, 2014, City Council authorized Supplemental Agreement No. 1 to the contract with Salcedo Group, Inc. for additional engineering services along Jefferson Boulevard from Zang Boulevard to Adams Avenue for streetscape improvements in an amount not to exceed $207,920, increasing the contract from $299,881 to $507,801, by Resolution No. 14-1919, and

WHEREAS, on August 23, 2017, City Council authorized a Project Specific Agreement with Dallas County for funding participation in the design and construction of sidewalk enhancements and paving improvements for the West Davis Street Project from North Clinton Avenue to Cedar Hill Avenue, in amount not to exceed $840,000 by Resolution No.17-1299; and

WHEREAS, six bids were received March 30, 2018, for the construction of the West Davis Street Project from North Clinton Avenue to Cedar Hill Avenue, as follows:

Johnson Bros. Corporation, a Southland Company	$3,016,209.50
Vescorp Construction, LLC.	$3,269,539.00
Joe Funk Construction, Inc.	$4,087,086.50
Gibson & Associates, Inc.	$3,700,022.19
Camino Construction, LP	$3,903,839.00
Texas Standard Construction, LTD	$5,353,627.90

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a construction contract with Johnson Bros. Corporation, a Southland Company, approved as to from by the City Attorney, for the construction of the West Davis Street Project from North Clinton Avenue to Cedar Hill Avenue, in an amount not to exceed $3,016,209.50, this being the lowest responsive bid received as indicated by the tabulation of bids.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $3,016,209.50 to Johnson Bros. Corporation, a Southland Company, in accordance with the terms and conditions of the contract as follows:

Street and Transportation Improvements Fund Fund 4U22, Department PBW, Unit S405, Activity CPST Object 4510, Program PB12S405 Encumbrance/Contract No. CX PBW-2018-00006813 Vendor VS93045	$1,356,896.74
Capital Projects Reimbursement Fund Fund 0556, Department PBW, Unit S405, Activity CPST Object 4510, Program PB12S405 Encumbrance/Contract No. CX PBW-2018-00006813 Vendor VS93045	$283,992.50
Street and Transportation (A) Fund 1V22, Department PBW, Unit V135, Activity INGV Object 4510, Program PB17V135 Encumbrance/Contract No. CX PBW-2018-00006813 Vendor VS93045	$1,375,320.26
Total amount not to exceed	$3,016,209.50

SECTION 3. 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.

Agenda Information Sheet

File #: 18-950 **Item #:** 24.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a construction services contract for the removal and replacement of the existing Federal Pacific switchgear and the existing Uninterruptable Power Supply system at Dallas City Hall located at 1500 Marilla Street - Schneider Electric Buildings Americas, Inc., most advantageous proposer of three - Not to exceed $2,771,536.00 - Financing: City Facilities (H) Funds (2017 Bond Funds)

BACKGROUND

This action will authorize a construction services contract with Schneider Electric Buildings Americas, Inc. to remove and replace the medium-voltage Federal Pacific switchgear and to remove and replace the Uninterruptable Power Supply (UPS) system located at City Hall. These panels are no longer considered code compliant and are past the end of the manufacturer's recommended useful life.

Schneider Electric Buildings Americas, Inc. was identified through a Request for Competitive Sealed Proposals process as best qualified proposer of three for the construction services contract to remove and replace the electrical switchgear and UPS system at Dallas City Hall located at 1500 Marilla Street. A bid alternate was also included in the scope of work to add limited cooling tower operation required during City Hall emergency operations.

The three proposals submitted for this project were reviewed by the Selection Committee, in their evaluation, and the bidders' price, qualifications, experience, and responsiveness were considered. Schneider Electric Buildings Americas, Inc. was selected in accordance with the City of Dallas procurement guidelines.

The following chart illustrates Schneider Electric Buildings Americas, Inc.'s contractual activities with the City of Dallas for the past three years.

	PBW	DWU	PKR	TWM
Projects Completed	1	0	0	0
Change Orders	0	0	0	0
Projects Requiring Liquidated Damages	0	0	0	0
Projects Completed by Bonding Company	0	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Notice to Proceed issued to Contractor	December 2018
Begin Construction	January 2019
Complete Construction (est.)	October 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on October 22, 2018.

FISCAL INFORMATION

City Facilities (H) Funds (2017 Bond Funds) - $2,771,536.00

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$2,771,536.00	Construction	25.00%	45.88%	$1,271,660.00
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

The following three proposals were received and opened on August 24, 2018.

The proposers were ranked as follows:

*Denotes successful proposer

Proposer	Base Bid	Alternate Bid
*Schneider Electric	$2,514,636	$256,900
Dal-Ec Construction	$2,170,858	$173,857
Prater Electric	$1,633,000	$112,000

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OWNER

Schneider Electric Buildings Americas, Inc.

Jean-Pascal Tricoire, Chairman and Chief Executive Officer

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WHEREAS, the existing Federal Pacific switchgear at City Hall is no longer Code Compliant per the current National Electric Code and is past the manufacturer's suggested service life; and

WHEREAS, the existing City Hall Uninterruptable Power Supply (UPS) system operates on outdated technology, and is also past the manufacturer's suggested service life; and

WHEREAS, the 2017 Bond Program approved by the City of Dallas included removal and replacement of these systems; and

WHEREAS, three Request for Competitive Sealed Proposals were received and opened on August 24, 2018 and reviewed by a Selection Committee on September 6, 2018; and

WHEREAS, Schneider Electric Buildings Americas, Inc. was selected by the Selection Committee as the most qualified proposer to be awarded the construction services contract; and

WHEREAS, it is now desirable to authorize a construction services contract with Schneider Electric Buildings Americas, Inc. for the removal and replacement of the Federal Pacific switchgear and the existing Uninterruptable Power Supply system at Dallas City Hall located on 1500 Marilla Street, in an amount not to exceed $2,771,536.00.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a construction services contract with Schneider Electric Buildings Americas, Inc., approved as to form by the City Attorney, for the removal and replacement of the Federal Pacific switchgear and the existing Uninterruptable Power Supply system at Dallas City Hall located on 1500 Marilla Street, in an amount not to exceed $2,771,536.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from City Facilities (H) Fund (2017 Bond Funds), Funds 1V60, Department EBS, Unit VH05, Activity EB01, Object 4310, Program No. EB17VH05, Encumbrance/Contract No. CX PBW-2018-00007887, Vendor 261927, in an amount not to exceed $2,771,536.00.

SECTION 3. 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.

Agenda Information Sheet

File #: 18-966 **Item #:** 25.

STRATEGIC PRIORITY: Public Safety

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 8

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Jon Fortune

SUBJECT

Authorize a thirty nine-year lease agreement, with two ten-year renewal options, with EdCor Health Initiatives for approximately 3.733 acres of City-owned land located at 1900 Wheatland Road to be used for the development, use and operation of an integrated health clinic for the period November 1, 2018 through October 31, 2057 - Financing: No cost consideration to the City

BACKGROUND

This item authorizes a thirty nine-year lease agreement, with two ten-year renewal options, with EdCor Health Initiatives for approximately 3.733 acres of City-owned land located at 1900 Wheatland Road. This lease will provide for a community medical clinic.

EdCor Health Initiatives (EdCor) is a 501(c)3 organization that was formed as a result of the growing demand for behavioral health initiatives in the Education Corridor of Southern Dallas. The Education Corridor is one of the Mayor's targeted areas in Southern Dallas, bounded geographically on the west by the University of North Texas at Dallas and on the east by Paul Quinn College.

EdCor intends to develop a new facility to house multiple tenants that, together, will occupy the facility on a long-term basis. EdCor believes a concentrated focus on innovation, preventative care that integrates mental health care in a primary center setting is a solution that can encourage people to seek treatment in a lower risk setting, empower people to effectively treat chronic health and mental health conditions; and present a more cost-effective approach than using our jail, emergency rooms and law enforcement as mental health care providers.

The lease agreement will (i) require the non-profit organization to use the property in a manner that primarily promotes a public purpose of the municipality; and (ii) provide for the termination of the lease agreement if at any time the Property is not used for the public purpose intended.

Public purposes of the clinic will include a solution to the following:

- The need for primary health care service in the targeted area (75241 zip code).
- The need to address the highest volume of mental health crisis calls through the South-Central Police Station.
- The lack of preventative outreach programs and ongoing behavioral & mental health treatment south of I-30.

EdCor shall coordinate and work with City's Police Department in its design and construction planning to include up to 2,000 square feet of leasable space for City's exclusive operations.

Upon completion and opening of the integrated health clinic, EdCor shall maintain operations on the Property in accordance with the authorized public purpose, and/or cause third-party sublessees to operate for a use of the premises to achieve the public purpose agreed to by the parties and authorized by City Council.

On April 23, 2018, representatives from Neighbor Up, UT Southwestern, Meadows Mental Health Police Institute, UNT Dallas, TH+A Architects, and Paul Quinn College in collaboration briefed the information to the Public Safety and Criminal Justice Committee regarding a new model focused on the collapse of primary, mental and behavioral healthcare and access to education in southern Dallas.

On June 25, 2018, representatives from EdCor IHC, Christie Myers (Project Manager), Dr. Trivedi (Board Member and UT Southwestern MD) and Tillie Borchers (GrowSouth Fund) briefed the Public Safety and Criminal Justice Committee on an update on the clinic and fiscal information.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Public Safety and Criminal Justice Committee was briefed on April 23, 2018.

The Public Safety and Criminal Justice Committee was briefed on June 25, 2018.

FISCAL INFORMATION

No cost consideration to the City.

Fixed monthly rental payments during the term shall be $1,733.33 which shall escalate every ten years by the aggregate of the Consumer Price Index for the prior ten years, not to exceed 15%, and shall be discounted by (i) EdCor's total consideration cost to provide the City with at least 2,000 square feet of leasable space within the Premises amortized over the lease term, (ii) plus the monthly cost to EdCor to provide the City space rent free and at no maintenance and operation cost to the City. The rental obligation will be reconciled on a monthly basis in arrears.

OWNER

EdCor Health Initiatives

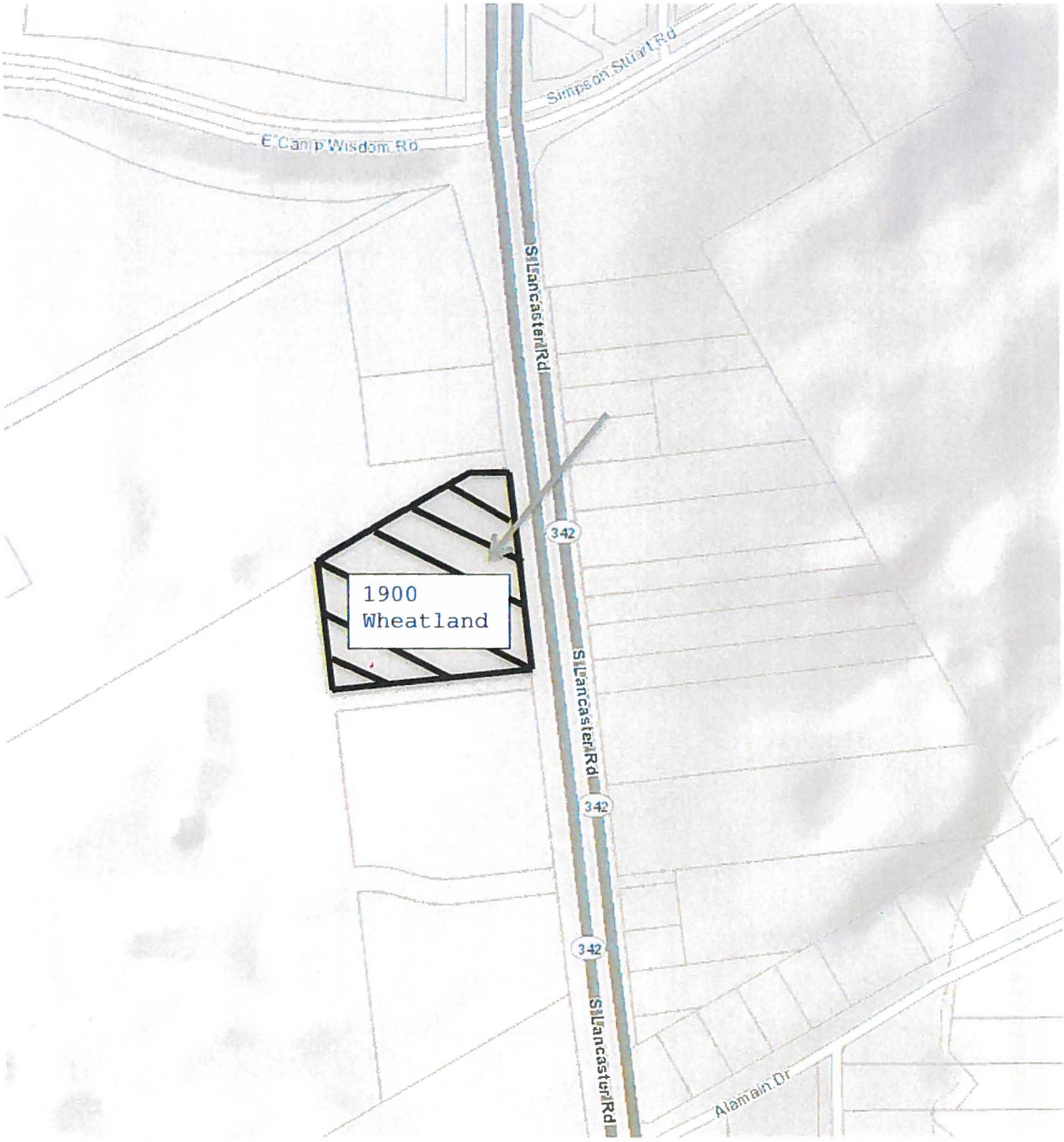
Todd C. Howard, President

MAP

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Attached

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BLOCK: 6886

SUBJECT PROPERTY: 1900 Wheatland Rd

N

October 24, 2018

WHEREAS, the City of Dallas ('City") is the owner of a tract of land containing approximately 3.73 acres of land, being in Block 6886, Dallas, Dallas County, Texas, (the "Land"), and is located near the intersection of South Lancaster and East Camp Wisdom Roads; and

WHEREAS, City recognizes: (i) the lack of primary health care services in the 75241 zip code area of South Dallas; (ii) the need to address mental health crisis calls and the recurrence of the highest volume of mental health crisis calls through the South Central Police Station; and (iii) the lack of preventative outreach programs and ongoing behavioral and mental health treatment south of I-30 HWY; and

WHEREAS, (i), (ii) and (iii) listed above hereinafter referred to as the "South Dallas Health Care Deficit"; and

WHEREAS, City seeks to establish as a public purpose the promotion and development of community medical facilities to address the South Dallas Health Care Deficit and promote better medical and behavioral health and welfare for its municipal residents and enable the provision of primary health care and outreach services, including behavioral and mental health treatment, health education, and targeted outreach programs ("City's public purpose"); and

WHEREAS, EdCor Health Initiatives ("EdCor"), is a validly existing non-profit organization exempt from federal taxation under Section 501(c)(3), Internal Revenue Code 1986, as amended, and has requested City ground lease the Land to EdCor for development, use, and operation of a community medical and behavioral health clinic (the "Improvements") to serve the City's public purpose as further described below; and

WHEREAS, the Land and Improvements shall constitute the Premises; and

WHEREAS, for and in consideration of a lease agreement ("Lease") between the parties that (i) requires the non-profit organization to construct the Improvements, use, and operate the Premises in a manner that promotes the City's public purpose, and (ii) provides that if the Section 501(c)(3) non-profit organization at any time fails to use the Premises in that manner, the City may terminate the Lease, after notice and opportunity to cure; and other salient terms as provided hereinbelow, the City is willing to lease the Land to EdCor; and

WHEREAS, the City further desires to lease the Land to EdCor at a discounted rent, in consideration for EdCor's sublease to the City, at no cost to the City, of up to 2,000 square feet of leaseable space within the Premises for City's exclusive use to operate a related services or public safety office within the Premises (the "City space"); and

WHEREAS, EdCor is willing to lease the Land, to serve the City's public purpose, and (i) construct the Improvements; (ii) endeavor to establish the Premises as a resource for clinical education for students from, but not limited to University of North Texas Dallas ("UNT"), Paul Quinn College and Dallas County Community College District ("DCCCD"); (iii) endeavor to create pathways for community engagement with health

and mental wellness; and (iv) endeavor to pursue Initiatives aimed to reduce referrals to juvenile justice, jail and local emergency rooms for non-violent mental health crisis, in addition to behavioral health services and related facilities, programs and services by EdCor.

Now, Therefore,

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

SECTION 1. That the City hereby identifies (i) the lack of primary health care services in the 75241 zip code area of South Dallas; (ii) the need to address mental health crisis calls and the recurrence of the highest volume of mental health crisis calls through the South Central Police Station; and (iii) the lack of preventative outreach programs and ongoing behavioral and mental health treatment south of I-30 HWY, collectively (i), (ii) and (iii) as listed hereinafter referred to as the "South Dallas Health Care Deficit".

SECTION 2. That the City hereby establishes as a public purpose the promotion and development of community medical facilities to address the South Dallas Health Care Deficit and promote better medical and behavioral health and welfare for its municipal residents and enable the provision of primary health care and outreach services, including behavioral and mental health treatment, health education, and targeted outreach programs (hereinafter the "City's public purpose").

SECTION 3. That the City Manager, upon approval as to form by the City Attorney and attested by the City Secretary, is hereby authorized to execute a ground lease agreement (the "Lease") between EdCor, a Texas non-profit corporation, or its successor and assigns, as lessee hereinafter referred to as "EdCor" or "Lessee", and the City of Dallas, as lessor, hereinafter referred to as "City", for approximately 3.733 acres of land located at 1900 Wheatland Road, Dallas, Dallas County, Texas (the "Land") to be used for the construction and operation of a community medical and behavioral health clinic campus (the "Improvements") to serve the City's public purpose, collectively the Land and Improvements being the "Premises".

SECTION 4. That the special terms and conditions of the Lease include the following:

a) The Lease is for a term of thirty-nine (39) years, beginning November 1, 2018 and ending October 31, 2057, with two (2), ten (10) year extension options at the election and approval of the City Council; and

b) Fixed monthly rental payments during the term shall be $1,733.33 which shall escalate every ten (10) years by the aggregate of the Consumer Price Index for the prior ten years, not to exceed fifteen percent (15%). Notwithstanding the above rental payments, during the term of the lease monthly rental payments shall be discounted by (i) EdCor's total consideration cost to provide the City with up to 2,000 square feet of leasable space ("City space") within the Premises amortized over the lease term, (ii) plus the monthly cost to EdCor to provide the City space rent free and at no maintenance and operation cost

to the City during the lease term; provided however City shall be responsible to provide for its own telephone communications, and security within the City space. The parties agree to reconcile EdCor's rental obligation on monthly basis in arrears. Regardless of consideration, City will not incur any costs for subleasing the City space, except as set forth herein. By the way of illustration, EdCor shall deliver the statement of monthly operational cost incurred in the City space for any given month (i.e. January) and such monthly cost shall thereafter be discounted from EdCor's rental obligation due in the month that follows (i.e. February). In the event City terminates its sublease in the City space, EdCor, its successors and assigns reasonably approved by the City, shall thereafter be responsible for rental payments due under the Lease, provided however such rental payments shall abate during any period that the City space remains untenanted by lessee; and

c) EdCor or its successor and assigns reasonably approved by the City, shall use the Premises in a manner that serves the City's public purpose, including specifically, EdCor shall (i) construct, maintain and operate the Improvements to provide mental health and primary care services in Southern Dallas; (ii) endeavor to establish the Premises as a resource for clinical education for students from, but not limited to, UNT Dallas, Paul Quinn College and DCCCD; (iii) endeavor to create pathways for community engagement with health and mental wellness; and (iv) endeavor to pursue initiatives aimed to reduce referrals to juvenile justice, jail and local emergency rooms for non-violent mental health crisis, in addition to behavioral health services and related facilities, programs and services on the Premises; and

d) EdCor shall, at its sole cost and expense and without any City funding of any kind, commence construction of one or more mixed use buildings that will total approximately 40,000 square footage (the "Improvements"), and shall open operations on the Premises as evidenced by issuance of a certificate of occupancy sufficient for endeavoring to provide healthcare and other related services to serve the City's public purpose, within thirty-six (36) months of City Council approval, subject to force majeure and other unavoidable delays; and

e) EdCor shall operate for the public purpose within the Premises; more specifically, EdCor shall maintain operations on the Premises, and/or cause third-party sublessees to operate a use within the Premises, to achieve the City's public purpose. Any closure or temporary cessation of operations, to avoid a termination of the lease, shall be (i) coordinated and subject to a schedule approved by the City and (ii) ensure that any actions by EdCor and/or its successor and assigns reasonably approved by the City does not materially alter, amend, or discontinue said public purpose use without the prior written consent of the City which should not be unreasonably withheld; and

f) The Land will be leased in its then current "AS IS" condition without warranty, express or implied, and EdCor shall be responsible for undertaking all necessary inspections, investigations, renovations, and improvements, including without

limitation any environmental issues; more specifically, EdCor shall prior to lease commencement be granted a 90-day inspection period (the "Inspection Period") to conduct such diligence investigation with respect to the Land as it shall desire including Phase I and Phase II environmental studies, pursuant to a reasonable right of entry acceptable to the City. EdCor shall pay all costs for such investigations and other inspections conducted during the Inspection Period; and

g) At all times during the lease term, EdCor will maintain its status as a non-profit organization exempt from federal taxation under Section 501(c)(3), Internal Revenue Code 1986, as amended; and

h) EdCor shall have no right to assign, encumber or convey the lease or sublease the Premises contrary to the public purpose without the prior written consent of City which should not be unreasonably withheld; and

i) EdCor and City acknowledge that it is the intent of EdCor to utilize new market tax credits ("NMTC") for funding of the construction of improvements. To the extent EdCor secures NMTC, the City agrees that it shall upon EdCor's written request and presentation of NMTC financing execute a Non-Disturbance and Attornment agreement in form approved by the City Attorney, in favor of the NMTC and effective for the duration of the new market tax credit compliance period to allow NMTC lender, to assume EdCor's position in the event of a default that would otherwise cause the City's termination rights to be operational; and

j) EdCor shall pay all taxes on the Premises during the lease term; and

k) EdCor agrees that City shall have the right of first lease to any available space within the Premises if the City determines that it has need for leasable space greater than 2,000 square feet. City shall notify EdCor with its request for additional space if available on terms negotiated by the parties; and

l) EdCor shall at all times during the term of the lease, maintain in full force and effect adequate insurance, including without limitation worker's compensation, liability and builder's risk insurance, on the Premises, in such form and amounts as, City shall reasonably require, subject to City's risk management department review and approval. In the event of fire and other casualty loss, EdCor shall promptly repair, restore, and rebuild the Premises to at least its pre-loss condition provided the availability of adequate insurance proceeds, subject to a reasonable period to complete negotiation of a loss claim with its insurer and complete all required repairs to restore the Premises. Failure to repair, restore, or rebuild the Premises to a condition deemed suitable by the City to maintain the public purpose shall constitute a lease default and may cause a termination of the Lease; and

m) The Lease shall be subject to a use restriction ("Use Restriction") limiting the use of the Premises to the construction, maintenance, and operation of the Improvements as set forth in accordance with the terms described in subparagraphs (c) and (e) above; and

n) During the term of the Lease, the Lease shall be subject to the City's right of termination and a right of reentry in favor of the City enforcing the Use Restriction; and

o) The Lease will be subject to any and all covenants, conditions, reservation, restrictions, exceptions, easements, rights-of-way, mineral interest, mineral leases, or other instruments of record in the official real property records for the county where the Premises are located effective as to the Premises, or any part thereof, and any and all visible and apparent easements and encroachments, whether of record or not impacting the Premises; and

p) The Lease will be subject to a reservation by the City of floodway, flood control, drainage or levee easements as reasonably deemed necessary, appropriate or convenient by the City; and

q) The Lease will be subject to such other terms, conditions waivers and disclaimers as the City deems necessary, convenient or appropriate.

SECTION 5. Without limiting any of the foregoing, the Lease shall be subject to the following rights in favor of the City:

a) City shall have a right to elect to operate a related services or public safety office within the Premises, in the space allocated for the City's use by agreement of the parties. Provided City notifies EdCor of City's election to operate an office, Edcor shall coordinate and work with the City's Department of Public Safety in its design and construction planning to include up to 2000 square feet of leasable space for City's exclusive operations (previously defined as "City space"). EdCor, or its assignee, shall be City's Sublandlord and shall build the City's space, as planned, coordinated and agreed to by the parties, at EdCor's sole cost and expense. EdCor, or its assignee, shall comply with applicable federal, state, and local laws, ordinances and regulations, including but not limited to applicable building codes, Dallas City Code and the American with Disabilities Act. EdCor shall be solely responsible for obtaining and maintaining necessary permits, licenses, consents, etc. for construction and operations at the Premises.

b) Additional sublease terms shall include the following:

(i) The City space leasehold improvements shall be performed in a good and workmanlike and in compliance with applicable Building and Fire Codes, including but not limited to the American with Disabilities Act, and shall be to the reasonable satisfaction of the City's Chief of Police, or her/his designee. Notwithstanding anything herein to the contrary, City reserves the right to terminate its sublease of City space by notice to Sublandlord, and City shall not be liable to Sublandlord for any costs associated with the leasehold improvements. City shall provide three (3) months advance notice to Sublandlord of City's election to terminate the sublease. In such

event, Sublandlord shall thereafter be responsible for ground rent due under the ground lease between Sublandlord and City, provided however such ground rent shall abate during any period that City space remains untenanted by Sublandlord.

(ii) Sublandlord shall pay all charges and initial connection charges for electric, water, sewer, and gas to City space.

(iii) Sublandlord shall pay all charges for sanitation and janitorial services to City space, including providing adequate trash facilities.

(iv) Sublandlord shall be responsible for improvements, repairs and maintenance to City space, at no cost to City.

(v) Sublandlord shall be responsible for the installation, maintenance and expense of any outdoor signage for the benefit of City space.

(vi) Sublandlord shall provide City with as-built plans and a Certificate of Occupancy for City space.

(vii) Sublandlord shall be responsible to pay all taxes on City space.

(viii) Sublandlord shall provide City with reserved parking spaces, number to mutually agreed to upon completion of Improvements.

(ix) Sublandlord agrees at its cost to repair and maintain all equipment and systems, including, but not limited to, all electrical, mechanical and plumbing systems, including heating and air conditioning equipment, (elevator), front and rear doors, light fixtures and bulb replacements, plumbing and floor drains, exhaust fans, windows, interior walls, ceiling and floors in, constituting a part of and/or servicing City space and further agrees that it shall be in good working order and condition upon delivery of City space to City.

(x) Sublandlord, at its cost and expense, shall maintain in good repair the roof, foundation, exterior walls, exterior lighting, termites and pest extermination, parking areas and all public and common areas of and/or serving City space during the Lease Term.

(xi) Sublandlord also at its cost and expense shall maintain in good repair the roof, foundation, exterior walls, exterior lighting, termites and pest extermination, parking areas and all public and common areas of and/or serving the Premises during the Lease Term.

(xii) Sublandlord shall, at Sublandlord's expense, repaint and/or touch-up paint interior walls as needed through-out City space, on or before (3 years from City's opening of City space), during the 3rd year of this lease.

(xiii) City agrees to give Sublandlord notice of defects and any need for repairs to the City space and to provide Sublandlord with a reasonable opportunity to make such repairs.

(xiv) City shall take good care of City space and permit no waste; and City shall not make leasehold improvements to City space without the prior written consent of Sublandlord, which consent shall not be unreasonably withheld. All leasehold improvements to be made by City, shall be made in good and workmanlike manner. City shall be responsible to repair all damages to the City space caused by its gross negligence.

Such other terms and conditions as the parties agree are necessary, convenient or appropriate

SECTION 6. That the Chief Financial Officer is hereby authorized to receive and deposit funds from the lease in General Fund, Fund 0001, Department DEV, Unit 1181, Revenue Code 8410.

SECTION 7. That this resolution is designated for City purposes as Contract No. DEV-2018-00007643.

SECTION 8. 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.

APPROVED AS TO FORM:
Christopher J. Caso, Interim City Attorney

By: _____
Assistant City Attorney

Agenda Information Sheet

File #: 18-812 **Item #:** 26.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A resolution declaring approximately 5,155 square feet of City-owned undevelopable land unwanted and unneeded, located in Dallas County near the intersection of Sandy Lake Road and President George Bush Turnpike; and authorizing its sale to NHC-TX103, LLC, the abutting owner - Revenue: $6,444.00

BACKGROUND

This item will declare approximately 5,155 square feet of City-owned undevelopable land unwanted and unneeded, located in Dallas County near the intersection of Sandy Lake Road and President George Bush Turnpike; and authorizing its sale to NHC-TX103, LLC, the abutting owner, to allow for the use of the existing encroachment. The land cannot be used independently under the current zoning or under applicable subdivision or other development control ordinances and should be sold only to the abutting owner.

This property will be conveyed with a reservation of all oil, gas and other minerals in and under the property.

The purchase price is based on an independent appraisal. This property will return to the tax rolls upon conveyance.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be presented to the Mobility Solutions, Infrastructure & Sustainability Committee on October 22, 2018.

FISCAL INFORMATION

Revenue: $6,444.00

OWNER

NHC-TX103, LLC

David Napp, Director

MAP

Attached

powered by Legistar™



SURPLUS PROPERTY:

1999 Sandy Lake Rd – Elm Fork Water Treatment Plant West Addition
Approx. 5,155 square feet

N

October 24, 2018

WHEREAS, the City of Dallas is the owner of a tract of land containing approximately 5,155 square feet of land, located in the Preston Witt Survey, Abstract No. 1566, the City of Carrollton, Dallas County, Texas, (the "Property"); and being more fully described in Exhibit "A" attached herein and incorporated by reference, which is no longer needed for municipal use; and

WHEREAS, the tract is a narrow strip of land, that because of its shape, lack of access to public roads, and small area, cannot be used independently under its current zoning or under applicable subdivision or other development control ordinances, and may be sold without public bid to the abutting owner; and

WHEREAS, NHC-TX103, LLC, the abutting property owner, proposes to purchase said property at fair market value.

Now, Therefore,

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

SECTION 1. That upon receipt of **SIX THOUSAND FOUR HUNDRED FOURTY FOUR AND NO/100 DOLLARS ($6,444.00)** from NHC-TX103, LLC, the City Manager or designee is authorized to execute a Deed Without Warranty, to be attested by the City Secretary upon approval as to form by the City Attorney for approximately 5,155 square feet of land located in the Preston Witt Survey, Abstract No. 1566 , the City of Carrollton, Dallas County, Texas and located near the intersection of Sandy Lake Road and President George Bush Turnpike. The Deed Without Warranty is subject to the conditions contained in Section 2.

SECTION 2. That the Deed Without Warranty shall provide that the conveyance to NHC-TX103, LLC (**"GRANTEE"**) is subject to the following:

(a) reservation by the City of Dallas of all oil, gas and other minerals in and under the property with a waiver of surface access rights relating to said minerals; and

(b) any visible and apparent easements and any encroachments whether of record or not; and

(c) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases or other instruments of record and applicable to the property or any part thereof; and

(d) to the maximum extent allowed by law, (i) **GRANTEE** is taking the Property "AS IS, WHERE IS, WITH ALL FAULTS"; (ii) **GRANTOR** disclaims responsibility as to the accuracy or completeness of any information relating

to the Property; (iii) **GRANTEE** assumes all responsibility to examine all applicable building codes and zoning ordinances to determine if the Property can be used for the purposes desired and to check for outstanding or pending code enforcement actions including but not limited to repair or demolition orders; and (iv) **GRANTOR** expressly disclaims and **GRANTEE** expressly waives, any warranty or representation, express or implied, including without limitation any warranty of condition, habitability, merchantability or fitness for a particular purpose of the Property; and

(e) **GRANTOR** makes no representations of any nature regarding the Property and specifically disclaims any warranty, guaranty or representation, oral or written, express or implied, past, present, or future, concerning: (i) the nature and condition of the Property, including without limitation, the water, soil and geology, and the suitability thereof and the Property for any and all activities and uses which **GRANTEE** may elect to conduct thereon, and the existence of any environmental substances, hazards or conditions or presence of any endangered or protected species thereon or compliance with all applicable laws, rules or regulations; (ii) the nature and extent of any right-of-way, lease, possession, lien, encumbrance, license, reservation, condition or otherwise; (iii) the compliance of the Property or its operation with any law, ordinance or regulation of any federal, state, or local governmental authority; and (iv) whether or not the Property can be developed or utilized for any purpose or purposes hereof, "environmental substances" means the following: (a) any "hazardous substance" under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C.A. Section 9601 et. seq., as amended, (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, Tex. Water Code, Section 26.261, et. seq., as amended, (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubrication oils, (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C.A. Section 651 et. seq., as amended, (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C.A. Section 6901 et. seq., as amended, (f) asbestos, (g) polychlorinated biphenyls, (h) underground storage tanks, whether empty, filled, or partially filled with any substance, (i) any substance, the presence of which is prohibited by federal, state or local laws and regulations; and (j) any other substance which by federal, state or local laws and regulations requires special handling or notification of governmental authorities in its collection, storage, treatment or disposal. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder; and

(f) such other terms and requirements of the sale and/or disclaimers as the City deems necessary, convenient or appropriate.

SECTION 3. That the sale proceeds shall be deposited into the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011, and any remaining proceeds shall be transferred to the Water Utilities Current Fund, Fund 0100, Department DWU, Unit 7005, Revenue Code 8416.

SECTION 4. That if a title policy is desired by **GRANTEE**, same shall be at the expense of said **GRANTEE**.

SECTION 5. That the sale shall be subject to standby fees, taxes and assessments, if any, by any taxing authority for the year of closing and subsequent years and assessments by any taxing authority for prior years due to changes in land usage or ownership, the payment of said standby fees, taxes and assessments being assumed by grantee.

SECTION 6. That the procedures required by Section 2-24 of the Dallas City Code that are not required by state law concerning the sale of unneeded real property are waived with respect to this tract of land.

SECTION 7. That this resolution is also designated for City purposes as Contract No. DEV-2018-00007689.

SECTION 8. 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.

APPROVED AS TO FORM:
CHRISTOPHER J. CASO, Interim City Attorney

BY: _____
Assistant City Attorney

Exhibit A

ESTABLISHED 1880

BROOKES BAKER SURVEYORS

A PROFESSIONAL CORPORATION
TITLE AND TOPOGRAPIC SURVEYING
930 Hickey Court
Granbury, Texas 76049
817-279-0232
Fax 817-279-9694
TBPLS FIRM NO. 10092800

ALAN W. HICKEY, RPLS
GAREY W. GILLEY, RPLS, LSLS
CONSULTANT

BROOKES BAKER (1902-1955)
JOHN F. BAKER (1924-1985)
S.J. BAKER (1927-1999)
FRED M. MORRIS (1936-1999)
DON W. HICKEY (1966-2012

Field Notes for City of Dallas Surplus Property Between Lot 1, Block 1 ELM FORK WATER TREATMENT PLANT WEST ADDITION and NHC-TX 103, LLC Tract, Preston Witt Survey, Abstract No. 1566:

A part of the Preston Witt Survey, Abstract No. 1566 and a part of the David H. Nix Survey, Abstract No. 1092, situated in the City of Carrollton in Dallas County, Texas and embracing the land lying between Lot 1, Block 1 ELM FORK WATER TREATMENT PLANT WEST ADDITION recorded as Instrument No. 201500043403 in the Official Public Records Dallas County, Texas, and the 18-3536/10000 acres Tract (18-35/100 acres tract) described in Warranty Deed to NHC-TX103, LLC recorded in instrument No. 20070251945 of the said Official Public Records.

Beginning at a Railroad Rail found for the southwest corner of the said 18-35/ 100 acres tract and the westerly northwest corner of said Lot 1 Block 1 ELM FORK WATER TREATMENT PLANT WEST ADDITION in an easterly line of the President George Bush Toll road.
Thence north 89 degrees- 18 minutes- 05 seconds east, along the south line of said 18-35/100 acres tract, 825-00/100 feet to a 5/8-inch iron rod capped "BROOKES BAKER SURVEYORS" set for the southeast corner of said 18-35/100 acres tract.
Thence north 00 degrees- 31 minutes- 55 seconds west, along the east line of said 18-35/100 acres tract, 976-22/100 feet to a 5/8-inch iron rod capped "BROOKES BAKER SURVEYORS" for the northeast corner of said 18-35/100 acres tract.
Thence south 89 degrees- 04 minutes- 17 seconds east 3- 45/100 feet to the northerly west line of said Lot 1 Block 1 ELM FORK WATER TREATMENT PLANT WEST ADDITION, from whence an ½ inch iron rod in concrete found for the northwest corner of said Lot 1 bears north 00 degrees 34 minutes 36 seconds west 30-60/100 feet.
Thence south 00 degrees- 34 minutes- 36 seconds east, along the said northerly west line of Lot 1 Block 1 ELM FORK WATER TREATMENT PLANT WEST ADDITION, 979- 60/100 feet to a re-entrant corner of said Lot 1.
Thence south 89 degrees- 32 minutes- 14 seconds west, along a westerly north line of said Lot 1 Block 1 ELM FORK WATER TREATMENT PLANT WEST ADDITION, 829- 21/100 feet to the place of beginning and containing 5155 square feet or 0- 11/100 of an acre.

Prepared from Survey January 2017

BROOKES BAKER SURVEYORS

Garey W. Gilley

STATE OF TEXAS
REGISTERED
GAREY W. GILLEY
1767
PROFESSIONAL
LAND SURVEYOR

(For SPRG use only)

Reviewed by: A. Rodriguez

Date: 7/13/18

SPRG No. 4536

GAP IN TITLE
5153 SQUARE FEET OR
0-118/1000 OF AN
ACRE

D.R.D.C.T. DEED RECORDS DALLAS COUNTY TEXAS

O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS DALLAS COUNTY TEXAS

VOL. VOLUME

PG. PAGE

ALL 5/8" CAPPED IRONS SET ARE STAMPED "BROOKES BAKER SURVEYORS"

Exhibit A

SANDY LAKE ROAD
(VARIABLE WIDTH RIGHT-OF-WAY)

1/2" IRON FOUND IN CONCRETE NW CORNER OF LOT 1 BLOCK 1 ELM FORK WATER TREATMENT PLANT WEST ADDITION

5/8" CAPPED IRON SET FOR THE NORTHEAST CORNER OF 18-3536/10000 ACRES TRACT FROM WHICH A 1/2" CAPPED IRON FOUND FOR THE SOUTHEAST CORNER OF THE 0-4782/10000 OF AN ACRE TRACT BEARS S89°04'17"E 3.43'

S89°04'17"E 3.45'

30.60'

N00°34'36"W

979.60'
S00°34'36"E

LOT 1
BLOCK 1
ELM FORK
WATER
TREATMENT
PLANT WEST
ADDITION
INSTRUMENT NO.
201500043403
O.P.R.D.C.T.

4.8'

3.4'

City of Dallas Surplus Property situated between Lot 1 Block 1 ELM FORK WATER TREATMENT PLANT ADDITION, and NHC-TX 103, LLC Tract situated in the DAVID H. NIX SURVEY, Abstract No. 1092, and the PRESTON WITT SURVEY, Abstract No. 1566 in the City of Carrollton, Dallas County, Texas.
We marked the corners as shown hereon. The basis for bearings is the Texas Coordinate System of 1983 North Central Zone 4202 NAD 83 (2011). The lengths shown hereon are horizontal ground lengths. Surveyed on the ground in January, 2017.
BROOKES BAKER SURVEYORS

SLOPE EASEMENT
TO
CITY OF CARROLLTON
VOL. 2003065, PG. 10356
D.R.D.C.T.

53.19 ACRES
TRACT
TO
CITY OF DALLAS
VOLUME 3401,
PAGE 495
D.R.D.C.T.

18.3536 ACRES TRACT
TO
NHC-TX103, LLC.
INSTRUMENT NO. 20070251945
O.P.R.D.C.T.

VARIABLE
WIDTH
DRAINAGE
EASEMENT
TO
CITY OF
CARROLLTON
VOL. 98039,
PG. 1556
D.R.D.C.T.

**DAVID H.
NIX
SURVEY
ABSTRACT
NO. 1092**

STATE OF TEXAS
REGISTERED
GAREY W. GILLEY
1767
PROFESSIONAL
LAND SURVEYOR

**PRESTON WITT SURVEY
ABSTRACT NO. 1566**

NOTE: EASEMENTS IF ANY ARE NOT SHOWN.

N00°31'55"W
976.22'
SURVEY LINE
979.60'
S00°34'36"E

CHAINLINK FENCE

LOT 1
BLOCK 1
ELM FORK
WATER
TREATMENT
PLANT WEST
ADDITION
INSTRUMENT NO.
201500043403
O.P.R.D.C.T.

53.19 ACRES
TRACT
TO
CITY OF DALLAS
VOLUME 3401,
PAGE 495
D.R.D.C.T.

PRESIDENT GEORGE BUSH TOLL ROAD
(VARIABLE WIDTH RIGHT-OF-WAY)

5155 SQUARE
FEET OR
0-118/1000
OF AN ACRE

RAILROAD RAIL FOUND FOR THE SOUTHWEST CORNER OF 18-3536/10000 ACRES TRACT AND THE NORTHWEST CORNER OF 102 ACRES TRACT AND FOR THE MOST WESTERLY NORTHWEST CORNER OF LOT 1 BLOCK 1 ELM FORK WATER TREATMENT PLANT WEST ADDITION

18.3536 ACRES TRACT
TO
NHC-TX103, LLC.
INSTRUMENT NO. 20070251945
O.P.R.D.C.T.

3.9'

6.1'

825.00'
N89°18'05"E

PLACE OF BEGINNING
ACCOMPANYING DESCRIPTION

829.21'
S89°32'14"W

5/8" CAPPED IRON SET

CHAINLINK FENCE

TRACT LINE

VARIABLE WIDTH
DRAINAGE EASEMENT
TO
CITY OF CARROLLTON
VOL. 98039, PG. 1556
D.R.D.C.T.

LOT 1
BLOCK 1
ELM FORK WATER TREATMENT
PLANT WEST ADDITION
INSTRUMENT NO. 201500043403
O.P.R.D.C.T.
102 ACRES TRACT
TO
CITY OF DALLAS
VOLUME 73129, PAGE 1064
D.R.D.C.T.

(FOR SPRG USE ONLY)
REVIEWED BY: A.Rodriguez
DATE: 7/13/18
SPRG NO. 4536

NOT TO SCALE

BROOKES BAKER SURVEYORS
930 HICKEY COURT
GRANBURY, TEXAS 76049
(817) 279-0232
FAX (817) 279-9894
alanh@brookesbakersurveyors.com
TBPLS FIRM No. 10092800

Agenda Information Sheet

File #: 18-835 **Item #:** 27.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 6, 7, 14

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A resolution **(1)** declaring twelve properties unwanted and unneeded and authorizing their sale by public auction (list attached to the Agenda Information Sheet); **(2)** authorizing a Purchase and Sale Agreement to be prepared for each auctioned surplus property receiving the highest qualified bid that is sold absolute; and **(3)** waving the minimum reserve amount - Estimated Revenue: $946,060.00

BACKGROUND

This item declares twelve properties unwanted and unneeded and authorizing their advertisement for sale by public auction. These properties have been routed to City departments and outside agencies to determine whether any had a need for the properties.

Texas Local Government Code Section 253.008 authorizes municipalities to sell real properties owned by the municipality at an advertised public auction. Section 272.001 states fair market value may be determined by the highest bid price obtained by a municipality at an advertised auction.

All properties will be advertised for sale by public auction with a reservation of all oil, gas and other minerals in and under the properties and a restriction prohibiting the placement of industrialized housing.

Upon receipt of the highest qualified bid sold absolute, a Purchase and Sale Agreement, approved as to form by the City Attorney, will be prepared for the highest bidder. Staff will ensure the highest bidders are qualified to bid and be awarded the properties. All properties will be sold by Deed Without Warranty, approved as to form by the City Attorney.

These properties will return to the tax rolls upon conveyance

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on October 22, 2018.

FISCAL INFORMATION

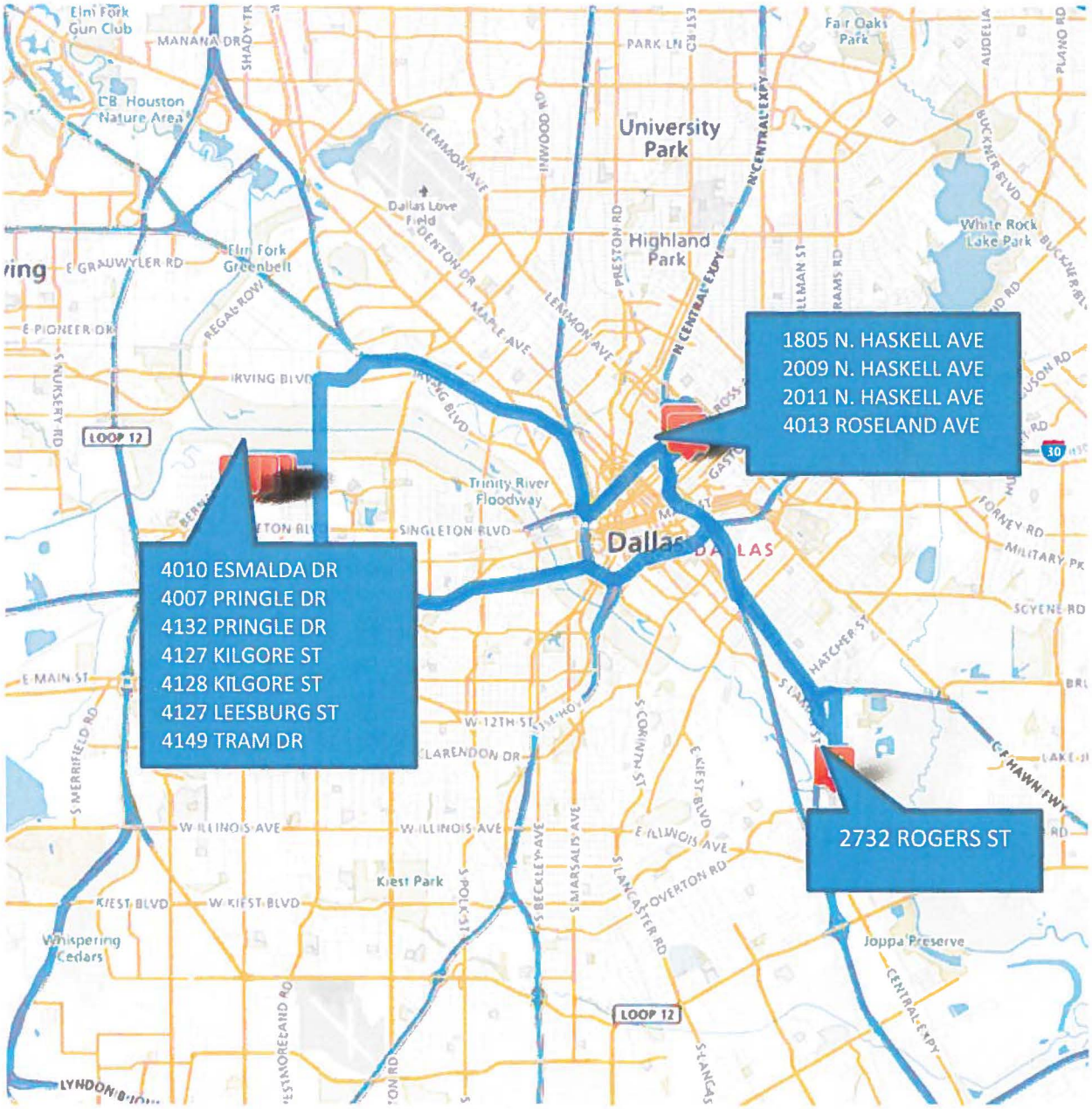
Estimated Revenue: $946,060.00

MAP

Attached

powered by Legistar™

	CITY-OWNED PROPERTY	MAPSCO	COUNCIL DISTRICT	SQ. FT OR ACREAGE	BLOCK	ZONING	DCAD ASSESSED VALUE
	UNIMPROVED LAND						
1	4010 ESMALDA DR	43E	6	0.114	7150	R-5(A)	$12,000.00
2	1805 N HASKELL AVE	45D	14	157	0602	CR	$274,000.00
3	2009 N HASKELL AVE	45D	14	0.143	0608	CR	$156,250.00
4	2011 N HASKELL AVE	45D	14	0.143	0608	CR	$156,250.00
5	4127 KILGORE ST	43E	6	0.114	7155	R-5(A)	$12,000.00
6	4128 KILGORE ST	43E	6	0.114	7155	R-5(A)	$12,000.00
7	4127 LEESBURG ST	43E	6	0.114	7155	NO(A)	$12,000.00
8	4007 PRINGLE DR	43E	6	0.114	7150	R-5(A)	$12,000.00
9	4132 PRINGLE DR	43E	6	0.114	7150	R-5(A)	$12,000.00
10	2732 ROGERS ST	56M	7	0.102	7075	PD-595	$1,560.00
11	4013 ROSELAND AVE	45D	14	157	0602	CR	$274,000.00
12	4149 TRAM DR	43E	6	0.114	7155	R-5(A)	$12,000.00
							$946,060.00



SUBJECT PROPERTIES

October 24, 2018

WHEREAS, the City of Dallas ("City") is the owner of twelve (12) tracts of land located in the City of Dallas, Dallas County, Texas as described on Exhibit "A", attached herein and incorporated by reference, and which are no longer needed for municipal use; and

WHEREAS, said City properties are currently developable and may be disposed of by public auction in accordance with the provisions of Section 2-24.1 of the Dallas City Code, which requires a minimum reserve amount be established, and Sections 253.008 and 272.001 of the Texas Local Government Code, as amended; and

WHEREAS, pursuant to Section 2-24.1(e) of the Dallas City Code, the procedures required by Section 2-24.1 of the Dallas City Code that are not required by state law may be waived; and

WHEREAS, the minimum reserve amount provided for in Section 2-24.1(b) of the Dallas City Code is not required for the sale of property by public auction to proceed pursuant to Section 253.008 and Section 272.001 of the Texas Local Government Code which instead provide that the City may sell its property by public auction where the highest bid received reflects the fair market value of the property; and

WHEREAS, pursuant to Section 2-24.1(e) of the Dallas City Code, in accordance with certain procedures, the City recommends the minimum reserve amount requirement of Section 2-24.1(b) of the Dallas City Code be waived and the sale of said City properties be authorized to instead proceed by public auction without a minimum reserve amount, pursuant to Section 2-24.1 of the Dallas City Code and to Section 253.008 and Section 272.001 of the Texas Local Government Code, where the highest bid received reflects the fair market value of the property.

Now, Therefore,

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

SECTION 1. That the City-owned properties listed on Exhibit "A", attached herein and incorporated by reference are declared unwanted and unneeded by the City Council, that the minimum reserve amount requirement of Section 2-24.1 (b) of the Dallas City Code is hereby waived for the sale of these properties, and the properties are to be advertised for sale and sold by public auction pursuant to law Section 2-24.1 of the Dallas City Code and Sections 253.008 and Section 272.001 of the Texas Local Government Code, without a minimum reserve and where the highest bid received reflects the fair market value of the properties.

SECTION 2. That the Director of Sustainable Development and Construction is authorized to advertise these properties listed on Exhibit "A" for sale by public auction and upon conclusion of the advertising period, conduct the public auction as authorized herein.

SECTION 3. That the advertisement of the properties shall state:

(a) that the sale shall be by Deed Without Warranty in a form approved by the City Attorney;

(b) that the sale shall be subject to the terms, covenants, conditions, reservations, restrictions and exceptions of this authorizing resolution, including without limitation the following:

(i) a restriction prohibiting the placement of industrialized housing on the property;

(ii) reservation by the City of Dallas of all oil, gas and other minerals in and under the property with a waiver of surface access rights relating to said minerals;

(iii) any and all visible and apparent easements and encroachments, whether of record or not;

(iv) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases, or other instruments of record and applicable to the property or any part thereof; and

(v) standby fees, taxes and assessments, if any, by any taxing authority for the year of closing and subsequent years and assessments by any taxing authority for prior years due to changes in land usage or ownership, the payment of said standby fees, taxes, and assessments being assumed by **GRANTEE**.

(c) that, to the maximum extent allowed by law, the sale shall be strictly on an "AS IS, WHERE IS, WITH ALL FAULTS" basis;

(d) that as a material part of the consideration for the sale, the grantee and the City shall acknowledge and agree and provided in any relevant instrument that, to the maximum extent allowed by law, (a) **GRANTEE** is taking the property "AS IS, WHERE IS, WITH ALL FAULTS", (b) the City disclaims responsibility as to the accuracy or completeness of any information relating to the property, (c) **GRANTEE** assumes all responsibility to examine all applicable building codes and zoning ordinances to determine if the property can be used for the purposes desired and to check for outstanding or pending code enforcement actions including but not limited to repair or demolition orders, and (d) the City expressly disclaims and grantee expressly waives, any warranty or representation, express or implied, including without limitation any warranty of condition, habitability, merchantability or fitness for a particular purpose of the property. Without limiting

the foregoing, the City makes no representations of any nature regarding the property and specifically disclaims any warranty, guaranty or representation, oral or written, express or implied, past, present, or future, concerning: (i) the nature and condition of the property, including without limitation, the water, soil and geology, and the suitability thereof and the property for any and all activities and uses which grantee may elect to conduct thereon, and the existence of any environmental substances, hazards or conditions or presence of any endangered or protected species thereon or compliance with all applicable laws, rules or regulations; (ii) the nature and extent of any right-of-way, lease, possession, lien, encumbrance, license, reservation, condition or otherwise; (iii) the compliance of the property or its operation with any law, ordinance or regulation of any federal, state, or local governmental authority; and (iv) whether or not the property can be developed or utilized for any purpose. For purposes hereof, "environmental substances" means the following: (a) any "hazardous substance" under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C.A. Section 9601 et. seq., as amended, (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, Tex. Water Code, Section 26.261, et. seq., as amended, (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubrication oils, (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C.A. Section 651 et. seq., as amended, (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C.A. Section 6901 et. seq., as amended, (f) asbestos, (g) polychlorinated biphenyls, (h) underground storage tanks, whether empty, filled, or partially filled with any substance, (i) any substance, the presence of which is prohibited by federal, state or local laws and regulations, and (j) any other substance which by federal, state or local laws and regulations requires special handling or notification of governmental authorities in its collection, storage, treatment or disposal. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated; and

(e) such other terms and requirements of the sale and/or disclaimers as the City deems necessary, convenient or appropriate.

SECTION 4. That, upon the conclusion of the public auction that has been advertised and conducted pursuant to Section 2-24.1 and state law, as applicable, the highest qualified bid received at such auction for each listed surplus property shall be deemed the sales price and shall be conclusive of the fair market value of such property and shall be accepted by the City.

SECTION 5. That the City Manager or designee is authorized to execute a Purchase and Sales Agreement, approved as to form by the City Attorney, to be entered into with

respect to each such surplus property between the City and the highest qualified bidder for such property at such advertised public auction.

SECTION 6. That, upon receipt of the consideration from the highest bidder, the City Manager or designee is authorized to execute a Deed Without Warranty to be attested by the City Secretary, and other miscellaneous closing documents upon approval as to from by the City Attorney.

SECTION 7. That the sale proceeds shall be deposited into the General Fund, Fund 0001, Department DEV, Balance Sheet 0519, and Department of Sustainable Development and Construction, Real Estate Division shall be reimbursed for the cost of obtaining legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department. DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8118.

SECTION 8. That if a title policy is desired by **GRANTEE**, same shall be at the expense of the **GRANTEE**.

SECTION 9. That the sale shall be subject to standby fees, taxes and assessments, if any, by any taxing authority for the year of the closing and subsequent years and assessments by any taxing authority for prior years due to changes in land usage or ownership, the payment of said standby fees, taxes and assessments being assumed by **GRANTEE**.

SECTION 10. 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.

APPROVED AS TO FORM:
CHRISTOPHER J. CASO, Interim City Attorney

BY _____
Assistant City Attorney

EXHIBIT A

	CITY-OWNED PROPERTY	MAPSCO	COUNCIL DISTRICT	SQ. FT OR ACREAGE	BLOCK	ZONING	DCAD ASSESSED VALUE
	UNIMPROVED LAND						
1	4010 ESMALDA DR	43E	6	0.114	7150	R-5(A)	$12,000.00
2	1805 N HASKELL AVE	45D	14	157	0602	CR	$274,000.00
3	2009 N HASKELL AVE	45D	14	0.143	0608	CR	$156,250.00
4	2011 N HASKELL AVE	45D	14	0.143	0608	CR	$156,250.00
5	4127 KILGORE ST	43E	6	0.114	7155	R-5(A)	$12,000.00
6	4128 KILGORE ST	43E	6	0.114	7155	R-5(A)	$12,000.00
7	4127 LEESBURG ST	43E	6	0.114	7155	NO(A)	$12,000.00
8	4007 PRINGLE DR	43E	6	0.114	7150	R-5(A)	$12,000.00
9	4132 PRINGLE DR	43E	6	0.114	7150	R-5(A)	$12,000.00
10	2732 ROGERS ST	56M	7	0.102	7075	PD-595	$1,560.00
11	4013 ROSELAND AVE	45D	14	157	0602	CR	$274,000.00
12	4149 TRAM DR	43E	6	0.114	7155	R-5(A)	$12,000.00
							$946,060.00

Agenda Information Sheet

File #: 18-475 **Item #:** 28.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

An ordinance granting a revocable license to Commissary at 1217 Main, LLC for the use of approximately 80 square feet of land to occupy, maintain and utilize a sidewalk café on a portion of Main Street right-of-way located near the intersection of Main and Field Streets - Revenue: $200.00 annually, plus the $20.00 ordinance publication fee

BACKGROUND

This item grants a revocable license to Commissary at 1217 Main, LLC, for the use of approximately 80 square feet of land to occupy, maintain and utilize a sidewalk café on a portion of Main Street right-of-way located near the intersection of Main and Field Streets. The use of this area will not impede pedestrian or vehicular traffic.

The licensee will indemnify the City and carry general liability insurance naming the City as an additional insured.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on October 22, 2018.

FISCAL INFORMATION

Revenue: $200.00 annually, plus the $20.00 ordinance publication fee

OWNER

Commissary at 1217 Main, LLC

Timothy C. Headington, Manager

MAP

Attached

powered by Legistar™



LICENSE AREA

ORDINANCE NO. _____

An ordinance granting a revocable license to Commissary at 1217 Main, LLC, to occupy, maintain and utilize a portion of Main right-of-way located near the intersection of Main and Field Streets adjacent to City Block 69 within the limits hereinafter more fully described, for the purpose of maintaining and utilizing a sidewalk cafe; providing for the terms and conditions of this license; providing for the annual compensation to be paid to the City of Dallas; providing for payment of the publication fee; and providing an effective date of this license and ordinance.

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

SECTION 1. That a revocable license, hereinafter referred to as "license", subject to the restrictions and conditions of this ordinance, is hereby granted to Commissary at 1217 Main, LLC a Texas limited liability company its successors and assigns, hereinafter referred to as **"GRANTEE"**, to occupy, maintain and utilize for the purpose set out hereinbelow the tract of land described in Exhibit A, hereinafter referred to as "licensed area" which is attached hereto and made a part hereof.

SECTION 2. That this license is granted for a term of five (5) years, unless sooner terminated according to other terms and provisions herein contained.

SECTION 3. That **GRANTEE** shall pay to the City of Dallas the sum of **TWO HUNDRED AND NO/DOLLARS ($200.00)** annually for the license herein granted, said sum to become due and payable on the 2nd day of January each year, in advance, during the term hereof; provided, however, that the first payment due hereunder in the sum of **TWO HUNDRED AND NO/DOLLARS ($200.00)** shall be paid prior to the final passage of this ordinance and shall cover the consideration for 2018. Such consideration shall be in addition to and exclusive of any other taxes or special assessments required by law to be paid by **GRANTEE**. Should **GRANTEE** fail to pay the above stated annual fee within sixty (60) days of the due date, the Director of the Department of Sustainable Development may terminate this license. All sums payable to the City of Dallas hereunder shall be paid to the Chief Financial Officer of the City of Dallas and deposited in General Fund, Fund 0001, Department DEV, Unit 1181, Revenue Code 8200. In the event **GRANTEE's** check

for the license fee is dishonored, **GRANTEE** shall pay to the City a processing fee of $25.00 for each dishonored check. Additionally, all monies owed to the City under this license shall be subject to the assessment of interest at a rate of 10 percent a year from the day after any monies become due until it is paid in full, in accordance with Section 2-1.1 of the Dallas City Code.

SECTION 4. That the licensed area shall be used by **GRANTEE** for the following purpose under the direction of the Director of Department of Sustainable Development and Construction of the City of Dallas: occupy, maintain, and utilize a sidewalk café.

SECTION 5. That this license is subject to the provisions set forth in Exhibit B, attached hereto and made a part hereof.

SECTION 6. That this license is nonexclusive and is made expressly subject and subordinate to the right of the City to use the licensed area for any public purpose. The Governing Body of the City of Dallas reserves the right to terminate and cancel this license, at will, by Resolution passed by said Governing Body. Upon termination, all rights granted hereunder shall thereupon be considered fully terminated and cancelled and the City of Dallas shall not be held liable by reason thereof. Said Resolution shall be final and shall not be subject to review by the Courts. **GRANTEE** shall have the right of cancellation upon giving the City of Dallas sixty (60) days written notice of its intention to cancel, and in either event upon the termination or cancellation by the City or **GRANTEE**, as the case may be, this license shall become null and void and **GRANTEE** or anyone claiming any rights under this instrument shall remove, to the extent required by the Director of Department of Sustainable Development and Construction, any improvements and encroachments from the licensed area at **GRANTEE's** expense. Failure to do so shall subject **GRANTEE** to the provisions contained in Exhibit B, Subsection (a). All work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 7. That the license is subject to the following conditions, terms and reservations:

(a) **GRANTEE** acknowledge, per the Complete Streets Manual adopted by City Council, the minimum sidewalk clear zone is six (6) feet, (a preferred eight (8) to fifteen (15) feet) for unobstructed sidewalk.

(b) **GRANTEE** shall obtain a Right-Of-Way Permit in addition to any other permits they may need and providing the clearance per the Americans with Disabilities Act (ADA) and Texas Department of Licensing and Regulation (TDLR).

SECTION 8. That upon the effectiveness of this ordinance, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a NOTICE OF LICENSE and to file same in the deed records of Dallas County, Texas. Additionally, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a cancellation of Notice of License upon termination by the City or **GRANTEE** and to file such cancellation of Notice of License in the deed records of Dallas County, Texas.

SECTION 9. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 10. That this license may not be assigned without prior written approval from the Director of Department of Sustainable Development and Construction, or designee. Such assignment shall recite that it is subject to the terms, restrictions and conditions contained in this ordinance. The assignee shall deliver evidence of ownership of property abutting the licensed area and a copy of the assignment, along with the assignee's written acceptance of the provisions of this ordinance, to the Director of Department of Sustainable Development and Construction within 10 days of such assignment; said assignment and written acceptance shall be forwarded to the City Secretary of the City of Dallas. Should **GRANTEE** fail to obtain prior written approval for assignment of this license or fail to provide the City of Dallas with the required written acceptance and a copy of the assignment, the Director of Department of Sustainable Development and Construction, or designee, may terminate this license.

SECTION 11. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the fee pursuant to Section 3 of this ordinance, an acceptable certificate of insurance and the fee for publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee, shall deliver to **GRANTEE** the certified copy

of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 12. That this ordinance is designated for City purposes as Contract No. DEV-2018-00006401.

SECTION 13. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
CHRISTOPHER J. CASO,
Interim City Attorney

BY: _____
Assistant City Attorney

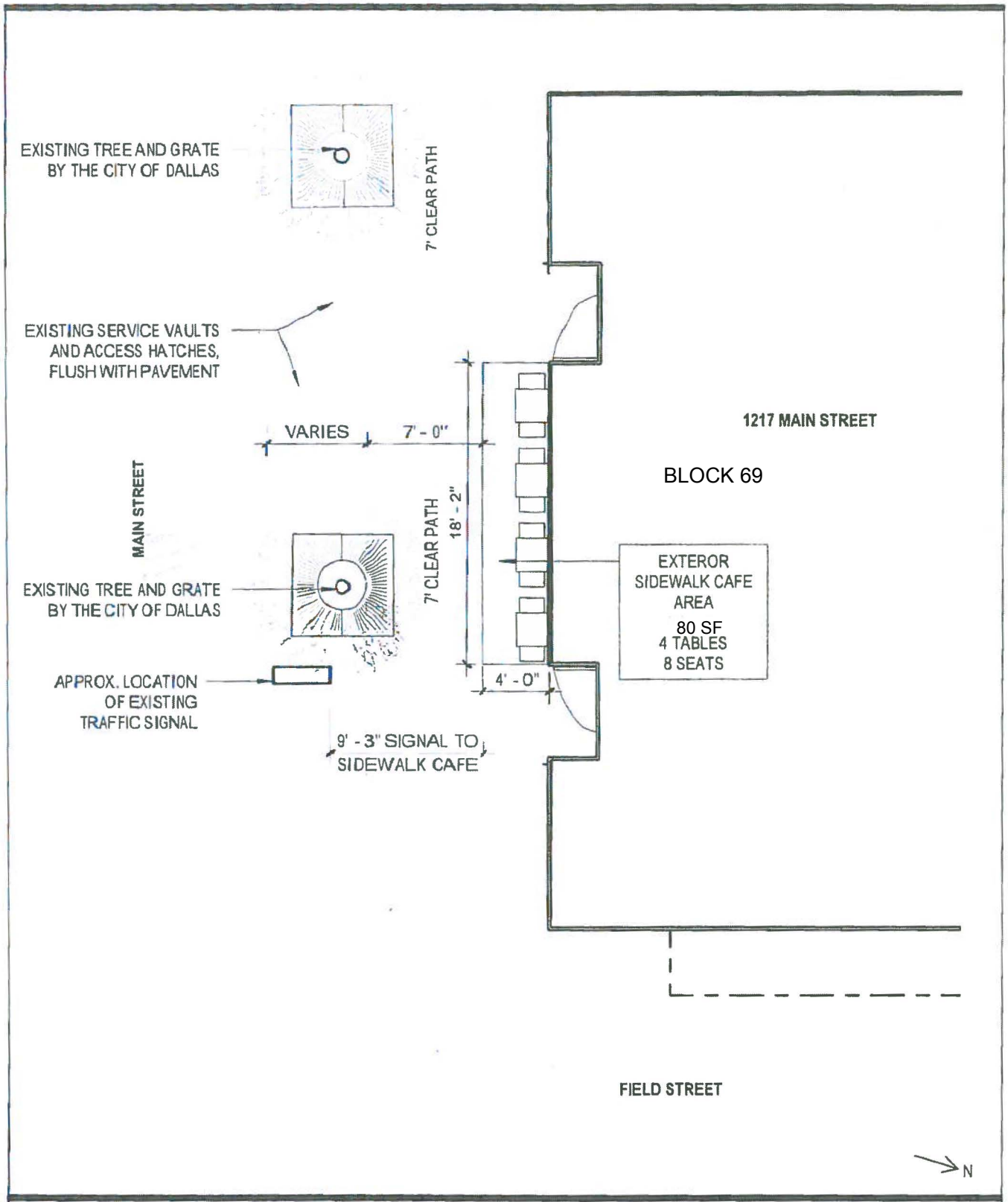
DAVID COSSUM, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

MG/45865

EXHIBIT A



DESCRIPTION:
SIDEWALK CAFE FOR 1217 MAIN STREET

1217 MAIN STREET SIDEWALK CAFE SITE PLAN
SCALE : 1/8" = 1'-0"

A0.0
SKETCH NUMBER

DATE 05.22.18

1217 Main St, Dallas, Texas 75202

EXHIBIT B
COMMERCIAL ENTITY
ADDITIONAL LICENSE PROVISIONS

That this license is granted subject to the following additional conditions, terms and reservations:

(a) That at such time as this license is terminated or canceled for any reason whatsoever, **GRANTEE**, upon orders issued by the City acting through the Director of Sustainable Development and Construction, or designee, shall remove all installations, improvements and appurtenances owned by it situated in, under or attached to the licensed area, and shall restore the premises to its former condition in accordance with the requirements of the Director of Sustainable Development and Construction at the sole cost of **GRANTEE**. In the event, upon termination of this license, **GRANTEE** shall fail to remove its installations, improvements and appurtenances and to restore the licensed area in compliance with orders issued by City, or such work is not done to the satisfaction of the Director of Sustainable Development and Construction, then in either event the City shall have the right to do all work necessary to restore said area to its former condition or cause such work to be done, and to assess the cost of all such work against **GRANTEE**; in neither event shall the City of Dallas be liable to **GRANTEE** on account thereof.

(b) It is further understood that if and when the City of Dallas, in the exercise of its discretion, shall determine that the grade of any street, sidewalk or parkway should be modified or changed, or that any other work should be done in connection with any public improvement which will affect the licensed area, and/or any of **GRANTEE's** installations and improvements thereon, any modifications or changes to **GRANTEE's** facilities in the licensed area or in construction or reconstruction of any public improvement attributable to **GRANTEE's** use of the licensed area and/or its installations and improvements thereon, shall be made at the sole expense of **GRANTEE** and to the satisfaction of the Director of Sustainable Development and Construction.

(c) At such time as this license is granted, it is agreed, and a condition hereof, that **GRANTEE** shall procure and keep in full force and effect **Commercial General Liability Insurance** coverage issued by an insurance company authorized and approved by the State of Texas, acceptable to the City of Dallas and issued in the standard form approved by the Texas Department of Insurance. The insured provisions of this policy must name the City of Dallas as an additional insured protecting the City of Dallas against any and all claims for damages to persons or property as a result of or arising out of the use, operation and maintenance by **GRANTEE** of the licensed area and **GRANTEE's** installations, improvements, landscaping and equipment in connection therewith and located therein. The Commercial General Liability coverage must include, but not limited to, Premises/Operations, Independent Contractors and Contractual Liability with minimum combined bodily injury (including death) and property damage limits of not less than $500,000 per occurrence and $500,000 annual aggregate. This insurance shall also include coverage for underground, explosion and collapse hazards (i.e. not excluded). If this insurance is written on a claims-made form, coverage shall be continuous (by renewal or extended reporting period) for not less than

twelve (12) months following termination of this license and removal of the installations, improvements and appurtenances and restoration of the licensed area pursuant to paragraph (a) above. Coverage, including any renewals, shall contain the same retroactive date as the original policy applicable to this license. The City of Dallas reserves the right to review the insurance requirements set forth herein during the effective term of the license and to adjust insurance coverages and their limits when deemed necessary and prudent by the City of Dallas' Risk Management based upon changes in statutory law, court decisions, or the claims history of the industry as well as the City of Dallas.

1. **GRANTEE** agrees that with respect to the above required insurance, all insurance contracts and certificates of insurance will contain and state, in writing, that coverage shall not be canceled, nonrenewed or materially changed except after thirty (30) days written notice by certified mail to Department of Sustainable Development and Construction.
2. **GRANTEE** shall carry said insurance at its expense and shall furnish the City of Dallas proof of such insurance. In the event said insurance should terminate during the licensing term hereof, or **GRANTEE** fails to furnish proof of insurance coverage in accordance with the specifications as required by this section, the Director of Sustainable Development and Construction, or designee, may terminate the license granted herein.

(d) **GRANTEE** is prohibited from using the licensed area in any manner which violates Federal, State or local laws, regulations, rules and orders, regardless of when they become or became effective, including without limitation, those related to health, safety, noise, environmental protection, waste disposal and water and air quality, and shall provide satisfactory evidence of compliance upon the request of the City of Dallas. Should any discharge, leakage, spillage, emission or pollution of any type occur upon or from the licensed area due to **GRANTEE's** use and occupancy thereof, **GRANTEE**, at its expense, shall be obligated to clean up the licensed area to the satisfaction of the City of Dallas and any governmental body having jurisdiction thereover. The City of Dallas may, at its option, clean the licensed area. If the City of Dallas elects to do so, **GRANTEE** shall promptly pay to the City of Dallas the reasonable cost of such cleanup upon receipt of bills therefore. **GRANTEE** agrees that the indemnity provisions contained in paragraph (g) herein shall be fully applicable to the requirements of this paragraph, in event of **GRANTEE's** breach of this paragraph, or as a result of any such discharge, leakage, spillage, emission or pollution arising out of the **GRANTEE's** use of the licensed area.

(e) This license is subject to all State laws, the provisions of the Charter of the City of Dallas as it now exists, or may hereafter be adopted or amended, and the ordinances of the City of Dallas now in effect or those which may hereafter be passed or adopted. The City of Dallas shall have the right to increase or decrease the compensation to be charged for the use contemplated by this grant in

accordance with the provisions of the Dallas City Code as it now exists, or as may hereafter be adopted or amended.

(f) The Governing Body of the City of Dallas reserves the right, at any time without notice, to terminate and cancel this license, by resolution, upon a finding by the Governing Body that this license is inconsistent with the public use of the property or whenever the purpose or use of the license is likely to become a nuisance and all rights granted hereunder shall thereupon be considered fully terminated and canceled and the City of Dallas shall not be held liable by reason thereof. The decision of the Governing Body of the City in this matter shall be final and binding upon all parties insofar as the City's determination as to whether the **GRANTEE's** use of this license constitutes a nuisance or is inconsistent with the public use of the property.

(g) As a condition hereof, **GRANTEE** agrees and is bound to defend, indemnify and hold the City of Dallas, its officers, agents and employees, harmless against any and all claims, lawsuits, judgments, costs and expenses for bodily injury (including death), property damage or other harm for which recovery of damages is sought, suffered by any person or persons, that may arise out of or be occasioned by the use, occupancy and maintenance of the licensed area or **GRANTEE's** installations and improvements within the licensed area, from any act or omission of any representative, agent, customer and/or employee of **GRANTEE**, or by **GRANTEE's** breach of any of the terms or provisions of this license, or by any negligent or strictly liable act or omission of **GRANTEE**, its officers, agents, employees or contractors in the use, occupancy and maintenance of **GRANTEE's** installations and improvements within the licensed area; except that the indemnity provided for in this paragraph shall not apply to any liability resulting from the sole negligence or fault of the City of Dallas, its officers, agents, employees or separate contractors, and in the event of joint and concurring negligence or fault of both the **GRANTEE** and the City of Dallas, responsibility and liability, if any, shall be apportioned comparatively in accordance with the laws of the State of Texas, without, however, waiving any governmental immunity available to the City of Dallas under Texas law and without waiving any defenses of the parties under Texas law. This obligation to indemnify and defend shall also include any claim for damage that any utility or communication company, whether publicly or privately owned, may sustain or receive by reason of **GRANTEE's** use of the licensed area or **GRANTEE's** improvements and equipment located thereon. In addition to the foregoing, **GRANTEE** covenants and agrees never to make a claim of any kind or character whatsoever against the City of Dallas for damage of any kind that it may suffer by reason of the installation, construction, reconstruction, operation or maintenance of any public improvement, utility or communication facility on the licensed area, whether presently in place or which may in the future be constructed or installed, including but not limited to, any water or wastewater mains or storm sewer facilities, regardless of whether such damage is due to

flooding, infiltration, backflow or seepage caused from the failure of any installation, natural causes, City's negligence, or from any other cause whatsoever.

(h) This license is subject to any existing utilities or communication facilities, including drainage, presently located within the licensed area, owned and/or operated by the City of Dallas or any utility or communications company, public or private, and to any vested rights presently owned by an utility or communications company, public or private, for the use of the licensed area for facilities presently located within the boundaries of said licensed area. It is the intent of the foregoing that this permission herein is made expressly subject to the utilization of the licensed area for communication and utility purposes, both public and private, including drainage, over, under, through, across and along the licensed area. No buildings shall be constructed or placed upon, over or across the licensed area in such a manner as to interfere with the operation of any utilities and communication facilities. All and any communication company and utility, both public and private, shall have the right to remove and keep removed all or parts of any buildings which may in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems within the licensed area. All communication companies and utilities, both public and private, shall have the full right to remove and keep removed all parts of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance and efficiency of its respective system and shall at all times have the full right of ingress and egress to or from and upon the licensed area for the purpose of constructing, relocating, inspecting, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity at any time of procuring the permission of anyone.

Agenda Information Sheet

File #: 18-918 **Item #:** 29.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 13

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

An ordinance abandoning a portion of a floodway easement to William Keith Martin and Alyssa Griggs Martin, the abutting owners, containing approximately 1,813 square feet of land, located near the intersection of Inwood Road and Lakehill Court - Revenue: $5,400.00, plus the $20.00 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of a floodway easement to William Keith Martin and Alyssa Griggs Martin, the abutting owners. The area will be included with the property of the abutting owners for the construction of a residential swimming pool. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code, therefore, no appraisal is required.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on October 22, 2018.

FISCAL INFORMATION

Revenue - $5,400.00, plus the $20.00 ordinance publication fee

OWNERS

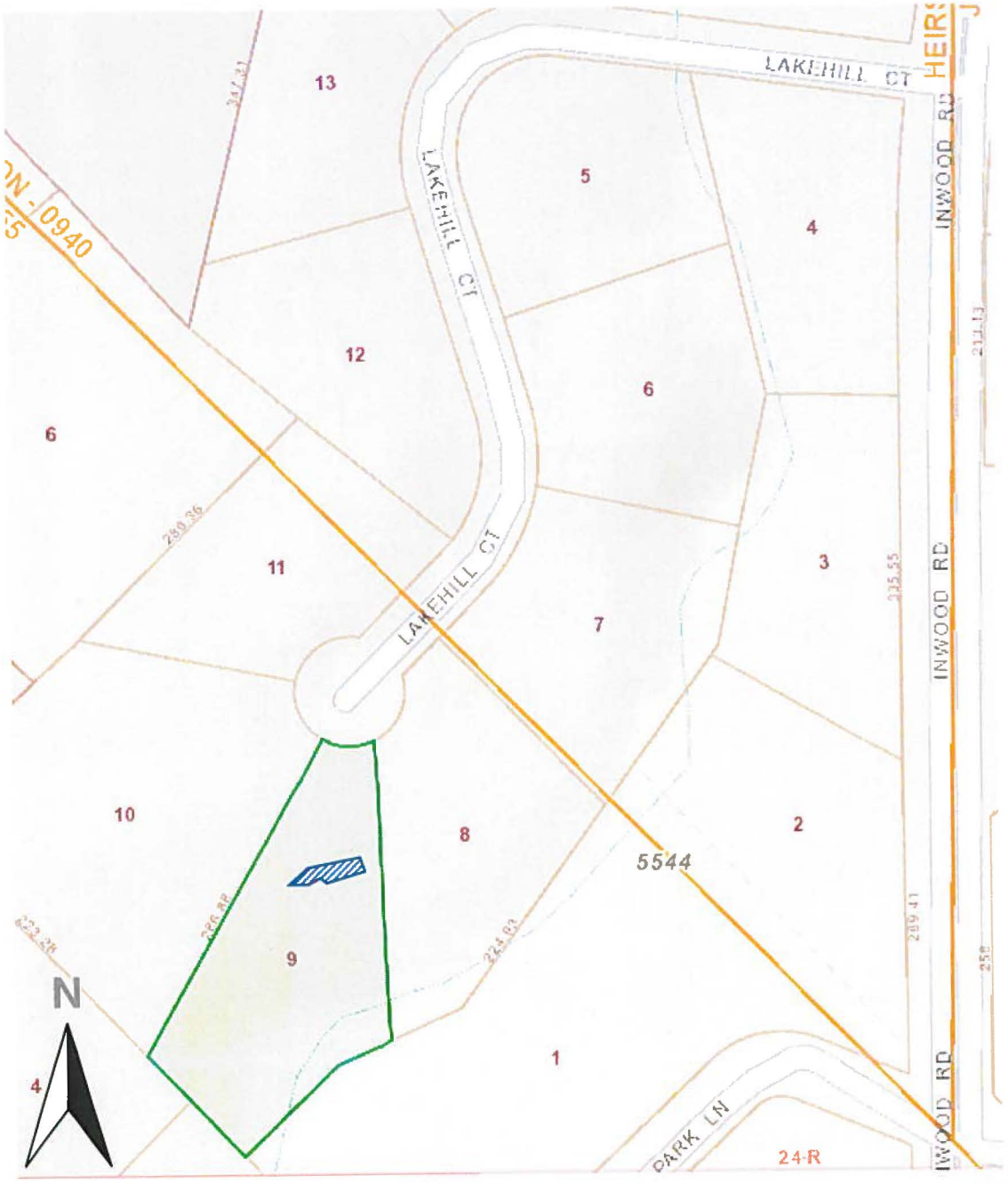
William Keith Martin

Alyssa Griggs Martin

MAP

Attached

powered by Legistar™



Abandonment area:

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of a portion of a floodway easement, located in City Block 1/5544 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to William Keith Martin and Alyssa Griggs Martin; providing for the terms and conditions of the abandonment, relinquishment and quitclaim made herein, providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

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WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of William Keith Martin and Alyssa Griggs Martin, a married couple; hereinafter referred to collectively as **GRANTEE**, deems it advisable to abandon, relinquish and quitclaim the City of Dallas' right, title and interest in and to the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said portion of easement is no longer needed for municipal use, and same should be abandoned, relinquished and quitclaimed to **GRANTEE** as hereinafter provided, for the consideration hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the City will be served by abandoning, relinquishing and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms and conditions hereinafter more fully set forth.

Now, Therefore,

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

SECTION 1. That the City of Dallas hereby abandons and relinquishes all of its right, title and interest in and to the tract of land described in Exhibit A, attached hereto and made a part hereof; subject, however, to the conditions hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 DOLLARS ($5,400.00)** paid by **GRANTEE**, and the further consideration described in Section 8, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all its right, title and interest in and to the certain tract or parcel of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 5. That the abandonment, relinquishment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, their heirs and assigns.

SECTION 7. That the abandonment, relinquishment and quitclaim provided for herein shall extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon, relinquish and quitclaim.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, their heirs and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the area described in Exhibit A by **GRANTEE**, their heirs and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the area set out in Exhibit A, (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the area described in Exhibit A, which **GRANTEE**, their heirs and assigns agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the area set out in Exhibit A. **GRANTEE**, their heirs and assigns hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 10. That this ordinance is also designated for City purposes as Contract No. DEV-2018-00007088.

SECTION 11. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
CHRISTOPHER J. CASO,
Interim City Attorney

BY: _____
Assistant City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

AB/45303

FLOODWAY EASEMENT ABANDONMENT

PART OF LOT 9, BLOCK 1/5544, INWOOD PARK ESTATES
JAMES L. FARQUHAR SURVEY, ABSTRACT NO. 455
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Exhibit A

Being a 1,813 square foot or 0.0416 acres, tract of land situated in the James L. Farquhar Survey, Abstract No. 455, City of Dallas, Dallas County, Texas, and being part of Lot 9, Block 1/5544 of Inwood Park Estates, an Addition to the City of Dallas, according to the Map thereof recorded in Volume 801, Page 1758, Deed Records, Dallas County, Texas, and being part of a Floodway Easement created by said Inwood Park Estates, and being the same tract of land conveyed to William Keith Martin and Alyssa Griggs Martin, by Warranty Deed With Vendor's Lien recorded in Instrument Number 201500114097, Official Public Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a found 5/8 inch iron rod with cap stamped "5587" for the common Northerly corner of Lot 9 and Lot 10, Block 1/5544, and lying on 50 foot radius of Lakehill Court Cul-de-sac (called 50 foot right-of-way), created by said Inwood Park Estates;

Thence South 29 degrees 03 minutes 44 seconds West (BASIS OF BEARINGS), departing said right-of-way line of Lakehill Court, along the Westerly line of said Lot 9, Block 1/5544, common with the Easterly line of said Lot 10, Block 1/5544, a distance of 324.01 feet to a found 1/2 inch iron rod for the South common corner of said Lot 9 and Lot 10, Block 1/5544 , lying on the Northeasterly line of Lot 4, Block 1/5545 of Revised Ridgewood Addition, an addition to the City of Dallas, according to the Plat thereof recorded in Volume 90190, Page 1692, Deed Records, Dallas County, Texas;

Thence South 44 degrees 09 minutes 35 seconds East, along the Southwesterly line of said Lot 9, Block 1/5544, common with the Northeasterly line of said Lot 4, Block 5545 of Revised Ridgewood Addition, a distance of 32.75 feet to a set 5/8 inch iron rod with a blue cap stamped "floodway easement" for corner;

Thence departing the Northeasterly line of said Lot 4, Block 1/5545 of Ridgewood Addition, and traversing through said Lot 9, Block A/5544, the following bearings and distances:

North 38 degrees 11 minutes 00 seconds East, a distance of 71.57 feet to a set 5/8 inch iron rod with a blue cap stamped "floodway easement" for corner;

North 47 degrees 00 minutes 00 seconds East, a distance of 39.41 feet to a set 5/8 inch iron rod with a blue cap stamped "floodway easement" for corner and the POINT OF BEGINNING;

North 47 degrees 00 minutes 00 seconds East, a distance of 40.59 feet to a point for corner;

North 84 degrees 10 minutes 00 seconds East, a distance of 60.69 feet to a point for corner;

South 44 degrees 53 minutes 59 seconds East, a distance of 10.81 feet to a set 5/8 inch iron rod with a blue cap stamped "floodway easement" for corner;

South 58 degrees 20 minutes 21 seconds West, a distance of 26.20 feet to a set 5/8 inch iron rod with a blue cap stamped "floodway easement" for corner;

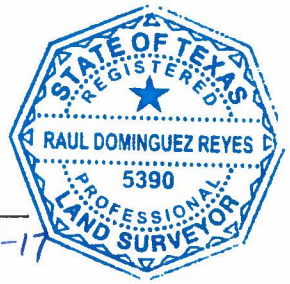
South 72 degrees 27 minutes 31 seconds West, a distance of 33.91 feet to a set 5/8 inch iron rod with a blue cap stamped "floodway easement" for corner;

South 80 degrees 50 minutes 16 seconds West, a distance of 5.84 feet to a set 5/8 inch iron rod with a blue cap stamped "floodway easement" for corner;

North 62 degrees 26 minutes 50 seconds West, a distance of 4.82 feet to a set 5/8 inch iron rod with a blue cap stamped "floodway easement" for corner;

South 67 degrees 07 minutes 35 seconds West, a distance of 12.91 feet to a set 5/8 inch iron rod with a blue cap "stamped floodway easement" for corner;

North 85 degrees 58 minutes 28 seconds West, a distance of 21.19 feet to the POINT OF BEGINNING and containing 1,813 square feet or 0.042 acre of land.



Raul D Reyes
Raul D. Reyes, R.P.L.S.# 5390 12-05-17

Reviewed by: A.Rodriguez
Date: 12/12/17
SPRG: 4366

TEXAS HERITAGE SURVEYING, INC.
10610 Metric Drive, Suite 124, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com
Firm No. 10169300

BEARINGS ARE BASED ON THE NORTHWESTERLY LINE OF LOT 9, BLOCK 1/5544 OF INWOOD PARK ESTATES RECORDED IN VOLUME 801, PAGE 1758, DEED RECORDS, DALLAS COUNTY, TEXAS (S 29°03'44" W)

JOB# 1702726-1
DATE: 09/21/2017

Drawn by: JAM

FLOODWAY EASEMENT ABANDONMENT

PART OF LOT 9, BLOCK 1/5544, INWOOD PARK ESTATES
JAMES L. FARQUHAR SURVEY, ABSTRACT NO. 455
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Exhibit A

PARCEL LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	32.75'	S44°09'35"E
L2	71.57'	N38°11'00"E
L3	39.41'	N47°00'00"E
L4	40.59'	N47°00'00"E
L5	60.69'	N84°10'00"E
L6	10.81'	S44°53'59"E
L7	26.20'	S58°20'21"W
L8	33.91'	S72°27'31"W
L9	5.84'	S80°50'16"W
L10	4.82'	N62°26'50"W
L11	12.91'	S67°07'35"W
L12	21.19'	N85°58'28"W

LEGEND

<CM>	CONTROL MONUMENT
●	5/8" IRON ROD SET W/ BLUE CAP
PFC	POINT FOR CORNER
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS DALLAS COUNTY TEXAS
M.R.D.C.T.	MAP RECORDS DALLAS COUNTY TEXAS
D.R.D.C.T.	DEED RECORDS DALLAS COUNTY TEXAS
SQ. FT.	SQUARE FEET
IRF	IRON ROD FOUND
VOL. PG.	VOLUME, PAGE

LAKEHILL COURT
(CALLED 50' RIGHT-OF-WAY)
VOL. 801, PG. 1758, D.R.D.C.T.

40' BUILDING LINE
VOL. 801, PG. 1758
D.R.D.C.T.

<CM>
5/8" IRF W/
CAP STAMPED
"5587"

POINT OF COMMENCING

LOT 10

LOT 9

LOT 8

FLOODWAY EASEMENT TO BE ABANDONED
1,813 SQ. FT.
0.042 ACRE

~BASIS OF BEARINGS~
S 29°03'44" W
324.01'

6' UTILITY EASEMENT
VOL. 801, PG. 1758
D.R.D.C.T.

POINT OF BEGINNING

PFC
L5
PFC
24.67'
5/8" IRF
L6
L4
L7
L11
L10
L8
L12
L9
L3

INWOOD PARK ESTATES
VOL. 801, PG. 1758
D.R.D.C.T.

FLOODWAY ESMT.
VOL. 801, PG. 1758
D.R.D.C.T.

<CM>
1/2"
IRF

L2

WILLIAM KEITH MARTIN, AND
ALYSSA GRIGGS MARTIN
INSTRUMENT NO. 201500114097
O.P.R.D.C.T.

10' SANITARY SEWER EASEMENT
VOL. 801, PG. 1758
D.R.D.C.T.

15' UTILITY EASEMENT
VOL. 17, PG. 107
M.R.D.C.T.

L1

BLOCK 1/5544

LOT 4, BLOCK 1/5545
REVISED RIDGEWOOD ADDITION
VOL. 90190, PG. 1692
D.R.D.C.T.

JAMES L. FARQUHAR SURVEY,
ABSTRACT NO. 455

LOT 1

LOT 5, BLOCK 1/5545
REVISED RIDGEWOOD
ADDITION
VOL. 90190, PG. 1692
D.R.D.C.T.

50 25 0 25 50

SCALE 1"=50'

STATE OF TEXAS
REGISTERED
RAUL DOMINGUEZ REYES
5390
PROFESSIONAL
LAND SURVEYOR

Raul D Reyes
Raul D. Reyes, R.P.L.S.# 5390

12-05-17

Reviewed by: A. Rodriguez
Date: 12/12/17
SPRG: 4366

TEXAS HERITAGE SURVEYING, INC.
10610 Metric Drive, Suite 124, Dallas, TX 75243
Office 214-340-9700 Fax 214-340-9710
txheritage.com
Firm No. 10169300

BEARINGS ARE BASED ON THE NORTHWESTERLY LINE OF LOT 9, BLOCK 1/5544 OF INWOOD PARK ESTATES RECORDED IN VOLUME 801, PAGE 1758, DEED RECORDS, DALLAS COUNTY, TEXAS (S 29°03'44" W)

JOB# 1702726-1
DATE: 09/21/2017
Scale= 1" = 50'

Drawn by: JAM

Agenda Information Sheet

File #: 18-698 **Item #:** 30.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 8

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

An ordinance abandoning a portion of Blanco Drive to C5LC at Bonnie View, LLC, the abutting owner, containing approximately 54,106 square feet of land, located near the intersection of Bonnie View and Wintergreen Roads; and authorizing the quitclaim; and providing for the dedication of approximately 401,828 square feet of land needed for street right-of-way - Revenue: $5,400.00, plus the $20.00 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of Blanco Drive to C5LC at Bonnie View, LLC, the abutting owner. The area will be included with the property of the abutting owner for a warehouse development. The owner will dedicate approximately 401,828 square feet of land needed for street right-of-way. The cost for this abandonment is the minimum processing fee pursuant to the Dallas City Code.

Notices were sent to five property owners located within 300 feet of the proposed abandonment area. There were no responses received in opposition to this request.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on October 22, 2018.

FISCAL INFORMATION

Revenue: $5,400.00, plus the $20.00 ordinance publication fee

OWNER

C5LC at Bonnie View, LLC

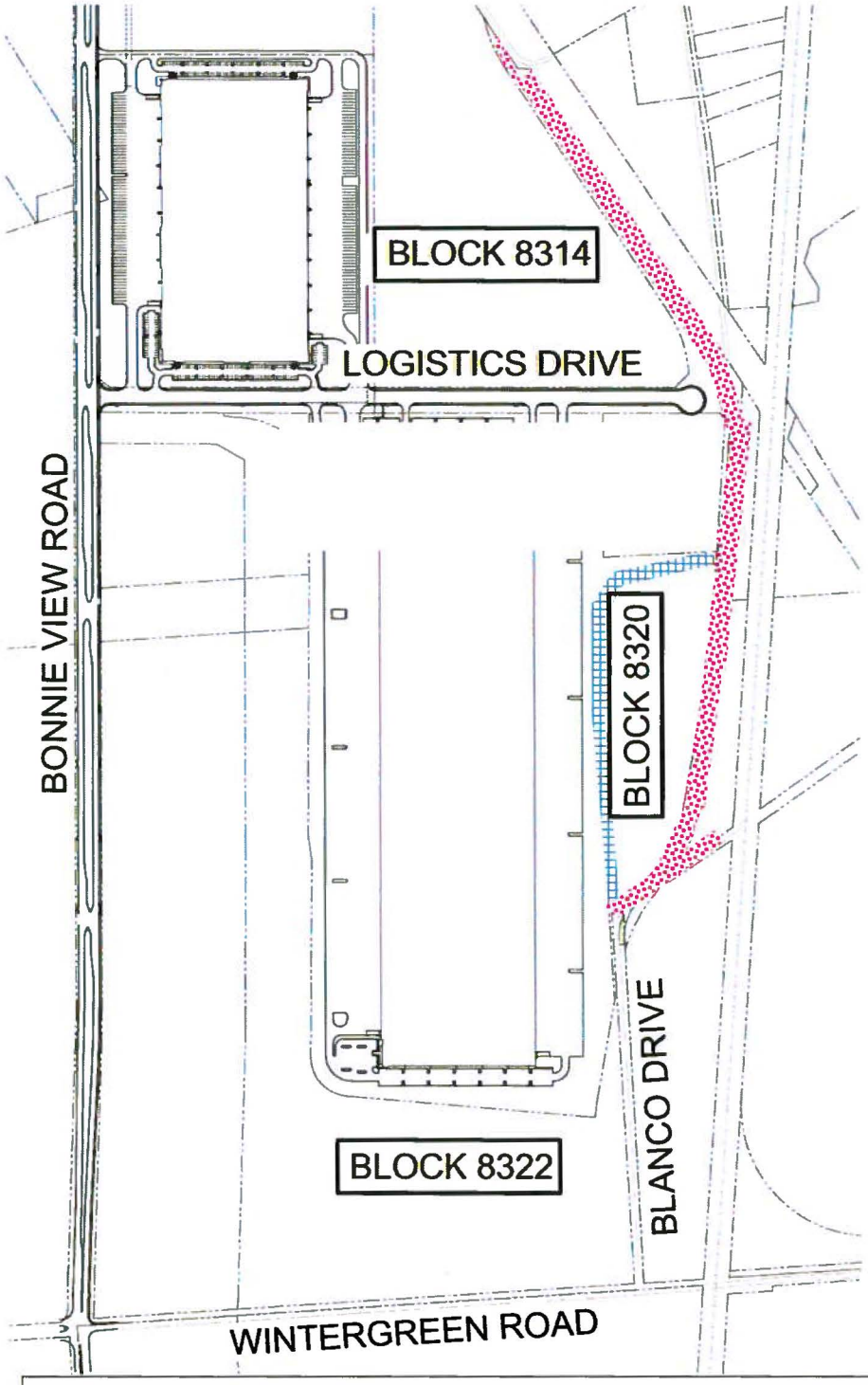
Bonnie View Manager, LLC

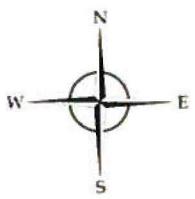
Linda D. Booker, Manager

MAP

Attached

powered by Legistar™





BLANCO DRIVE STREET ABANDONMENT

RIGHT-OF-WAY DEDICATION

ORDINANCE NO. _____

An ordinance providing for the abandonment of a portion of Blanco Drive located adjacent to City Blocks 8314, 8320 and 8322 in the City of Dallas and County of Dallas, Texas; subject to a reverter; providing for the quitclaim thereof to C5LC at Bonnie View, LLC; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the conveyance of needed land to the City of Dallas; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; providing a future effective date for this abandonment; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of C5LC at Bonnie View, LLC, a Delaware limited liability company, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim, subject to a reverter, the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions and reverter herein provided, said portion of street is not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the public will be served by abandoning and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms, conditions and reverter hereinafter more fully set forth.

Now, Therefore,

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

SECTION 1. That the tract of land described in Exhibit A, which is attached hereto and made a part hereof for all purposes, be and the same is abandoned, vacated and closed insofar as the right, title and interest of the public are concerned; subject, however, to the reverter and the conditions and future effective date hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 DOLLARS ($5,400.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9, 10 and 11, the City of Dallas does by these presents **QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date, the reverter, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tract of land hereinabove described in Exhibit A. Provided however, that if **GRANTEE,** its successors and assigns, fails to file a final replat of the adjoining properties as required in Section 10 of this ordinance by the earlier of (i) the date applicable pursuant to the requirements of the Dallas Development Code Chapter 51A-8.403(a)(4)(D) which provides in pertinent part, as may be amended:

> "(D) Except as provided in this subparagraph, a preliminary plat approved by the commission expires five years after the commission action date approving the plat if no progress has been made toward completion of the project in accordance with Texas Local Government Code Section 245.005. An approved minor plat, amending plat (minor), or an administrative plat expires two years after the commission action date approving the plat or within two years after the date of the subdivision administrator's action letter approving the administrative plat if no progress has been made toward completion of the project in accordance with Texas Local Government Code Section 245.005";

or (ii) the date that is the sixth anniversary of the passage of this ordinance; THEN this ordinance and quitclaim shall be rendered null and void and the right, title and easement of the public shall absolutely revert without any necessity for suit or re-entry by the City; and no act or omission on the part of the City, its successors and assigns, shall be a waiver of the operation or enforcement of this ordinance. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE**.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, future effective date and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 5. That the abandonment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise, and are further subject to the conditions contained in Exhibit B, which is attached hereto and made a part hereof for all purposes.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 7. That the abandonment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon and vacate.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the area described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the area set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the area described in Exhibit A, which **GRANTEE**, its successors and assigns, agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the area set out in Exhibit A.

GRANTEE, its successors and assigns, hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any "chemical substance" under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall not remove the existing Blanco Drive roadway before the new alignment of Blanco Drive has been completed approximately 350 to 550 feet east of the abandonment area as shown dedicated by Plat S178-089.

SECTION 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall record a final replat of adjoining properties within one year of the effective date of this ordinance showing the fee simple dedication of not less than 401,828 square feet of needed right-of-way in city blocks 8313, 8314, 8320 and 8322. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area and the dedicated property are located, after its approval by the City Plan Commission of the City of Dallas. This abandonment shall not be effective unless and until this dedication is completed and failure to record a final replat in accordance with the term of this section shall render this ordinance null and void and of no further effect. Further, the final replat shall be recorded

in the official real property records of the county in which the abandoned area is located before a certified copy of this ordinance shall be delivered to **GRANTEE**.

SECTION 11. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of this ordinance, close, barricade and/or place signs in the area described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the area described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, its successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 12. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, and the filing of the final replat set forth in Section 10 the Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver to **GRANTEE** a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the area abandoned herein, subject to a reverter interest, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 13. That this ordinance is also designated for City purposes as Contract No. DEV-2018-00005847.

SECTION 14. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
CHRISTOPHER J. CASO,
Interim City Attorney

BY: _____
Assistant City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

JL/45773

Exhibit A

LEGAL DESCRIPTION
1.2421 ACRES

BEING a 54,106 SQ. FT. (1.2421 acre) tract of land situated in the Henry H. Hickman Survey, Abstract No. 565 and William H. Newton Survey, Abstract No. 1074, City of Dallas, Dallas County, Texas and being adjacent to City of Dallas Block 8322 and being part of City of Dallas Blocks 8314 & 8320 and being part of Blanco Drive (County Road No. 412 - by use and occupation, no record found), name change referenced in Order No. 27553, March 11th, 1957, Commissioner's Court of Dallas County, Texas, and being part of those tracts of land described as Tract I (69.531 acres) & Tract VI (11.206 acres) in Special Warranty Deed to C5LC AT BONNIE VIEW, LLC recorded in Instrument No. 201800018303 of the Official Public Records, Dallas County, Texas and being more particularly described as follows:

BEGINNING at a PK nail found at the intersection of the east line of said Blanco Drive with the north line of Witt Road (County Road No. 202 - by use and occupation, no record found) for the south corner of said Tract VI;

THENCE South 89°30'06" West, a distance of 31.14 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner in the west line of said Blanco Road and being in the east line of said Tract I;

THENCE with said west line of Blanco Road and said east line of Tract I, North 0°29'54" West, a distance of 1136.71 feet to a 5/8" iron rod with plastic cap stamped "KHA" found for an east corner of said Tract I and in the west line of said Tract VI;

THENCE departing said west line of Blanco Road and said east line of Tract I, with said west line of Tract VI, North 89°07'50" East, a distance of 15.52 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the right having a central angle of 66°37'02", a radius of 141.17 feet, a chord bearing and distance of North 38°59'26" East, 155.05 feet;

THENCE departing said west line of Tract VI, in a northeasterly direction, with said curve to the right, passing the north line of said Tract VI at a distance of 44.45 feet, passing said north line of Tract VI at a distance of 84.53 feet, passing said north line of Tract VI at a distance of 148.98 feet and continuing in all a total arc distance of 164.14 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

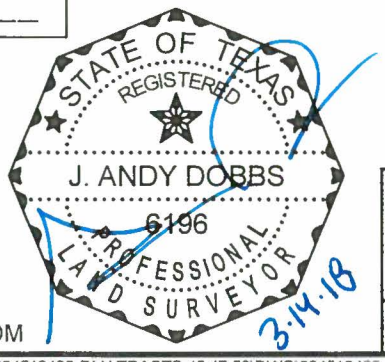
THENCE over and across said Tract I, the following courses and distances:

North 77°07'03" East, a distance of 97.88 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
North 80°17'12" East, a distance of 116.97 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
North 80°22'22" East, a distance of 120.51 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
North 80°47'17" East, a distance of 111.14 feet to a 5/8" iron rod with plastic cap stamped "KHA" found in the west line of a called 1.318 acre tract of land described as Parcel 47, Tract I-D in Special Warranty Deed to BNSF Railway Company, recorded in Instrument No. 20080144570 of said Official Public Records and being the north corner of said Tract VI and being the easternmost corner of said Tract I;

CONTINUED ON SHEET 2

(For SPRG use only)
Reviewed By: G.S.
Date: 3-19-18
SPRG NO: 4474

J. ANDY DOBBS
REGISTERED PROFESSIONAL
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RIGHT-OF-WAY ABANDONMENT

BLANCO DRIVE
ADJACENT TO CITY OF DALLAS BLOCK 8322
PART OF CITY OF DALLAS BLOCKS 8314 & 8320
BEING IN 69.531 ACRES & 11.206 ACRES
WILLIAM H. NEWTON SURVEY, ABSTRACT NO. 1074
HENRY H. HICKMAN SURVEY, ABSTRACT NO. 565
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Kimley»Horn
13455 Noel Road, Two Galleria Office Tower, Suite 700, Dallas, Texas 75240 FIRM # 10115500
Tel. No. (972) 770-1300 Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MTC	JAD	FEB. 2018	064513400	1 OF 4

Exhibit A

THENCE with said west line of Parcel 47, Tract I-D and the east line of said Tract VI, South 6°37'04" West, a distance of 33.26 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;

THENCE departing said west line of Parcel 47, Tract I-D and said east line of said Tract VI, over and across said Tract VI, the following courses and distances:

South 80°47'21" West, a distance of 101.66 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
South 80°22'22" West, a distance of 120.67 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
South 80°17'12" West, a distance of 116.07 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
South 77°07'03" West, a distance of 94.83 feet to a 5/8" iron rod with plastic cap stamped "KHA" set at the beginning of a non-tangent curve to the left having a central angle of 53°51'08", a radius of 132.91 feet, a chord bearing and distance of South 42°02'19" West, 120.37 feet;
In a southwesterly direction, with said curve to the left, an arc distance of 124.92 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner;
South 28°02'09" West, a distance of 21.94 feet to a 5/8" iron rod with plastic cap stamped "KHA" set for corner in said east line of Blanco Drive and said west line of Tract VI;

THENCE with said east line of Blanco Drive and said west line of Tract VI, South 0°29'37" East, a distance of 1117.71 feet to the **POINT OF BEGINNING** and containing 1.2421 acres or 54,106 square feet of land.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).

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STATE OF TEXAS
REGISTERED
J. ANDY DOBBS
6196
PROFESSIONAL
LAND SURVEYOR
3-14-18

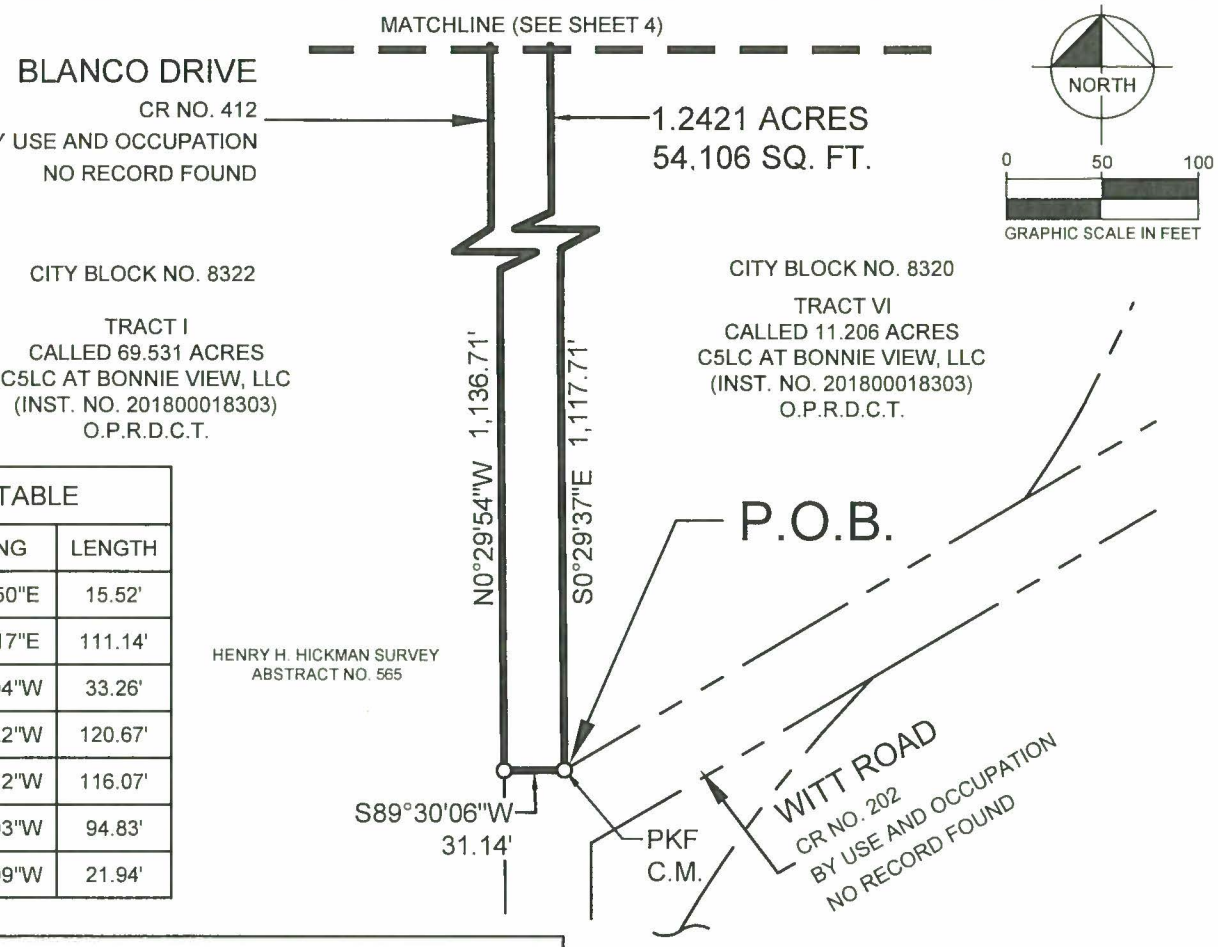
RIGHT-OF-WAY ABANDONMENT

BLANCO DRIVE
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	MTC	JAD	FEB. 2018	064513400	2 OF 4

Exhibit A



LINE TABLE		
NO.	BEARING	LENGTH
L1	N89°07'50"E	15.52'
L2	N80°47'17"E	111.14'
L3	S06°37'04"W	33.26'
L4	S80°22'22"W	120.67'
L5	S80°17'12"W	116.07'
L6	S77°07'03"W	94.83'
L7	S28°02'09"W	21.94'

CURVE TABLE					
NO.	DELTA	RADIUS	LENGTH	CHORD BEARING	CHORD
C1	66°37'02"	141.17'	164.14'	N38°59'26"E	155.05'
C2	53°51'08"	132.91'	124.92'	S42°02'19"W	120.37'

(For SPRG use only)
Reviewed By: G.S.
Date: 3-19-18
SPRG NO: 4474

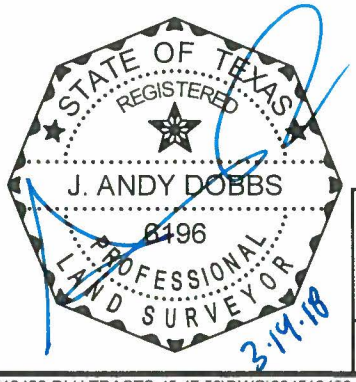
LEGEND

P.O.B. = POINT OF BEGINNING
MNF = MAG NAIL FOUND
PKF = PK NAIL FOUND
C.M. = CONTROLLING MONUMENT
CR NO. = COUNTY ROAD NUMBER
IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
IRFC = 5/8" IRON ROD W/ "KHA" CAP FOUND
INST. NO. = INSTRUMENT NUMBER
VOL. , PG. = VOLUME , PAGE
SQ. FT. = SQUARE FEET
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS

NOTES

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).

All corners are a 5/8" iron rod w/ "KHA" cap unless noted otherwise.



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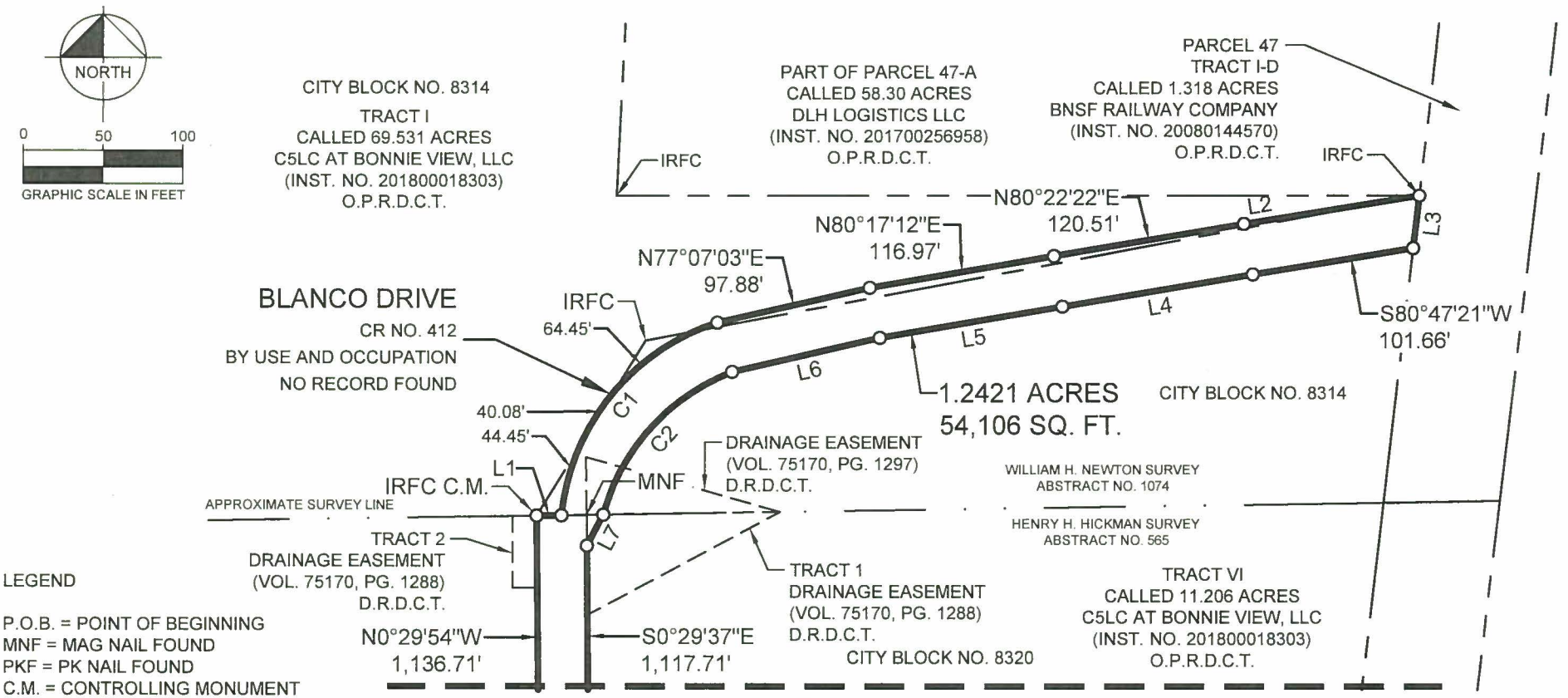
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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	MTC	JAD	FEB. 2018	064513400	3 OF 4

Exhibit A



LEGEND

P.O.B. = POINT OF BEGINNING
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NOTES

See sheet 3 for line and curve tables.

Bearing system based on the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983(2011).

All corners are a 5/8" iron rod w/ "KHA" cap unless noted otherwise.

RIGHT-OF-WAY ABANDONMENT

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STATE OF TEXAS
REGISTERED
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PROFESSIONAL
LAND SURVEYOR
3.14.18

(For SPRG use only)
Reviewed By: G.S.
Date: 3-19-18
SPRG NO: 4474

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Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	MTC	JAD	FEB. 2018	064513400	4 OF 4

EXHIBIT B

ADDITIONAL ABANDONMENT PROVISIONS

That as a condition hereof, this abandonment is subject to any utilities or communication facilities, including without limitation water and wastewater lines, gas lines, and storm sewers, ("Facilities") presently located within the abandoned area described in Exhibit "A", owned and/or operated by the City of Dallas or any utility or communications company, public or private, ("Utility") and to the rights of any Utility for the use of the abandoned area for its Facilities. It is the intent of the foregoing to confirm and maintain and there is hereby reserved and excepted unto the City of Dallas, and not abandoned or conveyed hereunder, an easement (to which this abandonment is made expressly subject) over, upon, under, through, in, and across the abandoned area for each Utility for its respective Facilities located therein at the time of this abandonment, together with the right to make any subsequent alterations, additions, expansions, upgrades or modifications to such Facilities as may, from time to time be deemed necessary or convenient by the Utility owning and/or operating same. No buildings, structures (above or below ground) or trees shall be constructed or placed within the abandoned area without written consent of each affected Utility. Each Utility shall have the full right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective Facilities lying within the abandoned area and shall at all times have the full right of ingress and egress to or from and upon the abandoned area for the purposes of reconstructing, removing, relocating, inspecting, patrolling, maintaining, expanding, upgrading, and/or adding to all or part of its Facilities without the necessity at any time of procuring the permission of anyone. The easement reserved hereunder and the conditions and restrictions to which this abandonment is subject shall remain for the benefit of the applicable Utility and/or operators of the Facilities until said Facilities are removed and relocated from the abandoned area. The relocation, removal or adjustment of any or all such Facilities, if made necessary by GRANTEE'S (whether one or more natural persons or legal entities) use of the abandonment area, shall be at the expense of GRANTEE herein, or GRANTEE'S successors and assigns. Should GRANTEE'S relocation or removal of the Facilities require the obtaining of new easements, the acquisition of same shall be at the expense of GRANTEE, GRANTEE'S successors and assigns. If any of the Facilities (or relocations thereof) are allowed to remain on any part of the abandoned area, the easements and buildings restrictions provided herein shall remain thereon. Upon removal or relocation of all of the Facilities, any easements reserved or created herein relating to such removed or relocated Facilities shall terminate, and any building restrictions herein created shall cease.

Agenda Information Sheet

File #: 18-978 **Item #:** 31.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Transportation

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a Design Development Contract with Uptown Dallas, Inc. for a binding minimum financial contribution of $1,000,000.00 for the preparation, review, and donation of privately funded engineering and design plans to the City for the McKinney Avenue/Cole Avenue Two-Way Conversion 2017 Bond Program Project - Financing: This action has no cost consideration to the City (see Fiscal Information)

BACKGROUND

The McKinney Avenue/Cole Avenue Two-Way Conversion is a Complete Street Project that will change the operation of McKinney Avenue and Cole Avenue to improve safety, encourage walkability, and calm traffic. McKinney Avenue currently operates as a one-way northbound three-lane roadway with parking, and Cole Avenue (Allen Street, Carlisle Street) currently operates as a one-way southbound three-lane roadway with parking.

In 2016, Uptown Dallas, Inc. requested and City Council authorized amendments to the Thoroughfare Plan to change the operation of McKinney Avenue and Cole Avenue from one-way roadways to two-way roadways. The roads were designated as one-way couplets in June 1978 to provide a north-south route that could move traffic quickly to and from downtown Dallas. While the one-way couplet design is efficient at moving automobiles quickly through the City, it prioritizes through traffic instead of safety and neighborhood livability.

The McKinney Avenue/Cole Avenue Two-Way Conversion Project will change the operation of McKinney Avenue to two travel lanes northbound and one travel lane southbound, and Cole Avenue will change to two travel lanes southbound and one travel lane northbound. The M-Line Trolley will be moved to the west side of Cole Avenue between Blackburn Street and Lemmon Avenue to facilitate the two-way operational change.

The project is being funded through: (1) a donation of privately funded engineering and design from Uptown Dallas, Inc. (UDI) to the City (a minimum private commitment amount of $1,000,000.00); (2) $8,000,000.00 from the 2017 Bond for future construction; and (3) $11,800,000.00 in Congestion Mitigation and Air Quality (CMAQ) and Surface Transportation Block Grant (STBG) Funds authorized by the Regional Transportation Council on October 12, 2017. The CMAQ and STBG funding will require future grant acceptance by the City and is subject to a minimum binding financial commitment of $1,000,000.00 by UDI.

This action will authorize:

A Design Development Contract with Uptown Dallas, Inc. for the preparation, review, and donation of privately funded engineering and design plans to the City for the McKinney Avenue/Cole Avenue Two -Way Conversion.

The Design Development Contract will fulfill the Regional Transportation Council (RTC) requirement of a minimum binding financial commitment from UDI for the project. The project can then be submitted to the Transportation Improvement Program, which is the first step for review and funding approval by the Texas Department of Transportation and the Federal Highway Administration.

On November 13, 2017, the Mobility Solutions, Infrastructure & Sustainability Committee was briefed on the need for a Memorandum of Understanding (MOU) establishing the City and RTC funding commitments for the McKinney Avenue/Cole Avenue Two-Way Conversion. Staff was directed to initiate development of the required MOU.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	January 2019
Complete Design	August 2020
Begin Construction	January 2021
Complete Construction	January 2023

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 14, 2016, City Council authorized Thoroughfare Plan Amendments to change the operation of McKinney Avenue and Cole Avenue from one-way roadways to two-way roadways by Resolution No. 16-1975.

On November 13, 2017, the Mobility Solutions, Infrastructure & Sustainability Committee was briefed.

On March 28, 2018, City Council authorized a Memorandum of Understanding with the Regional Transportation Council (RTC) to establish City and RTC funding commitments for the McKinney Avenue/Cole Avenue Two-Way Conversion, by Resolution No. 18-0440.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on October 22, 2018.

FISCAL INFORMATION

This item has no cost consideration to the City. The Fiscal Information details the City's future cost to be paid from General Obligation Bond Funds and details both grant funding authorized by the RTC and private/other funds that will be used for the project.

Project Limits and Description	**2017 Dallas Bond**	**Grant Funding**	**Private/Other**	**Total Cost**
McKinney Avenue /Cole AvenueTwo-Way Conversion	$8,000,000.00	$11,800,000.00 CMAQ and STBG Funds	$1,000,000.00 Uptown Dallas, Inc.	$20,800,000.00

Uptown Dallas, Inc. is providing a minimum financial contribution of $1,000,000.00 for the preparation, review, and donation of privately funded engineering and design plans to the City for the McKinney Avenue/Cole Avenue Two-Way Conversion.

Grant acceptance for federal CMAQ and STBG funds will be in a future agenda item for project construction, which will include a cost consideration to the City.

MAP

Attached

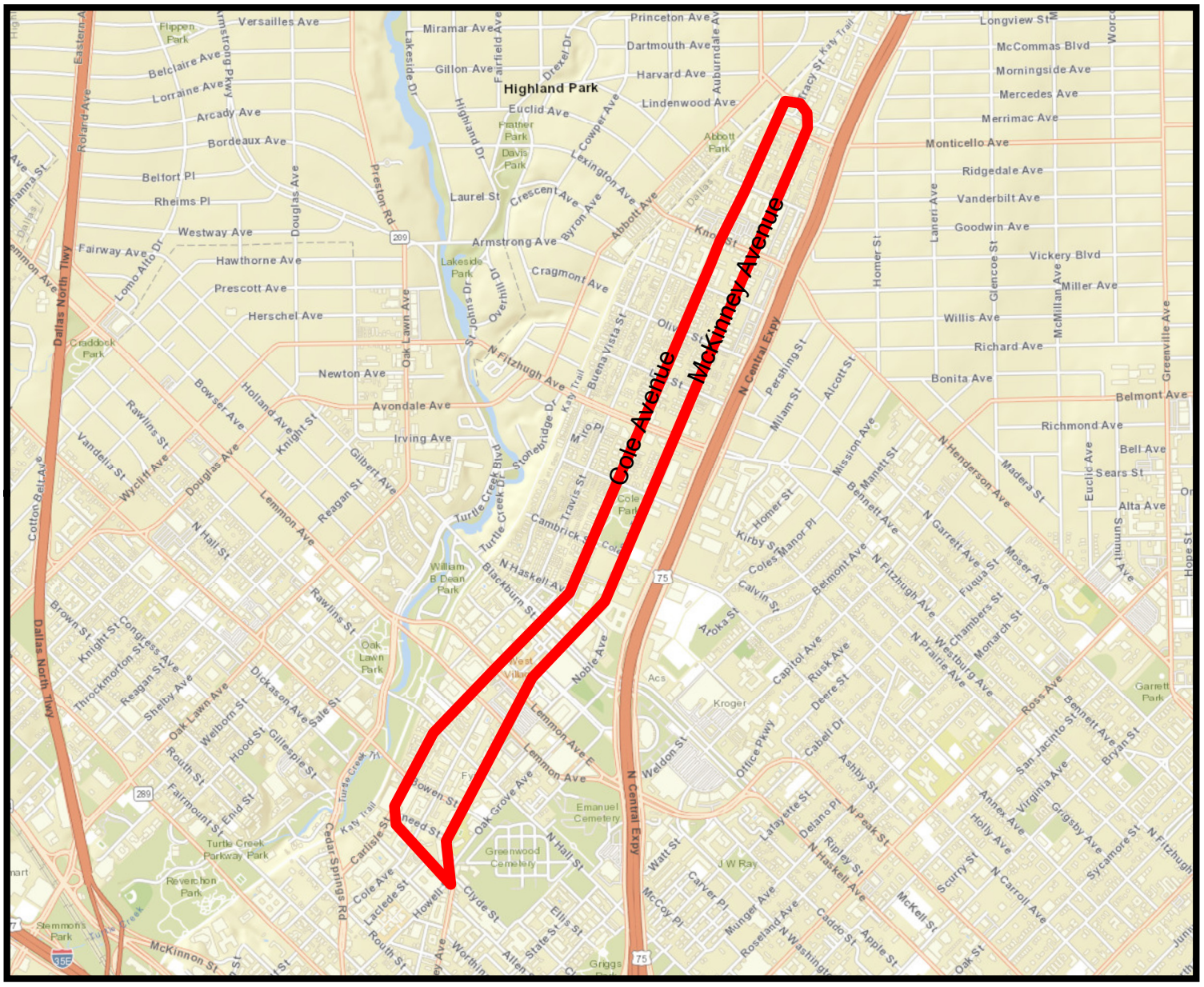
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McKinney Avenue and Cole Avenue Two-Way Conversion

Council District: 14

MAPSCO: 35-R,U,V,X,Y; 45-B,C




Cole Avenue
McKinney Avenue
Highland Park
Oak Lawn Park
Turtle Creek Parkway Park
Reverchon Park
Stemmons Park
Craddock Park
William B Dean Park
Cole Park
Abbott Park
Lakeside Park
Emanuel Cemetery
Greenwood Cemetery
Garrett Park
Kroger
Dallas North Tiwy
N Central Expy
Versailles Ave
Miramar Ave
Princeton Ave
Dartmouth Ave
Harvard Ave
Lindenwood Ave
Gillon Ave
Euclid Ave
Laurel St
Armstrong Ave
Cragmont Ave
Newton Ave
Avondale Ave
Irving Ave
Prescott Ave
Herschel Ave
Hawthorne Ave
Westway Ave
Fairway Ave
Rheims Pl
Belfort Pl
Bordeaux Ave
Arcady Ave
Lorraine Ave
Belclaire Ave
Longview St
McCommas Blvd
Morningside Ave
Mercedes Ave
Merrimac Ave
Monticello Ave
Ridgedale Ave
Vanderbilt Ave
Goodwin Ave
Vickery Blvd
Miller Ave
Willis Ave
Richard Ave
Bonita Ave
Belmont Ave
Richmond Ave
Bell Ave
Alta Ave
Sears St
Lemmon Ave
Lemmon Ave E
Oak Lawn Ave
Welborn St
Hood St
Gillespie St
Dickason Ave
Sale St
Throckmorton St
Reagan St
Shelby Ave
Knight St
Congress St
Brown St
Rawlins St
Douglas Ave
Vandelia St
Wycliff Ave
Bowser Ave
Holland Ave
Gilbert Ave
Lemmon Ave
N Hall St
Routh St
Fairmount St
Turtle Creek Blvd
Turtle Creek Dr
Stonebridge Dr
Cambrick St
Travis St
Blackburn St
N Haskell Ave
Noble Ave
Weldon St
Watt St
Carver Pl
McCoy Pl
Munger Ave
Roseland Ave
Caddo St
Apple St
McKell St
Oak St
Ellis St
State St
Howell St
Clyde St
Lacledes St
Cole Ave
Carlisle St
Bowen St
Oak Grove Ave
Cedar Springs Rd
Turtle Creek
Katy Trail
Lakeside Dr
Preston Rd
Douglas Ave
Roland Ave
Eastern Ave
Fairfield Ave
Drexel Dr
Highland Dr
Cowper Ave
Lexington Ave
Byron Ave
Abbott Ave
Auburndale Ave
Tracy St
Knox St
Homer St
Laneri Ave
Glencoe St
McMillan Ave
Greenville Ave
Summit Ave
Hope St
Euclid Ave
Madera St
N Henderson Ave
Mission Ave
Bennett Ave
N Garrett Ave
Fuqua St
Moser Ave
Monarch St
Chambers St
Westbrug Ave
N Prairie Ave
Ross Ave
San Jacinto St
Bryan St
Annex Ave
Virginia Ave
Holly Ave
Grigsby Ave
Sycamore St
N Carroll Ave
N Fitzhugh
Ashby St
Cabell Dr
Deere St
Rusk Ave
Capitol Ave
Office Pkwy
Lafayette St
Delano Pl
N Peak St
Ripley St
N Haskell Ave
J W Ray
Calvin St
Aroka St
Kirby St
Coles Manor Pl
Homer St
Betmont Ave
N Fitzhugh Ave
Miami St
Pershing St
Alcott St
Buena Vista St
Oliver St
Milton Pl
Stonebridge Dr
Overhill Dr
Johns St
Oak Lawn Ave
Knight St
Holland Ave
Bowser Ave
Rawlins St
Vandelia St
Wycliff Ave
Douglas Ave
Lemmon Ave
Reagan St
Gilbert Ave
N Hall St
Cotton Belt Ave
Dallas North Tiwy
Roland Ave
Lomo Alto Dr
Preston Rd
Douglas Ave
Armstrong Pkwy
Belclaire Ave
Lorraine Ave
Arcady Ave
Bordeaux Ave
Belfort Pl
Rheims Pl
Westway Ave
Fairway Ave
Hawthorne Ave
Prescott Ave
Herschel Ave
Newton Ave
Avondale Ave
Irving Ave
Gillon Ave
Miramar Ave
Versailles Ave
Flippen Park
Lakeside Dr
Fairfield Ave
Drexel Dr
Highland Dr
Cowper Ave
Lexington Ave
Byron Ave
Abbott Ave
Auburndale Ave
Tracy St
Knox St
Laurel St
Crescent Ave
Euclid Ave
Harvard Ave
Lindenwood Ave
Princeton Ave
Dartmouth Ave
Longview St
McCommas Blvd
Morningside Ave
Mercedes Ave
Merrimac Ave
Monticello Ave
Ridgedale Ave
Vanderbilt Ave
Goodwin Ave
Vickery Blvd
Miller Ave
Willis Ave
Richard Ave
Bonita Ave
Belmont Ave
Richmond Ave
Bell Ave
Alta Ave
Sears

WHEREAS, on January 27, 2016, City Council adopted the Complete Streets Manual, affirming that all road projects should be designed to comfortably accommodate all modes and all users, by Resolution No. 18-0440; and,

WHEREAS, the McKinney Avenue/Cole Avenue Two-Way Conversion aligns with the Complete Streets Vision of the City by improving safety and encouraging walkability in Uptown Dallas (the "Project"); and

WHEREAS, on December 14, 2016, City Council approved amendments to the Thoroughfare Plan to change the operation of McKinney Avenue and Cole Avenue from one-way to two-way, by Resolution No. 16-1975; and

WHEREAS, on October 12, 2017, the North Central Texas Council of Governments, through its Regional Transportation Council (the "RTC") approved the programming of Congestion Mitigation and Air Quality and Surface Transportation Block Grant funds for the construction of the Project in amount of $11,800,000.00 (collectively, the "RTC Funds"); and

WHEREAS, on March 28, 2018, City Council authorized a Memorandum of Understanding (the "MOU") with the North Central Texas Council of Governments Regional Transportation Council regarding obligations and conditions relating to the distribution of the RTC Funds for the Project; by Resolution No. 18-0440; and

WHEREAS, Uptown Dallas, Inc. ("UDI") has agreed to provide the private funding amount required for the Project pursuant to the terms of the MOU for the Project including all necessary engineering and design services associated with the Project at its sole cost and expense and donate any and all Project design documents and plans in order to facilitate the construction of the Project.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a Design Development Contract, approved as to form by the City Attorney, with Uptown Dallas, Inc. for the preparation, review, and donation of privately funded engineering and design plans for the McKinney Avenue and Cole Avenue Two-Way Conversion 2017 Bond Program Project.

SECTION 2. That this contract is designated as Contract No. TRN-2018-00008092.

SECTION 3. 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.

Agenda Information Sheet

File #: 18-1066 **Item #:** 32.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Budget

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize adoption of the 2019 City Calendar - Financing: No cost consideration to the City

BACKGROUND

Resolution No. 89-3796 requires the City Council to adopt an annual calendar. Resolution No. 90-2673 establishes the annual July recess. Resolution No. 18-0849 requires the second Wednesday meeting each month to begin at 2:00 p.m., and for up to five meetings each year to be conducted off-site from City Hall. The City Calendar includes all City Council briefing and agenda meetings, budget briefings and workshops, Council Committee meetings, and City holidays. The City Calendar is available on the City's website at www.dallascityhall.com and is made available in the Office of Budget to all citizens who request copies. The City Calendar is also available for download and synching into calendar software on computers or mobile devices via a link on the City's website.

On October 1, 2018, the Government Performance and Financial Management Committee amended the City calendar to move the 3rd Wednesday briefing meeting in June from Wednesday, June 19, 2019 to Tuesday, June 18, 2019 due to Juneteenth Independence Day activities.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance and Financial Management Committee was briefed on October 1, 2018.

FISCAL INFORMATION

No cost consideration to the City.

October 24, 2018

WHEREAS, it is the desire of the City to improve the efficiency of our municipal operations by adopting an annual City Calendar; and

WHEREAS, the annual City Calendar should be presented to the City Council for adoption in October of each year for the upcoming calendar year; and

WHEREAS, the annual City Calendar should include all City Council briefing and agenda meetings, budget briefings and workshops, Council Committee meetings, and City holidays; and

WHEREAS, the City Calendar should be updated periodically to incorporate any additions and/or changes in the schedule of meetings; and

WHEREAS, the City Calendar should be made available to all citizens, upon request, in the Office of Budget.

Now, Therefore,

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

SECTION 1. That the Dallas City Council hereby adopts the 2019 City Calendar per Attachment A.

SECTION 2. 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.

January 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 New Year's Day – City Holiday	2 Council Briefing 9 a.m.	3	4	5
6	7 Council Committees 9 a.m. EDH 11 a.m. HSN 2 p.m. GPFM	8	9 Council Agenda 2 p.m.	10	11	12
13	14 Council Committees: 9 a.m. QOLAC 11 a.m. PSCJ 2 p.m. MSIS	15 Campaign Finance Semiannual Report Due	16 Council Briefing 9 a.m.	17	18	19
20	21 Council Committee Meetings Canceled MLK Day – City Holiday	22	23 Council Agenda 9 a.m. U.S. Conference of Mayors 87th Winter Meeting	24 U.S. Conference of Mayors 87th Winter Meeting	25 U.S. Conference of Mayors 87th Winter Meeting	26
27	28 Council Committees: 9 a.m. QOLAC 11 a.m. PSCJ 2 p.m. MSIS	29	30 Fifth Wednesday – No City Council Meeting	31		

QOLAC: Quality of Life, Arts, and Culture
PSCJ: Public Safety and Criminal Justice
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Council Agenda meetings are conducted in Council Chambers. Council Briefings and Council Committee meetings are conducted in Room 6ES.
For board and commission meeting dates, please visit https://dallascityhall.com/government/citysecretary/Pages/Public-Meetings.aspx.

February 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4 Council Committees: 9 a.m. EDH 11 a.m. HSN 2 p.m. GPFM	5	6 Council Briefing 9 a.m.	7	8	9
10	11 Council Committees: 9 a.m. QOLAC 11 a.m. PSCJ 2 p.m. MSIS	12	13 Off-Site Council Agenda 2 p.m. site To Be Determined (TBD)	14	15	16
17	18 Council Committee Meetings Canceled Presidents' Day – City Holiday	19	20 Council Briefing Meeting Canceled Council Retreat	21 Council Retreat	22	23
24	25 Council Committees: 9 a.m. QOLAC 11 a.m. PSCJ 2 p.m. MSIS	26	27 Council Agenda 9 a.m.	28		

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March 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4 Council Recess	5 Council Recess	6 Council Recess	7 Council Recess	8 Council Recess	9
10 Daylight Saving Time Begins 2 a.m. National League of Cities Congressional City Conference	11 Council Recess National League of Cities Congressional City Conference	12 Council Recess National League of Cities Congressional City Conference	13 Council Recess National League of Cities Congressional City Conference	14 Council Recess	15 Council Recess	16
17	18 Council Committees: 9 a.m. EDH 11 a.m. HSN 2 p.m. GPFM	19	20 Council Briefing 9 a.m.	21	22	23
24	25 Council Committees: 9 a.m. QOLAC 11 a.m. PSCJ 2 p.m. MSIS	26	27 Council Agenda 9 a.m. Budget Public Hearing	28	29	30
31						

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April 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 Council Committees: 9 a.m. EDH 11 a.m. HSN 2 p.m. GPFM	2	3 Council Briefing 9 a.m.	4	5	6
7	8 Council Committees: 9 a.m. QOLAC 11 a.m. PSCJ 2 p.m. MSIS	9	10 Council Agenda 2 p.m.	11	12	13
14	15 Council Committees: 9 a.m. EDH 11 a.m. HSN 2 p.m. GPFM	16	17 Council Briefing 9 a.m.	18	19	20
21	22 Council Committees: 9 a.m. QOLAC 11 a.m. PSCJ 2 p.m. MSIS	23	24 Council Agenda 9 a.m.	25	26	27
28	29 Fifth Monday – No Council Committee Meetings	30				

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May 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 Council Briefing 9 a.m. Budget Workshop	2	3	4
5	6 Council Committees: 9 a.m. EDH 11 a.m. HSN 2 p.m. GPFM	7	8 Off-Site Council Agenda 2 p.m. at Kleberg-Rylie Recreation Center Budget Public Hearing	9	10	11 Council Election
12	13 Council Committees: 9 a.m. QOLAC 11 a.m. PSCJ 2 p.m. MSIS	14	15 Council Briefing 9 a.m.	16	17	18
19	20 Council Committees: 9 a.m. EDH 11 a.m. HSN 2 p.m. GPFM	21	22 Council Agenda 9 a.m.	23	24	25
26	27 Council Committee Meetings Canceled Memorial Day – City Holiday	28	29 Fifth Wednesday – No City Council Meeting	30	31	

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June 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3 Council Committees: 9 a.m. EDH 11 a.m. HSN 2 p.m. GPFM	4	5 Council Briefing 9 a.m.	6	7	8 Runoff Election (if needed)
9	10 Council Committees: 9 a.m. QOLAC 11 a.m. PSCJ 2 p.m. MSIS	11	12 Council Agenda 2 p.m.	13	14	15
16	17 Council Committee Meetings Canceled Council Inauguration	18 Council Briefing 9 a.m. Budget Workshop	19 Council Meeting Moved to Tuesday for Juneteenth Independence Day	20	21	22
23	24 Council Committee Meetings Canceled	25	26 Council Agenda 9 a.m.	27	28 U.S. Conference of Mayors 87th Annual Meeting	29 U.S. Conference of Mayors 87th Annual Meeting
30 U.S. Conference of Mayors 87th Annual Meeting						

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July 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 Council Recess U.S. Conference of Mayors 87th Annual Meeting	2 Council Recess	3 Council Recess	4 Council Recess Independence Day – City Holiday	5 Council Recess	6
7	8 Council Recess	9 Council Recess	10 Council Recess	11 Council Recess	12 Council Recess	13
14	15 Council Recess Campaign Finance Semiannual Report Due	16 Council Recess	17 Council Recess	18 Council Recess	19 Council Recess	20
21	22 Council Recess	23 Council Recess	24 Council Recess	25 Council Recess Appraisal Districts Certify 2019 Tax Roll	26 Council Recess	27
28	29 Council Recess	30 Council Recess	31 Council Recess			

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August 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5 Council Committees: 9 a.m. EDH 11 a.m. HSN 2 p.m. GPFM	6	7 Council Briefing 9 a.m.	8	9	10
11	12 Council Committees: 9 a.m. QOLAC 11 a.m. PSCJ 2 p.m. MSIS	13 Council Briefing 9 a.m. Budget Workshop: City Manager's Recommended Budget	14 Off-Site Council Agenda 2 p.m. at Bachman Lake Branch Library	15 Budget Town Hall Meetings Begin	16	17
18	19 Council Committees: 9 a.m. EDH 11 a.m. HSN 2 p.m. GPFM	20	21 Council Briefing 9 a.m. Budget Workshop	22	23	24
25	26 Council Briefing 9 a.m. Budget Workshop: Consider Budget Amendments (straw votes anticipated)	27	28 Council Agenda 9 a.m. Budget Public Hearing	29 Budget Town Hall Meetings End	30	31

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September 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 Council Committee Meetings Canceled Labor Day/Cesar E. Chavez Day – City Holiday	3	4 Council Briefing 9 a.m. Budget Workshop: Consider Amendments and Adopt Budget on First Reading; Tax Rate Public Hearing #1 (if needed)	5	6	7
8	9 Council Committees: 9 a.m. QOLAC 11 a.m. PSCJ 2 p.m. MSIS	10 Council Briefing 9 a.m. Budget Workshop (optional)	11 Council Agenda 2 p.m. Tax Rate Public Hearing #2 (if needed)	12	13	14
15	16 Council Committees: 9 a.m. EDH 11 a.m. HSN 2 p.m. GPFM	17	18 Council Briefing 9 a.m. Budget Workshop: Adopt Budget on Second Reading, Adopt Tax Rate, and Approve Other Budget-Related Items	19	20	21
22	23 Council Committees: 9 a.m. QOLAC 11 a.m. PSCJ 2 p.m. MSIS	24	25 Council Agenda 9 a.m.	26	27	28
29	30 Fifth Monday – No Council Committee Meetings					

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October 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 FY 2019-20 Begins	2 Council Briefing 9 a.m.	3	4	5
6	7 Council Committees: 9 a.m. EDH 11 a.m. HSN 2 p.m. GPFM	8 Council Agenda 2 p.m.	9 Council Agenda Meeting Moved to 10/8 Texas Municipal League Annual Conference	10 Texas Municipal League Annual Conference	11 Texas Municipal League Annual Conference	12 Texas Municipal League Annual Conference
13	14 Council Committees: 9 a.m. QOLAC 11 a.m. PSCJ 2 p.m. MSIS	15	16 Council Briefing 9 a.m.	17	18	19
20	21 Council Committees: 9 a.m. EDH 11 a.m. HSN 2 p.m. GPFM	22	23 Council Agenda 9 a.m. Adopt 2020 City Calendar	24	25	26
27	28 Council Committees: 9 a.m. QOLAC 11 a.m. PSCJ 2 p.m. MSIS	29	30 Fifth Wednesday – No City Council Meeting	31		

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November 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4 Council Committees: 9 a.m. EDH 11 a.m. HSN 2 p.m. GPFM	5	6 Council Briefing 9 a.m.	7	8	9
10	11 Council Committees: 9 a.m. QOLAC 11 a.m. PSCJ 2 p.m. MSIS	12	13 Off-Site Council Agenda 2 p.m. at Campbell Green Recreation Center	14	15	16
17	18 Council Committees: 9 a.m. EDH 11 a.m. HSN 2 p.m. GPFM	19 Council Briefing 9 a.m.	20 Council Briefing Meeting Moved to 11/19 National League of Cities City Summit	21 National League of Cities City Summit	22 National League of Cities City Summit	23 National League of Cities City Summit
24	25 Council Committee Meetings Canceled	26	27 Council Agenda Meeting Canceled	28 Thanksgiving – City Holiday	29 Day after Thanksgiving/September 11th Remembrance Day – City Holiday	30

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December 2019

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 Council Committees: 9 a.m. EDH 11 a.m. HSN 2 p.m. GPFM	3	4 Council Briefing 9 a.m.	5	6	7
8	9 Council Committees: 9 a.m. QOLAC 11 a.m. PSCJ 2 p.m. MSIS	10	11 Council Agenda 2 p.m.	12	13	14
15	16 Council Committee Meetings Canceled	17	18 Council Briefing Meeting Canceled	19	20	21
22	23 Council Committee Meetings Canceled	24	25 Council Agenda Meeting Canceled Christmas Day – City Holiday	26	27	28
29	30 Fifth Monday – No Council Committee Meetings	31				

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Agenda Information Sheet

File #: 18-1064 **Item #:** 33.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 5

DEPARTMENT: Office of Cultural Affairs

EXECUTIVE: Joey Zapata

SUBJECT

Authorize a contract with Madeline Wiener for the fabrication and installation of a site-specific artwork at Pleasant Oaks Park located at 8701 Greenmound Avenue - Not to exceed $87,862.48 - Financing: 2006 Bond Funds ($68,004.08) and 2017 Bond Funds ($19,858.40)

BACKGROUND

Pleasant Oaks Recreation Center is located in the heart of southeast Dallas and is the only recreation center with an official indoor soccer gymnasium. It has multiple athletic fields, a tennis court, a newly renovated playground, large picnic area with shade trees, walking trail, and a large pool open during the summer. The 2006 and 2017 Bond Programs included public art allocations for Pleasant Oaks Park. Through a call for artist process, Madeline Wiener was selected as the artist for the public art at Pleasant Oaks Park.

Madeline Wiener's sculptures are recognized for their superb craftsmanship, beauty, and love for humanity. She explores the relationship between form and the emotion it projects. She searches for a balance between abstract and figurative art, because "the human figure is a blend of abstract shapes". She was educated at the New York School of Visual Arts and currently lives in Denver, CO. Her public sculpture can be found throughout the United States, as well as in Scotland and India. Madeline's artwork is also part of many private collections internationally.

"Family Life" is inspired by the many activities enjoyed at the recreation center and the families that visit and use the park. Madeline will create two "bench people" sculptures in Dolomitic limestone that will welcome visitors to the recreation center and engage them by inviting them to interact with the artwork through touch, play, and exploration of the sculptures. One is a boy wearing a baseball cap and uniform (4'x6'x2.5') and the other a woman enjoying a sunny day at the park (5'x4'x4').

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ESTIMATED SCHEDULE OF PROJECT

Begin fabrication of artwork November 2018
Complete installation of artwork November 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 5, 2018, the Public Art Committee of the Cultural Affairs Commission recommended an artist contract with Madeline Wiener for “Family Life” sculptures for Pleasant Oaks Recreation Center.

On June 21, 2018, the Cultural Affairs Commission recommended an artist contract with Madeline Wiener for “Family Life” sculptures for Pleasant Oaks Recreation Center.

On September 6, 2018, the Park and Recreation Board authorized an artist contract with Madeline Wiener for “Family Life” sculptures for Pleasant Oaks Recreation Center.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on October 22, 2018.

FISCAL INFORMATION

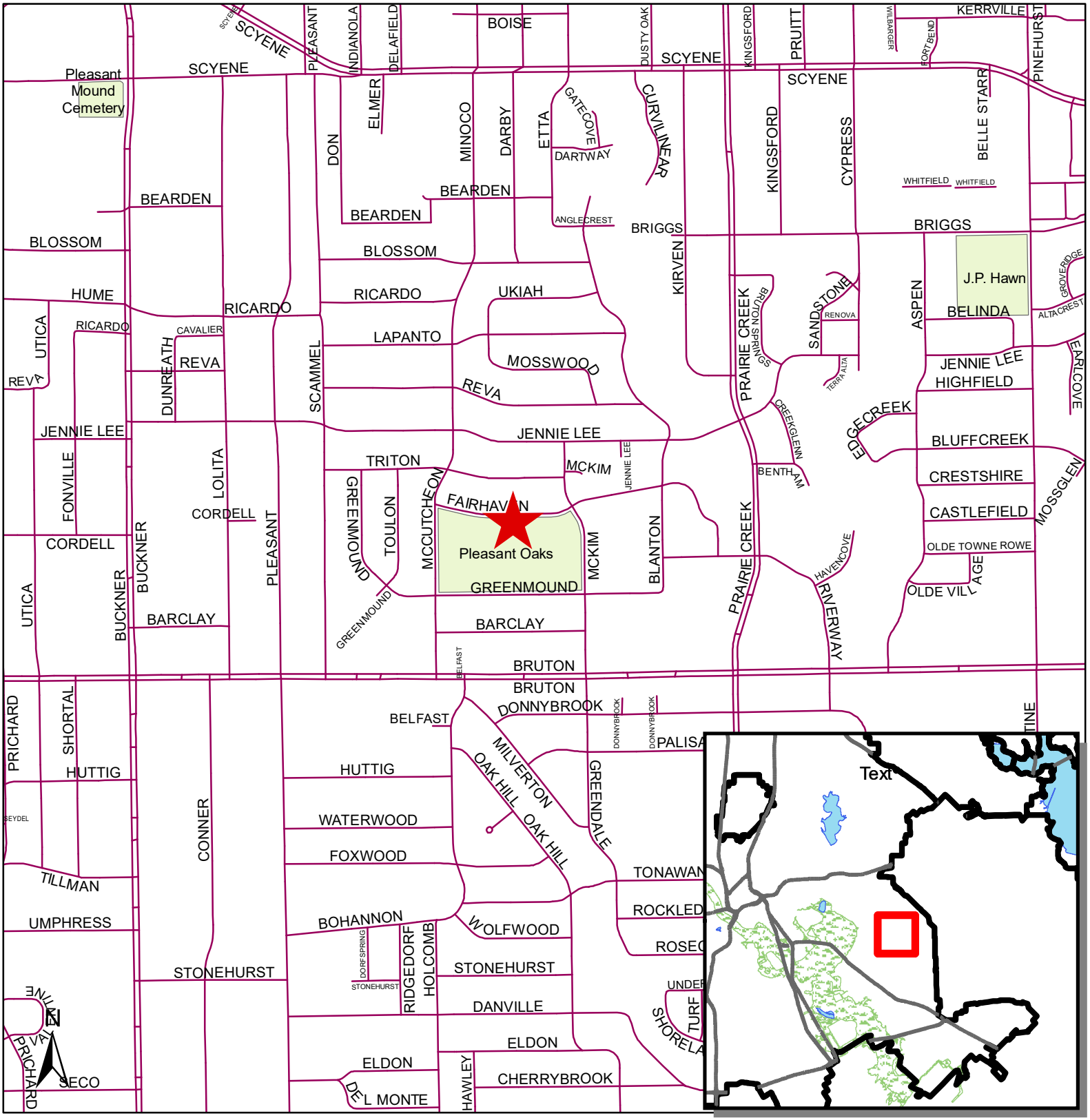
2006 Bond Funds - $68,004.08
2017 Bond Funds - $19,858.40

OWNER

Madeline Wiener, Artist

MAP

Attached



Public Art Project
Pleasant Oaks Park

★ Project Location

City of Dallas

Prepared by
Office of Cultural Affairs

Data Source
Population, Boundaries, Roads, Waterways, Lakes - City of Dallas Enterprise GIS

City of Dallas GIS Map Disclaimer
The accuracy of the data within this map is not to be taken/used as data produced by a Registered Professional Land Surveyor for the State of Texas. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The City of Dallas makes no representation of any kind, including, but not limited to, warranties of merchantability or fitness for a particular purpose or use, nor are any such warranties to be implied with respect to the accuracy information/data presented on this map. Transfer, copies and/or use of information in this map without the presentation of this disclaimer is prohibited. City of Dallas GIS - State of Texas: H.B. 1147 (w. Smith) – 05/27/2011. Effective on 09/01/2011.

WHEREAS, Chapter 2, Article X of the Dallas City Code establishes a Public Art Program to include works of art and design services of artists in certain City capital improvement projects; and

WHEREAS, in carrying out the intent of the Public Art Program, the Office of Cultural Affairs, working with the Public Art Committee, has identified a public art project to complement the Pleasant Oaks Park; and

WHEREAS, Madeline Wiener was selected for the project and was approved by the Public Art Committee and the Cultural Affairs Commission; and

WHEREAS, on September 6, 2018, the Park and Recreation Board authorized an artist contract with Madeline Wiener for "Family Life" sculptures for Pleasant Oaks Park located at 8701 Greenmound Avenue; and

WHEREAS, $68,004.08 is available from the 2006 Bond Funds and $19,858.40 is available from the 2017 Bond Funds to support the fabrication and installation of a site specific artwork.

Now, Therefore,

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

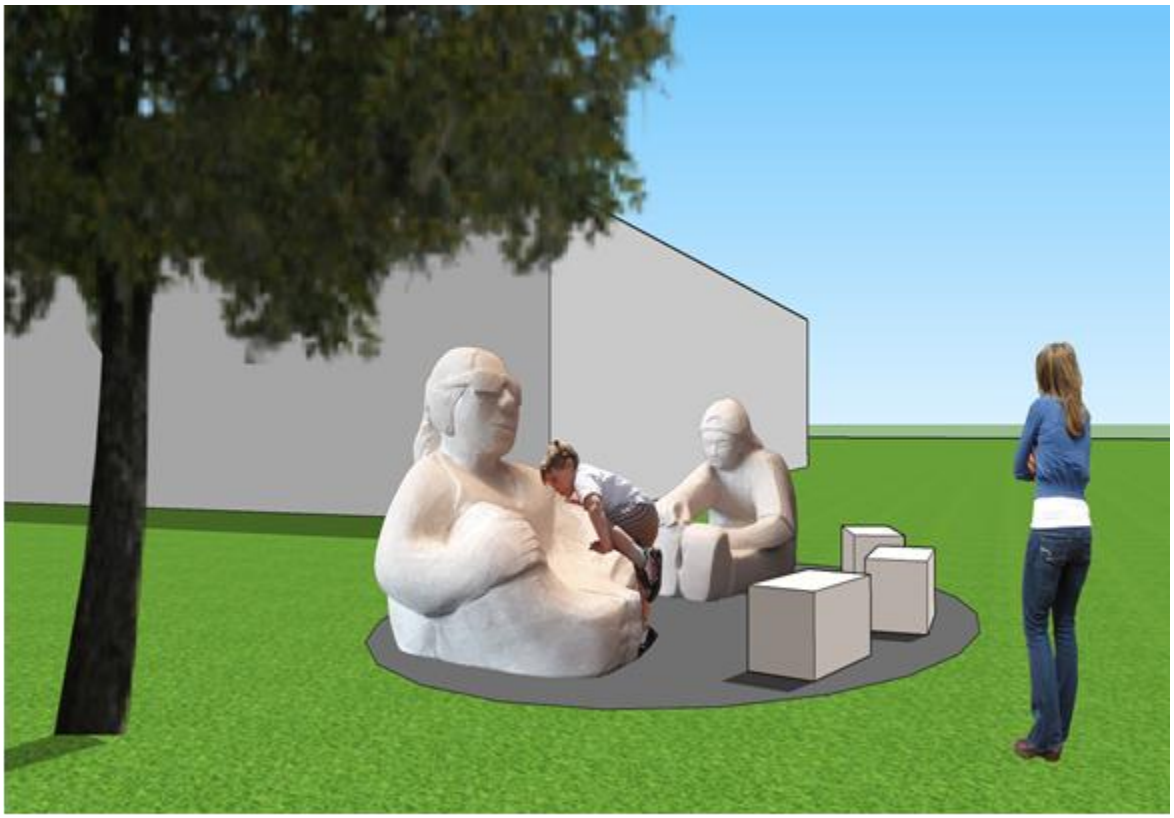
SECTION 1. That the City Manager is hereby authorized to sign a contract with Madeline Wiener, approved as to form by the City Attorney, to fabricate and install a site-specific artwork at Pleasant Oaks Park located at 8701 Greenmound Avenue, in an amount not to exceed $87,862.48.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $87,862.48, in accordance with the terms and conditions of the contract to Madeline Wiener, Encumbrance/Contract No. CX-OCA-2018-00008111, Vendor VC17556, as follows:

Fund	Department	Unit	Object	Program	Amount
1V00	PKR	PA56	4425	PK17VB71	$19,858.40
1T00	PKR	N810	4425	PK06T345	$68,004.08

SECTION 3. 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.

“Family Life”



Agenda Information Sheet

File #: 18-800 **Item #:** 34.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Cultural Affairs

EXECUTIVE: Joey Zapata

SUBJECT

Authorize contracts with cultural organizations for the provision of artist services to the City through the Cultural Services Contracts Program for the period October 1, 2018 through September 30, 2019 (list attached to the Agenda Information Sheet) - Not to exceed $4,869,205.00 - Financing: General Fund

BACKGROUND

The Cultural Organizations Program (COP) provides funding for cultural services with established non-profit cultural organizations to support an array of programs that include concerts, plays, exhibitions, performances, workshops, and other cultural services. The Office of Cultural Affairs reviewed proposals from cultural organizations, submitted the proposals to a citizen peer review panel for scoring, and then to the Cultural Affairs Commission for final review and recommendations for funding levels.

The Cultural Services Contracts Program provides operating support to eligible organizations in exchange for cultural services to the citizens of Dallas over a twelve-month period. All services must be provided no later than September 30, 2018.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 5, 2018, the Allocations Committee of the Cultural Affairs Commission approved a recommendation in support of the FY 2018-19 Cultural Organization Programing funding allocations.

On August 16, 2018, the Cultural Affairs Commission approved a recommendation in support of the FY 2018-19 Cultural Organization Programing funding allocations.

On October 8, 2018, the Quality of Life, Arts and Culture Committee approved a recommendation in support of the FY 2018-19 Cultural Organization Programing funding allocations.

FISCAL INFORMATION

General Fund - $4,869,205.00

OWNERS

Anita N. Martinez Ballet Folklorico, Inc.

Loenor Marquez, President

Big Thought

Melora Leiser, Chair

Cara Mia Theatre Co.

Linda Cantu, President

Children's Chorus of Greater Dallas

Wendy Finley, Chair

Creative Arts Center of Dallas

Derek Jones, President

Crow Family Foundation, Inc.

Trammell Crow, President

Dallas Black Dance Theatre, Incorporated

Gilbert Gerst, Chair

Dallas Chamber Symphony

Jeffrey Osborne, President

Dallas Children's Theater

Karen Travis, President

Dallas County Heritage Society

Steve Enda, President

Dallas Historical Society

Bill Hembrecht, Chair

Dallas Holocaust Museum/Center for Education and Tolerance

Frank Risch, Chair

Dallas Museum of Art

Catherine Marcus Rose, President

Dallas Theater Center

Jeffrey R. Bragalone, Chair

Dallas Wind Symphony

John M. Gibson, Chair

Fine Arts Chamber Players

Celeste Yeager, President

Foundation for African-American Art

Dr. Wright L. Lassiter, Jr., Chair

Greater Dallas Youth Orchestra

Doug Haloftis, Chair

Junior Players Guild

Derwin Broughton, President

Kitchen Dog Theater Company

Alexander Albritton, President

Perot Museum of Nature and Science

Hernan Saenz, Chair

Premier Lone Star Wind Orchestra

Thomas Shelton, Chair

Sammons Center for the Arts

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Christopher A. Poinsatte, President

Teatro Hispano de Dallas

John Fullinwider, President

TeCo Theatrical Productions, Inc.

Boderick Hall, Chair

Texas International Theatrical Arts Society

Bill Graue, President

Texas Winds Musical Outreach, Inc.

John Wellik, President

The Black Academy of Arts and Letters, Inc.

Barbara Steele, Chair

The Dallas Opera

Lynn McBee, Chair

The Shakespeare Festival of Dallas

John Hall, Chair

The Writer's Garret

Samatha Keyes, President

Theatre Three, Inc.

Marion L. Brockette, Jr., Chair

Undermain Theatre

Larry Taylor, President

USA Film Festival

Laura Fox Williamson, Chair

LIST

Organization	Amount
Anita N. Martinez Ballet Folklorico, Inc.	73,233
Big Thought	675,440
Cara Mia Theatre Co.	57,258
Children's Chorus of Greater Dallas	55,415
Creative Arts Center of Dallas	43,363
Crow Family Foundation, Inc.	42,000
Dallas Black Dance Theatre, Incorporated	194,711
Dallas Chamber Symphony	48,000
Dallas Children's Theater	165,222
Dallas County Heritage Society	102,545
Dallas Historical Society	36,435
Dallas Holocaust Museum/Center for Education and Tolerance	60,000
Dallas Museum of Art	1,069,896
Dallas Theater Center	75,007
Dallas Wind Symphony	47,811
Fine Arts Chamber Players	49,604
Foundation For African-American Art	72,660
Greater Dallas Youth Orchestra	54,367
Junior Players Guild	65,257
Kitchen Dog Theater Company	44,564
Perot Museum of Nature and Science	740,489
Premier Lone Star Wind Orchestra	22,500
Sammons Center for the Arts	89,370
Teatro Hispano de Dallas	67,831
TeCo Theatrical Productions, Inc.	110,782
Texas International Theatrical Arts Society	71,314
Texas Winds Musical Outreach, Inc.	54,646
The Black Academy of Arts and Letters, Inc.	199,956
The Dallas Opera	152,500
The Shakespeare Festival of Dallas	102,156
The Writer's Garret	40,292
Theatre Three, Inc.	87,420
Undermain Theatre	44,594
USA Film Festival	52,567
TOTAL	**4,869,205**

WHEREAS, Cultural Services Contracts provide operating support to eligible organizations in exchange for cultural services to residents and visitors of Dallas over a twelve-month period; and

WHEREAS, it is necessary for the City to define services to be received through the Cultural Services Program and authorize payment of these funding allocations during the 2018-19 fiscal year.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign contracts with cultural organizations, approved as to form by the City Attorney, for the provision of services to the City through the Cultural Services Contracts Program for the period October 1, 2018 through September 30, 2019, in an amount not to exceed $4,869,205.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in periodic payments, in an amount not to exceed $4,760,110.00 from Fund 0001, Department OCA, Object 3089, as invoices are processed by the Office of Cultural Affairs, in the amounts indicated below:

Organization	Amount	Encumbrance/ Contract No.	Vendor	Unit
Anita N. Martinez Ballet Folklorico, Inc.	$73,233	OCA-2018-00007525	269236	4836
Big Thought	$675,440	OCA-2018-00007671	269229	4836
Cara Mia Theatre Co.	$57,258	OCA-2018-00007624	357327	4836
Children's Chorus of Greater Dallas	$27,708 $27,707	OCA-2018-00007656	359020	4836 1736
Creative Arts Center of Dallas	$43,363	OCA-2018-00007661	VS0000036818	4836
Crow Family Foundation, Inc.	$21,000 $21,000	OCA-2018-00007669	514650	4836 1736
Dallas Black Dance Theatre, Incorporated	$136,298 $58,413	OCA-2018-00007664	219206	4836 1736
Dallas Chamber Symphony	$48,000	OCA-2018-00007528	VS0000073121	4836

October 24, 2018

Organization	Amount	Encumbrance/ Contract No.	Vendor	Unit
Dallas Children's Theater	$99,133 $66,089	OCA-2018-00007662	243720	4836 1736
Dallas County Heritage Society	$102,545	OCA-2018-00007668	126247	4836
Dallas Holocaust Museum/Center for Education and Tolerance	$30,000 $30,000	OCA-2018-00007691	517469	4836 1736
Dallas Museum of Art	$213,979 $855,917	OCA-2018-00007672	188483	4836 1736
Dallas Theater Center	$45,004 $30,003	OCA-2018-00007673	077356	4836 1736
Dallas Wind Symphony	$47,811	OCA-2018-00007666	243546	4836
Fine Arts Chamber Players	$49,604	OCA-2018-00007654	223166	4836
Greater Dallas Youth Orchestra	$27,184 $27,183	OCA-2018-00007658	219235	4836 1736
Junior Players Guild	$65,257	OCA-2018-00007655	223195	4836
Kitchen Dog Theater Company	$44,564	OCA-2018-00007659	239976	4836
Perot Museum of Nature and Science	$148,098 $592,391	OCA-2018-00007670	263880	4836 1736
Premier Lone Star Wind Orchestra	$22,500	OCA-2018-00007692	VS0000027661	4836
Sammons Center for the Arts	$89,370	OCA-2018-00007526	265704	4836
Teatro Hispano de Dallas	$67,831	OCA-2018-00007653	243541	4836
TeCo Theatrical Productions, Inc.	$55,391 $55,391	OCA-2018-00007527	507328	4836 1736
Texas International Theatrical Arts Society	$35,657 $35,657	OCA-2018-00007530	269237	4836 1736
Texas Winds Musical Outreach, Inc.	$54,646	OCA-2018-00007623	269232	4836

Organization	Amount	Encumbrance/ Contract No.	Vendor	Unit
The Black Academy of Arts and Letters, Inc.	$99,978 $99,978	OCA-2018-00007663	219248	4836 1736
The Dallas Opera	$91,500 $61,000	OCA-2018-00007531	207225	4836 1736
The Shakespeare Festival of Dallas	$51,078 $51,078	OCA-2018-00007626	128849	4836 1736
The Writer's Garret	$40,292	OCA-2018-00007650	350999	4836
Theatre Three, Inc.	$87,420	OCA-2018-00007665	219189	4836
Undermain Theatre	$44,594	OCA-2018-00007657	223140	4836
USA Film Festival	$26,284 $26,283	OCA-2018-00007652	223296	4836 1736
TOTAL	**$4,760,110**			

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in periodic payments, in an amount not to exceed $109,095.00 from Fund 0001, Department PKR, Object 3089, as invoices are processed by the Office of Cultural Affairs, in the amounts indicated below:

Organization	Amount	Encumbrance/ Contract No.	Vendor	Unit
Dallas Historical Society	$36,435	OCA-2018-00007667	126319	5206
Foundation For African-American Art	$72,660	OCA-2018-00007660	219251	5206

SECTION 4. That the services described in Exhibit A, which is attached to and made a part of this Resolution, at a minimum, are to be performed by the Cultural Agencies for the period October 1, 2018 through September 30, 2019.

SECTION 5. 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.

EXHIBIT A
Cultural Organizations Program (COP) Services For FY 2018-19

ANITA N. MARTINEZ BALLET FOLKLORICO, INC.

The cultural organization will serve over 40,000 people through 250 programs that include: 2 semesters of Dance Academy classes, each session ending with a recital; 2 Dance Academy Open Houses; advanced dancer workshops; 4 major educational and cultural awareness productions celebrating Hispanic Heritage Month, "Viva Mexico", "Dia de los Muertos", and "Cinco de Mayo" at the Moody Performance Hall, Latino Cultural Center and other Dallas cultural services. Over 8,000 students will experience educational matinee performances with on campus shows. The professional company will also perform and teach satellite programs at elementary, middle and high schools throughout the City of Dallas. Along with the professional Ballet Folklorico, Mini-Professional Company, Children's Ensemble and Junior Companies will participate in the; Soluna Festival, Arts District Block Party and various community festivals including The State Fair of Texas, Holiday in the Park, Dance for the Planet, and City Arts Celebration.

Performance Benchmarks for the COP FY18-19 Payment Periods

1. 10/1/18 – 12/30/18

- Campus programs at 35 Elementary Schools
- Production Celebrating "Hispanic Heritage Month" Production at DCCCD, University of Texas at Dallas, and El Fenix – Downtown Celebration
- "Festival Latino Americano" in Dallas Art's District
- State Fair of Texas "Mundo Latino" event
- "Dia de los Muertos" Community Presentation at Laurel Land and Calvary Hill.
- Christmas Recital at Anita Martinez Recreation Center
- Holiday Celebration at North Park Mall Center
- WinStar World Casino and Hotel Residency
- ANMBF Youth Auditions/Open House

2. 1/1/19 – 3/15/19

- Spring Dance Academy Open House
- Dance Academy Spring session
- Dance Academy Spring Fiesta
- Dallas Arts Week, ArtsPark @ North Park Mall
- Dance for the Planet
- Spring Dance Recital

3. 4/16/19 – 9/30/19

- "Cinco de Mayo" Production at the Moody Performance Hall
- City Arts Celebration
- Cinco de Mayo Community Performance at the Perot Museum
- Big Thought Summer Camp
- Dance Academy Summer session begins

- Summer Dance Academy Open House
- Mayor's Summer Reading Program
- Dance Academy (summer session)
- Folklorico showcase with Big Thought Campus'
- Dance Academy Fall session
- Giving Day North Park Center
- United Way Back to School Event

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Camp	4
Class/Workshop	55
Fair/Festival/Carnival	53
Performance/Presentation	138
Totals	**250**

Event Type	**Attendance**
Camp	250
Class/Workshop	630
Fair/Festival/Carnival	15,000
Performance/Presentation	24,120
Totals	**40,000**

BIG THOUGHT

The cultural organization will provide an estimated 23,000 services to the Dallas community through two methods: direct delivery programs where children and youth are enrolled in Big Thought designed, staffed and implemented experiences, and systems initiatives where the organization serves as an intermediary which convenes, connects, manages and facilitates multiple partners working toward a shared goal. In these roles, the organization will coordinate resources from the Office of Cultural Affairs, other City departments and agencies, the Dallas Independent School District and more than 500 cultural and community partners to provide creative learning opportunities to an estimated 392,000 attendees during the school day as well as in out-of-school time, including after-school, weekends and summer.

The organization strives to be responsive to the overall community needs through programming such as the SOARS camps in targeted neighborhoods, the Neighborhood Resource Initiative and Library Out Loud. The organization's systems which harness the power of collective impact to reach large numbers of students include Dallas City of Learning, Learning Partners and SEL Dallas. Direct services provided by Big Thought include youth development programs Creative Solutions, DaVerse, Artivism and The Fellowship Initiative as well as Thriving Minds After-School and Summer Camps. In addition, Big Thought leverages City funding through private sector fundraising;

provides professional development and training opportunities for cultural partners; and coordinates research and evaluation to support program quality.

Performance Benchmarks for the COP FY18-19 Payment Periods

1. 10/1/19 – 12/31/18

- Class/Workshop – 5,007
- Exhibit-Permanent – 185
- Exhibit-Temporary – 177
- Fair/Festival – 43
- Performance-Presentation – 353
- Tour/Rehearsal/Other – 47

2. 1/1/19 – 4/15/19

- Class/Workshop – 5,866
- Exhibit-Permanent – 988
- Exhibit-Temporary – 87
- Fair/Festival – 71
- Performance-Presentation – 993
- Tour/Rehearsal/Other – 28

3. 4/16/19 – 9/30/19

- Camp – 5,896
- Class/Workshop – 3,434
- Exhibit-Permanent – 145
- Fair/Festival – 171
- Performance-Presentation – 256
- Tour/Rehearsal/Other – 29

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Camp	5,896
Class/Workshop	14,307
Exhibit – Permanent	1,318
Exhibit – Temporary	264
Fair/Festival	285
Performance/Presentation	1,602
Tour/Rehearsal/Other	104
Totals	**23,776**

Event Type	**Attendance**
Camp	43,864
Class/Workshop	251,093
Exhibit – Permanent	38,250

Exhibit – Temporary	7,650
Fair/Festival	1,750
Performance/Presentation	48,880
Tour/Rehearsal/Other	1,053
Totals	**392,540**

CARA MIA THEATRE CO.

The cultural agency will serve an estimated 26,550 people by hosting approximately 845 events in the 2018-2019 Season. Cara Mía Theatre Co. is presenting a four-production season, one of which is a tour of *WET: A DACAmented Journey* launching in Dallas. The organization will also be presenting a new work play reading series to showcase works in development. They will also provide educational programs throughout the year for schools, cultural centers, and community centers. These programs include educational residencies, touring plays, field trip programming, and The School Of YES! That will provide youth with skills to say YES to a future of their choice through multidisciplinary and multicultural arts program.

Performance Benchmarks for Payment Periods for FY18-19

1. 10/1/18 – 12/31/18

- *WET: A DACAmented Journey (Tour)* by Written and performed by Alex Alpharaoh at Theatre Too.
- *Tina's Journey* by Berta Hiriart at Latino Cultural Center
- *Don't Eat The Mangos* by Ricardo Pérez Gonález – Developmental Reading at Sammons Center for the Arts
- School Of YES! – Harry Montessori

2. 1/1/19 – 4/15/19

- *Bless Me, Ultima* by Rudolfo Anaya at Latino Cultural Center
- *Teatro En Fuga: A Festival of New Works* at Latino Cultural Center
- School Of YES! – Harry Montessori School

3. 4/16/19 – 9/30/19

- *Teatro En Fuga: A Festival of New Works* at Latino Cultural Center
- *Grandma's Empanadas* by KJ Sanchez developmental reading at the Sammons Center for the Arts
- *Pilgrimage* by Ariana Cook developmental reading at the Sammons Center for the Arts
- School Of YES! Summer Camp at Oak Cliff Cultural Center

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Camps	200
Class/Workshop	110
Performance/Presentation	85
Tour/Rehearsal/Other	450
Totals	**845**

Event Type	**Attendance**
Camps	1,050
Class/Workshop	6,500
Performance/Presentation	13,000
Tour/Rehearsal/Other	6,000
Totals	**26,550**

CHILDREN'S CHORUS OF GREATER DALLAS (CCGD)

The cultural organization will serve more than 22,000 people by: leading classes/workshops for more than 650 students; presenting three seasonal concerts at the Meyerson Symphony Center; making 10 guest appearances with other groups (Greater Dallas Youth Orchestra and Dallas Symphony Orchestra); and performing 3 free in-school concerts at Dallas Independent School District (DISD) and other area elementary schools, and 2 free concerts at various venues in Dallas. To further build diversity the cultural organization has developed two neighborhood choruses at West Dallas Community School, which serves Hispanic and African American students. The organization conducts observations of school choruses, providing feedback to district administrators as well as to individual educators. Professional development credit is also offered to DFW teachers who attend and observe CCGD's rehearsals and Summer Singing Camp. CCGD provides free concert tickets to area music teachers through its teacher affinity program. The cultural organization has an established relationship with the Circle of Support, which serves African-American students. Circle of Support students attend the Summer Singing Camp at no charge, as do students enrolled in their school's choir program.

Performance Benchmarks for Payment Periods

1. 10/1/18 – 12/31/18

- Guest performance with Dallas Symphony Orchestra for Carmina Burana
- "Fall into Winter" concert at the Meyerson featuring all six downtown choruses
- Guest appearance with the at the 30th Annual Breakfast with Santa hosted by the Children's Medical Center Dallas
- Guest appearance at Greater Dallas Youth Orchestra's annual "Holiday Magic" concert

- Guest appearance on Dallas Symphony Orchestra's "A John Williams Christmas" concerts
- Neighborhood Chorus in-school performances

2. 1/1/19 – 4/15/19

- "Sing Into Spring" concert at the Meyerson featuring all six downtown choruses and two neighborhood choruses
- Guest appearance at First United Methodist Church Worship Service
- Outreach Chorus performances

3. 4/16/19 – 9/30/19

- "Season Finale" concert at the Meyerson featuring all six downtown choruses
- Neighborhood Chorus in-school performance
- Summer Singing Camp and concerts

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Camp/Workshop	10
Rehearsals	248
Performance/Presentation	25
Totals	**283**

Event Type	**Attendance**
Camp/Workshop	160
Rehearsals	505 singers attending weekly rehearsals
Performance/Presentation	21,693
Totals	**22,358**

CREATIVE ARTS CENTER OF DALLAS

The cultural organization will serve nearly 14,000 people by hosting 500 classes, workshops and events in the 2018-2019 year. This will include visual art classes; professional development workshops; outreach programs for underserved groups; an annual membership show, department and community shows, including an annual show with Booker T. Washington High School for the Performing & Visual Arts and at Bayles Elementary for the *unseenamerica* program; the White Rock Artist Studio Tour. Outreach programs are: Camp MetalHead, ArtAbility, *unseenamerica* and Art as a Second Language.

Performance Benchmarks for Payment Periods

1. 10/1/18 – 12/30/18

- 75 Art Classes & Workshops
- White Rock Artist Studio Tour & Student Show

- One Process 2 Product Department Show
- Art as a Second Language Events at Klyde Warren Park & NorthPark
- One ArtAbility Studio Event
- Booker T. Washington Figure Drawing Camp
- *Unseenamerica* Exhibition
- Two CAC@NorthPark Art Experiences
- One CAC BizWorks Programs

2. 1/1/19 – 4/15/19

- 150 Art Classes & Workshops
- One Process 2 Product Department Show
- Four Art as a Second Language Events at Klyde Warren Park & NorthPark
- One ArtAbility Studio Event
- One Business of Art Professional Development Workshop
- Booker T. Washington Figure Drawing Camp
- Five Café Momentum Classes in New Underground Community Center
- One CAC Bizwork Program

3. 4/16/19 – 9/30/19

- 275 Classes & Workshops
- Camp MetalHead Summer Program
- Booker T. Washington Figure Show
- Two Process 2 Product Department Shows
- Two ArtAbility Studio Events
- Six Art as a Second Language Events at Klyde Warren Park & NorthPark
- Two Feasts of Clay & Glass Programs
- Two CAC BizWork Programs
- CAC Annual Membership Show
- Two Professional Development Classes for Teachers

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Camps	9
Class/Workshop	500
Exhibit	8
Fair/Festival	2
Performance/Presentation	12
Residency	0
Totals	**531**

Event Type	**Attendance**
Camps	125
Class/Workshop	1,500
Exhibit	5,800

Fair/Festival	650
Performance/Presentation	6,500
Totals	**14,575**

CROW FAMILY FOUNDATION, INC.

The cultural organization will serve approximately 59,800 people by presenting year-round exhibitions, education programs to the public and schools, one large cultural festival, and one cultural festival in partnership with another organization. Education outreach programs put Crow Collection teachers in Dallas schools. These programs use visual art, Artful Thinking, and wellness as a framework to bridge the classroom and the museum. These programs are supplemented with tours of the museum by professionally trained Museum Educators. The Crow will be presenting five exhibitions during the course of the year, including *Jacob Hashimoto: Clouds and Chaos* and *Our Asian Art Museum: The Crow at 20.* The 2019 Chinese New Year Festival will celebrate the Year of the Pig featuring stage performances, partner booths, art activities, and fireworks for more than 20,000 attendees. The Crow Museum is always free to the public, year-round.

Performance Benchmarks for Payment Periods

1.10/1/18 – 12/31/18

- Classes | Mandala Weaving; Pearl Art Studio
- Exhibition | *Our Asian Art Museum: The Crow at 20; Jacob Hashimoto: Clouds and Chaos*
- Classes | Create, Chat, Move : First and Third Saturdays for families and First Thursdays for adults
- Workshop | Stress Reduction
- Tours | 90 tours

2. 1/1/19 – 4/15/19

- Classes | Pearl Art Studio
- Exhibition | *Collecting Asian Art in America*
- Festival | Chinese New Year
- Tours | 90

3. 4/16/19 – 9/30/19

- Classes | Pearl Art Studio
- Exhibition | *Master Shen-Long; Contemporary Japanese Ceramics*
- Festival | Otsukimi Moon Viewing Festival
- Workshop | Pearl Art Studio
- Tours | 90

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	Services
Class/Workshop	14
Exhibit	5
Fair/Festival	2
Tour/ Other	270
Totals	**291**

Event Type	Attendance
Class/Workshop	1,200
Exhibit	18,000
Fair/Festival	28,000
Residency	600
Tour/ Other	12,000
Totals	**59,800**

DALLAS BLACK DANCE THEATRE, INCORPORATED (DBDT)

The cultural organization will serve approximately 77,000 people by providing educational and dance performances. The Wyly season consists of Director's Choice with 3 public performances, Cultural Awareness (Black History Month) with 3 public performances and 3 student matinees, and Spring Celebration with 3 public performances featuring guest artists. In October, the DanceAfrica Festival celebrates African culture and is held at the Annette Strauss Square and the Moody Performance Hall. A free behind the scenes showcase occurs at DBDT's studios in November, and the Black on Black series in December at DBDT's studios showcases choreography from DBDT dancers. The DBDT: Encore! – Rising Excellence Series (2 public performances and 2 student matinees) will take place in April at Moody Performance Hall. DBDT Academy recital performance will take place at the Majestic Theatre in May. Over 20 community outreach performances, education programs, special classes and workshops will occur in 10 or more DISD schools. Year-round outreach classes, performances and dance education activities will be held in churches, community/corporate venues, libraries, juvenile detention centers, and community centers. Year-round dance training classes (fall/spring/summer sessions) will be provided for more than 450 students per week at DBDT's studios. DBDT will also partner and collaborate in performances with other cultural agencies, such as Dallas Museum of Art, Dance Council of North Texas, Dallas Symphony Orchestra, St. Paul United Methodist Church, South Dallas Dance Festival, and others.

Performance Benchmarks for Payment Periods

1. 10/1/18 – 12/31/18

- DanceAfrica
- Director's Choice
- Behind the Scenes
- Black on Black

2. 1/1/19 – 4/15/19

- Cultural Awareness
- Easter Celebration Service with St. Paul United Methodist Church
- Rising Excellence
- Dance for the Planet

3. 4/16/19 – 9/30/19

- Spring Celebration
- Summer Enrichment
- Summer Intensive
- Dallas Dances

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Camp	250
Class/Workshop	1,500
Performance/Presentation	100
Fair/Festival/Carnival	1
Residency	500
Tour/Rehearsal/Other	100
Totals	**2,451**

Event Type	**Attendance**
Camp	5,000
Class/Workshop	22,500
Performance/Presentation	35,000
Fair/Festival/Carnival	1,500
Residency	12,000
Tour/Rehearsal/Other	1,000
Totals	**77,000**

DALLAS CHAMBER SYMPHONY

The cultural organization will provide services for approximately 50,000 people. Dallas Chamber Symphony engages audiences through underrepresented and standard chamber music repertoire, and through an innovative season of four subscription performances that include film, actors, and dancers, as well as 20+ free music outreach concerts every year. The organization commissions new works and engages audiences through these outreach programs. Outreach events will bring music into area hospitals, homeless shelters, and other facilities whose population might not be able to partake of these events. *TechNotes* is a part of a new music curriculum that combines the use of new technologies in the classroom, and real-world, hands-on experience. This digital supplement provides a TEKS-aligned curriculum of musical concepts that provides a way that kids can find and learn about music they like, where it comes from, and why it's important. In addition to *TechNotes* the organization also provides its partner schools

with, video conference sessions with musicians, musician visits to classrooms, chamber music coaching and in-school assembly concerts.

Performance Benchmarks for the FY18-19 Payment Periods

1. **10/1/18 - 12/31/18**

- Season Subscription Concerts
- *Our Hospitality*, starring Buster Keaton featuring a new musical score by Scott Glasgow.
- Souvenir de Florence – chamber concert, music written for string orchestra
- Outreach Events
- DCS Live! Outreach Performances
- *TechNotes*: Music Education Programs (in-school & after school)
- Dallas Juvenile Center Performances

2. **1/1/19 - 4/15/19**

- Subscription Concerts
- Piazzolla, Four Season, featuring Chee-Yun Kim, violinist and chamber orchestra
- Film Score by Rolfe Kent – New Commission by Kim Osberg, Appalachian Spring chamber concert
- Beethoven 5 and Liszt 1, featuring pianist Hsin-Hao Yang and chamber orchestra
- Outreach Events
- DCS Live! Outreach Performances
- *TechNotes*: Music Education Programs (in-school & after school)
- Dallas Juvenile Center Performances

3. **4/16/19 - 9/30/19**

- Outreach Events
- DCS Live! Outreach Performances
- *TechNotes*: Music Education Programs (in-school & after school)
- Dallas Juvenile Center Performances

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Class/Workshop	22
Performance/Presentation	35
Tour-Other	10
Totals	**67**

Event Type	**Attendance**
Class/Workshop	2,500
Performance/Presentation	45,000
Tour-Other	2,500
Totals	**50,000**

DALLAS CHILDREN'S THEATER

The cultural organization will serve approximately 116,000 Dallas students, youth, and families with the following services: 7 major productions and 3 season specials, with 319 scheduled performances (161 are student matinee performances); 10 school site residencies and after-school programs for Dallas Independent School District (DISD) schools; 130 DCT Academy Classes with 1,100 sessions; 5,000 “Angel Seat” vouchers for free tickets, Arts Education scholarships for classes & workshops to DISD students and civic organizations; 7 sign-interpreted performances for hearing impaired; and free Teacher Study Guides via the DCT website.

Performance Benchmarks for Payment Periods

1. 10/1/18 – 12/30/18

- DCT Academy Fall Session 2018 – Classes
- TREASURE ISLAND REIMAGINED– Production
- A WRINKLE IN TIME – Production
- THE MAGIC TREE HOUSE: A GHOST TALE FOR MR. DICKENS - Production
- DIARY OF A WORM, A SPIDER & A FLY – Production
- THE SNOWY DAY AND OTHER STORIES BY EZRA JACK KEATS – Production
- LONE STAR CIRCUS’ CIRQUE JOYEUX – Production
- After School Drama Classes - Residencies
- Curtains Up On Reading – Residencies
- Curtains Up On Literacy – Residencies
- Workshops
- Outreach
- Rentals

2. 1/1/19 – 4/16/19

- LONE STAR CIRCUS’ CIRQUE JOYEUX – Production
- THE SNOWY DAY AND OTHER STORIES BY EZRA JACK KEATS – Production
- ELLA ENCHANTED: THE MUSICAL – Production
- DCT Academy Winter Mini-Session -- Classes
- DCT Academy Spring Session – Classes
- THE SECRET LIFE OF GIRLS - Production
- TUCK EVERLASTING – Production
- After School Drama Classes - Residencies
- Curtains Up On Reading – Residencies
- Curtains Up On Literacy – Residencies
- Workshops
- Outreach
- Rentals

3. 4/17/19 – 9/30/19

- DCT Academy Spring Fling Mini-Session – Classes
- DIARY OF A WORM, A SPIDER & A FLY - Production
- THE ISLAND OF THE SKOG – Production
- DCT Academy Show Biz Summer Session – Classes
- After School Drama Classes - Residencies
- Curtains Up On Reading – Residencies
- Workshops
- Outreach
- Rentals
- SEASON 2019-2020 OPENING PLAY (TBA) - Production

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Class/Workshop	1,100
Performance/Presentation	300
Residency	600
Other	600
Totals	**2,600**

Event Type	**Attendance**
Class/Workshop	10,000
Performance/Presentation	87,000
Residency	3,500
Other	15,500
Totals	**116,000**

DALLAS COUNTY HERITAGE SOCIETY

The cultural organization will serve approximately 50,000 people by operating and maintaining Dallas Heritage Village at Old City Park and conducting tours and historical experiences 250 days of the year. The cultural organization will provide curriculum-based programming for 18,000 students from 49 districts in the region; facilitate 4 badge workshop days for scout groups; collaborate with other non-profit and community groups to host the Dallas Legacies History Conference; and produce 8 public festivals. In addition, the cultural organization will continue working with underserved students by providing reduced admission for school tours. The following programs are booked on demand and are available in 2018-19: History Hunts, Scout Programs, Speaker's Bureau, Guided Tours, Birthday Parties, and Blacksmithing Classes.

Performance Benchmarks for Payment Periods

1. 10/1/18 – 12/30/18

- Barnyard Buddies

- Lone Star History Day
- Farina Lecture
- Holiday History Hunt
- Candlelight

2. 1/1/19 – 4/15/19

- Village Readers Book Club
- Legacies History Conference
- Barnyard Buddies
- Spring Fling
- Jazz Age Sunday Social
- History with a Twist

3. 4/16/19 – 9/30/19

- Barnyard Buddies
- History Quest
- Old Fashioned Fourth
- Village Readers Book Club
- History with a Twist

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Class/Workshop	70
Performance/Presentation	8
Fair/Festival/Carnival	8
Exhibit Permanent	240
Tour/Other	340
Totals	**666**

Event Type	**Attendance**
Class/Workshop	400
Performance/Presentation	400
Fair/Festival	9,000
Exhibit Permanent	10,200
Tour/Other	30,000
Totals	**50,000**

DALLAS HISTORICAL SOCIETY

The cultural organization will serve approximately 115,000 people through exhibitions and programs. Other programs include educational field trips and outreach, tours, historic character presentations, lecture series, scavenger hunts, storytelling performances, traveling hands-on exhibits, collection care, research requests, and preservation of family histories. The 2019 Brown Bag series will start in March, and will offer free one hour lectures on a variety of historical topics relating to Dallas and Texas for the general public. *An Evening With!* runs from March to June and offers a lecture series once a month. Additionally, there will be 2 historic city bus and/or walking tours.

Performance Benchmarks for Payment Periods

1. 10/1/18 – 12/30/18

- Texas Treasures cases on exhibit at various locations
- State Fair of Texas exhibition
- Artifacts on loan to Old Red Museum of Dallas County
- Two book/author presentations

2. 1/1/19 – 4/15/19

- Exhibit from the Dallas Historical collection
- 1 Historic City Tour
- 2 Brown Bag Lectures
- 2 evening lectures

3. 4/16/19 – 9/30/19

- State Fair exhibit 2018
- Exhibit
- 1 Historic City Tour
- 4 Brown Bag lectures
- 2 evening lectures

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Exhibit, Permanent	365
Exhibit, Temporary	700
Performance/Presentation	30
Tour	1,000
Totals	**2,095**

Event Type	**Attendance**
Exhibit/ Permanent/Temporary	12,000
Fair	85,000
Performance/Presentation	2,500
Tour	15,500
Totals	**115,000**

DALLAS HOLOCAUST MUSEUM/CENTER FOR EDUCATION AND TOLERANCE

The cultural organization will serve approximately 200,000 people by presenting year-round exhibitions, education programs and other outreach programming that is dedicate to teach the history of the Holocaust and advance human rights to combat prejudice, hatred and indifference. The organization will be moving into a newbuilding in 2019 which will feature new exhibits and will double the space of where it is now located. The organization will provide a large variety of programming that will include; The Museum Experience Fund, which provides free admission and transportation reimbursement for students from Title 1 schools; guided tours for students grades six – twelve; the Upstander Speaker Series; Civil Discourse series and Meet the Authors, Filmmaker and Artist programs. They support a library that contains artifacts, archives, and Holocaust survivor testimonials. The organization also has an extensive docent training program for exhibitions and collaborates with many other organizations in Dallas.

Performance Benchmarks for Payment Periods

1. 10/1/18 – 12/31/18

- Permanent and temporary exhibits
- Students tours
- Various programs that support the Museum
- Workshops

2. 1/1/19 – 4/15/19

- Permanent and temporary exhibits
- Students tours
- Various programs that support the Museum
- Workshops

3. 4/16/19 – 9/30/19

- Permanent and temporary exhibits
- Students tours
- Various programs that support the Museum
- Workshops

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Class/Workshop	25
Exhibit	3,000
Tour/ Other	270
Performance/Presentation	53
Totals	**3,348**

Event Type	**Attendance**
Class/Workshop	500

Exhibit	202,000
Tour/ Other	10,000
Performance/Presentation	6,200
Totals	**218,700**

DALLAS MUSEUM OF ART (DMA)

The cultural organization will serve more than 1.6 million visitors by presenting 8 ticketed exhibitions (including 3 nationally- or internationally-touring exhibitions), numerous smaller-scale exhibitions and installations, and over 5,000 educational programs. Free general admission provides the community with access to the Museum's global collection of more than 24,000 works of art, which helps to maintain a diverse audience base that mirrors the demographics of the Dallas MSA. The DMA's entire permanent collection has been digitized, and made available to the public through the Museum's website and the DMA smartphone app. The Center for Creative Connections will continue to provide visitors of all ages with the opportunity to interact with works of art. *Family Programs* will provide interactive opportunities for families to learn about art together, such as *Pop-Up Art Spots* in the galleries, and DMA's *Early Learning Programs*, which serve children ages 0-7 and their caregivers. DMA *Community Programs* help meet the needs of underserved groups and areas of the Metroplex through relevant programming created in collaboration with community members and organizations. The *Go van Gogh Outreach Program* will continue to offer free art presentations to North Texas students and teachers in their classrooms. Approximately 50,000 K-12 students will visit the Museum for collections tours and rich learning experiences facilitated by docents who participate in a rigorous program of continuing education and evaluation. *Access Programs* provide for audiences with special needs, including families of children with autism spectrum disorders (*Autism Awareness Family Celebrations*, which will take place three times during the year); tour for individuals with vision impairment; individuals with early-stage dementia such as *Meaningful Moments*, which occurs monthly; and *All Access Art* for individuals with developmental disabilities. The third Friday of each month, the Museum will stay open until midnight for the popular *Late Nights* program, which offers hundreds of experiences for visitors of all ages with performances, concerts, readings, film screenings, tours, and family programs. The 28th season of *Arts & Letters Live* will feature approximately 35 events with award-winning authors and artists. The DMA offers *Second Thursdays with a Twist*, a monthly program that takes an unexpected look at the Museum's collection respective to pop culture. The DMA will provide *Gallery Talks, Tours,* and *Lectures* in which individuals and groups may participate, and will also offer two symposiums focused on the *Berthe Morisot: Woman Impressionist*, and *Ida O'Keefe: Escaping Georgia's Shadow* exhibitions in Spring 2019.

Performance Benchmarks for Payment Periods

1. 10/1/18 – 12/30/18

- *Cult of the Machine: Precisionism and American Art*
- *Günther Förg: A Fragile Beauty*
- *Ida O'Keefe: Escaping Georgia's Shadow*
- *An Enduring Legacy: The Eugene and Margaret McDermott Collection of Impressionist and Modern Art*
- *Hopi Visions*
- *The Keir Collection of Islamic Art*
- Permanent collection rotations/exhibitions
- K-12 Tours
- K-12 Teacher Programs
- Go van Gogh Outreach Program
- Art Spot
- Family Programs
- Teen Programs
- Community Programs
- Access Programs
- Late Nights
- Second Thursdays
- Arts & Letters Live
- Adult Workshops
- Gallery Talks, Tours, Lectures
- Symposiums

2. 1/1/19 – 4/15/19

- *Cult of the Machine: Precisionism and American Art*
- *Günther Förg: A Fragile Beauty*
- *Ida O'Keefe: Escaping Georgia's Shadow*
- *Berthe Morisot: Woman Impressionist*
- *Women Artists In Europe*
- *Jonas Wood*
- *An Enduring Legacy: The Eugene and Margaret McDermott Collection of Impressionist and Modern Art*
- *The Keir Collection of Islamic Art*
- Contemporary Art Collection
- Permanent collection rotations/exhibitions
- K-12 Tours
- K-12 Teacher Programs
- Go van Gogh Outreach Program
- Art Spot
- Family Programs
- Teen Programs

- Community Programs
- Access Programs
- Late Nights
- Second Thursdays
- Arts & Letters Live
- Adult Workshops
- Gallery Talks, Tours, Lectures
- Symposiums

3. 4/16/19 – 9/30/19

- *Berthe Morisot: Woman Impressionist*
- *Women Artists In Europe*
- *Jonas Wood*
- *Dior: From Paris to the World*
- *The Keir Collection of Islamic Art*
- *Caravaggio*
- Contemporary Art Collection
- Permanent collection rotations/exhibitions
- K-12 Tours
- K-12 Teacher Programs
- Go van Gogh Outreach Program
- Art Spot
- Family Programs
- Teen Programs
- Community Programs
- Access Programs
- Late Nights
- Second Thursdays
- Arts & Letters Live
- Adult Workshops
- Gallery Talks, Tours, Lectures
- Symposiums

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Camp	130
Class/Workshop	1,100
Exhibit/Permanent	309
Exhibit/Temporary	1393
Fair/Festival	60
Performance/Presentation	260
Tour/Rehearsal/Other	3,800
Totals	**7,052**

Event Type	Attendance
Camp	350
Class/Workshop	30,000
Exhibit/Permanent	840,000
Exhibit/Temporary	600,000
Fair/Festival	55,000
Performance/Presentation	30,000
Tour/Rehearsal/Other	60,000
Totals	**1,615,350**

DALLAS THEATER CENTER (DTC)

The cultural organization will serve over 100,000 people through a variety of programs that include nine theater productions (six mainstage and three studio) and education and community enrichment programs for Dallas residence of all ages. Performances will take place at Dee and Charles Wyly Theatre and the historic Kalita Humphreys Theater. The agency will provide *Come Early* - pre-show lectures and *Stay Late* - post-show conversations at every performance. Dallas Theater Center's education, enrichment, and engagement programs include, Project Discovery; Student Matinee Series; Teacher Professional Development; Advanced Learning Lab at Booker T. Washington High School for Visual and Performing Arts; SummerStage theater camps; and Public Works Dallas. DTC also offers "Pay What You Can" performances and organizes donor cultivation events throughout the year to reach new donors and patrons.

Performance Benchmarks for Payment Periods

1. 10/1/18 – 12/30/18

- *Steel Magnolias*, by Robert Harling
- *Fetch Clay, Make Man,* book and lyrics by Will Power
- *A Christmas Carol*, by Charles Dicken adapted by Kevin Moriarty

2. 1/1/19 – 4/15/19

- *Sweat,* by Lynn Nottage
- *The Wolves,* by Sarah DeLappe
- *Twelfth Night* by William Shakespeare

3. 4/16/19 – 9/30/19

- *Real Women Have Curves,* by Josefina Lopez
- *penny candy,* by Jonathan Norton
- *As You Like It,* by William Shakespeare (Public Works Dallas/musical adaptation)

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Class/Workshop	156
Performance/Presentation	349
Camp	40
Other	349
Totals	**894**

Event Type	**Attendance**
Class/Workshop	4,410
Performance/Presentation	88,647
Camp	243
Other	6,998
Totals	**100,298**

DALLAS WIND SYMPHONY

The cultural organization will serve approximately 42,795 people through a variety of programs that include the 2018-19 subscription season of nine concerts, including seven at the Morton H. Meyerson Symphony Center and two at the Moody Performing Arts Center; 1 free public performance at Fair Park (Fair Park Fourth of July Celebration); the two-day Dallas Winds Invitational Windband Festival featuring 32 middle school and high school bands at the Meyerson Symphony Center; and the 13th annual Dallas Winds Band Camp, a week-long inner city band camp in partnership with the Dallas Independent School District.

Performance Benchmarks for Payment Periods

1. **10/1/18—12/30/18**
    - *Frankenstein: The Movie Score*—film with live performance of score at the Moody
    - *Finding Rothko*—concert at the Meyerson
    - *Christmas at the Meyerson*—concert at the Meyerson

2. **1/1/19—4/15/19**
    - *Mozart v. Varese*—concert at the Moody Performance Hall
    - *Strike Up the Band!*—six concerts at Fair Park Music Hall for Dallas ISD 5th graders
    - *Come Sunday*—concert at the Meyerson
    - Dallas Winds Invitational Windband Festival—two-day band festival at the Meyerson
    - *A Bernstein Centennial*—concert at the Meyerson

3. **4/16/19—9/30/19**
    - *The Last Symphony*—concert at the Meyerson
    - Dallas Winds Band Camp—a five-day music camp for Dallas ISD students at Booker T. Washington High School for the Performing and Visual Arts
    - Dallas Winds Band Camp Final Concert—concert at a location in Dallas to be determined
    - *A Star-Spangled Spectacular*—concert at the Meyerson
    - *Fair Park Fourth*—concert at Fair Park
    - Opening concert for Dallas Winds 2019-20 season—concert at the Meyerson

Projected Performance Benchmark Services and Attendance for FY 2018-19

Event Type	**Services**
Camp	5
Fair/Festival	2
Performance/Presentation	17
Totals	**24**

Event Type	**Attendance**
Camp	500
Fair/Festival	1,888
Performance/Presentation	40,407
Totals	**42,795**

FINE ARTS CHAMBER PLAYERS

The cultural organization will serve approximately 11,930 people through a series of concerts and educational outreach programs. All performances, all concerts are free, open to the public, and staged in the Dallas Arts District at venues that are easily accessible by public transportation. Educational programs are also free to students and their families.

Free Concert Series

- 35th season of Bancroft Family Concerts (7): monthly free chamber music concerts, October-May (excluding December); Saturday afternoons in the Horchow Auditorium at the Dallas Museum of Art; the programs feature preeminent professional musicians from North Texas

- 39th annual Basically Beethoven Festival (8): weekly free chamber music concerts; Sunday afternoons in July 2019 at Moody Performance Hall; each afternoon includes a Rising Star Recital, presenting local gifted student musicians; and a Feature Performance, showcasing local, professional musicians of the highest caliber

Educational Programs

- Music Residencies (1590): FACP places Teaching Artists in select Dallas public schools to provide weekly private and/or small-group music instruction, free of charge; Dallas ISD's David W. Carter High School, Wilmer-Hutchins HS, Townview Magnet, and Uplift Peak Preparatory Academy.
- Dream Collectors & Music A-Z (10, cumulatively): professional musicians/entertainers perform in schools, using music to educate school children (preK - elementary age).

Performance Benchmarks for Payment Periods

1. 10/1/18 – 12/30/18

- Bancroft Family Concerts (2)
- Music Residencies (460)
- Dream Collectors/Music A-Z (2)

2. 1/1/19 – 4/15/19

- Bancroft Family Concerts (4)
- Music Residencies (680)
- Dream Collectors/Music A-Z (5)

3. 4/16/19 – 9/30/19

- Bancroft Family Concerts – (1)
- Basically Beethoven Festival – (4) free concerts
- Rising Star Youth Recitals – (4) free concert youth recitals
- Music Residencies (450)
- Dream Collectors/Music A-Z (3)

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Performance/Presentation	15
Residency	1,590
Class/Workshop	10
Totals	**1,615**

Event Type	**Attendance**
Performance/Presentation	4,675
Residency	5,800
Class/Workshop	1,455
Totals	**11,930**

FOUNDATION FOR AFRICAN-AMERICAN ART (African American Museum)

The cultural organization will serve approximately 124,000 people by operating the Foundation for African American Art in Fair Park. The Museum will host three exhibitions, five lectures, four workshops and The Science of Art Summer Camp. The museum will also present the following programs: The Distinguished Lecture series, "Music Under the Dome" and Jazz in the Park concerts, A Preservation Workshop, the Texas Black Invitational Rodeo, The Southwest Black Art Show and the Carol Harris Simms Art Competition. The exhibitions include; *Jefferson & Slavery at Monticello*. Two celebrations that provide opportunities to collaborate with the public. The Museum will also work to increase visibility of its archives and literary collections by inviting scholars to take advantage of these resources as a basis for increased research and publication of articles reflecting the African American experience.

Performance Benchmarks for the COP FY18-19 Payment Periods

1. 10/1/18 – 12/30/18

- Exhibits
- Steeple Music Under the Dome
- Jazz in the Park Concerts
- Fall Distinguished Lecture
- *Jefferson & Slavery at Monticello: Paradox of Liberty* - exhibit
- Community Conversations
- Preservation Workshops

2. 1/1/19 – 4/15/19

- Exhibits
- Steeple Music Under the Dome
- Jazz in the Park Concerts
- Fall Distinguished Lecture
- *Jefferson & Slavery at Monticello: Paradox of Liberty* - exhibit
- Community Conversations
- Preservation Workshops

3. 4/16/19 – 9/30/19

- Texas Black Invitational Rodeo
- The Science of Art Summer Camp
- Exhibits
- Various Programs

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Camps	2
Class/Workshop	5

Exhibit, Permanent	3
Exhibit, Temporary	5
Fair/Festival/Carnival	2
Performance/Presentation	20
Residency	1
Tour	125
Totals:	**163**

Event Type	**Attendance**
Camps	150
Class/Workshop	1,200
Exhibit, Permanent	85,000
Exhibit, Temporary	20,000
Fair/Festival/Carnival	9,000
Performance/Presentation	3,500
Residency	175
Tour	5,500
Totals:	**124,525**

GREATER DALLAS YOUTH ORCHESTRA (GDYO)

The cultural organization will serve approximately 14,000 people through activities including rehearsals, classes, and concerts. The organization will provide instrumental music training for over 465 young musicians' ages 6 to 18 in nine ensembles. Students receive 60-100 hours of instruction in weekly rehearsals with professional musicians and coaches. The GDYO (flagship orchestra) presents a formal subscription series of 4 concerts at the Meyerson Symphony Center. Throughout the year, the other orchestras will perform 4-6 concerts at Moody Performance Hall and at the Meyerson. Quartets or other small ensembles average at least 2-4 extra performances for special events. Through its outreach program, the cultural organization will provide complimentary lessons to DISD students who would not ordinarily have the opportunity to receive musical instruction and performance opportunities. Through the Chuck Moore Student Enrichment Fund, the organization will provide new outreach and scholarship opportunities to young musicians from the city of Dallas.

Performance Benchmarks for Payment Periods

1. 10/1/18 – 12/31/18

- 5 Concert Performances – Meyerson (2), Moody Performance Hall (2), Dallas Public Library (1)
- 1 chamber music performance
- Weekly rehearsals for 365 students in 5 ensembles in Dallas
- Weekly instruction for DISD musicians

2. 1/1/19 – 4/15/19

- 4 major concerts –Meyerson (1), Moody Performance Hall (3)
- 1 chamber music performance
- Weekly rehearsals for 365 students in 5 ensembles in Dallas
- Weekly instruction for DISD musicians

3. 4/16/19 – 9/30/19

- 3 major concerts – Meyerson (3)
- 1 chamber music performance
- Weekly rehearsals for 365 students in 5 ensembles in Dallas through mid-May and then late Aug through Sept 30
- Weekly instruction for DISD musicians

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Class/Workshop	30
Performance/Presentation	15
Tour/Rehearsal/Other	170
Totals	**215**

Event Type	**Attendance**
Class/Workshop	1,200
Performance/Presentation	10,000
Tour/Rehearsal/Other	3,000
Totals	**14,200**

JUNIOR PLAYERS GUILD

The cultural organization will serve approximately 14,600 people through free arts education outreach programs including the proposed following: 35 after-school residencies at 12 sites; 55 free summer theater camps; 150 homeless education classes; 2 advanced acting workshops; 3 playwriting workshops and 2 performances; 1 Shakespeare camp and 1 performance; 4 Shakespeare audition workshops and 6 performances (2 free performances and 4 ticketed performances) of *Much Ado About Nothing* at Samuell-Grand Amphitheatre; 1 dance audition workshop and 2 ticketed performances of *Junior Players Presents: Revolution* at Moody Performance Hall, 1 musical theatre audition workshop, and 4 performances of the *Discover Musical Theater* production, *American Idiot* at Moody Performance Hall.

Performance Benchmarks for Payment Periods

1. 10/1/18 – 12/30/18

- After-school or in school workshops – 10 to 12 weeks at approximately 10 sites
- In school dance residency programs – 10-12 sessions at 12 sites
- Musical theatre audition workshop
- D-PAC playwriting workshop – 2 sessions at 20 sites
- Auditions for *American Idiot*, Rehearsals begin
- Homeless Education after-school workshops - 75 classes at approximately 12-15 sites

2. 1/1/19 – 4/15/19

- After-school workshops – 10 to 12 weeks at approximately 25 sites
- Homeless Education after-school workshops – 75 classes at approximately 12-15 sites
- Dance masterclasses – 10 sessions at 10 sites
- 4 performances in January of *American Idiot* at Moody Performance Hall
- Advanced acting classes for interested junior high and high school students
- Series of 4 professional training sessions
- Auditions for *Much Ado About Nothing*
- PUP (Playwrights Under Progress) workshops

3. 4/16/19 – 9/30/19

- Rehearsals for *Much Ado About Nothing*
- PUP Fest plays are performed – 2 free performances
- D-PAC Intensive
- Shakespeare Camp for students in grades 6-8
- 55 free two-week theater camps with 4 free performances
- Advanced summer theater camps (2)
- *Much Ado About Nothing* - 2 free performances and 4 ticketed performances
- Auditions for *Junior Players Presents: Revolution* dance production
- *Junior Players Presents: Revolution* Dance production – 2 ticketed performances at Moody Performance Hall

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Camp	550
Class/Workshop	3,125
Performance/presentation	100
Other	2
Totals	3,777

Event Type	Attendance
Camp	1,000
Class/Workshop	4,100
Performance/presentation	9,455
Other	45
Totals	**14,600**

KITCHEN DOG THEATER COMPANY

The cultural organization will serve an estimated 7,000 people by hosting approximately 154 events in the 2018-2019 season including: a mainstage season of 4 plays and the "21st Annual New Works Festival", which consists of 6 staged readings; 22 "Talkbacks" between audience, actors and director that follow each Sunday matinee performance, performances attended by student groups of the main stage productions, and each staged reading; two staged reading performances of 6 PUP (Playwrights Under Progress) Fest plays; and 50 PUP (Playwrights Under Progress) Fest classes/workshop sessions - this is an outreach/education program that conducts playwriting master classes for high school students.

Performance Benchmarks for Payment Periods

1. 10/1/18 – 12/30/18

- *"Radiant Vermin"* by Philip Ridley, 16 performances + 4 talk-backs
- PUP Fest, master classes in DISD schools, 25 workshop sessions

2. 1/1/19 – 3/31/19

- *"You Got Older"* by Clare Barron, 16 performances + 4 talk-backs
- PUP Fest, master classes in DISD schools, 25 workshop sessions
- PUP Fest, 2 citywide workshops in public libraries

3. 4/1/19 – 7/31/19

- *"Wolf at the Door"* by Marisela Treviño Orta, 16 performances + 4 talk-backs
- *"Reykjavík"* by Steve Yockey, 16 performances + 4 talk-backs
- *"New Works Festival"* Readings: 6 performances + 6 talkbacks
- PUP FEST: 1 one-week workshop with professional actors/directors and 2 performances

4. 8/1/19 – 9/30/19

- 6th Annual One Minute Play Festival, 3 performances

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	Services
Class/Workshop	79
Performance/Presentation	75
Totals	**154**

Event Type	**Attendance**
Class/Workshop	800
Performance/Presentation	6,200
Totals	**7,000**

PEROT MUSEUM OF NATURE AND SCIENCE

The cultural organization will deliver approximately 1.3 million experiences by displaying and providing programming which includes 11 permanent exhibits, a Children's Museum, two temporary exhibitions, a 298-seat digital theater and outdoor park surrounding the Perot Museum of Nature and Science. The cultural agency will continue to operate city-owned buildings at Fair Park, securing and maintaining collections owned by the city. The cultural agency will provide educational outreach activities consisting of on-site field trip programs for schools and community organizations, off-site educational classes, science camps during school breaks, after school programs, teacher workshops, sleepovers, birthday parties, family programs, adult programs, and other community events as requested.

Performance Benchmarks for Payment Periods

1. **10/1/18 – 12/31/18**
   - Traveling Exhibition – Ultimate Dinosaurs
   - Discovery Day – Maker
   - Social Science – Maker
   - Fall Discovery Camp
   - Night at the Museum
   - Science Café
   - A Day in the Life
   - Winter Discovery Camp Session 1

2. **1/1/19 – 4/15/19**
   - Winter Discovery Camp Session 2
   - Traveling Exhibition – Ultimate Dinosaurs closes
   - National Geographic Lecture – Bertie Gregory
   - Social Science – Wild Animals
   - Engineering Month
   - FIRST LEGO League Regional Championship
   - Family Engineering Day
   - Adult Engineering Day
   - Engineers Week
   - Traveling Exhibition – The Art of the Brick opens
   - Spring Break Discovery Camp
   - National Geographic Lecture – Zoltan Takacs
   - Science Café

3. **4/16/19 – 9/30/19**
    - Social Science – Sci Fi
    - A Day in the Life
    - Science Café
    - May the 4th
    - Summer Nights – Sports
    - Social Science – Science of Art
    - A Day in the Life
    - Science Café
    - Summer Nights –STEM Day
    - Summer Nights – Maker
    - Social Science – Gastronomy
    - Dino Fest
    - A Day in the Life
    - Science Café
    - National Geographic Lecture – Cosmos

Year Round Programming/Exhibits/Events

Permanent Exhibitions

Perot Museum of Nature and Science at Victory Park: Moody Family Children's Museum; Lamar Hunt Family Sports Hall; Discovering Life Hall; Being Human Hall; Texas Instruments Engineering and Innovation Hall; The Rees-Jones Foundation Dynamic Earth Hall; Tom Hunt Energy Hall; Lyda Hill Gems and Minerals Hall; Expanding Universe Hall; Rose Hall of Birds; and the T. Boone Pickens Life Then and Now Hall.

Perot Museum of Nature and Science at Fair Park: Historical wildlife dioramas including: Mammal Hall; Bison Hall; Wetlands Hall; and the Birds of Texas Hall; Boehm porcelain bird collection; ScienceCast studio; Education Outreach administration; the Leonhardt Lagoon Nature Walk; access (by appointment) to various collections including The Edmund W. Mudge Library of Ornithology; and Paleontology Lab.

Educational Films

Proposed films for FY18-19 include, *Waking the T.rex, Oceans the Blue Planet, America's Musical Journey*

Programs

School programs (held at both the Perot Museum and on school campuses as outreach); Teacher workshops including at least 12 Kosmos Energy STEM Teacher Institute content workshops; Community outreach including the TECH Truck; sleepovers; Family programming for birthday parties; Adult programs; and lectures.

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Camp	634
Class/Workshop	1,804
Exhibit/Permanent	359
Exhibit/Temporary	274
Performance/Presentation	2,900
Other	855
Totals	**6,826**

Event Type	**Attendance**
Camp	7,539
Class/Workshop	138,852
Exhibit/Permanent	837,554
Exhibit/Temporary	190,039
Performance/Presentation	190,646
Other	53,260
Totals	**1,417,890**

PREMIER LONE STAR WIND ORCHESTRA

The cultural organization will serve approximately 17,000 people through a variety of programs that include the 2018-19 subscription season of four concerts, at the Morton H. Meyerson Symphony Center and the Moody Performing Arts Center; various free public performances; the Lone Star Annual Concerto Competition featuring talented high school students musicians; and a continuing partnership with St. Phillips School and Community Center providing hands on music instruction for their students.

Performance Benchmarks for Payment Periods

10/1/18 - 12/30/18

- Subscription concerts (2)
- Various outreach performances
- Holiday performances in Dallas at various locations

1/1/19 - 4/15/19

- Lone Star Wind Annual Concerto Competition
- Subscription concerts (1)
- St. Phillips' School and Community Center Drum Club
- Lone Star Kids Program
- Outreach performances

4/16/19 - 9/30/19

- Subscription concert (1)
- Concert featuring the Competition winners
- Drum Summer Club at St. Phillips Community Center
- Various outreach performances

Projected Performance Benchmark Services and Attendance for FY 2018-19

Event Type	**Services**
Camp	1
Class/Workshop	70
Fair/Festival	3
Performance/Presentation	9
Totals	**83**

Event Type	**Attendance**
Camp	150
Class/Workshop	1,025
Fair/Festival	9,250
Performance/Presentation	7,500
Totals	**17,925**

SAMMONS CENTER FOR THE ARTS

The cultural center will serve an estimated 68,500 people by providing low-cost office, rehearsal, performance and meeting space, as well as administrative resources such as a copy, fax and postage center. The Center is home to fourteen arts organizations representing every discipline, and the facility is used by over 70 other arts and community organizations for rehearsals, meetings, auditions, and performances. The Sammons Center will present 8 performances of *Sammons Jazz*, which features a variety of local jazz artists in a relaxed, noncommercial setting at nominal ticket prices, 8 performances of *Sammons Cabaret*; continue the *Youth Jazz Program* with 2 concert/demonstrations; host 500 rehearsals, 340 meetings, 50 auditions, 15 performances, 12 special events and 15 classes/workshops through the facility rental program. The *Youth Jazz Program* was developed for underprivileged youth ages 6-12 years with an interactive, educational program to teach children about Jazz and music.

Performance Benchmarks for Payment Periods

1. 10/1/18 – 12/30/18

- 3 Sammons Jazz Concerts
- 3 Sammons Cabaret Concerts
- 167 rehearsals
- 115 meetings
- 17 auditions

- 5 performances
- 4 special events
- 5 workshops/classes

2. 1/1/19 – 4/15/19

- 3 Sammons Jazz Concerts
- 3 Sammons Cabaret Concerts
- 166 rehearsals
- 110 meetings
- 16 auditions
- 5 performances
- 4 special events
- 5 workshops/classes

3. 4/16/19 – 9/30/19

- 2 Sammons Jazz Concerts
- 2 Sammons Cabaret Concerts
- 2 Sammons Jazz Youth Concerts
- 167 rehearsals
- 115 meetings
- 17 auditions
- 5 performances
- 4 special events
- 5 workshops/classes

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Class/Workshop	15
Performance/Presentation	33
Other	902
Totals	**950**

Event Type	**Attendance**
Class/Workshop	375
Performance/Presentation	5,000
Other	63,125
Totals	**68,500**

TEATRO HISPANO DE DALLAS

The cultural organization will serve approximately 9,300 people through the following main productions: “1968,” A world-premiere, original work produced by Teatro Dallas that explores an electrifying year in history. The season continues with “FUR” by Migdalia Cruz. This is the story of Citrona, a hirsute young woman who is purchased at a sideshow to become the bride of a young man with a fetish for animals in postapocalyptic Los Angeles. This tragi-comic, triangular love story reimagines a beauty and a beast, but with uncompromising results. “Bongo Talks,” which is an interactive touring performance and an original production written and created by Omar Padilla. Using music, marionettes and clowning techniques, this interactive performance is designed to engage children and encourage them to rely on the power of their intuition and how to manage their emotions when confronted with challenges. Summer camp will be held where students are engaged for four weeks. During this the students participate in warm up exercises, dance, improvisation, makeup and arts & crafts. The program culminates with a full production. All main plays will take place at the Latino Cultural Center.

Performance Benchmarks for Payment Periods

1. **10/18/18 – 12/30/18**

   • *Days of the Dead* **-** “1968”

2. **1/1/19 – 4/15/19**

   • “FUR”

3. **4/16/19 – 9/30/19**

   • *“Bongo Talks”*
   • Summer Camp for children

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Camp	2
Class/Workshop	28
Exhibit/Temporary	1
Performance/Presentation	30
Tour	12
Other	1
Totals	**74**

Event Type	Attendance
Camp	400
Class/Workshop	1,300
Exhibit/Temporary	300
Performance/Presentation	4,500
Tour	1,300
Other	1,500
Totals	**9,300**

TECO THEATRICAL PRODUCTIONS, INC.

In celebration of our 25-year anniversary, the cultural organization will serve approximately 20,000 children and adults through a variety of programs that include: 5 main stage theatre productions, 10 jazz concerts, 3 speaker series events, several special events celebrating our 25-year anniversary and an array of year round arts education programs. Student outreach programs will be held after school and during the summer in the Emma Rodgers Learning Laboratory including our TNT (Teenagers and Theatre) apprenticeship program. The Bishop Arts Theatre is also home to several artists and arts groups who use the performance and rehearsal space.

Performance Benchmarks for Payment Periods

1. 10/1/18 – 12/30/18

- *The Champion* by Amy Evans
- Jazz Concert – Michael Lington & Greg Manning
- *Rituale: A Day of the Dead Celebration*, a partnership with Teatro Flor Candela
- Jazz Concert – Jazz Fusion All-Stars
- *Black Nativity* by Langston Hughes

2. 1/1/19 – 4/15/19

- Speaker Series – Hector Cantu: An Afternoon with Baldo & Friends
- Jazz Concert – Brian Culbertson
- *La Llorona* by Kathleen Anderson Culebro
- Jazz Concert - TBD
- Down For #The Count, one-act play festival

3. 4/16/19 – 9/30/19

- Jazz Bash Gala featuring Gerald Albright & Jonathon Butler
- *The Real James Bond Was Dominican* by Christopher Rivas
- Summer Theatre Camp
- Speaker Series - Woman's World: A Practical Guide to Success and Happiness with Rose Colarassi & Darlene Ellis
- Coming Home – A 25th Anniversary Festival featuring former summer camp students
- Speaker Series – An Afternoon with Sanderia Faye

- Jazz Concert – Dave Koz
- *Banned Together: A Censorship Cabaret* featuring TNT students

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Camp	5
Class/Workshop	100
Performance/Presentation	80
Other	15
Totals	**200**

Event Type	**Attendance**
Camp	50
Class/Workshop	1,000
Performance/Presentation	15,050
Other	5,000
Totals	**21,100**

TEXAS INTERNATIONAL THEATRICAL ARTS SOCIETY

The cultural organization will serve approximately 22,000 individuals through engagement programs including master classes, lecture/demonstrations, post-performance Q&As, special events and specifically curated performances with world-renown artists. It will include 17 dance presentations (at least, 1 world premiere and 4 Dallas debuts) as well as several special presentations, the annual *Command Performance*, and *Big Barre,* an outdoor dance class. The organization participates in numerous internship programs including the Mayor's summer internship program. Ticket prices include, special discounts for K-12 and college students, and over 5,000 donated tickets to seniors, community centers, and special populations. The organization makes certain performances are financially accessible and are located in ADA compliant facilities. Diversity is fundamental to the programming. Cultural collaborations with and funding from organizations and governmental agencies include, The Crow Collection of Asian Art, Asian Chamber of Commerce of North Texas, South Dallas Cultural Center, Booker T Washington HSPVA, ATTPAC, NEFA, NEA, consulates of China, Czech Republic, Israel, France, South Africa, and Canada, as well as presenters from Israel, Korea, China, and Russia help assure cultural diversity and connection to the communities served.

Performance Benchmarks for Payment Periods

1. 10/1/18 – 12/31/18

- *Stephen Petronio Company* -2 performances / 2 Q&As,1 Master class
- *Aspen Santa Fe Ballet* - 2 performances / 2 Q&As (MPH) / 1 outdoor Big Barre (Sammons Park)
- *Complexions Contemporary Ballet* - 2 performances / 2 Q&As / 1 Master class

- *Outreach - Arts Administration Program* – one lecture and a multi-month internship
- *Outreach Adjudication for BTWHSPVA College Showcase*

2. 1/1/19 – 4/15/19

- *Dorrance Dance* (Dallas Debut) -1 performance/ 1 Q&A / / 1 master class (BTWHSPVA)
- *Beijing Dance Theater* (Dallas Debut) -1 performance / 1 Q&A /1 master class (BTWHSPVA)
- *Kyle Abraham* | *A.I.M* - 2 performances / 2 Q&As / 1 Master Class (BTWHSPVA).
- *Ezralow Dance* (Dallas Debut) - 2 performances / 2 Q&As / 1 Master Class (BTWHSPVA)
- *Pilobolus* - 2 performances / 2 Q&As / 1 Master Class (BTWHSPVA).

3. 4/16/19 – 9/30/19

- *Command Performance* - 1 performance / 1 open rehearsal (world premiere work)
- August and September 2019 performances are yet to be determined

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Class/Workshop	10
Performance/Presentation	17
Other	168
Totals	**195**

Event Type	**Attendance**
Class/Workshop	636
Performance/Presentation	16,350
Other	4,205
Totals	**21,191**

TEXAS WINDS MUSICAL OUTREACH, INC.

The cultural organization will perform approximately 900 concert events for 70,000 Dallas residents in FY18-19. This will consist of the following programs; Concerts for Seniors - multiple concerts in 120 facilities - nursing homes, assisted living facilities, memory care, senior centers, adult day facilities for disabled, low-income senior housing and retirement homes, Concerts for Hospitals - multiple events in hospitals and the Dallas Veterans Association, Concerts for Hospice - one-on-one visits in nursing homes, and hospitals, Concerts for Head Start – in greater Dallas, Mi Escuelita Child Care. Community members will also be provided with the, "Meet the Instruments" programs. Each program is presented 2-3 times in order to keep class size low.

Performance Benchmarks for Payment Periods

1.10/1/2018 – 12/30/18

- Concerts for Seniors: 140
- Concerts for Hospitals: 37
- Concerts for Hospice:TBD
- Concerts for Head Start: 82

2.1/1/2019 – 4/15/19

- Concerts for Seniors: 130
- Concerts for Hospitals: 37
- Concerts for Hospice: TBD
- Concerts for Head Start: 110

3.4/16/2019 – 9/30/19

- Concerts for Seniors: 230
- Concerts for Hospitals: 76
- Concerts for Hospice: TBD
- Concerts for Head Start: 58

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Performance/Presentation	900
Totals	**900**

Event Type	**Attendance**
Performance/Presentation	70,000
Totals	**70,000**

THE BLACK ACADEMY OF ARTS AND LETTERS, INC.

The cultural organization will serve over 275,000 people and conduct one art exhibit, six theatrical productions, eleven literary arts and spoken word performances, seven concerts, one dance performance, and two film features. The cultural organization's outreach to underserved communities includes partnerships with agencies such as Boys and Girls Clubs, Dallas County Restitution Program, AIDS Interfaith Network, Dallas Can Academy, and the Touring Program. The organization's outreach programs benefit inner city multi-ethnic school students, at-risk children, and youth in the juvenile justice system. Educational programs will include the "Summer Youth Arts Institute", the "Summer Arts Intensive Education Training with the Masters," the annual "Christmas/Kwanzaa Concert," "Black Music and the Civil Rights Movement Concert: A Tribute to Rev. Dr. Martin Luther King, Jr" and the "Promising Young Artists Series."

Performance Benchmarks for Payment Periods

1. 10/1/18 – 12/30/18

- Art Exhibition
- Theatre Productions (3)
- Music Concerts (3)
- Literary Programs (Poetry, Writer's Breakfast, Spoken Word) (4)
- 24 Hr Film Fest (1)
- Comedy Performances (3)

2. 1/1/19 – 4/15/19

- Art Exhibition with 4 Tours
- Music Concerts (2)
- Theatre Productions (2)
- Dance Performance (1)
- Literary Programs (Poetry, Writer's Breakfast, Spoken Word) (4)
- 24 Hr Film Fest (1)
- Comedy Performances (2)
- Camp (2)

3. 4/16/19 – 9/30/19

- Art Exhibition with 4 Tours
- Music Concerts (2)
- Theatre Productions (1)
- Literary Programs (Poetry, Writer's Breakfast, Spoken Word) (3)
- Summer Youth Arts Institute Camp (1)
- Summer Arts Intensive Education Training with the Masters Camp (1)
- Comedy Performances (2)

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Camp	2
Class/Workshop	15
Exhibit/Permanent	20
Fair/Festival/Carnival	1
Performance/Presentation	50
Other	50
Totals	**138**

Event Type	Attendance
Camp	25,000
Class/Workshop	5,000
Exhibit/Permanent	35,000
Fair/Festival/Carnival	10,000
Performance/Presentation	50,000
Other	150,000
Totals	**275,000**

THE DALLAS OPERA

The cultural organization will serve approximately 70,000 people through the presentation of five main stage productions at the Winspear Opera House – Wagner's *The Flying Dutchman*, Bizet's *Carmen*, Puccini's *Manon Lescaut* and *La Bohème*, and Verdi's *Falstaff* for a total of 24 main stage performances. The organization will open 5 dress rehearsals to select patrons and present a simulcast of *Carmen* to patrons in Klyde Warren Park. There will be 4 student performances of a 50-minute production entitled, *Pépito* at the Winspear, plus 36 touring opera performances of *Pépito* and *The Bremen Town Musicians* to elementary schools; 15 are expected to occur within Dallas. One session will be held to train teachers to use curricula based on the opera to teach core academic subjects. Now providing after-school programs to engage area youth in arts activities and introduce them to opera, The Dallas Opera (TDO) will provide 44 residencies of "Opera in a Suitcase" during two-day sessions; 15 are expected to occur in Dallas. Through the Family Season, 4 family performances will be presented. The orgainzation will provide 4 panel discussions, 23 free pre-opera lectures, and at least 3 community events such as movie screenings, and lectures.

Performance Benchmarks for Payment Periods

1. 10/1/18 – 12/30/18

- Opera Production: 10 total performances, 2 productions – *The Flying Dutchman* (4), and *Carmen* (6)
- Simulcast: in Klyde Warren Park of *Carmen*
- Lectures: 9 lectures one hour before opera
- Panel Discussions: 2 presentations prior to the openings of *The Flying Dutchman* and *Carmen* with featured members of the cast and creative team
- Family Opera: 1 performance of *Pépito* and 1 performance of *The Bremen Town Musicians*
- Touring Opera: Approximately 5 touring opera performances of *Pépito*
- "Opera in a Suitcase": Approximately 5 residency sessions for after-school
- Dress Rehearsals: 1 dress rehearsal of *The Flying Dutchman* and 1 dress rehearsal of *Carmen* open to students and patrons
- Student Matinees: 4 special enhanced performances of *Pépito* at the Winspear Opera House

- Hart Institute for Women Conductors: 1 special performance conducted by 6 different female conductors participating in the Hart Institute

2. 1/1/19 – 4/15/19

- Opera Production: 10 total performances, 2 productions *Manon Lescaut* (4), and *La Bohème* (6)
- Lectures: 10 lectures one hour before each opera
- Panel Discussion: 1 presentation, prior to opening of *Manon Lescaut* with featured members of the cast and creative team
- Family Opera: 1 performance of *The Bremen Town Musicians* withcast with activities in the lobby before performance
- Touring Opera: Approximately 5 touring opera performances of *Pépito*
- "Opera in a Suitcase": Approximately 5 residency sessions for afterschool program providers
- Dress Rehearsals: 2 dress rehearsals (*Manon Lescaut, La Bohème)* open to students and patrons

3. 4/16/19 – 9/30/19

- Opera Production: 4 total performances of *Falstaff*
- Lectures: 4 lectures one hour before each opera
- Panel Discussion: 1 presentation, prior to opening of *Falstaff* with featured members of the cast and creative team
- Family Opera: 1 performance of *Pépito* with activities in the lobby before performance
- Touring Opera: Approximately 5 touring opera performances of *Pépito*
- "Opera in a Suitcase": Approximately 5 residency sessions for after-school program providers
- Dress Rehearsals: 1 dress rehearsal of *Falstaff* open to students and patrons
- Dallas Opera Vocal Competition: two-day national competition in the spring
- CampTDO: 8 free summer camps and a live performance of *The Bremen Town Musicians* for children grades K-6

<u>Projected Performance Benchmark Services and Attendance for FY18-19</u>

Event Type	**Services**
Class/Workshop	28
Performance/Presentation	40
Tour	15
Residency	15
Camp	8
Totals	**106**

Event Type	Attendance
Class/Workshop	3,700
Performance/Presentation	56,000
Tour	9,000
Residency	600
Camp	700
Totals	**70,000**

THE SHAKESPEARE FESTIVAL OF DALLAS

The cultural organization will serve nearly 30,000 Dallas citizens through staged productions and educational programming, including 3 outdoor productions, and 3 age-specific in-school educational programs. The organization will include outreach initiatives in every program it creates by providing low-cost or free cultural opportunities for the general public. The cultural organization produces 4 key programs: "Shakespeare in the Park," the company's flagship outdoor performances in the summer and the fall; Winter Season- fully staged production at Moody Performance Hall; "Shakespeare on the Go!," which features 2 age-appropriate touring initiatives complete with performances and master classes; "Shakespeare Unplugged," which includes staged readings, co-productions with other organizations and outreach lectures. Shakespeare Dallas donates 4,000 free tickets annually through the City of Dallas' Park and Recreation Centers for Shakespeare in the Park performances.

Performance Benchmarks for Payment Periods

1. 10/1/18 – 12/30/18

- "Shakespeare Unlocked" / Middle and High School Students (5)
- "Poets Society"- Adult Learning (2)
- "Hamlet"- Book Club (5)

2. 1/1/19 – 4/15/19

- "Hamlet"- fully staged performance- Moody Performance Hall (10)
- "Shakespeare Unlocked"/Middle School Students (5)
- "What Visions Have I Seen!" / Performance for Elementary Students(10)
- "Poets Society"- (2) Adult Learning
- Professional Training For Actors (1)
- After School Residency (1)

3. 4/16/19 – 9/30/19

- "*As You Like It*" –fully-staged performance (16)
- "The Merchant of Venice" –fully-staged performance (16)
- Co- Producer Junior Players Summer Shakespeare- fully-staged performance (6)
- "Macbeth"– performance (8)
- Shakespeare Dallas Pub Crawl/(1)
- Shakespeare Birthday Celebration (1)
- Shakespeare on the Go Summer Camps (4)

- Stage Notes - pre- performance lectures (4)
- “Shakespeare Unlocked”/Middle School Students (3)
- Professional Training For Actors (1)
- “Poets Society”- (1) Adult Learning
- After School Residency (1)

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Class/Workshop	22
Performance/Presentation	80
Other	144
Totals	**246**

Event Type	**Attendance**
Class/Workshop	1,511
Performance/Presentation	28,270
Other	175
Totals	**29,956**

THE WRITER'S GARRET

The cultural organization will serve approximately 4275 people by providing the following: a Literary Arts Learning and Resource Center, open to the public several days a week; at least 40 peer-run “Stone Soup” workshops / literary discussion groups; approximately 200 creative writing literary classes, workshops, and residency services for children and youth, writers, readers, literary professionals, educators, and underserved populations featuring local, regional, and national writers, teaching artists and literary figures; at least 6 public performances by local and regional authors and poets, including a public reading by winners of the Common Language Project poetry competition; administration of the annual Common Language Project community poetry competition; 1 published anthology of poetry, either in print or online; continued adaptation of lesson plans, classroom activities, and assessment tools to reflect the specific needs of partner agencies' populations.

Performance Benchmarks for Payment Periods

1. 10/1/18 – 12/30/18

- Literary Arts Learning and Resource Center, open to the public, in Dallas
- A minimum of nine (9) – “Stone Soup” workshops, free to the public
- One (1) “Soup’s On” public reading, free to the public
- An offering of a minimum of six (6) writing classes or workshops for local writers taught by local and/or regional writing artists
- twenty (20) workshops or classes in schools (WINS)
- monthly workshop at Nasher Sculpture Center’s First Saturdays

- four (4) sessions of Writing Over War, at least eight (8) meetings with Alley's House, and three (3) workshops or classes with additional partner human health organization, no cost to participants
- Firewheel Editions books available for reading audiences

2. 1/1/19 – 4/15/19

- Literary Arts Learning and Resource Center, open to the public in Dallas
- A minimum of sixteen (16) – "Stone Soup" workshops, free to the public
- One (1) "Soup's On" public reading, free to the public
- An offering of a minimum of six (6) writing classes or workshops for local writers taught by local and/or regional writing artists
- administration of the 2nd annual Common Language Project competition, free to the public
- twenty (25) workshops or classes in schools (WINS)
- monthly workshop at Nasher Sculpture Center's First Saturdays
- six (6) sessions of Writing Over War, at least one (1) 10-week residency and ten (10) workshops or classes with additional partner human health/social service organizations, no cost to participants
- Firewheel Editions books available for reading audiences
- strategic planning meeting to develop and/or increase board engagement

3. 4/16/19 – 9/30/19

- Literary Arts Learning and Resource Center, open to the public in Dallas
- A minimum of fifteen (15) – "Stone Soup" workshops, free to the public
- One (1) "Soup's On" public reading, free to the public
- 2nd annual Earth Day Book Swap at Oak Cliff Earth Day festival
- 2nd annual Common Language Project reading and creation of corresponding anthology, free to the public
- participation in and/or co-presentation of Dallas Lit-Hop with WordSpace
- fifteen (15) workshops or classes in schools (WINS)
- monthly workshop at Nasher Sculpture Center's First Saturdays
- a minimum of six (6) sessions of Writing Over War, two (2) 10-week residencies and ten (10) workshops or classes with additional partner human health/social service organizations, no cost to participants
- Firewheel Editions books available for reading audiences
- Work on infrastructure-enhancements for the agency: bylaw updates, re-thinking of chart of accounts, etc.

<u>Projected Performance Benchmark Services and Attendance for FY18-19</u>

Event Type	**Services**
Class/Workshop	197
Performance/Presentation	9
Residency	54

Fair / Festival	4
Other	17
Totals	**281**

Event Type	**Attendance**
Class/Workshop	2,620
Performance/Presentation	270
Residency	165
Fair/Festival	1,000
Other	220
Totals	**4,275**

THEATRE THREE, INC.

The cultural organization will serve approximately 25,000 people through the following programs: a minimum of 160 performances of 8 Norma Young Arena Stage productions of musicals, dramas, comedies, and classics; Monday Night Playwright expos throughout the year in the Theatre Too studio; provide study guides and post show panel discussions for Theatre Three student shows on the Norman Young Arena Stage; Theatre Too will be available for other nonprofit organizations to rehearse/produce works; 2 workshop sessions with the National Michael Chekhov Association that will run 6 weeks at a time and provide unique training to approximately 12 local actors per session; 1 Playwriting Master Class with a local playwright; hosting/housing cultural events produced by other Dallas cultural/civic organizations; an internship program consisting of 5 unpaid summer internships for high school and college students and 2 paid year-round internships for recent college graduates; and youth summer programming to serve 20-25 middle school to high school aged students.

Performance Benchmarks for Payment Periods

1. 10/1/18 – 12/31/18

- *Once,* Book by Enda Walsh, Music and Lyrics Glen Hansard and Markéta Irglová
- Hooky Matinee performance
- *The Moors* by Jen Silverman
- Hooky Matinee performance
- *Solstice: A New Holiday Adventure* written by Jonathan Norton with contributions by Cherish Robinson and Janielle Kastner
- Hooky Matinee performance
- Post-show discussions
- MONDAY NIGHT PLAYWRIGHT readings of multiple new plays by local playwrights
- APPRENTICE PROGRAM for recent college graduates

2. 1/1/19– 4/15/19

- *The Manufactured Myth of Eveline Flynn* Music and Lyrics by Ian Ferguson, Book by Michael Federico
- Hooky Matinee performance
- *Fox Fire* by Susan Cooper and Hume Cronyn
- Hooky Matinee performance
- Post-show discussion
- APPRENTICE PROGRAM for recent college graduates
- MONDAY NIGHT PLAYWRIGHT readings of multiple new plays by local playwrights
- Playwrighting Workshop

3. 4/16/19 – 9/30/19

- *Raptured* an exciting commission by Matt Lyle & Matt Coleman
- Hooky Matinee performance
- *The Armor Plays: Cinched & Strapped* by Selina Fillinger
- Hooky Matinee performance
- Post-show discussions
- Youth Summer Programming
- APPRENTICE PROGRAM for recent college graduates
- SUMMER INTERNSHIP PROGRAM for current high school and college students

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Performance/Presentation	160
Totals	**160**

Event Type	**Attendance**
Performance /Presentation	25,000
Totals	**25,000**

UNDERMAIN THEATRE

The cultural organization will serve over 6,000 people by presenting five plays and a second annual new play festival entitled *Whither Goest Thou America:* as their mainstage season during the grant period. In addition, the organization will present a series of invited rehearsals and additional readings of new works throughout the year, as well as audience talkbacks and donor cultivation events associated with its mainstage productions. During the grant period, the Undermain Teaching Artist program will offer curriculum and instructional support to local high school teachers and students, and approximately 800 discounted and complimentary tickets will be provided to students, educators, seniors, KERA audiences, and industry professionals.

Performance Benchmarks for Payment Periods

1. 10/1/18 – 12/30/18

- *How is it That We Live or Shakey Jake + Alice,* World Premiere by Len Jenkin
- *The Lady From the Sea,* by Henrik Ibsen

2. 1/1/19 – 4/15/19

- *An Iliad,* by Lisa Peterson & Denis O'Hare, Adapted from the Robert Fagles translation of Home
- *Whither Goest Thou America: A Festival of New American Play Readings,* featuring the World Premiere of *so go the ghosts of méxico, part three,* of a trilogy by Matthew Paul Olmos and comprised of 4 weeks of events

3. 4/16/19 – 9/30/18

- *Whither Goest Thou America: A Festival of New American Play Readings,* featuring the World Premiere of *so go the ghosts of méxico, part three,* of a trilogy by Matthew Paul Olmos and comprised of 4 weeks of events
- First production of the 2019-2020 season, TBD

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Class/Workshop	14
Tour/Rehearsal/Donor Cultivation Events	30
Performance/Presentation	78
Totals	**122**

Event Type	**Attendance**
Class/Workshop	420
Tour/Rehearsal/Donor Cultivation Events	360
Performance/Presentation	5,400
Totals	**6,180**

USA FILM FESTIVAL

The cultural organization will serve over 27,000 people by producing two major annual events, the “35th Annual KidFilm® Festival”, (featuring 40 films, 30 programs and 7 days of educational field trips for DISD students and teachers) and the “49th Annual USA Film Festival”, (featuring over 40 films with 25+ screenings). In addition the organization will offer year-round activities such as screenings of new films (or retrospective screenings) with director or other artist in attendance with free tickets distributed to outreach publics (financially disadvantaged constituents and other special groups) and new audiences with special emphasis on educational programs. Monthly preview screenings of new American films and foreign works will also be included as a benefit to the membership and to develop new audience members.

Performance Benchmarks for Payment Periods

1. 10/1/18 – 12/30/18

- Preview Film screenings - Approximately 15
- Visiting Artist Film Screenings - 3-4 screenings during the year
- Retrospectives and classics Series - 1-2 times during the year
- Free outreach programs for kids, teachers & families

2. 1/01/19 – 4/15/19

- “35th Annual KIDFILM Festival”; 40 or more films - 30+ programs

3. 4/16/19 – 9/30/19

- “49th Annual USA Film Festival”; 40 or more films - 25+ programs

Projected Performance Benchmark Services and Attendance for FY18-19

Event Type	**Services**
Performance/Presentation	170
Totals	**170**

Event Type	**Attendance**
Performance/Presentation	27,000
Totals	**27,000**

Agenda Information Sheet

File #: 18-689 **Item #:** 35.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Equity & Human Rights

EXECUTIVE: Nadia Chandler-Hardy

SUBJECT

Authorize the **(1)** acceptance of the FY 2018-19 grant from the U.S. Department of Housing and Urban Development (HUD) for the Fair Housing Assistance Program (Grant No. FF206K186005, CFDA No. 14.401) to process, investigate and conciliate housing discrimination complaints, administrative costs and HUD required staff training for the period October 1, 2018 through September 30, 2019; **(2)** receipt and deposit of funds in an amount not to exceed $279,900.00 in the HUD-FY18 Fair Housing Assistance Program Award FY19 Fund; **(3)** establishment of appropriations in an amount not to exceed $279,900.00 in the HUD-FY18 Fair Housing Assistance Program Award FY19 Fund; and **(4)** execution of the cooperative agreement and all terms, conditions, and documents required by the grant agreement - Not to exceed $279,900.00 - Financing: U.S. Department of Housing and Urban Development Grant Funds

BACKGROUND

On November 15, 1991, HUD notified the Fair Housing Office that the City of Dallas Fair Housing Ordinance is substantially equivalent to the Federal Act. Certification of substantial equivalency qualifies the City for federal funding for fair housing enforcement, education and outreach.

On September 1, 1992, a Cooperative Agreement between the City and HUD was executed whereby the City became a Fair Housing agency and began participating in the HUD Fair Housing Assistance Program. This program provides funding for substantially equivalent fair housing agencies.

The funding allows HUD to refer housing discrimination complaints of Dallas origin to the City for processing, while HUD monitors the City's performance. On August 26, 1992, City Council approved the first of twenty-seven Cooperative Agreements with HUD. Since December 1992, HUD has provided the City $6,822,102 under this program.

Thus far, the funds have been used to facilitate the investigations of 2,609 housing discrimination complaints, to attend HUD required training seminars, and to enhance Fair Housing education and outreach.

On August 13, 2018, the City was notified that it would receive $279,900.00 in Cooperative Agreement funds for Fiscal Year 2018-19. These funds are to be used for salaries for 4 support staff, community outreach, and training and professional development.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 22, 2014, City Council authorized the acceptance of a grant from the U.S. Department of Housing and Urban Development for the Fair Housing Assistance Program to process, investigate and conciliate housing discrimination complaints, administrative costs and HUD required staff training for the period October 1, 2014 through September 30, 2015; and the execution of any and all documents related to the grant by Resolution No. 14-1788.

On October 14, 2015, City Council authorized the acceptance of a grant from the U.S. Department of Housing and Urban Development for the Fair Housing Assistance Program to process, investigate and conciliate housing discrimination complaints, administrative costs and HUD required staff training for the period October 1, 2015 through September 30, 2016; and the execution of the cooperative grant agreement and any other documents related to the grant by Resolution No. 15-1870.

On August 10, 2016, City Council authorized the acceptance of a grant from the U. S. Department of Housing and Urban Development for the Fair Housing Assistance Program to expand education and outreach during the period May 20, 2016 through September 30, 2017; and the execution of the cooperative grant agreement and any other documents related to the grant by Resolution No. 16-1178.

On October 11, 2016, City Council authorized acceptance of the FY 2016-17 grant from the U.S. Department of Housing and Urban Development for the Fair Housing Assistance Program to process, investigate and conciliate housing discrimination complaints, administrative costs and HUD required staff training for the period October 1, 2016 through September 30, 2017; and execution of the cooperative grant agreement and any other documents related to the grant by Resolution No.16-1653.

On October 25, 2017, City Council authorized acceptance of the FY 2017-18 grant from U.S. Department of Housing and Urban Development for the Fair Housing Assistance Program to process, investigate and conciliate housing discrimination complaints, administrative costs and HUD required staff training for the period October 1, 2017 through September 30, 2018; and execution of the cooperative grant agreement and any other documents related to the grant by Resolution No. 17-1651.

Information about this item will be provided to the Economic Development and Housing Committee on October 15, 2018.

FISCAL INFORMATION

U.S. Department of Housing and Urban Development Grants Funds - $279,900.00

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October 24, 2018

WHEREAS, the Fair Housing Ordinance, Chapter 20A of the Dallas City Code, was amended on November 7, 1990 and September 25, 1991 for the purpose of obtaining certification from the U. S. Department of Housing and Urban Development (HUD) that the City of Dallas is a fair housing agency operating substantially equivalent to HUD; and

WHEREAS, on June 12, 1992, HUD granted the City of Dallas interim certification as a substantially equivalent fair housing agency; and

WHEREAS, on April 24, 1995, HUD granted the City of Dallas final certification as a substantially equivalent fair housing agency; and

WHEREAS, on August 13, 2018, HUD granted the City Fair Housing Assistance Program Cooperative Agreement funds for Fiscal Year 2018-19 in the amount of $279,900.00.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to accept the FY 2018-19 grant from the U. S. Department of Housing and Urban Development for the Fair Housing Assistance Program (Grant No. FF206K186005, CFDA No. 14.401), in an amount not to exceed $279,900.00 to process, investigate, and conciliate housing discrimination complaints, administrative costs and HUD required staff training for the period October 1, 2018 through September 30, 2019, and sign the cooperative grant agreement and all terms, conditions, and documents required by the grant agreement, approved as to form by the City Attorney.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed $279,900.00 in the HUD-FY18 Fair Housing Assistance Program Award FY19 Fund, Fund F561, Department MGT, Unit 3706, Revenue Code 6506.

SECTION 3. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $279,900.00 in the HUD-FY18 Fair Housing Assistance Program Award FY19 Fund, Fund F561, Department MGT, Unit 3706, various Object Codes, according to the attached Schedule A.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $279,900.00 from the HUD-FY18 Fair Housing Assistance Program Award FY19 Fund, Fund F561, Department MGT, Unit 3706, various Object Codes, in accordance with the cooperative grant agreement.

SECTION 5. That the City Manager is hereby authorized to reimburse the U.S. Department of Housing and Urban Development any expenditure identified as ineligible. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible no later than 30 days after the reimbursement.

SECTION 6. That the City Manager shall keep the appropriate City Council Committee informed of all final HUD monitoring reports no later than 30 days after the receipt of the report.

SECTION 7. That this contract is designated as Contract No. MGT-2018-00007973.

SECTION 8. 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.

SCHEDULE A

HUD FY18 FAIR HOUSING ASSISTANCE PROGRAM (FHAP)

AWARD FY19 FUND

FUND F561, UNIT 3706

FUND	UNIT	OBJECT CODE	BUDGET	DESCRIPTION
F561	3706	1101	$172,100.00	SALARY/CIVILIAN
F561	3706	3320	55,000.00	ADVERTISING
F561	3706	3361	52,800.00	PROFESSIONAL DEVELOPMENT
PROGRAM TOTAL			$279,900.00	

Agenda Information Sheet

File #: 18-628 **Item #:** 36.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 9, 10

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year service price agreement for janitorial services for the Park and Recreation Department - Wesson Construction Services, LLC, lowest responsible bidder of six - Not to exceed $69,600.00 - Financing: General Fund

BACKGROUND

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for goods, for a specific term, which are ordered on an as needed basis.

This service price agreement will provide for janitorial services for the Park and Recreation Department. The Park and Recreation Department will use this service price agreement for janitorial services at the reservation office and the Big Thicket and Winfrey Point multipurpose facilities. Services to be rendered will be performed according to a schedule and as necessitated by events.

Services provided through this service price agreement include:

- Janitorial services to clean the reservation office building three days per week
- Bi-annual power washing of wraparound porch at Winfrey Point
- Annual cleaning of windows, waxing of hard floors, and deep cleaning of carpets at all three locations
- Additional services such as dusting, vacuuming, and mopping charged hourly when requested services are completed

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 2,689 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, City Council authorized the wage floor rate of $10.94, by Resolution No. 15-2141; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 6, 2018, the Park and Recreation Board authorized a three-year service price agreement with Wesson Construction Services, LLC.

The Government Performance & Financial Management Committee will receive this item for consideration on October 15, 2018.

FISCAL INFORMATION

General Fund - $69,600.00

FY 2018-19 $23,200.00
FY 2019-20 $23,200.00
FY 2020-21 $23,200.00

Council District	Amount
9	$53,100.00
10	$16,500.00
Total	$69,600.00

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$69,600.00	Other Services	23.80%	100.00%	$69,600.00
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Low Bid	• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements • Negotiations are not allowed

The Office of Procurement Services received the following bids from solicitation number BY1803.

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We opened them on February 9, 2018. We recommend the City Council award this service price agreement in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

Bidders	**Address**	**Amount**
*Wesson Construction Services, LLC	311 North Market Street Dallas, TX 75202	$ 69,600.00
Stellar Execucare Cleaning	6523 Autumn Woods Trail Dallas, TX 75232	$ 78,562.50
All Janitorial Professional Services, Inc.	1617 North Central Expressway Plano, TX 75075	$ 79,752.25
Global Building Maintenance, Inc.	2001 West Northwest Highway Suite 130 Dallas, TX 75220	$ 94,589.88
Oriental Building Services, Inc.	2526 Manana Drive Suite 208 Dallas, TX 75220	$101,613.75
IN + OUT Cleaning	3532 Lasso Road Roanoke, TX 76262	$103,635.00

OWNER

Wesson Construction Services, LLC

Roylins Wesson, President

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October 24, 2018

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

SECTION 1. That the City Manager is hereby authorized to sign a service price agreement with Wesson Construction Services, LLC (VS91504), approved as to form by the City Attorney, for janitorial services for the Park and Recreation Department for a term of three years, in an amount not to exceed $69,600.00. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Wesson Construction Services, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Wesson Construction Services, LLC under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $69,600.00 to Wesson Construction Services, LLC from Service Price Agreement No. PKR-2018-00006882.

SECTION 3. 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.

Agenda Information Sheet

File #: 18-773 **Item #:** 37.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year service price agreement for medical waste removal and disposal services - Cyntox, LLC, lowest responsible bidder of three - Not to exceed $85,223.50 - Financing: General Fund ($59,673.50), Aviation Fund ($14,750.00) and Department of State Health Services Grant Funds ($10,800.00)

BACKGROUND

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for services for a specific term, which are ordered on an as needed basis. We anticipate the following City departments will use this agreement:

- Fire-Rescue Department
- Office of Community Care
- Department of Dallas Animal Services
- Department of Aviation

This service price agreement provides medical waste removal and disposal services. The Fire-Rescue Department, through the nature of Emergency Medical Services and patient treatment continuously generates, collects, and stores biohazards and medical waste at various Fire-Rescue Department locations throughout the City.

This contract will be used for medical waste removal and disposal such as:

- Expired drugs
- Gloves
- Blood tubes
- Endotracheal tubes
- Sharps and sharps container
- Other biologically contaminated materials

To ensure compliance with the Environmental Management Program, these products need to be disposed in accordance with specifications.

The Department of Dallas Animal Services would utilize this agreement for medical/surgical waste that are a result of the day to day care provided by the Department of Dallas Animal Services' Veterinarian staff to the 32,000 animals seen at the animal shelter each year.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 1,023 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, City Council authorized the wage floor rate of $10.94, by Resolution No. 15-2141; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Public Safety and Criminal Justice Committee on October 22, 2018.

FISCAL INFORMATION

General Fund - $59,673.50
Aviation Fund - $14,750.00
Department of State Health Services Grant Funds - $10,800.00

Fund	FY 2018-19	FY 2019-20	FY 2020-21
General Fund	$19,891.16	$19,891.16	$19,891.18
Aviation Fund	$4,916.67	$4,916.67	$4,916.66
Department of State Health Services Grant Funds	$3,600.00	$3,600.00	$3,600.00
Total	$28,407.83	$28,407.83	$28,407.84

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE%	M/WBE $
$85,223.50	Other Services	23.80%	0.00%	$0.00
This contract does not meet the M/WBE goal, but complies with good faith efforts.				

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PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Low Bid	• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements • Negotiations are not allowed

The Office of Procurement Services received the following bids from solicitation number BW1803. We opened them on May 8, 2018. We recommend the City Council award this service price agreement in its entirety to lowest responsive and responsible bidder.

*Denotes successful bidder

Bidder	Address	Amount
*Cyntox, LLC	2105 W. County Line Road Suite 1 Jackson, NJ 08527	$85,223.50
Ventrex Environmental Services, LLC	304 Thomas Place Everman, TX 76140	$86,885.00
Medical Waste Disposal, LLC	3012 N. Rockwell Avenue Casa Grande, AZ 85122	$90,136.00

OWNER

Cyntox, LLC

Shlomo Fried, President
Debbie Elsemann, Vice President

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October 24, 2018

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

SECTION 1. That the City Manager is hereby authorized to sign a service price agreement with Cyntox, LLC (VS89066), approved as to form by the City Attorney, for medical waste removal and disposal services, for a term of three years, in an amount not to exceed $85,223.50. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Cyntox, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Cyntox, LLC under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $85,223.50 to Cyntox, LLC from Service Contract No. POM-2018-00006807 (includes the amount of $10,800.00 grant funding from FY19 WIC Program-Women, Infants, and Children Grant Fund, Fund F551, Department MGT, Unit 3841, Object 3099, amount $3,600.00 and WIC Funds TBD, Department MGT, Units TBD, Object 3099, amount $7,200.00, subject to annual appropriations).

SECTION 3. 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.

Agenda Information Sheet

File #: 18-976 **Item #:** 38.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year service price agreement for street sweeping services - Mister Sweeper LP in the amount of $3,617,246.22 and KAT Klean, Inc. in the amount of $100,570.00, lowest responsible bidders of three - Total not to exceed $3,717,816.22 - Financing: General Fund ($3,617,246.22) and Dallas Water Utilities Fund ($100,570.00)

BACKGROUND

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis. We anticipate the following City departments will use this agreement:

- Water Utilities Department
- Department of Public Works

This service price agreement will provide for street sweeping services. This service minimizes street debris which could present potential safety hazards to motorists and pedestrians. Additionally, the removal of debris from streets will minimize the amount of foreign matter entering the City's water system by way of street level stormwater collection infrastructure.

This service price agreement, based on budget allocations, will provide monthly street sweeping services on major thoroughfares throughout the City. This service price agreement includes scheduled street sweeping services of approximately 2,300 curb miles monthly. In the event of unforeseen spills, this services price agreement also provides limited response sweeping of approximately 1,000 curb miles annually. Typically, sweeping maintenance is scheduled and completed once a month. Additionally, this service price agreement, subject to annual appropriations, allows for sweeping of protected and unprotected bike lanes that may not be currently on the scheduled route. Unprotected bike lanes on the scheduled route are swept monthly, while protected bike lanes are not included in the scheduled maintenance.

In addition to the monthly scheduled, limited response, and bike lane sweeping services, this service price agreement provides the City with on demand street sweeping and power washing services. On demand services are used after inclement weather or special events to bring street surfaces up to City standards.

The Department of Transportation will retain the responsibility of providing street sweeping services in the Central Business District and those services are not part of this service price agreement.

In this solicitation, the Office of Procurement Services required bidders to submit a response using unit pricing. This bid resulted in a 27.72 percent increase over comparable prices for the bid awarded in 2015.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 2,287 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, City Council authorized the wage floor rate of $10.94, by Resolution No. 15-2141; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 12, 2015, City Council authorized a three-year service contract for street sweeping services with Mister Sweeper LP by Resolution No. 15-1337.

The Government Performance & Financial Management Committee was briefed on this item on October 1, 2018.

FISCAL INFORMATION

General Fund - $3,617,246.22
Dallas Water Utilities Fund - $100,570.00

Fund	FY 2018-19	FY 2019-20	FY 2020-21
General Fund	$608,489.00	$790,487.00	$2,218,270.22
Dallas Water Utilities Fund	$33,523.34	$33,523.33	$33,523.33
Total	$642,012.34	$824,010.33	$ 2,251,793.55

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$3,717,816.22	Other Services	23.80%	23.16%	$860,904.60
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Low Bid	• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements • Negotiations are not allowed

The Office of Procurement Services received the following bids from solicitation number BB1802. We opened them on June 8, 2018. We recommend the City Council award this service price agreement to the lowest responsive and responsible bidders by group.

*Denotes successful bidders

Bidder	Address	Amount
*Mister Sweeper LP	3522 Doug Drive Dallas, TX 75247	Group 1 - $3,617,246.22 Group 2 - $ 170,378.00
*KAT Klean, Inc.	4007 Alta Vista Lane Dallas, TX 75229	Group 1 - $6,536,432.50 Group 2 - $ 100,570.00
Pannell Industries, Inc.	4361 Cedar Lake Drive Dallas, TX 75227	Non-responsive**

**Pannell Industries, Inc. was deemed non-responsive due to not meeting specifications.

OWNERS

Mister Sweeper LP

Joseph Clark Thompson III, President
Thomas Seevers, Vice President
Dean Renkes, Secretary

KAT Klean, Inc.

Thomas W. Payne, Jr., President

October 24, 2018

WHEREAS, on August 12, 2015, City Council authorized a three-year service contract for street sweeping services with Mister Sweeper LP in an amount not to exceed $2,043,742.72, by Resolution No. 15-1337.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a service price agreement with Mister Sweeper LP (VS0000045653) in the amount of $3,617,246.22 and KAT Klean, Inc. (VS95235) in the amount of $100,570.00, approved as to form by the City Attorney, for street sweeping services for a term of three years, in a total amount not to exceed $3,717,816.22. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Mister Sweeper LP and KAT Klean, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Mister Sweeper LP and KAT Klean, Inc. under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $3,717,816.22 to Mister Sweeper LP and KAT Klean, Inc. from Service Contract No. POM-2018-00006937.

SECTION 3. 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.

Agenda Information Sheet

File #: 18-946 **Item #:** 39.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a five-year service price agreement for the purchase of desktop, laptop computers, computer related equipment, accessories, and managed services for Communication and Information Services - GTS Technology Solutions, Inc., most advantageous proposer of two - Estimated amount of $17,188,983.20 - Financing: Municipal Lease Agreement Funds (subject to annual appropriations)

BACKGROUND

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for goods and services, for a specific term, which are ordered by all City departments on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This service price agreement will allow the City to purchase computers, computer related equipment, and accessories. Additionally, this agreement includes vendor provided services for warranty, repair, de-installation of existing equipment, installation, onsite support, as well as a vendor website for order processing (E-Commerce), and asset management support.

To ensure the most cost-effective pricing for the City, standards have been established for all new and replacement computer orders. Efficiencies in the maintenance and repair of this equipment will also be achieved through the standardization of this equipment.

Currently there are over 10,000 desktop PC’s and laptops distributed throughout the City.

A seven member committee from the following departments reviewed and evaluated the qualifications:

- Communication and Information Services (2)
- Police Department (1)

- Department of Aviation (1)
- Office of Management Services (1)
- Office of Business Diversity (1)*
- Office of Procurement Services (1)*

*The Office of Procurement Services only evaluated cost and the Office of Business Diversity only evaluated the Business Inclusion and Development Plan.

The committee selected the successful respondent on the basis of demonstrated competence and qualifications under the following criteria:

- Capability and expertise 30 points
- Overall approach and methodology 25 points
- Cost 30 points
- Business Inclusion and Development Plan 15 points

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 1,054 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, City Council authorized the wage floor rate of $10.94, by Resolution No. 15-2141; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 25, 2015, City Council authorized Supplemental Agreement No. 4 to exercise the first one-year renewal option of the service contract for the lease or purchase of all forms of computers, computer related equipment, accessories and various managed services by Resolution No. 15-0342.

On February 10, 2016, City Council authorized Supplemental Agreement No. 5 to exercise the second one-year renewal option of the service contract for the lease or purchase of all forms of computers, computer related equipment, accessories and various managed services by Resolution No. 16-0270.

On April 26, 2017, City Council authorized Supplemental Agreement No. 7 to exercise the third one-year renewal option for the service contract for the lease or purchase of all forms of computers, computer related equipment accessories and various managed services by Resolution No. 17-0682.

The Government Performance & Financial Management Committee will receive this item for consideration on October 15, 2018.

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FISCAL INFORMATION

Municipal Lease Agreement Funds - $17,188,983.20 (Estimated amount)

FY 2018-19 $2,866,685.00
FY 2019-20 $2,987,178.20
FY 2020-21 $2,477,599.00
FY 2021-22 $4,428,760.50
FY 2022-23 $4,428,760.50

FY 2018-19 and FY 2019-20 estimated costs are reflected in the biennial budget. Future year cost estimates are subject to appropriations.

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$17,188,983.20	Other Services	23.80%	100.00%	$17,188,983.20
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Request for Competitive Sealed Proposal	• Utilized for high technology procurements, insurance procurements, and other goods and services • Recommended offeror whose proposal is most advantageous to the City, considering the relative importance of price, and other evaluation factors stated in the specifications • Always involves a team evaluation • Allows for negotiation on contract terms, including price

The Office of Procurement Services received the following proposals from solicitation number BXZ1802. We opened them on June 29, 2018. We recommend the City Council award this service price agreement in its entirety to the most advantageous proposer.

*Denotes successful proposer

Proposers	Address	Amount
*GTS Technology Solutions, Inc.	9211 Waterford Centre Blvd. Suite #125 Austin, TX 78758	$17,188,983.20

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Global Asset, LLC	1815 Monetary Ln. Carrollton, TX 75006	$17,638,303.10

OWNER

GTS Technology Solutions, Inc.

Laura Grant, Owner
Ryan Grant, President

WHEREAS, on February 11, 2009, City Council authorized a sixty-month contract, with three twelve-month renewal options, for the lease or purchase of all forms of computers and computer related equipment and accessories to include various managed services, in an amount not to exceed $18,762,347.00, by Resolution No. 09-0454; and

WHEREAS, on December 18, 2013, Administrative Action No. 13-7014 authorized supplemental agreement no. 1 to the service contract with Austin Ribbon & Computer Supplies, Inc. to add the Statement of Work for Office 365 email migration; and

WHEREAS, on February 11, 2014, Administrative Action No. 14-5420 authorized supplemental agreement no. 2 to the service contract with Austin Ribbon & Computer Supplies, Inc. to extend the contract term from February 16, 2014 to February 15, 2015; and

WHEREAS, on June 2, 2014, Administrative Action No. 14-6035 authorized supplemental agreement no. 3 to the service contract with Austin Ribbon & Computer Supplies, Inc. to add changes to the Statement of Work for Office 365 email migration through supplemental agreement no. 1; and

WHEREAS, on February 25, 2015, City Council authorized Supplemental Agreement No. 4 to exercise the first one-year renewal option to the service contract for the lease or purchase of all forms of computers, computer related equipment, accessories and various managed services, in an amount not to exceed $3,557,706.00, from $31,240,547.00 to $34,798,253.00, by Resolution No. 15-0342; and

WHEREAS, on February 10, 2016, City Council authorized Supplemental Agreement No. 5 to exercise the second one-year renewal option of the service contract for the lease or purchase of all forms of computers, computer related equipment, accessories and various managed services, in an amount not to exceed $3,406,977.00, from $34,798,253.00 to $38,205,230.00, by Resolution No. 16-0270; and

WHEREAS, on January 31, 2017, Administrative Action No. 17-5394 authorized Supplemental Agreement No. 6 to extend the term of the agreement for the lease or purchase, of all forms of computers and computer related equipment and accessories through March 31, 2017; and

WHEREAS, on April 26, 2017, City Council authorized Supplemental Agreement No. 7 to exercise the third one-year renewal option of the service contract for the lease or purchase of all forms of computers, computer related equipment, accessories and various managed services, in an amount not to exceed $4,135,306.00 from $38,205,230.00 to $42,340,536.00, by Resolution No. 17-0682.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a service price agreement with GTS Technology Solutions, Inc. (263234), approved as to form by the City Attorney, for the purchase of desktop, laptop computers, computer related equipment, accessories, and managed services for a term of five years, in the estimated amount of $17,188,983.20. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to GTS Technology Solutions, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by GTS Technology Solutions, Inc. under the contract. The amount payable pursuant to this service price agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this service price agreement during its term.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least $17,188,983.20, but not more than the amount of budgetary appropriations for this service price agreement during its term to GTS Technology Solutions, Inc. from Service Price Agreement Contract No. DSV-2018-00007929.

SECTION 3. That in order to reimburse and finance the lease/purchase acquisition of the equipment described herein over a period not to exceed the estimated useful life (10 years) thereof, any Authorized Officer of the City designated in the Master Equipment Lease/Purchase Agreement (the "Master Lease") between Banc of America Public Capital Corp and the City is hereby authorized and directed to execute, acknowledge and deliver a Schedule A (as defined in the Master Lease) pertaining to such equipment including all attachments, financing statements and schedules thereto, in substantially the form attached to the Master Lease, with such changes as the signing officer shall determine to be advisable. Each Authorized Officer of the City is also authorized to execute, acknowledge and deliver any other agreement, instrument, certificate, representation and document, and to take any other action as may be advisable, convenient or necessary to enter into such Schedule A. The financing terms for such equipment, to be determined pursuant to the provisions of the Master Lease and reflected in such Schedule A, and the granting of a security interest in the financed equipment pursuant to the Master Lease, are hereby approved.

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.

Agenda Information Sheet

File #: 18-960 **Item #:** 40.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a five-year service price agreement, with three two-year renewal options, for passenger and employee ground transportation management services at Love Field for the Department of Aviation - Parking Concepts, Inc. in the amount of $14,399,796.00 and Parking Systems of America, Inc. in the amount of $3,344,616.00, most advantageous proposers of seven - Total not to exceed $17,744,412.00 - Financing: Aviation Fund

BACKGROUND

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis.

This service contract will provide ground transportation management services at Love Field for garages A, B, and C, Love Connection offsite employee parking, valet parking, and starter services. On airport and off airport parking locations provide a variety of parking services to the traveling public, Love Field tenants and employees. Starter services provide for the management and orderly flow of various types of transportation for hire vehicles, shuttles, and courtesy vehicles accessing the airport roadways and terminals. Ground transportation management is a necessary component enabling access to Love Field.

Love Field currently has over 8,500 parking spaces and accounts for over $33,000,000 in annual gross revenue over the past three years. An additional 5,000 parking spaces will be added with garage C opening in November 2018, providing additional parking service options and revenue opportunities at Love Field.

Parking Concepts, Inc. (PCI) will manage garages A, B, and C with 12,000 combined public parking spaces averaging 6,000 daily parking transactions. The vendor will provide customer service, general maintenance, cleaning of the garages, and revenue collection. The vendor will also operate revenue collection software, license plate recognition, license plate inventory, and parking guidance systems. Additionally, PCI will provide valet parking services with 1,000 valet parking spaces with an

average of 400 daily transactions, providing customer service, general maintenance, cleaning of the valet spaces, and revenue collection as directed by the City 24/7.

Parking Systems of America, Inc. will manage Love Connection with 1,500 offsite employee, tenant, and vendor parking spaces, providing customer service, general maintenance, and revenue collection as directed by the City 24/7. Additionally, Parking Systems of America, Inc. will conduct starter services as part of their contract, providing eighty daily hours of customer service labor supporting the orderly flow and loading of ground transportation vehicles servicing the public.

A six member committee from the following departments reviewed and evaluated the qualifications:

- Department of Aviation (1)
- Police Department (1)
- Department of Convention and Event Services (1)
- Department of Equipment and Building Services (1)
- Office of Business Diversity (1)*
- Office of Procurement Services (1)**

*The Office of Procurement Services only evaluated cost and the Office of Business Diversity only evaluated the Airport Concession Disadvantaged Business Enterprise Program Plan.

The committee selected the successful respondents on the basis of demonstrated competence and qualifications under the following criteria:

- Cost 50 points
- Capability and expertise 25 points
- Approach and methodology 10 points
- Airport Concession Disadvantaged Business Enterprise Program Plan 15 points

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 1,374 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, City Council authorized the wage floor rate of $10.94, by Resolution No. 15-2141; the selected vendors meet this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on October 22, 2018.

FISCAL INFORMATION

Aviation Fund - $17,744,412.00

FY 2018-19 $3,346,656.00
FY 2019-20 $3,446,856.00
FY 2020-21 $3,546,624.00
FY 2021-22 $3,649,308.00
FY 2022-23 $3,754,968.00

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$17,744,412.00	Other Services	23.80%	33.46%	$5,936,615.00
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Request for Competitive Sealed Proposal	• Utilized for high technology procurements, insurance procurements, and other goods and services • Recommended offeror whose proposal is most advantageous to the City, considering the relative importance of price, and other evaluation factors stated in the specifications • Always involves a team evaluation • Allows for negotiation on contract terms, including price

The Office of Procurement Services received the following proposals from solicitation number BKZ1810. We opened them on July 13, 2018. We recommend the City Council award this service price agreement to the most advantageous proposers by group. Information regarding this solicitation is available upon request.

*Denotes successful proposers

Proposers	Address	Amount
*Parking Concepts, Inc.	12 Mauchly Building 1 Irvine, CA 92618	Multiple Groups

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*Parking Systems of America, Inc.	4011 Commerce St. Dallas, TX 75226	Multiple Groups
Ace/CMA Parking Venture	645 Ash St. San Diego, CA 92101	Multiple Groups
FreedomPark, LP	7501 Esters Blvd. Suite 130 Irving, TX 75063	Multiple Groups
LAZ Parking Texas, LLC	325 N. Saint Paul St. Suite 1390 Dallas, TX 75201	Multiple Groups
Curtis & Cartwright Transport Service, LLC	1140 W. Bardin Rd. Suite 130 Arlington, TX 76017	Multiple Groups
Robbins Parking Texas LP dba Platinum Parking	719 Olive St. Dallas, TX 75201	Multiple Groups

OWNERS

Parking Concepts, Inc.

Gill Barnett, President
David Mueller, Vice President

Parking Systems of America, Inc.

Fred Baker, President
Erik Ward, Vice President

WHEREAS, on May 12, 2004, City Council authorized a five-year parking services concession contract with Parking Company of America-Dallas, Inc. to provide vehicle parking services at Dallas Love Field by Resolution No. 04-1582; and

WHEREAS, on October 1, 2004, the contract was assigned from Parking Company of America-Dallas, Inc. to APA Parking Associates, L.P; and

WHEREAS, on June 10, 2009, City Council authorized an amendment to the parking services contract with APA Parking Associates, L.P., to provide parking services at Dallas Love Field extending the term of the contract from September 1, 2009 through August 31, 2014 by Resolution No. 09-1492; and

WHEREAS, on May 23, 2012, City Council authorized an amendment to the parking services contract with APA Parking Services, L.P., to provide parking services at Dallas Love Field, amending the contract to include valet services and extending the term of the contract from September 1, 2014 through August 31, 2017 by Resolution No. 12-1368; and

WHEREAS, on May 14, 2014, City Council authorized a three-year service contract with Parking Systems of America, L.P. to provide ground transportation starter services at Dallas Love Field by Resolution No. 14-0735; and

WHEREAS, on February 28, 2018, City Council authorized the rejection of the proposals received for passenger ground transportation management services at Love Field and the re-advertisement for a new solicitation by Resolution No. 18-0403.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a service price agreement with Parking Concepts, Inc. (VS0000046449) in the amount of $14,399,796.00 and Parking Systems of America, Inc. (VS0000023416) in the amount of $3,344,616.00, approved as to form by the City Attorney, for passenger and employee ground transportation management services at Love Field for the Department of Aviation for a term of five years, with three two-year renewal options, in a total amount not to exceed $17,744,412.00. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Parking Concepts, Inc. and Parking Systems of America, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Parking Concepts, Inc. and Parking Systems of America, Inc. under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $17,744,412.00 to Parking Concepts, Inc. and Parking Systems of America, Inc. from Service Contract No. AVI-2018-00007728.

SECTION 3. 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.

Agenda Information Sheet

File #: 18-844 **Item #:** 41.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year service contract for marketing and selling, through public auction, of City owned land and facilities that have been declared surplus property for the Department of Sustainable Development and Construction - Hudson & Marshall, LLC, most advantageous proposer of three - Estimated Net Revenue: $967,310.00

BACKGROUND

This service contract will provide marketing and public auctioning of City owned lands and facilities that have been declared surplus property. Fourteen properties currently have been identified for sale which were first routed to City departments and outside agencies to determine whether they had a need for any of the properties. By contracting with a professional real estate auction firm, the City will be able to utilize the vendor's expertise in advertising, marketing and promotion of surplus properties as well as industry contacts to generate interest in the properties being offered. As additional properties become available and are declared surplus by City Council, staff will coordinate future sales with Hudson & Marshall, LLC over the three-year time period.

The auction firm will aggressively market the properties on its website, the City's website and other commercial real estate websites such as LoopNet, CityFeet, Globe Street, Property Auction and Commercial Investment Multiple Listing Service. The firm proposes to advertise residential properties on Google, RealtyTrac and Yahoo Real Estate.

In addition, the properties will be marketed through auction brochures (hard copy and eBrochures), auction signs and banners, newspaper and publication ads, strategically located billboards, targeted direct mail, and email campaigns. Newspaper advertisements will meet or exceed those required by Texas Local Government Code, Section 253.008 and Section 272.001.

Hudson & Marshall, LLC proposes to market and sell the properties with no cost consideration to the City. The firm will charge a buyer's premium of four, five or six percent, depending on sale price, from the winning bidder for each property sold. All properties will be offered for sale "as is, where is,

and with all faults." Each sold property will be conveyed by a deed without warranty.

Marketing efforts will begin approximately six weeks before the auction date. Approximately a week before the auction date, Hudson & Marshall, LLC will hold an open house event for improved properties. On the day of the auction, the auction firm will fully staff a single ballroom event with an auctioneer, bid assistants and cashiers to accept earnest money in the form of cashier checks. Contracts will be drawn up that day. Any properties that do not sell at the auction will remain on the auction firm's website for post-sale bidding opportunities. Winning bidders will have a specified time frame in which to close on the property with the City, typically within 30 to 45 days.

A five-member committee from the following departments reviewed and evaluated the proposals:

- Department of Public Works (1)
- Department of Sustainable Development & Construction (2)
- Office of Procurement Services (1)*
- Office of Business Diversity (1)*

*The Office of Procurement Services only evaluated cost and the Office of Business Diversity only evaluated the Business Inclusion and Development Plan.

The committee selected the successful respondent on the basis of the demonstrated competence and qualifications under the following criteria:

- Qualification 35 points
- Cost 30 points
- Experience and capabilities 20 points
- Business Inclusion and Development Plan 15 points

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 15,383 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, City Council authorized the wage floor rate of $10.94, by Resolution No. 15-2141; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance & Financial Management Committee will receive this item for consideration on October 15, 2018.

FISCAL INFORMATION

Estimated Net Revenue - $967,310.00

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M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$967,310.00	Revenue	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to Revenue contracts.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Request for Competitive Sealed Proposal	• Utilized for high technology procurements, insurance procurements, and other goods and services • Recommended offeror whose proposal is most advantageous to the City, considering the relative importance of price, and other evaluation factors stated in the specifications • Always involves a team evaluation • Allows for negotiation on contract terms, including price

The Office of Procurement Services received the following proposals from solicitation number BNZ1803. We opened them on March 23, 2018. We recommend the City Council award this service contract in its entirety to the most advantageous proposer.

*Denotes successful proposer

Proposers	Address	Score
*Hudson & Marshall, LLC	17785 Preston Rd. Suite 1150 Dallas, TX 75254	89.3
SVN Auction Services, LLC	6615 W. Boynton Beach Blvd. Suite 326 Boynton Beach, FL 33437	82.7
Higgenbotham Auctioneers International Limited, Inc.	5900 Imperial Lakes Blvd. Mulberry, FL 33860	72.7

OWNER

Hudson & Marshall, LLC

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David T. Webb, President
Jeffrey S. Abernathy, Secretary

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October 24, 2018

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

SECTION 1. That the City Manager is hereby authorized to sign a service contract with Hudson & Marshall, LLC (VS0000061348), approved as to form by the City Attorney, for marketing and selling, through public auction, of City owned land and facilities that have been declared surplus property for the Department of Sustainable Development and Construction for a term of three years, for an estimated net revenue amount of $967,310.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit all revenues received from Hudson & Marshall, LLC to Fund 0001, Department DEV, Balance Sheet Account 0519 and the Department of Sustainable Development & Construction, Real Estate Division shall be reimbursed for the cost of obtaining legal description, appraisal and other administrative costs incurred, if applicable. The reimbursement proceeds shall be deposited in Fund 0001, Department DEV, Unit 1183, Object 5011. Any remaining proceeds for the property shall be transferred to the appropriate revenue account.

SECTION 3. 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.

Agenda Information Sheet

File #: 18-607 **Item #:** 42.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a five-year service contract, with two one-year renewal options, to process fingerprint based criminal history record checks for all individuals who are issued airport identification badges for the Department of Aviation - American Association of Airport Executives dba Transportation Security Clearinghouse, only proposer - Not to exceed $343,500.00 - Financing: Aviation Fund (subject to annual appropriations)

BACKGROUND

This action does not encumber funds; the purpose of a service contract is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis.

This service contract will allow Aviation to process fingerprint based criminal history record checks on individuals who work in security sensitive areas and are being issued Love Field airport identification badges. Transportation Security Administration in accordance with Federal Aviation Regulation CFR Part 1542, requires each air carrier airport, such as Love Field, to submit background check information for individuals having unescorted access to security sensitive areas of the airport. These individuals include City employees, vendors, concessionaires, and airport tenants. The Department of Aviation collects fees from individuals and contractors, with the exception of City employees, for the processing of the required background checks.

A seven member committee from the following departments reviewed and evaluated the qualifications:

- Police Department (1)
- Department of Communication and Information Services (2)
- Department of Aviation (2)
- Office of Business Diversity (1)*
- Office of Procurement Services (1)*

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*The Office of Procurement Services only evaluated cost and the Office of Business Diversity only evaluated the Business Inclusion and Development Plan.

The committee selected the successful respondent on the basis of demonstrated competence and qualifications under the following criteria:

- Cost 35 points
- Technical match 20 points
- Functional match 15 points
- Capabilities and expertise 15 points
- Business Inclusion and Development Plan 15 points

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 1,507 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, City Council authorized the wage floor rate of $10.94, by Resolution No. 15-2141; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 12, 2014, City Council authorized a three-year service contract to process fingerprint based criminal history record checks and security threat assessments which are required by the Transportation Security Administration for all individuals who are issued an airport identification badge at Love Field with Airport Research and Development Foundation, Inc. by Resolution No. 14-0288.

The Government Performance & Financial Management Committee will receive this item for consideration on October 15, 2018.

FISCAL INFORMATION

Aviation Fund - $343,500.00 (subject to annual appropriations)

FY 2018-19 $68,700.00
FY 2019-20 $68,700.00 (subject to annual appropriations)
FY 2020-21 $68,700.00 (subject to annual appropriations)
FY 2021-22 $68,700.00 (subject to annual appropriations)
FY 2022-23 $68,700.00 (subject to annual appropriations)

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22,

2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE%	M/WBE $
$343,500.00	Other Services	23.80%	0.34%	$1,160.00
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				
American Association of Airport Executives will pay a federal fee on the Airport's behalf.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Request for Competitive Sealed Proposal	• Utilized for high technology procurements, insurance procurements, and other goods and services • Recommended offeror whose proposal is most advantageous to the City, considering the relative importance of price and other evaluation factors stated in the specifications • Always involves a team evaluation • Allows for negotiation on contract terms, including price

The Office of Procurement Services received the following proposals from solicitation number BUZ1802. We opened them on March 29, 2018. We recommend the City Council award this service contract in its entirety to the only proposer.

*Denotes successful proposer

Proposer	Address	Score	Amount
*American Association of Airport Executives dba Transportation Security Clearinghouse	601 Madison Street Suite 400 Alexandria, VA 22314	96.2	$343,500.00

Note: The Office of Procurement Services conducted a single proposer review and found no exceptions.

OWNER

American Association of Airport Executives dba Transportation Security Clearinghouse

Todd Hauptli, President
Carter Morris, Vice President

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WHEREAS, on February 12, 2014, City Council authorized a three-year service contract to process fingerprint based criminal history record checks and security threat assessments which are required by the Transportation Security Administration for all individuals who are issued an airport identification badge at Love Field with Airport Research and Development Foundation, Inc. in an amount not to exceed $281,250.00, by Resolution No. 14-0288; and

WHEREAS, on October 29, 2015, Administrative Action No. 15-7133 authorized Supplemental Agreement No. 1 to change the contract rate from $17.75 to $16.00 for electronic fingerprint based criminal history record checks with Airport Research and Development Foundation, Inc.; and

WHEREAS, on November 9, 2016, Administrative Action No. 16-6988 authorized Supplemental Agreement No. 2 to extend the service contract for one year to process fingerprint based criminal history record checks and security threat assessments with Airport Research and Development Foundation, Inc. from February 11, 2017 to February 11, 2018; and

WHEREAS, on October 17, 2017, Administrative Action No. 17-7187 authorized Supplemental Agreement No. 3 to extend the service contract for eight months to process fingerprint based criminal history record checks and security threat assessments with Airport Research and Development Foundation, Inc. from February 11, 2018 to October 11, 2018.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a service contract with American Association of Airport Executives dba Transportation Security Clearinghouse (262102), approved as to form by the City Attorney, to process fingerprint based criminal history record checks for all individuals who are issued airport identification badges for the Department of Aviation for a term of five years, with two one-year renewal options, in an amount not to exceed $343,500.00. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to American Association of Airport Executives dba Transportation Security Clearinghouse shall be based only on the amount of the services directed to be performed by the City and properly performed by American Association of Airport Executives dba Transportation Security Clearinghouse under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $343,500.00 (subject to annual appropriations) to American Association of Airport Executives dba Transportation Security Clearinghouse from Master Agreement Service Contract No. MASC-AVI-2018-00006490.

SECTION 3. 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.

Agenda Information Sheet

File #: 18-1040 **Item #:** 43.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize the purchase of one piece of surface paint and rubber removal equipment to be used by the Department of Aviation with Waterblasting Technologies, Inc. through the Sourcewell cooperative agreement - Not to exceed $703,839.25 - Financing: Aviation Fund

BACKGROUND

This item will allow for the purchase of one piece of surface paint and rubber removal equipment to be used by the Department of Aviation. This surface paint and rubber removal equipment uses high-pressure water to remove pavement markings or rubber buildup on the airports paved surfaces, and vacuums the water, rubber, or paint into a large collection holding tank preventing any environmental hazards.

This purchase will replace equipment purchased in 2009 which is experiencing age related mechanical issues and the reliability of the machine is becoming a major factor. All surface paint and rubber removal is a regulatory control function of the Federal Aviation Association.

The Sourcewell cooperative agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Government Performance & Financial Management Committee will receive this item for consideration on October 15, 2018.

FISCAL INFORMATION

Aviation Fund - $703,839.25

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$703,839.25	CO-OP	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to Cooperative Purchasing Agreements (CO-OPs).				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Cooperative Purchasing	• Cooperative Purchasing Agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices • Cooperative Purchasing is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement

OWNER

Waterblasting Technologies, Inc.

James Crocker, President
Mike Nardone, Chief Operating Officer
Ed Bukowski, Chief Financial Officer

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October 24, 2018

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

SECTION 1. That the purchase of one piece of surface paint and rubber removal equipment to be used by the Department of Aviation is authorized with Waterblasting Technologies, Inc. (VS0000043964) through the Sourcewell cooperative agreement, in an amount not to exceed $703,839.25.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate requisition, to issue a purchase order for one piece of surface paint and rubber removal equipment to be used by the Department of Aviation. If a formal contract is required for this purchase instead of a purchase order, the City Manager is hereby authorized to execute the contract, approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $703,839.25 to Waterblasting Technologies, Inc. from Airport Revenue Funds, Fund 0130, Department AVI, Unit 7722, Object 4890, Purchase Order No. POAVI00000141873.

SECTION 4. That this contract is designated as Contract No. AVI-2018-00008004.

SECTION 5. 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.

Agenda Information Sheet

File #: 18-982 **Item #:** 44.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a one-year master agreement for the purchase of heartworm medications for the Department of Dallas Animal Services - Butler Animal Health Supply, LLC, dba Henry Schein Animal Health in the amount of $481,552.49 and Midwest Veterinary Supply, Inc. in the amount of $3,903.49, lowest responsible bidders of two - Total not to exceed $485,455.98 - Financing: General Fund

BACKGROUND

This action does not encumber funds; the purpose of a master agreement is to establish firm pricing for goods, for a specific term, which are ordered on an as needed basis.

This master agreement will allow for the purchase of heartworm medications for the Department of Dallas Animal Services (DAS). Heartworm medications treat the 12,814 of dogs impounded each year that test positive for heartworms. Heartworm disease is a serious progressive, and potentially fatal disease that primarily infects dogs. Over one third of all dog euthanasia at DAS are heartworm positive dogs. Treatment costs by private veterinarians make adoption costs unattainable for most citizen. By treating heartworm positive dogs DAS will improve the lives and adoptability of thousands more dogs seen each year.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 408 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 12, 2018, City Council executed the casting of lots to identify the recommended vendor resulting from tie bids on line 1 for bid BC1801 for a three- year master agreement for the purchase of heartworm medications for Dallas Animal Services by Resolution No. 18-1288.

The Government Performance & Financial Management Committee will receive this item for consideration on October 15, 2018.

FISCAL INFORMATION

General Fund - $485,455.98

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$485,455.98	Goods	18.00%	0.00%	$0.00
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Low Bid	• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements • Negotiations are not allowed

The Office of Procurement Services received the following bids from solicitation number BC1801. We opened them on June 1, 2018. We recommend the City Council award this master agreement to the lowest responsive and responsible bidder by line. Information related to this solicitation is available upon request.

*Denotes successful bidders

Bidders	Address	Amount
*Butler Animal Health Supply, LLC, dba Henry Schein Animal Health	400 Metro Place North Dublin, OH 43017	Multiple Lines

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*Midwest Veterinary Supply, Inc.	21467 Holyoke Avenue Lakeville, MN 55044	Multiple Lines

OWNERS

Butler Animal Health Supply, LLC, dba Henry Schein Animal Health

Francis Dirksmeier, President
Michael S. Ethinger, Secretary
Sean Henderson, Treasurer

Midwest Veterinary Supply, Inc.

Guy Flickinges, President
Paul Crary, Vice President
Scott Davis, Secretary

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October 24, 2018

WHEREAS, on September 12, 2018, City Council executed the casting of lots to identify the recommended vendor resulting from tie bids on line 1 for bid BC1801 for a three-year master agreement for the purchase of heartworm medications for Dallas Animal Services by Resolution No. 18-1288.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a master agreement with Butler Animal Health Supply, LLC, dba Henry Schein Animal Health (VS0000048821) in the amount of $481,552.49 and Midwest Veterinary Supply, Inc. (VS0000067504) in the amount of $3,903.49, approved as to form by the City Attorney, for the purchase of heartworm medications for the Department of Dallas Animal Services for a term of one year, in a total amount not to exceed $485,455.98.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for heartworm medications for the Department of Dallas Animal Services. If a written contract is required or requested for any or all purchases of heartworm medications for the Department of Dallas Animal Services under the master agreement instead of individual purchase orders, the City Manager is hereby authorized to execute the contract, approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $485,455.98 to Butler Animal Health Supply, LLC, dba Henry Schein Animal Health and Midwest Veterinary Supply, Inc. from Master Agreement Contract No. DAS-2018-00007187.

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.

Agenda Information Sheet

File #: 18-965 **Item #:** 45.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year master agreement for the purchase of liquid dipotassium orthophosphate solution for the Water Utilities Department - Carus Corporation, lowest responsible bidder of three - Not to exceed $7,816,398.00 - Financing: Dallas Water Utilities Fund

BACKGROUND

This action does not encumber funds; the purpose of a master agreement is to establish firm pricing for goods, for a specific term, which are ordered on an as needed basis.

This master agreement will allow for the purchase of liquid dipotassium orthophosphate solution that will be utilized by the Water Utilities Department. Dipotassium orthophosphate is a National Sanitation Foundation certified chemical used for corrosion control in potable water systems. The Water Utilities Department uses the chemical to reduce the effects of corrosion and maintenance on the water system infrastructure. The Water Utilities Department has been using this corrosion inhibitor at all three water treatment plants since 2010.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 1,865 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 22, 2015, City Council authorized a three-year master agreement for dipotassium orthophosphate to be used by Water Utilities with Shannon Chemical Corporation by Resolution No. 15-1741.

On August 22, 2018, City Council authorized an increase to the master agreement with Shannon Chemical Corporation for dipotassium orthophosphate to be used by the Water Utilities Department by Resolution No. 18-1146.

The Government Performance & Financial Management Committee will receive this item for consideration on October 15, 2018.

FISCAL INFORMATION

Dallas Water Utilities Fund - $7,816,398.00

FY 2018-19 - $2,605,466.00
FY 2019-20 - $2,605,466.00
FY 2020-21 - $2,605,466.00

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE.%	M/WBE $
$7,816,398.00	Goods	18.00%	0.00%	$0.00
• This contract does not meet the M/WBE goal, but complies with good faith efforts				
Carus Corporation is a manufacturer and supplier and will ship the product themselves				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Low Bid	• Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements • Negotiations are not allowed

The Office of Procurement Services received the following bids from solicitation number BW1810. We opened them on August 9, 2018. We recommend the City Council award this master agreement in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

Bidders	**Address**	**Amount**
*Carus Corporation	315 Fifth Street Peru, IL 61354	$7,816,398.00
Shannon Chemical Corporation	2707 Weir Street Dallas, TX 75212	$7,854,434.00
Chemrite, Inc.	5202 Belle Wood Court Suite 104 Buford, GA 30518	$9,090,604.00

OWNER

Carus Coporation

David J. Kuzy, President
Gerald B. Curran, Vice President

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WHEREAS, on September 22, 2015, City Council authorized a three-year master agreement for dipotassium orthophosphate to be used by Water Utilities with Shannon Chemical Corporation, in an amount not to exceed $6,034,624.06, by Resolution No. 15-1741; and

WHEREAS, on August 22, 2018, City Council authorized an increase to the master agreement with Shannon Chemical Corporation for dipotassium orthophosphate to be used by the Water Utilities Department, in an amount not to exceed $656,000.00, from $6,034,624.06 to $6,690,624.06, by Resolution No. 18-1146.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a master agreement with Carus Corporation (VS0000052233), approved as to form by the City Attorney, for the purchase of liquid dipotassium orthophosphate solution for the Water Utilities Department for a term of three years, in an amount not to exceed $7,816,398.00.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for liquid dipotassium orthophosphate solution for the Water Utilities Department. If a written contract is required or requested for any or all purchases of liquid dipotassium orthophosphate solution for the Water Utilities Department under the master agreement instead of individual purchase orders, the City Manager is authorized to execute a contract, approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $7,816,398.00 to Carus Corporation from Master Agreement Contract No. DWU-2018-00007995.

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.

File #: 18-907 **Item #:** 46.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a five-year master agreement for the purchase of various software including perpetual, fixed term, subscription and software as a service, software maintenance, support, and implementation services for the Department of Communication and Information Services with SHI Government Solutions, Inc. in an estimated amount of $5,533,013.50, Mobile Wireless, LLC in an estimated amount of $409,750.00, and Carahsoft Technology Corporation in an estimated amount of $210,000.00 through the State of Texas Department of Information Resources cooperative agreement - Estimated amount of $6,152,763.50 - Financing: Data Services Fund

BACKGROUND

This action does not encumber funds; the purpose of a master agreement is to establish firm pricing for goods, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This master agreement will allow for continuous purchase of various software including perpetual, fixed term, subscription and software as a service, software maintenance, support and implementation services to be used on or accessed by City workstations, mobile devices and servers.

This master agreement allows the City to acquire vendor implementation services, proving efficiencies in implementing new software solutions. These services include but may not be limited to the configuration of the software, development of interfaces, professional services related to the deployment of the software solution and end user training.

Examples of software and service purchased via this agreement:

- Specialized products such as NetMotion which is used in mobile field computers and tablets to

improve wireless connectivity
- Tableau software to assist departments with data analytics efforts
- Cloud data storage software subscriptions
- Specialized software products such as AutoCAD which are used in engineering operations to perform electronic designs for facility projects

The State of Texas Department of Information Resources cooperative agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 12, 2014, City Council authorized an increase to the master agreement with SHI Government Solutions, Inc., through the Department of Information Resources, State of Texas Cooperative contract, for computer software, network management products, and design and presentation software by Resolution No. 14-1883.

On February 25, 2015, City Council authorized a five-year master agreement for the purchase of various software including perpetual, fixed term, subscription and software as a service, software maintenance support and implementation services with SHI Government Solutions, Inc., Mobile Wireless, LLC, and Carahsoft Technology Corporation by Resolution No. 15-0340.

The Government Performance & Financial Management Committee will receive this item for consideration on October 15, 2018.

FISCAL INFORMATION

Data Services Fund - $6,152,763.50 (Estimated amount)

FY 2018-19 $1,230,552.70
FY 2019-20 $1,230,552.70
FY 2020-21 $1,230,552.70
FY 2021-22 $1,230,552.70
FY 2022-23 $1,230,552.70

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$6,152,763.50	CO-OP	N/A	N/A	N/A

• The Business Inclusion and Development Plan does not apply to Cooperative Purchasir Agreements (CO-OPs).

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Cooperative Purchasing	• Cooperative Purchasing Agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices • Cooperative Purchasing is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement

OWNERS

SHI Government Solutions, Inc.

Thai Lee, President
Al Fitzgerald, Vice President pf Enterprise Sales

Mobile Wireless, LLC

Alan McClintock, President

Carahsoft Technology Corporation

Craig P. Abod, President
Robert Moore, Vice President

October 24, 2018

WHEREAS, on November 12, 2014, City Council authorized an increase to the master agreement with SHI Government Solutions, Inc., through the Department of Information Resources, State of Texas Cooperative contract, for computer software, network management products, and design and presentation software, in an amount not to exceed $600,000.00, from $2,400,000.00 to $3,000,000.00, by Resolution No. 14-1883; and

WHEREAS, on February 25, 2015, City Council authorized a five-year master agreement for the purchase of various software including perpetual, fixed term, subscription and software as a service, software maintenance support and implementation services with SHI Government Solutions, Inc. in the amount of $4,800,155.00, Mobile Wireless, LLC in the amount of $231,250.00, and Carahsoft Technology Corporation in the amount of $160,000.00, through the Department of Information Resources, State of Texas Cooperative contract, in a total amount not to exceed $5,191,405.00, by Resolution No. 15-0340.

Now, Therefore,

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

SECTION 1. That a master agreement for the purchase of various software including perpetual, fixed term, subscription and software as a service, software maintenance, support, and implementation services is authorized with SHI Government Solutions, Inc. (502145) in the estimated amount of $5,533,013.50, Mobile Wireless, LLC (VS87448) in the estimated amount of $409,750.00, and Carahsoft Technology Corporation (VS0000009713) in the estimated amount of $210,000.00, in a total estimated amount of $6,152,763.50, through the State of Texas Department of Information Resources cooperative agreement for a term of five years. The amount payable pursuant to this master agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this master agreement during its term.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for various software including perpetual, fixed term, subscription and software as a service, software maintenance, support, and implementation services. If a written contract is required or requested for any or all purchases of various software including perpetual, fixed term, subscription and software as a service, software maintenance, support, and implementation services under the master agreement instead of individual purchase orders, the City Manager is hereby authorized to execute the contract, approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least $6,152,763.50, but not more than the amount of budgetary appropriations for this master agreement during its term to SHI Government Solutions, Inc., Mobile Wireless, LLC, and Carahsoft Technology Corporation from Master Agreement No. DSV-2018-00007902.

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.

Agenda Information Sheet

File #: 18-969 **Item #:** 47.

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	October 24, 2018
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Office of Procurement Services
EXECUTIVE:	Elizabeth Reich

SUBJECT

Authorize a five-year master agreement for the purchase of Cisco communications equipment and SmartNet maintenance for the Department of Communication and Information Services with Presidio Networked Solutions Group, LLC through the State of Texas Department of Information Resources cooperative agreement - Estimated amount of $12,714,309.90 - Financing: Municipal Lease Agreement Funds

BACKGROUND

This action does not encumber funds; the purpose of a master agreement is to establish firm pricing for goods, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This five-year master agreement will allow for the purchase of Cisco communication equipment and SmartNet maintenance. The City's communication network currently utilizes Cisco equipment and SmartNet maintenance, this agreement will make available the necessary equipment and software to replace end-of-life equipment, to enhance the current network, and provide communication equipment for new facilities. Typical purchases from this master agreement include desk phones, routers, switches, servers, software, and software licenses.

Competitive bids for Cisco communication equipment and SmartNet maintenance were issued on June 14, 2018 and opened on July 13, 2018. Bid pricing received from five bidders were then compared to governmental cooperative purchasing agreements, and was found that pricing received from Presidio was more advantageous through The Department of Information Resources (DIR) cooperative agreement. Therefore, the Office of Procurement Services determined that DIR provided the most advantageous agreement for Cisco communication equipment and SmartNet maintenance.

The State of Texas Department of Information Resources cooperative agreement is authorized by

Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 23, 2013, City Council authorized a five-year master agreement for Cisco communication equipment and SmartNet maintenance with AT&T, through the State of Texas Department of Information Resources contract by Resolution No. 13-1821.

The Government Performance & Financial Management Committee will receive this item for consideration on October 15, 2018.

FISCAL INFORMATION

Municipal Lease Agreement Funds - $12,714,309.90 (Estimated amount)

FY 2018-19 $3,886,427.00
FY 2019-20 $4,824,545.00
FY 2020-21 $1,254,545.00
FY 2021-22 $1,374,396.45
FY 2022-23 $1,374,396.45

FY 2018-19 and FY 2019-20 estimated costs are reflected in the biennial budget. Future year cost estimates are subject to appropriations.

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE%	M/WBE $
$12,714,309.90	COOP	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to Cooperative Purchas Agreements (COOPs).				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

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Cooperative Purchasing	• Cooperative Purchasing Agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices • Cooperative Purchasing is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement

OWNER

Presidio Networked Solutions Group, LLC

Rudy Cassasola, President
Stacy Hutchings, Vice-President

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WHEREAS, on October 23, 2013, City Council authorized a five-year master agreement for Cisco communication equipment and SmartNet maintenance with AT&T, through the State of Texas Department of Information Resources contract, in an amount not to exceed $10,996,875.00, by Resolution No. 13-1821.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a master agreement with Presidio Networked Solutions Group, LLC (VC19333) through the State of Texas Department of Information Resources cooperative agreement, approved as to form by the City Attorney, for the purchase of Cisco communications equipment and SmartNet maintenance for the Department of Communication and Information Services for a term of five years, in an estimated amount $12,714,309.90. The amount payable pursuant to this master agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this master agreement during its term.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for Cisco communications equipment and SmartNet maintenance for the Department of Communication and Information Services. If a written contract is required or requested for any or all purchases of Cisco communications equipment and SmartNet maintenance for the Department of Communication and Information Services under the master agreement instead of individual purchase orders, the City Manager is hereby authorized to execute a contract, approved as to form by the City Attorney.

SECTION 3. That in order to reimburse and finance the lease/purchase acquisition of the equipment described herein over a period not to exceed the estimated useful life (10 years) thereof, any Authorized Officer of the City designated in the Master Equipment Lease/Purchase Agreement (the "Master Lease") between Banc of America Public Capital Corp and the City is hereby authorized and directed to execute, acknowledge and deliver a Schedule A (as defined in the Master Lease) pertaining to such equipment including all attachments, financing statements and schedules thereto, in substantially the form attached to the Master Lease, with such changes as the signing officer shall determine to be advisable. Each Authorized Officer of the City is also authorized to execute, acknowledge and deliver any other agreement, instrument, certificate, representation and document, and to take any other action as may be advisable, convenient or necessary to enter into such Schedule A. The financing terms for such equipment, to be determined pursuant to the provisions of the Master Lease and reflected in such Schedule A, and the granting of a security interest in the financed equipment pursuant to the Master Lease, are hereby approved.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least $12,714,309.90, but not more than the amount of budgetary appropriations for this master agreement during its term to Presidio Networked Solutions Group, LLC from Master Agreement Contract No. DSV-2018-00007825.

SECTION 5. 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.

Agenda Information Sheet

File #: 18-1043 **Item #:** 48.

STRATEGIC PRIORITY: Human and Social Needs

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Welcoming Communities & Immigrant Affairs

EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize **(1)** adoption of the recommendations of the Welcoming Plan Task Force in the Welcoming Plan as a reference and guide; and **(2)** the affirmation that Dallas is a welcoming community - Financing: This item has no cost consideration to the City (see Fiscal Information)

BACKGROUND

The Office of Welcoming Communities and Immigrant Affairs (WCIA) was established in March 2017, following a recommendation of the Mayor's Task Force on Poverty in its September 2016, report to the City Council, "Reducing the Epidemic of Poverty and Ending the Opportunity Gap". Among other findings related to poverty in Dallas, the report identified drivers of poverty specifically impacting Dallas' immigrant residents including: limited English proficiency, scarcity of ESL, GED and workforce development programs, predatory lending practices, barriers to immigration status, and low participation in the U.S. naturalization process.

On March 20, 2017, Liz Cedillo-Pereira began her role as Director of WCIA. During its first quarter of operation, under Ms. Cedillo-Pereira's leadership, WCIA conducted a survey of civic leaders who interact or lead organizations serving immigrants and refugees. Those surveyed were asked to identify the barriers facing immigrants in Dallas and what Dallas could do to mitigate these barriers and be a more welcoming city.

Barriers identified by responders included: 1) fear of immigration enforcement; 2) lack of English language skills; 3) poverty and lack of resources; 4) transportation; and 5) affordable housing.

When asked what Dallas can do to address related issues, respondents stated that Dallas can take the following action steps: 1) conduct community outreach by law enforcement and community leaders to provide accurate and timely information; 2) acknowledge and celebrate contributions made by immigrants in Dallas; 3) provide and scale ESL instruction, workforce readiness skills and U.S. citizenship instruction; 4) support diversity initiatives and include immigrants; and 5) make Dallas an equitable city by breaking down economic and social barriers.

In September 2017, WCIA was selected as a Gateways for Growth (G4G) awardee by the New American Economy (NAE). The G4G program is a competitive opportunity available to local governments, chambers of commerce, and non-profit organizations seeking to develop multi-sector strategic plans for attracting, retaining and integrating immigrants and international talent into civic life.

Shortly after the announcement of the award, WCIA began to receive tailored guidance and technical assistance from staff at the NAE and Welcoming America. NAE and Welcoming America have mentored dozens of U.S. cities to develop welcoming plans that harness the economic, civic and cultural contributions of new Americans. Concurrent with the NAE technical assistance, researchers at NAE began an in-depth analysis of key economic indicators for the City of Dallas that are attributable to immigrants. The research resulted in the release of the NAE brief "New Americans in Dallas", which was shared with stakeholders at the Federal Reserve Bank of Dallas on February 28, 2018.

On December 15, 2017, WCIA assembled its first meeting of the Welcoming Plan Task Force. Eighty-five community leaders, representing a cross section of organizations, attended and agreed to volunteer their time and talent to the Task Force. Task Force members each selected one of five subgroups in which to target their attention: Leadership and Communications; Equitable Access; Safe, Healthy and Connected Communities; Civic Engagement; and Economic Opportunity and Education.

During the following six months (January - June 2018) the Task Force subgroups conducted extensive research in their respective subgroup topic areas and developed recommendations for consideration by WCIA. WCIA staff attended Task Force subgroup meetings and provided guidance to them in their deliberations.

On August 6, 2018, Liz Cedillo-Pereira provided a briefing to the Human and Social Needs Committee which included a summary of the recommendations contained in the Welcoming Plan for the City of Dallas. A full copy of the Plan, including the "New Americans in Dallas" research brief was provided to Committee Members.

On August 10, 2018, the NAE research brief and a summary of the Welcoming Plan for the City of Dallas was also presented at the Dallas Regional Chamber event, "Economic Inclusion and Innovation: A Snapshot of Immigrants in Dallas," at which Mayor Rawlings presided.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Human and Social Needs Committee was briefed on this item on August 6, 2018.

FISCAL INFORMATION

This item has no cost consideration to the City. Future costs may be associated with the implementation of this plan. Those costs will be presented to City Council at that time.

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October 24, 2018

WHEREAS, fostering a welcoming environment for all individuals, regardless of race, ethnicity or place of origin, enhances the City of Dallas' (Dallas) cultural fabric, economic growth, global competitiveness and overall prosperity for current and future generations; and

WHEREAS, Dallas is a city in which diversity is acknowledged, celebrated and harnessed to improve the social, economic and cultural opportunities of all residents; and

WHEREAS, Dallas is a city where nearly one in four residents was born in another country and where immigrants represented forty percent of the demographic growth between 2011 and 2016 and has established an Office of Welcoming Communities and Immigrant Affairs to promote and advance the economic, cultural and social engagement of immigrants and refugees in Dallas; and

WHEREAS, immigrants in Dallas contribute to the local and state economy across a wide variety of industries and sectors and represent nearly thirty-one percent of the working age population in the city; and

WHEREAS, Dallas is actively working across all sectors to establish a local welcoming framework to integrate and include immigrants in all aspects of city life; and

WHEREAS, Dallas is partnering with leaders, and representatives of local government, businesses, nonprofit agencies, philanthropic enterprises, academia, service providers, faith-based groups and first responders to build awareness of the benefits of being a welcoming community; and

WHEREAS, Dallas' efforts that promote understanding and collaboration between long-time residents and foreign-born community members are crucial to ensuring a welcoming environment; and

WHEREAS, Dallas earned a "Gateways for Growth" Award from Welcoming America and New American Economy to build capacity for fully integrating and including immigrants in Dallas; and

WHEREAS, Dallas supports the national Cities for Citizenship Campaign, Cities for Action, and the New American Partnership to pursue the naturalization process; and

WHEREAS, Dallas recognizes that welcoming communities are more socially cohesive, economically competitive, and leverage new and untapped forces for prosperity.

Now, Therefore,

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

SECTION 1. That the City of Dallas hereby affirms its commitment to being an inclusive and welcoming city.

SECTION 2. That it is the policy of the City of Dallas to comply with federal and state law regarding immigration.

SECTION 3. That the City Council hereby adopts as a reference and guide the recommendations of the Welcoming Plan Task Force in the Welcoming Plan, attached hereto.

SECTION 4. That the City Council hereby directs the City Manager to seek certification from Welcoming America as a certified welcoming city.

SECTION 5. That the City Council directs the City Manager to consider and consult the recommendations of the Welcoming Plan Task Force in conjunction with federal law, state law, and other adopted plans as a guide for future actions to further the goal of being an inclusive and welcoming city.

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.



WELCOMING DALLAS STRATEGIC PLAN

PLAN FOR CIVIC, ECONOMIC, LINGUISTIC AND SOCIAL INTEGRATION & INCLUSION

2018-2021







Dear Friends, Colleagues and Neighbors:

As Mayor, I am pleased to support Dallas' efforts to become a welcoming, inclusive city for all its residents, whether they were born in Texas, another state, or a distant country. Our diversity is a true asset.

Research shows that immigrants are a major part of our growing economy. They account for more than 40 percent of Dallas' overall population growth since 2011 and contribute to our vitality by starting and building businesses, investing in neighborhoods, and coaching youth sports, volunteering at schools and expanding our cultural offerings.

I applaud the Welcoming Plan Task Force, created by the Dallas Office of Welcoming Communities and Immigrant Affairs, for the thoughtful recommendations it developed to make Dallas more inclusive and supportive of immigrants and refugees. The recommendations in this report will help Dallas integrate new residents from around the world into the social fabric of our city, so that we can benefit from their talents and experiences as soon as possible.

Best Regards,

Michael S. Rawlings – *Mayor of Dallas*





Dear Fellow Dallasites:

When I first became Dallas City Manager, I learned quickly that this city is home to a large, diverse, vibrant immigrant population. Today, one in four Dallas residents was born in another country, and 42% of Dallas households use a primary language other than English.

Immigrants comprise one-third of our employed labor force. This significant, and relatively rapid, demographic change brings challenges, but it also brings energy and optimism and entrepreneurism. People want to live and work in Dallas, and that's a good thing.

In recognition of the important role that immigrants play in the life of our City, and to underscore Dallas' commitment to inclusivity and diversity, the City of Dallas established the Office of Welcoming Communities and Immigrant Affairs (WCIA) in March 2017. Its role is to promote and advance the economic, civic and social engagement of immigrants and refugees residing in Dallas. I am glad to be working hand-in-hand with the WCIA team and with individuals throughout Dallas to create a more inclusive, resilient and welcoming community for all residents.

We thank you for joining us in our efforts to be a city of Empathy, Ethics, Equity and Excellence and look forward to working with the residents of Dallas and our team at the City to become a nationally certified welcoming city.

To longtime residents and to newcomers, I say, welcome to a more welcoming Dallas!

TC Broadnax – *City Manager*

TABLE OF CONTENTS

7 Introduction

8 Immigration in Dallas

10 The Dallas Office of Welcoming Communities and Immigrant Affairs and the Welcoming Plan Task Force

12 Summary of Welcoming Plan Task Force Recommendations

16 The Way Forward

18 Welcoming Plan Recommendations

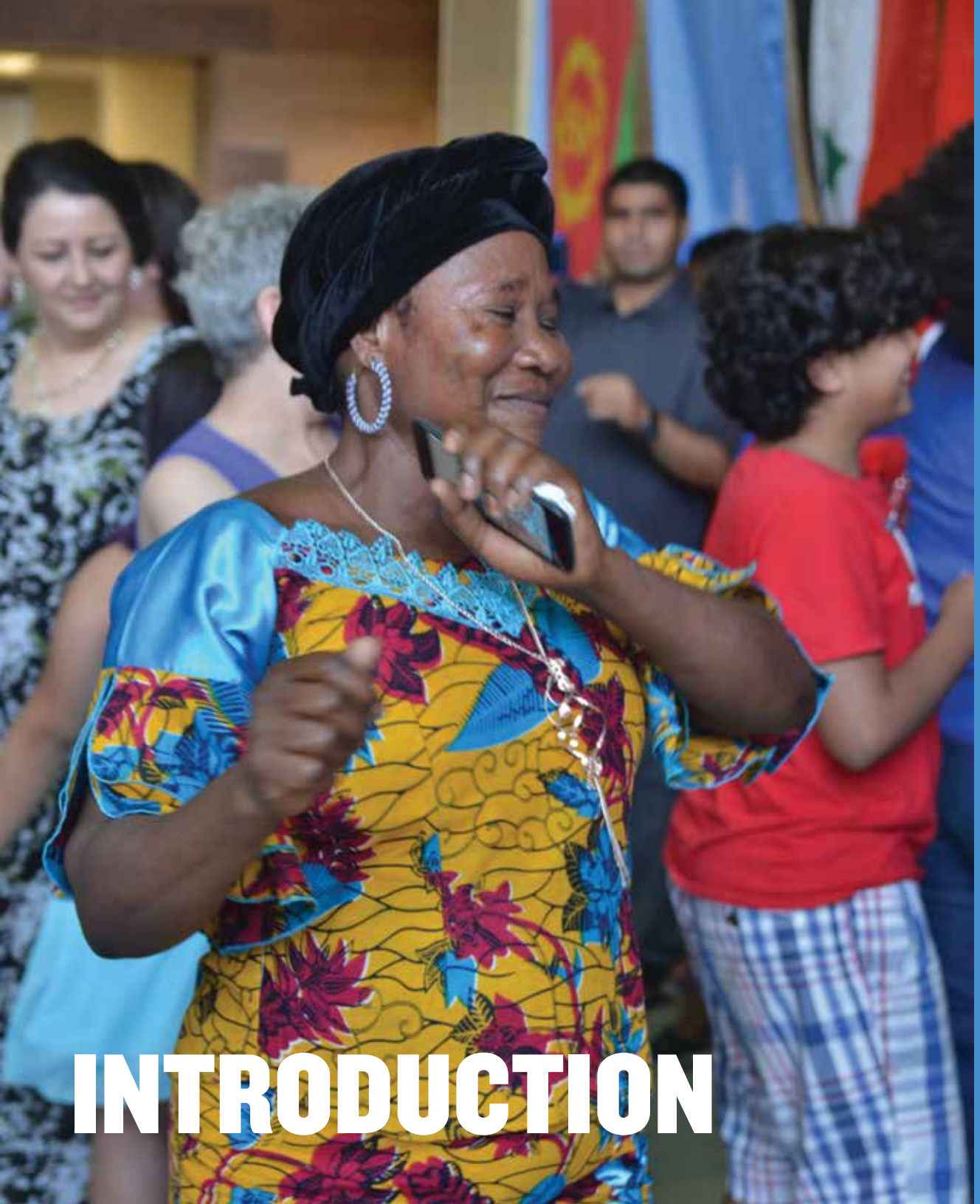
28 Timeframe

30 Acknowledgements

32 Appendix: New Americans in Dallas



DALLAS IS WELCOMING WHEN WE EMBRACE OUR DIVERSITY



INTRODUCTION

A welcoming community is one in which diversity is acknowledged, celebrated and harnessed to improve the social, economic and cultural opportunities of all residents. Dallas is actively working across sectors to establish a local welcoming framework to integrate and engage immigrants and refugees in every aspect of city life. The City of Dallas is partnering with leaders and representatives of local government, businesses, nonprofit agencies, philanthropic enterprises, academia, service providers, faith-based groups and first responders to build awareness of the economic and social benefits of being a welcoming community, and to develop strategies to realize that goal.

Nearly one-quarter of Dallas' current residents were born outside of the United States. Between the years 2011 and 2016 Dallas' foreign-born residents accounted for 40 percent of Dallas' population growth. The integration of foreign-born residents is critical to the social, cultural and economic future of Dallas.

But newcomers cannot integrate into communities by themselves. Integration requires a partnership. Immigrants must do their part – learn English, navigate the job market, understand and follow the law – and the receiving community must offer inclusion, hospitality and hope. The idea is simply that Dallas residents, from natives to newcomers, must work together to nurture and sustain a vibrant city that offers rich cultural, educational and economic opportunities to all. The purpose of this document is to recommend a series of goals and strategies that will help Dallas achieve that vision.



76% Native Count

24% Foreign Born

IMMIGRATION IN DALLAS

Half of Texas' total population growth between 2010 and 2016 can be attributed to migration. Net domestic migration represented approximately 32 percent of the total increase, and net international migration accounted for 19 percent. Almost one in five (19.6 percent) of those immigrants to Texas live in Dallas.

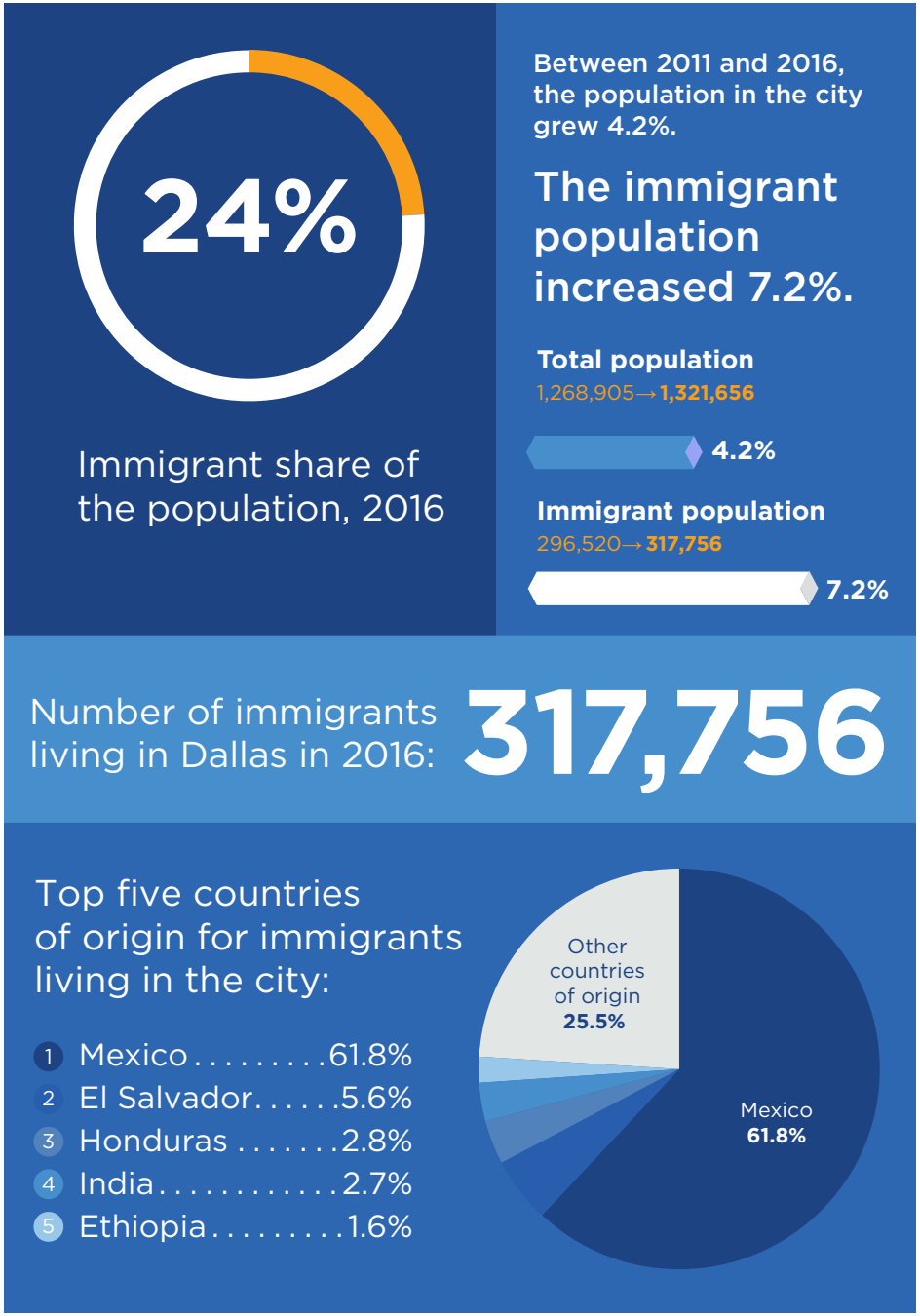
WHERE IMMIGRANTS LIVE IN TEXAS

Texas Cities	Percentage
Houston	32.5
Dallas	19.6
Fort Worth/Arlington	7.4
Austin/Round Rock	6.3
San Antonio	6.2
McAllen/Edinburg/Mission	5.4
El Paso	5.0
Other	17.4

Between 2011 and 2016, the population in the City of Dallas grew 4.2 percent, with the foreign-born population accounting for 40 percent of that total growth. As of 2016, approximately 318,000 of Dallas' 1.3 million residents were immigrants. Until 2017, Dallas was a major refugee resettlement location, with close to 2,500 refugees arriving to Dallas annually. The largest percentage of foreign-born residents are from Latin America, and most of those entered the country prior to 2000. The most common countries of origin are Mexico, followed by El Salvador, Honduras, India and Ethiopia. More than 70 languages are spoken within the Dallas Independent School District.



A recent study by New American Economy revealed immigrants' tremendous economic contributions to Dallas and the region:



- **Immigrant households in Dallas earned $7.9 billion in 2016.**
- **Foreign-born households contributed $1.9 billion in federal taxes and $591.1 million in state and local taxes.**
- **Foreign-born workers contributed $847.7 million to Social Security and $218.9 million to Medicare.**
- **Immigrants make up about one-third of Dallas' employed labor force and 24 percent of its science, technology, engineering and math workers.**
- **Immigrants are overrepresented among the city's entrepreneurs; they are 24 percent of the population and one-third of its entrepreneurs.**
- **The 20,405 immigrants who own their own business generated $495.9 million in business income.**
- **Immigrants helped to create or preserve 14,617 local manufacturing jobs in 2016.**
- **The population eligible for the Deferred Action for Childhood Arrivals (DACA) program held nearly $700 million in spending power.**
- **In 2016, the 63,396 DACA-eligible immigrants in the Dallas area—of whom 93.4 percent were employed — paid $89 million in federal taxes and $72 million in state and local taxes.**
- **International students, including many from China, India and Burma, supported 1,962 local jobs and spent $150.3 million in the 2016-2017 academic year.**

In recognition of the important presence of immigrants and refugees in Dallas, and upon recommendation of the 2016 Mayor's Task Force on Poverty, the City of Dallas established the Office of Welcoming Communities and Immigrant Affairs ("Dallas WCIA") in March 2017. It aims to promote the civic, social and economic engagement of immigrants in Dallas and to build bridges between Dallas' diverse immigrant communities and long-term residents. The director of Dallas WCIA reports directly to the Dallas City Manager.



THE DALLAS OFFICE OF WELCOMING COMMUNITIES AND IMMIGRANT AFFAIRS AND THE WELCOMING PLAN TASK FORCE

NATIONAL PARTNERSHIPS

The City of Dallas WCIA office has searched for, and found, resources to help develop its capacity to fully integrate immigrants. It became a member of Welcoming America, a national organization leading the movement to create more immigrant-inclusive communities. WCIA has received technical assistance through its membership in Welcoming America, and collaborated with Cities for Action, the New Americans Partnership and the Cities for Citizenship Campaign. As a result of active participation in these networks, and its work with local leaders across a broad spectrum of business, faith-based, civic, social service and academic organizations, Dallas earned a Gateways for Growth Challenge award from New American Economy and Welcoming America. The award included original research that resulted in a recent report, *New Americans in Dallas*, which appears in Appendix A.

IMMIGRANTS ACCOUNT FOR NEARLY ONE THIRD OF THE CITY'S ENTREPRENEURS. THE 20,405 IMMIGRANTS WHO OWN BUSINESS GENERATED $495.9 MILLION IN BUSINESS INCOME.

COMMUNITY ENGAGEMENT IN DALLAS

While these national partnerships offer ideas, encouragement and technical assistance, the actual work of integration takes place within communities and neighborhoods and schools. From March 2017 to June 2018, Dallas WCIA has participated in 343 community events, meetings, fairs, panel discussions and other activities, reaching approximately 23,030 attendees. Dallas WCIA staff also has sought insights from community leaders who regularly welcome and work with immigrants and refugees. An initial survey with faith-based, legal, and other service providers and educators detailed the barriers facing immigrants and what Dallas can do to help improve the quality of life for immigrant residents.

PRELIMINARY SURVEY RESULTS

BIGGEST BARRIERS

1. Fear of immigration enforcement
2. Lack of English language skills
3. Poverty/Lack of resources
4. Transportation
5. Affordable housing

TOP 5 GREATEST NEEDS

1. Knowledge of rights and preparedness information
2. Access to civil immigration legal services
3. Access to and utilization of available services & benefits
4. ESL, Literacy and Citizenship instruction
5. Promotion of U.S. Citizenship

WHAT CAN DALLAS DO?

1. Community outreach between law enforcement & government leaders
2. Celebrate contributions of immigrants & refugees
3. Promote & provide ESL & U.S. Citizenship instruction
4. Support diversity initiatives & include immigrants
5. Break down social & economic barriers

After that initial outreach, Dallas WCIA formed a Welcoming Plan Task Force to develop formal recommendations to integrate immigrants fully into city life. The Dallas WCIA Welcoming Plan Task Force includes 85 members from a wide variety of backgrounds and professions, many of whom had not met previously. Tailoring efforts to the Dallas community, the task force sub-divided into five committees that address the issue areas required for Welcoming America's national certification as a welcoming community: Civic Engagement; Economic and Educational Opportunity; Safe, Healthy and Connected Communities; Leadership and Communications; and Equitable Access.

The full task force met monthly beginning in December 2017 to learn about issues impacting the Dallas immigrant and refugee communities, city policy initiatives, existing city services and barriers to equitable access and participation. Task Force members engaged with Dallas residents through listening sessions, site visits and informational interviews. These listening sessions revealed the following barriers that prevent immigrants in Dallas from fully integrating into the community:

- Fear of going about daily activities due to heightened federal immigration enforcement policies
- Language barriers
- Lack of acceptable identification
- Difficulty in understanding "paperwork" such as leases, contracts, bills
- Lack of awareness of or access to information about topics such as starting a business, organizing a neighborhood group, etc
- Lack of knowledge of legal rights
- Lack of civics knowledge; awareness about engagement with city leaders

From this community-driven process, task force members developed a set of detailed recommendations, summarized below and explained fully at the end of this report, to encourage equitable access to city and educational services and full integration into civic and social life.



SUMMARY OF WELCOMING PLAN TASK FORCE RECOMMENDATIONS

LEADERSHIP AND COMMUNICATIONS

GOAL

Local government is committed to being inclusive and welcoming, and plays a central role in building local capacity while advancing inclusion of diverse communities within its own agencies and bodies.

RECOMMENDATIONS

1. Develop community awareness about the economic, social and cultural contributions immigrants make, and the benefits Dallas derives from being an inclusive community.

2. Develop and maintain a comprehensive directory/database of services and resources for immigrants and refugees.

3. Create partnerships with local, state and federal agencies, the business community and philanthropic entities to address changing needs related to evolving immigration policy.

4. Enhance understanding and trust between long-term residents of Dallas and immigrant communities.

SAFE, HEALTHY, AND CONNECTED COMMUNITIES

GOAL

Welcoming communities build relationships among diverse communities, including newcomers and longer-term residents. They also foster trust and build relationships between diverse communities and local law enforcement and safety agencies.

RECOMMENDATIONS

1. Provide training about diverse populations and establish ongoing dialogue with first responders and public safety officials to foster trusting relationships between immigrants and law enforcement.

2. Educate immigrants about their rights and responsibilities and raise awareness through on-going education throughout the community of sensitive locations pursuant to federal policy guidance.

3. Improve health care accessibility and understand and address needs of immigrants and refugees.

4. Convene a coalition of mental health care experts to coordinate and address services provided in the City of Dallas.

5. Partner with philanthropy to provide civil immigration services and rights information programs.

6. Bring diverse groups together to celebrate and foster cultural, artistic and recreational interaction between Dallas' long-term and newer residents.

EQUITABLE ACCESS

GOAL

Welcoming communities reduce barriers to services and participation so that opportunities in the community are available to all residents.

RECOMMENDATIONS

1. Develop and utilize data-driven approaches to conduct equity analyses for decision-making processes and ensure implementation of inclusive policies for Dallas residents in coordination with other relevant offices.

2. Implement and oversee a City language access plan, including access to safety services/alerts and staff training.

3. Support efforts by the City to simplify and increase access to city services for all residents of Dallas by implementing a multi-use city identification card.

4. Work in partnership to improve housing accessibility and work to prevent housing discrimination.

5. Work in partnership to foster partnership programs to achieve equitable access to health care.

6. In partnership with mobility solutions experts, work to improve transportation accessibility in Dallas.

CIVIC ENGAGEMENT

GOAL

Welcoming communities actively ensure that diverse populations fully participate in civic life, including increasing access to leadership, citizenship and community participation.

RECOMMENDATIONS

1. Increase the number of Dallas immigrants who become naturalized U.S. citizens.

2. Increase knowledge of how local government works and how to access services for immigrant communities in Dallas.

3. Enhance levels of civic participation and leadership among immigrants in Dallas.

4. Promote participation in the 2020 Census to ensure maximum participation.

5. Promote voter education and registration among new citizens.

6. Raise awareness in immigrant communities of the unauthorized practice of immigration law and other predatory practices impacting immigrant consumers.

ECONOMIC OPPORTUNITY AND EDUCATION

GOAL

Welcoming communities harness the full potential of all their residents. Everyone has the skills and assets to thrive, and economic development systems are prepared to leverage new and existing talent. Welcoming communities also ensure everyone has the education needed to succeed in school and the workforce.

RECOMMENDATIONS

1. Establish welcoming hubs as community gathering and educational centers for immigrants to access information, resources and opportunities.

2. In partnership, bring to-scale workforce systems that increase skill development and career pathways to improve immigrant integration in the economy.

3. Remove barriers to immigrant families to ensure full access in all educational opportunities that exist in the City of Dallas and promote learning at all levels.

4. Participate in partnership opportunities to support the financial literacy needs of immigrants.




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L.L. HOTCHKISS
FAIL
ZONE
Born Ready. Stay Ready.
TEST



THE WAY FORWARD

Moving forward, Dallas is striving to become a certified "Welcoming City" by the national certifying non-profit organization, Welcoming America. There are currently three certified cities in the nation (Dayton, Louisville, and Salt Lake City) and Dallas WCIA is working diligently to become the next.

While national immigration policy focuses on interdiction and deportation, communities like Dallas are working to demonstrate the longtime American ideal of welcoming immigrants. For decades, people around the world have revered the United States for its hospitality and its opportunities. Dallas will continue to honor that tradition. This city has many compatriots in this effort: according to Welcoming America, one in eight Americans lives in places considered to be welcoming communities, places that actively seek to include and engage their foreign-born residents.

Full integration does not happen without effort, from both the receiving population and the newcomers. It takes work and good will. We can find common ground by sharing our arrival stories — most Americans have one — of grandparents who fled pogroms in Russia, an ancestor forced onto a slave ship, a parent who crossed the Rio Grande with a goal of finding work. We find hope by reaching out, acknowledging our shared humanity, learning about our different customs and cultures, and realizing we all want to live in a safe, vibrant, compassionate city where children grow up in peace and families prosper. No matter where we came from, we are all neighbors now. E Pluribus Unum.

And we know that when one person moves forward in Dallas, we all move forward. *Cuando uno de nosotros sigue adelante en Dallas, todos seguimos adelante.*







WELCOMING PLAN RECOMMENDATIONS

The Welcoming Standard, as developed by the Welcoming America organization, provides a comprehensive guide for building more cohesive and equitable communities and fostering connections between newer immigrants and long-time residents. It also sets benchmarks for accountability and innovation so that city efforts can be scaled and measured in relation to established priorities that include:

- **Public Safety**
- **Mobility Solutions, Infrastructure and Sustainability**
- **Human and Social Needs**
- **Quality of Life**
- **Government Performance and Financial Management**

The Welcoming Standard includes strategies for sustaining a welcoming plan, such as:

- **Engaging longer-term residents**
- **Setting goals, monitoring impact and adjusting strategies as needed**
- **Designing for equity and inclusion.**
- **Implementing in partnership**

The Dallas Welcoming Communities Task Force produced the following recommendations and strategies for implementing a Welcoming Plan in the City of Dallas.

LEADERSHIP AND COMMUNICATIONS

Commitment on behalf of city leaders to being inclusive and welcoming by advancing local capacity building efforts while advancing inclusion of the diverse community within the City.

RECOMMENDATIONS

1 Develop a community awareness campaign about the economic, social and cultural contributions immigrants make, and the benefits Dallas will derive from being an inclusive community

STRATEGIES

- Hold listening sessions and focus groups with immigrants and refugees to understand the challenges and benefits of living in Dallas.
- Enlist partners, including the business and philanthropic sectors, to launch a community awareness campaign, #WelcomingDallas and #BeGolden, to emphasize the ways immigrants and refugees enrich our city and contribute to the local economy.
- Identify key messages for different audience segments and the most effective media channel for reaching those audience segments.
- Enlist influential leaders in the receiving community (business and civic leaders, etc.) to serve as spokesmen and women who can explain the benefits of being a welcoming community.
- Actively seek out or create opportunities for media coverage of immigrant-related stories, such as holding naturalization ceremonies at City Hall, etc.
- Promote welcoming and inclusive culture via public proclamation or resolution.

2 Develop a Directory/Database of Services and Resources for Immigrants and Refugees as a welcoming guide that helps newcomers more easily access services and resources

STRATEGIES

- Survey the landscape to learn what already exists.
- Identify immigrant and refugee leaders, including youth leaders, to serve as community ambassadors to help identify needs and provide resource information.
- Find a “home” or administrator for the directory, so that it is regularly updated and reviewed for accuracy, etc.

3 Create partnerships with local, state and federal agencies, private sector and philanthropic organizations to address changing needs related to evolving immigration policy

STRATEGIES

- Brief City Council members and commission members on demographics and local immigrant and refugee issues and serve as a resource when elected officials need information.
- Build relationships with other partners, including city staff and other public agency officials, such as Dallas and Richardson ISD, Parkland Health & Hospital System leaders, Dallas County, etc.
- Develop opportunities to work with business associations or chambers of commerce, professional societies, etc.
- Engage with other citywide, grass-roots organizations to discuss the benefits of becoming a welcoming city and fully integrating newcomers.

4 Enhance understanding and trust between long-term residents of Dallas and immigrant communities by creating shared experiences

STRATEGIES

- Hold annual Thanksgiving dinners to bring newcomers and long-term residents together to celebrate a cherished American tradition.
- Coordinate volunteer opportunities for diverse communities to collaborate and work together.
- Sponsor community gardens in partnerships, use transit systems to explore the city, hold cultural celebrations, art exhibits and engage in community clean-up, soccer tournaments, Ciclovía and other activities that allow groups to become more familiar with diversity beyond their immediate neighborhoods, place of worship, and workspace.
- Participate in recreational events in Dallas for families to gather on multiple weekends throughout the year and use as an opportunity to raise awareness about community and family services.
- Work in partnership to welcome international guests to Dallas with protocol office.

PARTNERS

Business and philanthropic sectors, Dallas residents, Dallas media outlets, elected officials, service providers, local, state and federal officials.

EQUITABLE ACCESS

Welcoming Dallas reduces or eliminates the barriers to accessing services, programs and activities, so that the opportunities of the community are available to all residents.

RECOMMENDATIONS

1 Develop and utilize data-driven approaches to conduct equity analyses for decision-making processes and work to ensure implementation of inclusive policies for Dallas residents in coordination with other relevant offices

STRATEGIES

- Review city policies concerning government leadership, equitable access, civic engagement, cultural inclusion, education, economic development, neighborhood development, and public safety for implicit bias and ensure equitable consideration of immigrant residents and visitors.
- Undertake a systematic review of local laws, codes, policies, and practices to determine whether such policies (i) exclude or disenfranchise immigrants; or (ii) exclude residents based on facets of the identity, including gender, race, ability, age, religion or sexual orientation.
- Revise any policies found to run counter to ((i)-(ii)) above.
- Implement a process to regularly review and improve local policies to strengthen immigrant inclusion.



2 Implement and oversee a City language access plan to remove linguistic barriers to participating in Dallas life and community engagement, while providing staff training

STRATEGIES

- Improve language access to information and services.
- Ensure language access across city departments with the goal of expanding equitable access to programs, services, and activities.
- Undertake an assessment of the language needs of the community with the goal of providing access to (i) important information including safety, emergency, and alert services; (ii) housing, transportation and health information and services; (iii) all City services; (iv) legal and non-profit resources; (iv) educational and work force training opportunities. Implement and operationalize a language policy that meets the needs identified.
- Publicize and market the policy in a way that emphasizes the diversity and inclusiveness of our community. Upgrade, enhance, and publicize existing services such as 311, 211texas.org, northtexasfamilies.org, helpfinders.org.
- Create partnerships with others who can assist in translation and resources.

3 Support effort by the City to simplify and increase access to city services for all residents of Dallas by implementing a multi-use city identification card

STRATEGIES

- Conduct an assessment of the ways a multi-use City ID would improve the quality of life for Dallas residents.
- Determine the financial costs and other feasibility issues in developing a multi-use City ID card.
- Seek wide community support for a multi-use City ID card.
- Provide funding and the authority to administer a multi-use City ID program to be accepted by the City for enumerated city services.

4 Improve access to Housing in partnership with community-based organizations, Dallas Fair Housing, Texas Fair Housing Authority

STRATEGIES

- Ensure that the comprehensive housing plan includes the integration of immigrants and other diverse populations into all neighborhoods of Dallas.
- Dedicate a portion of affordable housing development requirements for the unsubsidized population and require developers to incorporate unsubsidized low-income housing into all financing plans.
- Promote the value of working with immigrants in providing low-income housing; remove barriers to renting apartments.
- Support tenant efforts to hold owners accountable for substandard properties and assist in disseminating discrimination policies and access to legal remedies.

5 In partnership, actively work to foster partnership programs to achieve equitable access to health care

STRATEGIES

- Host dialogues on how to address fear and toxic stress that are impacting daily life and well-being of Dallas families.
- Establish a network of accessible community-based primary care clinics, in under-serviced areas and areas with high immigrant concentrations.
- Advocate for language access services during medical and behavioral health visits.

6 Improve mobility and transportation options for all Dallas residents and include immigrants in the inclusion process; this would be done in partnership with Dallas Office of Transportation, DART, corporate philanthropy, and community organizations

STRATEGIES

- Expand services and a seek a reduction in fare prices to provide supportive public transportation to all low-income residents of Dallas.
- Better utilize existing city and community resources in addressing transportation needs.

PARTNERS

Service providers, City of Dallas departments, philanthropic sectors, Dallas residents, elected officials, public transit authorities, public housing authorities, real estate associations, tenant associations, service providers, local, state and federal officials.



SAFE, HEALTHY AND CONNECTED COMMUNITIES

Welcoming Dallas builds relationships among diverse communities, including newcomers and longer-term residents. It also fosters trust and builds relationships between diverse communities and local law enforcement and safety agencies.

RECOMMENDATIONS

1 Implement and Increase access to justice for immigrants and refugees

STRATEGIES

- Create an informational clearinghouse for information and access to legal and non-profit assistance and engagement with the law enforcement community.
- Overcome language barriers in the court system and the prosecutor's office.
- Create public/private partnerships to provide civil immigration legal services for indigent respondents.

2 Facilitate and strengthen relationships between public safety departments and Dallas immigrant communities through a "Safe Connections RoundTable" series while providing training on interacting with diverse populations

STRATEGIES

- Monthly meetings between the DPD, DFD, and Dallas WCIA staff; secure approval and cooperation from DPD Chief and DFD chief.
- Establish the topics and data to be covered and provided at each meeting.
- Establish time and place for the meetings for the calendar year.
- Promote education/hold classes on municipal laws, human trafficking, and U visa policy to educate the immigrant community on issues that impact their quality of life in Dallas.
- Coordinate in partnership Dallas Resident Police Academies in multiple languages.

3 Educate communities about their rights and responsibilities as well as federally designated sensitive locations

STRATEGIES

- Map the sensitive locations and resource materials that explain the meaning of being a sensitive location for community distribution.
- In partnership, convene classes about legal rights and responsibilities.

PARTNERS

First responders, public safety officials, service providers, City of Dallas departments, philanthropic sectors, Dallas residents, elected officials, service providers, local, state and federal officials.



Across city departments, Dallas WCIA actively engages in outreach and dialogue to help build bridges within the community and to inform community members about the importance of reporting crime and options that may exist for victims of crime. Community engagement with collaborative partners like the Dallas Police Department Unidos program to alleviate fears and increase the quality life of Dallas residents.

CIVIC ENGAGEMENT

Welcoming Dallas actively ensures that diverse populations fully participate in civic life, including increasing access to leadership, citizenship and community participation.

RECOMMENDATIONS

1 Increase the number of Dallas immigrants who become naturalized U.S. citizens by hosting bi-annual citizenship workshops with community collaborators

STRATEGIES

- Coordinate the #MyDallas Citizenship Campaign with key partners throughout the City.
- Conduct free, large-scale naturalization workshops at the Dallas Public Libraries and other venues on a quarterly or semi-annual basis where a diverse group of volunteers can assist immigrants to apply for naturalization.
- Establish Citizenship Corners in all Dallas Public Library branches and equip Citizenship Corners with wide a range of information helpful to immigrants and refugees.
- Maintain active membership with national partner organizations also dedicated to promoting U.S. citizenship, such as: New Americans Campaign (NAC), Cities 4 Citizenship (C4C), National Partnership for New Americans (NPNA) and U.S. Citizenship and the Immigration Services Citizenship Grant Program.
- Partner with businesses to assist lawful permanent resident employees with the process of citizenship, using New American Workforce as a model.
- Create citizenship loan programs by working with credit unions and lending circles to establish low-interest loans to pay for naturalization application fees.
- Encourage release time for City of Dallas employees to participate in WCIA-sponsored events, including City Hall Naturalization Ceremonies; Citizenship and DACA application workshops; and other large-scale events.
- Include in City of Dallas' Texas Legislative Agenda a request for state funding for naturalization promotion efforts as exists in numerous other states with large immigrant populations.
- Involve the Mayor of Dallas and Councilmembers in high- profile activities that underscore the importance of U.S. citizenship, such as speaking at naturalization ceremonies, giving media interviews or participating in PSA.
- Establish a Community Ambassadors Program to include new citizens to further promote the #MyDallas Citizenship Campaign.
- Engage with immigrants and refugees in coordinating and promoting citizenship civics classes and ESL classes

2 Increase Knowledge of Local Government among Immigrant Communities of Dallas

STRATEGIES

- Create an Outreach Speakers Bureau of long-term U.S. citizens and public officials (mayor, city manager, city councilmembers, police chief, sheriff, judges, district attorney, city attorney) to educate new immigrants on major aspects of local government including: city and county roles and jurisdictions; relationship to state and federal government; law enforcement organization and roles; courts structure and organization; and many other topics.
- Promote the free Text4Refugees text messaging platform.
- Collaborate with Dallas Police Department UNIDOS community policing speakers and expand program to include other cultural leaders and languages.
- Partner with 311 and other city departments to communicate topical information about city life.



3 Enhance Levels of Civic Participation and Leadership Among Immigrants

STRATEGIES

- Create a City of Dallas New Citizens Leadership Academy, modeled after New American Leaders, as a learning opportunity for new citizens to master skills necessary to:
  1. Run for local, state, and/or federal office
  2. Hold community leadership positions
  3. Advocate for public policies supportive of immigrant families
- Develop community councils, comprised of a cross section of immigrants and refugees from around the City to gather input and recommendations from their respective community for presentation to City Council and the Mayor.
- Promote community service opportunities for immigrants and refugees through linkages to existing volunteer placement programs, such as Corporation for National and Community Service (CNCS), AmeriCorps, VISTA, Senior Corps, Volunteer Now and others.
- Encourage immigrants and refugees to volunteer at naturalization workshops.
- Involve new citizens in voter registration drives in their own immigrant communities.
- Establish a WCIA Volunteer Coordinator position to match immigrants and refugees with nonprofit organizations where they will learn skills to enhance their employability.
- In partnership with City protocol office, develop and foster existing relationships with sister cities around the world.

4 Promote Participation in the 2020 Census to Ensure Maximum Participation

STRATEGIES

- Participate in all activities of the Mayor's Complete Count Committee.
- Conduct early and widespread outreach to familiarize immigrants and refugees with the 2020 Census and the importance of it.
- Coordinate efforts with counterpart Immigrant Affairs offices throughout the U.S. to identify effective strategies and best practices for ensuring participation in the 2020 Census and privacy protections.
- Bring together key stakeholders and "influencers" into the 2020 Census outreach efforts early to deliver positive messages about the census.

5 Promote Voter Education and Registration Among New Citizens

STRATEGIES

- Assist in the coordination of Citizenship Corners at Dallas Public Library to ensure they are well-supplied with voter registration and educational materials.
- Promote voting through existing mass mailings such as utility bills, and other local government mailings.
- Coordinate with community organizations dedicated to promoting the right to vote.
- Participate at voter registration booths at USCIS Naturalization Ceremonies and other public events.



MyDallas Citizenship Application Workshop held at the central library in downtown Dallas. Promotion of citizenship is integral to the work of inclusion. Research shows that individuals, families and the communities where they live stand to gain through naturalization. Dallas WCIA and its partners are expanding citizenship efforts in Dallas to simplify the process and improve the lives of Dallas residents.

6 Raise Awareness in Immigrant Communities of the Unauthorized Practice of Immigration Law (UPL) and other predatory practices impacting immigrant consumers

STRATEGIES

- Maintain constant and repetitive messaging warning immigrants and refugees about “notaries” and the unauthorized practice of immigration law.
- Regularly update and circulate the Dallas WCIA pamphlet, “Guide to Immigration Legal Service Organizations in North Texas Recognized by the U.S. Department of Justice”.
- Ensure that Dallas Public Libraries’ Citizenship Corners are stocked with materials advising about the unauthorized practice of law and immigration scams.
- Build relationship with consumer-related prosecuting entities such as the State Bar Unauthorized Practice of Law Committee, the Texas Attorney General’s Office, the Federal Trade Commission and others.

PARTNERS

First responders, public safety officials, service providers, City of Dallas departments, philanthropic sectors, educators, Dallas residents, elected officials, service providers, local, state and federal officials.



DACA is a Prime Example of Integration and Inclusion

The Dallas metropolitan area has the third largest number of residents with Deferred Action for Childhood Arrivals (DACA) across the United States. Given their income, DACA-eligible immigrants contribute significantly to state and local taxes, including property, sales and excise taxes. They are highly engaged in community affairs and the employment rate of DACA-eligible living in Dallas in 2016 is 93.4%. As part of the #MyDallas campaign, WCIA plans to expand efforts to include coordinating DACA Renewal clinics with nonprofit and philanthropic partners so that all eligible recipients apply to receive protection from deportation, work authorization, and the ability to continue contributing in the formal economy.

ECONOMIC OPPORTUNITY AND EDUCATION

Welcoming Dallas harnesses the full potential of all residents. Everyone has the skills and assets to thrive, and economic development systems are prepared to leverage new and existing talent. Welcoming Dallas ensures everyone has the education they need to succeed in school and the workforce.

RECOMMENDATIONS

1 In partnership, bring to-scale workforce systems that increase skill development and career pathways to improve immigrant integration in the economy

STRATEGIES

- Help immigrant and refugee service providers augment services and resources tailored to assisting immigrants and refugees in breaking barriers to workforce entry.
- Leverage existing resources in Dallas County to improve job training and promote entrepreneurial development.
- Work in partnerships, to provide credential evaluation to transition qualified immigrants into stable jobs/trades and skill appropriate workforce involvement.
- Increase immigrant and refugee involvement across the full spectrum of newcomer services and agencies focusing on economic and educational opportunities.
- Leverage partnerships to create opportunities for immigrant and first generation college youth to apply for internships and apprenticeships.
- Conduct asset mapping of economic, educational, and transportation access gaps for immigrant residents.
- Work in partnership to promote workforce and skills development.
- Work in partnership with economic development chambers and other partners to encourage and provide technical assistance to small and minority-owned businesses to become vendors to bid on City projects.
- Promote growth for immigrant and minority businesses and work with EB5 Program to stimulate economic development in opportunity areas.
- Develop a plan to support current and future immigrant- owned businesses.
- Conduct outreach on resources for starting business in Dallas and facilitate programs that augment entrepreneurial initiatives in immigrant communities.
- Support efforts to fight wage theft cases for immigrants.
- Develop curriculum in technological skills and competencies in multiple languages.
- Participate in partnership opportunities to support the financial literacy needs of immigrants.

PARTNERS

Workforce Solutions of Greater Dallas, DCCCD, Texas Workforce Commission Adult Education and Literacy programs, philanthropy, employers, city and county.



City of Dallas is committed to “service first” philosophy to all its residents.

2 Establish welcoming hubs

STRATEGIES

- Assess welcoming locations to create a human-centered digital platform of resources.
- Create a community space for collaboration/awareness of existing resources among community-based organizations and service providers.
- Create a network of community organizations by county.
- Develop an online portal for all Dallas residents interested in international affairs, providing calendars of events and useful resource guides.
- Promote the availability of quality information and counseling to immigrant families regarding higher education and vocational opportunities.
- Provide information on civil rights and legal resources.
- Publish a basic guide for newcomers.
- Provide workshops to help parents understand pathways to college.
- Establish one-stop shops where immigrant entrepreneurs can get information on navigating licensing and other processes
- Support immigrant entrepreneurs in the tech economy by working with universities and private industry to access information and networks.
- Provide reliable information on important issues and service needs, such as: tax preparation, authorized immigration legal services, proper vs predatory lending, how to avoid real estate and healthcare scams, how to recognize predatory for-profit educational programs and many others.

3 Remove barriers to immigrant and refugee families to promote learning and ensure full access in all educational opportunities that exist in the City of Dallas

STRATEGIES

- Work in partnership to provide expanded subsidized preschool/daycare and early childhood programs servicing diverse populations.
- Work in partnership to provide parent workshops about education and college opportunities throughout the City in multiple languages.
- Ensure that English language learning opportunities are available throughout the City in convenient and safe locations.
- Utilize public libraries and welcoming hubs as a center point to promote the resources available for newcomers in different languages.
- Partner with educational service providers to promote a covered college education for Dallas high school students.
- Organize events to encourage the international community to share experiences/knowledge.
- Create mentorship opportunities between seasoned immigrant professionals and newcomer families.
- Help immigrant students transition into the U.S. school system, enabling them to engage with the appropriate curricula and succeed academically.
- Work with Parent Teacher Associations (PTAs) in public schools to be more encouraging and inviting of immigrants and refugees.

PARTNERS

RISD/DISD's Newcomer's program to ensure services are provided to volunteers, teachers, and administrators, Dallas Public Library, schools, colleges universities nonprofit after school organizations, and business development training centers.





















TIMEFRAME

The Welcoming Dallas Plan includes a broad set of actions that are prioritized as short-term, mid-term and long-term and grouped in three categories.

SHORT TERM 1-2 YEARS

WELCOME, NEIGHBOR

- Launch community awareness campaign and actively seek out opportunities for media coverage for immigrant related stories
- Host naturalization ceremonies
- Enhance understanding and trust between long-term residents of Dallas and immigrant communities by creating shared experiences
- Maintain comprehensive directory
- Increase the number of Dallas immigrants who become naturalized U.S. citizens
- Promote participation in the 2020 Census
- Ensure that English language learning opportunities are available throughout the City in convenient and safe locations

CONNECTING DALLAS

- Establish a city office to house immigrant integration efforts
- Establish a welcoming city employee resource group
- Expand Dallas civic engagement and leadership opportunities
- Establish and maintain ongoing dialogue with first responders and public safety officials
- Increase knowledge of local government for immigrant communities in Dallas

FORWARD TOGETHER

- Engage local, governmental, business, and civic leaders to elevate the myriad benefits of being a welcoming and diverse city
- Create partnerships to address changing needs related to evolving immigration policy
- Participate in partnership opportunities to support the financial literacy needs of immigrants

MID TERM 2-3 YEARS

WELCOME, NEIGHBOR

- Establish welcoming hubs
- Revitalize sister city relationships
- Create youth taskforce on welcoming & promote next-gen leadership
- Promote higher education and workforce opportunities
- Enhance levels of civic participation and leadership among immigrants

CONNECTING DALLAS

- Raise awareness throughout the community of the federally-designated sensitive locations
- Develop and oversee a language access plan
- Support endeavors to research & launch a City ID program
- Identify & revise policies that may exclude or discriminate
- Partner with philanthropy & service providers regarding civil immigration services and rights information programs
- Raise awareness of the unauthorized practice of immigration law and other predatory practices
- Utilize data-driven approaches to conduct equity analyses with other relevant offices
- Implement and increase access to justice for immigrants and refugees

FORWARD TOGETHER

- Promote voter education and registration among new U.S. citizens
- Raise awareness of and improve immigrant integration in workforce systems and improve U.S. professional licensing processes
- Promote growth for immigrant and minority businesses
- Engage local, governmental, business, and civic leaders to elevate the myriad benefits of being a welcoming and diverse city
- Create partnerships to address changing needs related to evolving immigration policy
- Create partnership opportunities to support the financial literacy needs of immigrants

LONG TERM 3+ YEARS

WELCOME, NEIGHBOR

- Remove barriers to immigrant and refugee families to ensure full access in all educational opportunities that exist in the City of Dallas

CONNECTING DALLAS

- Improve housing accessibility
- Improve transportation accessibility
- Collect data to conduct an equity analysis for decision making processes
- Improve health care accessibility
- Collect and utilize data-driven approaches to conduct equity analyses for decision-making processes with other relevant offices

FORWARD TOGETHER

- Review and revise as needed

ACKNOWLEDGMENTS

WCIA thanks the following Dallas leaders for their commitment and contributions to developing the Welcoming Plan Recommendations for the City of Dallas.

WELCOMING PLAN TASKFORCE

Ghazwan Abdullah, Seek the Peace
Hanna Alexander, Equal Justice Center
Luis Arango, J.D., Catholic Charities of Dallas
Nicolas Argueta, American Salvadoran Association
Virginia Arteaga-Haid, Global Economic Development
Dallas County Community College District
Ann Badmus, Esq., Immigrant Journey Awards
Charles Barker, MD, Compassionate DFW
Karen Bassett, League of Women Voters
Graham Bateman, Justice for Our Neighbors
Syl Benenson, National Council of Jewish Women
Bill Bernstein, Mosaic Family Services
Bill Betzen, The School Archive Project
Dr. Watt Black, Southern Methodist University, Simmons School
Ing. Erik Burgos, North Texas Dream Team
Felicitas Cadena, UNIVISION
Victor Carrillo, Zion Oil & Gas
Jason Clarke, Seek the Peace
Laura Collins, Esq., George W. Bush Institute
Isabelle Collora, Homeward Bound
Isabel Colunga, Injury Prevention Center of Greater Dallas
Harry Davis, First Unitarian Church of Dallas
Catrina Dawson, Unite Greater Dallas
Angela Downes, UNT Dallas College of Law
Lenita Dunlap, Heart House
Linda Abramson Evans, United Nations Association Dallas
Hector Flores, League of United Latin American Citizens
Sara Fox, Richardson Independent School District
Alfonso Franco, Proyecto Inmigrante
Juan Garcia, SMU Dedman School of Law student
Dr. Patty Garcia, Latino Center for Leadership Development
Prisma Garcia, Social Venture Partners
Yolette Garcia, Southern Methodist University, Simmons School
Michelle Garza Pareja, RAICES
Tom Gibbons, Compassionate DFW
Dr. Jessica Gomez, Momentous Institute
Rebecca Greenan, Esq., UNT Dallas College of Law
Christina Hanger, Dallas Afterschool
Claudia Hermann, Asociación de Mujeres Empresarias
y Profesionales
Jin-Ya Huang, Break Bread Break Borders
Larry James, CitySquare
Tiffany Jelke, International Rescue Committee
Kavita Khandekar Chopra, Esq., Human Rights Initiative
Irma Kusuma, Greater Dallas Asian American Chamber
Brenda Kirk, The National Immigration Forum
Brenda Lepenski, Foundation Communities
Dr. Hilda Loria, UT Southwestern Medical Center and
Children's Health
David Lozano, Cara Mia Theater
Rene Martinez, League of United Latin American Citizens
Mark Masepohl, UNIVISION
Cheryl McCarver, Community Council of Greater Dallas
Dr. Margo McClinton Stoglin, CRM & Associates, LLC;
Advising and Consulting Services
Regina Montoya, Esq., Dallas Mayor's Poverty Task Force
Lissette Moreno, Peace & Justice Ministry
Janet Morrison-Lane, PhD, Vickery Meadow Youth
Development Foundation
Jennifer Nagorka, Freelance Writer
Dr. Walter Nguyen, Mosaic Family Services
Dr. Javier Olguin, Eastfield College
Mirjana Omeragic, Mosaic Family Services
Sarah Papert, Literacy Achieves
Edurne Pineda, Consulate General of Mexico
Cheryl Pollman, National Council of Jewish Women
Dr. Alina Ponce, Momentous Institute
Angelica Portillo, Dallas Afterschool
Maria Powers, The Wilkinson Center
Daniel Prescott, Transformance
Nina Rafiq, Parkland Hospital
Diana Ramirez, Workers Defense Project
Leonid Regheta, Project Start
Cristal Retana, Children's Health
Edward Retta, Cross Culture Communications
Sr. Patricia Ridgely, Sisters of St Mary of Namur
Marissa Rodriguez, Injury Prevention Center
Daley Ryan, International Rescue Committee
Jaynie Schultz
Blake Schwarz, Park Cities Presbyterian Church
Joel Schwitzer, American Jewish Committee Dallas
Dr. Irwin Segal, Family Medical Physician
Dr. Michael Sorrell, Paul Quinn College
Shelli Stephens Stidham, Injury Prevention Center
Martha Stowe, Vickery Meadow Youth Development Foundation
Jamila Thomas, Dallas Independent School District
Claudia Torrescano, Dallas Independent School District
Nubia Torres, Catholic Charities of Dallas
Leticia Tudon, The Concilio
David Villalobos, Texas Organizing Project
Rev. Michael Walsh, Dallas Area Interfaith
Kasey Yanna, Dallas Independent School District

MANY THANKS TO OUR CITY LEADERS FOR SUPPORT AND LEADERSHIP

Mayor: Mike Rawlings

Mayor Pro Tem/District 3: Casey Thomas II

Deputy Mayor Pro Tem/District 2: Adam Medrano

District 1: Scott Griggs

District 4:

District 5: Rickey D. Callahan

District 6: Omar Narvaez

District 7: Kevin Felder

District 8: Tennell Atkins

District 9: Mark Clayton

District 10: B. Adam McGough

District 11: Lee Kleinman

District 12: Sandy Greyson

District 13: Jennifer Staubach Gates

District 14: Philip T. Kingston

City Manager: TC Broadnax

City Manager's Office Executive Team, City Departments, and Mayor's Staff

Office of Welcoming Communities and Immigrant Affairs

Director: Mary Elizabeth (Liz) Cedillo-Pereira, Esq.

Senior Program Manager: Vanna Slaughter, LCSW

Community Outreach Specialist: Yolanda Ramirez

2018 Interns/Next Gen Leaders: Mirka Estrada, Jenny Yuhun Myung, John Reaves, Alice Vyukusenge

Welcoming America, New American Economy and all collaborating partners, Felicia Carrillo Escobar and Monica Fuentes

Photography: Kael Alford, Rooha Haghar

Design: El Creative Advertising & Design, Jessie Martinez, Jacob Johnstonbaugh









APPENDIX

New Americans in Dallas

A Snapshot of the Demographic and Economic Contributions of Immigrants in the City[1]

GATEWAYS for GROWTH

DALLAS

City of Dallas

New American Economy | State & Local

POPULATION GROWTH

24%

Immigrant share of the population, 2016

Between 2011 and 2016, the population in the city grew 4.2%.

The immigrant population increased 7.2%.

Total population
1,268,905 → **1,321,656**
4.2%

Immigrant population
296,520 → **317,756**
7.2%

Growth in the foreign-born population accounted for

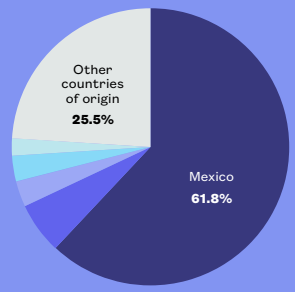
40.3%

40.3% of **overall population** growth during that period.

Number of immigrants living in Dallas in 2016: **317,756**

Top five countries of origin for immigrants living in the city:

1. Mexico 61.8%
2. El Salvador 5.6%
3. Honduras 2.8%
4. India 2.7%
5. Ethiopia 1.6%



SPENDING POWER & TAX CONTRIBUTIONS

Given their income, immigrants contributed significantly to state and local taxes, including property, sales, and excise taxes levied by state or municipal governments.

Amount earned by immigrant households in 2016:

$7.9B

$1.9B went to federal taxes.[2]

$591.1M went to state and local taxes.[3]

Leaving them with

$5.4B

in spending power.[4]

Immigrants also support federal social programs.

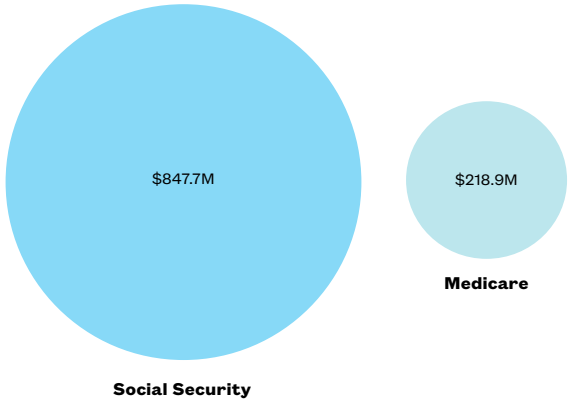
In 2016, they contributed

$847.7M

to Social Security and

$218.9M

to Medicare.

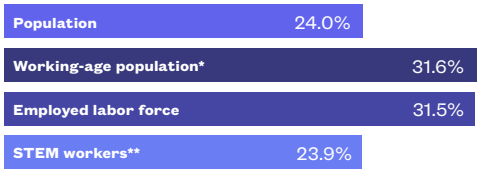


2

LABOR FORCE GROWTH

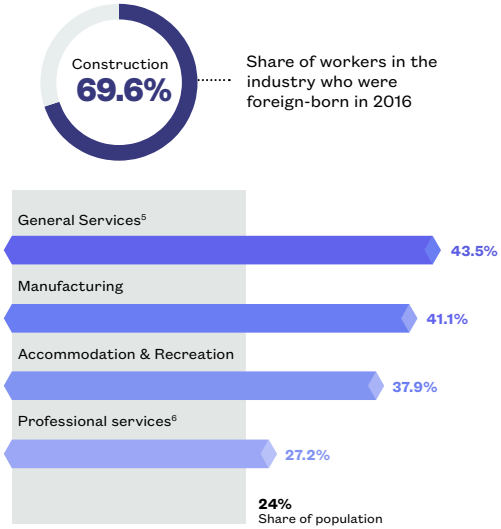
Although the foreign-born made up **24%** of the city's overall population, they represented **31.6%** of its working-age population, **31.5%** of its employed labor force, and **23.9%** of its STEM workers in 2016.

Immigrant shares of the...



* Working-age refers to people ages 16-64 years old.
** STEM refers to Science, Technology, Engineering, and Math fields.

Immigrants play a critical role in several **key industries** in the city. This includes:



SPOTLIGHT ON

Walter Nguyen

ED, Mosaic Family Services

In 1982, at age 31, Walter Nguyen made his fifth and final attempt to escape Vietnam. Prior attempts had landed him in jail, but he did not have a choice. Food was scarce, and because he had worked as a press officer for U.S.-backed South Vietnamese forces, the communist government had a target on his back. "I was constantly being spied on," says Nguyen. "So I looked for a way to escape, and find freedom, and rebuild my life."

America gave him that opportunity. In Wisconsin, where he first settled, Nguyen became a bilingual social worker and earned a master's degree in social work. He later received a PhD, as well as a distinguished alumni award, from the University of Texas at Arlington.

Nguyen had moved to Texas in 1989 to be close to his fiancé and brother. He got a job as a program manager at the East Dallas Counseling Center, and in 1993 was promoted to executive director. During his tenure, he launched an ambitious expansion in which he started a refugee health and emergency services program; added a 30-bed shelter for domestic violence victims; formed an anti-human trafficking initiative; and created a counseling department and a legal unit to guide people through family and immigration court. Today, the organization is called Mosaic Family Services and serves over 15,000 north Texans, a quarter of whom were born in the United States.

"I consider what I do social entrepreneurship," he says. "I apply a business model toward social services, promoting results, effectiveness, and efficiency. But our bottom line is people, not money."

Nguyen attributes the organization's success to his background as a refugee. "Services are most effective when the provider understands the culture and the language of the client," he says. "They instantly gain trust if they know you've shared their experience." His background as a refugee also taught him perseverance. "If you can overcome the initial adjustment and lack of resources to obtain an education—that's powerful. The American dream is always there," he says. "As long as you work hard and are helpful to others."

LABOR FORCE GROWTH CONT.

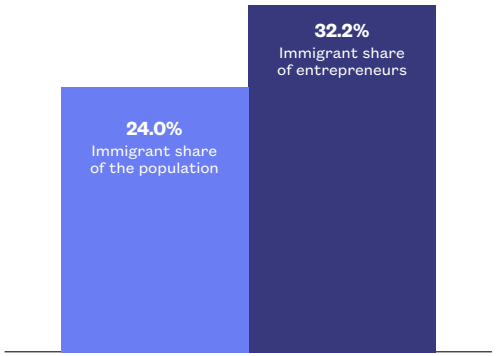
Because of the role immigrants play in the workforce helping companies keep jobs on U.S. soil, we estimate that, by 2016, immigrants living in the city had helped create or preserve...

14,617 local manufacturing jobs

that would have otherwise vanished or moved elsewhere.[7]

ENTREPRENEURSHIP

Despite making up **24%** of the overall population, immigrants represented **32.2%** of the entrepreneurs in Dallas in 2016.



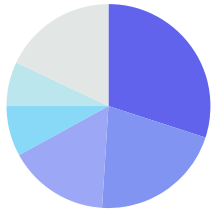
About **20,405** immigrants worked for their own businesses in 2016, generating

$495.9M

in business income.

Immigrant **entrepreneurs** tended to concentrate in these industries in 2016:

1. Construction Workers 29.7%
2. General services[8] 21.1%
3. Professional services[9] 15.9%
4. Transportation 7.7%
5. Retail Trade 6.7%
6. Other 18.9%



Dallas Businesses, 2012	Sales Revenue, 2012	Number of Paid Employees, 2012[10]
African American-owned	$1.3B	7,928
Asian-owned	$5B	27,050
Hispanic-owned	$3.5B	20,278

SPOTLIGHT ON

Alex Medrano

Financial Planning Advisor

Alex Medrano was 11 years old when his mother brought him to the United States from Mexico in search of a better education, an opportunity Medrano fast took advantage of. By his sophomore year of high school, he was taking college classes, and by graduation he had 62 hours of college credit and was tutoring peers in algebra and trigonometry. His mother, who had fled a violent husband, single-handedly supported her two children by cleaning houses.

Medrano's goal was to become an electrical engineer. He enrolled at the University of Texas at Arlington after high school, but had to drop out due to financial barriers. To help fund college and support his family, Medrano began working as a teller at Wells Fargo. As he advanced—he became a personal banker after just eight months—he developed a new focus: helping people in the community improve their financial situation.

"One of my biggest passions is helping people who don't realize they can do so much with their lives, to buy a house or build credit," Medrano says. "I love getting them through the process. It's amazing how much you can change a life."

Medrano—who has since re-enrolled in school—now advises small businesses and entrepreneurs on launching their projects. He also volunteers financial planning advice to members of the Hispanic Contractor's Association and the Dallas Chamber of Commerce.

"Since 2014, I've been creating a little bit of a career," he says. Medrano is now leaning toward more community-oriented work. "I volunteer at a food pantry and attend city council meetings to share updates with my customers. I would love to work for a nonprofit and educate people in need about their finances."

Unfortunately, Medrano's ability to continue offering his financial services could be at risk. Medrano is one of more than 226,000 Texans who have Deferred Action for Childhood Arrivals (DACA), a program that provides qualifying undocumented immigrants brought here as children with temporary legal status but that is slated to end in March 2018.

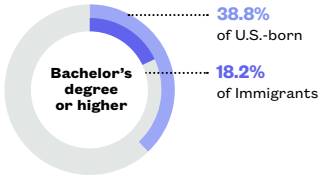
"We want to develop ourselves here and make this country better," Medrano says. "If we lose that opportunity, there's a lot of potential lost."

The American dream is always there," he says. "As long as you work hard and are helpful to others."

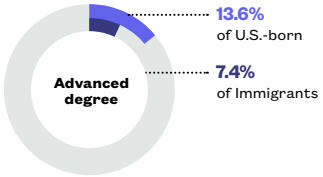
EDUCATION

Immigrants are less likely to have a bachelor's degree or higher.

Share of population over age 25 with a **bachelors degree or higher**:



Share of population over age 25 with an **advanced degree**:



3,179

students who were enrolled in Dallas colleges and universities during the fall of 2015 were temporary residents.[11] International students supported...

1,962

local jobs and spent...

$150.3M

in the 2016-2017 academic year.[12]

HOUSING WEALTH

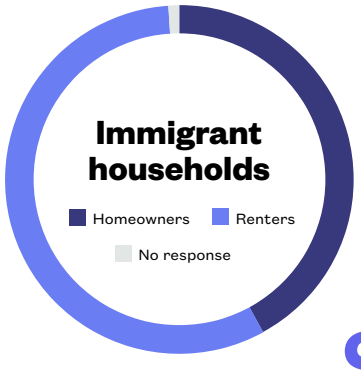
In 2016,

42.2%

of immigrants in Dallas owned their own homes, compared with

57.2%

who rented.



The total property value of immigrant households was

$11.2B.

Their total annual rent was

$734.1M.

43.6% of the U.S.-born owned their own homes.

NATURALIZATION

26.8%
Naturalized

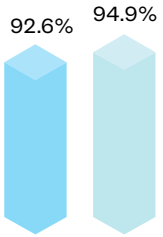
Share of immigrants in Dallas who were naturalized citizens in 2016. This constituted **85,098** people.

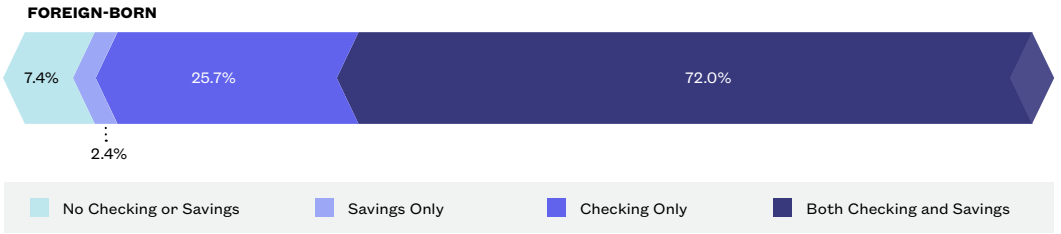
20.3%
Potentially eligible

Share among those who were not citizens but potentially eligible for naturalization in 2016. This constituted **47,288** people.

BANKING[13]

In 2015, **92.6%** of immigrant households in Dallas had bank accounts, compared with **94.9%** of U.S.-born households.





Main methods of paying bills as cited by immigrants, 2015



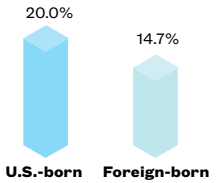
1. **37.4%** - Electronic Payment via Bank
2. **29.6%** - Personal Check
3. **11.6%** - Debit Card

The income of immigrant households in the city remains relatively stable.

In 2015,
70.2%
of immigrant households reported their income remained roughly the same each month.

26.9% of immigrant households stated that their monthly income has
small variation
month to month.

In 2015, these shares reported having applied for a **bank loan or line of credit** the previous year:



CONTRIBUTIONS OF THE DACA-ELIGIBLE

63,396

Number of DACA-eligible living in the Dallas metro area in 2016

93.4%

Employment rate of DACA-eligible living in the Dallas metro area in 2016

Given their income, DACA-eligible immigrants contributed significantly to state and local taxes, including property, sales, and excise taxes levied by state or municipal governments.

Amount earned by DACA-eligible households in 2016:

$859.7M

$89M went to federal taxes.

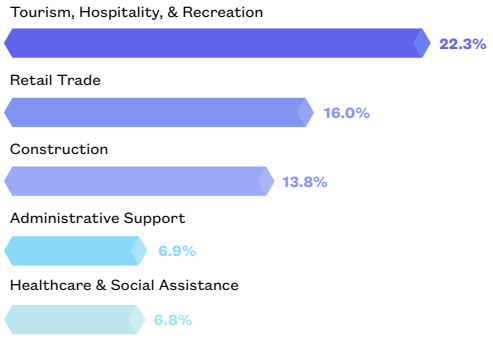
$72.0M went to state and local taxes.

Leaving them with

$698.6M

in spending power.

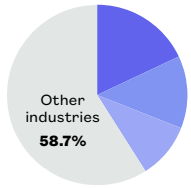
Top 5 Industries for the DACA-Eligible in the Dallas Metro Area:



About **10.7%** of the DACA-eligible population ages 25 and above had at least a bachelor's degree in the metro area.

The DACA-eligible population with a **bachelor's degree or above** tend to concentrate in these industries in the metro area:

1. Educational Services 17.9%
2. Finance and Insurance. 13.0%
3. Professional Services[14] 10.4%



REFUGEES

5.2% Share of immigrants in Dallas who were likely refugees in 2016.[15] This constituted **16,609** refugees.

58.7% Share of refugees in Dallas who were naturalized citizens in 2016.

The median household income of the refugees in the city was

$39,000

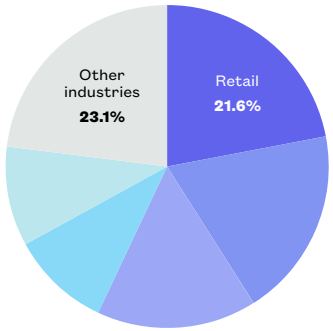
in 2016.

16.1% Share of refugees in Dallas with a bachelor's degree or higher, 2016

5.5% Share of refugees in Dallas with an advanced degree, 2016

Refugees in Dallas tend to concentrate in these industries in the city:

1. Retail 21.6%
2. Manufacturing 18.9%
3. Healthcare 16.4%
4. Transportation 10.4%
5. Professional Services[16] 9.6%



REFUGEE WORKERS

ENDNOTES

1 Unless otherwise specified, data comes from 1-year samples of the American Community Survey from 2011 and 2016 and figures refer to the City of Dallas.

2 U.S. Congressional Budget Office. 2016. "The Distribution of Household Income and Federal Taxes, 2013."

3 Institute on Taxation and Economic Policy. 2015. "Who Pays? A Distributional Analysis of the Tax Systems in All Fifty States."

4 Estimates are based on federal tax rates from the U.S. Congressional Budget Office, and state and local tax rates from the Institute on Taxation and Economic Policy.

5 General services include personal services (e.g. laundry services, barber shops, and repair and maintenance), religious organizations, social services, and labor unions.

6 Professional services: Most of these industries include professions that require a degree or a license, such as legal services, accounting, scientific research, consulting services, etc.

7 Vigdor, Jacob. 2013. "Immigration and the Revival of American Cities: From Preserving Manufacturing Jobs to Strengthening the Housing Market." New American Economy. This report found that every 1,000 immigrants living in a county in 2010 created or preserved 46 manufacturing jobs there. We apply that multiplier to the size of the foreign-born population in Dallas in 2016 to produce our estimates. Jobs in the manufacturing sector are defined by the North American Industry Classification System, which includes a wide range of industries such as food, machinery and electronic manufacturing.

8 General services include personal services (e.g. laundry services, barber shops, and repair and maintenance), religious organizations, social services, and labor unions.

9 Professional services: Most of these industries include professions that require a degree or a license, such as legal services, accounting, scientific research, consulting services, etc.

10 2012 Survey of Business Owners, U.S. Census Bureau

11 Data on total student enrollment in the county is derived from the Integrated Postsecondary Education Data System maintained by the National Center for Education Statistics. Temporary residents refer to people who are not U.S. citizens or permanent residents. Schools counted in the City of Dallas analysis include the Art Institute of Dallas; Dallas Baptist University; Dallas Christian College; Dallas Community College District, El Centro College; Dallas Community College District, Mountain View College; Dallas Community College District, Richland College; Dallas Theological Seminary; Parker University, College of Chiropractic; Paul Quinn College; Southern Methodist University; The University of Texas Southwestern Medical Center; and Wade College.

12 Economic data is derived from the International Student Economic Value Tool maintained by NAFSA, the association of international educators.

13 2015 Current Population Survey, U.S. Census Bureau

14 Professional services: Most of these industries include professions that require a degree or a license, such as legal services, accounting, scientific research, consulting services, etc.

15 New American Economy. 2017. "From Struggle to Resilience: The Economic Impact of Refugees in America."

16 Professional services: Most of these industries include professions that require a degree or a license, such as legal services, accounting, scientific research, consulting services, etc.



Agenda Information Sheet

File #: 18-680 **Item #:** 49.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize **(1)** an Advance Funding Agreement with the Texas Department of Transportation (TxDOT) for a Transportation Alternatives Set-Aside Program Project (Agreement No. CSJ 0918-47-204, CFDA No. 20.205) in the amount of $5,421,124.00 for construction of the Trinity Strand Trail - Phase II Project; **(2)** a required local match in the amount of $64,314.00 to be paid by warrant check to the State at the beginning of the project; **(3)** the receipt and deposit of funds in an amount not to exceed $5,421,124.00 in the Transportation Alternatives Set-Aside Program Fund; **(4)** the establishment of appropriations in an amount not to exceed $5,421,124.00 in the Transportation Alternatives Set-Aside Program Fund; **(5)** allocation of $5,197.91 in 2006 Bond Funds and $2,069,298.09 in 2012 Bond Funds as the City of Dallas' local cash match; and **(6)** execution of the grant agreement including all terms, conditions, and documents required by the grant agreement - Total not to exceed $7,495,620.00 - Financing: Texas Department of Transportation Funds ($5,421,124.00), 2006 Bond Funds ($5,197.91), and 2012 Bond Funds ($2,069,298.09)

BACKGROUND

In July 2017, the City of Dallas was awarded Transportation Alternatives Set-Aside (TASA) Program funding from the North Central Texas Council of Governments in the amount of $5,421,214.00, the maximum funding allowable, for construction of the Trinity Strand Trail - Phase II which runs from the Dallas Area Rapid Transit (DART) Inwood Road Station on the north, through the Dallas Medical District south to Turtle Creek Plaza in the Dallas Design District, where it connects with the existing Trinity Strand Trail Phase One. The trail is located partially within the elevated DART railway land, within the City of Dallas existing right-of-way and taking one lane of the north side of Market Center Boulevard (City-owned right-of-way) from Harry Hine Boulevard, under IH-35E to Turtle Creek Plaza.

The TASA Program utilizes federal funding, administered by the Texas Department of Transportation (TxDOT). Acceptance of all federal-aid project funds are subject to Disadvantaged Business Enterprises (DBE) Program requirements and the City must operate under TxDOT's DBE program, rather than the City's Business Inclusion and Development Plan. This Advance Funding Agreement sets forth the parameters for both agencies and specifies the responsibilities of each.

This action will use the City of Dallas' local matching funds in the amount of $2,074,496.00 to leverage $5,421,124.00 in Federal and State funds for construction of the Trinity Strand Trail - Phase II Project for a total not to exceed $7,495,620.00.

The scope of work for the project includes:

- A 12-feet wide concrete multi-use trail
- Enhanced traffic signals at major intersections to allow pedestrians and cyclists to cross safely
- TxDOT will allow the City to install special lighting treatments under the existing IH-35E bridge and allow re-configuration and/or widening as needed.
- The trail will be within (below) the existing DART rail overhead from Inwood Station to about Parkland Memorial Hospital and Medical District Drive, where it will go within the City-owned right-of-way.
- The trail will be within the City-owned right-of-way along Harry Hines Boulevard to Market Center Boulevard. The Department of Transportation has approved repurposing one lane of the north side of Market Center Boulevard to use for the trail, from the intersection of Harry Hines Boulevard and Market Center Boulevard to the intersection of Market Center Boulevard and Turtle Creek Boulevard at Turtle Creek Plaza.
- Trail nodes, trailheads and trail amenities will be included, as allowed by the budget.

ESTIMATED SCHEDULE OF PROJECT

Began Design	June 2016
Complete Design	April 2019
Begin Construction	February 2020
Complete Construction	March 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 23, 2017, the Park and Recreation Board authorized six transportation alternative project applications.

Information about this item was provided to the Quality of Life & Environment Committee on April 10, 2017.

On April 12, 2017, City Council authorized application of seven candidate projects to the North Central Texas Council of Governments through the Transportation Alternatives Set-Aside Program for cost reimbursement in (a) the Active Transportation Project category for the proposed: Katy Trail Bridges Project, Lake Highlands Trail Northern Extension, Lake Highlands Trail Phase 2A, 2B Project, Ridgewood Trail Lighting Project, Trinity Forest Spine Trail Project, Trinity Strand Trail Phase II Project, and Union Bikeway Connector Project and (b) the Safe Routes to School Project category: Lake Highlands Trail Northern Extension Project; and a required local match by Resolution No. 17-0598.

On August 16, 2018, the Park and Recreation Board remanded this item back to the Planning and Design Committee for further review.

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On September 20, 2018, the Park and Recreation Board authorized an Advance Funding Agreement with the Texas Department of Transportation.

Information about this item will be provided to the Quality of Life, Arts, and Culture Committee on October 22, 2018.

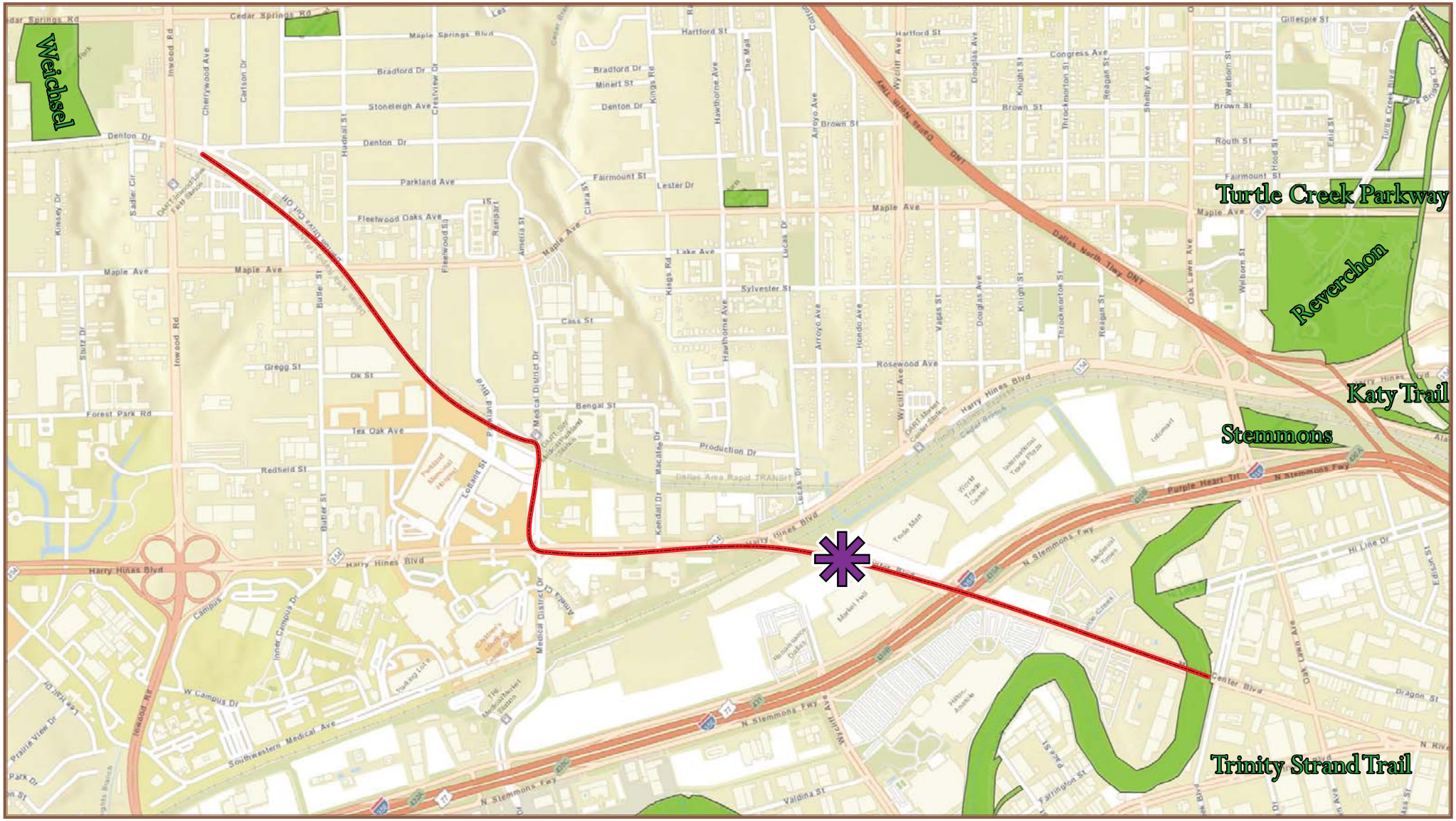
FISCAL INFORMATION

The total project cost of this funding agreement is $7,495,620.00 with the following components:

Texas Department of Transportation Funds - $5,421,124.00
2006 Bond Funds - $5,197.91
2012 Bond Funds - $2,069,298.09

MAP

Attached



0 400 800 1,600 2,400 Feet

Trinity Strand Trail Phase 2

Mapsco
34 U,X,Y 44 C,D

District
2

October 24, 2018

WHEREAS, in July 2017, the City of Dallas was awarded Transportation Alternatives Set-Aside Program funding from the North Central Texas Council of Governments in the amount of $5,421,214.00, for construction of the Trinity Strand Trail - Phase II Project; and

WHEREAS, the City of Dallas desires to enter into an Advance Funding Agreement with the Texas Department of Transportation (TxDOT) for a Transportation Alternatives Set-Aside Program Project (Agreement No. CSJ 0918-47-204, CFDA No. 20.205) for construction of the Trinity Strand Trail - Phase II Project; and

WHEREAS, the Federal and State portion of the project is $5,421,124.00 and the City of Dallas' local match is $2,074,496.00, for a total amount not to exceed $7,495,620.00; and

WHEREAS, the City of Dallas will issue a warrant check to the State at the beginning of the project in the amount of $64,314.00; and

WHEREAS, the City of Dallas will be responsible for any change orders or bid overruns.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign an Advance Funding Agreement with the Texas Department of Transportation for a Transportation Alternatives Set-Aside (TASA) Program Project (Agreement No. CSJ 0918-47-204, CFDA No. 20.205) and all terms, conditions, and documents required by the grant agreement, approved as to form by the City Attorney, to accept funding in the amount of $5,421,124.00 for construction of the Trinity Strand Trail - Phase II Project, which may be terminated under the conditions as stated in the Master Agreement. This Advance Funding Agreement may be terminated by the State if the project is inactive for thirty-six months or longer and no expenditures have been charged against federal funds.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute an Advance Funding Agreement with the Texas Department of Transportation (Agreement No. CSJ 0918-47-204, CFDA No. 20.205), approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to issue a warrant check to TxDOT (Vendor 020318), in the amount of $64,314.00 from:

SECTION 3. (continued)

2006 Bond Funds	
Park and Recreation Facilities Fund	
Fund 1T00, Department PKR, Unit T241, Object 4599	
Activity HIBT, Program PB12S623	$ 5,197.91
2012 Bond Funds	
Street and Transportation Improvements Fund	
Fund 1U22, Department PBW, Unit S623, Object 4599	
Activity HIBT, Program PB12S623	$50,492.03
Street and Transportation Improvements Fund	
Fund 2U22, Department PBW, Unit S623, Object 4599	
Activity HIBT, Program PB12S623	$ 8,624.06
Total amount not to exceed	$64,314.00

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit any unused Current Funds advanced to TxDOT pertaining to this project into Fund 1T00, Department PKR, Balance Sheet Account 032B.

SECTION 5. That the Chief Financial Officer is hereby authorized to receive and deposit funds in an amount not to exceed $5,421,124.00 in the Transportation Alternatives Set-Aside Program Fund, Fund F554, Department PKR, Unit 3644, Revenue Code 6506.

SECTION 6. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $5,421,124.00 in the Transportation Alternatives Set-Aside Program Fund, Fund F554, Department PKR, Unit 3644, Object Code 4510.

SECTION 7. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $7,495,620.00 in accordance with the terms and conditions of the agreement as follows:

Transportation Alternatives Set-Aside Program Fund	
Fund F554, Department PKR, Unit 3644, Object 4510	
Activity HIBT, Program PB12S623	$5,421,124.00
2006 Bond Funds	
Park and Recreation Facilities Fund	
Fund 1T00, Department PKR, Unit T241, Object 4599	
Activity HIBT, Program PB12S623	$ 5,197.91

SECTION 7. (continued)

2012 Bond Funds	
Street and Transportation Improvements Fund Fund 1U22, Department PBW, Unit S623, Object 4599 Activity HIBT, Program PB12S623	$ 50,492.03
Street and Transportation Improvements Fund Fund 2U22, Department PBW, Unit S623, Object 4599 Activity HIBT, Program PB12S623	$ 136,412.83
Street and Transportation Improvements Fund Fund 3U22, Department PBW, Unit S623, Object 4599 Activity HIBT, Program PB12S623	$1,642,272.78
Street and Transportation Improvements Fund Fund 4U22, Department PBW, Unit S623, Object 4599 Activity HIBT, Program PB12S623	$ 240,120.45
Total amount not to exceed	$7,495,620.00

SECTION 8. That the City Manager is hereby authorized to reimburse the granting agency any expenditures identified as ineligible and notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 9. That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

SECTION 10. That this contract is designated as Contract No. PKR- 2018-00007058.

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.

Agenda Information Sheet

File #: 18-763 **Item #:** 50.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 10

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize a professional services contract with Corgan Associates, Inc. for architectural and engineering services for programming, schematic design, design development, construction documents, bidding and negotiation, and construction administration phases for the senior activity center and gymnasium additions and parking lot expansion at Willie B. Johnson Recreation Center located at 12225 Willowdell Drive - Not to exceed $604,000.00 - Financing: 2017 Bond Funds

BACKGROUND

This professional services contract will include the design of the senior activity center and gymnasium additions and parking lot expansion at Willie B. Johnson Recreation Center. The scope of work also includes renovation of the existing recreation center, as required to incorporate the expansion. The 2017 Bond Program included funding for this project.

On March 21, 2018, a Request for Qualifications was issued for Consultant Services for Recreation Center Renovations and Additions, which included four recreation centers. On April 13, 2018, fourteen firms submitted Statements of Qualifications. On April 23, 2018, a selection committee evaluated the Statement of Qualifications and shortlisted six firm that demonstrated the best qualifications for the four recreation center projects.

On April 30, 2018, a Request for Proposals was sent to the six shortlisted firms and five firms responded. On May 18, 2018, a separate selection panel evaluated the five proposals and Corgan Associates, Inc. was selected as the most qualified firm for the Willie B. Johnson Recreation Center project.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	October 2018
Complete Design	May 2019
Begin Construction	October 2019
Complete Construction	October 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 6, 2018, the Park and Recreation Board authorized a professional services contract with Corgan Associates, Inc. for architectural and engineering services.

Information about this item will be provided to the Quality of Life, Arts, and Culture Committee on October 22, 2018.

FISCAL INFORMATION

2017 Bond Funds - $604,000.00

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE%	M/WBE $
$604,000.00	Architecture & Engineering	25.66%	57.57%	$347,750.00
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

Five proposals were received from solicitation number CIZ1706 and opened on May 18, 2018. This professional services contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

Proposers	Address	Rank
*Corgan Associates, Inc.	401 N. Houston Street Dallas, Texas 75202	2**
Huitt-Zollars, Inc.	1717 McKinney Avenue Suite 1400 Dallas, Texas 75202	1
Moody Nolan Inc.	5001 Spring Valley Road Suite 225E Dallas, Texas 75244	3
Freese and Nichols, Inc.	2711 Haskell Avenue Suite 3300 Dallas, Texas 75204	4

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Good, Fulton and Farrell, Inc.	2808 Fairmount Suite 300 Dallas, Texas 75201	5

**The solicitation and overall rankings included four recreation center projects. Corgan Associates, Inc. was selected as the most qualified proposer for the Willie B. Johnson Recreation Center project.

OWNER

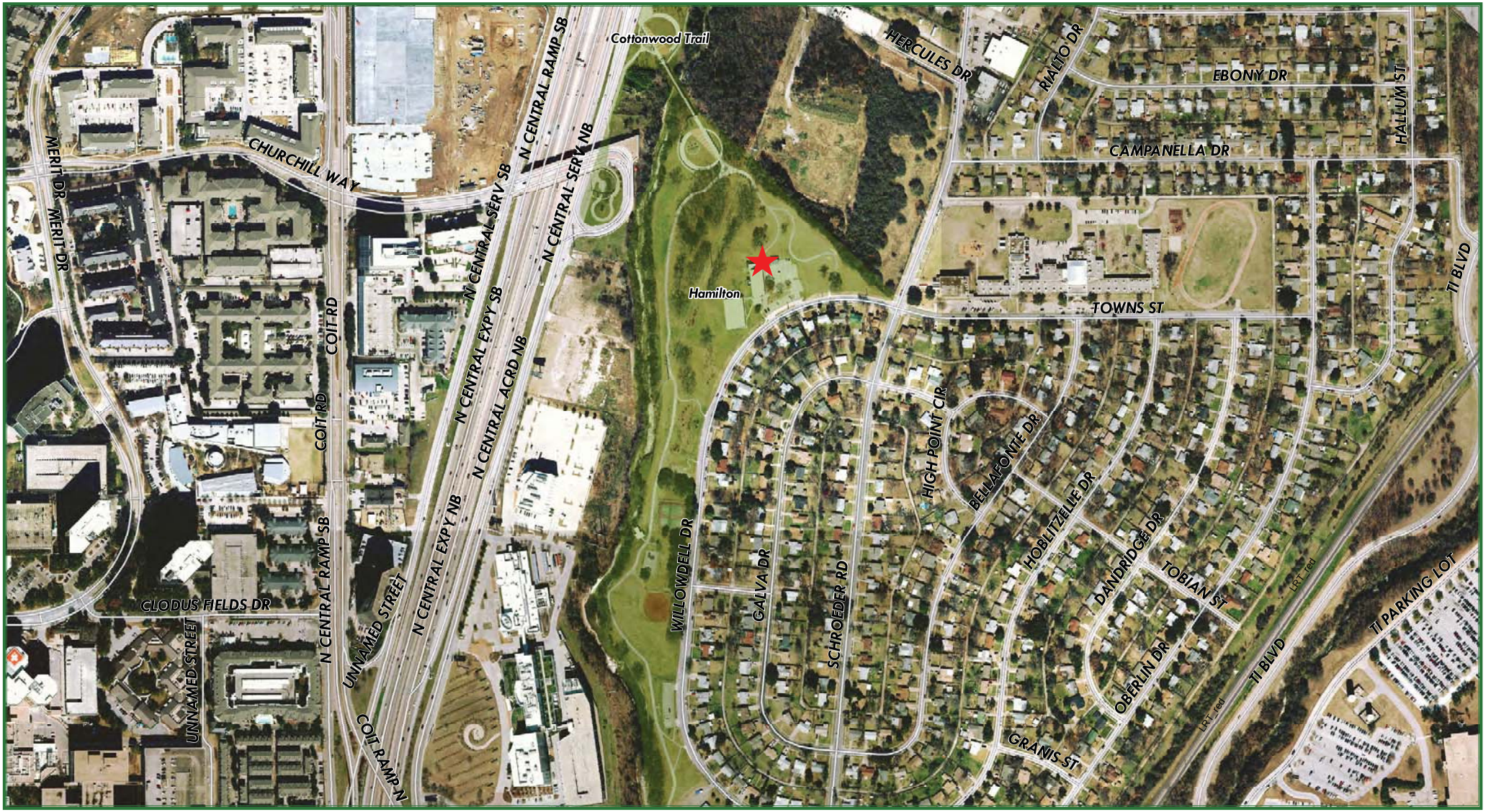
Corgan Associates, Inc.

Steve Hulsey, AIA, NCARB, President

MAP

Attached

powered by Legistar™



Dallas Park & Recreation

0 140 280 560 840 1,120 Feet

Willie B. Johnson Recreation Center
12225 Willowdell Drive

Mapsco 16 T

CD 10

October 24, 2018

WHEREAS, on March 21, 2018, a Request for Qualifications was issued for Consultant Services for Recreation Center Renovations and Additions, which included four recreation centers; and

WHEREAS, on April 13, 2018, fourteen firms submitted Statements of Qualifications; and

WHEREAS, on April 30, 2018, a Request for Proposals was sent to six shortlisted firms and five firms responded; and

WHEREAS, on May 18, 2018, Corgan Associates, Inc. was selected as the most qualified firm of five for the Willie B. Johnson Recreation Center Project; and

WHEREAS, it is now desirable and in the best interest of the City of Dallas to authorize a professional services contract with Corgan Associates, Inc. for architectural and engineering services for programming, schematic design, design development, construction documents, bidding and negotiation, and construction administration phases for the senior activity center and gymnasium additions and parking lot expansion at Willie B. Johnson Recreation Center located at 12225 Willowdell Drive, in an amount not to exceed $604,000.00.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a professional services contract with Corgan Associates, Inc., approved as to form by the City Attorney, for architectural and engineering services for programming, schematic design, design development, construction documents, bidding and negotiation, and construction administration phases for the senior activity center and gymnasium additions and parking lot expansion at Willie B. Johnson Recreation Center located at 12225 Willowdell Drive, in an amount not to exceed $604,000.00.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a professional services contract with Corgan Associates, Inc., approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $604,000.00 to Corgan Associates, Inc., as follows:

2017 Bond Funds

Park and Recreation Facilities (B) Fund Fund 1V00, Department PKR, Unit VB24, Object 4112 Activity RECC, Program PK17VB24 Encumbrance/Contract No. PKR- 2018-00007029 Commodity 90607, Vendor 088914	$169,120.00
Park and Recreation Facilities (B) Fund Fund 1V00, Department PKR, Unit VB25, Object 4112 Activity RECC, Program PK17VB25 Encumbrance/Contract No. PKR- 2018-00007029 Commodity 90607, Vendor 088914	$422,800.00
Park and Recreation Facilities (B) Fund Fund 1V00, Department PKR, Unit VK31, Object 4112 Activity RECC, Program PK17VK31 Encumbrance/Contract No. PKR- 2018-00007029 Commodity 90607, Vendor 088914	$ 12,080.00
Total amount not to exceed	$604,000.00

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.

Agenda Information Sheet

File #: 18-761 **Item #:** 51.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 12

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize a professional services contract with The Broussard Group, Inc. dba TBG Partners for design development, construction documents, procurement and construction observation phases for Hillcrest Village Green located at 6959 Arapaho Road - Not to exceed $312,700.00 - Financing: 2017 Bond Funds

BACKGROUND

This action will authorize a professional services contract with The Broussard Group, Inc. dba TBG Partners for Hillcrest Village Green. The developer of Hillcrest Village Shopping Center, SHOPCO DEV LLC, provided the schematic design, per the development and maintenance agreement, and utilized The Broussard Group, Inc. dba TBG Partners to provide landscape architectural services. This contract will provide professional services for the remainder of the phases, including design development, construction documents and construction observation services for the Hillcrest Village Green.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	November 2018
Complete Design	May 2019
Begin Construction	September 2019
Complete Construction	July 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 15, 2018, the Park and Recreation Board was briefed on the proposed new city park at Hillcrest Road and Arapaho Road.

On May 3, 2018, the Park and Recreation Board authorized acquisition from SHOPCO DEV LLC, of a tract of land located at 6959 Arapaho Road for a proposed new park, a twenty-year development

and maintenance agreement, with two five-year renewal options, with SHOPCO DEV LLC for the new park and Hillcrest Village Green as the placeholder name.

On May 23, 2018, City Council authorized acquisition from SHOPCO DEV LLC, of a tract of land containing a total of approximately 65,716 square feet located at 6959 Arapaho Road for a proposed new park and a twenty-year development and maintenance agreement, with two five-year renewal options, with SHOPCO DEV LLC for the new park by Resolution No. 18-0763.

On September 20, 2018, the Park and Recreation Board authorized a professional services contract with The Broussard Group, Inc. dba TBG Partners.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on October 22, 2018.

FISCAL INFORMATION

2017 Bond Funds - $312,700.00

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE%	M/WBE $
$312,700.00	Architecture & Engineering	25.66%	25.78%	$80,600.00
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

In accordance with Administrative Directive 4-5, Paragraph 10.5.6, Special Need/Justification for Consultant Contracts, The Broussard Group, Inc. dba TBG Partners was approved by the City Manager’s Office as the most qualified consultant, due to their previous programming, public input and schematic design work under contract to SHOPCO DEV LLC.

OWNER

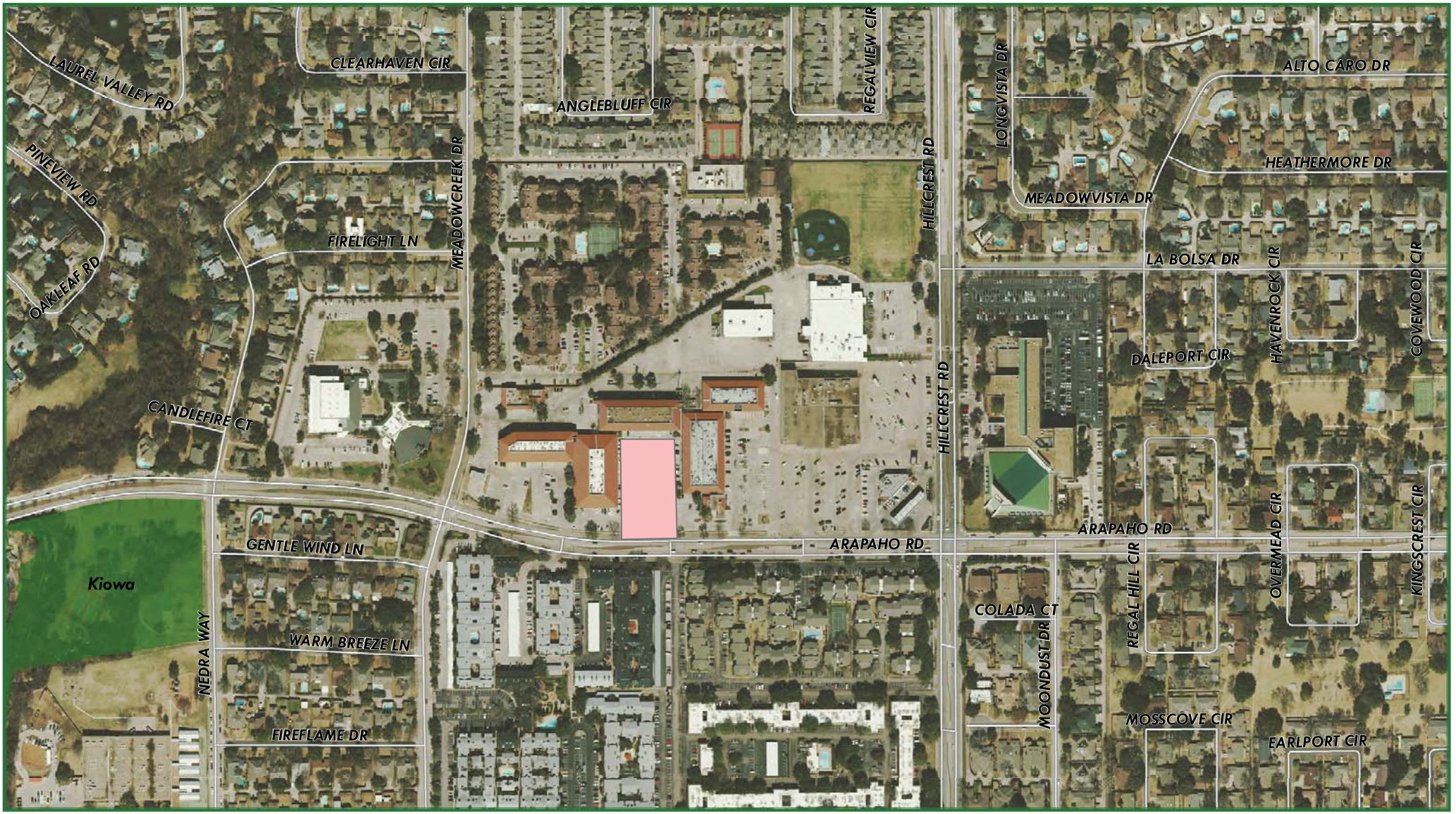
The Broussard Group, Inc. dba TBG Partners

Jim Manskey, President

MAP

Attached

powered by Legistar™



0 185 370 740 1,110 Feet

Dallas Park & Recreation

Proposed Park
Hillcrest Road and Arapaho Road

Mapsco 5 Y Z

CD 12

WHEREAS, on May 23, 2018, City Council authorized acquisition from SHOPCO DEV LLC, of a tract of land containing a total of approximately 65,716 square feet located at 6959 Arapaho Road for a proposed new park; and a twenty-year development and maintenance agreement, with two five-year renewal options, with SHOPCO DEV LLC for the new park to be located at 6959 Arapaho Road by Resolution No. 18-0763; and

WHEREAS, the developer of Hillcrest Village Shopping Center, SHOPCO DEV LLC (SHOP), is providing the schematic design, per the development and maintenance agreement, and utilized The Broussard Group, Inc. dba TBG Partners to provide landscape architectural services; and

WHEREAS, in accordance with Administrative Directive 4-5, Paragraph 10.5.6, Special Need/Justification for Consultant Contracts, The Broussard Group, Inc. dba TBG Partners was approved by the City Manager's Office under the special need/justification as the most qualified consultant for this project, due to their previous programming, public input and schematic design work under contract to SHOP; and

WHEREAS, the placeholder name for the new park is Hillcrest Village Green; and

WHEREAS, it is now desirable and in the best interest of the City of Dallas to authorize a professional services contract with The Broussard Group, Inc. dba TBG Partners for design development, construction documents, procurement and construction observation phases for Hillcrest Village Green located at 6959 Arapaho Road, in an amount not to exceed $312,700.00.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a professional services contract with The Broussard Group, Inc. dba TBG Partners, approved as to form by the City Attorney, for design development, construction documents, procurement and construction observation phases for Hillcrest Village Green located at 6959 Arapaho Road, in an amount not to exceed $312,700.00.

SECTION 2. That the President of the Park and Recreation Board and City Manager are hereby authorized to execute a professional services contract with The Broussard Group, Inc. dba TBG Partners, approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $312,700.00 to The Broussard Group, Inc. dba TBG Partners from Park and Recreation Facilities (B) Fund (2017 Bond Funds), Fund 1V00, Department PKR, Unit VK63, Object Code 4112, Activity PKLA, Program PK17VK63, Encumbrance/Contract No. CX-PKR-2018-00007631, Commodity 90656, Vendor 500736.

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.

Agenda Information Sheet

File #: 18-896 **Item #:** 52.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 2, 6

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize a ten-year agreement with two five-year renewal options, with the Dallas Rowing Club for the renovation, operation and maintenance of the existing boathouse at Bachman Lake Park located at 2829 Shorecrest Drive - Annual Revenue: $1,000.00

BACKGROUND

The Dallas Rowing Club's (Club) primary objective is to promote the sport of rowing for all ages. On November 28, 2007, the City Council authorized a ten-year contract with the Dallas Rowing Club, with two five-year renewal options, beginning November 28, 2007 through November 28, 2017, permitting the maintenance, construction and operation of the boathouse facility at Bachman Lake Park by Resolution No. 07-3500. The contract expired on November 28, 2017.

On April 25, 2018, a Request for Proposals was issued for boat clubs interested in becoming partners and occupying, maintaining and programming the Bachman Lake Boathouse. Dallas Rowing Club was the only proposer.

The Club was incorporated as a Texas non-profit corporation on October 6, 1980. The Club has over 100 rowers, including participants from high school programs and offers basic rowing training. The Club uses the water surface of Bachman Lake for boating activities under the same conditions as the general public. The Club may exercise control over the shoreline and water surface immediately adjacent to the Club's facilities for the purpose of launching and retrieving boats.

The Club facilities include a boathouse building of approximately 6,200 square feet, stalls, moorings, docks and storage facilities. The Club is responsible for furnishing all equipment and security of the facilities.

The agreement will commence on City Council approval and is subject to the following proposed terms.

The Club responsibilities:

1. Occupy the premises and maintain its improvements to the premises, as necessary.

2. At its sole cost and expense, keep and maintain the premises and all facilities in good order and repair and, in a safe, clean, sanitary and attractive condition.

3. Coordinate ground maintenance with the designated Park and Recreation Department staff if it conducts a special event requiring additional grounds maintenance.

4. Encumber the Club's personal property for constructing improvements on the premises, and the City agrees that such removable personal property may be pledged as collateral.

5. No lien of any kind may legally be asserted or perfected against any property of the City, including any buildings or permanent fixtures erected thereon.

6. All fixed improvements on the premises shall become the property of the City upon the earlier of acceptance by the Park and Recreation Department Director (Director) or the termination of this agreement, unless such improvements have not been approved (as determined by the Director), in which case the Club shall at City's request, remove the improvements and return the premises to materially the condition that existed on the effective date of this agreement no later than sixty business days following the termination of this agreement.

7. Pay to the City a rental fee of $1,000.00 per year. Payment is due to the City the first of the month following 120 days after the date of execution of this agreement and on each annual anniversary date thereafter, due and payable immediately upon demand, until the expiration or termination of this agreement.

8. Have the right to access the premises upon execution of this agreement for purposes of making renovations and other improvements.

City responsibility:

1. Continue to maintain the park grounds in the immediate vicinity of the premises on its current schedule.

The term of this agreement shall be ten years with two five-year renewal options and shall terminate ten years thereafter, unless terminated at an earlier date in accordance with the terms of this agreement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 21, 2018, the Park and Recreation Board deferred this item to August 16, 2018.

On August 16, 2018, the Park and Recreation Board remanded this item back to the Administration and Finance Committee for further review.

On September 6, 2018, the Administration and Finance Committee considered this request and

recommended approval with amendments.

On September 20, 2018, the Park and Recreation Board authorized a ten-year maintenance agreement with two five-year renewal options with the Dallas Rowing Club.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on October 22, 2018.

FISCAL INFORMATION

Annual Revenue - $1,000.00

OWNER

Dallas Rowing Club

Richard Misdom, President

MAP

Attached

powered by Legistar™



Dallas Park & Recreation

0 0.045 0.09 0.18 0.27 0.36
Miles

Bachman Lake Park
3500 West Northwest Highway

CD
2 & 6

October 24, 2018

WHEREAS, on November 28, 2007, the City Council authorized a ten-year contract with the Dallas Rowing Club, with two five-year renewal options, permitting the maintenance, construction and operation of the boathouse facility at Bachman Lake Park by Resolution No. 07-3500; and

WHEREAS, the agreement expired on November 28, 2017; and

WHEREAS, on April 25, 2018, a Request for Proposals was issued for boat clubs interested in becoming partners and occupying, maintaining and programming the Bachman Lake Boathouse; and

WHEREAS, the Dallas Rowing Club was the only proposer; and

WHEREAS, the Dallas Rowing Club has operated the boathouse facility at Bachman Lake since 1987, and wishes to continue to operate and maintain the facility; and

WHEREAS, the City of Dallas Park and Recreation Department (City) and the Dallas Rowing Club desire to enter into a ten-year agreement with two five-year renewal options for the renovation, operation and maintenance of the existing boathouse at Bachman Lake Park located at 2829 Shorecrest Drive; and

WHEREAS, the Dallas Rowing Club shall provide the necessary management and labor to maintain all current and future improvements made to the facility, at its sole cost and expense, for the term of the agreement; and

WHEREAS, the Dallas Rowing Club shall pay the City a rental fee of $1,000.00 per year.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a ten-year agreement with two five-year renewal options with the Dallas Rowing Club, approved as to form by the City Attorney, for the renovation, operation and maintenance of the existing boathouse at Bachman Lake Park located at 2829 Shorecrest Drive, with an annual revenue of $1,000.00.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a ten-year agreement with two five-year renewal options, with the Dallas Rowing Club, approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit annual revenue received from the Dallas Rowing Club in the amount of $1,000.00 into Fund 0641, Department PKR, Unit 6421, Revenue Code 8428.

SECTION 4. That this contract is designated as Contract No. PKR-2018-00008028.

SECTION 5. 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.

Agenda Information Sheet

File #: 18-862 **Item #:** 53.

STRATEGIC PRIORITY: Public Safety

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Police Department

EXECUTIVE: Jon Fortune

SUBJECT

Authorize **(1)** an application for and acceptance of supplemental funding for the 2016-2019 Internet Crimes Against Children Continuation Grant from the U.S. Department of Justice (DOJ), Office of Juvenile Justice and Delinquency Prevention (Grant No. 2016-MC-FX-K034, CFDA No. 16.543), for response to the sexual abuse and exploitation of children facilitated by the use of computer technology related to the investigation of the Internet-facilitated child exploitation for the period July 1, 2016 through September 30, 2019; **(2)** an increase in appropriations in an amount not to exceed $476,608.00 in the DOJ-Internet Crimes Against Children Grant 16-17 Fund; **(3)** the receipt and deposit of additional grant funds in an amount not to exceed $476,608.00 in the DOJ-Internet Crimes Against Children Grant 16-17 Fund; and **(4)** execution of the grant agreement and all documents required by the grant agreement - Not to exceed $476,608.00, from $954,641.00 to $1,431,249.00 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

BACKGROUND

The Dallas Police Department has received the 2016-2019 Internet Crimes Against Children (ICAC) Continuation Grant for the period July 1, 2016 through September 30, 2019. The grant will fund the Dallas Crimes Against Children Task Force to reduce crime related to the internet sexual exploitation of children. The ICAC Grant allows the Dallas Police Department to support internet crime operations through designated satellite law enforcement agencies that assist the Dallas Police Department in its efforts to combat internet crimes against children.

This grant will provide additional funding for the District Attorney's Offices in Dallas and Tarrant Counties; and the Collin County and Denton County Sheriff's Offices; and the Police Department in the cities of Lubbock, Abilene, Amarillo, Fort Worth, Arlington, Garland, Longview, Mesquite, Carrollton, Grand Prairie and Wichita. All the funds will be for each agency to use on equipment, training, undercover expenses, and overtime as related to their Internet Crimes Against Children efforts.

This grant will also provide funding for the Dallas Children's Advocacy Center to sponsor scholarships for smaller agencies that normally would not be able to send representative to the 2018 Crimes Against Children Conference to be held in Dallas.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 23, 2013, City Council authorized an application for and acceptance of the 2013 Internet Crimes Against Children Continuation Grant, No. 2013-MC-FX-K036 for the period July 1, 2013 through June 30, 2014, by Resolution No. 13-1842.

On February 12, 2014, City Council authorized a continuation of cooperative working agreements with the Dallas County District Attorney's Office, Tarrant County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office, Lubbock Police Department, Arlington Police Department, Garland Police Department, Longview Police Department, and the Dallas Children's Advocacy Center for the period July 1, 2013 through June 30, 2014 through the 2013 Internet Crimes Against Children Continuation Grant supplement by Resolution No. 14-0299.

On November 12, 2014, City Council authorized an application for and acceptance of the 2014 Internet Crimes Against Children Continuation Grant, No. 2013-MC-FX-K036 for the period July 1, 2013 through June 30, 2015, by Resolution No. 14-1908.

On November 12, 2014, City Council authorized the continuation of and an increase in the cooperative working agreements with agencies that assist the Dallas Police Department in combatting internet crimes against children, increasing the allocations for the Dallas County District Attorney's Office, Tarrant County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office, Lubbock Police Department, Arlington Police Department, Garland Police Department, Longview Police Department, and the Dallas Children's Advocacy Center by Resolution No. 14-1909.

On October 28, 2015, City Council authorized an application for and acceptance of a supplemental award to the 2013 Internet Crimes Against Children Continuation Grant, No. 2013-MC-FX-K036 for the period July 1, 2013 through June 30, 2016, by Resolution No. 15-1956.

On October 28, 2015, City Council authorized a continuation of cooperative working agreements with the Dallas County District Attorney's Office, Tarrant County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office, Lubbock Police Department, Arlington Police Department, Garland Police Department, Longview Police Department, and the Dallas Children's Advocacy Center for the period July 1, 2013 through June 30, 2016 through the 2013 Internet Crimes Against Children Continuation Grant supplement from July 1, 2015 through June 30, 2016, by Resolution No. 15-1957.

On November 9, 2016, City Council authorized an application for and acceptance of the 2017 Internet Crimes Against Children Continuation Grant, No. 2016-MC-FX-K034 for the period July 1, 2016 through June 30, 2017, by Resolution No. 16-1813.

On November 9, 2016, City Council authorized a continuation of cooperative working agreements with the Dallas County District Attorney's Office, Potter County District Attorney's Office, Tarrant

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County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office, Abilene Police Department, Amarillo Police Department, Arlington Police Department, Fort Worth Police Department, Garland Police Department, Longview Police Department, Lubbock Police Department and the Dallas Children's Advocacy Center for the period July 1, 2016 through June 30, 2017 through the 2017 Internet Crimes Against Children Continuation Grant supplement from July 1, 2016 through June 30, 2017, by Resolution No. 16-1814.

On September 27, 2017, City Council authorized an application for and acceptance of the 2017 Internet Crimes Against Children Continuation Grant, No. 2016-MC-FX-K034, amend Resolution Nos. 16-1813 and 16-1814 to correct the performance period from July 1, 2016 through June 30, 2017 to July 1, 2016 through September 30, 2019 due to approval of project period changes by DOJ, by Resolution No. 17-1553.

On September 27, 2017, City Council authorized a continuation of cooperative working agreements with the Dallas County District Attorney's Office, Potter County District Attorney's Office, Tarrant County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office, Abilene Police Department, Amarillo Police Department, Arlington Police Department, Fort Worth Police Department, Garland Police Department, Longview Police Department, Lubbock Police Department and the Dallas Children's Advocacy Center for the period October 1, 2017 through September 30, 2018 through the 2017 Internet Crimes Against Children Continuation Grant supplement from October 1, 2017 through September 30, 2018, by Resolution No. 17-1554.

Information about this item will be provided to the Public Safety and Criminal Justice Committee on October 22, 2018.

FISCAL INFORMATION

U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds - $476,608.00

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WHEREAS, the U.S. Department of Justice, Office of Juvenile and Delinquency Prevention has made continuation grant funds available to aid missing and exploited children during Fiscal Years 2016-2019; and

WHEREAS, on September 27, 2017, City Council authorized an application for and acceptance of the 2017 Internet Crimes Against Children Grant, Grant No. 2016-MC-FX-K034 for the period July 1, 2016 through September 30, 2019, by Resolution No. 17-1553; and

WHEREAS, a supplemental funding was awarded to the City of Dallas for the 2016-2019 Internet Crimes Against Children Grant, Grant No. 2016-MC-FX-K034 for the second year, FY 2017-18; and

WHEREAS, it is in the best interest of the City of Dallas to accept such funding.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to apply for and accept supplemental funding for the 2016-2019 Internet Crimes Against Children Continuation Grant from the U.S. Department of Justice (DOJ), Office of Juvenile Justice and Delinquency Prevention (Grant No. 2016-MC-FX-K034, CFDA No. 16.543), in an amount not to exceed $476,608.00, from $954,641.00 to $1,431,249.00 for response to the sexual abuse and exploitation of children facilitated by the use of computer technology related to the investigation of the Internet-facilitated child exploitation for the period July 1, 2016 through September 30, 2019; and sign the grant agreement and all documents required by the grant agreement, approved as to form by the City Attorney.

SECTION 2. That the City Manager is hereby authorized to increase appropriations in an amount not to exceed $476,608.00, from $954,641.00 to $1,431,249.00 in the DOJ-Internet Crimes Against Children Grant 16-17 Fund, Fund F509, Department DPD, Unit 2063, various Object Codes, in accordance with the attached Schedule A.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit additional grant funds for reimbursement in an amount not to exceed $476,608.00 in the DOJ-Internet Crimes Against Children Grant 16-17 Fund, Fund F509, Department DPD, Unit 2063, Revenue Code 6506.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse additional grant funds in an amount not to exceed $476,608.00 from the DOJ-Internet Crimes Against Children Grant 16-17 Fund, Fund F509, Department DPD, Unit 2063, various Object Codes, according to the attached Schedule A.

SECTION 5. That in the event of loss or misuse of funds, the grantee will return grant funds to the Office of the Governor, Criminal Justice Division, in full. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 6. That the City Manager shall keep the appropriate City Council Committee informed of all the Office of the Governor, Criminal Justice Division, final monitoring reports not later than 30 days after the receipt of the report.

SECTION 7. That this contract is designated as Contract No. DPD-2017-00003742.

SECTION 8. 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.

Schedule A

Internet Crimes Against Children Continuation Grant

Fund F509, Unit 2063

Obj	Description	Budget FY 16-17	Supplement FY 17-18	Supplement FY 18-19	Total
1102	Salaries - Uniform	172,036	152,208	163,908	488,152
1202	Overtime - Uniform	9,500	9,500	-	19,000
1302	Pension, Sworn	47,312	41,858	51,999	141,169
1304	Health, Sworn	11,560	12,432	14,490	38,482
1306	FICA	2,494	2,207	2,376	7,077
2731	Data Processing Equipment	3,200		10,725	13,925
2735	Software Purchase	20,675	50,469	16,674	87,818
3060	Equipment (Outside City)	27,288	30,000	23,688	80,976
3099	Misc. Special Services (Contractual)	173,402	167,200	173,600	514,202
3361	Professional Development (Travel)	20,000	-	19,148	39,148
3429	Blackberry Fees	1,300	-	-	1,300
Total Budget		488,767	465,874	476,608	1,431,249

Agenda Information Sheet

File #: 18-866 **Item #:** 54.

STRATEGIC PRIORITY: Public Safety

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Police Department

EXECUTIVE: Jon Fortune

SUBJECT

Authorize a continuation of cooperative working agreements with various Police Departments, District Attorney's Offices, Sheriff Offices, and the Dallas Children's Advocacy Center (list attached to the Agenda Information Sheet) for the period July 1, 2016 through September 30, 2019 through the 2016 -2019 Internet Crimes Against Children Continuation Grant supplement - Total not to exceed $167,000.00 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds

BACKGROUND

The Dallas Police Department has received the 2016-2019 Internet Crimes Against Children (ICAC) Continuation Grant for the period July 1, 2016 through September 30, 2019. The grant will fund the Dallas Crimes Against Children Task Force to reduce crime related to the internet sexual exploitation of children. The ICAC Grant allows the Dallas Police Department to support internet crime operations through designated satellite law enforcement agencies that assist the Dallas Police Department in its efforts to combat internet crimes against children.

This grant will provide additional funding for the District Attorney's Offices in Dallas and Tarrant Counties; and the Collin County and Denton County Sheriff's Offices; and the Police Department in the cities of Lubbock, Abilene, Amarillo, Fort Worth, Arlington, Garland, Longview, Mesquite, Carrollton, Grand Prairie and Wichita. All the funds will be for each agency to use on equipment, training, undercover expenses, and overtime as related to their Internet Crimes Against Children efforts.

This grant will also provide funding for the Dallas Children's Advocacy Center to sponsor scholarships for smaller agencies that normally would not be able to send representative to the 2018 Crimes Against Children Conference to be held in Dallas.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 23, 2013, City Council authorized an application for and acceptance of the 2013 Internet Crimes Against Children Continuation Grant, No. 2013-MC-FX-K036 for the period July 1, 2013 through June 30, 2014, by Resolution No. 13-1842.

On February 12, 2014, City Council authorized a continuation of cooperative working agreements with the Dallas County District Attorney's Office, Tarrant County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office, Lubbock Police Department, Arlington Police Department, Garland Police Department, Longview Police Department, and the Dallas Children's Advocacy Center for the period July 1, 2013 through June 30, 2014 through the 2013 Internet Crimes Against Children Continuation Grant supplement by Resolution No. 14-0299.

On November 12, 2014, City Council authorized an application for and acceptance of the 2014 Internet Crimes Against Children Continuation Grant, No. 2013-MC-FX-K036 for the period July 1, 2013 through June 30, 2015, by Resolution No. 14-1908.

On November 12, 2014, City Council authorized the continuation of and an increase in the cooperative working agreements with agencies that assist the Dallas Police Department in combatting internet crimes against children, increasing the allocations for the Dallas County District Attorney's Office, Tarrant County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office, Lubbock Police Department, Arlington Police Department, Garland Police Department, Longview Police Department, and the Dallas Children's Advocacy Center by Resolution No. 14-1909.

On October 28, 2015, City Council authorized an application for and acceptance of a supplemental award to the 2015 Internet Crimes Against Children Continuation Grant, No. 2013-MC-FX-K036 for the period July 1, 2013 through June 30, 2016, by Resolution No. 15-1956.

On October 28, 2015, City Council authorized a continuation of cooperative working agreements with the Dallas County District Attorney's Office, Tarrant County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office, Lubbock Police Department, Arlington Police Department, Garland Police Department, Longview Police Department, and the Dallas Children's Advocacy Center for the period July 1, 2013 through June 30, 2016 through the 2013 Internet Crimes Against Children Continuation Grant supplement from July 1, 2015 through June 30, 2016, by Resolution No. 15-1957.

On November 9, 2016, City Council authorized an application for and acceptance of the 2017 Internet Crimes Against Children Continuation Grant, No. 2016-MC-FX-K034 for the period July 1, 2016 through June 30, 2017, by Resolution No. 16-1813.

On November 9, 2016, City Council authorized a continuation of cooperative working agreements with the Dallas County District Attorney's Office, Potter County District Attorney's Office, Tarrant County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office, Abilene Police Department, Amarillo Police Department, Arlington Police Department, Fort Worth Police Department, Garland Police Department, Longview Police Department, Lubbock Police Department and the Dallas Children's Advocacy Center for the period

July 1, 2016 through June 30, 2017 through the 2017 Internet Crimes Against Children Continuation Grant supplement from July 1, 2016 through June 30, 2017, by Resolution No. 16-1814.

On September 27, 2017, City Council authorized an application for and acceptance of the 2017 Internet Crimes Against Children Continuation Grant, No. 2016-MC-FX-K034, and amended Resolution Nos. 16-1813 and 16-1814 to correct the performance period from July 1, 2016 through June 30, 2017 to July 1, 2016 through September 30, 2019 due to approval of project period changes by DOJ, by Resolution No. 17-1553.

On September 27, 2017, City Council authorized a continuation of cooperative working agreements with the Dallas County District Attorney's Office, Potter County District Attorney's Office, Tarrant County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office, Abilene Police Department, Amarillo Police Department, Arlington Police Department, Fort Worth Police Department, Garland Police Department, Longview Police Department, Lubbock Police Department and the Dallas Children's Advocacy Center for the period October 1, 2017 through September 30, 2018 through the 2017 Internet Crimes Against Children Continuation Grant supplement from October 1, 2017 through September 30, 2018, by Resolution No. 17-1554.

Information about this item will be provided to the Public Safety and Criminal Justice Committee on October 22, 2018.

FISCAL INFORMATION

U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds - $167,000.00

This action has no cost consideration to the City. This item will be considered collectively with the acceptance of supplemental funding for the 2016-2019 Internet Crimes Against Children Continuation Grant from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention.

Federal- Internet Crimes Against Children Continuation Grant
Cooperative Working Agreement Subrecipients

Agencies	**Amount**
Dallas County District Attorney's Office	$ 3,000
Potter County District Attorney's Office	$ 0.00
Tarrant County District Attorney's Office	$ 8,000
Collin County Sheriff's Office	$ 8,000
Taylor County Sheriff's Office	$ 0.00
Wichita County Sheriff's Office	$ 10,000
Denton County Sheriff's Office	$ 8,000
Abilene Police Department	$ 10,000
Amarillo Police Department	$ 10,000
Arlington Police Department	$ 13,000
Fort Worth Police Department	$ 14,000
Garland Police Department	$ 10,000
Longview Police Department	$ 13,000
Lubbock Police Department	$ 20,000
Carrollton Police Department	$ 0.00
Mesquite Police Department	$ 0.00
Grand Prairie Police Department	$ 0.00
Dallas Children's Advocacy Center	$ 40,000
Total	$167,000

*Agencies not limited to those listed

October 24, 2018

WHEREAS, the City of Dallas applies for grant funds available from the U.S. Department of Justice to aid missing and exploited children; and

WHEREAS, the services of the Arlington Police Department, Garland Police Department, Longview Police Department, Fort Worth Police Department, Abilene Police Department, Amarillo Police Department, Lubbock Police Department, Tarrant County District Attorney's Office, Dallas County District Attorney's Office, Potter County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office and the Dallas Children's Advocacy Center are approved by the execution of cooperative working agreements; and

WHEREAS, on September 27, 2017, City Council authorized an application for and acceptance of the 2017 Internet Crimes Against Children Grant, Grant No. 2016-MC-FX-K034, amend Resolution Nos. 16-1813 and 16-1814 to correct the performance period from July 1, 2016 through June 30, 2017 to July 1, 2016 through September 30, 2019 due to approval of project period changes by DOJ, by Resolution No. 17-1553; and

WHEREAS, on September 27, 2017, City Council authorized a continuation of cooperative working agreements with the Dallas County District Attorney's Office, Potter County District Attorney's Office, Tarrant County District Attorney's Office, Collin County Sheriff's Office, Taylor County Sheriff's Office, Wichita County Sheriff's Office, Abilene Police Department, Amarillo Police Department, Arlington Police Department, Fort Worth Police Department, Garland Police Department, Longview Police Department, Lubbock Police Department and the Dallas Children's Advocacy Center for the period July 1, 2016 through June 30, 2019, by Resolution No. 17-1554; and

WHEREAS, the Internet Crimes Against Children Continuation Grant Supplement for the period July 1, 2016 through September 30, 2019, Grant No. 2016-MC-FX-K034 was awarded to the City of Dallas; and

WHEREAS, execution of the cooperative working agreements with various Police Departments, District Attorney's Offices, Sheriff Offices, and the Dallas Children's Advocacy Center per the attached Schedule B they must be authorized by the Dallas City Council.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to enter into respective Internet Crimes cooperative working agreements with various Police Departments, District Attorney's Offices, Sheriff Offices, and the Dallas Children's Advocacy Center per the attached Schedule B, for the period July 1, 2016 through June 30, 2019 through the 2016-2019 Internet Crimes Against Children Continuation Grant supplement as requested for the investigation, prosecution, education, and counseling activities related to the Dallas Internet Crimes Against Children Task Force response to Internet related sexual exploitation of children.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for approved grant related expenses.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $167,000.00 from Master Agreement Service Contract No. MASC-ICAC2017.

SECTION 4. This contract is designated as Contract No. DPD-2017-00003872.

SECTION 5. 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.

SCHEDULE B

Federal- Internet Crimes Against Children Continuation Grant

Fund F509, Unit 2063

	Agency	2016 Allocation	2017-18 Supplement Allocation	2018-19 Supplement Allocation	Fund	Dept.	Unit	Obj	Master Agreement Number	Commodity	Vendor No.
1	Dallas County District Attorney's Office	$ 5,000.00	$ 3,000.00	$ 3,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	014003
2	Potter County District Attorney's Office	$ 3,000.00			F509	DPD	2063	3099	MASC ICAC2017	95217	VC0000001926
3	Tarrant County District Attorney's Office	$ 7,500.00	$ 5,000.00	$ 8,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	331260
4	Collin County Sheriff's Office	$ 18,000.00	$ 15,000.00	$ 8,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	VS0000014264
5	Taylor County Sheriff's Office	$ 3,000.00			F509	DPD	2063	3099	MASC ICAC2017	95217	VS0000014301
6	Wichita County Sheriff's Office	$ 5,000.00	$ 5,000.00	$ 10,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	VC0000008139
7	Abilene Police Department	$ 5,500.00	$ 5,000.00	$ 10,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	VC16266
8	Amarillo Police Department	$ 9,000.00	$ 7,000.00	$ 10,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	520020
9	Arlington Police Department	$ 13,000.00	$ 13,000.00	$ 13,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	520488
10	Fort Worth Police Department	$ 10,000.00	$ 12,000.00	$ 14,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	VC16273
11	Garland Police Department	$ 13,000.00	$ 12,000.00	$ 10,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	268175
12	Longview Police Department	$ 15,000.00	$ 13,000.00	$ 13,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	516362
13	Lubbock Police Department	$ 23,000.00	$ 20,000.00	$ 20,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	VC0000009161
14	Dallas Children's Advocacy Center	$ 37,000.00	$ 37,000.00	$ 40,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	263854
15	Carrollton Police Department	$ -	$ 3,000.00		F509	DPD	2063	3099	MASC ICAC2017	95217	238775
16	Mesquite Police Department	$ -	$ 4,500.00		F509	DPD	2063	3099	MASC ICAC2017	95217	930026
17	Denton County Sheriffs Office	$ -	$ 4,500.00	$ 8,000.00	F509	DPD	2063	3099	MASC ICAC2017	95217	CSCTS0195
18	Grand Prairie Police Department	$ -	$ 4,000.00		F509	DPD	2063	3099	MASC ICAC2017	95217	255147
	Grand Total	**$ 167,000.00**	**$ 163,000.00**	**$ 167,000.00**							

*This schedule is not limited to the agencies listed

Agenda Information Sheet

File #: 18-1025 **Item #:** 55.

STRATEGIC PRIORITY: Public Safety

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Police Department

EXECUTIVE: Jon Fortune

SUBJECT

Authorize **(1)** an application for and acceptance of the Dallas Police Department Victim Services/17 grant (Grant No. 1578117, Federal/State Award ID No. 2018-V2-GX-0040, CFDA #16.575), from the U.S. Department of Justice through the Office of the Governor, Criminal Justice Division in an amount not to exceed $109,469.20 to adequately respond to victims of violent crime with needed aid for the period October 1, 2018 through September 30, 2020; **(2)** the establishment of appropriations in an amount not to exceed $109,469.20 in the DPD Victim Services Grant/17 18-20 Fund; **(3)** the receipt and deposit of grant funds in an amount not to exceed $109,469.20 in the DPD Victim Services Grant/17 18-20 Fund; **(4)** a local match in the amount of $31,012.26; and **(5)** execution of the grant agreement and all documents required by the grant agreement - Total not to exceed $140,481.46 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds ($109,469.20) and General Fund ($31,012.26) (subject to annual appropriations)

BACKGROUND

This grant award is from Federal (U.S. Department of Justice) pass through State (Office of Governor, Criminal Justice Division) to the City of Dallas. The Dallas Police Department's Victim Services Program, formally established in April 1996, provides victims of violent crimes with crisis intervention, crime victims compensation assistance, information regarding the criminal justice process, information and referral services specifically for victims or family survivors, and court accompaniment requested by the victim. Aid is provided through telephone contact, office visits, and/or home visits. The Police Department's goal is to lessen the trauma experienced by people who are victimized by violent crimes.

This grant will provide a seventeenth-year of funding for the salaries, benefits, training, and supplies of one full-time Victim Advocate and one part-time Victim Advocate. The Victim Services Coordinator's office is located in the Crimes Against Persons Division which includes the Homicide, Sexual Assaults, Aggravated Robbery, and Aggravated Assaults Unit. Referrals come from the detectives assigned to those units. It is important that victims are informed in a timely manner of the Texas Crime Victims Compensation Fund in order to provide emergency financial assistance for

funeral benefits which may be needed and to provide information about the agencies that provide counseling and support.

The Victim Advocates provide crime victim compensation application assistance, follow-up, information and referral, crisis counseling, and court advocacy for the survivors of homicides, sexual assaults, robbery, aggravated assaults, traffic fatalities or injuries as a result of failure to Stop and Render Aid and Driving While Intoxicated.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 12, 2014, City Council authorized an application for and acceptance of the Dallas Police Department Victim Services/14 grant from the U.S. Department of Justice through the Office of the Governor, Criminal Justice Division to adequately respond to victims of violent crime with needed aid for the period September 1, 2014 through August 31, 2015, by Resolution No. 14-1913.

On October 28, 2015, City Council authorized an application for and acceptance of the Dallas Police Department Victim Services/15 grant from the U.S. Department of Justice through the Office of the Governor, Criminal Justice Division to adequately respond to victims of violent crime with needed aid for the period September 1, 2015 through September 30, 2016, by Resolution No. 15-1960.

On October 11, 2016, City Council authorized an application for and acceptance of the Dallas Police Department Victim Services/16 grant from the U.S. Department of Justice through the Office of the Governor, Criminal Justice Division to adequately respond to victims of violent crime with needed aid for the period October 1, 2016 through September 30, 2018, by Resolution No. 16-1678.

Information about this item will be provided to the Public Safety & Criminal Justice Committee on October 22, 2018.

FISCAL INFORMATION

General Fund - $31,012.26 (subject to annual appropriations)
Office of the Governor, Criminal Justice Division State Grant Fund - $109,469.20

WHEREAS, the Dallas Police Department Victim Services/17 grant from the U.S. Department of Justice pass through State Office of the Governor, Criminal Justice Division, has made funds available for law enforcement projects during the 2018-20 fiscal year; and

WHEREAS, the City of Dallas was awarded the Dallas Police Department Victim Services/17 grant; and

WHEREAS, the increased program and funding source would benefit the City of Dallas in its endeavor to reduce crime and improve public safety; and

WHEREAS, the City of Dallas finds it in the best interest of the citizens of Dallas that the Office of the Governor, Criminal Justice Division be operated for the 2018-2020; and

WHEREAS, the City of Dallas agrees to provide Cash Match funds for the said project as a requirement by the Office of the Governor, Criminal Justice Division grant application; and

WHEREAS, the City of Dallas agrees that in the event of loss or misuse of the Criminal Justice Division funds, the City of Dallas assures that the funds identified as ineligible will be returned to the Criminal Justice Division; and

WHEREAS, the City of Dallas designates the City Manager or an Assistant City Manager as the grantees authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency; and

WHEREAS, it is in the best interest of the City of Dallas to accept such funding.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to apply for and accept the Dallas Police Department Victim Services/17 grant (Grant No. 1578117, Federal/State Award ID No. 2018-V2-GX-0040, CFDA #16.575), from the U.S. Department of Justice through the Office of the Governor, Criminal Justice Division, for adequately responding to victims of violent crime with needed aid, in an amount not to exceed $109,469.20 for the period October 1, 2018 through September 30, 2020; a local match in the amount of $31,012.26; and sign the grant agreement and all documents required by the grant agreement, approved as to form by the City Attorney.

SECTION 2. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $109,469.20 in the DPD Victim Services Grant/17 18-20 Fund, Fund F567, Department DPD, Unit 3712, in accordance with Schedule A.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds for reimbursement in an amount not to exceed $109,469.20 in the DPD Victim Services Grant/17 18-20 Fund; Fund F567, Department DPD, Unit 3712, Revenue Source 6506.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse grant funds in an amount not to exceed $109,469.20 from the DPD Victim Services Grant/17 18-20 Fund, Fund F567, Department DPD, Unit 3712, various Object Codes, in accordance with Schedule A.

SECTION 5. That the Chief Financial Officer is hereby authorized to disburse a local match in an amount not to exceed $31,012.26 (subject to annual appropriations) from Fund 0001, Department DPD, Unit 2162, various Object Codes, in accordance with Schedule A.

SECTION 6. That in the event of loss or misuse of funds, the grantee will return all grant funds to the Office of the Governor, Criminal Justice Division, in full. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 7. That the City Manager shall keep the appropriate City Council Committee informed of all the Office of the Governor, Criminal Justice Division, final monitoring reports not later than 30 days after the receipt of the report.

SECTION 8. That this contract is designated as Contract No. DPD-2018-00008096.

SECTION 9. 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.

SCHEDULE A
Victim Services/17
Fund F567, Dept. DPD, Unit 3712, Revenue Source Code 6506
October 1, 2018 - September 30, 2020

Object Code	Description	OOG Funds	Cash Match
1101	Civilian Salaries - FT Advocate/Caseworker	$88,328.81	
1101	Civilian Salaries - PT Victim Advocate	$18,636.80	$4,659.20
1301	Pension, Civilian		$12,719.36
1303	Life Insurance		$48.00
1304	Health Insurance		$13,226.00
1306	FICA/Medicare	$1,280.77	
1309			$54.00
3361	Professional Development (Travel)	$1,222.82	$305.70
	Sub-total	**$109,469.20**	**$31,012.26**
5010	Cash Match		($31,012.26)
	Grant Total	**$109,469.20**	**$ -**

Matching Funds

Cash Match
Fund 0001, Dept. DPD, Unit 2162

Object Code	Description	Amount
3081	Grant Cash Match	$31,012.26
	Total	**$31,012.26**

Program Totals	**$140,481.46**

Agenda Information Sheet

File #: 18-1073 **Item #:** 56.

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Secretary’s Office

SUBJECT

Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

Agenda Information Sheet

File #: 18-993 **Item #:** 57.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 7

DEPARTMENT: Mayor and City Council Office

EXECUTIVE: T.C. Broadnax

SUBJECT

A resolution requesting the Board of Adjustment to authorize compliance proceedings for Jim's Car Wash located at 2702 Martin Luther King, Jr. Boulevard, Dallas, Texas - Financing: No cost consideration to the City (via Council Members Felder, Clayton, Griggs, Thomas, Narvaez)

BACKGROUND

Jim's Car Wash is located at 2702 Martin Luther King Jr. Boulevard, Dallas, Texas. Jim's Car Wash operates under a certificate of occupancy for a car wash. The property at 2702 Martin Luther King, Jr. Boulevard is zoned as a CC Community Commercial Subdistrict within Planned Development District No. 595 (the South Dallas/Fair Park Special Purpose District). A car wash is not an allowed use in the CC Community Commercial Subdistrict. Jim's Car Wash is operating as a nonconforming use. Section 51 A4.704(a)(1) allows City Council to request that the Board of Adjustment establish a compliance date for a nonconforming use.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

October 24, 2018

WHEREAS, Jim's Car Wash is located at 2702 Martin Luther King Jr. Boulevard, Dallas, Texas; and

WHEREAS, Jim's Car Wash operates under a certificate of occupancy for a car wash; and

WHEREAS, the property at 2702 Martin Luther King Jr. Boulevard is zoned as a CC Community Commercial Subdistrict within Planned Development District No. 595 (the South Dallas/Fair Park Special Purpose District); and

WHEREAS, a car wash is not a permitted use in a CC Community Commercial Subdistrict; and

WHEREAS, Jim's Car Wash is a nonconforming use as defined in the Dallas Development Code; and

WHEREAS, the Dallas Development Code authorizes the City Council to request that the Board of Adjustment consider establishing a compliance date for a nonconforming use.

Now, Therefore,

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

SECTION 1. That the Board of Adjustment is requested to authorize compliance proceedings for Jim's Car Wash located at 2702 Martin Luther King Jr. Boulevard, Dallas, Texas.

SECTION 2. 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.

Memorandum

RECEIVED
2018 SEP 17 AM 11:01
CITY SECRETARY
DALLAS, TEXAS

City of Dallas

DATE September 10, 2018

TO The Honorable Michael S. Rawlings

FROM Kevin Felder

SUBJECT **Request for Placement of Agenda Item – Council Member(s)**

ITEM/ISSUE PROPOSED FOR COUNCIL CONSIDERATION:

Pursuant to Section 6.2 of the City Council Rules of Procedure, please post the following item on the first **VOTING** agenda scheduled at least 30 calendar days after receipt of this request:

A resolution requesting the Board of Adjustment to authorize compliance proceedings for Jim's Car Wash located at 2702 Martin Luther King, Jr. Boulevard, Dallas, Texas – Financing: No cost consideration to the City

BRIEF BACKGROUND:

Jim's Car Wash is located at 2702 Martin Luther King Jr. Boulevard, Dallas Texas. Jim's Car Wash operates under a certificate of occupancy for a car wash. The property at 2702 Martin Luther King, Jr. Boulevard is zoned as a CC Community Commercial Subdistrict within Planned Development District No. 595 (the South Dallas/Fair Park Special Purpose District). A car wash is not an allowed use in the CC Community Commercial Subdistrict. Jim's Car Wash is operating as a nonconforming use. Section 51A-4.704(a)(1) allows City Council to request that the Board of Adjustment establish a compliance date for a nonconforming use.

Submitted for consideration by:

Kevin Felder, District 7 — Kevin Felder
Printed Name, District # — Signature

Supporting Council Member Signatures (4 Signatures Only):

Mark Clayton Dist 9 — Printed Name, District # — Signature

Scott Griggs, D1 — Printed Name, District # — Signature

Casey Thomas D3 — Printed Name, District # — Signature

Omar Narvaez D6 — Printed Name, District # — Signature

Attachment: Draft Resolution or Ordinance

c: Honorable Council Members
T.C. Broadnax, City Manager
Christopher J. Caso, Interim City Attorney
Craig D. Kinton, City Auditor
Bilierae Johnson, City Secretary
Scott Goldstein, Chief of Policy and Communications, Office of the Mayor

COUNCIL CHAMBER

[DATE]

WHEREAS, Jim's Car Wash is located at 2702 Martin Luther King Jr. Boulevard, Dallas Texas; and

WHEREAS, Jim's Car Wash operates under a certificate of occupancy for a car wash; and

WHEREAS, the property at 2702 Martin Luther King Jr. Boulevard is zoned as a CC Community Commercial Subdistrict within Planned Development District No. 595 (the South Dallas/Fair Park Special Purpose District); and

WHEREAS, a car wash is not a permitted use in a CC Community Commercial Subdistrict; and

WHEREAS, Jim's Car Wash is a nonconforming use as defined in the Dallas Development Code; and

WHEREAS, the Dallas Development Code authorizes the City Council to request that the Board of Adjustment consider establishing a compliance date for a nonconforming use; **Now, Therefore,**

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

SECTION 1. That the Board of Adjustment is requested to authorize compliance proceedings for Jim's Car Wash located at 2702 Martin Luther King Jr. Boulevard, Dallas Texas.

SECTION 2. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

Each councilmember signing the five-person request to place an item on the agenda must review and confirm that they have read and agree with the draft resolution by dating, initialing, and placing their district number below.

9/17/18	9/17/18	9/17/18	9/17/18	9/17/18
DATE	DATE	DATE	DATE	DATE
KF	MC	SJ	CT	ON
CM INITIAL	CM INITIAL	CM INITIAL	CM INITIAL	CM INITIAL
7	9	1	3	6
DIST. NO.	DIST. NO.	DIST. NO.	DIST. NO.	DIST. NO.

Agenda Information Sheet

File #: 18-992 **Item #:** 58.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Execute the casting of lots to identify the recommended vendor resulting from tie bid on group 5 for bid BI1818 for a three-year master agreement for the purchase of electrical supplies - Crawford Electrical Supply Co. and Graybar Electric Company, Inc. - Financing: No cost consideration to the City

BACKGROUND

This action is not intended to make an award, but to execute the casting of lots to identify a vendor for each of the groups and lines for which the City has received identical bids. This process is being executed in accordance with Texas Local Government Code, Section 271.901. This section of the Texas local Government Code states, in part:

- The municipality must select identical bids by the casting of lots
- The casting of lots must be in the presence of the governing body of the municipality
- If one of the bidders submitting an identical bid is a resident of the municipality, the municipality must select that bidder

This particular solicitation resulted in identical bids from vendors located outside the city limits.

Once the vendor(s) are selected for each group by a casting of lots, a recommendation will be presented to Council for award on November 14, 2018.

FISCAL INFORMATION

No cost consideration to the City.

PROCUREMENT INFORMATION

The Office of Procurement Services received the following bids from solicitation number BI1818. We

opened them on September 7, 2018.

Bidders	Address	Tie Bid Group
Crawford Electric Supply Co.	2928 Irving Blvd. Dallas, TX 75247	Group 5
Graybar Electric Company, Inc.	34 N. Meramec Ave. St. Louis, MO 63105	Group 5

OWNERS

Crawford Electric Supply Co.

Tim Horny, President
Kelly Johns, Vice President
Gigi Pace, Secretary
John Honigfort, Treasurer

Graybar Electric Company, Inc.

Kathleen Mazzarella, President
Scott Clifford, Senior Vice President
Matthew Geeke, Senior Vice President
John Reed, Vice President

Agenda Information Sheet

File #: 18-911 **Item #:** 59.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 7

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize **(1)** a twenty-year management contract, with two five-year extension options, for the management and operation of Fair Park for the Park and Recreation Department - Fair Park First, most advantageous proposer of three - initial ten years shall not exceed $34,598,909.00; years 11 - 20 will be negotiated between the parties during the 10th year based on a newly projected operating budget for years 11 - 20; if unable to agree, the 11th year will be calculated on the average of the last 3 years, and years 12 - 20 will be the Annual Appropriation for year 11 adjusted by Consumer Price Index; **(2)** provide the Manager $500,000.00 to be used for initial funding of an operational reserve to be maintained in a separate account for operational reserves for the term of agreement; **(3)** provide the Manager an additional $2,000,000.00 to be used for a transition reserve in the event the Manager is unable to meet its fundraising targets during the first three years of the contract, City of Dallas fiscal years 2019, 2020, and 2021; and **(4)** provide for the repayment of the unamortized portion of the Spectra Investment of $1,000,000.00 for transition costs if the contract is terminated prior to the end of the initial term - Not to exceed $38,098,909.00 - Financing: Park and Recreation Department General Fund (subject to annual appropriations)

BACKGROUND

This management contract, for the management and operation of Fair Park, will allow a non-profit organization to assume the operational responsibility for Fair Park. Fair Park is a 277-acre signature, historic, and architecturally significant multi-venue park and entertainment complex owned and operated by the City.

Fair Park is a designated City park and as such, by State law is limited to use solely for park and recreational purposes, including: serving as the location of recreational facilities and activities, cultural institutions and programs, the State Fair of Texas, sporting events, entertainment, and educational programs with a cultural or recreational component; and providing other support facilities and activities, concessions, and parking.

- On September 3, 2014, the Mayor's Fair Park Task Force presented its final report to a joint

meeting of the Dallas City Council and the Park and Recreation Board. One of the Task Force's key recommendations was to empower a new organization as the operational and marketing authority for Fair Park, with the City providing sufficient operational and capital funding, as needed. It was envisaged that the agreement in general employed at the Dallas Zoo, which is owned by the City and managed by the Dallas Zoological Society, a Texas non-profit corporation, would serve as a model for Fair Park.

- On May 7, 2015, the Park and Recreation Board passed a Resolution supporting the Mayor's Fair Park Task Force Key Recommendations with proposed modifications, including the requirement for a 501(c)(3) entity to implement a public-private partnership, with a diverse board including at least one member representing the surrounding Fair Park community and one member with historic preservation expertise.

- On October 28, 2016, the City initiated a two-step process to solicit a management organization for Fair Park. Phase 1 entailed a Request for Qualifications (RFQ), to which responses were received on December 30, 2016. Phase 2 of the solicitation process was a Request For Competitive Sealed Proposal from the qualified proposers, which resulted in this commended contract.

This contract encompasses many of the attributes and requirements set forth by the Mayor's Task Force report and the Park and Recreation Park Board's resolution. Fair Park First, the Manager, is a 501(c)(3) entity, and has retained Spectra Venue Management to be responsible for all day-to-day operations and to support Fair Park as a public park, maintaining and managing the grounds and facilities of Fair Park as a vibrant, year-round location for events, daily activities, cultural enrichment, historic architecture, and a place for quiet enjoyment. Spectra Venue Management will subcontract with Biederman Redevelopment Ventures for the purpose of updating the Master Plan and developing and implementing a plan for a public neighborhood park within Fair Park.

The City requested a 10-year pro forma from proposers; years 11-20 will be negotiated between the parties during the 10th year based on a newly projected Operating Budget for years 11 - 20. If unable to agree, the 11th year will be calculated on the average of the last 3 years, and years 12 - 20 will be the Annual Appropriation for year 11 adjusted by CPI. The amount for years 11 - 20 will be approved by City Council. Fair Park First will provide a performance bond to the City in the amount of $4.25 million.

A 10 member committee from the following departments reviewed and evaluated the qualifications:

*The Office of Procurement Services only evaluated cost and the Office of Business Diversity only evaluated the Business Inclusion and Development Plan.

- Department of Public Works (1)
- Department of Equipment & Building Services (1)
- Department of Sustainable Development & Construction (1)
- Housing & Neighborhood Revitalization (1)
- Office of Cultural Affairs (1)
- Department of Planning & Urban Design (1)
- Office of Economic Development (1)

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- Park & Recreation Department (1)
- Office of Business Diversity (1)*
- Office of Procurement Services (1)*

The committee selected the successful respondent on the basis of demonstrated competence and qualifications under the following:

- Financials 32.5 points
- Qualifications and experience 17.5 points
- Project approach 30.0 points
- Business Inclusion and Development Plan 20.0 points

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 2,590 email bid notifications to vendors registered under respective commodities and 14 nationally recognized organizations. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

On November 10, 2015, City Council authorized the wage floor rate of $10.94, by Resolution No. 15-2141; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board was briefed regarding this matter on August 2, 2018.

The Park and Recreation Board held a public input meeting regarding this matter on August 9, 2018.

The Park and Recreation Board was briefed regarding this matter on August 16, 2018.

The Park and Recreation Board approved this item on September 6, 2018.

City Council was briefed regarding this matter on September 18, 2018.

FISCAL INFORMATION

Park and Recreation Department General Fund - $38,098,909.00 (subject to annual appropriations)

FY 2018-19 - $3,500,000.00 (Reserves)
FY 2018-19 - $4,489,333.00
FY 2019-20 - $3,982,397.00
FY 2020-21 - $3,450,871.00
FY 2021-22 - $3,427,078.00
FY 2022-23 - $3,390,526.00
FY 2023-24 - $3,339,902.00
FY 2024-25 - $3,273,770.00

FY 2025-26 - $3,190,561.00
FY 2026-27 - $3,088,563.00
FY 2027-28 - $2,965,908.00

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE $
$34,598,909.00	Other Services	23.80%	27.25%	$9,428,202.70
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Request for Qualifications	• Utilized to define a project scope which is used to notify vendors of the City's intent to contract and to request a written response of their interest.

Request for Competitive Sealed Proposal	• Utilized for high technology procurements, insurance procurements, and other goods and services • Recommended offeror whose proposal is most advantageous to the City, considering the relative importance of price, and other evaluation factors stated in the specifications • Always involves a team evaluation • Allows for negotiation on contract terms, including price

The Office of Procurement Services received the following proposals from solicitation number BBZ1701. We opened them on December 30, 2016. We recommend the City Council award this management contract in its entirety to the most advantageous proposer.

*Denotes successful proposer

Proposers	Address	Score	Amount
*Fair Park First	2728 N. Harwood St. Suite 500 Dallas, TX 75201	87.54	$ 34,598,909.00
Fair Park Texas Foundation	1900 N. Akard Dallas, TX 75201	78.34	$182,951,000.00

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Fair Park Conservancy	2151 Fort Worth Ave. Dallas, TX 75211	65.16	$191,640,000.00

OWNER

Fair Park First

Darren L. James, President
Norman Alston, Secretary

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October 24, 2018

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

SECTION 1. That the City Manager is hereby authorized to sign a management contract with Fair Park First (VC19221), approved as to form by the City Attorney, for the management and operation of Fair Park for the Park and Recreation Department for a term of twenty years, with two five-year extension options, in an amount not to exceed $34,598,909.00 for the initial ten years.

SECTION 2. That the City Manager is hereby authorized to negotiate the management fees for years 11 - 20 during the 10th year based on a newly projected Operating Budget for years 11 - 20. If unable to agree, the 11th year will be calculated on the average of last 3 years, and years 12 - 20 will be the Annual Appropriation for year 11 adjusted by CPI. The amount for years 11 - 20 shall be approved by City Council.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $34,598,909.00 for the initial ten year term (subject to annual appropriations) to Fair Park First from Management Contract No. PKR-2018-00007522.

SECTION 4. That the Chief Financial Officer is hereby authorized to transfer funds in an amount not to exceed $3,500,000.00 from General Fund 0001, Department PKR, Unit 5206, Object Code 3072 to Fair Park First Reserve Fund, Fund 0444, Department BMS, Unit 1880, Object Code 3099.

SECTION 5. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $500,000.00 in Fair Park First Reserve Fund, Fund 0444, Department BMS, Unit 1880, Object Code 3099 to be used for initial funding of an operational reserve to be maintained in a separate account for operational reserves for the term of contract, and that the Chief Financial Officer is hereby authorized to disburse funds to Fair Park First from Fair Park First Reserve Fund, Fund 0444.

SECTION 6. That the City Manager is hereby authorized to increase appropriations in an amount not to exceed $2,000,000.00 (in Fair Park First Reserve Fund, Fund 0444, Department BMS, Unit 1880, Object Code 3099 and that the Chief Financial Officer is hereby authorized to disburse funds to Fair Park First from Fair Park First Reserve Fund, Fund 0444 in the event the Manager is unable to meet its fundraising targets during the first three years of the agreement, City of Dallas fiscal years 2019, 2020, and 2021.

SECTION 7. That the City Manager is hereby authorized to increase appropriations in an amount not to exceed $1,000,000.00 in Fair Park First Reserve Fund, Fund 0444, Department BMS, Unit 1880, Object Code 3099 for the repayment of the unamortized portion of the Spectra Investment if the management contract is terminated, except for manager default, prior to the end of the initial term of the contract, and that the Chief Financial Officer is hereby authorized to disburse funds to Fair Park First from Fair Park First Reserve Fund, Fund 0444.

SECTION 8. 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.

Agenda Information Sheet

File #: 18-1109 **Item #:** 60.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 7

DEPARTMENT: Mayor and City Council Office

EXECUTIVE: T.C. Broadnax

SUBJECT

A resolution directing the City Manager to, in collaboration with Fair Park First, negotiate any necessary amendments or options to the existing Fair Park resident institutions, State Fair of Texas, and Texas Department of Transportation contracts, including extending the length of the terms to coincide with the Fair Park First contract and making any other improvements to other provisions of said contracts - Financing: This action has no cost consideration to the City

BACKGROUND

The City Council has approved a management contract with Fair Park First for the management and operation of Fair Park that will allow a non-profit organization to assume the operational responsibility for Fair Park. Fair Park is a 277-acre signature, historic and architecturally significant multi-venue park and entertainment complex owned and operated by the City. Fair Park is a designated City park and as such, by State law is limited to use solely for park and recreational purposes, including: serving as the location of recreational facilities and activities, cultural institutions and programs, the State Fair of Texas, sporting events, entertainment, and educational programs with a cultural or recreational component; and providing other support facilities and activities, concessions, and parking.

Fair Park First and the City desire to ensure the continued productivity and enhancement of the Fair Park resident institutions and the State Fair of Texas, and Fair Park First has expressed support for working with the resident institutions, State Fair of Texas, Texas Department of Transportation (“TxDOT”), and the City to extend the length of those contracts to ensure that the many successful activities underway at Fair Park continue.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board was briefed regarding the management contract on August 2, 2018.

The Park and Recreation Board held a public input meeting regarding the management contract on

August 9, 2018.

The Park and Recreation Board reviewed the contract and obtained a status of the management contract on August 16, 2018.

The Park and Recreation Board recommended approving the management agreement on September 6, 2018, with a resolution recommending that the City Council authorize the city manager to extend the current Fair Park tenants' contracts to coincide with the non-profit manager's initial term to ensure that long-term success can be the focus of all Far Park entities' missions.

City Council was briefed regarding the management agreement on September 18, 2018.

FISCAL INFORMATION

This action has no cost consideration to the City.

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October 24, 2018

WHEREAS, Fair Park is home to numerous resident institutions such as Dallas Summer Musicals, the Museum of African American Life and Culture, Texas Discovery Gardens, and the Children's Aquarium that are a vital part of the cultural and historic fabric of Fair Park and the City; and

WHEREAS, the State Fair of Texas was established in 1886, hosts one of the country's largest and longest-running fairs in the nation, celebrating all things Texan by promoting agriculture, education, and community involvement through quality entertainment in a family-friendly environment, and serves as an anchor tenant in Fair Park; and

WHEREAS, the City Council has approved a contract with Fair Park First for the private management and operation of Fair Park, and it is the will of the City Council and the Park and Recreation Board that the terms of certain contracts be extended to coincide with the term of the Fair Park First contract; and

WHEREAS, the City's contracts with the resident institutions are assignable and will be assigned upon execution of Fair Park First Management Agreement; and

WHEREAS, the contracts with the State Fair of Texas and Texas Department of Transportation ("TxDOT") are assignable only if consent is given; and

WHEREAS, Fair Park First and the City desire to ensure the continued productivity and enhancement of the Fair Park resident institutions and the State Fair of Texas, and Fair Park First has expressed support for working with the resident institutions, State Fair of Texas, TxDOT, and the City to ensure that the many successful activities underway at Fair Park continue.

Now, Therefore,

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

SECTION 1. The City Manager is directed to, in collaboration with Fair Park First, negotiate any necessary amendments or options to the existing Fair Park resident institutions, State Fair of Texas, and TxDOT contracts, including extending the length of the terms to coincide with the Fair Park First contract and making any other improvements to other provisions of said contracts.

SECTION 2. 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.

Agenda Information Sheet

File #: 18-1096 **Item #:** 61.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 7

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize a business personal property tax abatement agreement with Velocity, A Viracon Company or an affiliate ("Velocity") for a period of five-years in an amount equal to the City's ad valorem taxes assessed on 50 percent of the increased taxable value of Velocity's business personal property associated with the establishment of a new manufacturing operation to be located on approximately 8.427 acres at the southeast corner of Clover Haven Street and Cargo Road in Dallas, Texas in accordance with the City's Public/Private Partnership Program - Estimated Revenue Foregone: $308,103.00 over a five-year period (This item was deferred on September 26, 2018)

BACKGROUND

This item is being placed on the addendum per the City Manager's Office.

Since April 2018, City staff has been in discussions with representatives of Velocity regarding the possibility of establishing an architectural glass fabrication operation in a new build-to-suit facility to be located on approximately 8.427 acres at the southeast corner of Clover Haven Street and Cargo Road in east Dallas in an industrial area commonly known as Eastpoint. Velocity has also been considering sites in other states including Georgia and Missouri for this project.

Company

Velocity is a wholly-owned subsidiary of Apogee Enterprises, Inc. ("Apogee"). Apogee (NASDAQ: APOG) designs and develops glass and metal products and services in the United States, Canada, and Brazil. It operates through four business segments: Architectural Framing Systems, Architectural Glass, Architectural Services, and Large-Scale Optical Technologies (LSO). Apogee was founded in 1949 and is headquartered in Minneapolis, Minnesota with annual revenues approaching $1.5 billion.

Proposed Project

The developer of this single-tenant build-to-suit facility will be Exeter Property Group ("Exeter").

Exeter owns the site and will develop the facility on behalf of Velocity. Upon completion of the facility, Exeter will lease the facility to Velocity for at least ten years, with renewal options for an additional twenty years.

The project will involve the new construction of approximately 149,000 square feet of manufacturing and office space with a total estimated capital investment of approximately $27,700,000 (including approximately $6,000,000 in site improvements and shell building construction, approximately $700,000 in tenant improvements, and approximately $21,000,000 in specialized machinery and equipment).

Velocity plans to have approximately 61 net new full-time equivalent jobs at the facility within three years. Velocity estimates an average annual wage of $35,000 or an average hourly wage of $18.22 (including benefits). Jobs to be hired will include fabricators, system and equipment operators, freight and material movers, machinists, and supervisors. It is estimated that only two of these 61 jobs will be relocated to Dallas from out of state.

Incentive

Staff is recommending City Council approval of a business personal property tax abatement agreement with Velocity or an affiliate for a period of five years in an amount equal to the City's ad valorem taxes assessed on 50 percent of the increased taxable value of Velocity's business personal property associated with the establishment of a new manufacturing operation to be located on approximately 8.427 acres at the southeast corner of Clover Haven Street and Cargo Road in Dallas.

The proposed incentive will help secure new investment and job opportunities at this southeast Dallas location. The business personal property tax abatement will allow Velocity to make a cost-competitive and substantial investment in modern, highly-specialized machinery and related high-technology equipment.

The tax abatement agreement shall include, among other provisions, the following conditions:

(a) Velocity shall execute a lease with a minimum ten-year term that causes Exeter to substantially complete site improvements, shell building construction, and tenant improvements by December 31, 2019. The minimum size of the new building shall be 120,000 square feet. The minimum investment shall be $5,000,000 for site improvements and shell building construction and $500,000 for tenant improvements.

(b) Velocity shall invest a minimum of $16,000,000 in new furniture, fixtures, equipment, and machinery (i.e. business personal property) at the facility by December 31, 2019.

(c) The business personal property tax abatement agreement must be executed no later than December 31, 2019.

(d) Velocity shall create (i.e. relocate from outside Texas or newly create locally) a minimum of 50 net new permanent full-time equivalent ("FTE") jobs with a minimum average hourly wage of $18.22 (including benefits) at the facility by December 31, 2019.

(e) Velocity shall hold a minimum of one job fair by December 31, 2019 at a location in the city of

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Dallas approved by the Director of the Office of Economic Development to facilitate the recruitment and hiring of residents of the city of Dallas.

(f) Velocity shall ensure that a minimum 20% of the 50 (i.e. a minimum of 10) net new permanent FTE jobs created at the facility by December 31, 2019 are filled by residents of the city of Dallas.

(g) The City shall provide Velocity a business personal property tax abatement for a period of five years in an amount equal to the City's ad valorem taxes assessed on 50 percent of the increased taxable value of Velocity's business personal property located at the facility located on the real property legally described in Exhibit B in the Resolution. The tax abatement shall commence on or before December 31, 2020.

(h) None of the business personal property subject to the tax abatement shall be owned or leased by a member of the City Council of the City of Dallas or by a member of the City Plan Commission.

(i) Velocity shall maintain a minimum of 50 net new permanent FTE jobs with a minimum average hourly wage of $18.22 (including benefits) at the facility for the term of the abatement.

(j) Velocity shall ensure that a minimum 20% of the 50 (i.e. a minimum of 10) net new permanent FTE jobs created at the facility by December 31, 2019 continue to be filled by residents of the city of Dallas for the term of the abatement.

(k) Velocity shall provide written quarterly reports to the Office of Economic Development on the progress in satisfying the conditions of the abatement.

(l) For Velocity to receive the tax abatement during any year of the agreement, Velocity shall be required to document and certify annually its compliance with the terms outlined in the tax abatement agreement by April 15 of each year of the agreement.

(m) The Director of the Office of Economic Development may, at his sole discretion, extend any material date in the tax abatement agreement for a period up to six months for just cause.

(n) A proportionate percentage of the business personal property tax revenue foregone by the City as a result of the tax abatement agreement shall be recaptured by the City if Velocity is in default of terms as provided by the tax abatement agreement.

(o) Access to the new facility shall be provided to allow for inspection by City officials to ensure that the improvements and investments are made according to the specifications and terms of the tax abatement agreement.

(p) The Dallas City Council may terminate or modify the agreement if Velocity fails to comply with the tax abatement agreement.

(q) The tax abatement agreement shall be personal to Velocity and shall only be assignable upon written approval of the assignment by the City's Director of the Office of Economic Development.

(r) Velocity shall execute a formal agreement with the Dallas Independent School District (DISD)

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by December 31, 2019 to participate as an Industry Partner in the Pathway to Technology Early College High School (P-TECH) program.

(s) Development of the real property shall conform to all requirements of the City's zoning ordinance and the use of the real property shall be consistent with the general purpose of encouraging development or redevelopment in the Enterprise Zone during the period the tax abatement is in effect.

The foregone business personal property tax revenue over the five-year term of the abatement is an estimated $308,103. Based on the City's fiscal impact analysis over a ten-year period, the present value of net revenues to the City from this project is an estimated $1,194,074.

Pursuant to the City's Public/Private Partnership Program (P/PPP) Guidelines and Criteria (effective for the period January 1, 2017 through December 31, 2018), the proposed project is located in a Target Area. With the project's private investment exceeding $1 million and job creation exceeding 25 jobs, the project meets minimum eligibility criteria requirements of the P/PPP Guidelines and Criteria.

In the context of the City's Market Value Analysis (MVA), the proposed project is located in a non-residential tract and is generally surrounded by residential market types E, F, G, and H, which reflect middle to lower-middle residential real estate markets in Dallas. The proposed project will provide additional local employment opportunities to these surrounding residential areas.

The proposed project is located in a Texas Enterprise Zone. Pursuant to Section 312.2011 of the Texas Tax Code, designation of an area as a Texas Enterprise Zone constitutes designation of an area as a reinvestment zone without further hearing or other procedural requirements.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	October 2018
Complete Construction	December 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Economic Development and Housing Committee was briefed in Executive Session on September 4, 2018 to discuss the offer of a financial incentive under Section 551.087 of the Texas Government Code.

On September 26, 2018, this item was deferred by Councilmember Kevin Felder.

FISCAL INFORMATION

Estimated Revenue Foregone: $308,103.00 over a five-year period

OWNER

Velocity, A Viracon Company

Mark Augdahl, Vice President, Finance

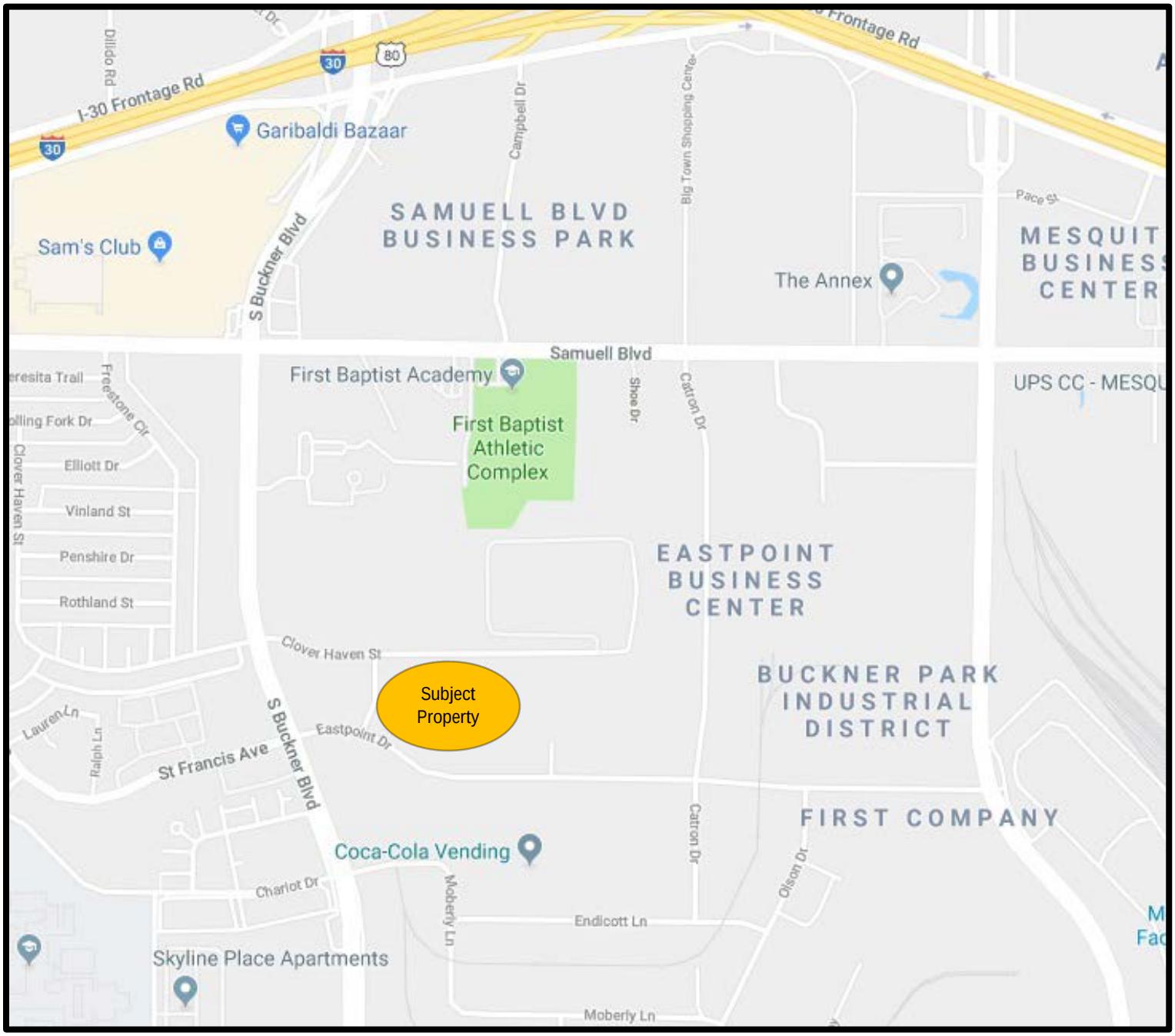
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MAP

Attached

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Location Map



WHEREAS, the City of Dallas ("City") recognizes the importance of its role in local economic development; and

WHEREAS, many municipalities within the Dallas-Fort Worth region have economic development programs to compete with the City for development of new manufacturing facilities; and

WHEREAS, site selection decisions made by developers and businesses are often significantly influenced by a municipality's ability to provide competitive economic development incentives; and

WHEREAS, the City desires to support and secure new employment opportunities and taxable revenue that new manufacturing facilities will bring for Dallas residents; and

WHEREAS, the proposed development will not occur within the city of Dallas without an offer of economic development incentives from the City; and

WHEREAS, pursuant to Resolution No. 16-1984, approved by the City Council on December 14, 2016, the City: (1) elected to continue its participation in economic development incentives and re-adopted its Public/Private Partnership Program - Guidelines and Criteria, which established certain guidelines and criteria for the use of City incentive programs for private development projects, (2) established programs for making loans and grants of public money to promote local economic development and to stimulate business and commercial activity in the City pursuant to the Economic Development Programs provisions under Chapter 380 of the Texas Local Government Code ("Economic Development Act"), and (3) established appropriate guidelines and criteria governing tax abatement agreements to be entered into by City as required by the Property Redevelopment and Tax Abatement Act, as amended, (V.T.C.A. Tax Code, Chapter 312) ("Tax Abatement Act"); and

WHEREAS, Section 312.2011 of the Tax Abatement Act provides that the designation of an area as an enterprise zone under the Texas Enterprise Zone Act constitutes designation of an area as a reinvestment zone without further hearing or other procedural requirements; and

WHEREAS, the proposed development is located in an existing Texas Enterprise Zone; and

WHEREAS, consistent with the authority granted under the Tax Abatement Act and the City's Public/Private Partnership Program - Guidelines and Criteria, it is in the best interest of the City to enter into a business personal property tax abatement agreement and provide this incentive as a part of the City's ongoing program to promote local economic development and to stimulate business and commercial activity in the city.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a business personal property tax abatement agreement with Velocity, A Viracon Company or an affiliate ("Velocity"), approved as to form by the City Attorney, for added value to business personal property in accordance with the Tax Abatement Act and the City's Public/Private Partnership Program – Guidelines and Criteria.

SECTION 2. That at least seven days prior to the execution of the tax abatement agreement, notice of the City's intention to enter into the tax abatement agreement shall be delivered to the governing bodies of each taxing unit that includes in its boundaries the business personal property that is the subject of this agreement.

SECTION 3. That the approval and execution of the tax abatement agreement by the City is not conditional upon approval and execution of any other tax abatement agreement by any other taxing entity.

SECTION 4. That the business personal property ("Property") subject to the tax abatement agreement will be located on the real property depicted on the attached site map **Exhibit A (Map)** and as legally described in **Exhibit B (Legal Description)**.

SECTION 5. That the tax abatement agreement shall include, among other provisions, the following conditions:

(a) Velocity shall execute a lease with a minimum ten-year term that causes Exeter Property Group to substantially complete site improvements, shell building construction, and tenant improvements by December 31, 2019. The minimum size of the new building shall be 120,000 square feet. The minimum investment shall be $5,000,000 for site improvements and shell building construction and $500,000 for tenant improvements.

(b) Velocity shall invest a minimum of $16,000,000 in new furniture, fixtures, equipment, and machinery (i.e. business personal property) at the facility by December 31, 2019.

(c) The business personal property tax abatement agreement must be executed no later than December 31, 2019.

(d) Velocity shall create (i.e. relocate from outside Texas or newly create locally) a minimum of 50 net new permanent full-time equivalent FTE jobs with a minimum average hourly wage of $18.22 (including benefits) at the facility by December 31, 2019.

(e) Velocity shall hold a minimum of one job fair by December 31, 2019 at a location in the city of Dallas approved by the Director of the Office of Economic Development to facilitate the recruitment and hiring of residents of the city of Dallas.

(f) Velocity shall ensure that a minimum 20% of the 50 (i.e. a minimum of 10) net new permanent FTE jobs created at the facility by December 31, 2019 are filled by residents of the city of Dallas.

(g) The City shall provide Velocity a business personal property tax abatement for a period of five years in an amount equal to the City's ad valorem taxes assessed on 50 percent of the increased taxable value of Velocity's business personal property at the facility located on the real property depicted on the attached site map **Exhibit A (Map)** and as legally described in **Exhibit B (Legal Description)**. The tax abatement shall commence on or before December 31, 2020.

(h) None of the business personal property subject to the tax abatement shall be owned or leased by a member of the City Council of the City of Dallas or by a member of the City Plan Commission.

(i) Velocity shall maintain a minimum of 50 net new permanent FTE jobs with a minimum average hourly wage of $18.22 (including benefits) at the facility for the term of the abatement.

(j) Velocity shall ensure that a minimum 20% of the 50 (i.e. a minimum of 10) net new permanent FTE jobs created at the facility by December 31, 2019 continue to be filled by residents of the city of Dallas for the term of the abatement.

(k) Velocity shall provide written quarterly reports to the Office of Economic Development on the progress in satisfying the conditions of the abatement.

(l) For Velocity to receive the tax abatement during any year of the agreement, Velocity shall be required to document and certify annually its compliance with the terms outlined in the tax abatement agreement by April 15 of each year of the agreement.

(m) The Director of the Office of Economic Development may, at his sole discretion, extend any material date in the tax abatement agreement for a period up to six months for just cause.

(n) A proportionate percentage of the business personal property tax revenue foregone by the City as a result of the tax abatement agreement shall be recaptured by the City if Velocity is in default of terms as provided by the tax abatement agreement.

(o) Access to the new facility shall be provided to allow for inspection by City officials to ensure that the improvements and investments are made according to the specifications and terms of the tax abatement agreement.

(p) The Dallas City Council may terminate or modify the agreement if Velocity fails to comply with the tax abatement agreement.

(q) The tax abatement agreement shall be personal to Velocity and shall only be assignable upon written approval of the assignment by the City's Director of the Office of Economic Development.

(r) Velocity shall execute a formal agreement with the Dallas Independent School District (DISD) by December 31, 2019 to participate as an Industry Partner in the Pathway to Technology Early College High School (P-TECH) program.

(s) Development of the real property shall conform to all requirements of the City's zoning ordinance and that the use of the real property is consistent with the general purpose of encouraging development or redevelopment in the Enterprise Zone during the period the tax abatement is in effect.

SECTION 6. That the tax abatement agreement is identified by the City as Contract No. ECO-2018-00007217.

SECTION 7. 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.

EXHIBIT A
MAP

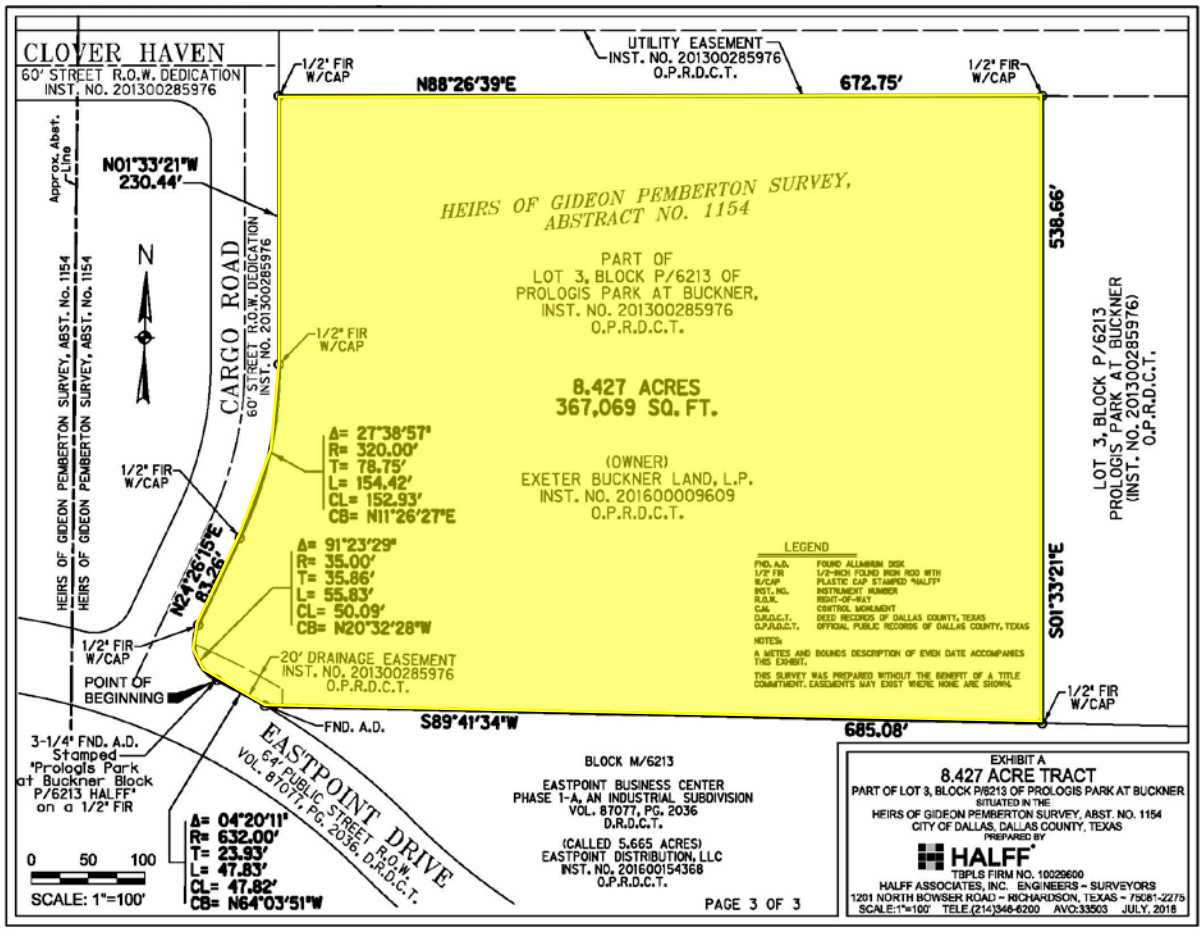


Exhibit B: Legal Description

PROPOSED LOT 3A, BLOCK P/6213
8.427 acre (367,069 square foot)
PART OF LOT 3, BLOCK P/6213 OF PROLOGIS PARK AT BUCKNER
SITUATED IN THE
GIDEON PEMBERTON SURVEY, ABSTRACT NUMBER 1154
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 8.427 acre (367,069 square foot) tract of land situated in the Heirs of Gideon Pemberton Survey, Abstract Number 1154, City of Dallas, Dallas County, Texas, and being part of Lot 3, Block P/6213 of Prologis Park at Buckner, Lots 1-3, Block P/6213, an addition to the City of Dallas, Dallas County, Texas, as recorded in Instrument Number 201300285976 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and being all of a tract of land described in Special Warranty Deed to Exeter Buckner Land, L.P., as recorded in Instrument Number 201600009609, O.P.R.D.C.T., and being more particularly described as follows:

BEGINNING at a 3 1/4-inch found aluminum disk stamped "PROLOGIS PARK AT BUCKNER BLOCK P/6213 HALFF" on a 1/2-inch found iron rod (hereinafter referred to as "found AD") at the intersection of the northeast right-of-way line of Eastpoint Drive (a 64-foot wide public street right-of-way) and the southeast right-of-way line of Cargo Road (a 60-foot wide street right-of-way), said corner being the point of curvature of a non-tangent circular curve to the right, having a radius of 35.00 feet, chord that bears North 20 degrees 32 minutes 28 seconds West, a distance of 50.09 feet;

THENCE with the east right-of-way line of said Cargo Road, the west line of said Lot 3, the following bearings and distances:

Northeasterly, with said curve, through a central angle of 91 degrees 23 minutes 29 seconds, an arc distance of 55.83 feet to a 1/2-inch found iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for corner;

North 24 degrees 26 minutes 15 seconds East, a distance of 83.26 feet to a 1/2-inch found iron rod with cap for corner, said corner being the point of curvature of a non-tangent circular curve to the left having a radius of 320.00 feet, chord that bears North 11 degrees 26 minutes 27 seconds East, a distance of 152.93 feet;

Northeasterly, with said curve, through a central angle of 27 degrees 38 minutes 57 seconds, an arc distance of 154.42 feet to a 1/2-inch found iron rod with cap for corner;

North 01 degree 33 minutes 21 seconds West, a distance of 230.44 feet to a 1/2-inch found iron rod with cap for the common northwest corner of Lot 3 and an "ell" corner of Lot 1 of said Prologis Park at Buckner;

Exhibit B: Legal Description

THENCE North 88 degrees 26 minutes 39 seconds East, departing the east right-of-way line of said Cargo Road and with the common north line of said Lot 3 and the south line of said Lot 1, a distance of 672.75 feet to a 1/2-inch found iron rod with cap for corner:

THENCE South 01 degree 33 minutes 21 seconds East, departing said common line and over and across said Lot 3, a distance of 538.66 feet to a 1/2-inch found iron rod with cap for corner on the south line of said Lot 3 and the north line of a called 5.665 acre tract of land described as “Eastpoint III” in deed to East point Distribution, LLC, as recorded in Instrument Number 201600154368, O.P.R.D.C.T.;

THENCE South 89 degrees 41 minutes 34 seconds West, with the south line of said Lot 3 and the north line of said 5.665 acre tract, a distance of 685.08 feet to a found A.D. for corner, said corner being on the northeast right-of-way line of said Eastpoint Drive (a 64-foot wide public street right-of-way) and the point of curvature of a non-tangent circular curve to the left, having a radius of 632.00 feet, chord that bears North 64 degrees 03 minutes 51 seconds West, a distance of 47.82 feet;

THENCE Westerly, with the northeast right-of-way line of said Eastpoint Drive, the southwest line of said Lot 3, and with said curve, through a central angle of 04 degrees 20 minutes 11 seconds, an arc distance of 47.83 feet to the POINT OF BEGINNING AND CONTAINING 8.427 acres (367,069 square feet) of land, more or less.

Agenda Information Sheet

File #: 18-1019 **Item #:** 62.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 5

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District, on the north line of Lake June Road, east of Holcomb Road
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z167-146(PD)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, OCTOBER 24, 2018**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-146(PD) **DATE FILED:** December 2, 2016

LOCATION: North line of Lake June Road, east of Holcomb Road

COUNCIL DISTRICT: 5 **MAPSCO:** 58 M

SIZE OF REQUEST: ±3.00 acres **CENSUS TRACT:** 92.01

APPLICANT/OWNER: Fahim Mumith/Omran Mumith

REPRESENTATIVE: Ernest Warnock, Architect

REQUEST: An application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District.

SUMMARY: The applicant proposes to develop the site with a mixed use development consisting of retail, office, restaurant and neighborhood service uses. Deed restrictions were volunteered by the applicant to restrict various CR Community Retail uses such as all industrial uses, lodging uses, residential uses, and transportation uses.

CPC RECOMMENDATION: **Approval**, subject to deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: **Approval**, subject to deed restrictions volunteered by the applicant.

BACKGROUND:

- The request site is approximately 3.00 acres of land consisting of three undeveloped lots and two lots containing single family dwellings.

- The 3.00-acre request site is part of a larger 5.82-acre area of land. The applicant intends to develop the remaining 2.82 acres of land with single family dwellings due to the proximity to the adjacent R-7.5(A) Single Family District to the north.

- No commercial or retail uses are allowed in the existing residential district; therefore, the applicant is seeking to rezone the property to a CR Community Retail District. Of the 78 uses permitted within the proposed CR District, 43 of these uses have been prohibited through deed restriction volunteered by the applicant.

- To ensure that the proposed request does not have a negative impact on the adjacent R-7.5(A) District, the applicant has volunteered deed restrictions prohibiting 43 uses.

- Since the August 16, 2018, CPC meeting, the applicant has offered additional restrictions. The primary additions to the deed restrictions include 1) prohibiting a mini-warehouse use, 2) outdoor microphones and speakers for drive-through restaurants have been prohibited along the perimeters of the site with residential adjacency, and 3) restricting motor vehicle access from the proposed retail district through the adjacent residential district.

Zoning History: There have been six zoning requests within the last five years.

1. **Z156-359** On January 11, 2017, the City Council approved the renewal of SUP No. 2137 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.

2. **Z123-297** On October 8, 2013 the City Council approved the renewal of SUP No. 1871 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.

3. **Z123-161** On March 19, 2013, staff approved the automatic renewal of SUP No. 1866 for the sale of alcohol in conjunction with a general merchandise or food store 3,500 square feet or less, for an additional five-year period.

4. Z123-228 On June 26, 2013, the City Council created Specific Use Permit No. 1867 for the sale of alcohol in conjunction with a general merchandise or food store 3,500 square feet or less.

5. Z123-369 On December 12, 2013, staff approved the automatic renewal for an additional five-year period of SUP No. 1932 for the sale of alcohol in conjunction with a general merchandise or food store greater than 3,500 square feet.

6. Z134-242 On February 11, 2015, the City Council approved a CR Community Retail District, a D-1 Liquor Control Overlay, a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet, and termination of deed restrictions on the subject property.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Holcomb Road	Local	50 feet
Lake June Road	Principal Arterial	100 feet
N. Prairie Creek Road	Principal Arterial	100 feet

Traffic:

The Engineering Division of the Department of Sustainable Development and Construction reviewed the proposed zoning and determined it will not have a negative impact on the existing street system.

Surrounding Land Use:

	Zoning	Land Use
Site	R-7.5(A)	Undeveloped, Single Family
North	R-7.5(A)	Single Family
East	R-7.5(A)	Single Family
South	RR; CR-D-1; SUP No. 2137; SUP No. 1866	Retail, laundromat, motor vehicle fueling station, & carwash
West	CR-D-1; SUP No. 1871; R-7.5(A)	Single Family & Retail

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

LAND USE ELEMENT

GOAL 1.1 Align land use strategies with economic development priorities.

Policy 1.1.15 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

Implementation measure 1.1.5.3 Encourage neighborhood-serving office, retail, or other non-residential uses to be located in residential community areas, primarily on significant roadways or at key intersections.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.3 Encourage complementary building height, scale, design and character.

Policy 5.2.1 Maintain neighborhood scale and character.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Land Use Compatibility:

The ±3.00-acre site currently consists of five lots, with three undeveloped lots and two lots developed with single family wood framed homes. The request site is immediately adjacent to single family to the north and east, to the west single family, CR-D-1 Community Retail with a D-1 Dry Overlay and SUP No. 1871, for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, and retail uses to the south. The request to rezone the site is to allow for a mixed-use development consisting of retail, office, restaurant, and neighborhood service uses.

The request site is currently zoned an R-7.5(A) Single Family District. The current request to change the zoning to a CR Community Retail District will allow for the future development of some uses allowed in the CR Community Retail District. However, the applicant has proposed restrictions to narrow the list of permitted uses, restrict the

perimeter of the property closest to single family uses by prohibiting noise generating uses, limited the location of these noise generating uses when located within 30 feet of the western and northern boundary of the property and 60 feet within the eastern boundary of the property, as well as restricting motor vehicle access to the single family districts through the proposed CR District.

Additionally, the Dallas Development Code provides greater consideration where residential adjacency exists. To develop the subject site, a ten-foot-wide landscape buffer must be provided to separate the proposed retail uses from the residential uses to the west, north and east as well as requiring screening of all dumpsters with a minimum six feet high, and solid in nature fence.

The proposed CR Community Retail District is described as being able to accommodate community-serving retail, personal services and office uses principally servicing and at a scale and intensity compatible with residential communities. Rezoning these parcels of land to CR and locating the proposed development more toward the Lake June Road frontage will maintain the neighborhood scale and character by allowing small-scale retail, personal service, and office uses within walking distance to the retail uses to the south fronting Lake June Road. The subject 3.00-acre property is consistent with the land use pattern along the southern portion of the site fronting Lake June Road. The applicant has an additional 2.82-acre property as part of the larger area that is proposed to be developed with single family uses consistent with the residential uses to the west, north and east.

Staff recommends approval and supports the applicant's voluntary restrictions because they address many potential nuisances foreseen to be incompatible with the surrounding properties.

Parking:

Parking will be provided according to the Dallas Development Code.

Landscaping and Screening:

Landscaping and screening will be provided per Article X, as amended.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
R-7.5(A) - existing Single Family	25'	5'	1 Dwelling Unit/ 7,500 sq. ft.	30'	45%		Single family
CR - proposed Community retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office

A comparison chart of uses allowed in the proposed CR Community Retail District, the existing R-7.5(A) Single Family District follows.

Comparison Use Chart

	Proposed	Existing
Use	**CR**	**R-7.5(A)**
~~Crop production.~~	**DR**	**X**
~~Building repair and maintenance shop.~~	**DR**	**P**
Catering Service.	**X**	**P**
Custom business services.	**X**	**P**
Electronics service center.	**X**	**P**
~~Medical or scientific laboratory.~~	**DR**	**P**
Tool or equipment rental.	**X**	**P**
~~Gas drilling and production~~	**DR**	**SUP**
~~Temporary concrete or asphalt batching plant.~~	**DR**	**See Use Regs**
Adult daycare facility.	**X**	**SUP**
~~Cemetery or mausoleum.~~	**DR**	**SUP**
Child-care facility.	**X**	**SUP**
Church	**X**	**X**
~~College, university, or seminary.~~	**DR**	**SUP**
~~Community service center.~~	**DR**	**SUP**
~~Convent or monastery.~~	**DR**	**SUP**
~~Hospital.~~	**DR**	**P**
Library, art gallery, or museum.	**X**	**SUP**
~~Open-enrollment charter school or private school.~~	**DR**	**SUP**
~~Public school other than an open-enrollment charter school.~~	**DR**	**SUP**
~~Hotel and motel.~~	**DR**	**P**
~~Lodging or boarding house.~~	**DR**	**P**
~~Overnight general purpose shelter.~~	**DR**	**P**
~~Attached non-premise sign.~~	**DR**	**P**
~~Carnival or circus (temporary).~~	**DR**	**See Use Regs**
Temporary construction or sales office.	**X**	**X**
Financial institution without drive-in window limited to ATM.	**X**	**P**

Financial institution with drive-in window.	**X**	**P**
Alternative Financial Institution	**SUP**	
Medical clinic or ambulatory surgical center.	**X**	**P**
Office.	**X**	**P**
~~Country club with private membership.~~	**DR**	**SUP**
~~Private recreation center, club, or area.~~	**DR**	**SUP**
Public park, playground, or golf course.	**X**	**X**
~~College dormitory, fraternity, or sorority house.~~	**DR**	**P**
Alcoholic beverage establishments.	**SUP**	**P**
Ambulance service.	**RAR**	**P**
~~Animal shelter or clinic without outside runs.~~	**DR**	**P**
~~Auto service center.~~	**DR**	**P**
~~Business school.~~	**DR**	**P**
~~Car wash.~~	**DR**	**P**
Commercial amusement (inside).	**SUP**	**P**
~~Commercial amusement (outside).~~	**DR**	**P**
~~Commercial parking lot or garage.~~	**DR**	**P**
Convenience store with drive-thru.	**SUP**	
Dry cleaning or laundry store.	**X**	**P**
Furniture store.	**X**	**P**
General merchandise or food store less than 3,500 square feet.	**X**	**P**
General merchandise or food store greater than 3,500 square feet.	**X**	**P**
General merchandise or food store 100,000 square feet or more.	**X**	**P**
Home improvement center, lumber, brick or building materials sales yard.	**X**	**P**
Household equipment and appliance repair.	**X**	**P**
~~Liquor store.~~	**DR**	**P**
~~Mortuary, funeral home, or commercial wedding chapel.~~	**DR**	**P**
Motor vehicle fueling station.	**X**	**P**
Nursery, garden shop, or plant sales.	**X**	**P**
~~Pawn shop.~~	**DR**	**P**
Personal service uses.	**X**	**P**

Restaurant without drive-in or drive-through service.	**X**	**P**
Restaurant with drive-in or drive-through service.	**X**	**P**
~~Swap or buy shop.~~	**DR**	**P**
Temporary retail use.	**X**	**P**
Theater.	**X**	**P**
~~Transit passenger shelter.~~	**DR**	**See Use Regs**
~~Transit passenger station or transfer center.~~	**DR**	**SUP**
~~Commercial radio and television transmitting station.~~	**DR**	**P**
~~Electrical substation.~~	**DR**	**SUP**
~~Local utilities.~~	**DR**	**SUP or RAR**
Police or fire station.	**X**	**SUP**
Post office.	**X**	**P**
Radio, television, or microwave tower.	**SUP**	**SUP**
Tower/antenna for cellular communication.	**X**	**See Use Regs**
~~Utility or government installation other than listed.~~	**DR**	**SUP**
~~Mini-warehouse.~~	**DR**	**P**
~~Recycling buy-back center.~~	**DR**	**P**
~~Recycling collection center.~~	**DR**	**P**
~~Recycling drop-off container.~~	**DR**	**See Use Regs**
~~Recycling drop-off for special occasion collection.~~	**DR**	**See Use Regs**
~~Accessory helistop.~~	**DR**	**P**
~~Accessory medical/infectious waste incinerator.~~	**DR**	**P**
X *indicates permitted by right.* ***SUP*** *indicates permitted with a Specific Use Permit.* ***See Use Regs*** *indicates permitted, but that the use must conform to specific regulations in different districts, as outlined in the Development Code.* ***P*** indicates prohibited ***~~Strikethrough text~~*** *indicates items which are being voluntarily deed restricted (***DR***). Those uses will not be allowed.*		

Volunteered Deed Restrictions

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

(1) The following uses are prohibited:

(A) Agricultural uses.
-- Crop production.

(B) Commercial and business service uses.
-- Building repair and maintenance shop.
-- Medical or scientific laboratory.

(C) Industrial uses.
-- Gas drilling and production.
-- Temporary concrete or asphalt batching plant.

(D) Institutional and community service uses.
-- Cemetery or mausoleum.
-- College, university, or seminary.
-- Community service center.
-- Convent or monastery.
-- Hospital.
-- Open-enrollment charter school or private school.
-- Public school other than an open-enrollment charter school.

(E) Lodging uses.
-- Hotel and motel.
-- Lodging or boarding house.
-- Overnight general purpose shelter.

(F) Miscellaneous uses.
-- Attached non-premise sign.
-- Carnival or circus (temporary).

(G) Recreation uses.
-- Country club with private membership.
-- Private recreation center, club, or area.

(H) Residential uses.
-- College dormitory, fraternity, or sorority house.

(I) Retail and personal service uses.
-- Animal shelter or clinic without outside runs.

-- Auto service center.
-- Commercial amusement (outside).
-- Business school.
-- Car wash.
-- Commercial parking lot or garage.
-- Liquor store.
-- Mortuary, funeral home, or commercial wedding chapel.
-- Pawn shop.
-- Swap or buy shop.

(J) Transportation uses.
-- Transit passenger shelter.
-- Transit passenger station or transfer center.

(K) Utility and public service uses.
-- Commercial radio and television transmitting station.
-- Electrical substation.
-- Local utilities.
-- Utility or government installation other than listed.

(L) Wholesale, distribution, and storage uses.
-- Mini-warehouse
-- Recycling buy-back center.
-- Recycling collection center.
-- Recycling drop-off container.
-- Recycling drop-off for special occasion collection.

(M) Accessory uses.
-- Accessory helistop.
-- Accessory medical/infectious waste incinerator.

(2) For a motor vehicle fueling station, a restaurant with drive-in or drive through service, or a restaurant without drive-in or drive-through service, outdoor microphones or speakers are prohibited in the following locations:

(A) within 30 feet of the western boundary of the Property,
(B) within 30 feet of the northern boundary of the Property, and
(C) within 60 feet of the eastern boundary of the Property.

(3) For a motor vehicle fueling station, a restaurant with drive-in or drive through service, or a restaurant without drive-in or drive-through service, an acoustical engineer or the equivalent must certify that the design of the site will comply with the noise regulations of Article VI, “Environmental Performance Standards.”

(4) Vehicular ingress to and egress from the Property is limited to:

(A) two access points from Lake June Road, and

(B) may not exceed a depth of 205 feet from the north line of Lake June Road.

(5) A mutual access easement from the Property is restricted to 60 feet from the eastern boundary of the Property.

(6) Access to the adjacent residential property is restricted to the mutual access easement.

(7) A 6-foot tall masonry screening wall must be constructed along the western, northern, and eastern boundary of the Property.

CPC ACTION:
September 6, 2018

Motion: It was moved to recommend **approval** of a CR Community Retail District, subject to deed restrictions volunteered by the applicant to include a 6ft masonry screening wall constructed along the western, northern and eastern boundaries on property zoned an R-7.5(A) Single Family District, on the north line of Lake June Road, east of Holcomb Road.

Maker: Shidid
Second: Ridley
Result: Carried: 12 to 0

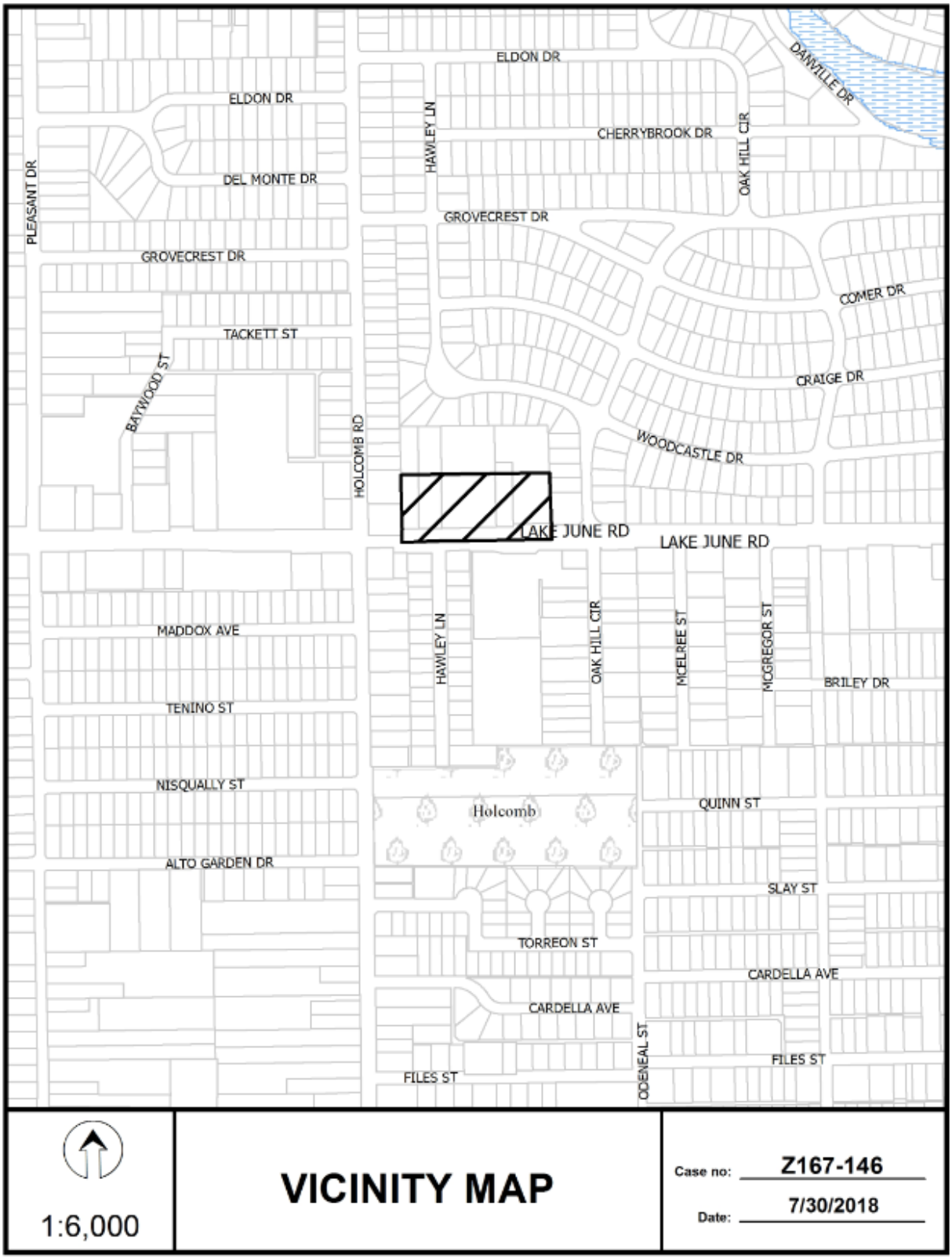
For: 12 - West, Rieves, Houston*, Davis, Shidid, Carpenter, Mack, Lewis, Schultz, Peadon, Ridley, Tarpley

Against: 0
Absent: 3 - Jung, Housewright, Murphy
Vacancy: 0

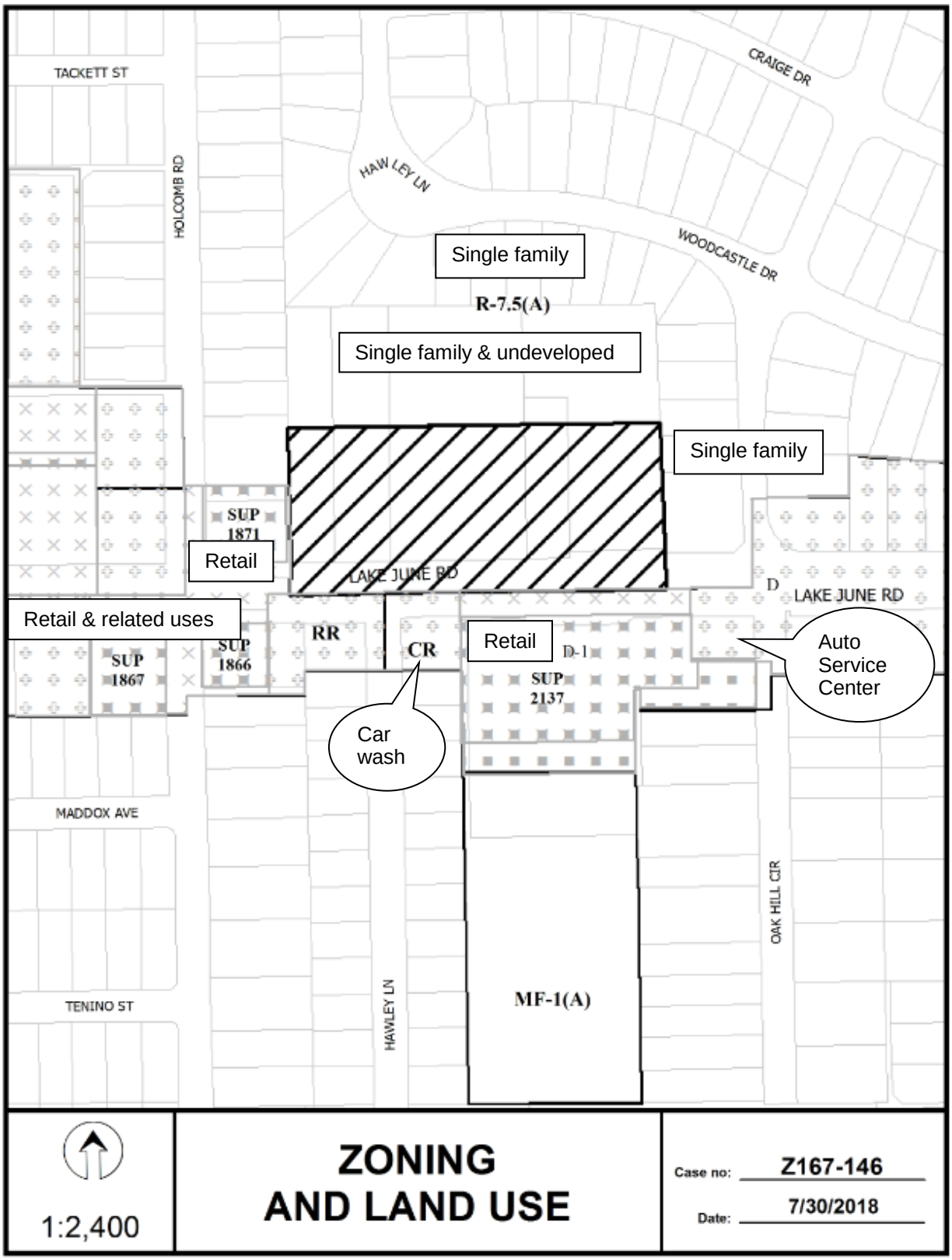
*out of the room, shown voting in favor

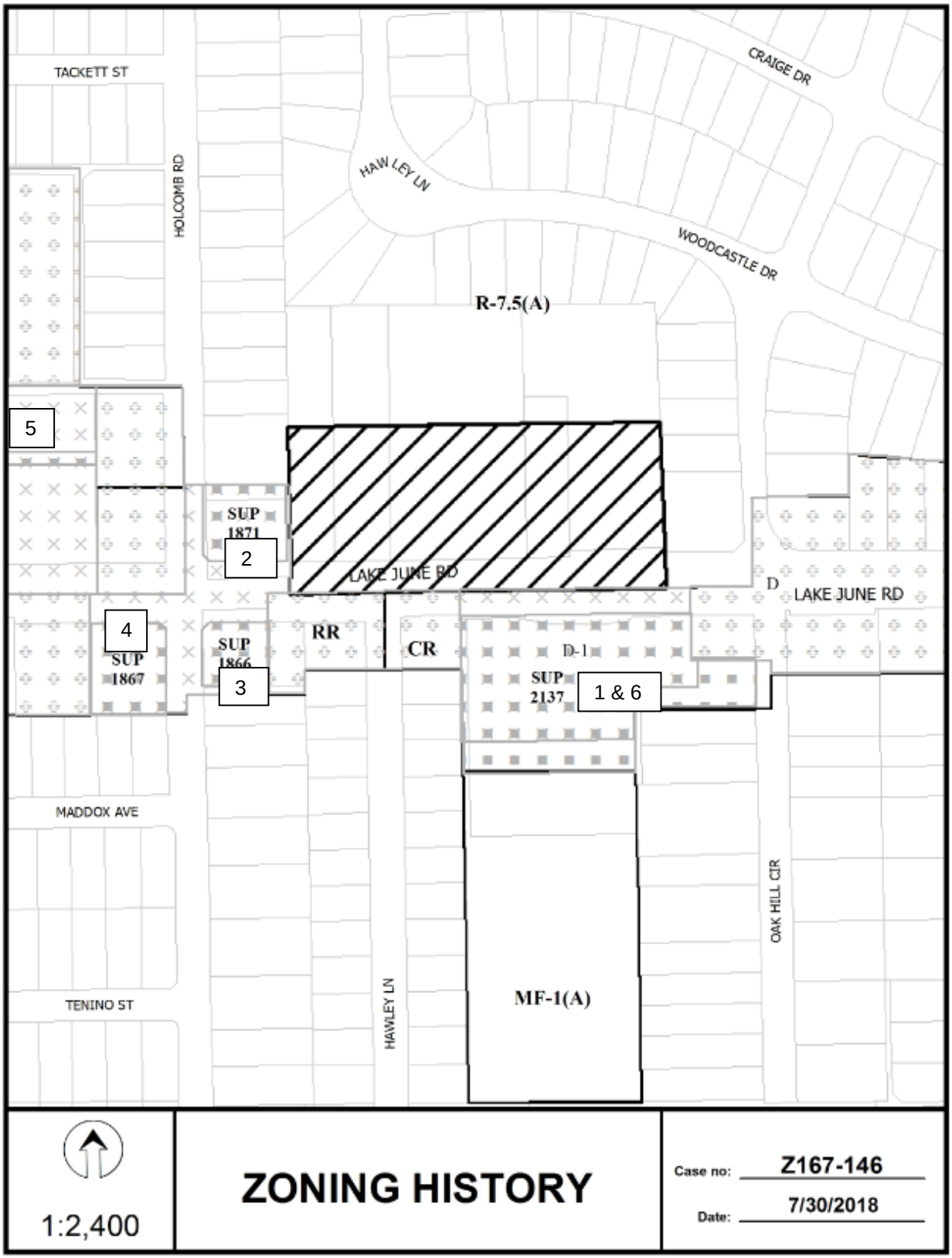
Notices: Area: 300 Mailed: 54
Replies: For: 1 Against: 0

Speakers: None

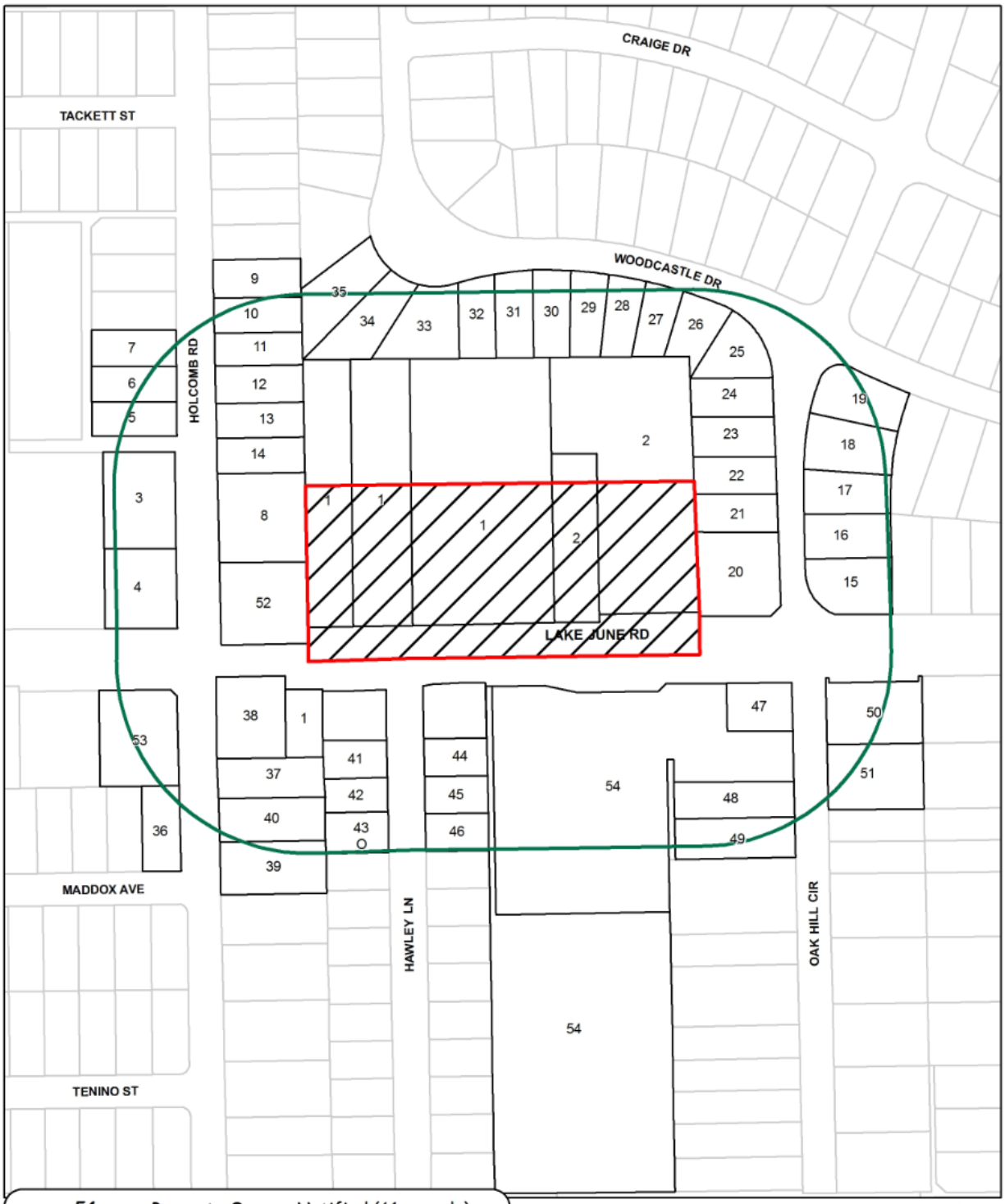

ELDON DR
ELDON DR
DANVILLE DR
HAWLEY LN
CHERRYBROOK DR
OAK HILL CIR
PLEASANT DR
DEL MONTE DR
GROVECREST DR
GROVECREST DR
COMER DR
TACKETT ST
BAYWOOD ST
CRAIGE DR
HOLCOMB RD
WOODCASTLE DR
LAKE JUNE RD
LAKE JUNE RD
MADDOX AVE
HAWLEY LN
OAK HILL CIR
MCELREE ST
MCGREGOR ST
BRILEY DR
TENINO ST
NISQUALLY ST
Holcomb
QUINN ST
ALTO GARDEN DR
SLAY ST
TORREON ST
CARDELLA AVE
CARDELLA AVE
ODENEAL ST
FILES ST
FILES ST
1:6,000
VICINITY MAP
Case no: Z167-146
Date: 7/30/2018


TACKETT ST
CRAIGE DR
HAWLEY LN
WOODCASTLE DR
HOLCOMB RD
LAKE JUNE RD
LAKE JUNE RD
MADDOX AVE
OAK HILL CIR
HAWLEY LN
TENINO ST
1:2,400
AERIAL MAP
Case no: Z167-146
Date: 7/30/2018


TACKETT ST
HOLCOMB RD
CRAIGE DR
HAW LEY LN
WOODCASTLE DR
Single family
R-7.5(A)
Single family & undeveloped
Single family
SUP 1871
Retail
LAKE JUNE RD
D
LAKE JUNE RD
Retail & related uses
RR
CR
Retail
D-1
SUP 1867
SUP 1866
SUP 2137
Auto Service Center
Car wash
MADDOX AVE
OAK HILL CIR
HAWLEY LN
MF-1(A)
TENINO ST
1:2,400
ZONING AND LAND USE
Case no: Z167-146
Date: 7/30/2018


TACKETT ST
HOLCOMB RD
HAW LEY LN
CRAIGE DR
WOODCASTLE DR
R-7.5(A)
5
SUP 1871
2
LAKE JUNE RD
D
LAKE JUNE RD
4
SUP 1867
SUP 1866
3
RR
CR
D-1
SUP 2137
1 & 6
MADDOX AVE
OAK HILL CIR
HAWLEY LN
TENINO ST
MF-1(A)
1:2,400
ZONING HISTORY
Case no: Z167-146
Date: 7/30/2018

CPC RESPONSES



09/05/2018

Reply List of Property Owners

Z167-146

54 Property Owners Notified ***1 Property Owner in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	8601	LAKE JUNE RD	MUMITH FAHIM
	2	8555	LAKE JUNE RD	MUMITH OMRAN
	3	8443	LAKE JUNE RD	MARTINEZ RUBEN
	4	8449	LAKE JUNE RD	ORTIZ JOSE & SANDRA
	5	1329	HOLCOMB RD	ROMANS MATTIE W
	6	1333	HOLCOMB RD	LOY BARBARA JO
	7	1339	HOLCOMB RD	SANTILLAN DANIEL GARCIA &
	8	1316	HOLCOMB RD	RAMIREZ JOSEFINA EST OF
	9	1406	HOLCOMB RD	MA PARTNERS 2
	10	1402	HOLCOMB RD	CONTRERAS CATARINO
	11	1338	HOLCOMB RD	MCINTIRE JAMEY S HAWKINS
	12	1332	HOLCOMB RD	RUIZ LUZ M
	13	1328	HOLCOMB RD	MORENO ROSA
	14	1324	HOLCOMB RD	MONGE JOSE &
	15	8701	LAKE JUNE RD	MONSIVAIS AMALIA ALONZO
	16	1306	OAK HILL CIR	FISHER MICHAEL W & BETTY R
	17	1310	OAK HILL CIR	HERNANDEZ CYNTHIA
	18	1316	OAK HILL CIR	SALGADO DOLORES & MIREYA SERRATO
	19	1320	OAK HILL CIR	CISNEROS RODOLFO RENE &
	20	8639	LAKE JUNE RD	MONSIVAIS GUADALUPE & YOMHARA
	21	1309	OAK HILL CIR	BENITEZ NORMA
	22	1313	OAK HILL CIR	HENDERSON LYNDELL &
	23	1317	OAK HILL CIR	ESPINOZA LUZ
	24	1321	OAK HILL CIR	BONER JOHNNY RAY
	25	8638	WOODCASTLE DR	FLORES RUEBEN
	26	8632	WOODCASTLE DR	LARA NOEL

09/05/2018

Reply	*Label #*	*Address*		*Owner*
	27	8628	WOODCASTLE DR	CORREA FELIPE G
	28	8624	WOODCASTLE DR	LOPEZ AUSTREVERTO RUIZ &
	29	8620	WOODCASTLE DR	HOCKER MARSHALL B
	30	8616	WOODCASTLE DR	SOUTHWEST EQUITY FUND LLC
	31	8612	WOODCASTLE DR	CLARK NORMA JEAN LF EST
	32	8608	WOODCASTLE DR	VARELA ADALBERTO RUIZ &
	33	8604	WOODCASTLE DR	ROBLESMENDEZ EZEQUIEL &
	34	8600	WOODCASTLE DR	RODRIGUEZ ZENON &
	35	1401	HAWLEY LN	DURON RICARDO MENDOZA
	36	8451	MADDOX AVE	ALVARADO JAVIER & OLIMPIA
	37	1236	HOLCOMB RD	DURAN JOSE JORGE
	38	8502	LAKE JUNE RD	CHIN ROBERT K &
	39	1224	HOLCOMB RD	MARTINEZ JACINTO &
	40	1232	HOLCOMB RD	DURAN YOENA
	41	1231	HAWLEY LN	HERNANDEZ ROGELIO
	42	1227	HAWLEY LN	MENDEZ BELEN V
O	43	1223	HAWLEY LN	RODRIGUEZ LISA ANN
	44	1230	HAWLEY LN	BEDOLLA MARTIN
	45	1226	HAWLEY LN	MECCA APRIL INC
	46	1222	HAWLEY LN	GONZALEZ EFRAIN & ANDREA
	47	8640	LAKE JUNE RD	VILLEGAS VICTOR & MARIA
	48	1229	OAK HILL CIR	ADVANCE EMPIRE GROUP INC
	49	1225	OAK HILL CIR	RUEDA ALFREDO & MAYELA
	50	8700	LAKE JUNE RD	MENDOZA JUAN R &
	51	1232	OAK HILL CIR	THOMAS EMMA EST OF
	52	8505	LAKE JUNE RD	CLUB CREEK RENTAL PROPERTY LLC
	53	8470	LAKE JUNE RD	A & Z TASTY FOODS LP
	54	8620	LAKE JUNE RD	SIKKA INVESTMENTS LLC

Agenda Information Sheet

File #: 18-1020 **Item #:** 63.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 13

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 353, on the northwest corner of Inwood Road and Willow Lane
Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan, a revised development plan, a revised landscape plan, a traffic management plan, and conditions
Z178-275(JM)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, OCTOBER 24, 2018**

ACM: Majed Al-Ghafry

FILE NUMBER: Z178-275(JM) **DATE FILED:** June 11, 2018

LOCATION: Northwest corner of Inwood Road and Willow Lane

COUNCIL DISTRICT: 13 **MAPSCO:** 14 V; Z

SIZE OF REQUEST: ±27.18 acres **CENSUS TRACT:** 96.03

APPLICANT/OWNER: Jesuit High School

REPRESENTATIVE: William Dahlstrom, Jackson Walker, LLP

REQUEST: An application for an amendment to Planned Development District No. 353.

SUMMARY: The purpose of this request is to allow for the addition of a natatorium, an administrative office, and a chapel, requiring an increase in the maximum allowable floor area and lot coverage. [Jesuit High School]

STAFF RECOMMENDATION: **Approval**, subject to a revised conceptual plan, a revised development plan, a revised landscape plan, a traffic management plan, and conditions.

CPC RECOMMENDATION: **Approval**, subject to a revised conceptual plan, a revised development plan, a revised landscape plan, a traffic management plan, and conditions.

BACKGROUND INFORMATION:

- Planned Development District No. 353 was established in 1992 and contains 27.18 acres for R-16(A) uses, including a private school [Jesuit High School].
- The campus is allowed to provide common school uses like classrooms, parking, administration offices, a library, and athletic facilities, both indoor and outdoor, based on nine zones within the PD.
- The current request is to amend PD No. 353 in the following manners:
    - To define a school use as the school located at the site, for clarity.
    - To amend the boundaries of the different zones; updating the conceptual plan.
    - To allow a natatorium in Zone B-1.
        - Defining all parameters of use for the natatorium.
    - To provide for a 105,000 square-foot increase in overall floor area, from 300,000 square feet to 405,000 square feet, cumulatively. The increase in square footage requested would allow for the addition of a natatorium, an administrative office, and a chapel.
    - To allow an increase in lot coverage from 250,000 square feet to 290,000 square feet.
    - To provide awnings for walkways and a porte cochere at the front of the school, along the northeast frontage on Inwood Road.
    - To return the required parking to the Dallas Development Code standard of nine-and-a-half spaces per senior classroom and allow remote parking in PD No. 983, south across Willow Lane, to count for required parking.

Zoning History: There have been two zoning requests within the area in the last five years.

1. **Z134-249:** On October 8, 2014, the City Council approved an amendment to Specific Use Permit No. 959 for a Private school on property zoned an R-10(A) Single Family District and an R-16(A) Single Family District, located on the southwest corner of Inwood Road and Harvest Hill Road.

2. **Z156-365:** On January 25, 2017, the City Council approved an ordinance granting Planned Development District No. 982 for residential uses and a private recreation center, club or area, on the northwest corner of Forest lane and Inwood Road.

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system. No formal TMP exists for the school currently. There is an operational plan; however, it is not tied to zoning or permitting. A traffic management plan has been submitted with this request.

The proposed TMP indicates a new queueing line to accommodate an additional 11 vehicles within the site, which will alleviate existing queueing spillover onto Inwood Road.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Inwood Road	Minor Arterial	100 ft.	100 ft.
Willow Lane	Local	60 ft.	60 ft.
Dallas North Tollway	Freeway	Variable	Variable

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

LAND USE ELEMENT

GOAL 1.2 Promote desired development.

Policy 1.2.1 Use Vision Building Blocks as a general guide for desired development patterns.

The request site is within a residential building block where the school will continue to serve a specific need within the community.

Surrounding Land Uses:

	Zoning	Land Use
Site	PD No. 353	Private school
North	R-16(A) and SUP No. 959	Single family, Private school, and Church
East	CR Community Retail and PD No. 252,	Retail and Personal Service, Office, and Restaurant without drive-through
South	PD No. 458, PD No. 983, R-16(A)	Auto service center, Restaurant w/drive-through, Multifamily, Single family
West	R-16(A) and R-10(A)	Single family

Land Use Compatibility:

The request site is currently developed with a private school use. Surrounding land uses include: single family, private school, and church to the north; retail and personal service, office, and restaurant without drive-through to the east; auto service center, restaurant without drive-through, multifamily, and single family to the south; and, single family to the west.

The addition of the natatorium, administrative offices, and a new chapel will serve the existing school members. According to the TMP, the all-male student high school had an enrollment of approximately 1,130 students for the 2017-2018 school year. This number is not expected to increase based on the additions requested. No new classrooms are proposed.

Parking:

Pursuant to PD No. 353, 306 parking spaces are required for the school use. The number of classrooms was not outlined in the PD. A search through approximately 10 Certificate of Occupancy records found no detail of classrooms. Although there is an increase in square-footage from 300,000 square feet to 405,000 square feet, no new classroom space has been added; therefore, the required parking would remain.

The existing detailed development plan (Exhibit 353B) identified the minimum of 306 parking spaces. However, the proposed revised development plan indicates that there will be 407 parking spaces on campus and 232 parking spaces available remotely, for a total of 639 parking spaces. The proposed revised plan also indicates there are 52 senior classrooms, requiring nine-and-a-half parking spaces each for a total of 494 parking spaces, per code, but not per the existing PD standards. The current request is to require parking per the Dallas Development Code, for which staff agrees.

PD No. 983, south of the site across Willow Lane, was established on January 25, 2017. The PD area contains over 29 acres for residential uses and a private recreation center, club or area. The PD language states that parking areas in Tract 1 may contain up to 260 parking spaces for use by the School (defined as the subject site—Jesuit College Preparatory School located north of Willow Lane and contained within PD No. 353) as remote parking. The proposed revised development plan for the subject site offers 232 remote parking spaces, which could be provided once this parking is constructed within PD No. 983. However, per the Dallas Development Code, remote parking is allowed only by a special parking license and is required within 600 feet of walking distance. The PD No. 983 parking lot area is approximately 1,500 feet from the main campus entrance at the northeast side of the subject site. This request includes an exemption for the PD No. 983 parking to count as remote parking for the subject site.

Landscaping:

Landscaping will be provided per the proposed revised landscape plan. The plan was reviewed by the chief arborist and found acceptable. Generally, the existing landscaping will remain, with a few protected trees being mitigated/replaced due to construction.

CPC Action
September 6, 2018

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 353, subject to a revised conceptual plan, a revised development plan, a revised landscape plan, a traffic management plan, and conditions on the northwest corner of Inwood Road and Willow Lane.

Maker: Murphy
Second: West
Result: Carried: 13 to 0

For: 13 - West, Rieves, Houston, Davis, Shidid, Carpenter, Mack, Lewis, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 2 - Jung, Housewright
Vacancy: 0

Notices: Area: 500 Mailed: 109
Replies: For: 24 Against: 1

Speakers: None

List of Officers

Jesuit Dallas

Board of Trustees

Mr. William L. Antes II
Mr. Edwin S. Bell, Jr. (Chair)
Rev. Carlos D. Esparza, S.J.
Mr. Thomas E. Garrison
Mr. Doug Lattner
Michael J. Marz
Mr. Clinton B. Shouse
Mr. Michael Terry
Mr. Kevin Bartholomew
Mr. David Berend
Mr. Michael A. Earsing
Mrs. Catherine Foxworth
Rev. Francis W. Huete, S.J.
Mr. John Leinbaugh
Rev. Robert E. Murphy, S.J.
Rev. Walter T. Sidney, S.J.
Mrs. Kathy Williams

Officers

Mr. Michael Earsing
Mr. Thomas Garrison
Mr. William Antes, II
Mr. David Berend
Mr. Alex Soich

Z178-275

CPC Recommended Conditions

ARTICLE 353.

PD 353.

SEC. 51P-353.101. LEGISLATIVE HISTORY.

PD 353 was established by Ordinance No. 21337, passed by the Dallas City Council on June 24, 1992. Ordinance No. 21337 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Ordinance No. 21337 was amended by Ordinance No. 21976, passed by the Dallas City Council on February 23, 1994. (Ord. Nos. 19455; 21337; 21976; 25850)

SEC. 51P-353.102. PROPERTY LOCATION AND SIZE.

PD 353 is established on property generally located at the northwest corner of Inwood Road and Willow Lane. The size of PD 353 is approximately 27.18 acres. (Ord. Nos. 21337; 25850)

SEC. 51P-353.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) In this article, SCHOOL means a private school located on the Property.

(c) Unless otherwise stated, all references to articles, division, or sections in this division are to articles, division, or sections in Chapter 51A. (Ord. 25850)

SEC. 51P-353.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 353A: conceptual plan.

(2) Exhibit 353B: development plan.

(3) Exhibit 353C: landscape plan.

(4) Exhibit 353D: traffic management plan.

SEC. 51P-353.104. CONCEPTUAL PLAN.

Use and development of the Property must comply with the conceptual plan (Exhibit 353A). In the event of a conflict between the text of this article and the conceptual plan, the text of this article controls. (Ord. Nos. 21337; 21976; 25850)

SEC. 51P-353.105. DETAILED DEVELOPMENT PLAN.

Development on the Property must comply with the detailed development plan (Exhibit 353B). A detailed development plan for subsequent phases of development on the Property must be submitted to and approved by the city plan commission prior to the issuance of any building permit for expansion of an existing structure, or for construction of any new structure on the Property. Any detailed development plan must comply with the conceptual plan. (Ord. Nos. 21337; 25850)

SEC. 51P-353.106. USES.

(a) In general. Only the following uses are permitted on the Property.

(1) Private school. For purposes of this article, private school includes recreation areas and athletic facilities, limited to playgrounds, parks, game courts, swimming pools, and playing fields. *[Additional restrictions on outdoor recreation and athletic facilities are contained in Subsection (c).]*

(2) Single family residential uses.

(b) Uses permitted by zone. Only the following uses are permitted in the zones indicated.

ZONE	USES PERMITTED
B-1, B-2, and B-3	**Classrooms, administration offices, indoor recreational and athletic facilities, faculty residences, food service facilities, arts and cultural facilities, auditoriums, library, research facilities, and parking.**
P	**Parking.**
A-1, A-4, and A-5	**Outdoor recreation area and athletic facilities limited to game courts, swimming pools, playgrounds, athletic fields, stadium seating, press facilities, restrooms, concession stands, ticket booths, maintenance buildings, and light standards.**
A-2	**Two light standards.**
A-3	**Playground.**
A-P	**All uses permitted in Zones A-1 and P.**

(c) Additional provisions for certain uses.

(1) Football stadium. Any amendment which would increase the height or seating capacity of the football stadium must comply with the zoning amendment procedures for

a change in zoning district classification, and must be reflected in the conceptual plan and planned development conditions governing the Property.

(2) Tennis courts.

(A) No tennis courts located on the western one-half of the Property may be lighted.

(B) Where lighting of outdoor tennis courts is permitted, all lighting must be shown on the approved development plan and must include the location and height of light poles or standards and type of lights to be used. The tennis court lighting must be adjusted so as not to produce glare that creates a traffic hazard on streets adjacent to the Property.

(3) Outdoor athletic facilities. The following restrictions apply to the use of all outdoor athletic facilities on the Property:

(A) No amplified sound is permitted from 11:00 p.m. through 8:00 a.m.

(B) Exterior lights may be illuminated only on Friday and Saturday and any two additional nights each week, except that tennis court lighting, where permitted, may be illuminated every night of the week.

(C) Exterior lights are permitted until 11:00 p.m. for football games and until 10:30 p.m. for all other authorized outdoor athletic activities.

(D) During the days and hours when exterior lights are authorized under Paragraphs (B) and (C), the outdoor athletic facilities may only be used by groups 19 years of age or younger; and by alumni groups, parents' groups, students, or faculty of the school located on the Property. Except as expressly provided in this article or the Dallas Development Code, there is no limitation on use of the outdoor facilities by alumni groups, parents' groups, students, or faculty of the school located on the Property.

(E) Only amateur groups are allowed to use the outdoor athletic facilities.

(F) Nonprofit amateur groups other than those described in Paragraph (D) may use the outdoor athletic facilities for special events provided the following requirements are satisfied:

(i) No more than six special events are permitted each year.

(ii) The use of the outdoor athletic facilities is restricted to the hours from 9:00 a.m. through 7:00 p.m.

(4) Natatorium.

(A) The natatorium in Zone B-1, as shown on the detailed development plan, is not available for public use.

(B) The natatorium may not be leased or otherwise authorized to be used by anyone other than the following users:

(i) the School, its faculty, its students, and its alumni;

(ii) participants in sports camps or other events sponsored by the School or its coaches;

(iii) students attending private schools within a four-mile radius of the School;

(iv) students from other private or public schools who are engaged in athletic practices or competitions with the students of the School; and

(v) coaches and spectators at any athletic practices or competitions, sports camps, or other allowed School-sponsored events. (Ord. Nos. 21976; 25850)

SEC. 51P-353.107. DEVELOPMENT STANDARDS FOR RESIDENTIAL USES.

The development standards applicable to the R-16(A) Single Family District, as provided in Chapter 51A, apply to single family residential uses on the Property. (Ord. Nos. 21337; 25850)

SEC. 51P-353.108. MAXIMUM FLOOR AREA.

Maximum floor area in Zones B-1, B-2, and B-3 combined is ~~290,000~~ 390,000 square feet. Maximum floor area in Zones A-1, A-4, A-5, A-P, and P combined is ~~10,000~~ 15,000 square feet. No floor area is allowed in Zone A-2 or A-3. (Ord. Nos. 21337; 25850)

SEC. 51P-353.109. HEIGHT AND STORIES.

Maximum heights and number of stories on the Property are as follows:

ZONE	STRUCTURE TYPE	MAXIMUM HEIGHT (in feet)	MAXIMUM NUMBER OF STORIES
Zone B-1	**Building**	**50**	**3**
Zone B-2 and B-3	**Building**	**30**	**2**
Zones A-1, A-2, A-4, A-5, P, and A-P	**Buildings**	**24**	**2**
	Light standards:		
	Football stadium	**70**	

Baseball stadium	**80**
Parking lots	**20**
Tennis Courts	**25**
Stadium seating, including press facilities	**30**

(Ord. Nos. 21976; 25850)

SEC. 51P-353.110. RESIDENTIAL PROXIMITY SLOPE.

(d) The residential proximity slope applies to structures on the Property as follows:

(1) The slope applies to all structures except those detailed in Paragraph (2).

(2) The slope does not apply to:

(A) Structures in Zones B-1, B-2, and B-3; and

(B) The three light standards and the stadium seating on the west side of the football stadium.

(e) This PD is considered to be a residential zoning district for purposes of determining the applicability of residential proximity slope regulations which restrict the heights of structures on property adjacent to this PD. (Ord. Nos. 21337; 25850)

SEC. 51P-353.111. LOT COVERAGE.

Maximum lot coverage on the Property is ~~250,000~~ 290,000 square feet. (Ord. Nos. 21337; 25850)

SEC. 51P-353.112. SETBACKS.

The following setbacks must be provided on the Property:

POINT FROM WHICH SETBACK IS MEASURED	REQUIRED SETBACK (in feet)
South property line	**40**
North property line	**30**
East property line:	
Zone A-P	**10**
Zone A-2	**5**
Zone P	**10**
Zone B-1	**35**
West property line:	

Zone A-1	**5**
Zone A-4	**25**
Zone A-5	**25**
Zone A-P	**25**
Zone B-2	**50**
Zone B-3	**25**

(Ord. Nos. 21337; 25850)

SEC. 51P-353.113. OFF-STREET PARKING.

(f) In general.

(1) Parking is permitted only in Zones P, A-P, B-1, B-2, and B-3, and in the setback area adjacent to the western and northern boundaries of the Property.

(2) ~~A minimum of 306 parking spaces must be provided on the Property for the school use.~~ Consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(3) Remote parking located within PD No. 983, south of Willow Lane and within 1,500 feet walking distance from the main northeast entrance of the School does not require a special parking license.

(4) All off-street parking must either be surface parking or be located below grade.

(g) Requirements for designated uses.

(1) Nine and one-half off-street parking spaces must be provided for each senior high school classroom.

(2) Three and one-half off-street parking spaces must be provided for each junior high/middle school classroom.

(3) One and one-half off-street parking spaces must be provided for each kindergarten/elementary school classroom.

(4) Two off-street parking spaces must be provided for each single family residential dwelling unit. The requirement in this paragraph does not apply to faculty residences on the Property. (Ord. Nos. 21337; 25850)

SEC.51P-353.113.1 TRAFFIC MANAGEMENT PLAN.

(a) In general. Operation of the uses must comply with the traffic management plan (Exhibit 706C).

(b) Queuing. Queuing is only permitted inside the Property. Student drop-off and pick-up are not permitted within city rights-of-way.

(c) Traffic study.

(1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the Director by November 1, 2020. After the initial traffic study, the Property owner or operator shall submit annual updates of the traffic study to the director by November 1st of each even-numbered year.

(2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different times over a two-week period, and must contain an analysis of the following:

(A) ingress and egress points;

(B) queue lengths;

(C) number and location of personnel assisting with loading and unloading of students;

(D) drop-off and pick-up locations;

(E) drop-off and pick-up hours for each grade level;

(F) hours for each grade level; and

(G) circulation.

(3) Within 30 days after submission of a traffic study, the Director shall determine if the current traffic management plan is sufficient.

(A) If the Director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

(B) If the Director determines that the current traffic management plan results in traffic hazards or traffic congestion, the Director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the Director shall notify the city plan commission.

(d) Amendment process.

(1) A traffic management plan may be amended using minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

(2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

SEC. 51P-353.114. OFF-STREET LOADING.

Off-street loading must be provided as indicated on the conceptual plan. (Ord. Nos. 21337; 25850)

SEC. 51P-353.115. LANDSCAPING.

Landscaping must be provided in accordance with the landscape plan (Exhibit 353C). All plant material must be maintained in a healthy, growing condition at all times. (Ord. Nos. 21337; 25850)

SEC. 51P-353.116. SIGNS.

(h) In general. Unless otherwise provided in Subsection (b), all signs must comply with the provisions for non-business zoning districts contained in 51A-7.400.

(i) Athletic facility signs. The messages for signs facing the baseball field on the inside of the baseball outfield fence must be visually screened from Ellensberg Drive, Ridgeside Drive, Heatherbrook Drive, Inwood Road, and Willow Lane, and may not project above the height of the outfield fence. Baseball and football stadium scoreboards are permitted provided that they do not individually exceed 300 square feet in effective area. The scoreboards may contain commercial advertising. (Ord. Nos. 21337; 25850)

SEC. 51P-353.117. LIGHTING.

Lighting on the Property must comply with the lighting requirements contained in Chapter 51A. The following additional restrictions apply to all stadium lights 70 feet or more in height on the west side of the football stadium:

(1) The luminance must not exceed 0.1 footcandle at any point on the ground five feet or more inside the boundary line and five feet above ground level of an adjacent building site in a residential district.

(2) The light sources must be shielded or directed so as not to be visible from a point five feet above ground level at the boundary line of that portion of a building site located in a residential district and within 200 feet of the light source.

(3) The baseball field lighting must be adjusted so as not to produce glare that creates a traffic hazard on streets adjacent to the Property. (Ord. Nos. 21337; 25850)

SEC. 51P-353.118. VEHICULAR ACCESS.

No vehicular access is allowed between the Property and Willow Lane. Any amendment which would allow vehicular access between the Property and Willow Lane must comply with

the zoning amendment procedures for a change in zoning district classification, and must be reflected in the conceptual plan and planned development conditions governing the Property. (Ord. Nos. 21337; 25850)

SEC. 51P-353.119. GENERAL REQUIREMENTS.

Use of the Property must comply with all applicable federal and state laws and regulations, and with all applicable ordinances, rules, and regulations of the city. (Ord. Nos. 21337; 25850)

SEC. 51P-353.120. PAVING.

All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation. (Ord. Nos. 21337; 25850)

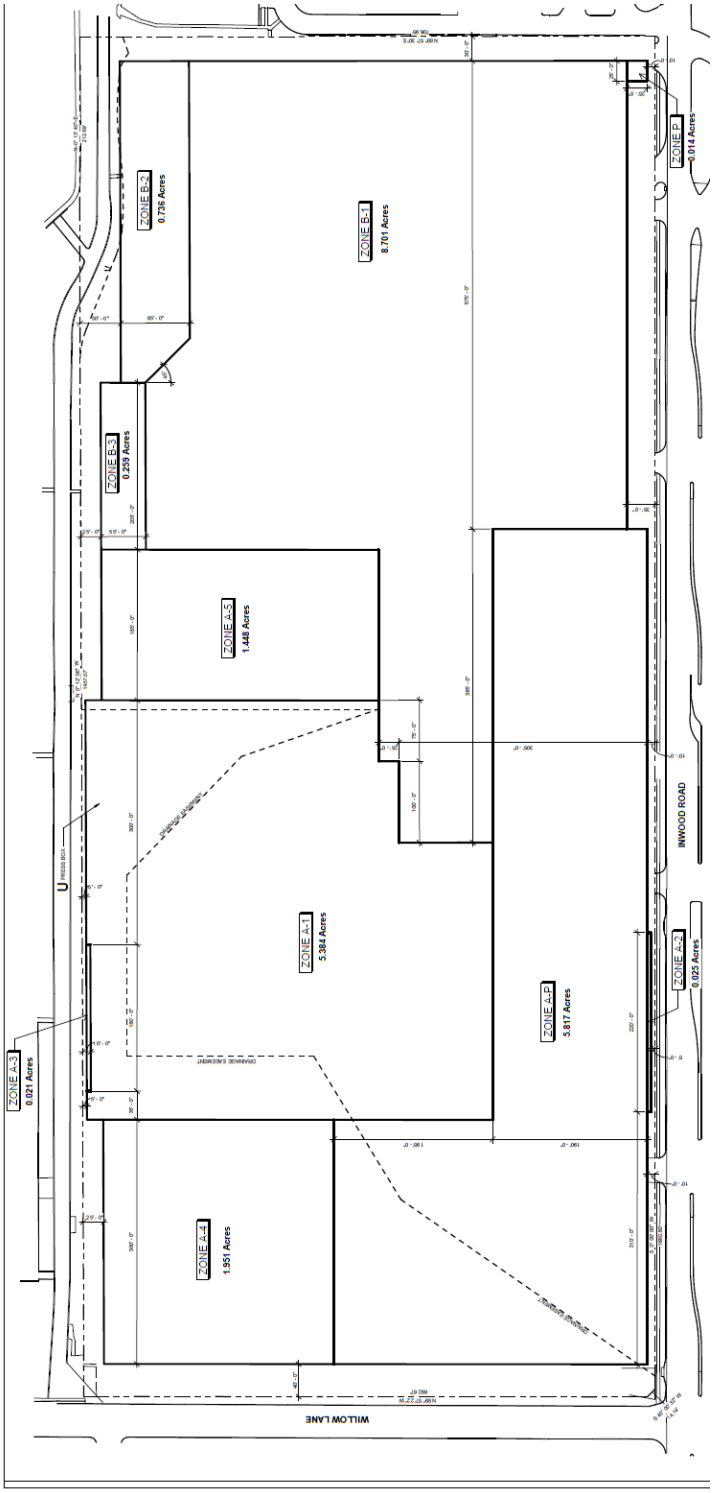
SEC. 51P-353.121. COMPLIANCE WITH CONDITIONS.

The building official shall not issue a building permit or certificate of occupancy for a use in this PD until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other applicable ordinances, rules, and regulations of the city. (Ord. Nos. 21337; 25850)

SEC. 51P-353.122. ZONING MAP.

PD 353 is located on Zoning Map No. D-7. (Ord. Nos. 21337; 25850)

Proposed Conceptual Plan



LAND AREA 27.18 ACRES

USES

Private school including recreation areas and athletic facilities, limited to playgrounds, parks, game courts, swimming pools, and playing fields.

USES BY ZONE

B-1, B-2, and B-3	Classrooms, administration offices, recreational and athletic facilities, faculty residences, food service facilities, arts and cultural facilities, auditoriums, library, research facilities, and parking.
P	Parking
A-1, A-4, and A-5	Outdoor recreation area and athletic facilities limited to game courts, swimming pools, playgrounds, athletic fields, stadium seating, related accessory uses, concession stands, ticket booths, maintenance buildings, and light standards.
A-2	Two light standards.
A-3	Playground.
A-P	All uses permitted in Zones A-1 and P.

MAXIMUM FLOOR AREA

B-1, B-2, and B-3 Combined = 390,000 sf
A-1, A-4, A-5, A-P, and P Combined = 30,000 sf
A-2 or A-3 = None

LOT COVERAGE

B-1, B-2, and B-3 Combined = 260,000 sf
A-1, A-4, A-5, A-P, and P Combined = 30,000 sf

SETBACKS

POINT FROM WHICH SETBACK IS MEASURED	REQUIRED SETBACK (in feet)
South property line	40
North property line	30
East property line:	
Zone A-P	10
Zone A-2	5
Zone P	10
Zone B-1	35
West property line:	
Zone A-1	5
Zone A-4	25
Zone A-5	25
Zone A-P	25
Zone B-2	50
Zone B-3	25

HEIGHT AND STORIES

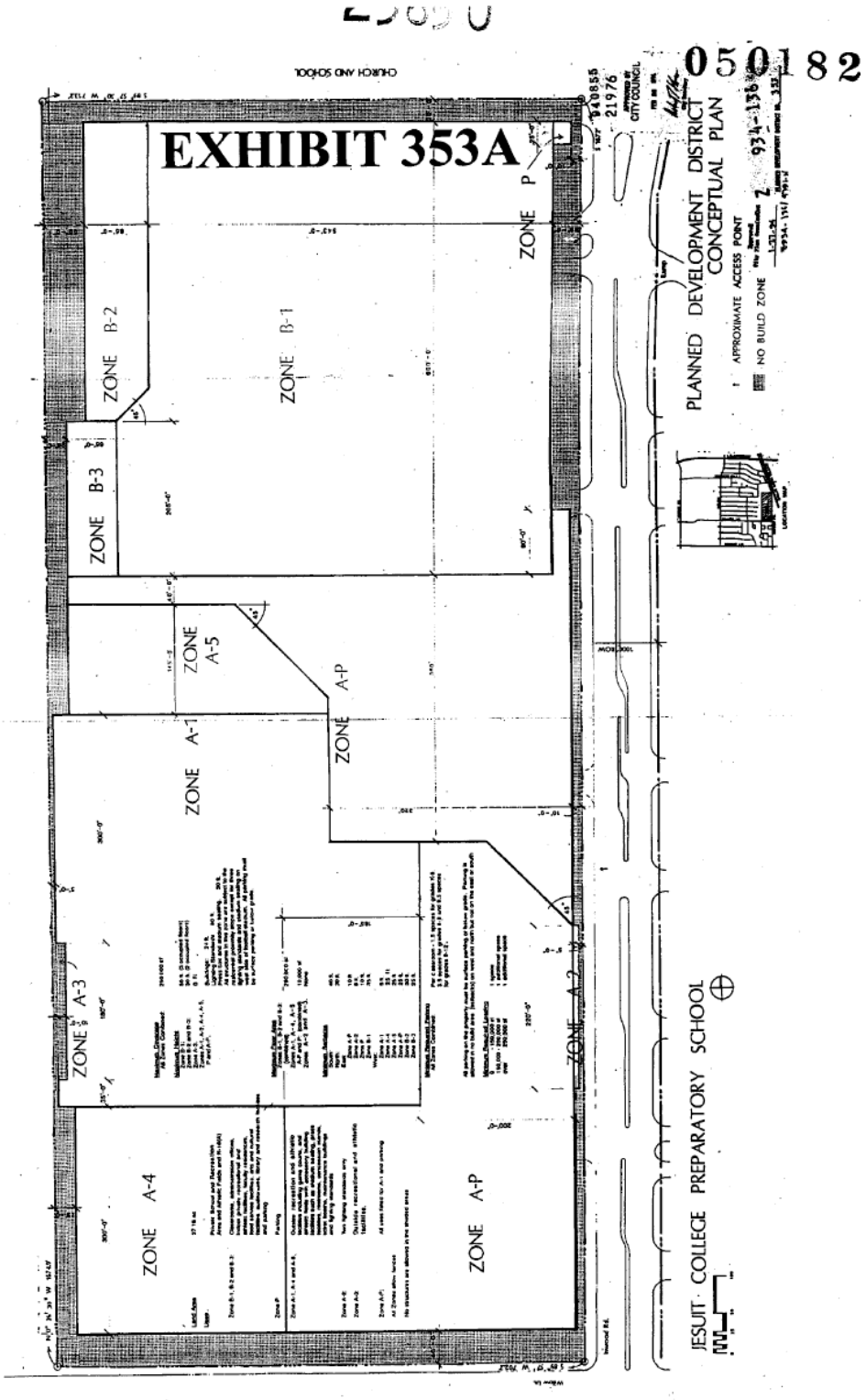
ZONE	STRUCTURE TYPE	MAXIMUM HEIGHT (in feet)	MAXIMUM NUMBER OF STORIES
Zone B-1	Buildings	50	3
Zone B-2 and B-3	Buildings	30	2
Zones A-1, A-2, A-4, A-5, P, AND A-P	Buildings	24	2
	Light standards		
	Football stadium	70	
	Baseball stadium	80	
	Parking lots	20	
	Tennis courts	25	
	Stadium Seating, including press facilities	30	

PARKING

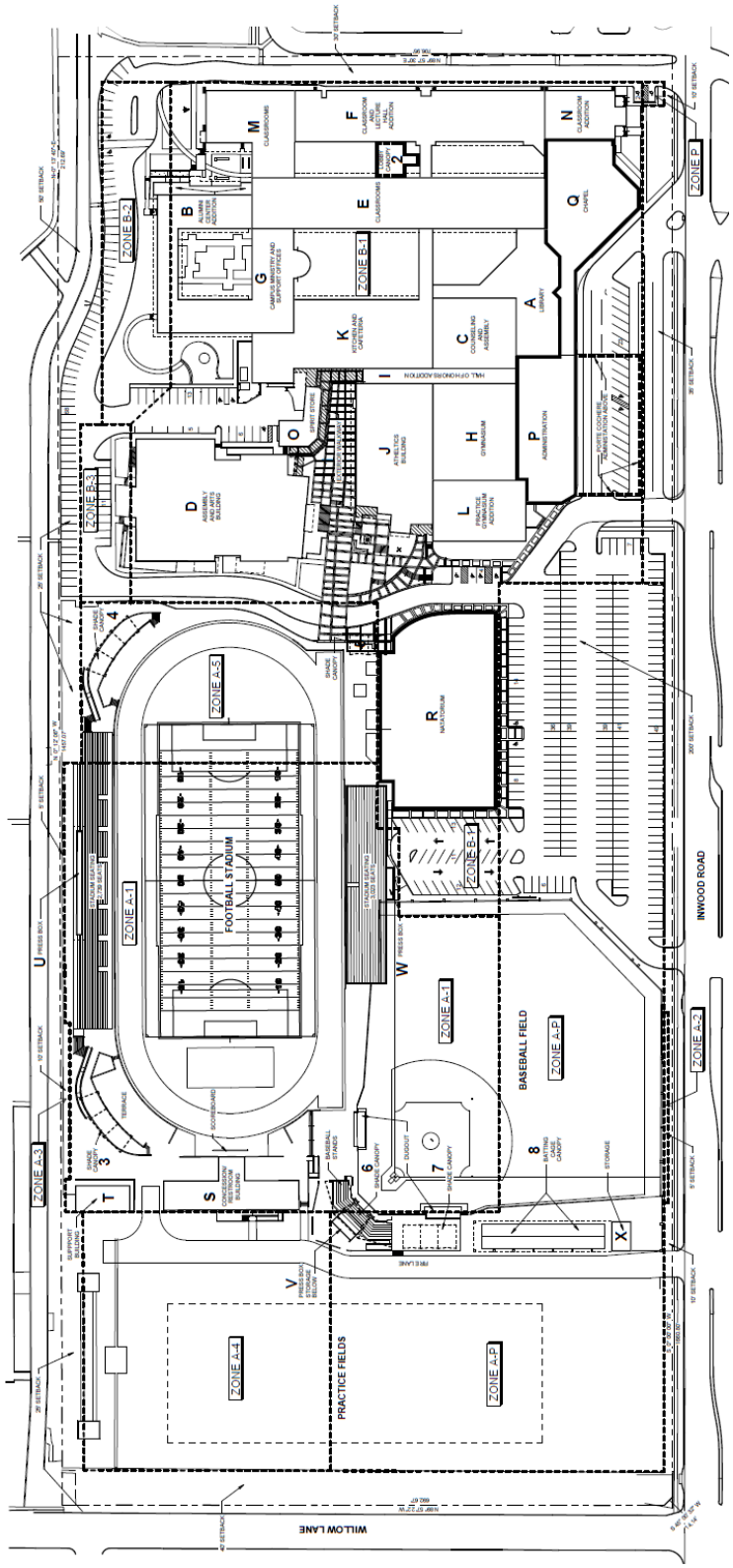
LOADING

REQUIREMENTS FOR DESIGNATED USES	MINIMUM REQUIRED LOADING	
Nine and one-half off-street parking spaces must be provided for each senior high school classroom	0 - 150,000 SF	1 space
	150,000 - 250,000 SF	1 additional space
Three and one-half off-street parking spaces must be provided for each junior high/middle school classroom.	over - 250,000 SF	1 additional space
One and one-half off-street parking spaces must be provided for each kindergarten/elementary school classroom.		

Existing Conceptual Plan



Proposed Development Plan



ZONES A-1, A-4, AND A-P

KEY	USE	BUILDING AREA	LOT COVERAGE AREA	NUMBER OF STORIES		BUILDING HEIGHT	
				ALLOWABLE	ACTUAL	ALLOWABLE	ACTUAL
S	CONCESSION / RESTROOMS	6,400 SF	6,400 SF	2	1	30'-0"	22'-0"
T	SUPPORT BUILDING	2,000 SF	2,000 SF	2	1	30'-0"	10'-0"
U	PRESS BOX - HOME	860 SF	860 SF	2	1	30'-0"	30'-0"
V	PRESS BOX / STORAGE	1,080 SF	730 SF	2	2	30'-0"	26'-0"
W	PRESS BOX - VISITOR	360 SF	360 SF	2	1	30'-0"	30'-0"
X	STORAGE	820 SF	820 SF	2	1	30'-0"	15'-0"
3	SOUTH SHADE CANOPY	N/A	1,560 SF	2	1	30'-0"	16'-0"
4	NORTH SHADE CANOPY	N/A	1,560 SF	2	1	30'-0"	16'-0"
5	ENTRY SHADE CANOPY	N/A	200 SF	2	1	30'-0"	16'-0"
6	STADIUM SHADE CANOPY	N/A	2,030 SF	2	1	30'-0"	16'-0"
7	PATIO SHADE CANOPY	N/A	1,620 SF	2	1	30'-0"	16'-0"
8	BATTING CAGE CANOPY	N/A	5,770 SF	2	1	30'-0"	16'-0"
	TOTAL	11,320 SF	24,530 SF				
	ALLOWABLE	15,000 SF	30,000 SF				

ZONES B-1, B-2, AND B-3

KEY	USE	BUILDING AREA	LOT COVERAGE AREA	NUMBER OF STORIES		BUILDING HEIGHT	
				ALLOWABLE	ACTUAL	ALLOWABLE	ACTUAL
A	LIBRARY	9,300 SF	9,300 SF	3	1	50'-0"	23'-10"
B	ALUMNI CENTER	1,400 SF	1,400 SF	2	1	30'-0"	14'- 0"
C	COUNSELING AND ASSEMBLY	17,500 SF	8,100 SF	3	2	50'-0"	23'-10"
D	ASSEMBLY AND ARTS BUILDING	55,900 SF	24,700 SF	3	6	50'-0"	48'- 0"
E	CLASSROOMS	34,600 SF	17,300 SF	3	2	50'-0"	23'-10"
F	CLASSROOM AND LECTURE HALL	28,800 SF	16,200 SF	3	2	50'-0"	23'-10"
G	CAMPUS MINISTRY AND SUPPORT	17,300 SF	17,300 SF	2	1	30'-0"	12'- 8"
H	GYMNASIUM	10,900 SF	10,900 SF	3	2	50'-0"	39'- 6"
I	HALL OF HONORS	2,800 SF	2,800 SF	3	1	50'-0"	20'- 0"
J	ATHLETICS BUILDING	42,100 SF	14,700 SF	3	3	50'-0"	48'- 6"
K	KITCHEN AND CAFETERIA	17,100 SF	17,100 SF	3	1	50'-0"	14'- 6"
L	PRACTICE GYMNASIUM	17,800 SF	17,800 SF	3	1	50'-0"	48'- 6"
M	CLASSROOMS	26,800 SF	13,500 SF	3	2	50'-0"	39'- 6"
N	CLASSROOM ADDITION	11,600 SF	5,100 SF	3	2	50'-0"	23'-10"
O	SPIRIT STORE	2,200 SF	2,200 SF	3	1	50'-0"	23'-10"
P	ADMINISTRATION	35,000 SF	23,800 SF	3	2	50'-0"	30'- 0"
Q	CHAPEL	25,000 SF	19,500 SF	3	2	50'-0"	50'- 0"
R	NATATORIUM	40,000 SF	28,500 SF	3	3	50'-0"	50'- 0"
1	EXTERIOR WALKWAY	N/A	2,600 SF	3	1	50'-0"	15'- 0"
2	LOBBY CANOPY	N/A	1,700 SF	3	1	50'-0"	15'- 0"
	TOTAL	385,900 SF	244,500 SF				
	ALLOWABLE	390,000 SF	260,000 SF				

MINIMUM PARKING REQUIRED

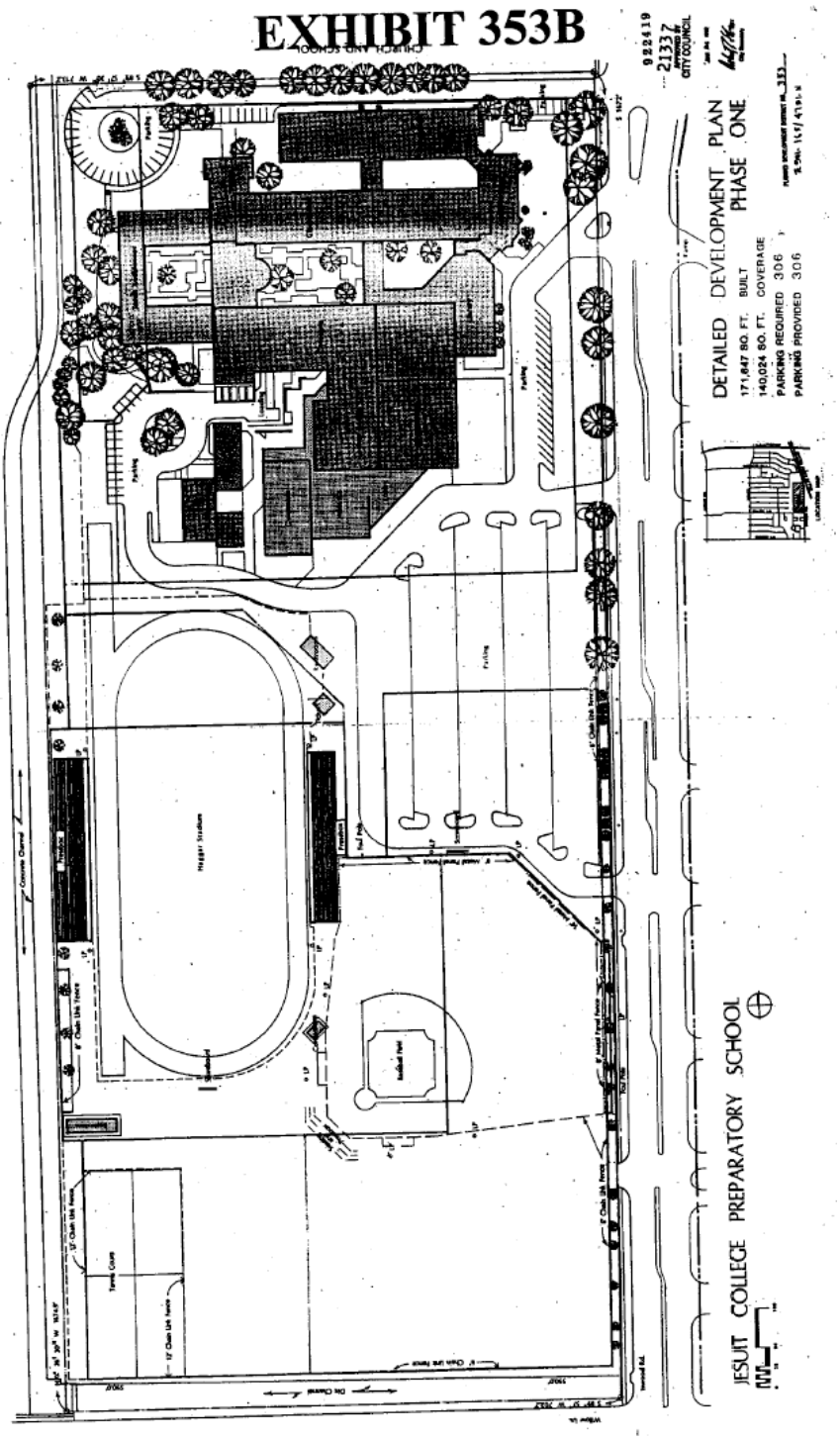
52 SENIOR CLASSROOMS @ 9.5 SPACES / CLASSROOM = 494

PARKING PROVIDED

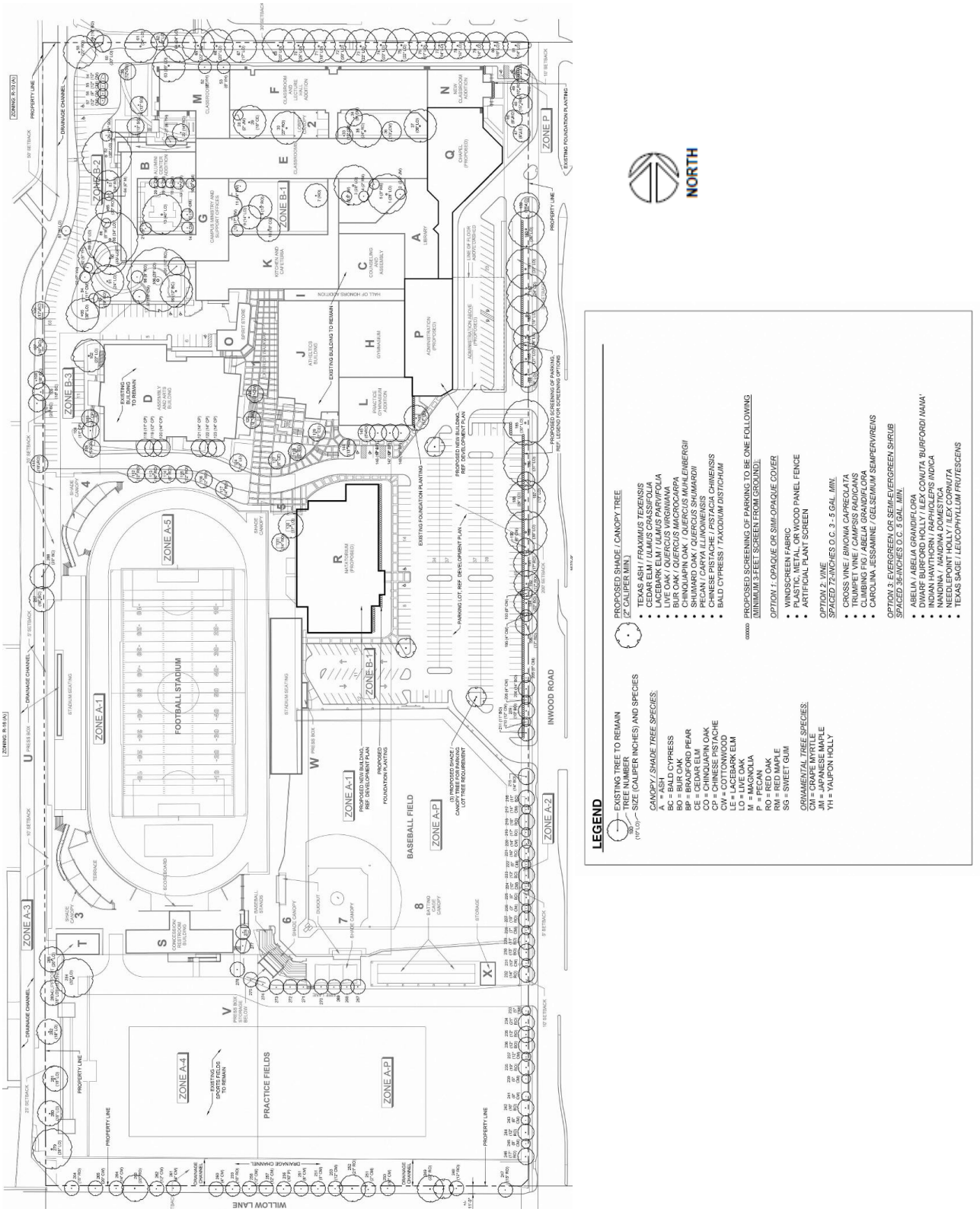
MAIN CAMPUS - 407
REMOTE - 232

TOTAL - 639

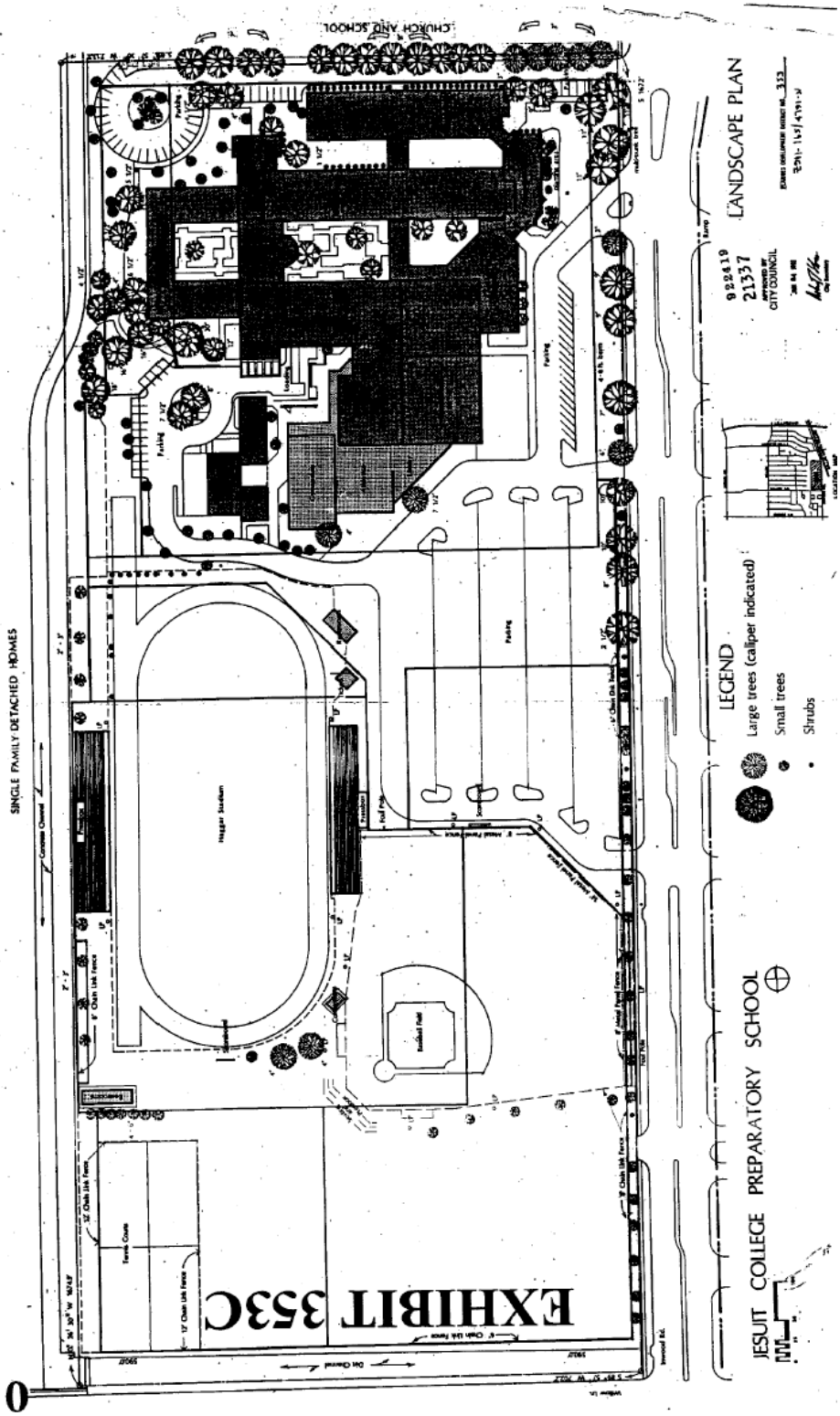
Existing Development Plan



Proposed Landscape Plan



Existing Landscape Plan



Proposed Traffic Management Plan

Traffic Management Plan 2018

Jesuit College Preparatory School of Dallas

Amendment to Planned Development No. 353
Dallas, Texas



June 6, 2018

Walter P. Moore and Associates, Inc.
TBPE Firm Registration No. 1856

Prepared for
Jesuit College Preparatory School of Dallas

Prepared by
WALTER P MOORE

Walter P. Moore and Associates, Inc.
1845 Woodall Rodgers Freeway, Suite 1650
Dallas, Texas 75201
Project No. M04-17002.00

June 2018

INTRODUCTION

Jesuit College Preparatory School of Dallas (Jesuit) operates within a Planned Development 353 (PD) at the campus at 12345 Inwood Road in Dallas, Texas. The all-male student high school had an enrollment of approximately 1,130 students for the 2017-2018 school year. Jesuit is preparing to implement modifications to the campus which require a minor amendment to the PD. Jesuit acquired the services of Walter P Moore (WPM) to review the current operations for student drop-off and pick-up and prepare a Traffic Management Plan (TMP) to better serve the campus with the planned modifications at the campus.

CURRENT OPERATIONS

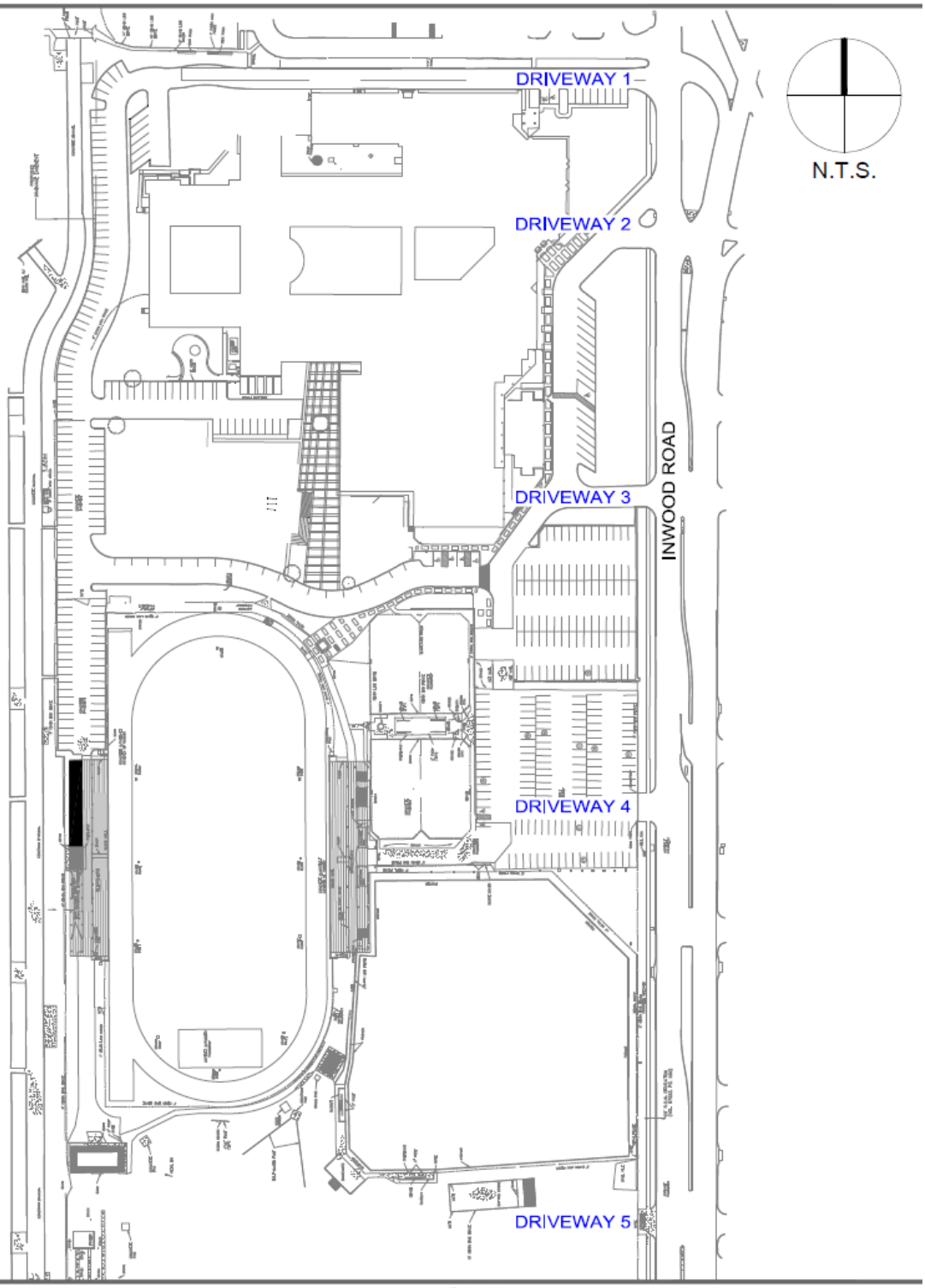
Jesuit operates on a common arrival and departure time for all students. The morning start time for classes on most days is 8:00 AM, however, many students, teachers and staff arrive to the campus beginning at 6:30 AM. Multiple sport practices and club/organization meetings are held prior to school classes. On most Tuesdays, the school has Late Arrival at 8:30 AM. The afternoon release time on most days is 3:41 PM and several sport teams as well as other extracurricular activities hold practice or meetings after school. The dismissal time for St. Rita Catholic School, adjacent to Jesuit on the north side, is 3:30 PM.

SITE ACCESS

Figure 1 provides the location of the five driveways along Inwood Road that serve all vehicular access for the Jesuit main campus.

The most northern driveway (Driveway 1) provides both inbound and outbound traffic and is primarily utilized by staff and students who park on campus. The median opening on Inwood Road serves inbound traffic only for both Driveway 1 and the driveway immediately to the north for St. Rita Catholic Church and School. Driveway 2 is utilized for inbound traffic only and the median opening on Inwood Road provides a sheltered northbound left turn lane for inbound traffic from the south.

Driveway 3 allows for both inbound and outbound traffic at a median opening with a sheltered northbound left turn lane. Jesuit security staff provides traffic control assistance at Jesuit Driveway 3 and Inwood Road intersection during peak student drop-off and pick-up times. Pedestrian flashing signs and painted crosswalk are provided at this location. Motorists were observed to yield right-of-way to pedestrians crossing.



P:\M04\2017\17002-00 Jesuit Master Plan TrafficParking\Cad\Traffic\M04-17002-00-TMP-FIGURE-01.dwg

May 31, 2018 - 1:01pm

WALTER P MOORE
WALTER P. MOORE AND ASSOCIATES, INC.
1845 WOODALL RODGERS FREEWAY, SUITE 1650
DALLAS, TEXAS 75201.2287
PHONE: 214.740.6200 FAX: 214.740.6300

Project Name: JESUIT TRAFFIC MANAGEMENT PLAN

Sheet Title: SITE ACCESS

WPMA P.N.: M04-17002-00 | Designed by: ECC | Sheet No.

Date: JUNE 2018 | Drawn by: TME

FIGURE 1

Copyright © 2018 WALTER P. MOORE AND ASSOCIATES, INC.

The "RIGHT TURN ONLY" sign is permanently placed at Driveway 3 exit to alert motorists of the time sensitive left turn restriction. The EXIT ONLY sign is portable and can be used when and where most appropriate.





Driveway 4 is currently restricted to right-turn out movement and serves students leaving from the parking area as well as an auxiliary departure driveway for vehicles from the student drop-off and pick-up operations. A DO NOT ENTER sign and EXIT ONLY sign are posted at Driveway 4 facing Inwood Road. Driveway 4 is not located at a median opening.

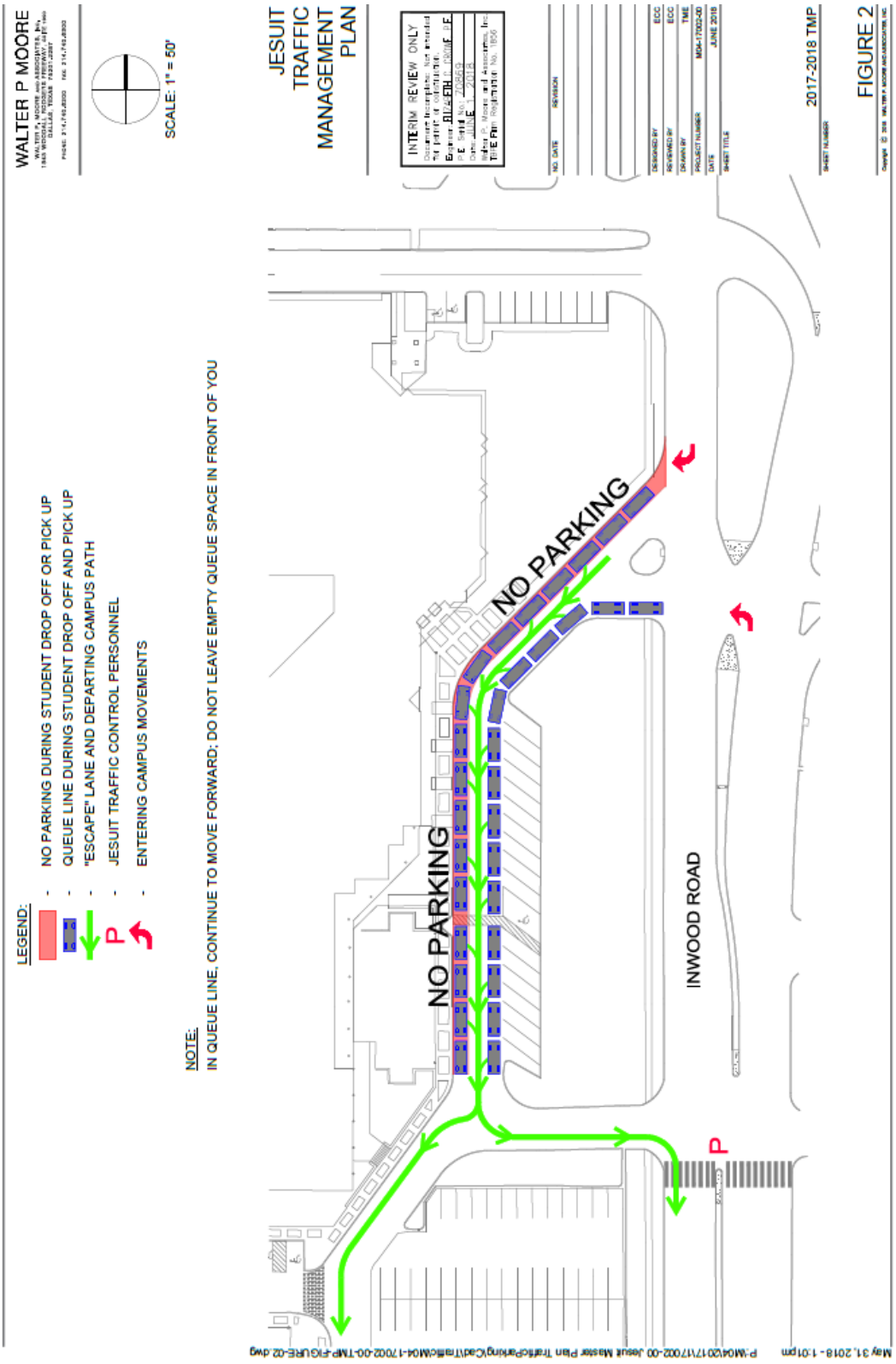
Driveway 5 is typically gated and provides school access for visiting school buses; the internal roadway at Driveway 5 does not circulate to the other vehicular roadways on the Jesuit campus.

CIRCULATION

Jesuit staff and administrators and most upper classmen park on-site. Operations for student drop-off and pick-up occur along the front of the school and Figure 2 illustrates the current TMP for the Jesuit campus.

Parents enter the Jesuit campus from Inwood Road at Driveway 2 with either a left turn or a right turn. The area from Inwood Road all along the front of the school is utilized for students to either unload or load into the vehicles. The pavement width of the area adjacent to the front of the school accommodates three lanes of vehicles so that two queue lines can form and a center lane is available for departing vehicles. Angled parking is located adjacent to this drop-off and pick-up area.

Existing Procedures



Generally, the parents line up inside the campus in two lines leaving the middle lane open for vehicles to pass through. Typical operations during the afternoon pick-up are illustrated in Photos 1 and 2.



Photo 1 – Two lines of vehicles queued inside Jesuit Campus



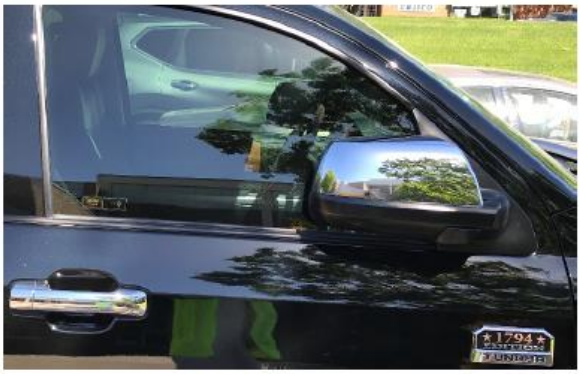
Photo 2 – Vehicle exiting queue through middle lane - April 19, 2018 4:04 PM

The parents generally follow an orderly manner to pick up the students however several previous habits have contributed to less than efficient operations for the vehicle queue line along Inwood Road. Two specific "violations" of best TMP practice were observed on multiple occasions during data collection and are shown in the following photos.

1. Parked vehicles left unattended in the queue lanes adjacent to the school, and
2. Gaps in the queue line inside the campus while vehicles waiting outside the campus to enter from Inwood Road.



Photo 3 – Gap in queue line inside campus





Photos 4 and 5 - Unattended parked vehicles along curb inside Jesuit Campus

The vehicle in Photo 6 was observed parked with no one inside for over 20 minutes in front of the school on April 24th. This same vehicle was observed parked along the curb side lane with no driver or passenger again on Monday April 30, 2018.



Photo 6 - Vehicle observed to be parked unattended from 3:50 PM – 4:12 PM

The following photo was taken April 24, 2018 at 3:26 PM at the Jesuit Driveway 2 entry. Four vehicles were queued on southbound Inwood Road, although plenty of queueing space was available inside the Jesuit campus. Personal preference, habits and lack of enforcement of a TMP have contributed to vehicles queued on Inwood Road.



Photo 7 - April 24, 2018 3:26 PM

The afternoon operations for picking up students is typically the time when the longest vehicular queues are observed at school campuses. Observations at the Dallas Jesuit College Preparatory campus confirmed this phenomenon.

The following table provides sample observed vehicular queues on Inwood Road. The peak observed conditions for vehicles outside of the Jesuit Campus are represented during the peak operations of student drop-off and pick-up. Similar to most school campuses, the peak queuing conditions observed at Jesuit lasted for minimal time; typically between one to two minutes.

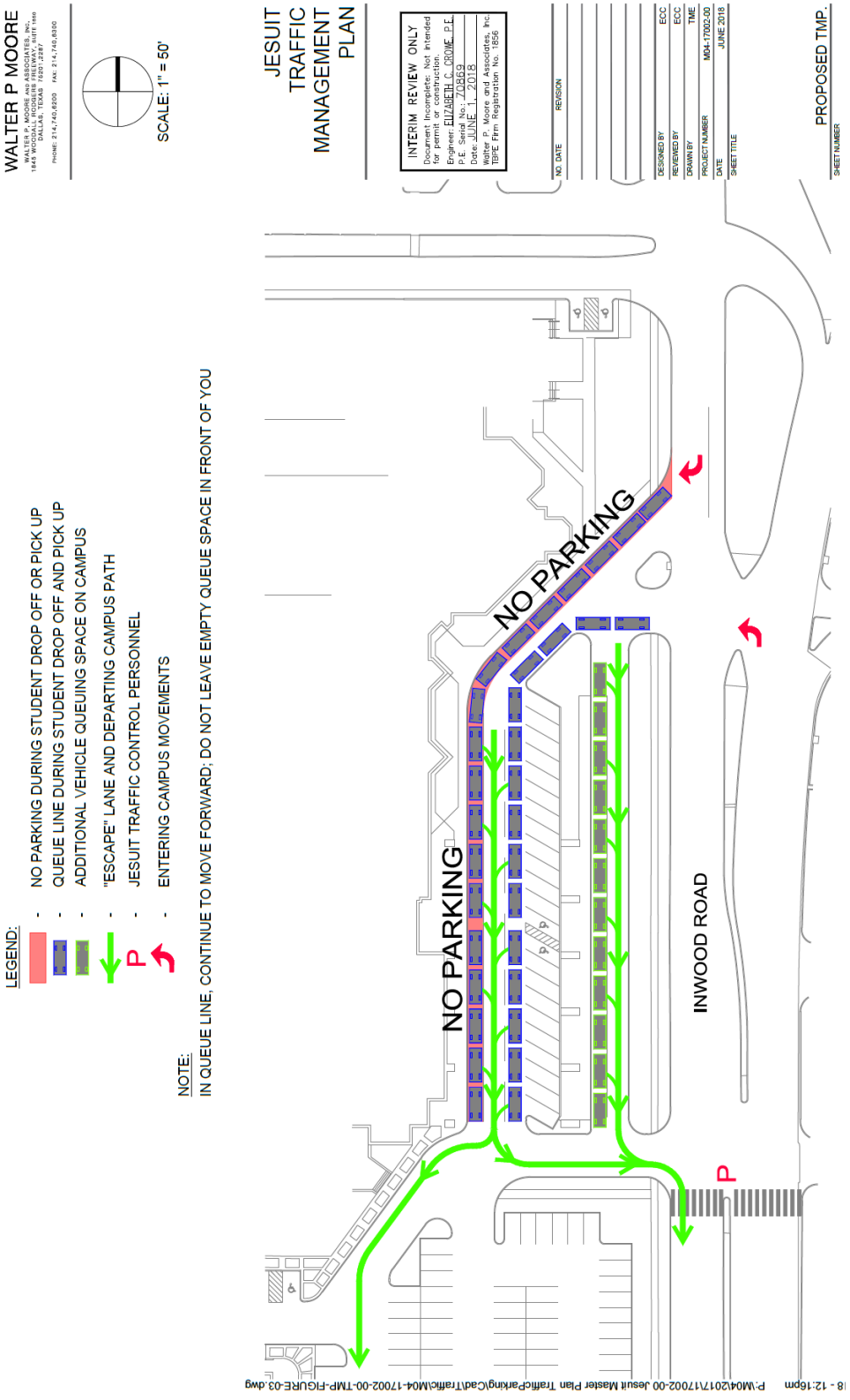
Vehicular Queue Observations on Inwood Road at Jesuit Driveway 2 Entry					
Date	Day of Week	# Vehicles Waiting to Enter Jesuit			Time
		Northbound Left	Southbound Right	Total Outside Jesuit	
April 10, 2018	Tuesday	0	4*	4	7:50 AM
April 19, 2018	Thursday	1	1	2	3:50 PM
April 20, 2018	Friday	1	0	1	7:41 AM
April 24, 2018	Tuesday	0	4***	4***	3:27 PM
April 30, 2018	Monday	0	1	1	3:45 PM
May 2, 2018	Wednesday	6	5*	11	7:50 AM
May 2, 2018	Wednesday	1	12	13	3:41 PM
Jesuit began implementing TMP strategies					
May 4, 2018	Friday	3	5	8	3:35 PM
May 7, 2018	Monday	2	0	2	7:49 AM
May 7, 2018	Monday	2	4	6	3:42 PM
May 8, 2018	Tuesday	6**	4	10	3:38 PM
May 9, 2018	Wednesday	2**	1	3	3:41 PM

** Vehicles entering campus southbound were in a rolling queue.*
*** Left turning vehicles waiting for sufficient gaps in traffic stream to safely enter the campus.*
**** Available space inside Jesuit Campus to accommodate more vehicles inside.*

The inside vehicular queuing on the Jesuit campus was also observed. The existing Jesuit campus provides for 17 vehicles to queue along the inside curb line and 14 vehicles to queue adjacent to the angled parking spaces for a total of 31 vehicles in two queue lines.

Figure 3 provides the proposed TMP with the modifications to the Jesuit campus.

Proposed Traffic Management Plan



The proposed Jesuit campus plan includes creation of an additional queuing area to accommodate a minimum of 11 vehicles to queue on campus. The proposed TMP is intended to operate very similarly to the current TMP.

The queue of five vehicles along southbound Inwood Road was the longest queue observed during May 2018 after Jesuit began implementing TMP strategies. The proposed plan to provide an additional inside campus queue space to accommodate eleven vehicles would serve to eliminate off-campus queuing on Inwood Road.

SUMMARY AND RECOMMENDATIONS

Walter P Moore performed observations in April 2018 and May 2018 to review the existing carline operations. Figure 2 illustrates the current TMP and Figure 3 provides the TMP with the additional queuing space on the proposed site plan. The proposed additional space parallel to Inwood Road provides for an estimated eleven additional vehicles to queue on site which would accommodate the peak overflow of queued vehicles during peak times of student pick-up operations.

The following recommendations are provided to increase the efficiency of the carline procedures and reduce the likelihood of vehicles queued on Inwood Road waiting to enter the Jesuit Campus.

- Educate the carline staff members, police assistance, parents and students of the elements in the TMP to achieve more efficient expediting processes for the drop-off and pick-up operations.
- Enforce the "No Parking during Student Drop-off and Pick-up" along the front of the school.
- Have parents continue to move up in the queue line of vehicles in front of them. Do not leave gaps in the line; move forward. Jesuit staff may need to initially provide assistance to "train" the parents on the procedures.
- Maintain an off-duty uniformed officer on campus to assist with directing school traffic when necessary.
- Monitor operations at Driveway #3 during the morning and afternoon peak operations. To reduce conflict movements, restrict the northbound left turn ingress

movement from Inwood Road with temporary traffic cones as is currently practiced during the afternoon.

The school administration at Jesuit College Preparatory School of Dallas is acutely aware of the proposed Transportation Management Plan; members have reviewed and approved the TMP.

Several of the recommendations to improve the existing operations were implemented in May 2018 with significantly improved queuing results.

Jesuit College Preparatory School of Dallas
Office of the President

REVIEW AND COMMITMENT

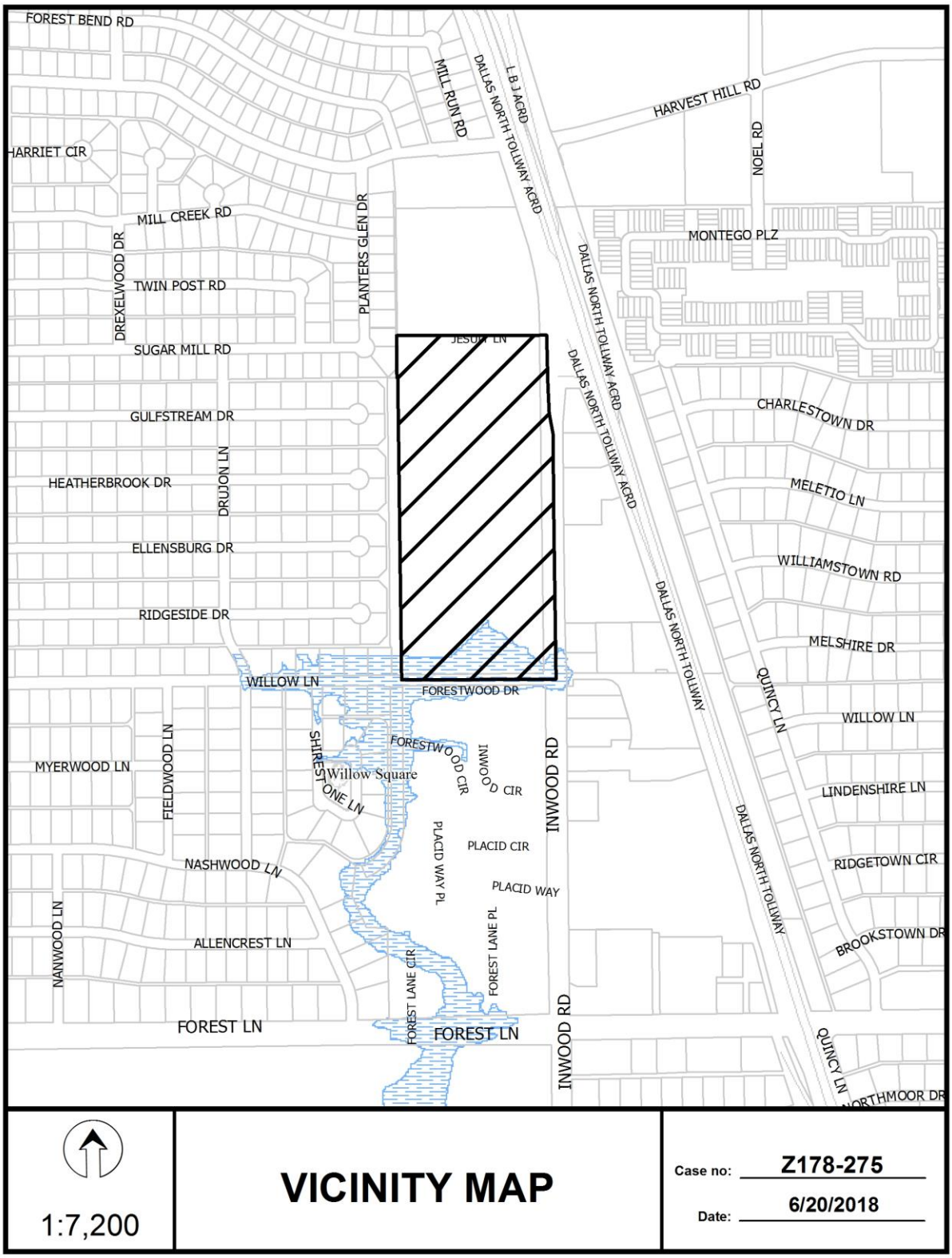
The school traffic management plan for Jesuit College Preparatory School of Dallas was developed with the intent of optimizing safety and accommodating vehicular traffic queues generated during school peak hours. A concerted effort and full participation by the school are essential to maintain safe and efficient traffic operations.

Jesuit has reviewed and approved this traffic management plan, and will implement the recommendations found under the "Summary and Recommendations" section of the attached school traffic management plan.

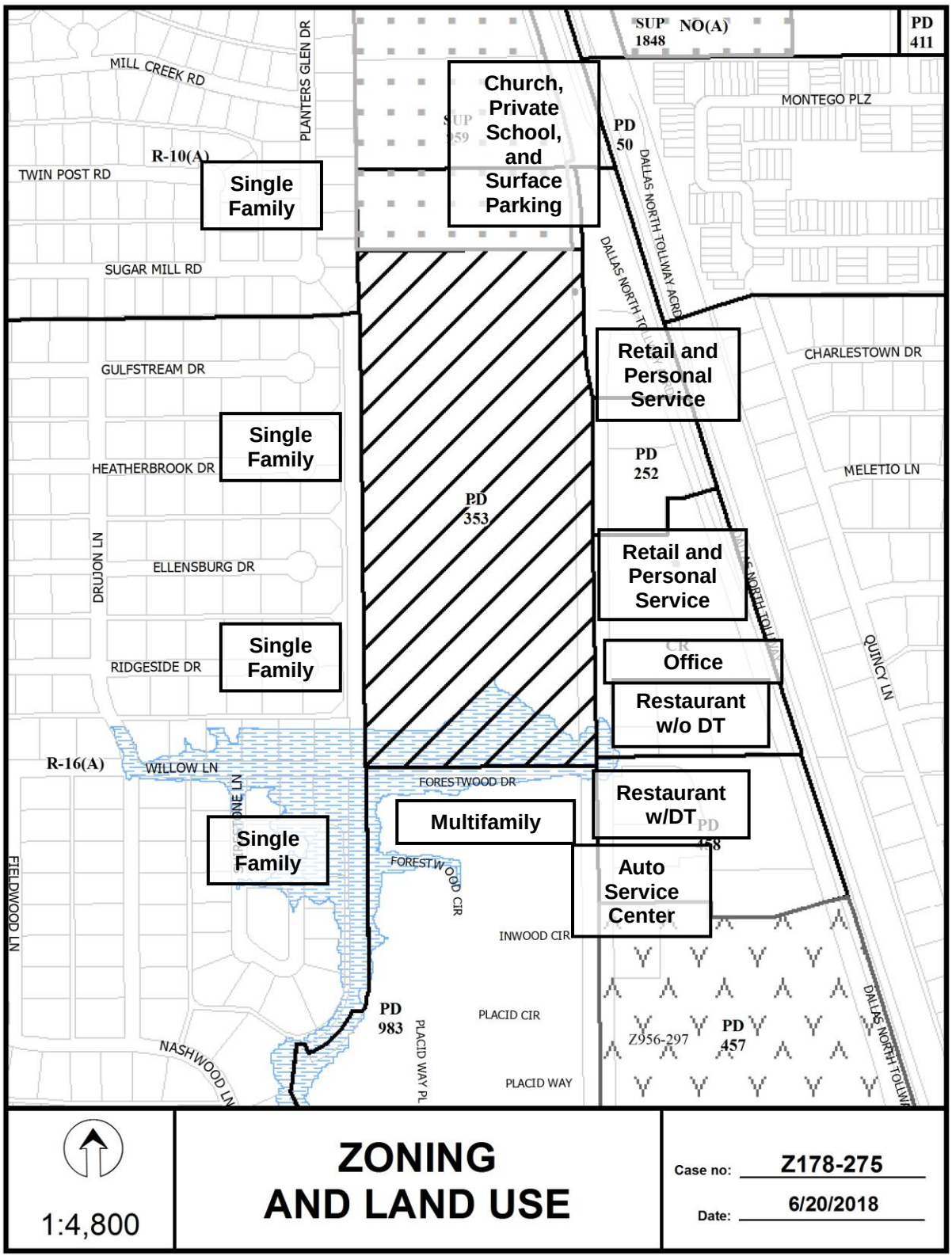
Signature _____ 8/14/18

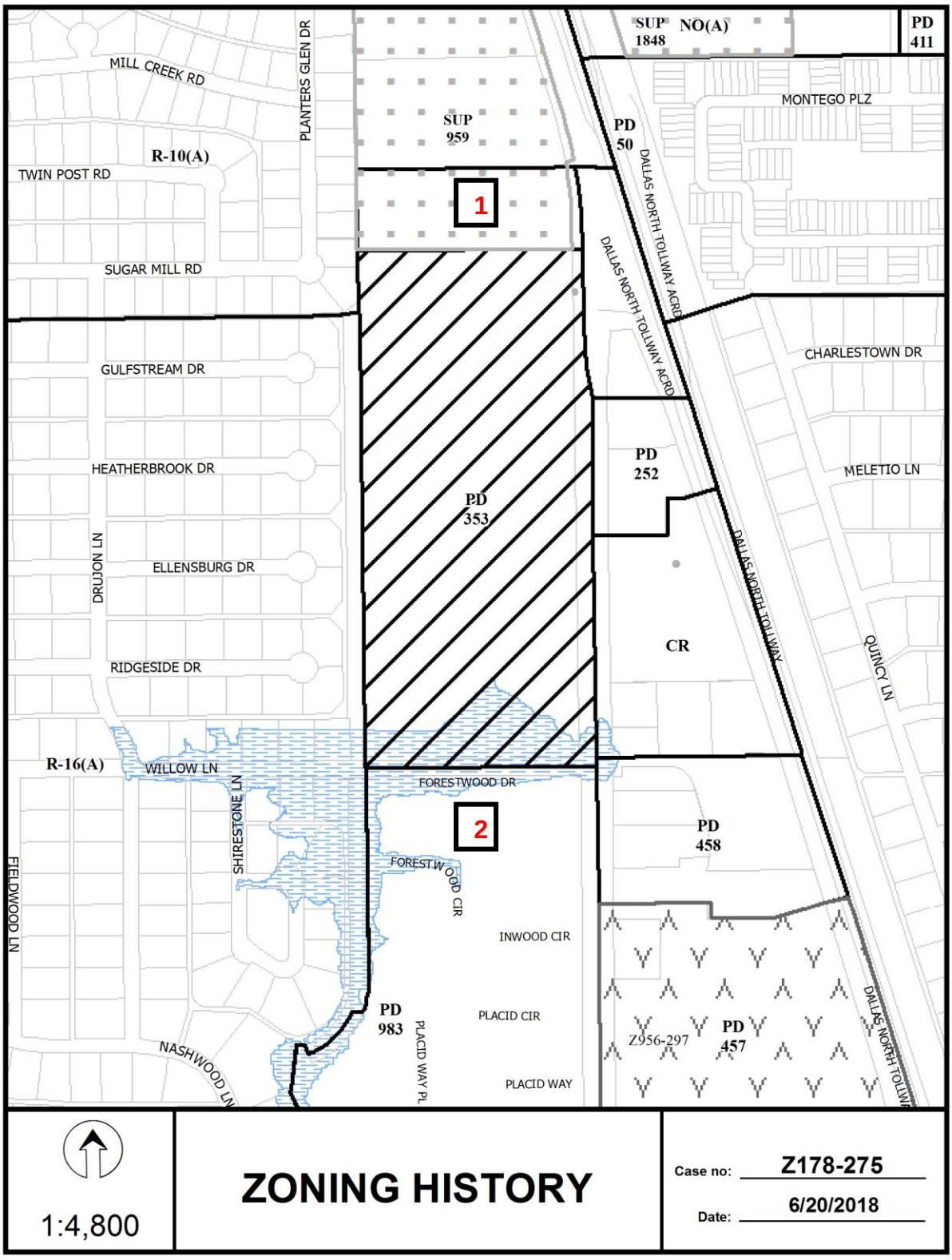
Name: Michael A. Earsing
Title: President, Jesuit College Preparatory School of Dallas

12345 Inwood Road • Dallas, Texas 75244 • 972.387.8700 • www.jesuitcp.org

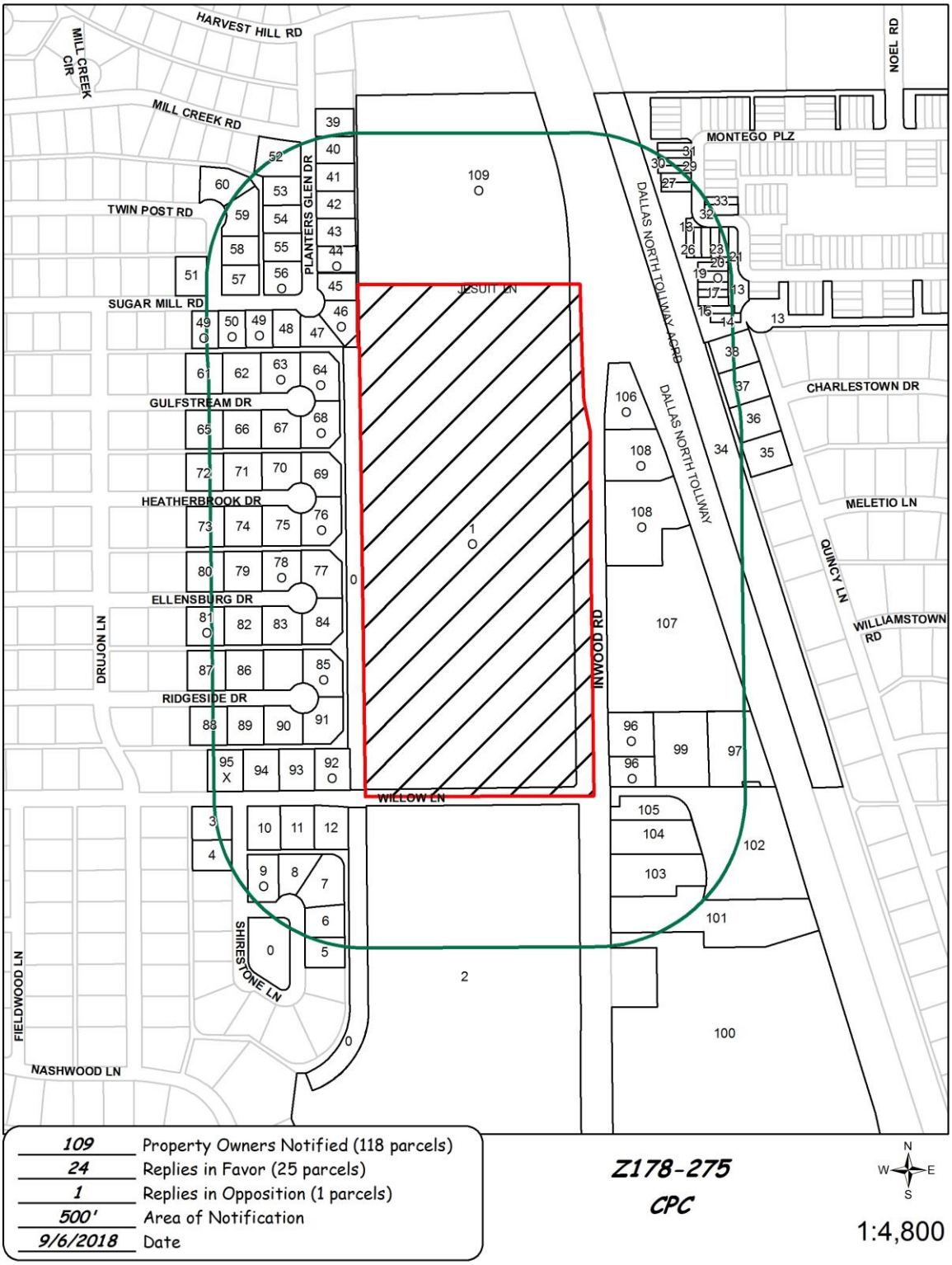

FOREST BEND RD
MILL RUN RD
L B J AGRD
DALLAS NORTH TOLLWAY AGRD
HARVEST HILL RD
NOEL RD
HARRIET CIR
MILL CREEK RD
DREXELWOOD DR
PLANTERS GLEN DR
MONTEGO PLZ
TWIN POST RD
SUGAR MILL RD
JESUP LN
CHARLESTOWN DR
GULFSTREAM DR
DRUJON LN
HEATHERBROOK DR
MELETIO LN
ELLENSBURG DR
WILLIAMSTOWN RD
RIDGESIDE DR
MELSHIRE DR
WILLOW LN
FORESTWOOD DR
QUINCY LN
WILLOW LN
FIELDWOOD LN
SHIRESTONE LN
FORESTWOOD CIR
INWOOD CIR
INWOOD RD
MYERWOOD LN
Willow Square
LINDENSHIRE LN
PLACID CIR
RIDGETOWN CIR
NASHWOOD LN
PLACID WAY PL
PLACID WAY
NANWOOD LN
BROOKSTOWN DR
ALLENCREST LN
FOREST LANE CIR
FOREST LANE PL
FOREST LN
FOREST LN
INWOOD RD
QUINCY LN
NORTHMOOR DR
1:7,200
VICINITY MAP
Case no: Z178-275
Date: 6/20/2018


MILL CREEK RD
PLANTERS GLEN DR
TWIN POST RD
SUGAR MILL RD
GULFSTREAM DR
HEATHERBROOK DR
DRUJON LN
ELLENSBURG DR
RIDGESIDE DR
WILLOW LN
SHIRESTONE LN
FIELDWOOD LN
NASHWOOD LN
JESUIT LN
FORESTWOOD DR
FORESTWOOD CIR
INWOOD CIR
PLACID CIR
PLACID WAY PL
PLACID WAY
INWOOD RD
INWOOD RD
DALLAS NORTH TOLLWAY ACRD
DALLAS NORTH TOLLWAY
DALLAS NORTH TOLLWAY
NOEL RD
MONTEGO PLZ
CHARLESTOWN DR
MELETIO LN
QUINCY LN
1:4,800
AERIAL MAP
Case no: Z178-275
Date: 6/20/2018


Church, Private School, and Surface Parking
Single Family
Single Family
Single Family
Single Family
Retail and Personal Service
Retail and Personal Service
Office
Restaurant w/o DT
Restaurant w/DT
Multifamily
Auto Service Center
SUP NO(A) 1848
PD 411
PD 50
PD 252
PD 353
PD 983
PD 457
PD 458
R-10(A)
R-16(A)
MILL CREEK RD
PLANTERS GLEN DR
TWIN POST RD
SUGAR MILL RD
GULFSTREAM DR
HEATHERBROOK DR
DRUJON LN
ELLENSBURG DR
RIDGESIDE DR
WILLOW LN
FIELDWOOD LN
FORESTWOOD DR
FORESTWOOD CIR
INWOOD CIR
PLACID CIR
PLACID WAY PL
PLACID WAY
NASHWOOD LN
MONTEGO PLZ
DALLAS NORTH TOLLWAY ACRD
CHARLESTOWN DR
MELETIO LN
QUINCY LN
Z956-297
1:4,800
ZONING AND LAND USE
Case no: Z178-275
Date: 6/20/2018


SUP NO(A) 1848
PD 411
MILL CREEK RD
PLANTERS GLEN DR
SUP 959
MONTEGO PLZ
PD 50
R-10(A)
TWIN POST RD
1
DALLAS NORTH TOLLWAY ACRD
SUGAR MILL RD
CHARLESTOWN DR
GULFSTREAM DR
PD 252
HEATHERBROOK DR
MELETIO LN
PD 353
DRUJON LN
ELLENSBURG DR
DALLAS NORTH TOLLWAY
CR
QUINCY LN
RIDGESIDE DR
R-16(A)
WILLOW LN
FORESTWOOD DR
SHIRESTONE LN
2
PD 458
FIELDWOOD LN
FORESTWOOD CIR
INWOOD CIR
PD 983
PLACID CIR
PLACID WAY PL
Z956-297
PD 457
NASHWOOD LN
PLACID WAY
DALLAS NORTH TOLLWAY
1:4,800
ZONING HISTORY
Case no: Z178-275
Date: 6/20/2018

CPC RESPONSES



09/05/2018

Reply List of Property Owners

Z178-275

109 Property Owners Notified ***24 Property Owners in Favor*** ***1 Property Owner Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	12345	INWOOD RD	JESUIT HIGH SCHOOL
	2	5133	FOREST LN	DANIEL A H
	3	12123	SHIRESTONE LN	CROSBIE JAMIE M
	4	12115	SHIRESTONE LN	AYCOCK ROBERT N ETAL
	5	12018	SHIRESTONE LN	JUE DAVID N
	6	12026	SHIRESTONE LN	ZELLERS THOMAS M &
	7	12030	SHIRESTONE LN	ANDERSON GEORGANNA KOCH
	8	12034	SHIRESTONE LN	WEINKAUF JEAN B
	10	5010	WILLOW LN	GIBSON JAY R &
	11	5018	WILLOW LN	DARTSON WILLIE MAE
	12	5026	WILLOW LN	FISHER GREGORY JUSTIN &
	13	900001	NO NAME ST	PRESTON SQUARE INC
	14	12481	MONTEGO PLAZA	XIE YIQUN
	15	12483	MONTEGO PLAZA	THOMAS MICHAEL W
	16	12485	MONTEGO PLAZA	GRABER FAMILY P S LTD
	17	12487	MONTEGO PLAZA	RUBIN TED
	18	12489	MONTEGO PLAZA	ATLAS THOMAS N & DEVRA L
	19	12491	MONTEGO PLAZA	MILLER GREG R
O	20	12493	MONTEGO PLAZA	KLEIN CHRISTOPHER P & CAROL
	21	12501	MONTEGO PLAZA	WORKS MARY
O	22	12503	MONTEGO PLAZA	BREZETTE DAVID R & MARYJANE N
	23	12505	MONTEGO PLAZA	KOSTAS PAMELA G
	24	12507	MONTEGO PLAZA	WAKS DAVID M
	25	12509	MONTEGO PLAZA	BOURN FLOY M
	26	12511	MONTEGO PLAZA	HENLY BILLY F & LISA M
	27	12521	MONTEGO PLAZA	BARTLETT SHIRLEY A

09/05/2018

Reply	*Label #*	*Address*		*Owner*
O	28	12523	MONTEGO PLAZA	TOLLEFSON JILL
	29	12525	MONTEGO PLAZA	MATHEWS DAVID H
	30	12527	MONTEGO PLAZA	BUXTON BARBARA PETRICINI
	31	12529	MONTEGO PLAZA	PETERSON SUSAN E
	32	12512	MONTEGO PLAZA	POWERS JOAN T
	33	12514	MONTEGO PLAZA	DEHAAS FAMILY LIVING TR
	34	12200	DALLAS PKWY	TEXAS UTILITIES ELEC CO
	35	12417	QUINCY LN	DANGELO MARION R &
	36	12423	QUINCY LN	STREDIC VELMA R TRUSTEE
	37	12507	QUINCY LN	MILLER BRYAN LEE &
	38	12515	QUINCY LN	HARRISON FRANK E &
	39	12608	PLANTERS GLEN DR	SOLIMAN GEORGE BASSILI
	40	12542	PLANTERS GLEN DR	LANGLINAIS OSCALIE S J D
	41	12536	PLANTERS GLEN DR	BEATY MARY ANN &
	42	12530	PLANTERS GLEN DR	STUTZ MARIAN S
	43	12524	PLANTERS GLEN DR	ANSIAUX ROBERT R &
O	44	12520	PLANTERS GLEN DR	CIVELLO ANDREW H & JENNY T
	45	12512	PLANTERS GLEN DR	GEORGIA GLENN M & EILEEN M
O	46	12506	PLANTERS GLEN DR	USA CENTRAL & SOUTHERN PROVINCE
	47	5024	SUGAR MILL RD	USA CENTRAL & SOUTHERN
	48	5020	SUGAR MILL RD	INWOOD WILLOW INV PPTIES LTD
	51	4925	SUGAR MILL RD	SWITALSKI BOGUSLAW & DELILAH M
	52	5034	MILL CREEK RD	SALMERON CARLOS E PEREZ
	53	12531	PLANTERS GLEN DR	FARGO JENNIFER
	54	12525	PLANTERS GLEN DR	FREDERIKSEN CHARLES C JR & REGINA L
	55	12521	PLANTERS GLEN DR	LINDSEY JEFFREY G
O	56	12515	PLANTERS GLEN DR	CADENA MINERVA N
	57	4923	TWIN POST RD	NURRE MICHAEL THEODORE JR
	58	4917	TWIN POST RD	CHAPA MARCO A &
	59	4911	TWIN POST RD	BRECKENRIDGE DOUGLAS L &
	60	4905	TWIN POST RD	JIEDE THOMAS M &

09/05/2018

Reply	*Label #*	*Address*		*Owner*
	61	4925	GULFSTREAM DR	DORSEY ROBERT B JR &
	62	4933	GULFSTREAM DR	ANDREWS PETER J & DOROTHY
O	63	4941	GULFSTREAM DR	LAW GORDON & LAUREN LAW
O	64	4949	GULFSTREAM DR	STACK DAVID E & MARY E
	65	4924	GULFSTREAM DR	RILEY MATTHEW T & KATHERINE A
	66	4932	GULFSTREAM DR	MENTGEN AMY S
	67	4940	GULFSTREAM DR	ERSKINE LOUIS G
O	68	4948	GULFSTREAM DR	SHROPSHIRE DANIEL BRIAN &
	69	4927	HEATHERBROOK DR	PETERMAN DAVID A
	70	4923	HEATHERBROOK DR	TROMPERT JANET & TR
	71	4919	HEATHERBROOK DR	SULLINS TED F
	72	4915	HEATHERBROOK DR	WILEMON CORBY LYNN &
	73	4914	HEATHERBROOK DR	SMITH DAVID J & LORI L
	74	4918	HEATHERBROOK DR	LAUGHLIN GEORGE LAVAGA &
	75	4922	HEATHERBROOK DR	STAUBACH ROGER T & MARIANNE
O	76	4926	HEATHERBROOK DR	OBRIEN SCOT W & ANNE W
	77	4935	ELLENSBURG DR	MCCARTHY JAMES E
O	78	4929	ELLENSBURG DR	MARINKO TODD & KRISTIN BRISCOE
	79	4923	ELLENSBURG DR	JOHNSTON MICHAEL T
	80	4917	ELLENSBURG DR	LUJAN LINDA S EST OF
O	81	4916	ELLENSBURG DR	HOPPER JOEL A &
	82	4922	ELLENSBURG DR	STONE BOYD W III &
	83	4928	ELLENSBURG DR	CALLAHAN STEPHEN & REBECCA
	84	4934	ELLENSBURG DR	COBEN MARTIN & BEVERLY
O	85	4949	RIDGESIDE DR	GOODSELL GARY & RITA
	86	4933	RIDGESIDE DR	NOGLE HAROLD B & GAIL K
	87	4925	RIDGESIDE DR	SHARP WALTER R III &
	88	4924	RIDGESIDE DR	BERNEY MAURA L
	89	4932	RIDGESIDE DR	LOUVIERE HENRY G JR & BARBARA B
	90	4940	RIDGESIDE DR	MONTGOMERY JASON & NICOLE
	91	4948	RIDGESIDE DR	JOHNSON BROOK A & TRICIA L

09/05/2018

Reply	*Label #*	*Address*		*Owner*
O	92	5025	WILLOW LN	WEAVER JOSEPH & MARGARET
	93	5017	WILLOW LN	TRAN HIEP VAN & SAU THI
	94	5009	WILLOW LN	BARRON JAIME D
X	95	4915	WILLOW LN	COLALUCA MARK & SHERI
	97	12250	INWOOD RD	SUMMER TREE JV
	98	12250	INWOOD RD	SUMMERTREE JOINT VENTURE
	99	12240	INWOOD RD	LUTADOR LLC
	100	11920	INWOOD RD	LOWES HOME CENTERS INC
	101	12100	INWOOD RD	COLE MP PM PORTFOLIO LLC
	102	12200	INWOOD RD	EXTRA SPACE PROPERTIES 130 LLC
	103	12120	INWOOD RD	CHICK FIL A INC
	104	12130	INWOOD RD	SRI REAL ESTATE PROPERTIES
	105	12170	INWOOD RD	MU TECH ENTERPRISES LLC
O	106	12370	INWOOD RD	INWOOD WILLOW INV PPTIES
	107	12240	INWOOD RD	INWOOD WILLOW INV PROP
O	108	12330	INWOOD RD	RP INWOOD ROAD PROPERTIES LP
O	A1	12042	SHIRESTONE LN	DEVITO DONALD L
O	A2	12206	INWOOD RD	JESUIT COLLEGE PREPARATORY
O	A3	12214	INWOOD RD	JESUIT COLLEGE PREPARATORY
O	A4	5014	SUGAR MILL RD	INWOOD WILLOW INVESTMENT
O	A5	5008	SUGAR MILL RD	INWOOD WILLOW INVESTMENT PROPERTIES LTD
O	A6	4930	SUGAR MILL RD	INWOOD WILLOW INVESTMENT
O	A7	12607	INWOOD RD	ROMAN CATHOLIC DIOCESE DALLAS

Agenda Information Sheet

File #: 18-1029 **Item #:** 64.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1712 for a financial institution with drive-in window on property zoned an LO-3 Limited Office District and Subdistrict B-2 within Planned Development District No. 749, the Baylor University Medical Center Special Purpose District, with a D Liquor Control Overlay, on the north corner of Crutcher Street and North Hill Avenue
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to conditions
Z178-290(JM)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, OCTOBER 24, 2018**

ACM: Majed Al-Ghafry

FILE NUMBER: Z178-290(JM) **DATE FILED:** June 25, 2018

LOCATION: North corner of Crutcher Street and North Hill Avenue

COUNCIL DISTRICT: 2 **MAPSCO:** 46 E

SIZE OF REQUEST: ±2.46 acres. **CENSUS TRACT:** 0022.00

APPLICANT/OWNER: Baylor Health Care System

REPRESENTATIVE: Robert Reeves & Associates, Inc.

REQUEST: An application for the renewal of Specific Use Permit No. 1712 for a financial institution with drive-in window on property zoned an LO-3 Limited Office District and Subdistrict B-2 within Planned Development District No. 749, the Baylor University Medical Center Special Purpose District, with a D Liquor Control Overlay.

SUMMARY: The purpose of this request is to allow for a financial institution with drive-in window to continue to operate at the office building site. The applicant missed the auto renewal period and thus has applied for renewal at this time.

STAFF RECOMMENDATION: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to conditions.

CPC RECOMMENDATION: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to conditions.

BACKGROUND INFORMATION:

- The subject site is dually zoned an LO-3 Limited Office District and Subdistrict B-2 within Planned Development District No. 749, the Baylor University Medical Center Special Purpose District with a D Liquor Control Overlay. Both the LO-3 District and PD No. 749 require a Specific Use Permit for a financial institution with drive-in window use.

- Specific Use Permit No. 1712 for a financial institution with drive-in window was granted by City Council on September 24, 2008 for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions. A Certificate of Occupancy was subsequently issued for the financial institution with drive-in window on June 6, 2009.

- The automatic renewal deadline passed on February 26, 2018. As such, renewal is now requested, with no changes to the site plan or conditions.

Zoning History: There have been three zoning requests in the surrounding area in the past five years:

1. **Z156-268:** On September 28, 2016, the City Council approved a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an LO-3 Limited Office District, located on the western corner of North Haskell Avenue and Worth Street.
2. **Z167-387:** On Thursday, February 15, 2018, the City Plan Commission recommended denial without prejudice of a Planned Development District for MF-2(A) Multifamily District uses on property zoned an MC-3 Multiple Commercial District, located on the east corner of North Haskell Avenue and Worth Street.
3. **Z178-186:** On Thursday, April 25, 2018, the City Council approved a Demolition Delay Overlay across 3,277.30 acres within the East Dallas/Oak Lawn region, being an area generally bound by Live Oak Street, Bryan Parkway, Matilda Street, Martel Avenue, municipal boundary of Dallas and Highland Park, Lemmon Avenue, Dallas North Tollway, Turtle Creek Boulevard, Carlisle Street, Blackburn Street, and Haskell Avenue to Main Street, both sides of Main Street from Haskell Avenue to Carroll Avenue, Main Place, Prairie Avenue, Columbia Avenue, and Fitzhugh Avenue.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Crutcher Street	Minor Arterial	80 feet	--
North Hill Avenue	Minor Arterial	60 feet	--
Worth Street	Minor Arterial	Variable	--

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The applicant's request is consistent with the following goals and policies of the comprehensive plan.

URBAN DESIGN ELEMENT

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Surrounding Land Uses:

	Zoning	Land Use
Site	LO-3 Limited Office District, PD No. 749, Subdistrict B-2 with a D-Overlay and SUP No. 1712	Office and Financial Institution with Drive-in Window
Northwest	PD No. 749, Subdistrict B-2 and B-1; LO-3—all with D-Overlay; and, CR	Medical Clinic, Medical Office, Multifamily, Business School
Northeast	CR, LO-3 w/H/72, and MC-3	Auto Service Center, Private Club, Office, Restaurant
Southeast	LO-3, MC-3, PD No. 749, Subdistrict B-2, P(A), and MF-2(A)	Medical Clinic, Office, Commercial Parking Lot, Multifamily
Southwest	LO-3, Subdistrict B-2 and B-1 w/partial D-Overlay,	Medical Clinic and Child-care Facility

Land Use Compatibility:

The three-story office building is located on a lot comprised of 2.46 acres of land. The financial institution with drive-in window operates within 4,673 square feet of the 85,044 square-foot building. Surrounding land uses include medical-related, multifamily, and a

business school to the northwest; an auto service center, private club, office, and restaurant to the northeast; medical clinic, office, commercial parking lot, and multifamily to the southeast; and, medical clinic and child-care facility to the southwest.

The bank serves the Baylor Health Care employees. The location contains many medical related uses affiliated with Baylor.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The continuation of the financial institution use is compatible with the surrounding office, personal service, and retail uses. Staff believes that the use enhances the area by providing a service within the existing office building.

Parking:

The financial institution with drive-in window is required to provide a minimum 14 parking spaces, according to the SUP conditions. This is consistent with the Dallas Development Code which requires one parking space per 333 square feet of floor area; the site contains 4,673 square feet. Staff conducted a site visit and found the parking in compliance with the site plan.

Landscaping:

The applicant does not propose new construction at this time; therefore, no landscaping is required.

CPC Action
September 6, 2018

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 1712 for a financial institution with drive-in window for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to conditions on property zoned an LO-3 Limited Office District and Subdistrict B-2 within Planned Development District No. 749, the Baylor University Medical Center Special Purpose District, with a D Liquor Control Overlay, on the north corner of Crutcher Street and North Hill Avenue.

Maker: Shidid
Second: Schultz
Result: Carried: 12 to 0

For: 12 - West, Rieves, Houston, Davis*, Shidid, Carpenter, Mack, Lewis, Schultz, Peadon, Ridley, Tarpley

Against: 0
Absent: 3 - Jung, Housewright, Murphy
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 54
Replies: For: 0 Against: 0

Speakers: None

List of Officers

Baylor Scott & White Health

Executive Leadership

Drayton McLane, Jr.
Chair of the Baylor Scott & White Health Board of Trustees

Jim Turner
Chair-elect of the Baylor Scott & White Health Board of Trustees

Joel Allison
Chief Executive Officer

Bob Pryor, MD
President, Chief Operating Officer and Chief Medical Officer

LaVone Arthur
Chief Integration Officer

David Ballard, MD
Chief Quality Officer

Steve Boyd
Chief Legal Officer

Gary Brock
President and Chief Operating Officer - North Texas

Matthew Chambers
Chief Information Officer

Z178-290

CPC RECOMMENDED SUP CONDITIONS
Z178-290

1. USE: The only use authorized by this specific use permit is a financial institution with drive-in window.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit expires on ~~September 24, 2018~~ (ten years from the passage of this ordinance), but is eligible for automatic renewal for additional ten-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

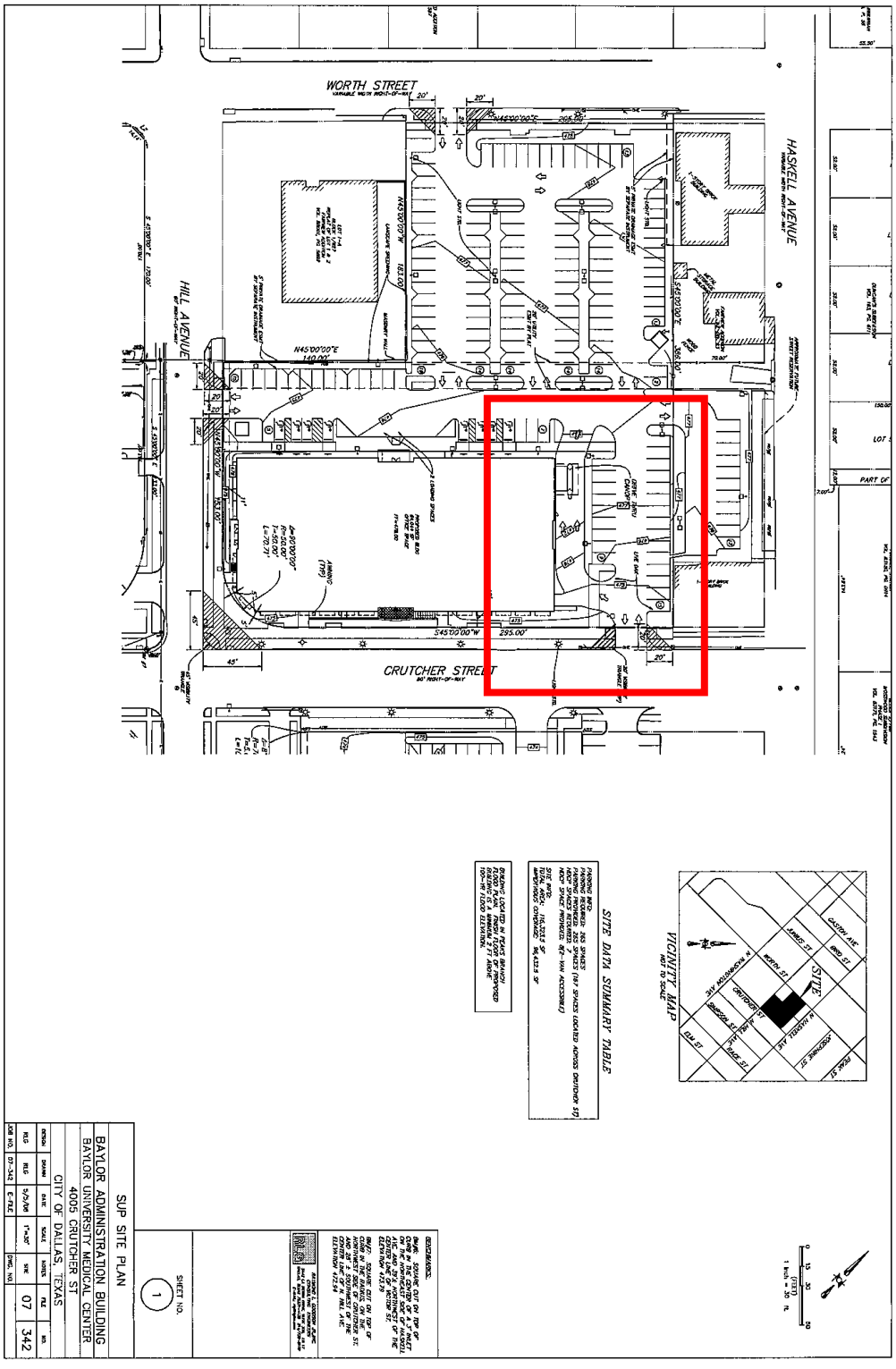
4. DRIVE-IN LANES: A maximum of two drive-in lanes are permitted in the locations shown on the attached site plan. A minimum of five stacking spaces for each drive-in lane must be provided in the locations shown on the attached site plan.

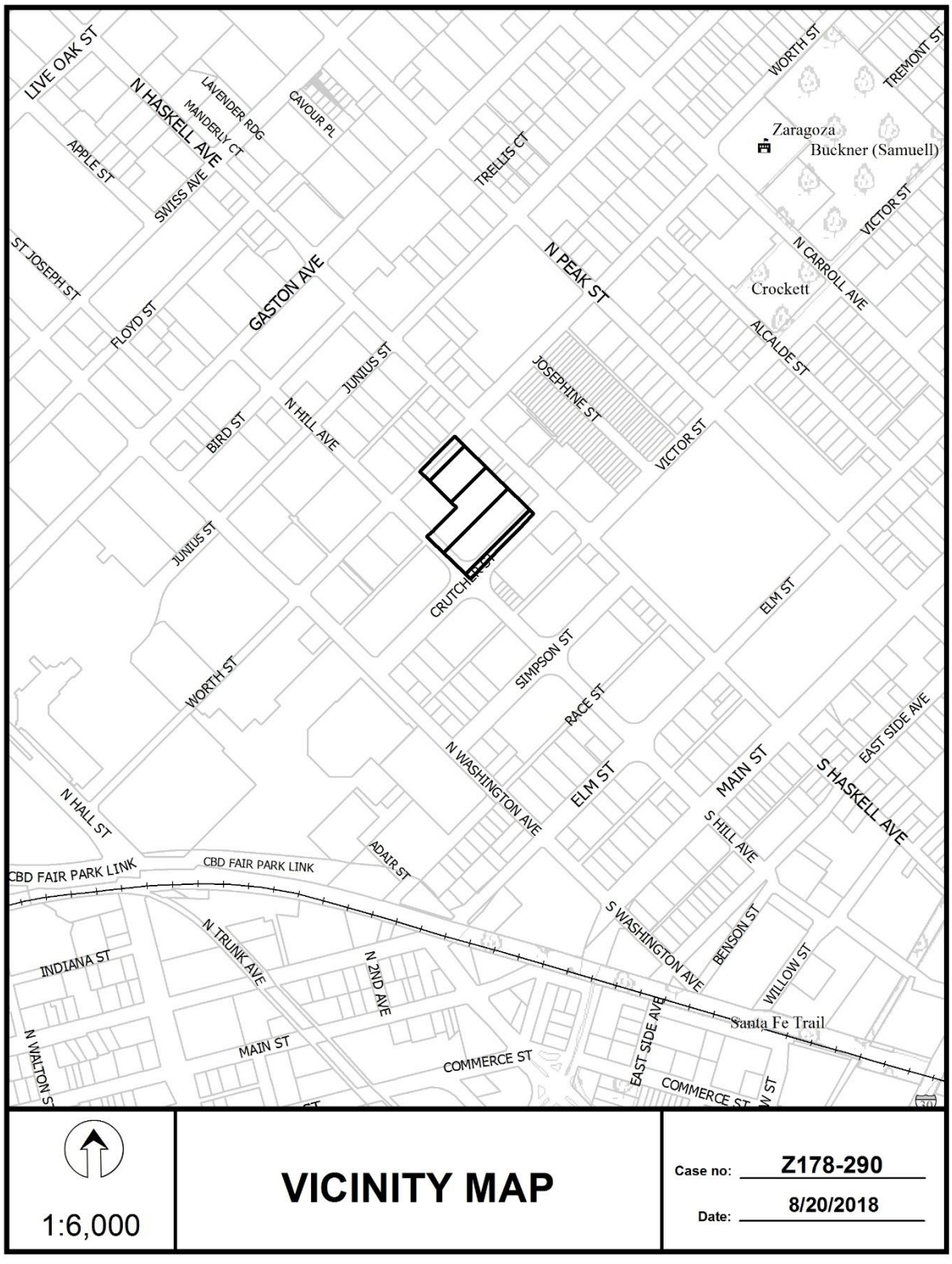
5. PARKING: A minimum of 14 off-street parking spaces must be provided in the locations shown on the attached site plan.

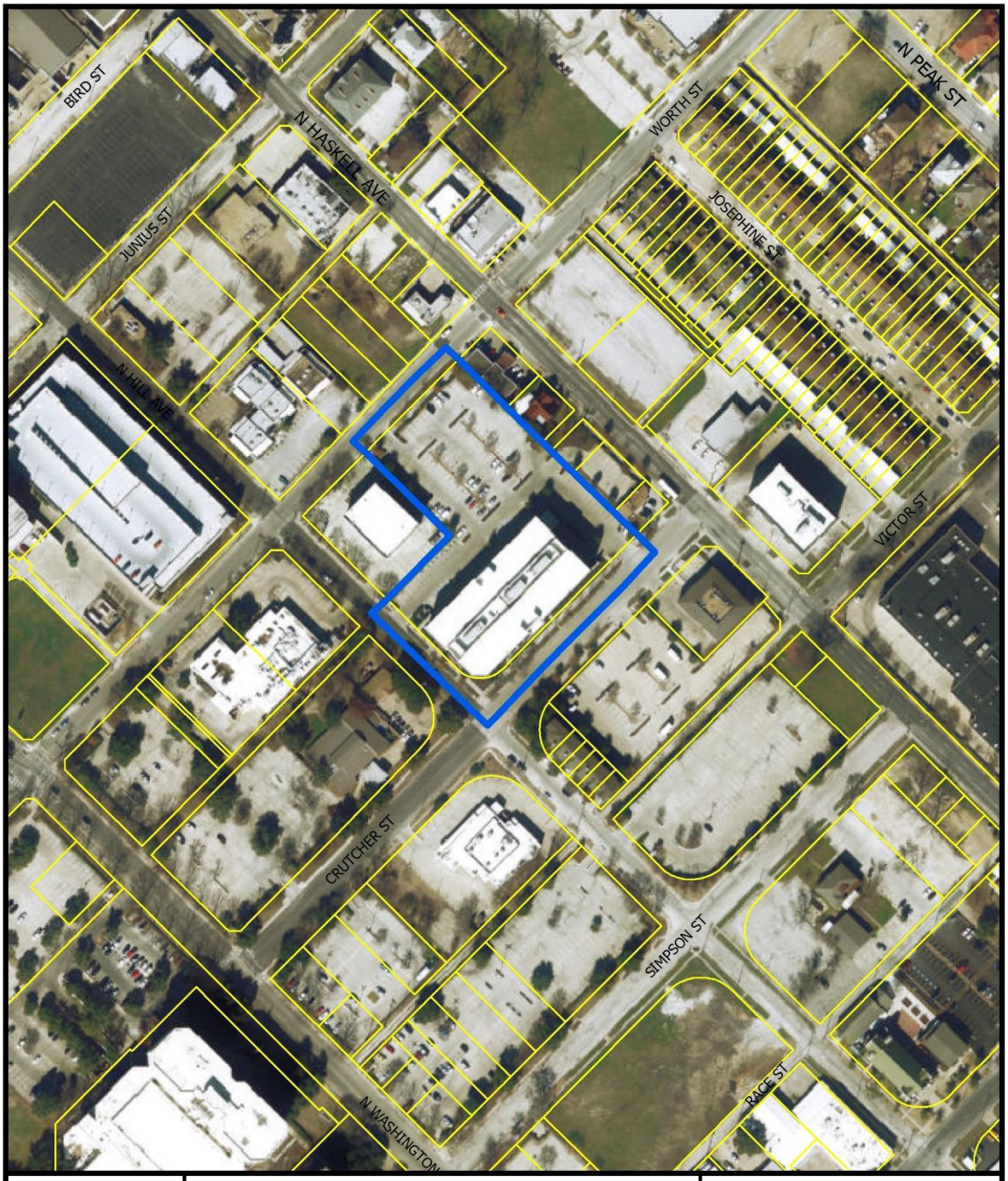
6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

7. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

Existing Site Plan
No Proposed Changes




LIVE OAK ST
N HASKELL AVE
LAVENDER RDG
MANDERLY CT
CAVOUR PL
APPLE ST
SWISS AVE
TRELLIS CT
WORTH ST
TREMONT ST
Zaragoza
Buckner (Samuell)
VICTOR ST
N CARROLL AVE
ST JOSEPH ST
FLOYD ST
GASTON AVE
N PEAK ST
Crockett
ALCALDE ST
JUNIUS ST
JOSEPHINE ST
BIRD ST
N HILL AVE
VICTOR ST
JUNIUS ST
CRUTCHFIELD
ELM ST
SIMPSON ST
WORTH ST
RACE ST
EAST SIDE AVE
N WASHINGTON AVE
ELM ST
MAIN ST
S HASKELL AVE
N HALL ST
S HILL AVE
CBD FAIR PARK LINK
CBD FAIR PARK LINK
ADAIR ST
S WASHINGTON AVE
BENSON ST
INDIANA ST
N TRUNK AVE
N 2ND AVE
WILLOW ST
Santa Fe Trail
N WALTON ST
MAIN ST
COMMERCE ST
EAST SIDE AVE
COMMERCE ST
1:6,000
VICINITY MAP
Case no: Z178-290
Date: 8/20/2018

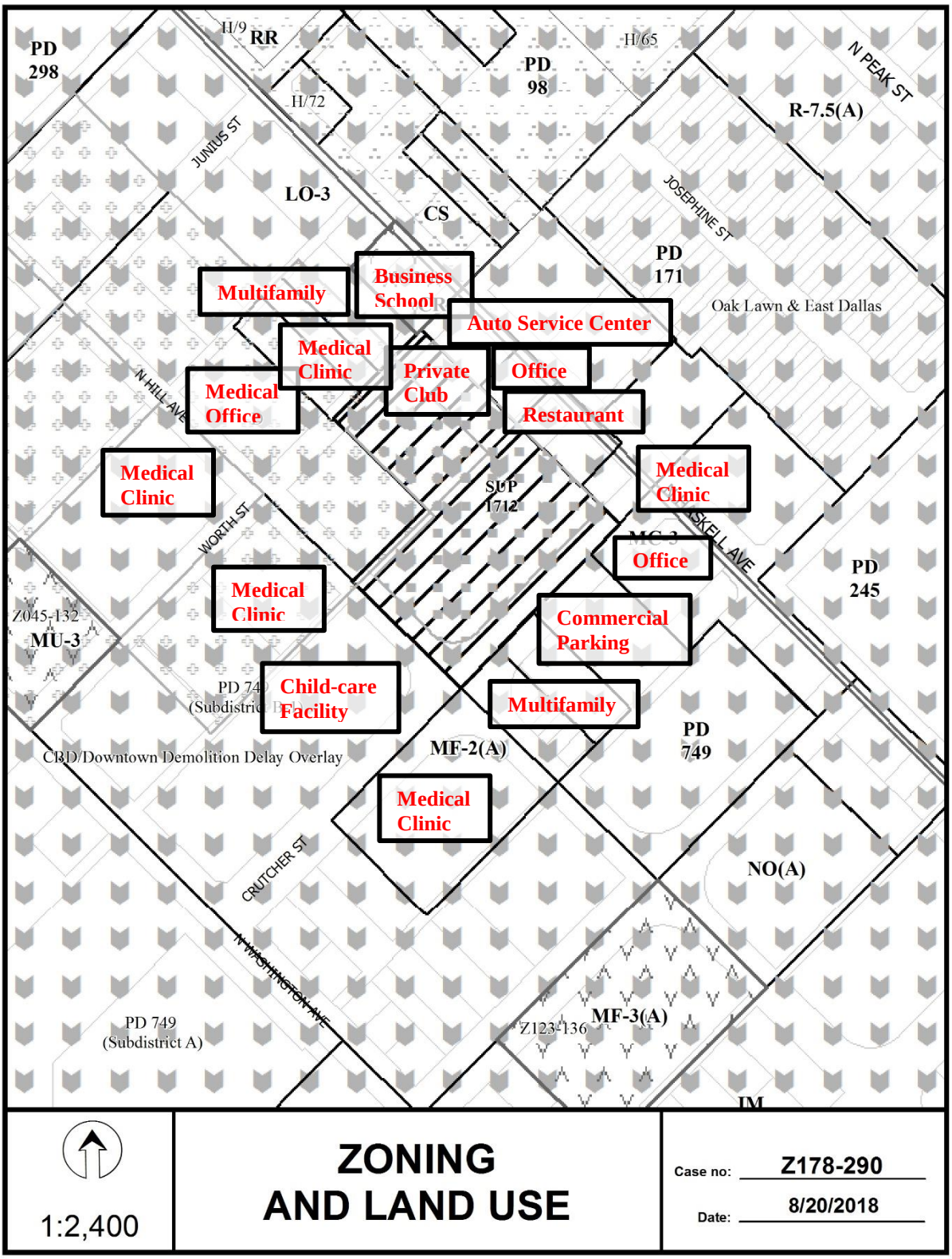


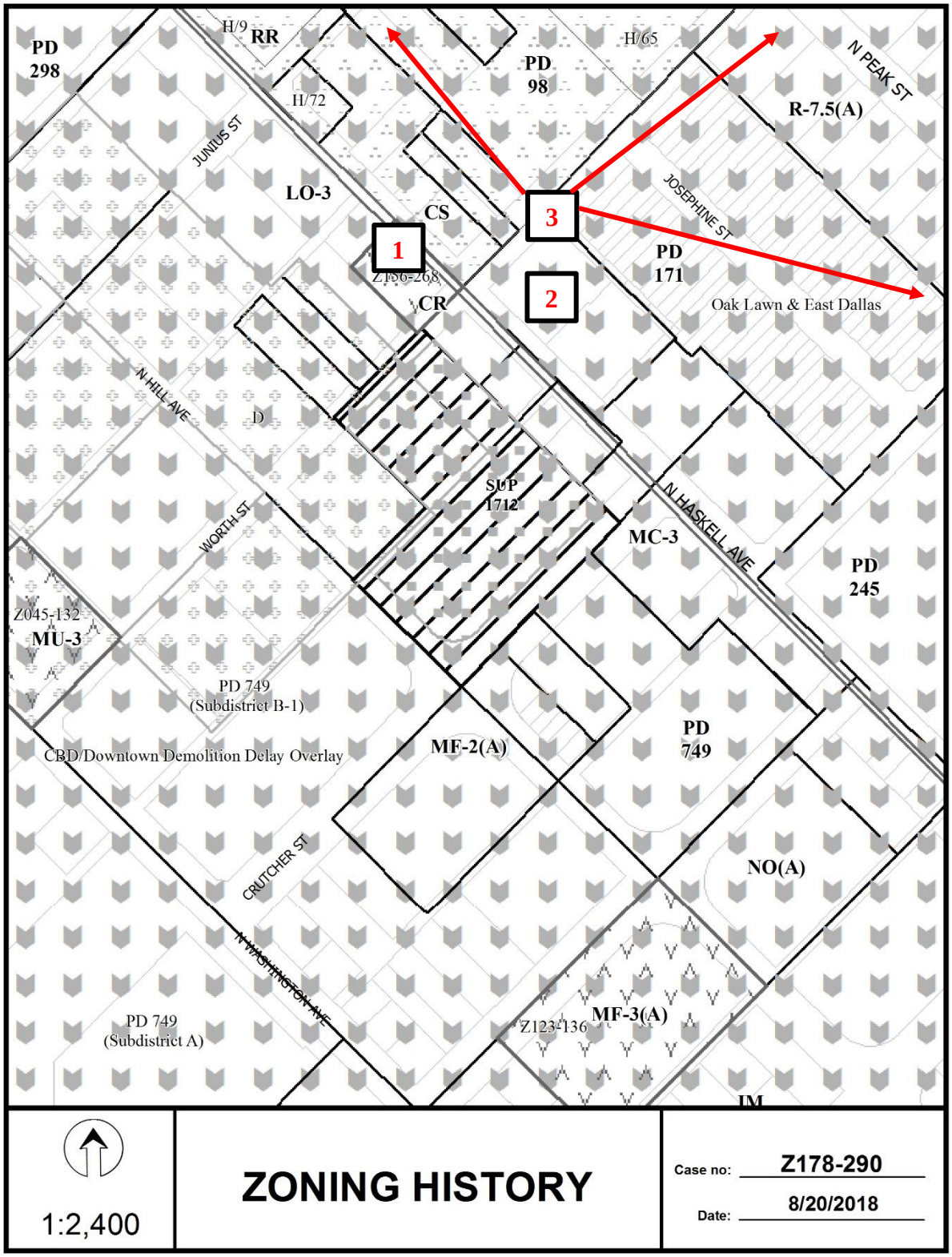
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AERIAL MAP

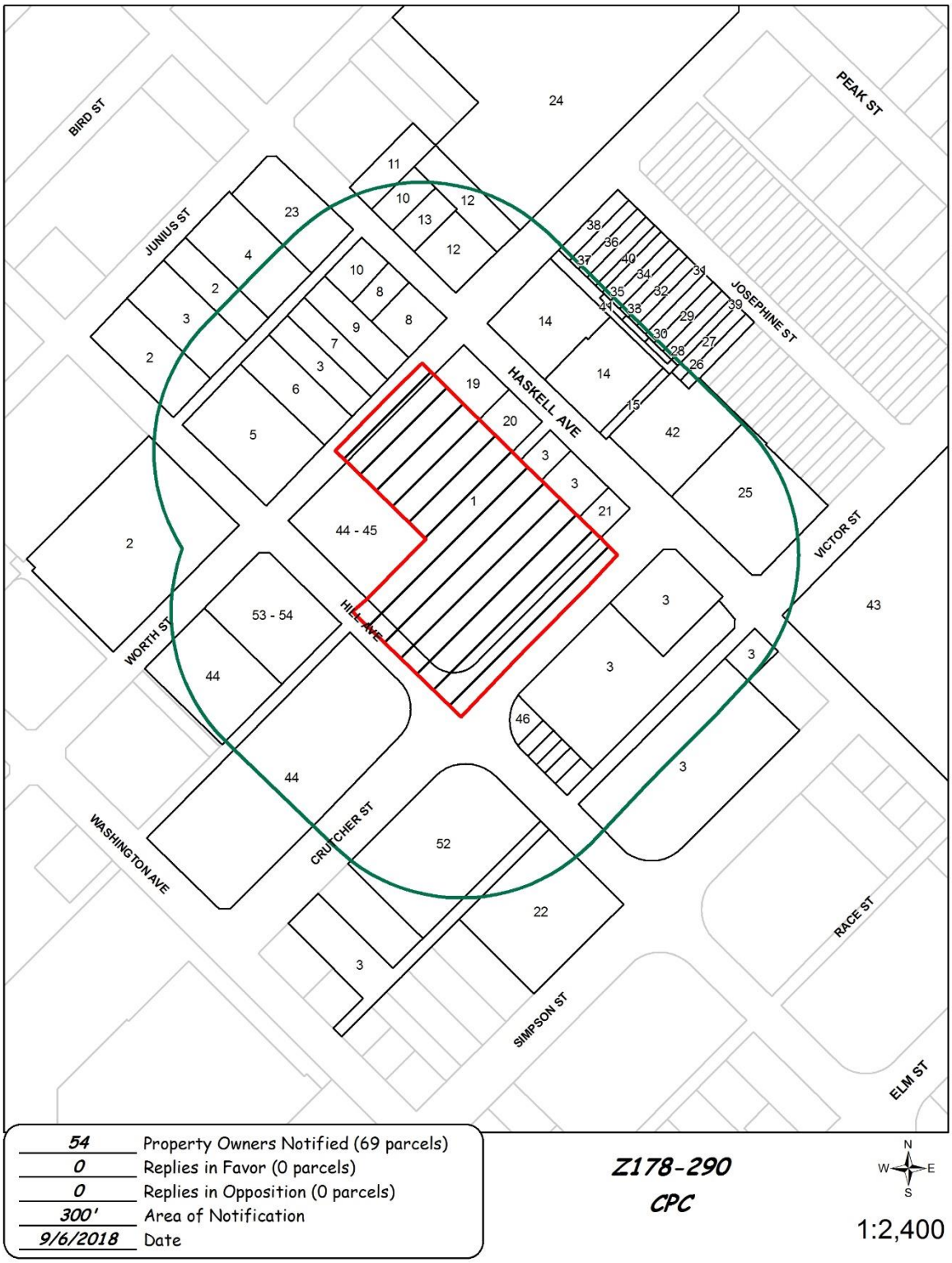
Case no: Z178-290

Date: 8/20/2018


PD 298
I/9
RR
I/72
JUNIUS ST
LO-3
CS
PD 98
I/65
N PEAK ST
R-7.5(A)
JOSEPHINE ST
PD 171
Oak Lawn & East Dallas
Multifamily
Business School
Auto Service Center
Medical Clinic
Private Club
Office
Medical Office
Restaurant
N HILL AVE
Medical Clinic
SUP 1712
Medical Clinic
WORTH ST
MC-3
Office
HASKELL AVE
PD 245
Medical Clinic
Z045-132
MU-3
Commercial Parking
Child-care Facility
Multifamily
PD 749
MF-2(A)
CBD/Downtown Demolition Delay Overlay
Medical Clinic
CRUTCHER ST
NO(A)
N WASHINGTON AVE
PD 749 (Subdistrict A)
Z123-136
MF-3(A)
IM
1:2,400
ZONING AND LAND USE
Case no: Z178-290
Date: 8/20/2018


PD 298
H/9
RR
H/72
JUNIUS ST
LO-3
PD 98
H/65
N PEAK ST
R-7.5(A)
JOSEPHINE ST
CS
1
3
2
Z156-268
CR
PD 171
Oak Lawn & East Dallas
N HILL AVE
D
SUP 1712
N HASKELL AVE
MC-3
PD 245
WORTH ST
Z045-132
MU-3
PD 749 (Subdistrict B-1)
CBD/Downtown Demolition Delay Overlay
MF-2(A)
PD 749
CRUTCHER ST
NO(A)
N WASHINGTON AVE
PD 749 (Subdistrict A)
Z123-136
MF-3(A)
IM
1:2,400
ZONING HISTORY
Case no: Z178-290
Date: 8/20/2018

CPC RESPONSES



54	Property Owners Notified (69 parcels)
0	Replies in Favor (0 parcels)
0	Replies in Opposition (0 parcels)
300'	Area of Notification
9/6/2018	Date

Z178-290
CPC

N
W E
S

1:2,400

09/05/2018

Reply List of Property Owners

Z178-290

54 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	4005	CRUTCHER ST	BAYLOR HEALTH CARE SYSTEM
	2	4000	JUNIUS ST	BAYLOR UNIVERSITY MED CTR
	3	4008	JUNIUS ST	BAYLOR HEALTH CARE SYSTEM
	4	4020	JUNIUS ST	BAYLOR HEALTH CARE SYSTEM
	5	4001	WORTH ST	BAYLOR HEALTH CARE SYSTEM
	6	4015	WORTH ST	INCA MANAGEMENT LLC
	7	4021	WORTH ST	BAYLOR HEALTH CARE SYS I
	8	607	N HASKELL AVE	OWEN MALLOY INVESTMENTS LLC
	9	4025	WORTH ST	BAYLOR HEALTH CARE SYSTEM
	10	613	N HASKELL AVE	AGAPE CLINIC
	11	618	N HASKELL AVE	THOMI MARK S
	12	4107	WORTH ST	KHADIVI KAMBIZ
	13	608	N HASKELL AVE	2MB INVESTMENTS LLC
	14	520	N HASKELL AVE	GRBK EDGEWOOD LLC
	15	502	N HASKELL AVE	DTS ASSOC LTD
	16	500	WORTH ST	DTS ASSOC LTD
	17	410	JOSEPHINE ST	DTS ASSOC LTD
	18	406	JOSEPHINE ST	DTS ASSOC LTD
	19	527	N HASKELL AVE	ANGEL RANGEL V
	20	517	N HASKELL AVE	HASKELL HOLDINGS LLC
	21	4029	CRUTCHER ST	KIM SOON
	22	3925	SIMPSON ST	BAYLOR HEALTH CARE SYSTEM
	23	4026	JUNIUS ST	BAYLOR HEALTH CARE SYSTEM
	24	629	N PEAK ST	EAST DALLAS CHRISTIAN
	25	408	N HASKELL AVE	Dallas ISD
	26	511	JOSEPHINE ST	JUAREZ DOLORES S

09/05/2018

Reply	*Label #*	*Address*		*Owner*
	27	515	JOSEPHINE ST	ARNOLD CHAD
	28	523	JOSEPHINE ST	FOLEY DONALD W
	29	527	JOSEPHINE ST	LAMOC JO EARL CASTILLO
	30	531	JOSEPHINE ST	MILANO ALBERT
	31	535	JOSEPHINE ST	POTTS MELVA DIANNE
	32	539	JOSEPHINE ST	GRUBBS BRANDON
	33	543	JOSEPHINE ST	SAVAGE SARAH KATHERINE
	34	547	JOSEPHINE ST	ALVARADE JOBEE T
	35	551	JOSEPHINE ST	PELAEZ BARBARA MARIA &
	36	563	JOSEPHINE ST	GRIMES RHONDA C
	37	567	JOSEPHINE ST	BROWN KARON F
	38	571	JOSEPHINE ST	MURPHY LOYCE
	39	503	JOSEPHINE ST	JOSEPHINE COURT ASSOC
	40	519	JOSEPHINE ST	JOSEPHINE COURT ASSOC
	41	9011	WORTH ST	DTS ASSOC LTD
	42	502	N HASKELL AVE	VERGIO REALTY LLC
	43	201	N PEAK ST	DALLAS AREA RAPID TRANSIT
	44	4004	WORTH ST	BAYLOR HEALTH CARE SYSTEM
	45	4004	WORTH ST	HRT PROPERTIES OF TX LTD
	46	4002	CRUTCHER ST	MCMULLEN MICHELLE
	47	436	HILL AVE	MALDONADO RUBEN &
	48	432	HILL AVE	BOUTTE RANDY J
	49	428	HILL AVE	WHATLEY JON R &
	50	424	HILL AVE	SMITH MONICA
	51	420	HILL AVE	SKINNER CHANDRA
	52	3930	CRUTCHER ST	KKT I L P
	53	3920	WORTH ST	BAYLOR HEALTH CARE SYSTEM
	54	3920	WORTH ST	HRT PROPERTIES OF TX LTD

Agenda Information Sheet

File #: 18-1030 **Item #:** 65.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 3

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District on property zoned an IR Industrial Research District, on the northwest corner of West Red Bird Lane and Blue Bird Avenue
Recommendation of Staff and CPC: Approval
Z178-293(CT)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, OCTOBER 24, 2018**

ACM: Majed Al-Ghafry

FILE NUMBER: Z178-293(CT) **DATE FILED:** June 27, 2018

LOCATION: Northwest corner of West Red Bird Lane and Blue Bird Avenue

COUNCIL DISTRICT: 3 **MAPSCO:** 63 N

SIZE OF REQUEST: ±2.23 acres **CENSUS TRACT:** 109.03

APPLICANT: Vaquero Bluebird Partners LP

OWNER: Don Valk

REPRESENTATIVE: Griffin Bryant and Kelly Agnor

REQUEST: An application for a CR Community Retail District on property zoned an IR Industrial Research District.

SUMMARY: The applicant's request for a CR Community Retail District will allow for the operation of a 9,000-square-foot general merchandise or food store on the subject site.

CPC RECOMMENDATION: **Approval**

STAFF RECOMMENDATION: **Approval**

BACKGROUND INFORMATION:

- The request site is currently comprised of three separately platted, undeveloped lots totaling 2.23 acres.

- The applicant's request for a CR Community Retail District will allow for the site to be developed with an approximately 9,000-square-foot building for a general merchandise and food store use.

- The general merchandise and food store use greater then 3,500 square feet is not allowed in the current IR Industrial Research District. The use would be limited to less than 3,500 square feet.

Zoning History: There have been no zoning changes requested in the area in the last five years.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
W. Red Bird Lane	Minor Arterial	100 ft.

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

Land Use:

	Zoning	Land Use
Site	IR	Undeveloped
North	IR	Undeveloped/ Office Showroom Warehouse
South	R-10(A)	Single Family
East	IR	Undeveloped
West	IR	Undeveloped

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

Land Use Element

Goal 1.1 Align land use strategies with economic development priorities

> **Policy 1.1.5** Strengthen existing neighborhoods and promote neighborhoods' unique characteristics.
>
> **Implementation measure 1.1.5.3** Encourage neighborhood-serving office, retail, or other non-residential uses to be located in residential community areas, primarily on significant roadways or at key intersections.

Economic Element

Goal 2.1 Promote balanced growth

> Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

STAFF ANALYSIS:

Land Use Compatibility:

The ±2.23-acre site currently consists of three undeveloped lots and is immediately adjacent to office showroom warehouse uses to the north, largely undeveloped land to the east and west, and residential uses to the south.

The request site is currently zoned an IR Industrial Research District. The current request is to change the zoning to a CR Community Retail District to allow for the future development of a general merchandise or food store. Surrounding properties, including the office showroom/warehouse, mini storage, day care, and residential uses, will benefit from the convenience of allowing the general merchandise and food store use which would provide useful goods to the area.

The proposed CR Community Retail District is described as being able to accommodate community-serving retail, personal services and office uses principally servicing, and at a scale and intensity compatible with, residential communities. The proposed general merchandise or food store use would service the residential community to the south of the site.

Development Standards:

DISTRICT	SETBACKS Front	Side/Rear	Density FAR	Height	Lot Coverage	Special Standards	Primary Uses
Proposed							
CR Community Retail	15'	20' adjacent to residential OTHER: No Min.	0.75 FAR overall 0.5 office	54' 4 stories	60%	Proximity Slope Visual Intrusion	Retail & personal service, office
Existing							
IR Industrial Research	15'	30' adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200' 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

Landscaping:

Landscaping is required in accordance with Article X of the Dallas Development Code, as amended.

Parking:

At the time of development, off-street parking requirements must be provided in accordance with the Dallas Development Code, as amended. The General Merchandise or food store greater than 3,500 square feet requires a one parking space per 200 square feet of floor area for uses less than 10,000 square feet. The proposed 9,000 square foot building would require forty-five parking spaces.

CPC ACTION:
September 6, 2018

Motion: It was moved to recommend **approval** of a CR Community Retail District on property zoned an IR Industrial Research District, on the northwest corner of West Red Bird Lane and Blue Bird Avenue.

Maker: Shidid
Second: Schultz
Result: Carried: 12 to 0

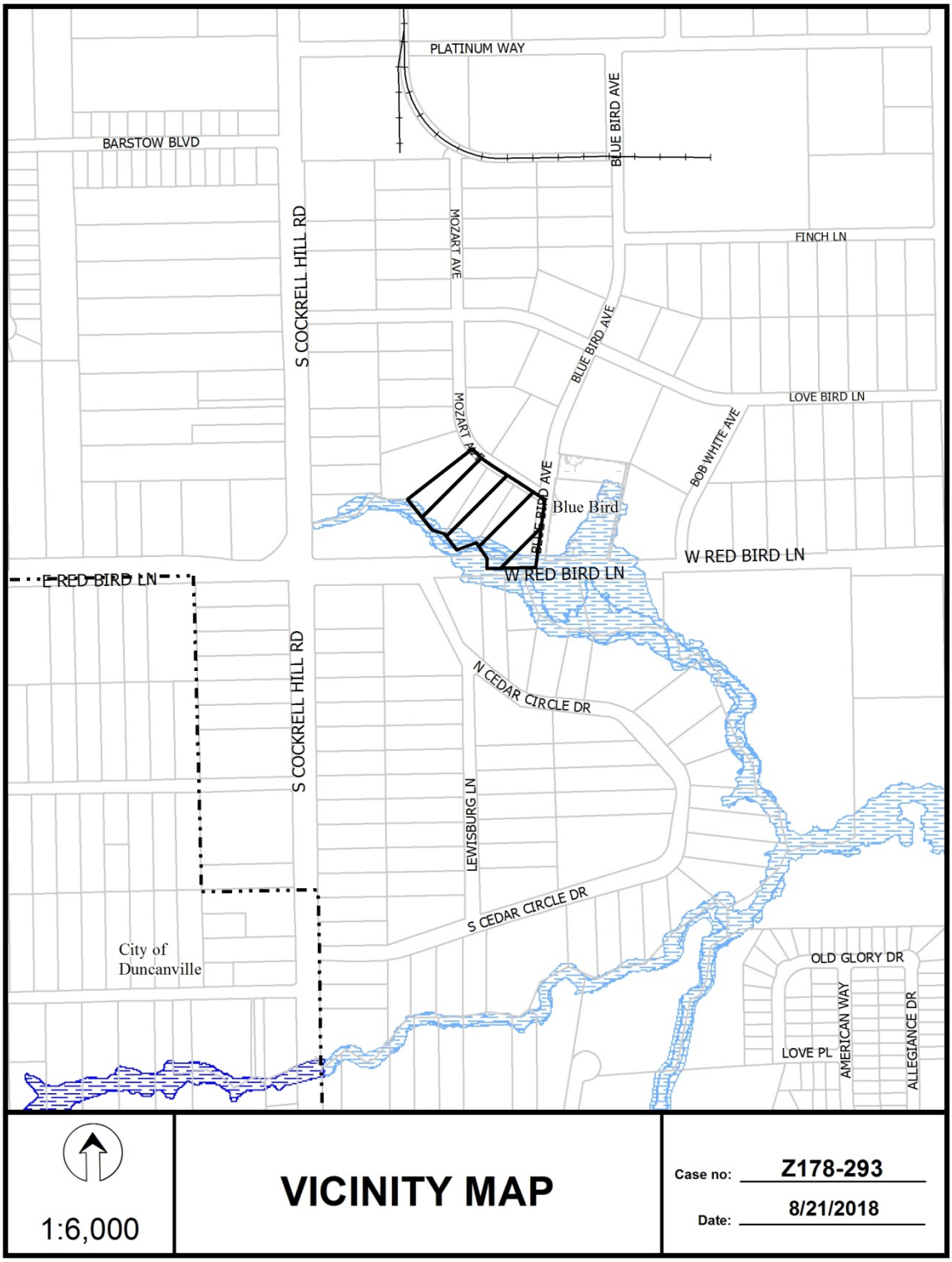
For: 12 - West, Rieves, Houston, Davis*, Shidid, Carpenter, Mack, Lewis, Schultz, Peadon, Ridley, Tarpley

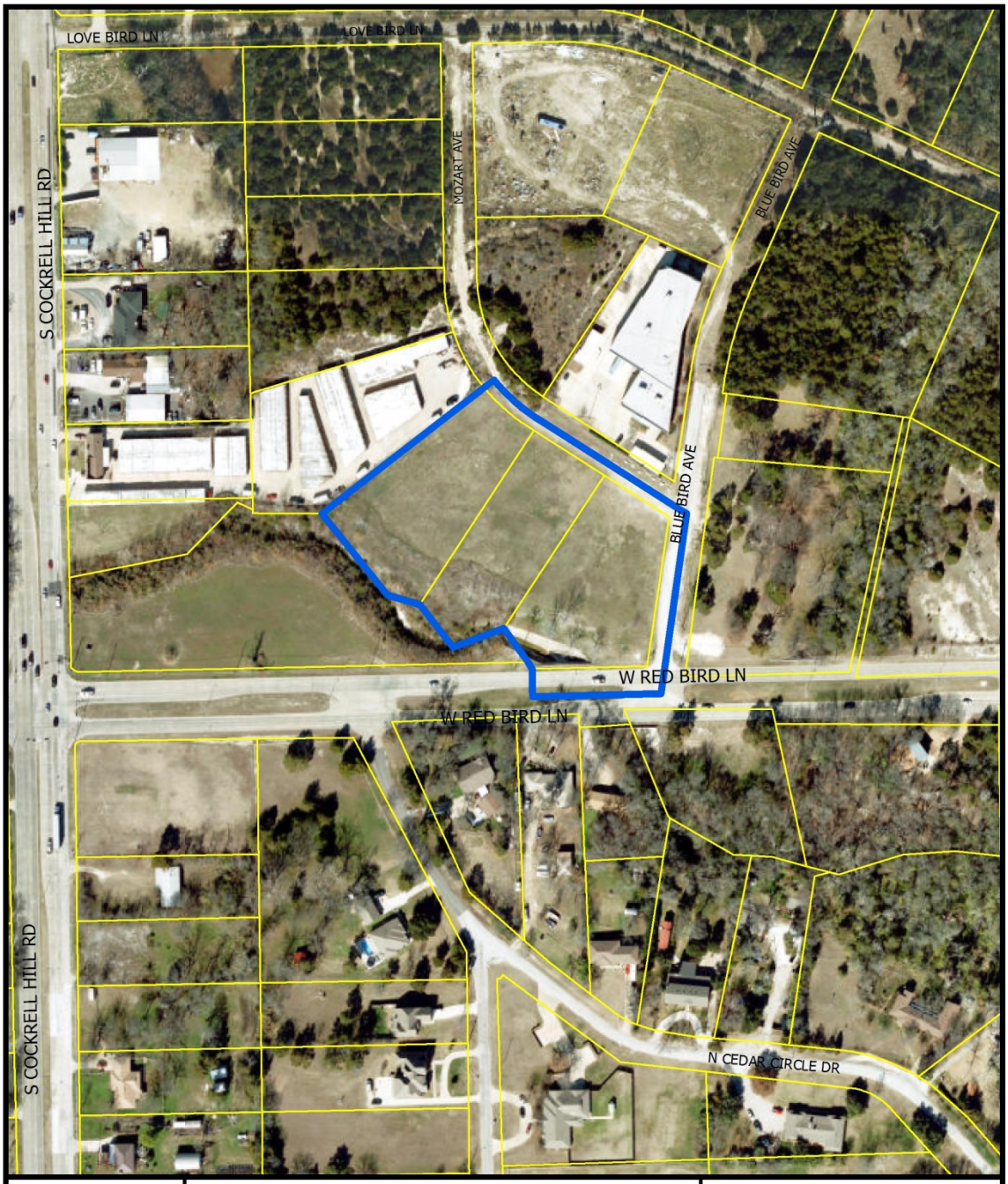
Against: 0
Absent: 3 - Jung, Housewright, Murphy
Vacancy: 0

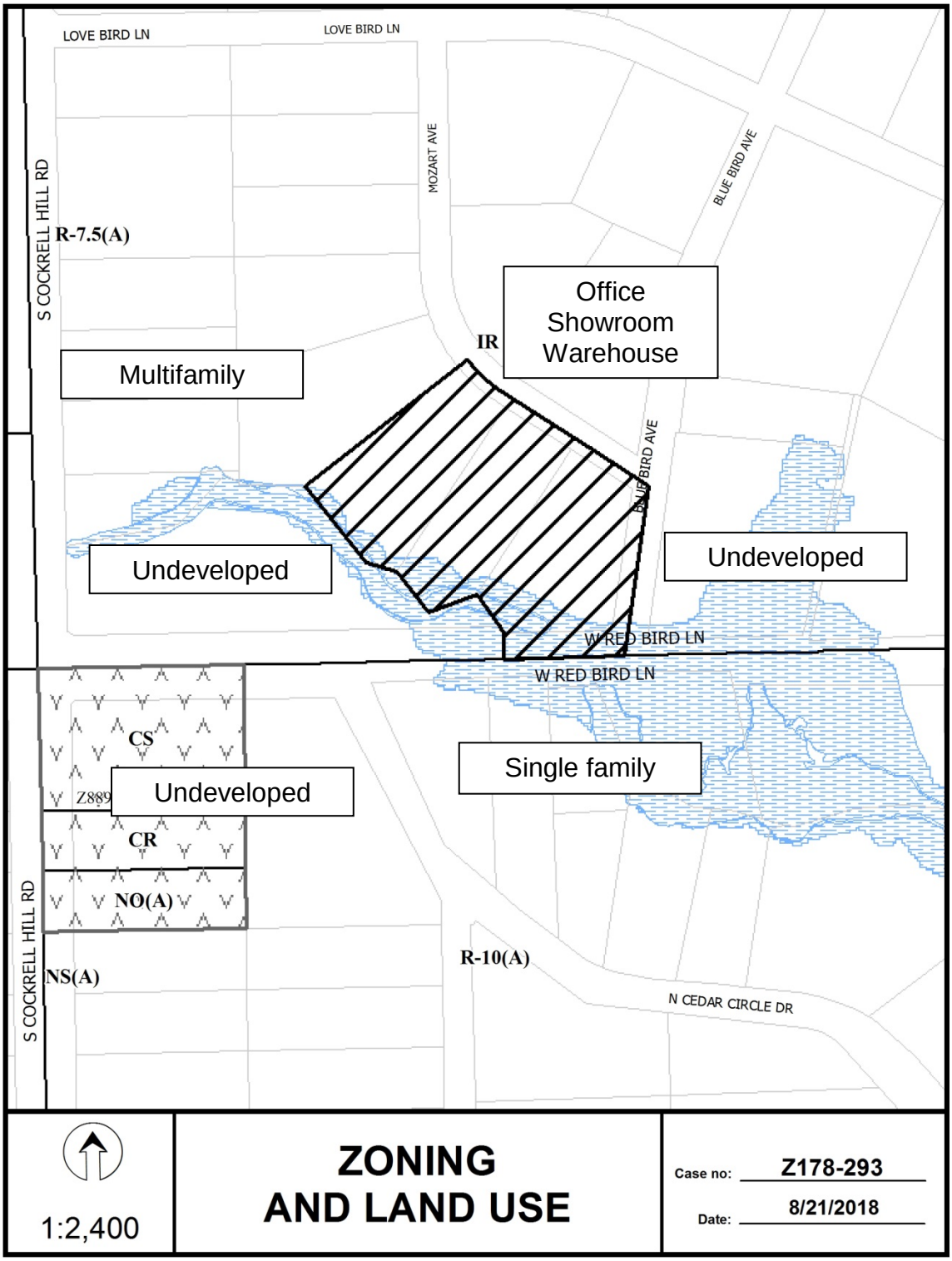
*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 17
Replies: For: 2 Against: 0

Speakers: None


PLATINUM WAY
BLUE BIRD AVE
BARSTOW BLVD
S COCKRELL HILL RD
MOZART AVE
FINCH LN
BLUE BIRD AVE
LOVE BIRD LN
MOZART AVE
BLUE BIRD AVE
BOB WHITE AVE
Blue Bird
W RED BIRD LN
W RED BIRD LN
E RED BIRD LN
S COCKRELL HILL RD
N CEDAR CIRCLE DR
LEWISBURG LN
S CEDAR CIRCLE DR
City of
Duncanville
OLD GLORY DR
AMERICAN WAY
ALLEGIANCE DR
LOVE PL
1:6,000
VICINITY MAP
Case no: Z178-293
Date: 8/21/2018


LOVE BIRD LN
LOVE BIRD LN
S COCKRELL HILL RD
MOZART AVE
BLUE BIRD AVE
BLUE BIRD AVE
W RED BIRD LN
W RED BIRD LN
S COCKRELL HILL RD
N CEDAR CIRCLE DR
1:2,400
AERIAL MAP
Case no: Z178-293
Date: 8/21/2018


LOVE BIRD LN
LOVE BIRD LN
S COCKRELL HILL RD
MOZART AVE
BLUE BIRD AVE
R-7.5(A)
Office
Showroom
Warehouse
IR
Multifamily
BLUE BIRD AVE
Undeveloped
Undeveloped
W RED BIRD LN
W RED BIRD LN
CS
Undeveloped
Z889
CR
NO(A)
Single family
S COCKRELL HILL RD
NS(A)
R-10(A)
N CEDAR CIRCLE DR
1:2,400
ZONING
AND LAND USE
Case no: Z178-293
Date: 8/21/2018

CPC RESPONSES



17	Property Owners Notified (29 parcels)
2	Replies in Favor (3 parcels)
0	Replies in Opposition (0 parcels)
300'	Area of Notification
9/6/2018	Date

Z178-293
CPC

N
W E
S

1:2,400

09/05/2018

Reply List of Property Owners

Z178-293

17 Property Owners Notified ***2 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	5618	S COCKRELL HILL RD	VALK DON
	2	4201	W RED BIRD LN	GARCIA DARIO
	3	5606	S COCKRELL HILL RD	HAYNES GARY L & LAKEISHA
	4	5610	S COCKRELL HILL RD	MALAGON RAFAEL
	5	5517	MOZART AVE	CRAWFORD JEWELL JR
O	6	5506	MOZART AVE	WEDA MOZART LLC
O	7	5613	BLUE BIRD AVE	DEWA REALTY LLC
	8	5500	BLUE BIRD AVE	ROMICK MORRIS TRUST
	9	4107	W RED BIRD LN	BRUCK LORI &
	10	4140	W RED BIRD LN	MONTERROSO LEONEL &
	11	4120	W RED BIRD LN	NAVA ALFONSO L JR &
	12	5806	S COCKRELL HILL RD	DEMISSEW SAMUEL &
	13	5901	LEWISBURG LN	HOOD JANICE & ERIC
	14	4159	N CEDAR CIRCLE DR	RODRIGUEZ JUAN
	15	4217	N CEDAR CIRCLE DR	DAVILA LORENA
	16	4212	W RED BIRD LN	GIBSON WILLIAM T
	17	4224	W RED BIRD LN	LUCERO HORACIO

Agenda Information Sheet

File #: 18-1031 **Item #:** 66.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an IR Industrial Research District on property zoned an MU-3 Mixed Use District, on the east side of Emerald Street, at the terminus of Alberta Drive
Recommendation of Staff and CPC: Approval
Z178-295(CY)

powered by Legistar™

HONORABLE MAYOR AND CITY COUNCIL WEDNESDAY OCTOBER 24, 2018
ACM: Majed Al-Ghafry

FILE NUMBER:	Z178-295(CY)	**DATE FILED:**	July 7, 2018
LOCATION:	East side of Emerald Street, at the terminus of Alberta Drive		
COUNCIL DISTRICT:	6	**MAPSCO:**	22 D
SIZE OF REQUEST:	Approx. 1.63 acres	**CENSUS TRACT:**	99.00

OWNER/APPLICANT: 11590 Emerald Street Associates, JV

REPRESENTATIVE: Michael R. Coker

REQUEST: An application for an IR Industrial Research District on property zoned an MU-3 Mixed Use District

SUMMARY: The applicant proposes to change the zoning from MU-3 to IR to allow for development and use opportunities allowed under the IR District.

CPC RECOMMENDATION: **Approval**

STAFF RECOMMENDATION: **Approval**

BACKGROUND INFORMATION:

- The area of request is currently undeveloped.
- Building Inspections records indicate that the site previously contained an office/showroom/warehouse building for which the last Certificate of Occupancy was issued on December 1997.
- Aerial historical images reflect the building was demolished between 2008 and 2009, however, no demolition permit was issued per Building Inspections.
- The applicant does not have a proposed use or development planned for the site.

Zoning History: There has been one zoning change request in the surrounding area in the past five years.

1. **Z134-211** On September 10, 2014, City Council approved the renewal of SUP 1747 for an alcoholic beverage establishment use limited to a private-club bar on property on the northwest corner of Harcourt Street and North Stemmons Freeway, south of the area of request.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Required ROW
Emerald Street	Community Collector	75’	60’
Interstate 35 (North Stemmons Freeway)	Interstate highway	Variable	Variable

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request complies with the following land use goals and policies of the Comprehensive Plan:

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS

Policy 2.4.2 Restore Dallas as the premier city for conducting business within the region.

Land Use:

	Zoning	Land Use
Site	MU-3 Mixed-Use District	Undeveloped Land
North	IR Industrial Research	Undeveloped Land
East	MU-3 Mixed-Use District, IR Industrial Research	IH-35, Office, Personal Service and Vehicle repair and sale uses.
South	MU-3 Mixed-Use District	Vehicle or engine repair or maintenance
West	IR Industrial Research	Office / Showroom / Warehouse

Land Use Compatibility:

The approximate 1.63-acre site is zoned an MU-3 Mixed Use District and is currently undeveloped.

Although the applicant does not have a proposed development for the site at this moment, the purpose of the request is to allow for use opportunities and flexibility allowed under the IR Industrial Research District.

Surrounding the area of request is an undeveloped tract of land to the north, a distribution center campus with office/showroom warehouse uses to the west across Emerald Street, a home improvement center for the sales and distribution of lumber and wood materials to the southwest, a non-conforming vehicle or engine repair or maintenance use directly adjacent to the site to the south; to the east is the south bound of Interstate 35E and further east across the Interstate Highway, more vehicle related uses and office/showroom/warehouse uses along with furniture store uses, and a mix of office, personal service and retail uses.

The request for the zoning change is consistent with the surrounding area that presents an existing development compatible with the IR District with uses primarily for the warehouse, wholesale and distribution of products as well as other commercial uses. The IR District seeks to provide for development of light industrial, office and supporting commercial uses in a research park setting. Based on this analysis, staff is recommending approval of the request. A use comparison table has been included below to reflect the uses allowed in the existing MU-3 District and in the proposed IR District.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
Existing: MU-3 Mixed Use	15’	20’ adjacent to residential OTHER No Min.	3.2 FAR base, 4.0 FAR max + bonus for residential	270’ 20 stories	80%	Proximity Slope U-form setback Tower spacing Visual Intrusion	Office, retail & personal service, lodging, residential, trade center.
Proposed: IR Industrial Research	15’	30’ adjacent to residential OTHER: No Min.	2.0 FAR overall 0.75 office/ retail 0.5 retail	200’ 15 stories	80%	Proximity Slope Visual Intrusion	Industrial, wholesale distribution & storage, supporting office & retail

Parking:

At the time of development, off-street parking requirements must be provided in accordance with the Dallas Development Code, as amended

Landscaping:

At the time of development, landscaping must be provided in accordance with Article X of the Dallas Development Code, as amended.

USE COMPARISON TABLE MU-3 vs IR

USE	MU-3 Mixed Use District	IR Industrial Research District
AGRICULTURAL USES	CROP PRODUCTION	CROP PRODUCTION
COMMERCIAL AND BUSINESS SERV.		BUILDING REPAIR AND MAINTENANCE SHOP (RAR)
		BUS OR RAIL TRANSIT VEHICLE MAINTENANCE OR STORAGE FACILITY (RAR)
	CATERING SERVICE	CATERING SERVICE
		COMMERCIAL CLEANING OR LAUNDRY PLANT (RAR)
	CUSTOM BUSINESS SERVICES	CUSTOM BUSINESS SERVICES
		CUSTOM WOODWORKING, FUNITURE CONSTRUCTION OR REPAIR
	ELECTRONICS SERVICE CENTER	ELECTRONICS SERVICE CENTER
		JOB OR LITHOGRAPHIC PRINTING (RAR)
	LABOR HALL (SUP)	LABOR HALL (SUP may be required)
		MACHINE OR WELDING SHOP (RAR)
		MACHINERY, HEAVY EQUIPMENT, OR TRUCK SALES AND SERVICES (RAR)
	MEDICAL OR SCIENTIFIC LABORATORY	MEDICAL OR SCIENTIFIC LABORATORY
		TECHNICAL SCHOOL
	TOOL OR EQUIPMENT RENTAL	TOOL OR EQUIPMENT RENTAL
		VEHICLE OR ENGINE REPAIR OR MAINTENANCE
INDUSTRIAL USES		ALCOHOLIC BEVERAGE MANUFACTURING (RAR)
	GAS DRILLING AND PRODUCTION (SUP)	GAS DRILLING AND PRODUCTION (SUP)
		INDUSTRIAL INSIDE
		INDUSTRIAL INSIDE FOR LIGHT MANUFACTURING
		INDUSTRIAL OUTSIDE
		MEDICAL/ INFECTIOUS WASTE INCINERATOR (SUP)
		MUNICIPAL WASTE INCINERATOR (SUP)
		ORGANIC COMPOST RECYCLING FACILITY (SUP)
		PATHOLOGICAL WASTE INCINERATOR (SUP)
	TEMPORARY CONCRETE OR ASPHALT BATCHING PLANT (By Special authorization of the BO)	TEMPORARY CONCRETE OR ASPHALT BATCHING PLANT (By Special authorization of the BO)

USE	MU-3 Mixed Use District	IR Industrial Research District
INSTITUTIONAL AND COMMUNITY SERVICE USES	ADULT DAY CARE FACILITY	ADULT DAY CARE FACILITY
	CEMETERY OR MAUSOLEUM (SUP)	CEMETERY OR MAUSOLEUM (SUP)
	CHILD-CARE FACILITY	CHILD-CARE FACILITY
	CHURCH	CHURCH
	COLLEGE, UNIVERSITY OR SEMINARY	COLLEGE, UNIVERSITY OR SEMINARY
	COMMUNITY SERVICE CENTER (SUP)	COMMUNITY SERVICE CENTER
	CONVALECENT AND NURSING HOMES, HOSPICE CARE AND RELATED INSTITUTIONS (RAR)	
	CONVENT OR MONASTERY	
	FOSTER HOME	
	HALFWAY HOUSE (SUP)	
	HOSPITAL (RAR)	HOSPITAL (RAR)
	LIBRARY, ART GALLERY OR MUSEUM	
	OPEN-ENROLLMENT CHARTER SCHOOL OR PRIVATE SCHOOL (SUP)	
	PUBLIC SCHOOL OTHER THAN AN OPEN-ENROLLMENT CHARTER SCHOOL (RAR)	PUBLIC OR PRIVATE SCHOOL (SUP)
LODGING USES	EXTENDED STAY HOTEL OR MOTEL (SUP)	EXTENDED STAY HOTEL OR MOTEL (SUP)
	HOTEL OR MOTEL (RAR)	HOTEL OR MOTEL (RAR)
		LODGING OR BOARDING HOUSE
	OVERNIGHT GENERAL PURPOSE SHELTER	OVERNIGHT GENERAL PURPOSE SHELTER
MISCELLANEOUS USES	ATTACHED NON-PREMISE SIGN (SUP)	ATTACHED NON-PREMISE SIGN (SUP)
	CARNIVAL OR CIRCUS (TEMPORARY) (By special authoriztion of the BO)	CARNIVAL OR CIRCUS (TEMPORARY) (By special authoriztion of the BO)
		HAZARDOUS WASTE MANAGEMENT FACILITY (Except when operated as a hazardous waste incinerator)
	TEMPORARY CONSTRUCTION OR SALES OFFICE	TEMPORARY CONSTRUCTION OR SALES OFFICE

USE	MU-3 Mixed Use District	IR Industrial Research District
OFFICE USES	ALTERNATIVE FINANCIAL ESTABLISHMENT (SUP)	ALTERNATIVE FINANCIAL ESTABLISHMENT (SUP)
	FINANCIAL INSTITUTION WITHOUT DRIVE-IN WINDOW	FINANCIAL INSTITUTION WITHOUT DRIVE-IN WINDOW
	FINANCIAL INSTITUTION WITH DRIVE-IN WINDOW (DIR)	FINANCIAL INSTITUTION WITH DRIVE-IN WINDOW (RAR)
	MEDICAL OR AMBULATORY SURGICAL CENTER	MEDICAL OR AMBULATORY SURGICAL CENTER
	OFFICE	OFFICE
RECREATION USES	COUNTRY CLUB WITH PRIVATE MEMBERSHIP	COUNTRY CLUB WITH PRIVATE MEMBERSHIP
	PRIVATE RECREATION CENTER, CLUB OR AREA (SUP)	PRIVATE RECREATION CENTER, CLUB OR AREA
	PUBLIC PARK, PLAYGROUND OR GOLF COURSE	PUBLIC PARK, PLAYGROUND OR GOLF COURSE
RESIDENTIAL USES	COLLEGE DORMITORY, FRATERNITY, OR SORORITY HOUSE	NONE PERMITTED
	DUPLEX	
	GROUP RESIDENTIAL FACILITY	
	MULTIFAMILY	
	RESIDENTIAL HOTEL	
	RETIREMENT HOUSING	
RETAIL AND PERSONAL SERVICE USES	ALCOHOLIC BEVERAGE ESTABLISHMENT	ALCOHOLIC BEVERAGE ESTABLISHMENT
	ANIMAL SHELTER OR CLINIC WITHOUT OUTSIDE RUNS (RAR)	ANIMAL SHELTER OR CLINIC WITHOUT OUTSIDE RUNS
		ANIMAL SHELTER OR CLINIC WITH OUTSIDE RUNS (SUP may be required)
	AUTO SERVICE CENTER (RAR)	AUTO SERVICE CENTER (RAR)
	BUSNIESS SCHOOL	BUSNIESS SCHOOL
	CAR WASH (RAR)	CARWASH
	COMMERCIAL AMUSEMENT INSIDE (SUP May be required)	COMMERCIAL AMUSEMENT INSIDE (SUP May be required)
	COMMERCIAL AMUSEMENT OUTSIDE (SUP)	
		COMMERCIAL MOTOR VEHICLE PARKING (By SUP only if within 500 feet of a residential district)
	COMMERCIAL PARKING LOT OR GARAGE (RAR)	COMMERCIAL PARKING LOT OR GARAGE (RAR)
	CONVENIENCE STORE WITH DRIVE-THROUGH (SUP)	CONVENIENCE STORE WITH DRIVE-THROUGH (SUP)
	DRY CLEANING OR LAUNDRY STORE	DRY CLEANING OR LAUNDRY STORE
	FURNITURE STORE	FURNITURE STORE

USE	MU-3 Mixed Use District	IR Industrial Research District
RETAIL AND PERSONAL SERVICE USES	GENERAL MERCHANDISE STORE OR FOOD STORE 3,500 SQUARE FEET OR LESS	GENERAL MERCHANDISE STORE OR FOOD STORE 3,500 SQUARE FEET OR LESS
	GENERAL MERCHANDISE OR FOOD STORE GREATER THAN 3,500 SQUARE FEET	
	GENERAL MERCHANDISE OR FOOD STORE 100,000 SQUARE FEET OR MORE (SUP)	
		HOME IMPROVEMENT CENTER, LUMBER, BRICK OR BUILDING MATERIALS SALES YARD (RAR)
	HOUSEHOLD EQUIPMENT AND APPLIANCE REPAIR	HOUSEHOLD EQUIPMENT AND APPLIANCE REPAIR
		LIQUEFIED NATURAL GAS FUELING STATION (By SUP only if the use has more than 4 fuel pumps or is within1,000 feet of a residential district or a PD that allows residential uses)
	LIQUOR STORE	
	MORTUARY, FUNERAL HOME, OR COMMERCIAL WEDDING CHAPEL	
	MOTOR VEHICLE FUELING STATION	MOTOR VEHICLE FUELING STATION
	NURSERY, GARDEN SHOP, OR PLANT SALES.	
	PARAPHERNALIA SHOP (SUP)	PARAPHERNALIA SHOP (SUP)
		PAWN SHOP
	PERSONAL SERVICE USES	PERSONAL SERVICE USES
	RESTAURANT WITHOUT DRIVE-IN OR DRIVE-THROUGH SERVICE (DIR)	RESTAURANT WITHOUT DRIVE-IN OR DRIVE-THROUGH SERVICE (RAR)
		RESTAURANT WITH DRIVE-IN OR DRIVE-THROUGH SERVICE (DIR)
	SWAP OR BUY SHOP (SUP)	
		TAXIDERMIST
	TEMPORARY RETAIL USE	TEMPORARY RETAIL USE
	THEATER	THEATER
		TRUCK STOP (SUP)
		VEHICLE DISPLAY SALES AND SERVICE (RAR)

USE	MU-3 Mixed Use District	IR Industrial Research District
TRANSPORTATION USES		AIRPORT OR LANDING FIELD (SUP)
		COMMERCIAL BUS STATION AND TERMINAL (RAR)
	HELIPORT (SUP)	HELIPORT (RAR)
	HELISTOP (SUP)	HELISTOP (RAR)
	RAILROAD PASSENGER STATION (SUP)	RAILROAD PASSENGER STATION (SUP)
		STOL (short take off or landing) PORT (SUP)
	TRANSIT PASSENGER SHELTER	TRANSIT PASSENGER SHELTER
	TRANSIT PASSENGER STATION OR TRANSFER CENTER (By SUP or City Council Resolution)	TRANSIT PASSENGER STATION OR TRANSFER CENTER (By SUP or City Council Resolution)
UTILITY AND PUBLIC SERVICE USES	COMMERCIAL RADIO OR TELEVISION TRANSMITTING STATION	COMMERCIAL RADIO OR TELEVISION TRANSMITTING STATION
	ELECTRICAL SUBSTATION	ELECTRICAL SUBSTATION
	LOCAL UTILITIES (SUP or RAR may be required)	LOCAL UTILITIES (SUP or RAR may be required)
	POLICE OR FIRE STATION	POLICE OR FIRE STATION
	POST OFFICE	POST OFFICE
	RADIO, TELEVISION, OR MICROWAVE TOWER (SUP)	RADIO, TELEVISION, OR MICROWAVE TOWER (RAR)
	TOWER/ANTENNA FOR CELLULAR COMMUNICATION	TOWER/ANTENNA FOR CELLULAR COMMUNICATION
	UTILITY OR GOVERNMENT INSTALLATION OTHER THAN LISTED (SUP)	UTILITY OR GOVERNMENT INSTALLATION OTHER THAN LISTED (SUP)
		WATER TREATMENT PLANT (SUP)
WHOLESALE, DISTRIBUTION AND STORAGE USES		FREIGHT TERMINAL (RAR)
		MANUFACTURED BUILDING SALES LOT (RAR)
	MINI-WAREHOUSE (SUP)	MINI-WAREHOUSE
	OFFICE SHOWROOM/ WAREHOUSE	OFFICE SHOWROOM/ WAREHOUSE
	RECYCLING BUY-BACK CENTER	RECYCLING BUY-BACK CENTER
	RECYCLING COLLECTION CENTER	RECYCLING COLLECTION CENTER
	RECYCLING DROP-OFF CONTAINER	RECYCLING DROP-OFF CONTAINER
	RECYCLING DROP-OFF FOR SPECIAL OCCASION COLLECTION	RECYCLING DROP-OFF FOR SPECIAL OCCASION COLLECTION
	TRADE CENTER	TRADE CENTER
		WAREHOUSE (RAR)

Prior CPC Action – September 6, 2018

Motion: It was moved to recommend **approval** of an IR Industrial Research District on property zoned an MU-3 Mixed Use District, on the east side of Emerald Street, at the terminus of Alberta Drive.

Maker: Carpenter
Second: Mack
Result: Carried: 12 to 0

For: 12 - West, Rieves, Houston, Davis, Shidid, Carpenter, Mack, Lewis, Schultz, Peadon, Ridley, Tarpley

Against: 0
Absent: 3 - Jung, Housewright, Murphy
Vacancy: 0

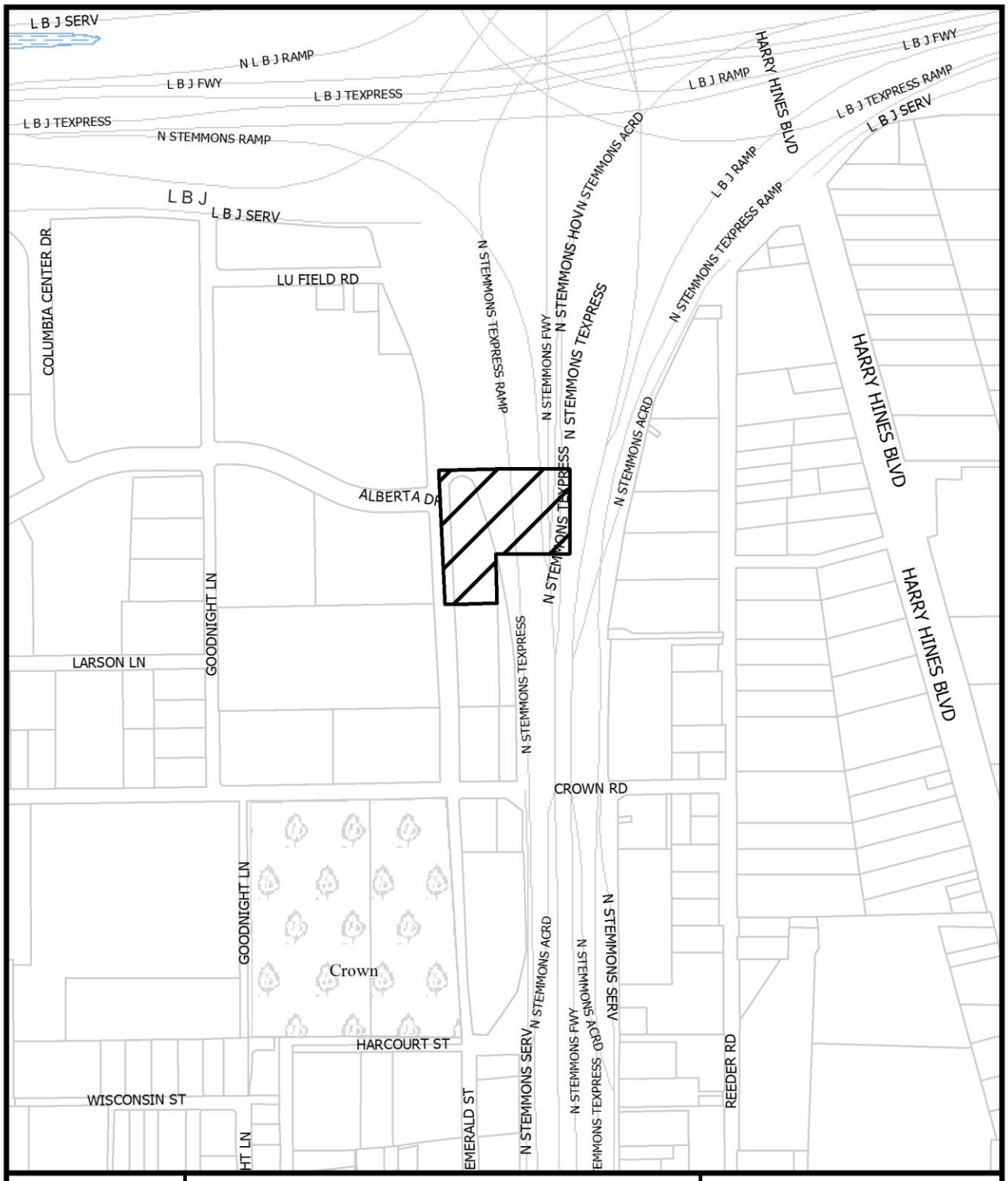
Notices: Area: 300 Mailed: 10
Replies: For: 1 Against: 0

Speakers: For: Michael Coker, 3111 Canton St., Dallas, TX 75226
Against: None

List of Officers

11590 EMERALD STREET ASSOCIATES, JV.

- Robert L. Welch Owner
- Janet Spencer Shaw Owner
- Donald E. Lookadoo Owner

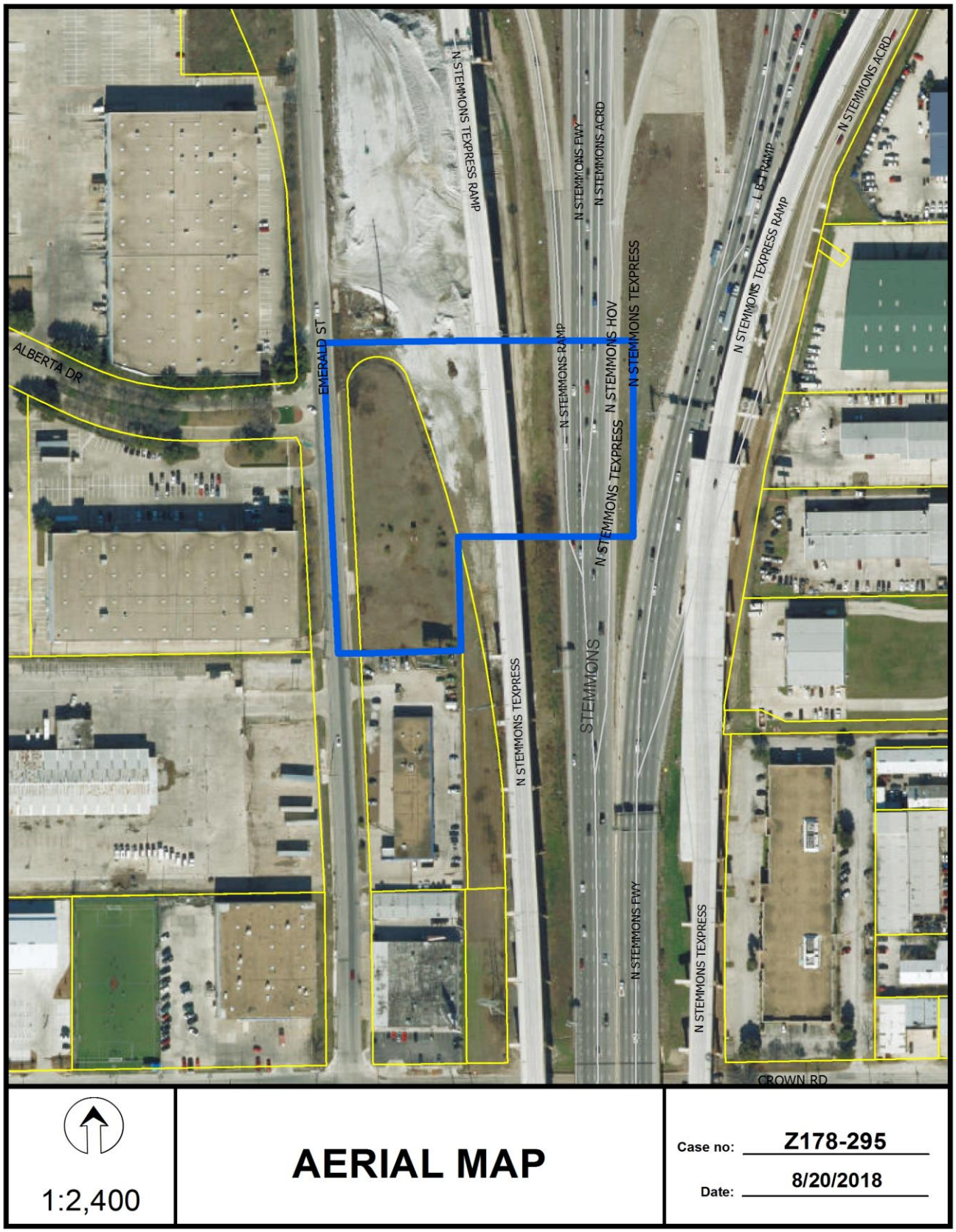


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VICINITY MAP

Case no: Z178-295

Date: 8/20/2018

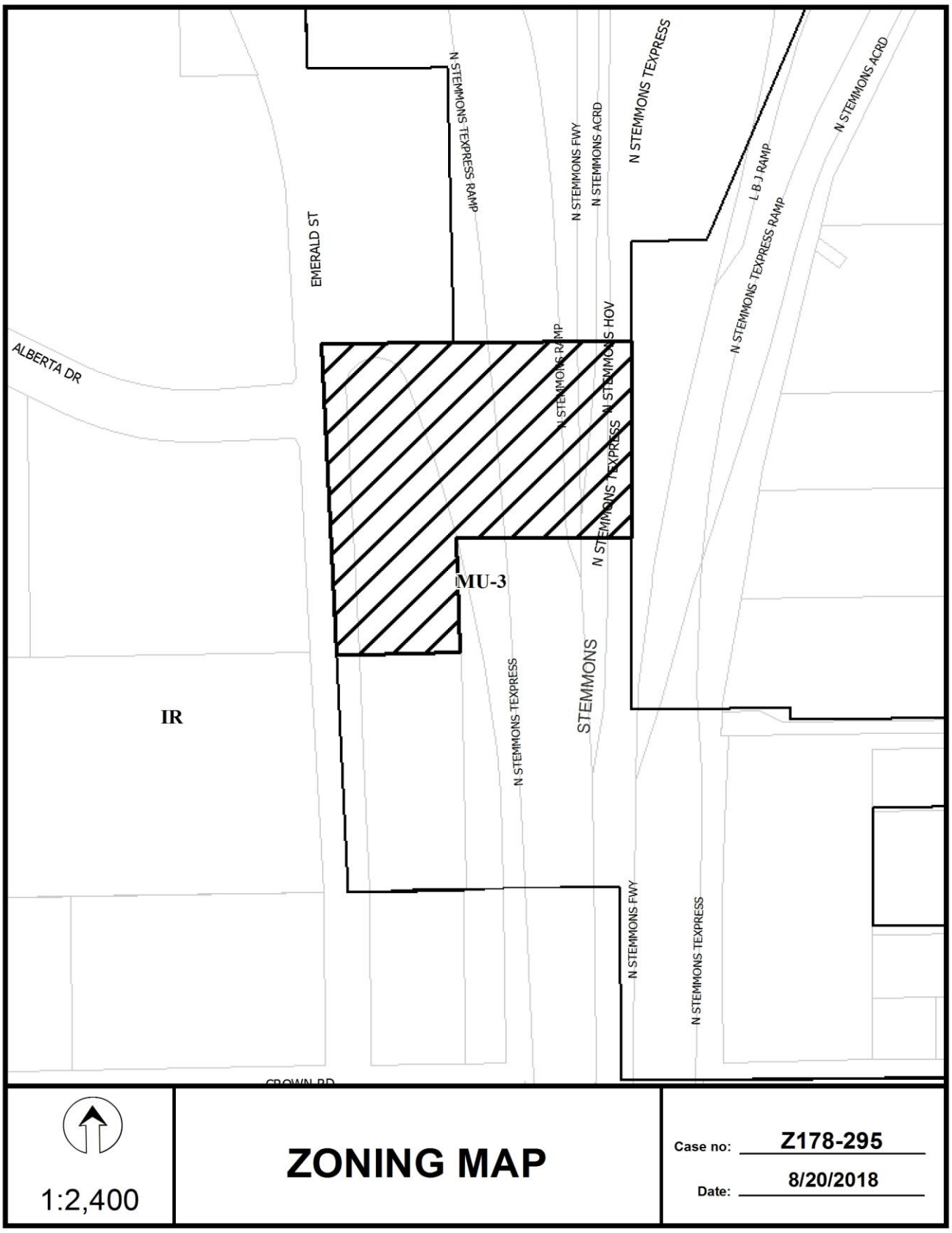


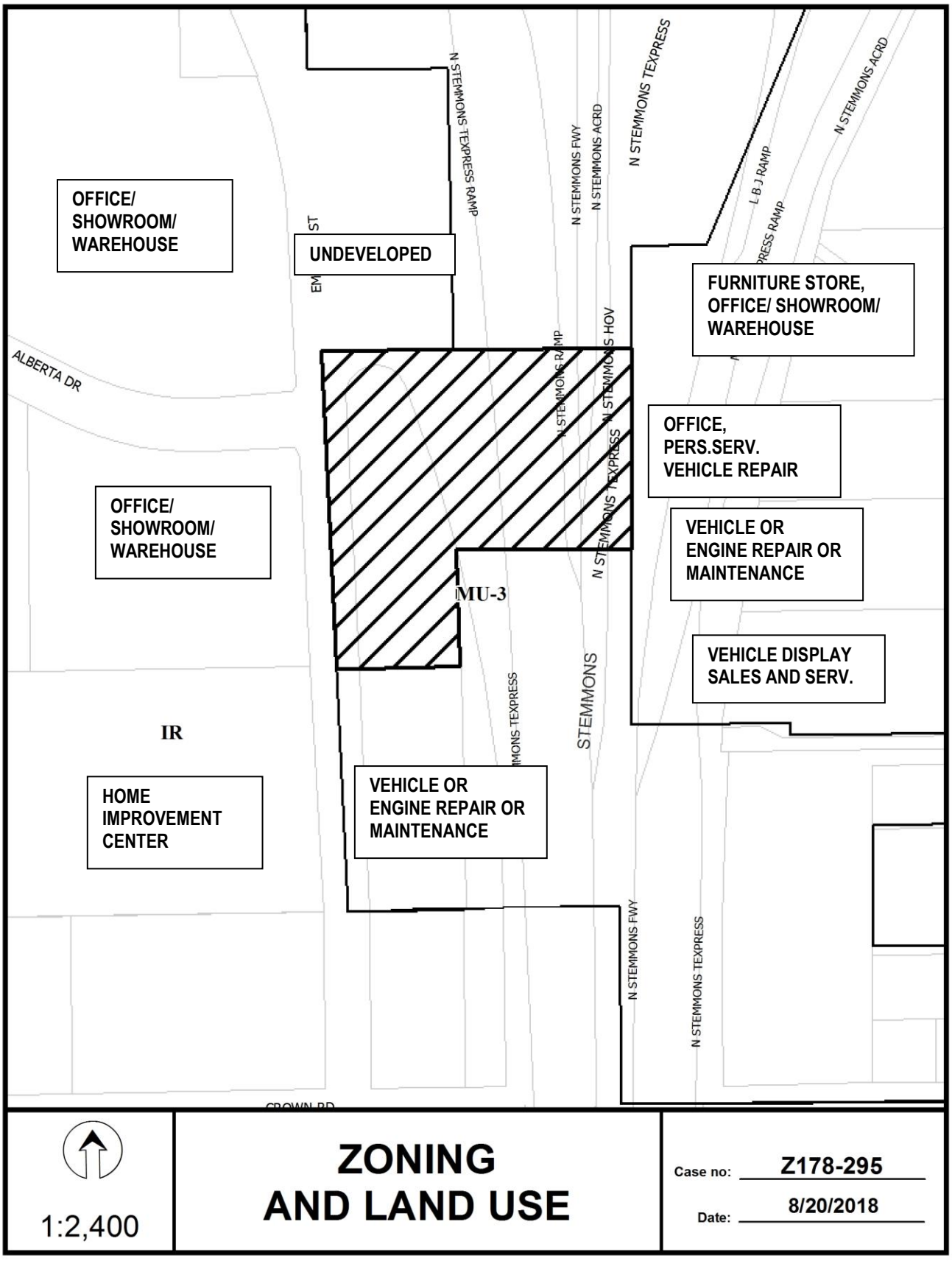
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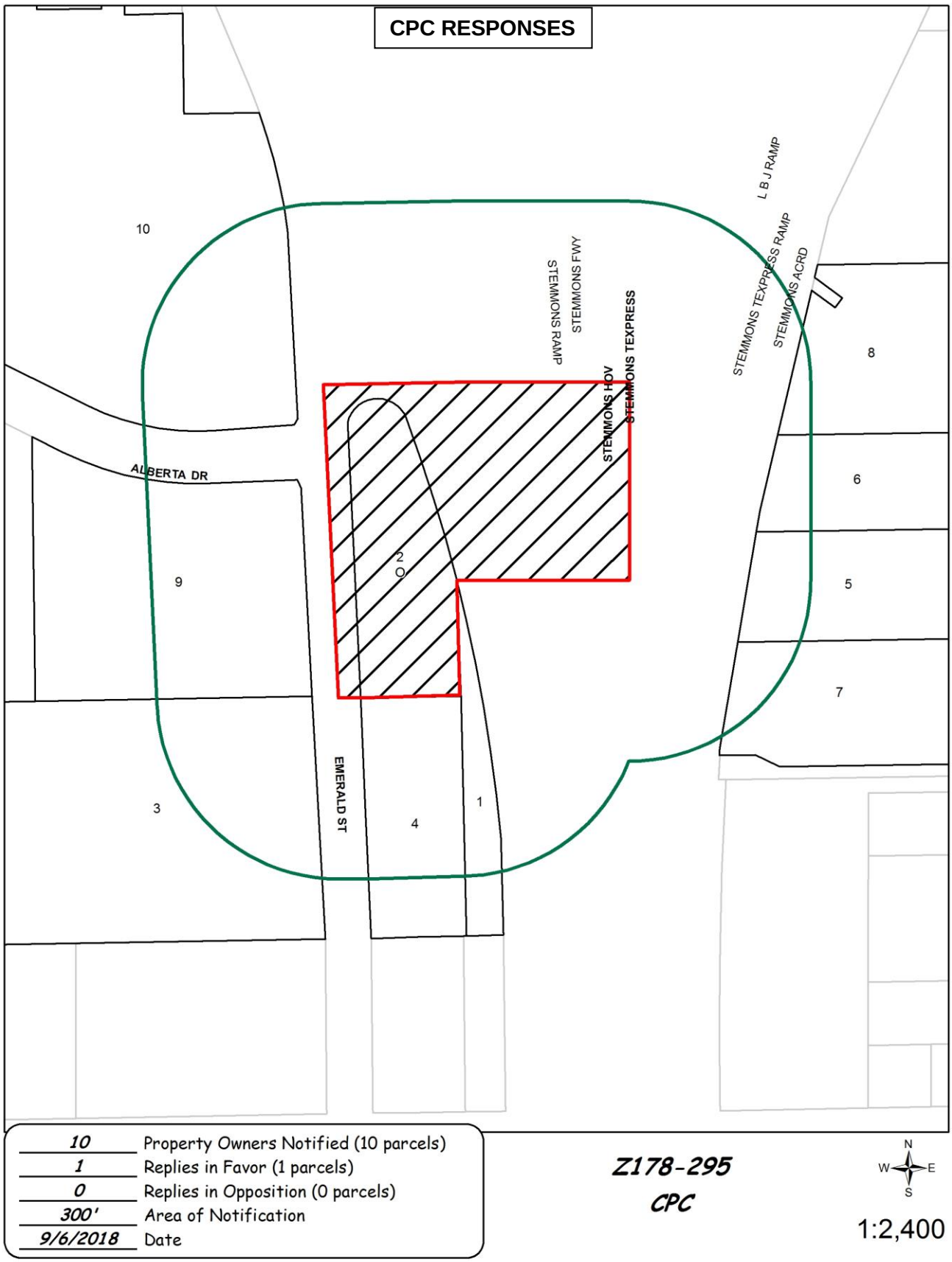
AERIAL MAP

Case no: Z178-295

Date: 8/20/2018


N STEMMONS TEXPRESS RAMP
N STEMMONS FWY
N STEMMONS ACRD
N STEMMONS TEXPRESS
L B J RAMP
N STEMMONS TEXPRESS RAMP
N STEMMONS ACRD
EMERALD ST
ALBERTA DR
N STEMMONS RAMP
N STEMMONS HOV
N STEMMONS TEXPRESS
MU-3
IR
N STEMMONS TEXPRESS
STEMMONS
N STEMMONS FWY
N STEMMONS TEXPRESS
CROWN RD
1:2,400
ZONING MAP
Case no: Z178-295
Date: 8/20/2018


OFFICE/ SHOWROOM/ WAREHOUSE
UNDEVELOPED
FURNITURE STORE, OFFICE/ SHOWROOM/ WAREHOUSE
OFFICE, PERS.SERV. VEHICLE REPAIR
VEHICLE OR ENGINE REPAIR OR MAINTENANCE
VEHICLE DISPLAY SALES AND SERV.
OFFICE/ SHOWROOM/ WAREHOUSE
MU-3
IR
HOME IMPROVEMENT CENTER
VEHICLE OR ENGINE REPAIR OR MAINTENANCE
ALBERTA DR
N STEMMONS TEXPRESS RAMP
N STEMMONS FWY
N STEMMONS ACRD
N STEMMONS TEXPRESS
L B J RAMP
N STEMMONS HOV
STEMMONS
CROWN RD
1:2,400
ZONING AND LAND USE
Case no: Z178-295
Date: 8/20/2018


CPC RESPONSES
10
9
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4
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8
6
5
7
ALBERTA DR
EMERALD ST
STEMMONS RAMP
STEMMONS FWY
STEMMONS HOV
STEMMONS TEXPRESS
STEMMONS TEXPRESS RAMP
STEMMONS ACRD
L B J RAMP
10 Property Owners Notified (10 parcels)
1 Replies in Favor (1 parcels)
0 Replies in Opposition (0 parcels)
300' Area of Notification
9/6/2018 Date
Z178-295
CPC
N
W
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1:2,400

09/05/2018

Reply List of Property Owners

Z178-295

10 Property Owners Notified ***1 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	11500	STEMMONS FWY	TEXAS UTILITIES ELEC CO
O	2	11590	EMERALD ST	EMERALD STREET ASSOC
	3	11529	EMERALD ST	JORDAN 55 LLC
	4	11530	EMERALD ST	B L C INC
	5	11565	REEDER RD	SERVICE KING PAINT & BODY
	6	11571	REEDER RD	SANG MOK CORP
	7	11545	REEDER RD	JANGDA G H
	8	11621	REEDER RD	BWL INVESTMENTS LLC
	9	2350	ALBERTA DR	PROLOGIS PIERCE DAVIDSON LLC
	10	11620	GOODNIGHT LN	PLDAB LLC

Agenda Information Sheet

File #: 18-1032 **Item #:** 67.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 9

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and a renewal of Specific Use Permit No. 2240 for the sale of alcoholic beverages in conjunction with a restaurant without drive-in service on property zoned a CR-D-1 Community Retail District, with a D-1 Liquor Control Overlay, on the southeast corner of Garland Road and Moran Drive
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions
Z178-296(JM)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, OCTOBER 24, 2018**

ACM: Majed Al-Ghafry

FILE NUMBER: Z178-296(JM) **DATE FILED:** July 7, 2018

LOCATION: Southeast corner of Garland Road and Moran Drive

COUNCIL DISTRICT: 9 **MAPSCO:** 38 F

SIZE OF REQUEST: ± 0.453 acres **CENSUS TRACT:** 82.00

APPLICANT/OWNER: Benin Zeqiri and Edin Zeqiri

REPRESENTATIVE: Robert W. Van Dyk

REQUEST: An application for an amendment to and a renewal of Specific Use Permit No. 2240 for the sale of alcoholic beverages in conjunction with a restaurant without drive-in service on property zoned a CR-D-1 Community Retail District, with a D-1 Liquor Control Overlay.

SUMMARY: The purpose of this request is to allow for an addition of up to 750 square feet to the existing 2,144 square-foot restaurant [Benny's Classic Grill].

STAFF RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions.

CPC RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions.

BACKGROUND INFORMATION:

- The request site is currently operating as a restaurant without drive-in or drive-through service. On April 26, 2017, the City Council granted a D-1 Liquor Control Overlay and SUP No. 2240 to allow the sale of alcoholic beverages.
- The current request is to expand the existing building by up to 750 square feet and to provide additional parking. Since the renewal period for application would begin in November, the applicant is seeking renewal along with the amendment request. Staff recommends approval for a five-year period with automatic renewals for additional five-year periods.

Zoning History:

There have been no recent zoning cases near the subject site within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Right-of-Way
Garland Road	Principal Arterial	100 ft.
Moran Drive	Local	50 ft.

Traffic:

The Engineering Division of the Sustainable Development and Construction Department reviewed the proposed zoning and determined it will not have a negative impact on the existing street system.

STAFF ANALYSIS

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request complies with the following land use goals and policies of the Comprehensive Plan:

URBAN DESIGN

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

ECONOMIC ELEMENT

GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS

Policy 2.4.2 Restore Dallas as the premier city for conducting business within the region.

The restaurant use complements the characteristics of the Garland Road corridor which is a mix of uses such as retail, personal service uses, and office uses.

Land Use:

Area	Zoning	Land Use
Site	CR-D-1	Restaurant w/ drive-through service (per CO)
NW & NE	CR	Car wash, personal service, automotive repair
East	CR-D	Personal service
SE & SW	R-7.5(A)	Single family
West	CR-D	Retail

Land Use Compatibility:

The subject site and nearby properties facing Garland Road are within a CR Community Retail District and a CS Commercial Service District (northeast). The CR Community Retail District serves to provide for the development of community-serving retail, personal service, and office uses at a scale and intensity compatible with residential communities. A single family neighborhood exists to the southeast, abutting the subject site at the rear property line. Furthermore, a D Liquor Control Overlay exists along the east side of Garland Road, seemingly to perform as a barrier to residential uses. The separation of zoning reiterates this measure by allowing only CR Community Retail District zoning abutting the residential neighborhood to the southeast.

The area is fully developed with a mix of uses including: retail and personal service uses, automotive repair to the north across Garland Road; personal service to the east; single family to the south; and, retail uses to the west.

The CR Community Retail District allows a restaurant. The D Liquor Control Overlay prohibits the sale of alcoholic beverages or setups for alcoholic beverages for consumption on or off the premises. A D-1 Liquor Control Overlay, which was approved with the inception of SUP No. 2240, allows the sale of alcoholic beverages or setups for alcoholic beverages for consumption on or off the premises if the sale or service is part

of the operation of a use for which a Specific Use Permit has been granted by the City Council.

While the request site is adjacent to single family uses, the entire block face on Garland Road is zoned for commercial uses. The existing use has operated as a restaurant on the subject site for approximately five years with adjacency to the residential area. The SUP has conditions to mitigate any potential negative impacts. These include only allowing the permitted use, a restaurant without drive-in or drive-through service, and ensuring compliance with the revised site plan. The existing Certificate of Occupancy (CO) is for a restaurant with drive-in or drive-through service. The CO was not updated appropriately when the new CO was issued in 2017. This will have to be updated when they apply for a new CO for the addition, if the SUP amendment is approved. The use is consistent with surrounding land uses and will continue to serve the area. Staff is recommending a five-year time period with the possibility of automatic renewals for additional five-year periods.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards.

Parking:

The Dallas Development Code requires one parking space for each 100 square feet of a restaurant without drive-in or drive-through service use. The existing restaurant has approximately 2,144 square feet of floor area. With the proposed addition of 750 square feet, the new total square footage is 2,894; therefore, 29 parking spaces are required. According to the submitted site plan, 32 parking spaces are provided for the restaurant use. This includes two handicapped, van-accessible spaces.

Landscaping:

Landscaping is not triggered by this request. The Dallas Development Code states in Section 51A-10.121(c)(2) that Article X applies to properties with increases by more than 35 percent or 10,000 square feet, whichever is less, in the combined floor areas of all buildings on the lot within a 24-month period. The increase in combined floor area is determined by adding the floor area of all buildings on the lot within the 24 months prior to application for a building permit, deducting any floor area that has been demolished in that time or will be demolished as part of the building permit, and comparing this

figure with the total combined floor area after construction. The last CO for the site and SUP show the existing building being 2,144 square feet. Anything larger than 35 percent would require compliance with Article X, which would be anything greater than 750.4 square feet. The applicant has proposed a 750 square-foot addition.

Crime Report:

A crime report was generated for the period of the SUP since the CO was issued on September 15, 2017. There have been three calls and four incidents, largely involving burglary and theft.

Master_Incid	Response_Date	Problem	Priority_Descripti	Location_Name	Address	City	State	Postal_Code
17-2087774	11/3/2017	11B - Burg of Bus	3 - General Servic	benny classic grill	10302 Garland Rd	Dallas	TX	75218
17-1505747	8/8/2017	32 - Suspicious Perso	2 - Urgent	BENNY'S CLASSIC GRILL	10302 Garland Rd	Dallas	TX	75218
17-0744406	4/20/2017	11B - Burg of Bus	3 - General Servic	BENNYS CLASSIC GRILL	10302 Garland Rd	Dallas	TX	75218
17-0642165	4/5/2017	09/01 - Theft	3 - General Servic	ARBY'S | (garland & easton)	10302 Garland Rd	Dallas	TX	75218

IncidentNum	Date1	UCR_Offense	UCR_OffDesc	Address	ZipCode	Premise	MO
076047-2017	4/5/2017	OTHER THEFTS	THEFT	10302 GARLAND RD	75218	Restaurant/Food Service/TABC Location	SUSP TOOK COMP'S PROPERTY WITHOUT CONSENT
087898-2017	4/19/2017	BURGLARY-BUSINESS	BURGLARY	10302 GARLAND RD	75218	Restaurant/Food Service/TABC Location	UNK SUSP ENTERED BUSINESS AND TOOK PROPERTY W/O CONSENT.
251023-2017	11/3/2017	BURGLARY-BUSINESS	BURGLARY	10302 GARLAND RD	75218	Restaurant/Food Service/TABC Location	SUSP BROKE WINDOW ENTERED BUILDING TOOK PROPERTY.

CPC Action
September 6, 2018

Motion: It was moved to recommend **approval** of an amendment to and the renewal of Specific Use Permit No. 2240 for the sale of alcoholic beverages in conjunction with a restaurant without drive-in service for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions on property zoned a CR-D-1 Community Retail District, with a D-1 Liquor Control Overlay, on the southeast corner of Garland Road and Moran Drive.

Maker: Shidid
Second: Schultz
Result: Carried: 12 to 0

For: 12 - West, Rieves, Houston, Davis*, Shidid, Carpenter, Mack, Lewis, Schultz, Peadon, Ridley, Tarpley

Against: 0
Absent: 3 - Jung, Housewright, Murphy
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 27
Replies: For: 5 Against: 0

Speakers: For: None
For (Did not speak): Robert Van Dyk, 89-19 Eustis Ave., Dallas, TX, 75218
Benin Zeqiri, 1722 Peavy Rd., Dallas, TX, 75228
Against: None

CPC RECOMMENDED
REVISED SUP CONDITIONS
Z178-296

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a restaurant without drive-in or drive-through service.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit expires on ~~April 26, 2019~~ (five-years), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

4. LANDSCAPING:

   A. Landscaping must be provided and maintained in accordance with Article X of the Dallas Development Code, as amended.

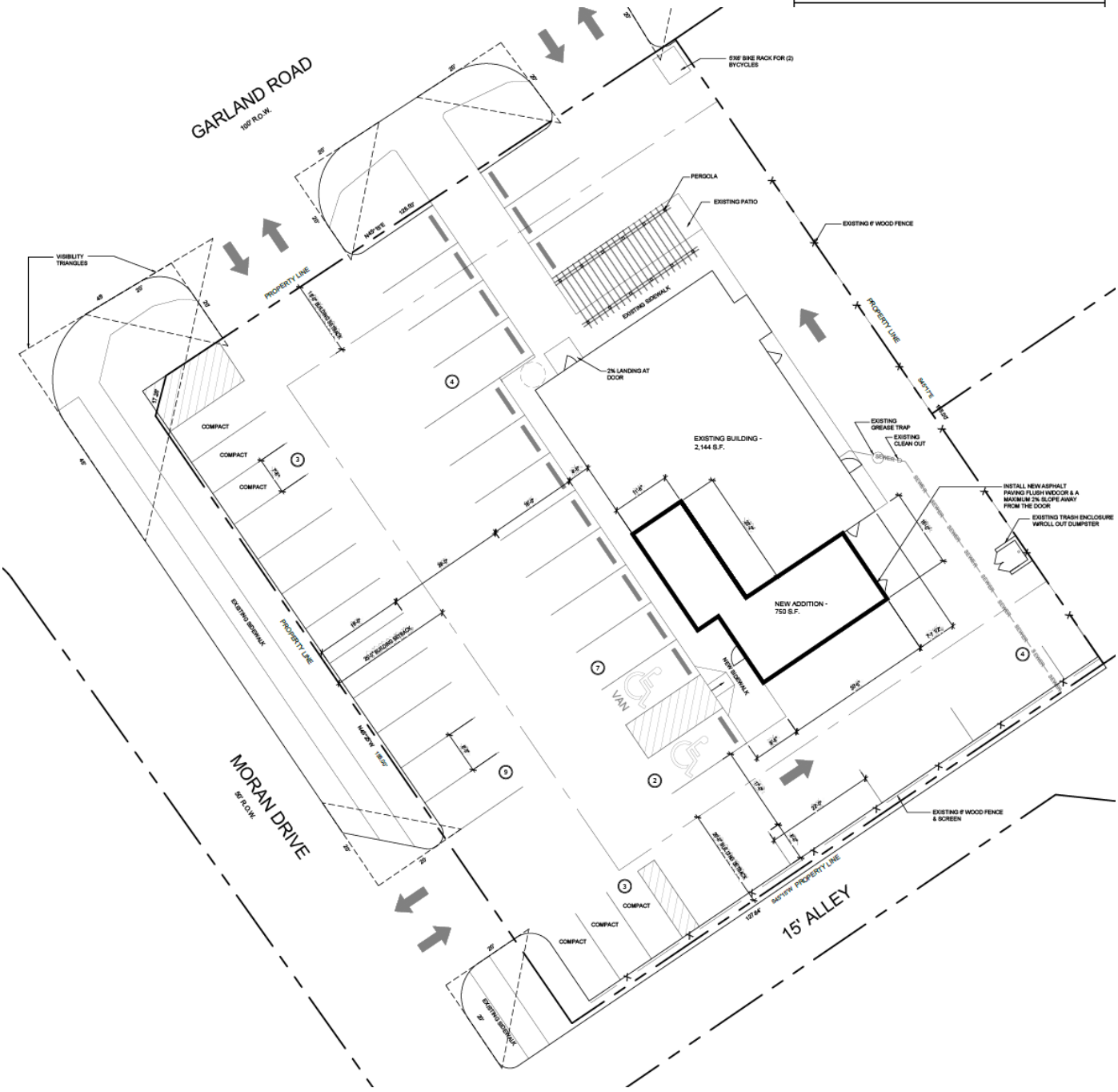
   B. Plant materials must be maintained in a healthy, growing condition.

5. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

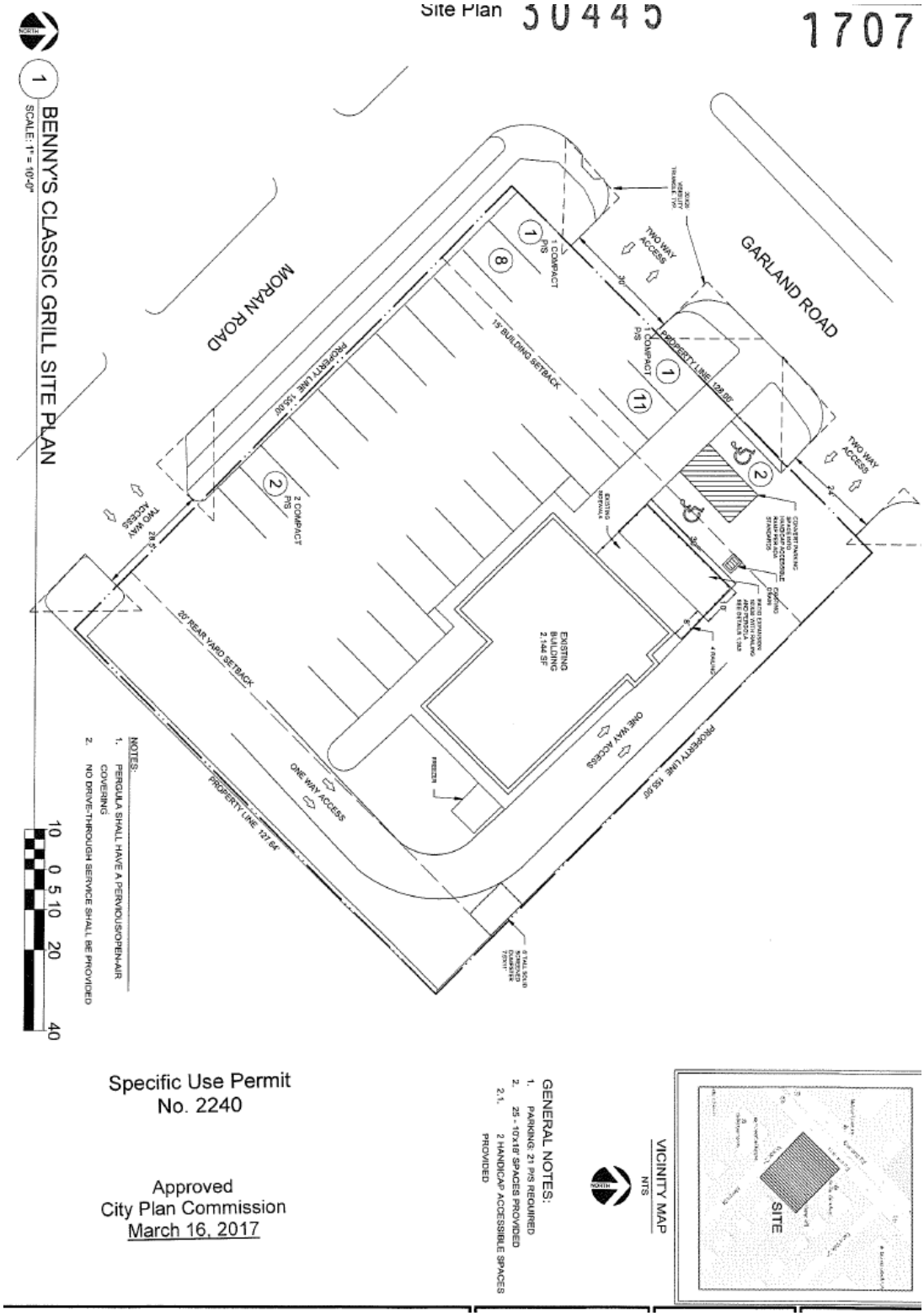
6. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

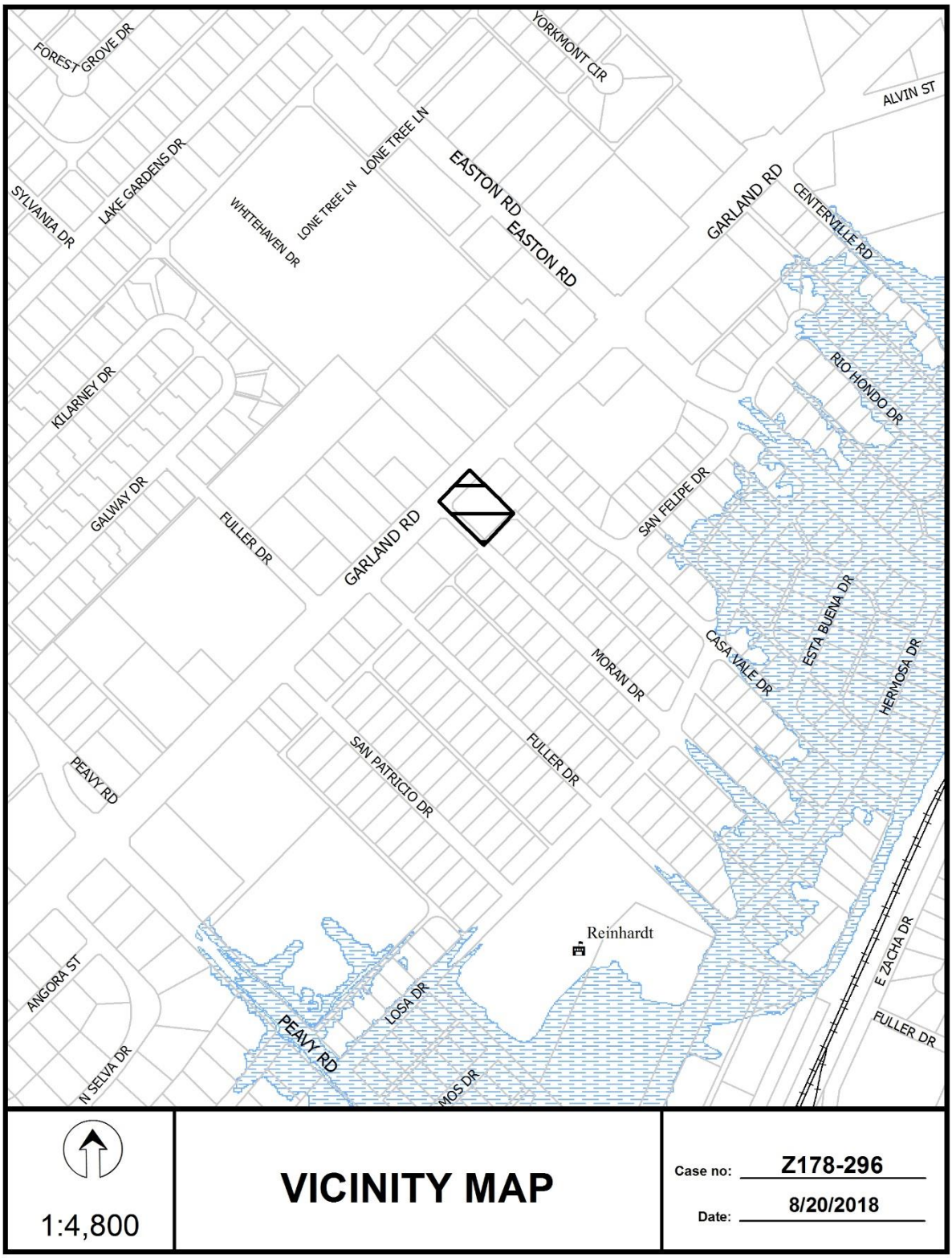
Proposed Site Plan

ZONING CLASSIFICATION	CR/D-1
LOT AREA	
SQ. FT.	19,745
ACRES	.4533
FRONT SETBACK	15 FT.
SIDE SETBACK	25 FT.
REAR SETBACK	20 FT.
IMPERVIOUS SURFACE SQ. FT.	19,322
PERVIOUS SURFACE SQ. FT.	423
% PERVIOUS SURFACE	98



Existing Site Plan




FOREST GROVE DR
YORKMONT CIR
ALVIN ST
SYLVANIA DR
LAKE GARDENS DR
WHITEHAVEN DR
LONE TREE LN
LONE TREE LN
EASTON RD
EASTON RD
GARLAND RD
CENTERVILLE RD
KILARNEY DR
RIO HONDO DR
GALWAY DR
FULLER DR
GARLAND RD
SAN FELIPE DR
ESTA BUENA DR
CASA VALE DR
HERMOSA DR
MORAN DR
FULLER DR
SAN PATRICIO DR
PEAVY RD
Reinhardt
E ZACHA DR
ANGORA ST
LOSA DR
PEAVY RD
FULLER DR
N SELVA DR
MOS DR
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VICINITY MAP
Case no: Z178-296
Date: 8/20/2018

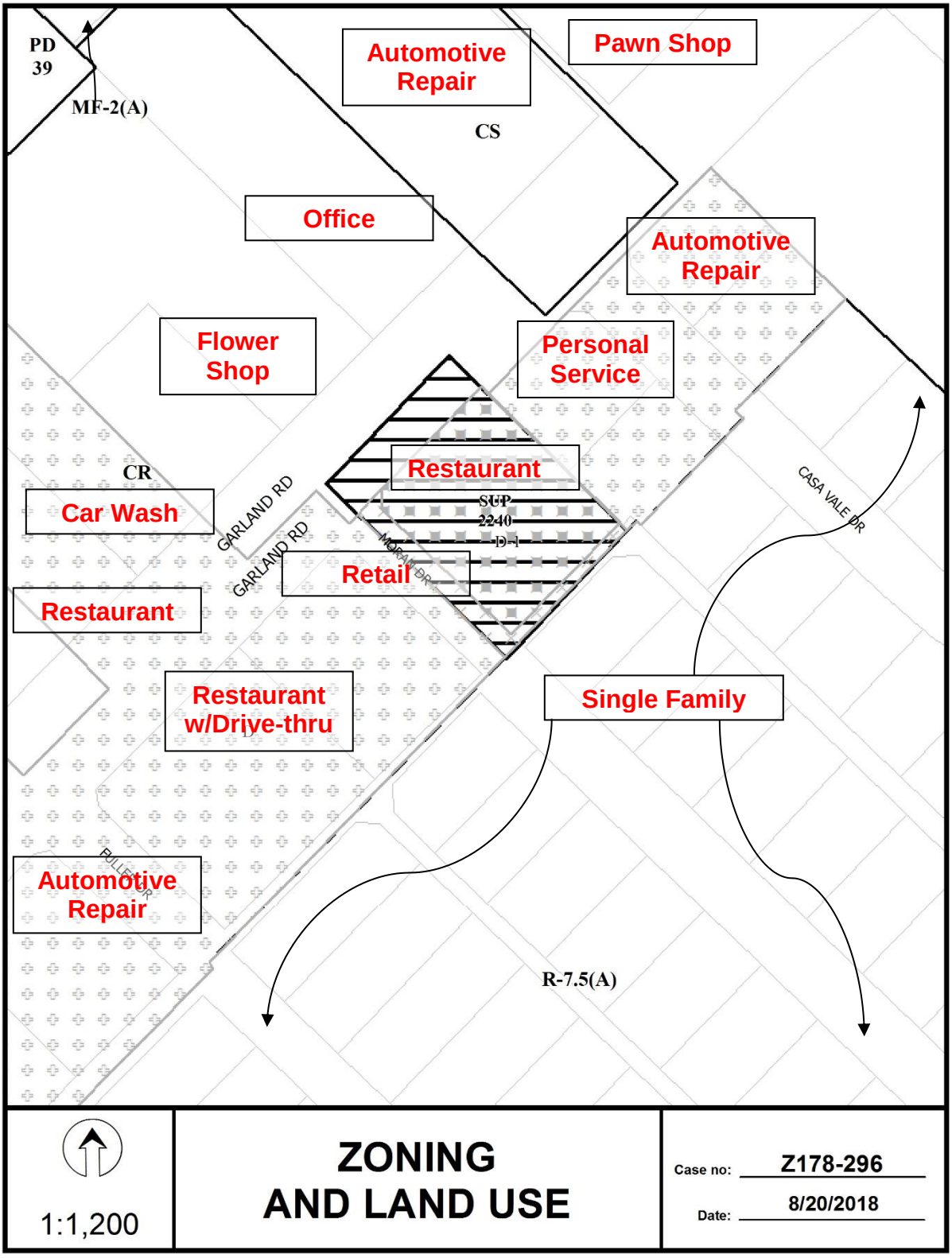


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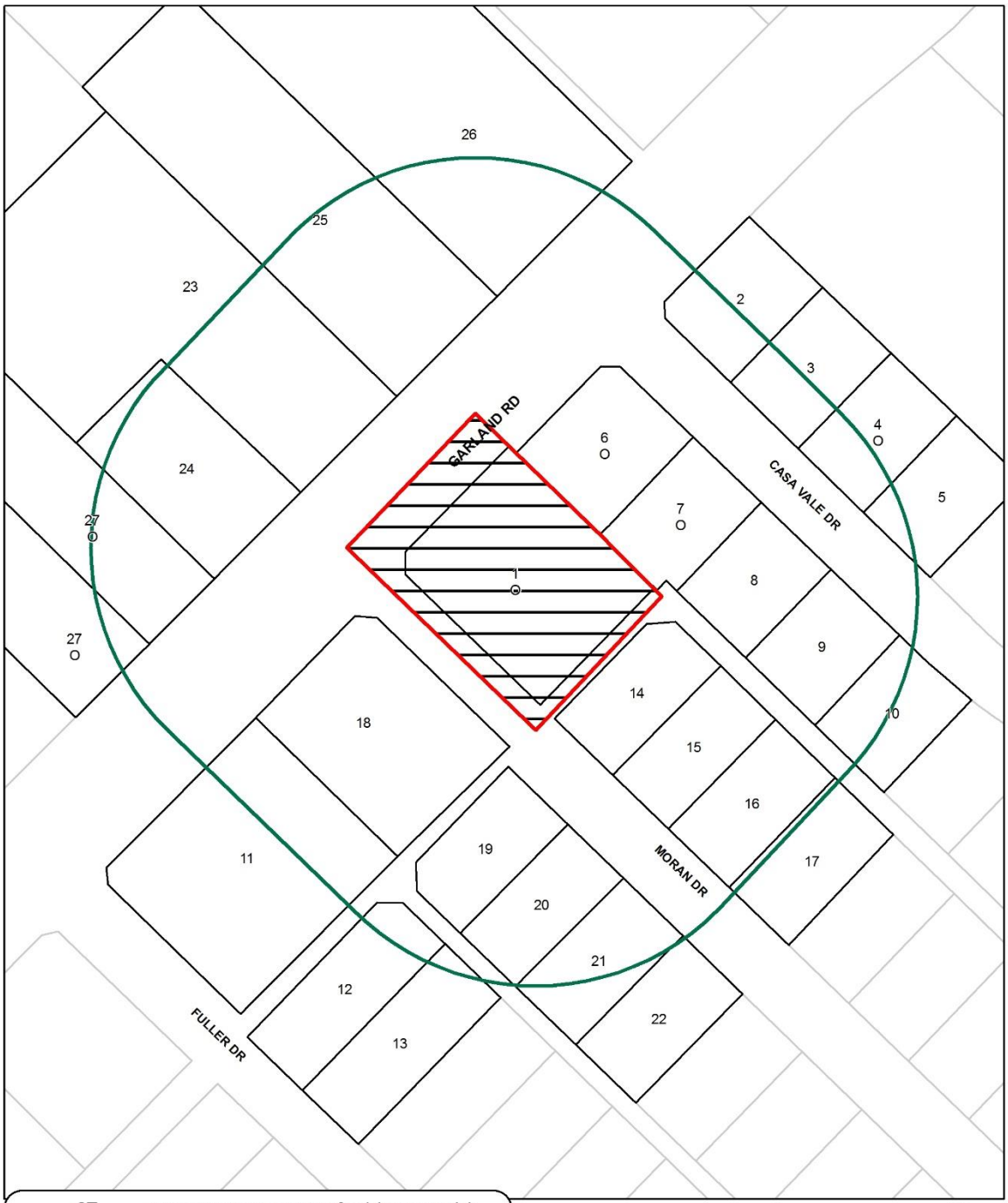
AERIAL MAP

Case no: Z178-296

Date: 8/20/2018


PD 39
MF-2(A)
Automotive Repair
Pawn Shop
CS
Office
Automotive Repair
Flower Shop
Personal Service
Restaurant
SUP 2240
D-1
CR
Car Wash
GARLAND RD
GARLAND RD
MORAN DR
Retail
Restaurant
CASA VALE DR
Restaurant w/Drive-thru
Single Family
FULLER DR
Automotive Repair
R-7.5(A)
1:1,200
ZONING AND LAND USE
Case no: Z178-296
Date: 8/20/2018

CPC RESPONSES



09/05/2018

Reply List of Property Owners

Z178-296

27 Property Owners Notified ***5 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	10302	GARLAND RD	BENIN & EDI ZECIRI PTR
	2	10404	GARLAND RD	SIWAN MAHMOUD A &
	3	1210	CASA VALE DR	FARAZIAN FATEMAH
O	4	1216	CASA VALE DR	CLEMENTS RICHARD L
	5	1222	CASA VALE DR	ROBERTS PHILLIP L
O	6	10320	GARLAND RD	HERRINGTON & MACFARLAND
O	7	1211	CASA VALE DR	HERRINGTON & MACFARLAND
	8	1217	CASA VALE DR	WHITE DAVID J
	9	1223	CASA VALE DR	STERRY MIKE &
	10	1231	CASA VALE DR	KOSTER PROPERTIES
	11	10226	GARLAND RD	KELLER WILMA TR
	12	1216	FULLER DR	HUDGINS MELINA A & KENNETH T
	13	1222	FULLER DR	OBRIEN JOHN C
	14	1216	MORAN DR	VAN DUSEN DENNIS &
	15	1220	MORAN DR	KELSMARK JOHN EDWARD
	16	1226	MORAN DR	CARRIER ERLINDA
	17	1230	MORAN DR	MORENO ABEL JR
	18	10236	GARLAND RD	MCCLUSKEY ROBERT E III
	19	1217	MORAN DR	BENNETT JUSTIN STEBBINS
	20	1221	MORAN DR	MCGILL HEATHER
	21	1227	MORAN DR	RHINE DAVINA LYNN
	22	1231	MORAN DR	TAYLOR SHIRLEY
	23	10311	GARLAND RD	MCSHAN LEE A JR
	24	10305	GARLAND RD	MCSHAN FLORIST INC
	25	10325	GARLAND RD	MCSHAN FLOREST INC
	26	10333	GARLAND RD	WHITE BARBARA
O	27	10229	GARLAND RD	WHITE ROCK CAR BATH

Agenda Information Sheet

File #: 18-1033 **Item #:** 68.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 8

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2146 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District, with a D-1 Liquor Control Overlay, on the north corner of Kleberg Road and Carleta Street
Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to staff's recommended conditions
Recommendation of CPC: Approval for a three-year period, subject to conditions
Z167-299(SM)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, OCTOBER 24, 2018**

ACM: Majed Al-Ghafry

FILE NUMBER: Z167-299(SM) **DATE FILED:** May 11, 2017

LOCATION: North corner of Kleberg Road and Carleta Street

COUNCIL DISTRICT: 8 **MAPSCO:** 69A U

SIZE OF REQUEST: Approx. 4,060 sq. ft. **CENSUS TRACT:** 171.02

APPLICANT: CI Retail Mgmt., Inc.

REPRESENTATIVE: Jason Marshall

OWNER: CHUP Corporation, Inc.

REQUEST: An application for the renewal of Specific Use Permit No. 2146 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District, with a D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to sell beer and wine in conjunction with an existing general merchandise or food store [Sid's Food Store].

CPC RECOMMENDATION: **Approval** for a three-year period, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to staff's recommended conditions.

BACKGROUND INFORMATION:

- The area of request is developed with a 4,060-square-foot convenience store with motor vehicle fueling and was constructed in 1981, according to Dallas Central Appraisal District records.
- On May 13, 2015, Specific Use Permit No. 2146 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet was approved by City Council for a two-year period.
- On October 11, 2016, staff mailed a notice to the applicant and owner of the upcoming expiration date of SUP No. 2146.
- The site's Convenience Store (CS) Registration expired in May 2017.
- On October 27, 2017, the applicant's representative informed staff that the paperwork for the CS Registration had been filed with the Dallas Police Department (DPD).
- On November 14, 2017, DPD informed staff that the application was incomplete when submitted in October but had since been corrected.
- On December 4, 2017, April 9 and May 29, 2018 the site failed the CS Registration site inspection.
- On August 8, 2018, the site passed CS registration inspections and an updated police activity is included in this report.

Zoning History: There have been no recent zoning changes in the vicinity within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Dimension	ROW
Kleberg Road	Minor Arterial	Standard-4 lane-undivided	80 feet
Carleta Street	Local	N/A	50 feet

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system. The analysis is based upon the traffic worksheet the applicant provided during the application submittal.

Comprehensive Plan: The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

URBAN DESIGN ELEMENT

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Surrounding Land Uses:

	Zoning	Land Use
Site	CR-D -1, SUP No. 2146	General merchandise or food store greater than 3,500 square feet with motor vehicle fueling
Northeast	R-7.5(A)	Undeveloped and single family
Southeast	CR-D-1	General merchandise or food store less than 3,500 square feet
Southwest	IR-D-1	Undeveloped
Northwest	CR-D-1 and R-7.5(A)	Laundry store and single family

Land Use Compatibility:

The request site is currently developed with the convenience store for an existing gas station. The site is surrounded by undeveloped land and single family to the northeast and a small retail store to the southeast, across Carletta Street. On the other side of a large divided roadway, Kleberg Road, there is a large undeveloped property that abuts a commercial use. Finally, a laundry store abuts the site to the northwest with additional single family uses farther northwest, across Parkcliff Drive.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the

public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city. The applicant's CS registration expired May 2017, just after the application for renewal was submitted. Staff has been conferring with the Dallas Police Department and has delayed scheduling the case for consideration to allow the applicant time to pass inspection and meet all CS registration requirements for over a year. Since the applicant only recently complied with the minimum regulations to renew its CS registration, CPC recommends the renewal be limited to three years.

The requested renewal of the continued sale of alcoholic beverages in conjunction with the existing general merchandise or food store is compatible with the surrounding retail and other non-residential uses because it accesses a major thoroughfare. Additionally, the continued sale of alcoholic beverages in conjunction with the existing general merchandise or food store should not be a detriment to the adjacent properties because the Specific Use Permit requires periodic review.

Parking:

Pursuant to the Dallas Development Code, the off-street parking requirement for a general merchandise or food store use is one (1) space per 200 square feet of floor area and a motor vehicle fueling station requires two spaces. Therefore, the approximately 4,060-square-foot convenience store requires 20 parking spaces and the site requires 22 spaces. 22 spaces are provided according to the approved site plan. Off-street and loading required parking must be provided in accordance with Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

Police Report:

Staff obtained the following lists of offenses and calls from the Dallas Police Department for the period between May 13, 2015 to August 10, 2018.

Incident No.	Date	Time	UCR Offense	Description	MO
149949-2018	7/9/2018	20:07			No offense
125607-2018	6/10/2018	19:00	Other thefts	Theft	Suspect took comp's property without consent
002829-2018	1/4/2018	19:45	Robbery-business	Robbery	Suspects robbed business at gunpoint
282710-2017	12/13/2017	18:00	Criminal trespass	Miscellaneous	Criminal trespass affidavit
206176-2017	9/8/2017	19:00	Miscellaneous	Miscellaneous	MIR
163416-2017	7/18/2017	17:50	Robbery-business	Robbery	Unknown suspect displayed pistol demanded property and fled location.
086706-2017	4/18/2017	16:55	Lost	Lost property	Suspect took property w/o comp permission
081134-2017	4/11/2017	22:48	Miscellaneous	Miscellaneous	MIR
081534-2017	4/11/2017	22:45	Robbery-business	Robbery	Suspects entered business demanded money at gunpoint
025760-2017	2/2/2017	9:30	Theft/BMV	Theft	Unknown suspect took property from vehicle

Incident No.	Date	Time	Problem	Priority Description
18-1438631	8/8/2018	13:43	58 - Routine Investigation	7 - Unit Initiated
18-1241937	7/9/2018	20:07	6X - Major Dist (Violence)	2 - Urgent
18-1220056	7/6/2018	13:36	58 - Routine Investigation	7 - Unit Initiated
18-0950687	5/29/2018	10:33	58 - Routine Investigation	7 - Unit Initiated
18-0883500	5/19/2018	13:46	6X - Major Dist. (Violence)	2 - Urgent
18-0769850	5/2/2018	19:35	6XA - Major Dist. Ambulance	2 - Urgent
18-0730099	4/26/2018	19:23	40 - Other	3 - General Service
18-0024922	1/4/2018	20:18	7X - Major Accident	2 - Urgent
18-0024922	1/4/2018	20:18	7X - Major Accident	2 - Urgent
18-0024779	1/4/2018	19:52	20 - Robbery	2 - Urgent
17-2290274	12/4/2017	9:59	58 - Routine Investigation	7 - Unit Initiated
17-1368965	7/18/2017	17:54	20 - Robbery	2 - Urgent
17-0734402	4/18/2017	16:48	09/01 - Theft	3 - General Service
17-0690654	4/12/2017	10:24	20R - Robbery (report)+1hr	4 - Non Critical
17-0688225	4/11/2017	22:47	20 - Robbery	2 - Urgent
17-0209854	2/2/2017	9:34	11V - Burg Motor Veh	3 - General Service
16-2158122	10/29/2016	15:11	40/01 - Other	2 - Urgent
16-2151592	10/28/2016	17:46	40 - Other	3 - General Service
16-0621802	4/2/2016	13:41	16A - Injured Person w/Amb	2 - Urgent
15-2456491	12/8/2015	6:41	6X - Major Dist. (Violence)	2 - Urgent
15-2355312	11/22/2015	19:22	40 - Other	3 - General Service
15-2038513	10/7/2015	11:01	38 - Meet Complainant	4 - Non Critical
15-1854378	9/11/2015	22:13	31 - Criminal Mischief	4 - Non Critical
15-1710265	8/23/2015	17:02	6X - Major Dist. (Violence)	2 - Urgent
15-1228502	6/22/2015	12:35	46 - CIT	2 - Urgent
15-1160485	6/13/2015	9:06	46 - CIT	2 - Urgent

Prior CPC Action – June 21, 2018:

Motion: In considering an application for the renewal of Specific Use Permit No. 2146 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the north corner of Kleberg Road and Carleta Street, it was moved to **hold** this case under advisement until July 19, 2018.

Maker: Shidid
Second: Peadon
Result: Carried: 11 to 0

For: 11 - West, Rieves, Houston, Shidid, Carpenter, Mack, Jung, Housewright, Schultz, Peadon, Murphy

Against: 0
Absent: 3 - Davis, Ridley, Tarpley
Vacancy: 1 - District 8

Notices: Area: 200 Mailed: 19
Replies: For: 0 Against: 0

Speakers: For: Jason Marshall, 302 N. Market St., Dallas, TX, 75202
Against: None

Prior CPC Action – July 19, 2018:

Motion: In considering an application for the renewal of Specific Use Permit No. 2146 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the north corner of Kleberg Road and Carleta Street, it was moved to **hold** this case under advisement until September 6, 2018.

Maker: Houston
Second: Davis
Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston, Davis, Shidid, Carpenter, Mack, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 8

Notices: Area: 200 Mailed: 19
Replies: For: 0 Against: 0

Speakers: None

Prior CPC Action – September 6, 2018:

Motion II: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2146 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet for a three-year period, subject to conditions on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the north corner of Kleberg Road and Carleta Street.

Commissioner Davis' Friendly Amendment: Commissioner Davis offered an amendment to change the specific use permit time period to a three-year period with no automatic renewals. Commission Lewis, the maker of the motion, accepted the amendment. Commissioner Houston, the seconder of the motion, also accepted the amendment.

Maker: Lewis
Second: Houston
Result: Carried: 12 to 0

For: 12 - West, Rieves, Houston, Davis, Shidid, Carpenter, Mack, Lewis, Schultz, Peadon, Ridley, Tarpley

Against: 0
Absent: 3 - Jung, Housewright, Murphy
Vacancy: 0

Notices: Area: 200 Mailed: 19
Replies: For: 0 Against: 0

Speakers: None

List of Partners

Applicant:

Pratima Kharel
Director/President/Secretary
CI RETAIL MANAGEMENT, INC.

Owner:

Dipak Kharel
Director/President/Secretary
CHUP CORPORATION, INC.

CPC Recommended SUP conditions

1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

CPC Recommendation:

3. TIME LIMIT: This specific use permit expires on [THREE years from the passage of this ordinance] [~~May 13, 2017~~].

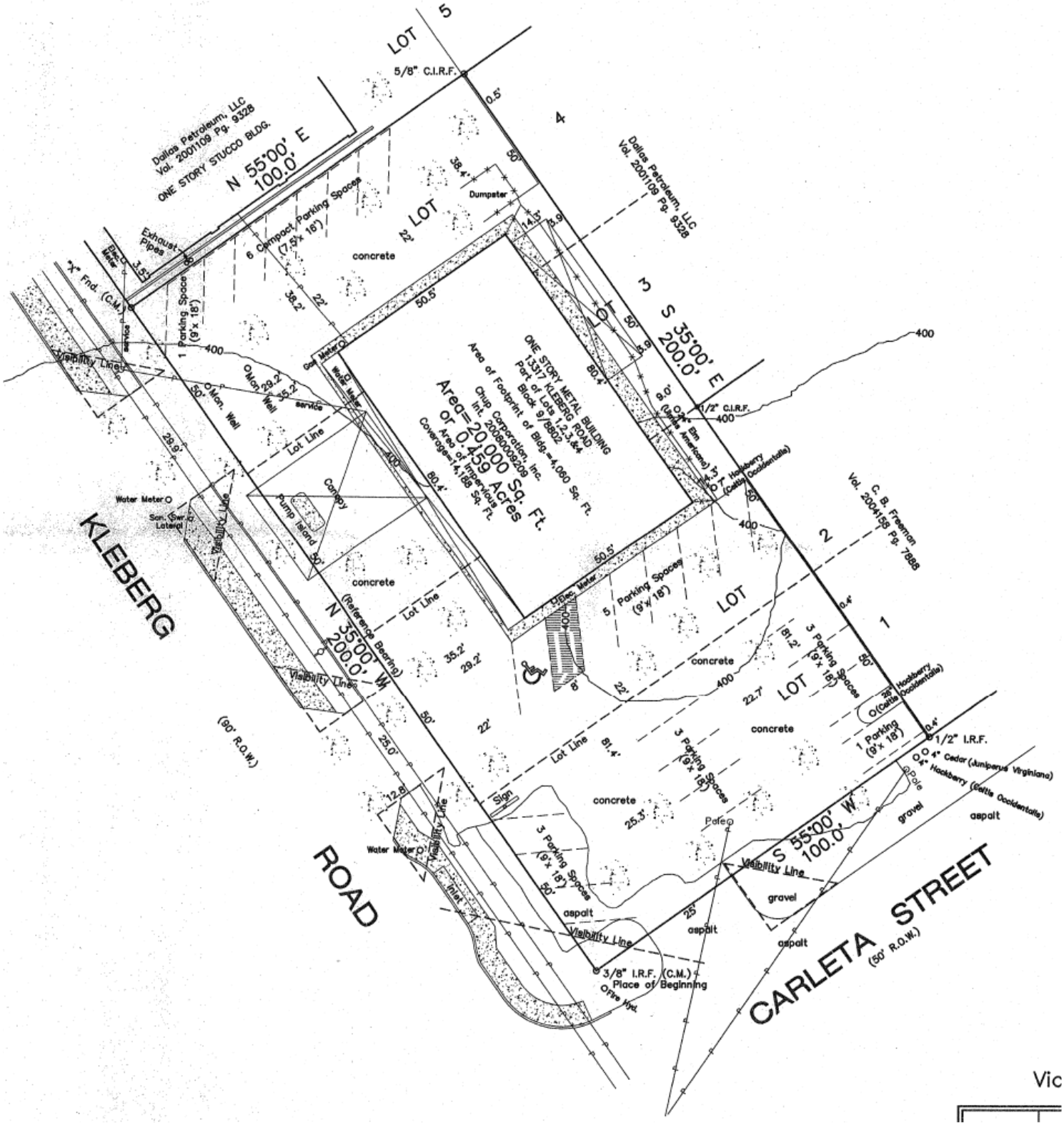
Staff Recommendation:

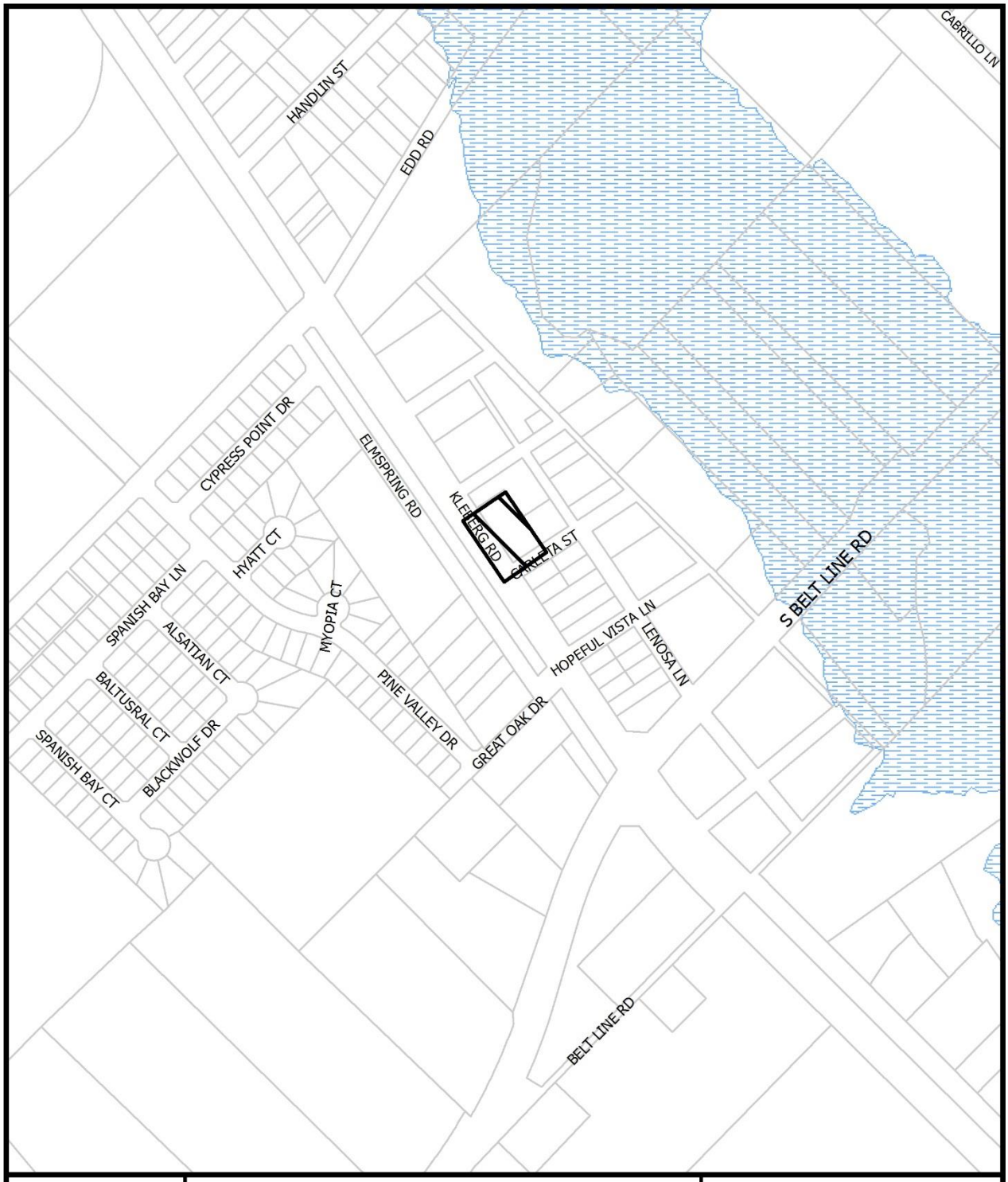
3. TIME LIMIT: This specific use permit expires on [FIVE years from the passage of this ordinance] , but is eligible for automatic renewal for additional FIVE-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.) [~~May 13, 2017~~].

4. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

Enlarged Existing Site Plan (no changes)





1:4,800

VICINITY MAP

Case no: Z167-299

Date: 6/5/2018

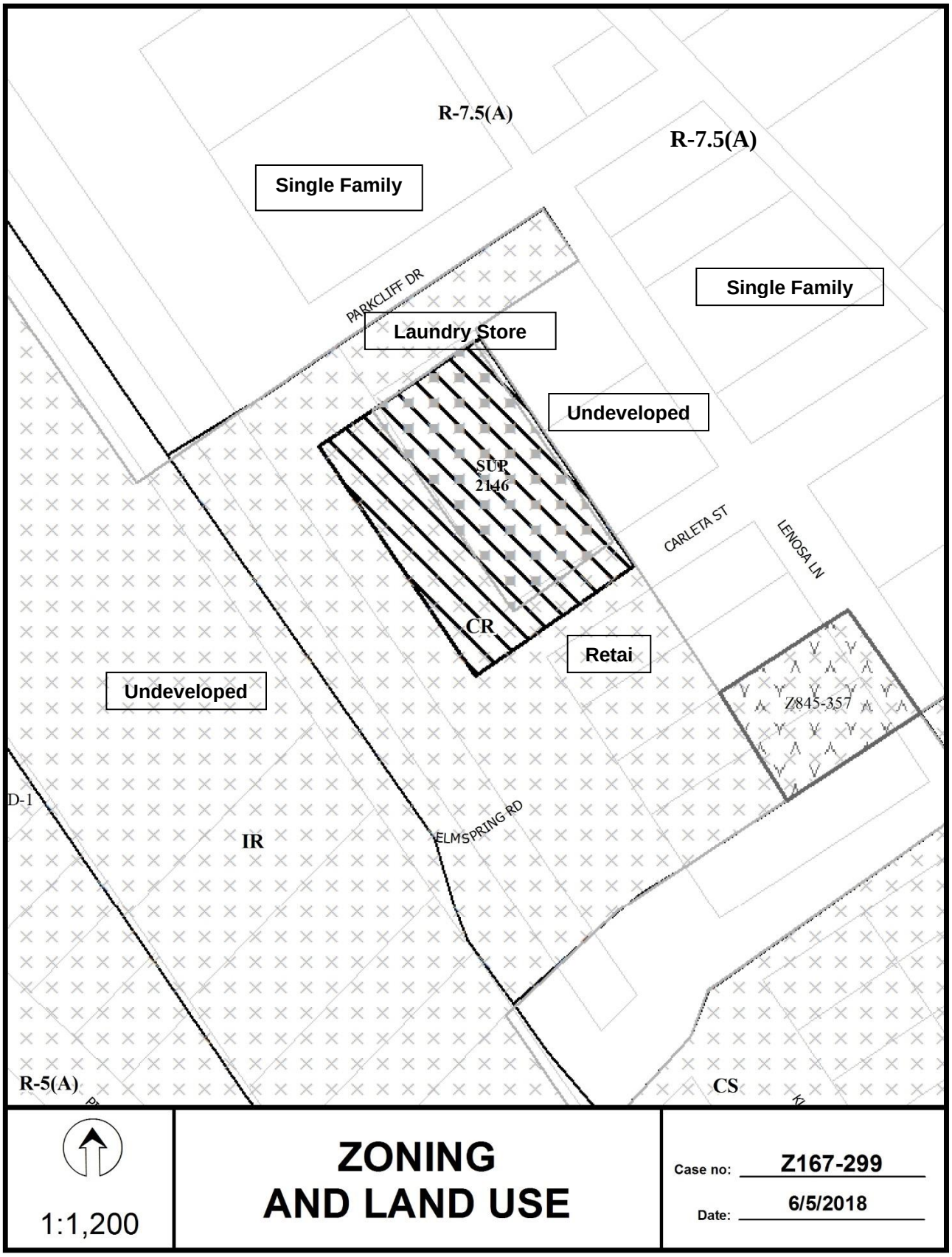


1:1,200

AERIAL MAP

Case no: Z167-299

Date: 6/5/2018


R-7.5(A)
R-7.5(A)
Single Family
Single Family
PARKCLIFF DR
Laundry Store
Undeveloped
SUP
2146
CARLETA ST
LENOSA LN
CR
Retai
Undeveloped
Z845-357
D-1
IR
ELMSPRING RD
R-5(A)
CS
1:1,200
ZONING
AND LAND USE
Case no: Z167-299
Date: 6/5/2018


CPC Responses
15
14
13
12
11
10
9
8
7
6
5
4
3
2
2
2
1
0
19
18
17
16
PARKCLIFF DR
LENOSA LN
KEEBERG RD
ELMSPRING RD
CARLETA ST
HOPEFUL VISTA LN
GREAT OAK DR
PINE VALLEY DR
19 Property Owners Notified (22 parcels)
0 Replies in Favor (0 parcels)
0 Replies in Opposition (0 parcels)
200' Area of Notification
9/6/2018 Date
Z167-299
CPC
N
W
E
S
1:1,200

09/05/2018

Reply List of Property Owners

Z167-299

19 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	13317	KLEBERG RD	CHUP CORPORATION INC
	2	13423	KLEBERG RD	MARTINEZ GUADALUPE &
	3	13422	LENOSA LN	BLANCO ROSA D
	4	2300	CARLETA ST	MARSHALL EOLA
	5	13405	KLEBERG RD	FOREMAN ROBERT
	6	13500	LENOSA LN	Dallas ISD
	7	13429	LENOSA LN	IGLESIA DE CRISTO ON
	8	13328	LENOSA LN	FREEMAN C B
	9	13305	KLEBERG RD	DALLAS PETROLEUM LLC
	10	13329	LENOSA LN	FRITTS DAVID E & TERI C
	11	13323	LENOSA LN	CRUTCHER GEORGE W JR EST OF &
	12	13317	LENOSA LN	AGUILAR ERNESTO
	13	5	LENOSA LN	EZQUIVEL MARIA GALLEGOS
	14	13137	KLEBERG RD	NEGRETE LEGARIO & ELVIRA
	15	2445	PARKCLIFF DR	NEGRETE OLEGARIO
	16	13424	ELMSPRING RD	SALAZAR ROGELIO
	17	13418	ELMSPRING RD	SALAZAR ROGELIO &
	18	13412	ELMSPRING RD	CASTANEDA ESTEBAN
	19	13248	ELMSPRING RD	FIRST BAPTIST CHURCH OF

Agenda Information Sheet

File #: 18-1034 **Item #:** 69.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1343 for a drive-through restaurant use on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest side of North Fitzhugh Avenue between the southeast line of McKinney Avenue and the northwest line of North Central Expressway
Recommendation of Staff: Approval, subject to a revised site plan, a revised landscape plan, and staff's recommended conditions
Recommendation of CPC: Approval for a 20-year period, subject to a revised site plan, a revised landscape plan, and conditions
Z178-161(PD)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, OCTOBER 24, 2018**

ACM: Majed Al-Ghafry

FILE NUMBER: Z178-161(PD) **DATE FILED:** December 22, 2017

LOCATION: Southwest side of North Fitzhugh Avenue between the southeast line of McKinney Avenue and the northwest line of North Central Expressway

COUNCIL DISTRICT: 14 **MAPSCO:** 35 U

SIZE OF REQUEST: 1.84 acres **CENSUS TRACT:** 7.01

OWNER: Lorton Corporation

APPLICANT: Claymoore Engineering

REPRESENTATIVE: Clay Cristy

REQUEST: An application to amend Specific Use Permit No. 1343 for a drive-through restaurant use on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The applicant proposes to amend the site plan and landscape plan to 1) construct a 556-square-foot indoor play area, 2) repair the sidewalk and pavement to comply with ADA requirements, and 3) relocate and remove landscape. [McDonald's]

CPC RECOMMENDATION: **Approval** for a 20-year period, subject to a revised site plan, a revised landscape plan, and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a revised site plan, a revised landscape plan, and staff's recommended conditions

BACKGROUND:

- The request site is approximately 1.84 acres of land and developed with a restaurant with drive-through service and a general merchandise or food store 3,500 square feet or less uses. [McDonald's/Chevron]

- Specific Use Permit No. 1343 was approved by the City Council on November 12, 1997, for a drive-through restaurant use with no expiration date.

- The tenant has been in operation since June 1998.

Zoning History: There have been no recent zoning cases in the area in the past five years.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
North Central Expressway	Freeway	120 feet
North Fitzhugh Avenue	Minor Arterial	90 feet

Traffic:
The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the surrounding street system.

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 193 (GR)	Restaurant, General Merchandise or Food Store
North	PDD No. 193 (MF-2)	Ben Milam Elementary
East	PDD No. 193 (GR)	North Central Expressway Service Road
South	PDD No. 193 (O-2)	CBS Radio Tower
West	PDD No. 193 (GR)	Financial Institution

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

The request complies with the following goal and policy for the proposed amendment to the SUP.

ECONOMIC ELEMENT

GOAL 2.4 CREATE AND MAINTAIN AN ENVIRONMENT FRIENDLY TO BUSINESSES AND ENTREPRENEURS

Policy 2.4.2 Restore Dallas as the premier city for conducting business within the region.

Land Use Compatibility:

The 1.84-acre site is currently developed with a 5,568-square-foot restaurant with drive-through service use and a general merchandise or food store 3,500 square feet or less use, located on a minor arterial roadway immediately adjacent to North Central Expressway Service Road to the east.

Currently, a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District permits a retail food store by right, while a restaurant with drive-through use requires a Specific Use Permit. Both uses finalized construction and obtained their Certificate of Occupancies on June 3, 1998. The surrounding land uses consist of a variety of uses including a public school use to the north; an office use to the south and a surface parking lot; and a financial institution with drive-through service to the west.

The applicant is proposing a 556-square-foot addition to the existing 5,568-square-foot restaurant structure, for a total floor area of 6,124 square feet. The proposed addition is occupying what was originally constructed as an outdoor play area. This area will be converted into floor area to allow the facility to house an indoor play area for children. Because the floor area on this use is increasing and landscape is being relocated, the SUP site plan and landscape plan must be amended to reflect said changes. Additionally, the request is providing compliance with ADA requirement of providing the ADA signs at the head of each ADA parking space, installation of an ADA ramp and crosswalk striping.

The permanent time period was approved with the original SUP request.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The request does not appear to have an adverse impact on the surrounding zoning and land uses.

Parking:

The parking requirement for a general merchandise or food store 3,500 square feet or less is 1:500; for a restaurant with drive-through service the off-street parking requirement is 1:100. The existing 2,460-square-foot general merchandise or food store required five parking spaces and the existing 3108-square-foot restaurant use required 31 parking spaces. The addition of 556 square feet to the 3,108-square-foot restaurant use totals 3,664 square feet and now requires 37 off-street parking spaces for a combined total of 42 parking spaces. Additionally, although 42 off-street parking spaces are required, the applicant is providing 61 off-street parking spaces. Lastly, parking must be provided as shown on the development plan.

Landscaping:

Landscaping must be provided as shown on the landscape plan.

PARTNERS

List of Partners for Lorton Corporation

1. Leslie Pettit, sole member/manager
   7 Switchbud Pl., Ste. 192-260
   The Woodlands, TX 77380-3700

CPC ACTION:
September 6, 2018

Motion: It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1343 for a drive-through restaurant use for a 20-year period, subject to a revised site plan, a revised landscape plan and revised conditions to include the term of the specific use permit to 20-years with no automatic renewals on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest side of Fitzhugh Avenue between the southeast line of McKinney Avenue and the northwest line of North Central Expressway.

Maker: Ridley
Second: Schultz
Result: Carried: 12 to 0

For: 12 - West, Rieves, Houston*, Davis, Shidid, Carpenter, Mack, Lewis, Schultz, Peadon, Ridley, Tarpley

Against: 0
Absent: 3 - Jung, Housewright, Murphy
Vacancy: 0

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 110
Replies: For: 2 Against: 0

Speakers: For: None
For (Did not speak): Clay Cristy, 1903 Central Dr., Bedford, TX, 76021
Against: None

CPC RECOMMENDED CONDITIONS
SUP No. 1343

1. USE: The only use authorized by this specific use permit is a Drive-through restaurant use.

2. SITE PLAN: Use and development of the Property must comply with the attached development plan.

Staff's Recommendation:

3. TIME LIMIT: This specific use permit has no expiration date.

CPC Recommendation:

3. TIME LIMIT: This specific use permit expires on _____ (twenty-years from the passage of this ordinance).

4. LANDSCAPING: Landscaping must comply with the attached landscape plan.

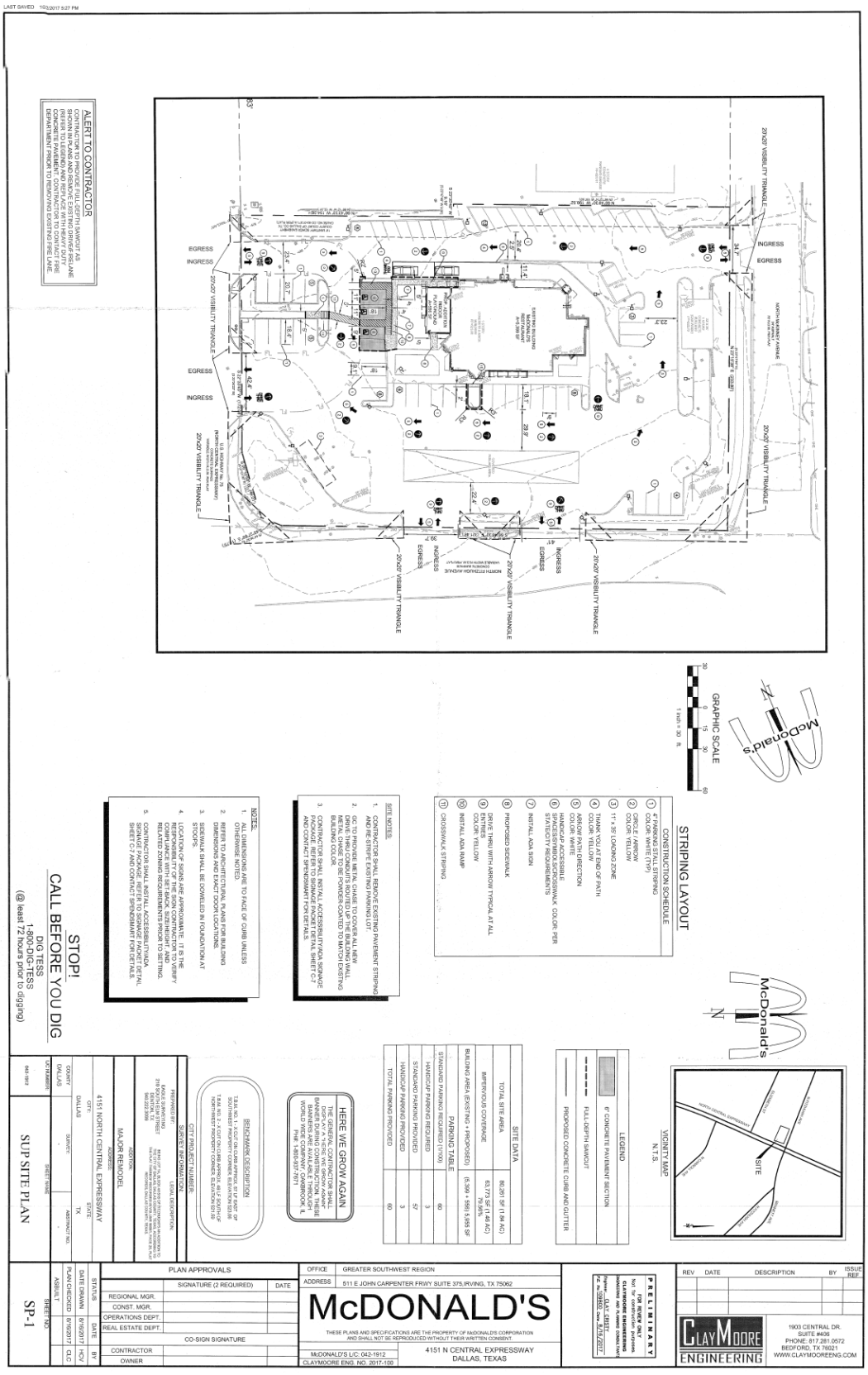
5. INGRESS/EGRESS: Ingress and egress must be provided in the location shown on the attached development plan. No other ingress or egress is permitted.

5. PARKING: Off-street parking must be located as shown on the attached development plan.

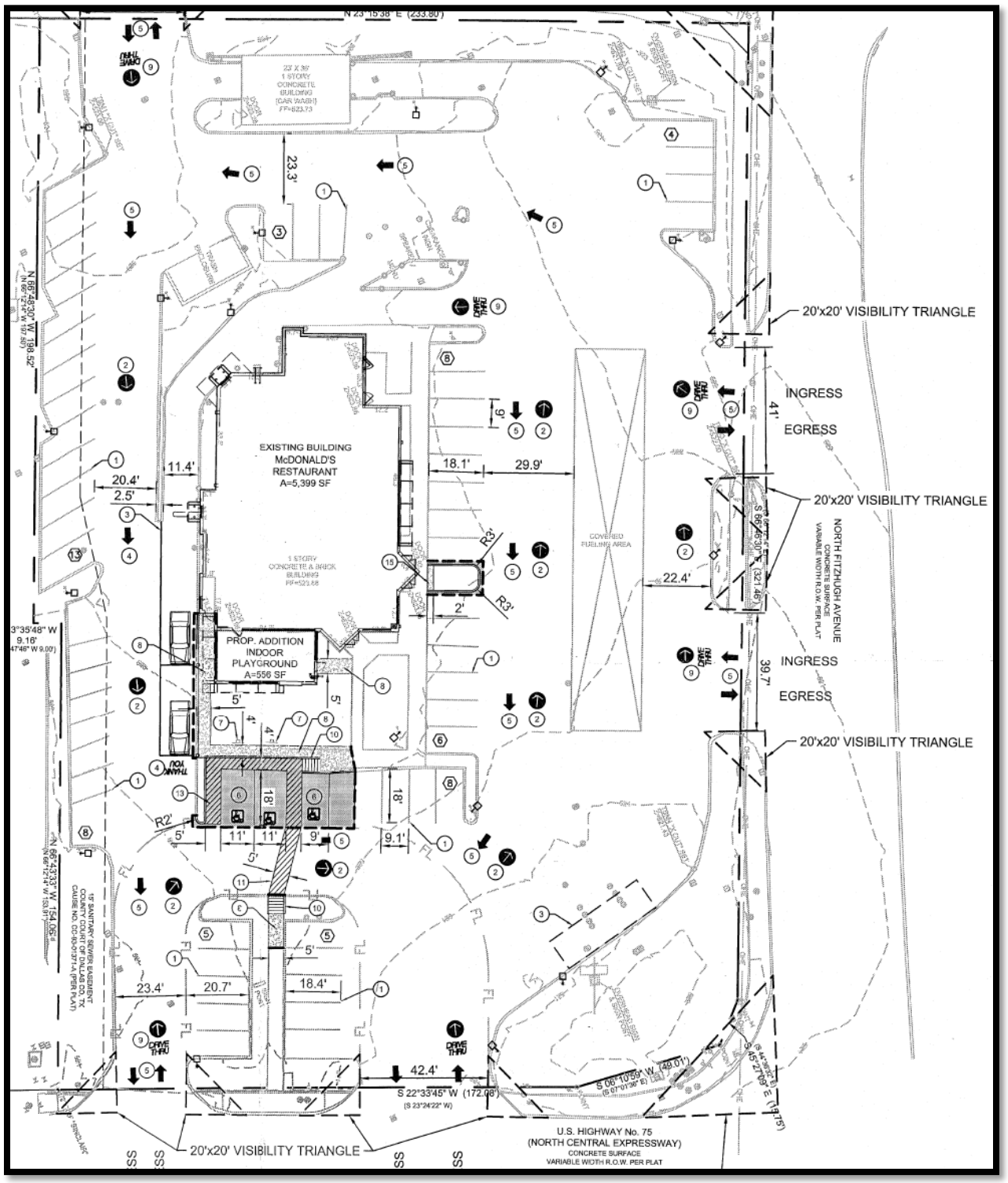
6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

7. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

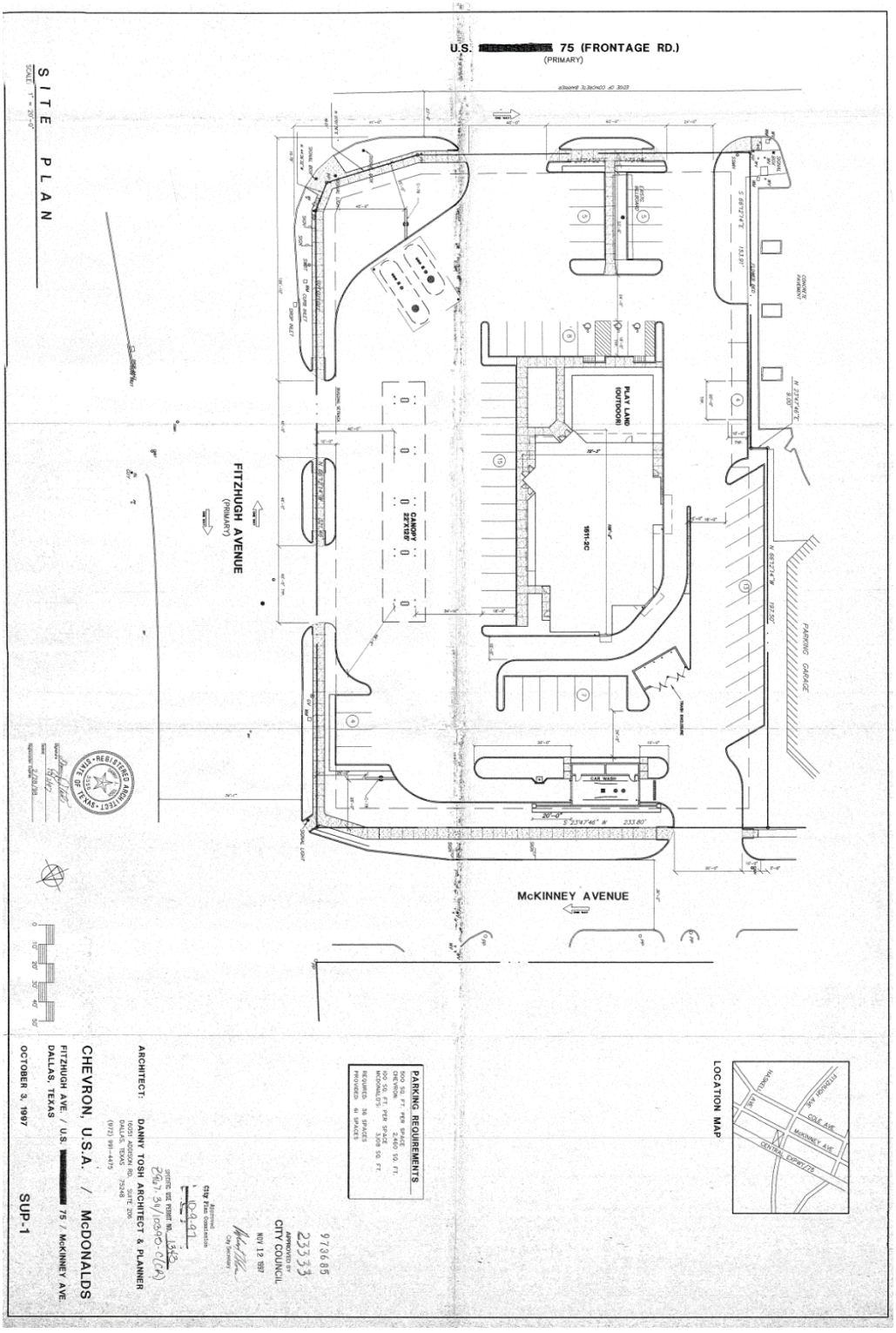
PROPOSED SITE PLAN



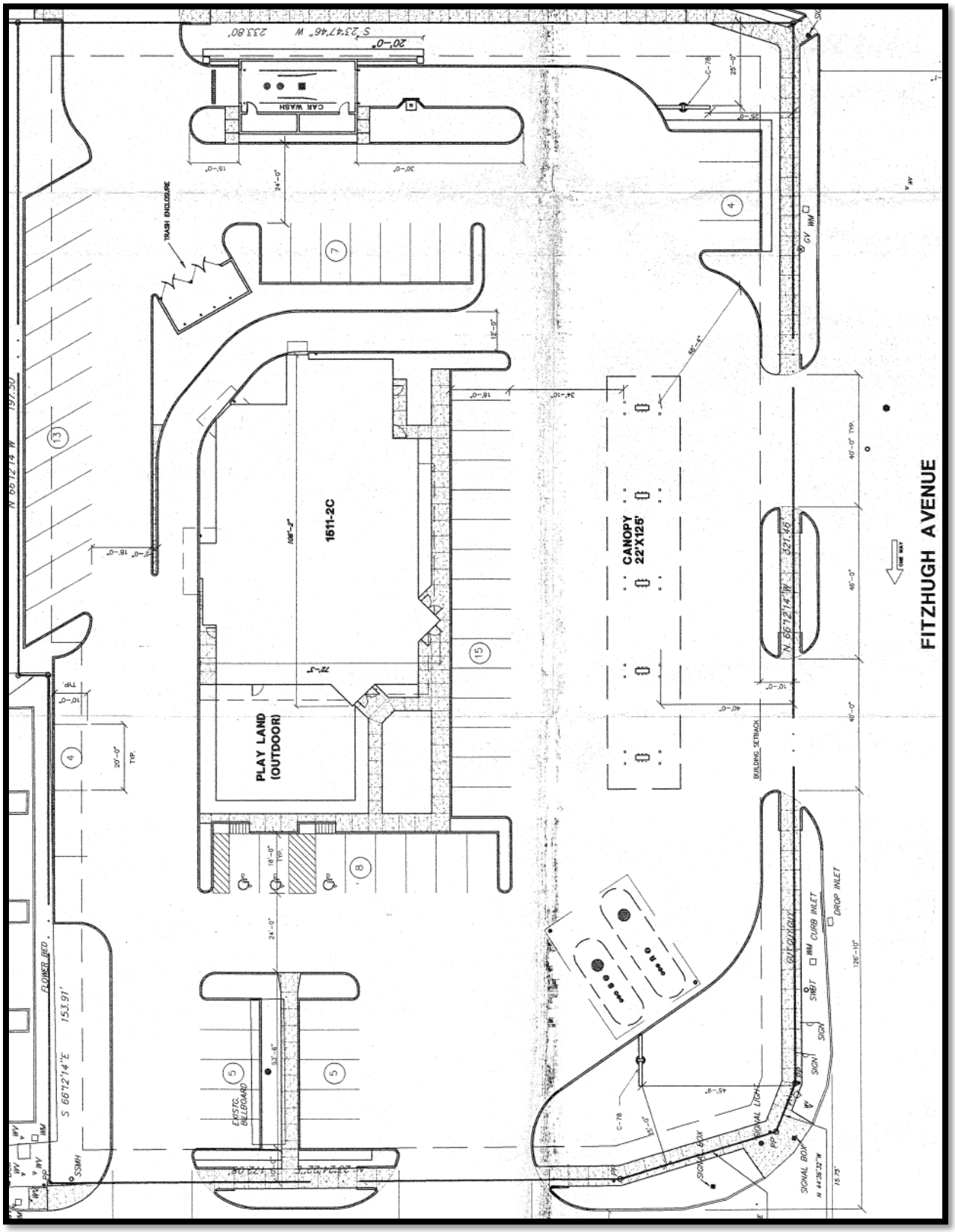
ENLARGED PROPOSED SITE PLAN



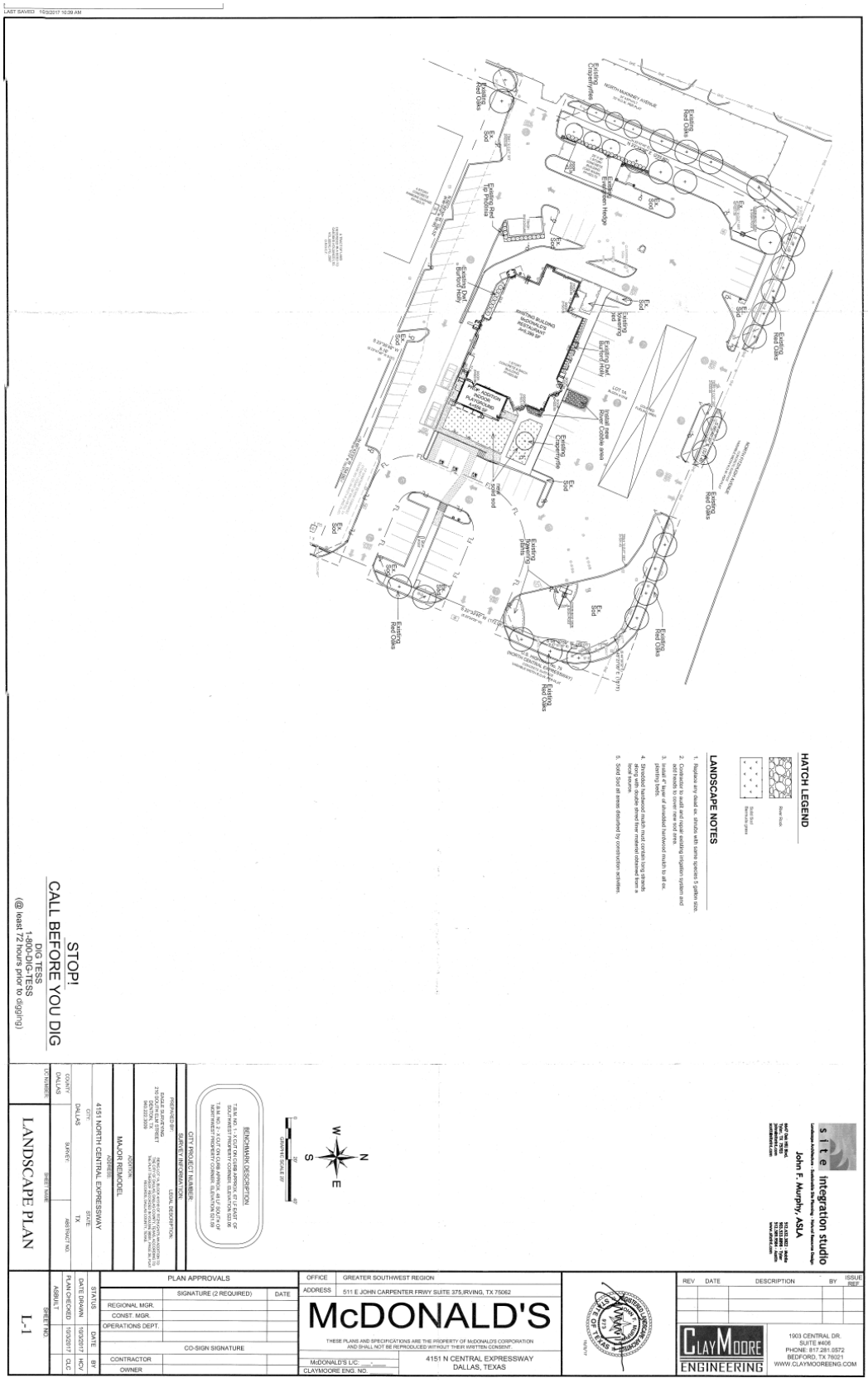
EXISTING SITE PLAN



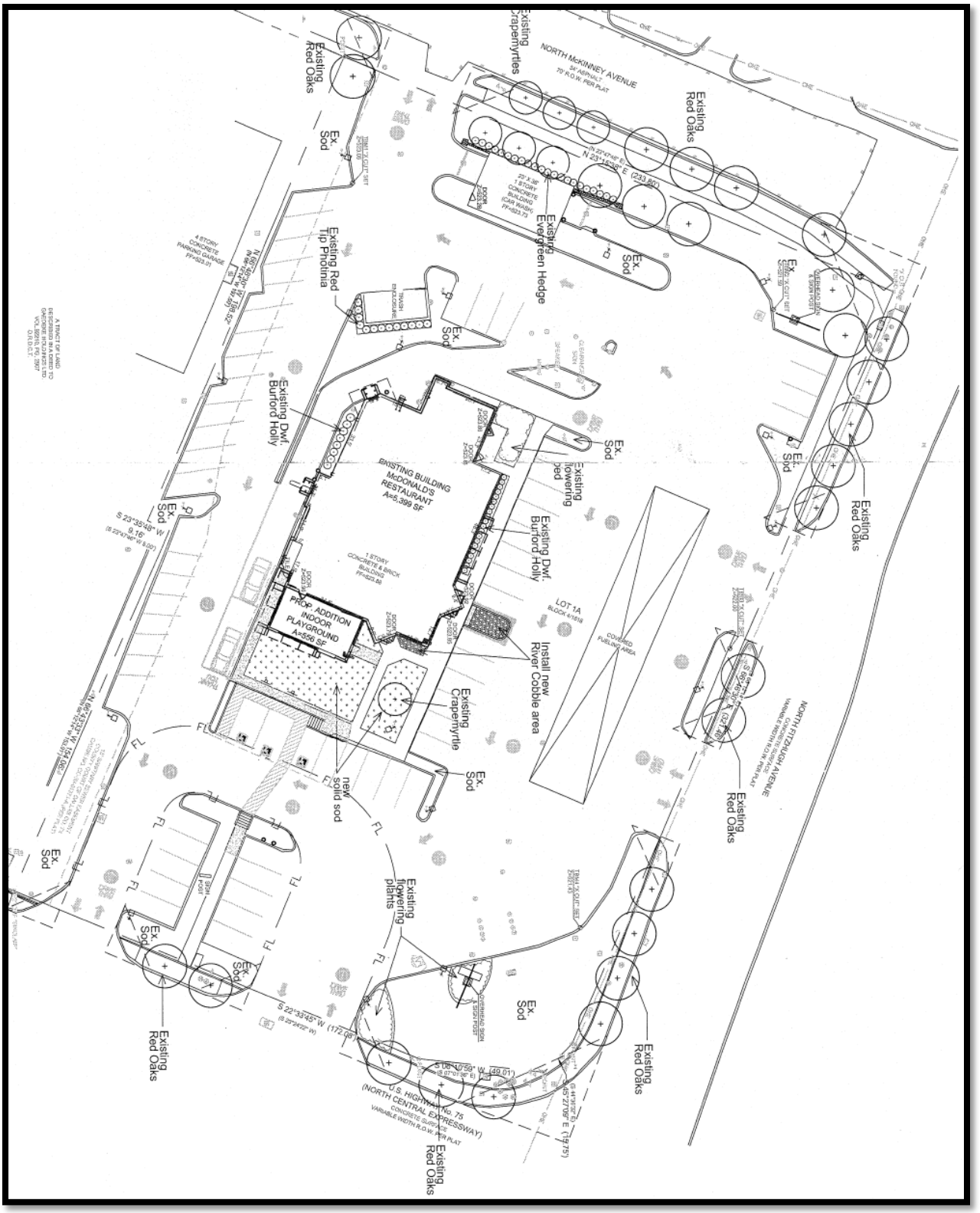
ENLARGED EXISTING SITE PLAN



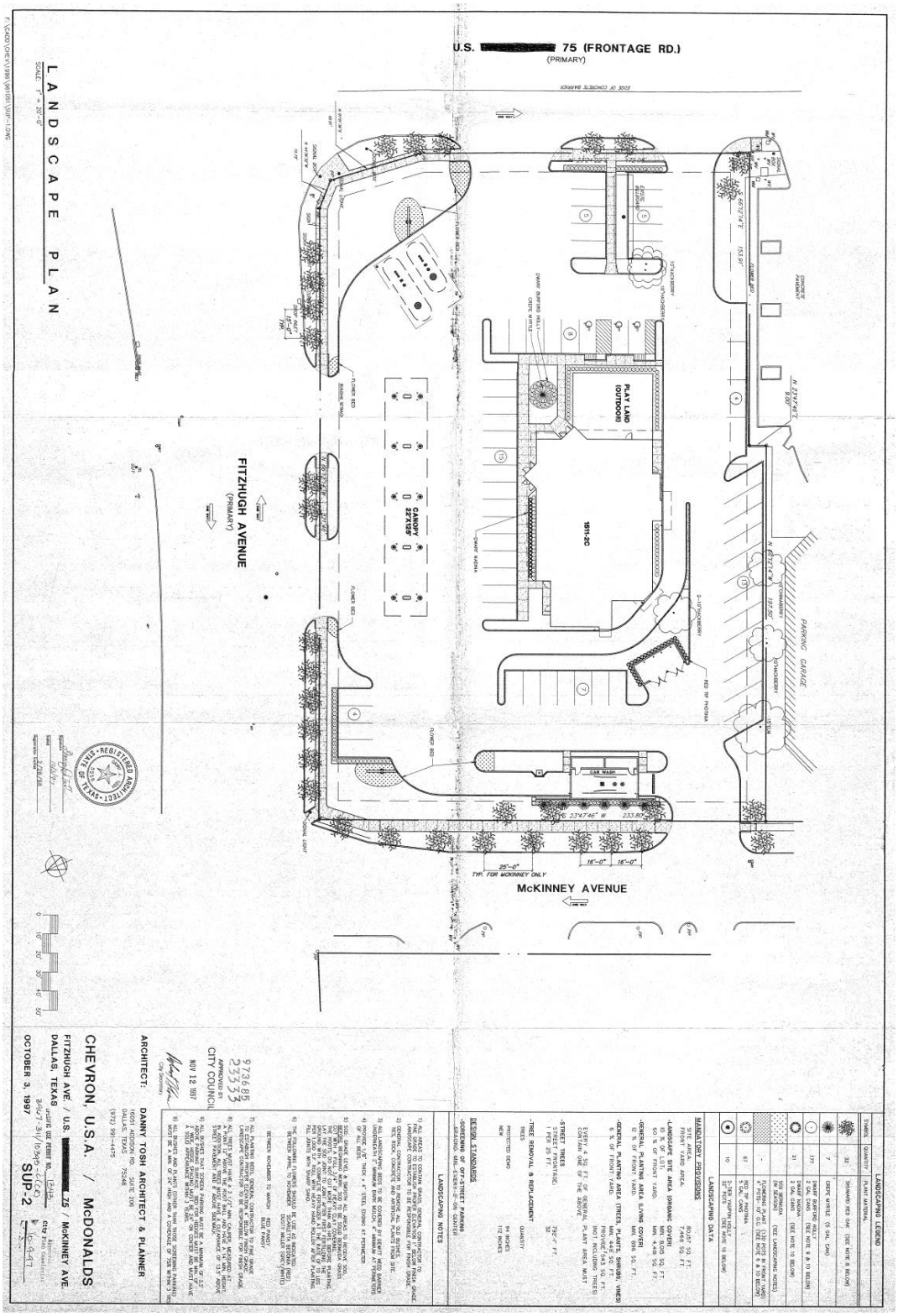
PROPOSED LANDSCAPE PLAN



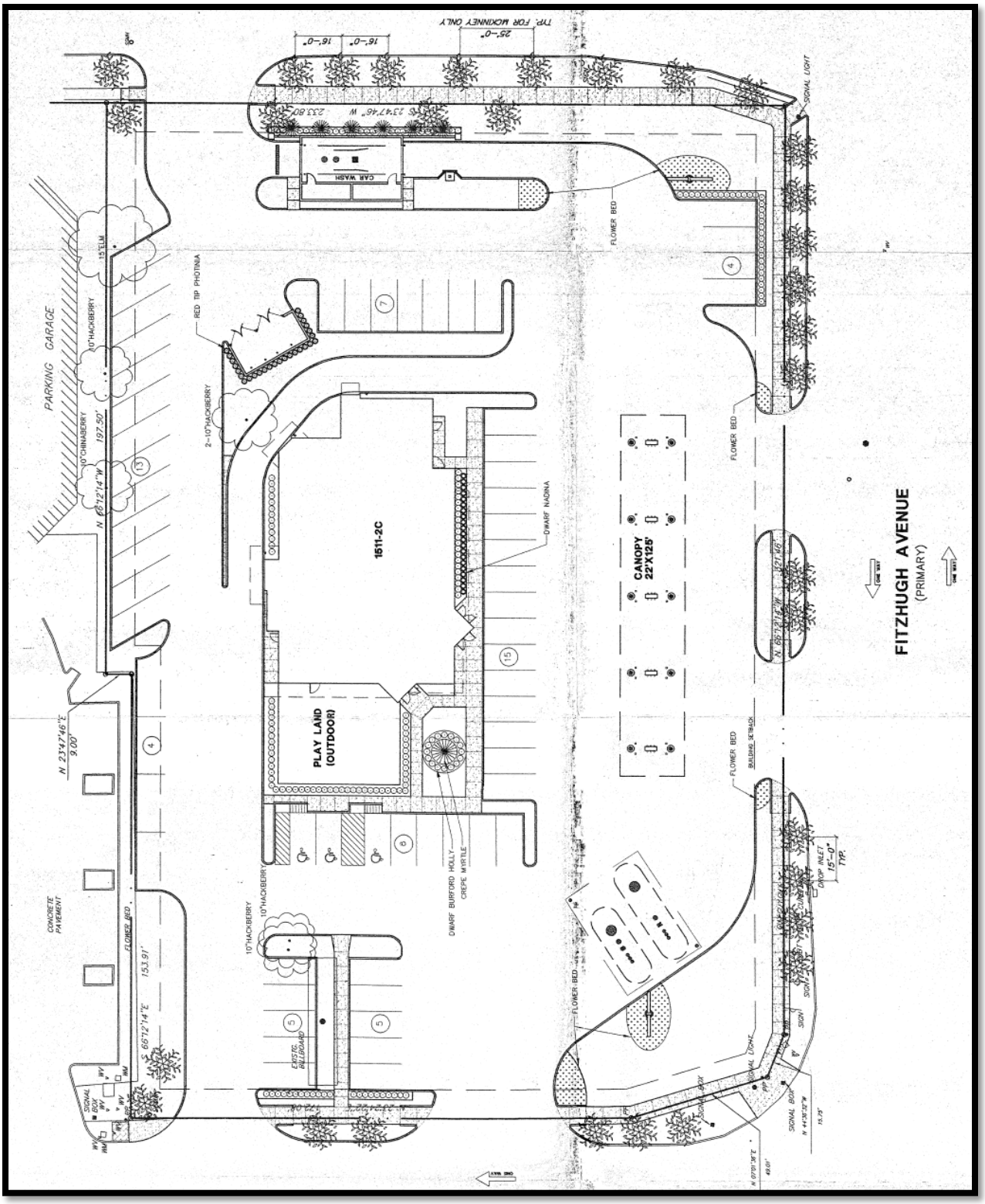
ENLARGED PROPOSED LANDSCAPE PLAN

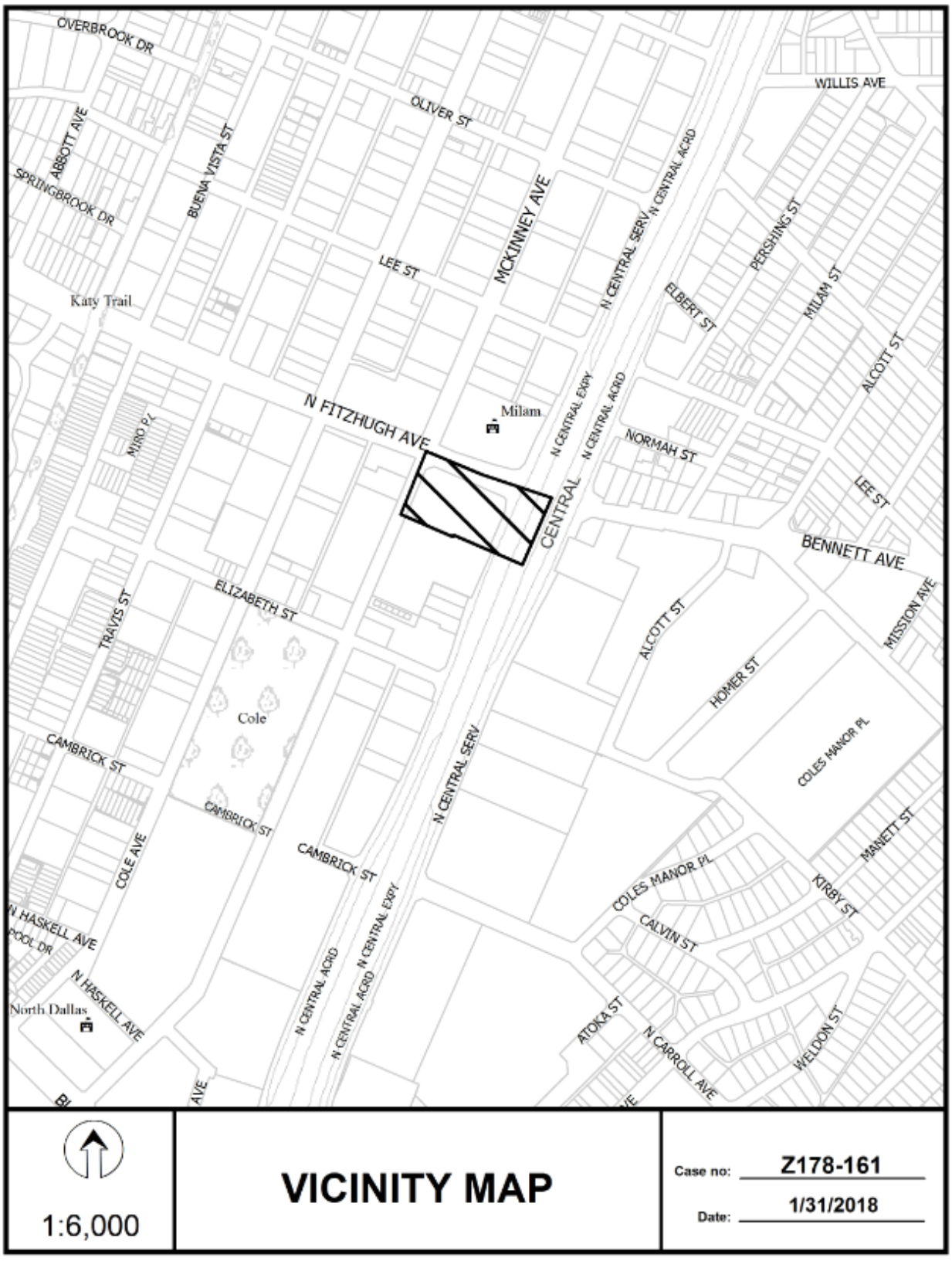


EXISTING LANDSCAPE PLAN

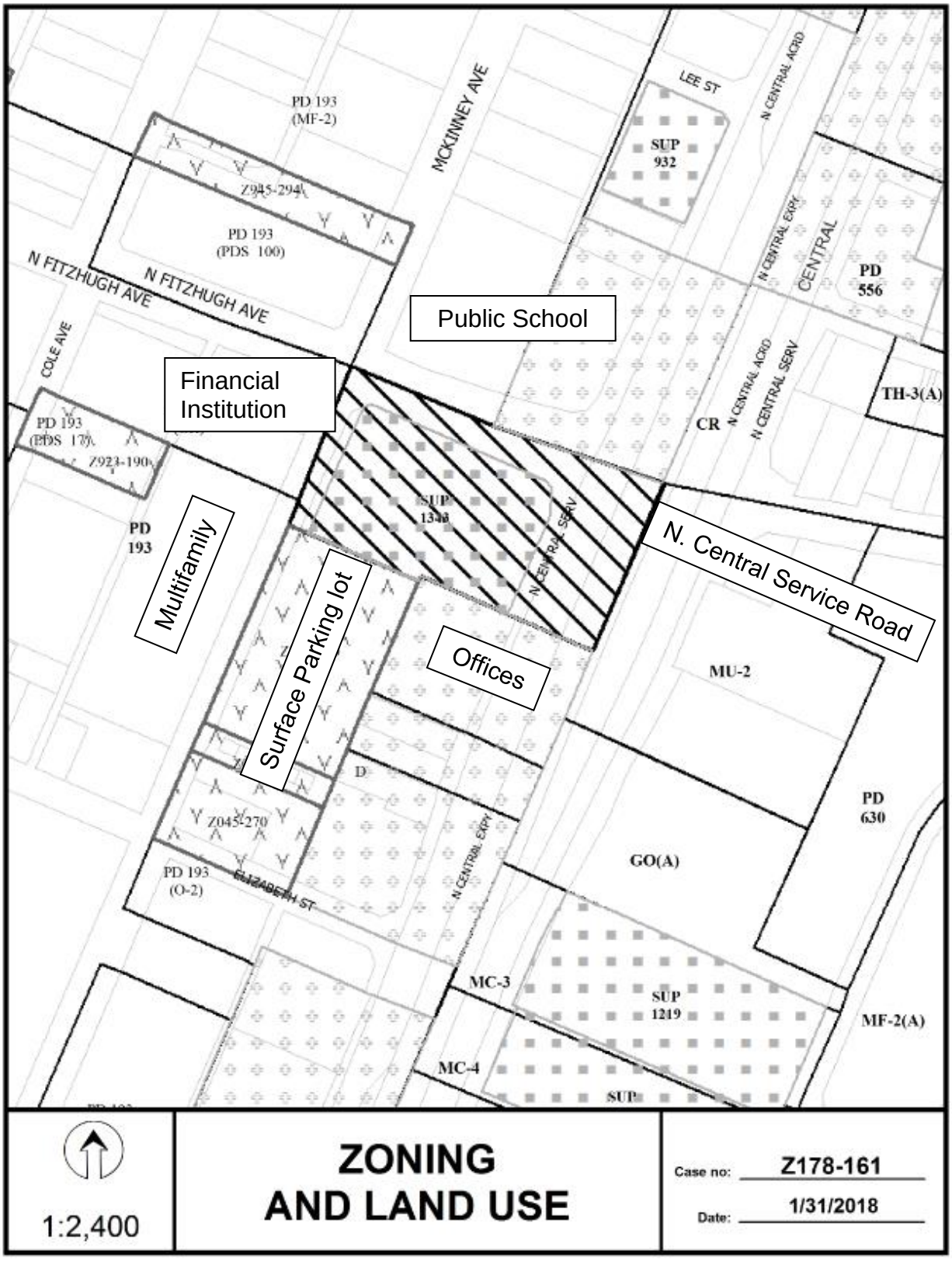


ENLARGED EXISTING LANDSCAPE PLAN




OVERBROOK DR
ABBOTT AVE
SPRINGBROOK DR
BUENA VISTA ST
OLIVER ST
WILLIS AVE
MCKINNEY AVE
N CENTRAL SERV
N CENTRAL ACRD
PERSHING ST
ELBERT ST
MILAM ST
ALCOTT ST
LEE ST
Katy Trail
N FITZHUGH AVE
Milam
N CENTRAL EXPY
NORMAH ST
CENTRAL
BENNETT AVE
MISSION AVE
MIRO PL
TRAVIS ST
ELIZABETH ST
HOMER ST
Cole
CAMBRICK ST
COLES MANOR PL
MANETT ST
KIRBY ST
CALVIN ST
COLE AVE
N HASKELL AVE
North Dallas
ATOKA ST
N CARROLL AVE
WELDON ST
1:6,000
VICINITY MAP
Case no: Z178-161
Date: 1/31/2018


MCKINNEY AVE
N FITZHUGH AVE
N FITZHUGH AVE
COVE AVE
N CENTRAL EXPY
N CENTRAL SERV
N CENTRAL EXPY
N CENTRAL SERV
N CENTRAL EXPY
LEE ST
LEE ST
NORMAL ST
ELIZABETH ST
ALCOTT ST
1:2,400
AERIAL MAP
Case no: Z178-161
Date: 1/31/2018


PD 193
(MF-2)
MCKINNEY AVE
LEE ST
N CENTRAL ACRD
SUP
932
Z045-294
PD 193
(PDS 100)
N FITZHUGH AVE
N FITZHUGH AVE
N CENTRAL EXPY
CENTRAL
PD
556
Public School
COLE AVE
Financial
Institution
TH-3(A)
CR
N CENTRAL ACRD
N CENTRAL SERV
PD 193
(PDS 17)
Z923-190
SUP
1348
PD
193
Multifamily
N CENTRAL SERV
N. Central Service Road
Surface Parking lot
Offices
MU-2
D
PD
630
Z045-270
GO(A)
PD 193
(O-2)
ELIZABETH ST
N CENTRAL EXPY
MC-3
SUP
1219
MF-2(A)
MC-4
SUP
1:2,400
ZONING
AND LAND USE
Case no: Z178-161
Date: 1/31/2018

CPC Responses



09/05/2018

Reply List of Property Owners

Z178-161

110 Property Owners Notified ***2 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	4151	N CENTRAL EXPY	LORTON CORPORATION THE
	2	4115	N CENTRAL EXPY	GAEDEKE HOLDINGS II LTD
	3	4123	N CENTRAL EXPY	ELIZABETH VENTURE LLP
O	4	4131	N CENTRAL EXPY	WESTDALE CBS TOWER LP
	5	3121	N FITZHUGH AVE	3121 FITZHUGH LLC
O	6	4136	COLE AVE	VICEROY LIVING LLC
	7	4200	MCKINNEY AVE	Dallas ISD
	8	2922	N FITZHUGH AVE	BASS CLARK & WANDA CO TR
	9	4210	N CENTRAL EXPY	NAXON RESOURCES LTD
	10	4212	N CENTRAL EXPY	KNOX ALTERNATIVE LLC
	11	2931	NORMAH ST	KNOX ALTERNATIVE LLC
	12	4150	N CENTRAL EXPY	RAJ HOSPITALITY LP
	13	4144	N CENTRAL EXPY	WHITESTONE UPTOWN TOWER LLC
	14	4152	COLE AVE	4152 COLE AVE PTNR LTD
	15	4151	MCKINNEY AVE	4151 MCKINNEY JV
	16	4209	MCKINNEY AVE	TRG MCKINNEY FITZHUGH LLC
	17	4164	N CENTRAL EXPY	FITZHUGH AT CENTRAL LP
	18	4121	MCKINNEY AVE	ARTZEROUNIAN DAVID E
	19	4121	MCKINNEY AVE	BROWN MARCUS D
	20	4121	MCKINNEY AVE	GRIFFIN AMANDA L
	21	4121	MCKINNEY AVE	SEIDEL DOUGLAS P &
	22	4121	MCKINNEY AVE	MAINETTI FRANCESCO
	23	4121	MCKINNEY AVE	PATEL MUKESH &
	24	4121	MCKINNEY AVE	LOGSDON ANTHONY
	25	4121	MCKINNEY AVE	GONZALES STEPHANY & JONATHAN JASON
	26	4121	MCKINNEY AVE	TUMMONDS JEFFREY KENNETH &

09/05/2018

Reply	*Label #*	*Address*		*Owner*
	27	4121	MCKINNEY AVE	PAXSON SARAH M
	28	4121	MCKINNEY AVE	CEARLOCK WILLIAM TODD &
	29	4121	MCKINNEY AVE	BERTRAND PIERRE S &
	30	4121	MCKINNEY AVE	KNETSCH WILLIAM LEE
	31	4121	MCKINNEY AVE	CLARSON KATHY L & RICHARD P
	32	4121	MCKINNEY AVE	MAN JASON S & LIANGPING JIA
	33	4121	MCKINNEY AVE	PAYNE MARTIN A
	34	4121	MCKINNEY AVE	FARRELL CLINTON
	35	4121	MCKINNEY AVE	KUSTIAWATI DEWI &
	36	4121	MCKINNEY AVE	DONAHUE CRAIG
	37	4121	MCKINNEY AVE	KWONG THEODORE DRUCE
	38	4121	MCKINNEY AVE	WEGNER RICHARD
	39	4121	MCKINNEY AVE	LATIMER CHRISTOPHER
	40	4121	MCKINNEY AVE	MOSIER MATTHEW B
	41	4121	MCKINNEY AVE	OUYANG JAENNETTE &
	42	4121	MCKINNEY AVE	SEDLIN DAVID
	43	4121	MCKINNEY AVE	ALLEN KATHERINE
	44	4121	MCKINNEY AVE	TO DUONG HAI &
	45	4121	MCKINNEY AVE	DOUGLAS BRITTON
	46	4121	MCKINNEY AVE	TIPTON LAUREN RENEE
	47	4121	MCKINNEY AVE	CHUNG TAEJIN &
	48	4121	MCKINNEY AVE	CARSON DAWN
	49	4121	MCKINNEY AVE	CHURCH JULIE A
	50	4121	MCKINNEY AVE	LEARY MICHAEL &
	51	4121	MCKINNEY AVE	SUESSMANN KRISTEN MARY
	52	4121	MCKINNEY AVE	DINH HOANG MINH
	53	4121	MCKINNEY AVE	ELLIS RICHARD E JR
	54	4121	MCKINNEY AVE	CHASANOFF STUART J
	55	4121	MCKINNEY AVE	DANG NGUYEN &
	56	4121	MCKINNEY AVE	SHI KEVIN Y
	57	4121	MCKINNEY AVE	CIANFARANI MICHAEL A

09/05/2018

Reply	*Label #*	*Address*		*Owner*
	58	4121	MCKINNEY AVE	PECOT KENNETH W & KRISTIN L
	59	4121	MCKINNEY AVE	JANKE SCOTT & CATHY
	60	4121	MCKINNEY AVE	WELDON PETER J JR TR
	61	4121	MCKINNEY AVE	HLAVACEK LIESL K & LUCAS
	62	4121	MCKINNEY AVE	ANSINELLI EMELINE &
	63	4121	MCKINNEY AVE	KNOX MICAH RHAEANN
	64	4121	MCKINNEY AVE	SHAW AMANDA N
	65	4121	MCKINNEY AVE	GRANETO DONALD
	66	4121	MCKINNEY AVE	NELSON JONATHAN P
	67	4121	MCKINNEY AVE	RIVERA SARA & FRANK JAMES
	68	4121	MCKINNEY AVE	WILLIAMS KIRSTEN GAIL &
	69	4121	MCKINNEY AVE	DARAM SHIVA PRASAD & LEKSHMI NANDAKUMAR PILLAI
	70	4121	MCKINNEY AVE	JOHNSON R DAVID & BETH ANN
	71	4121	MCKINNEY AVE	SHANAHAN RICHARD
	72	4161	MCKINNEY AVE	4161 MCKINNEY AVE LLC
	73	4161	MCKINNEY AVE	DIEB J STEPHEN
	74	4132	COLE AVE	4132 COLE LLC
	75	4132	COLE AVE	LALLI ERMINIO
	76	4132	COLE AVE	STONE MAREY E
	77	4132	COLE AVE	GRUNSKA GEOFFREY S
	78	4132	COLE AVE	MOUNTAIN BRIAN P
	79	4132	COLE AVE	STRAGE KATYA &
	80	4132	COLE AVE	DAVIS TOBY D
	81	4132	COLE AVE	PLATT JOEY
	82	4132	COLE AVE	PARSELL JOYCE
	83	4132	COLE AVE	DOYLE ALEXANDER G & MOLLY HUBBERT
	84	4124	COLE AVE	COLLIER KEVIN MERLE
	85	4124	COLE AVE	SHOCKNEY CARL WARREN TR
	86	4124	COLE AVE	HILSCHER MATTHEW S
	87	4124	COLE AVE	WINTERS LEONARD MAURICE
	88	4124	COLE AVE	JANZEN KINSEY

09/05/2018

Reply	*Label #*	*Address*		*Owner*
	89	4124	COLE AVE	JIN YINGQIN E
	90	4124	COLE AVE	ARIF SAMMER NADER
	91	4124	COLE AVE	SIMPSON SUSAN S
	92	4124	COLE AVE	FRANCESCONI ELIZABETH
	93	4124	COLE AVE	ERICKSON KIMBERLY E
	94	4124	COLE AVE	SORENSON MARK E
	95	4116	COLE AVE	BOGARD REVOCABLE LIVING
	96	4116	COLE AVE	MUNGER DELLA M & ASHWIN
	97	4116	COLE AVE	BARRIER INGRID T
	98	4116	COLE AVE	TANNENBAUM CHARLES & ERIC
	99	4116	COLE AVE	LEON PROPERTIES
	100	4116	COLE AVE	GASTON KELSEY
	101	4116	COLE AVE	ZHANG WENHAN &
	102	4116	COLE AVE	SALVAGGIO JOHN & MARTHA
	103	4116	COLE AVE	GRUNOW PAULA D
	104	4116	COLE AVE	4116 COLE LLC
	105	4219	MCKINNEY AVE	JONES KATHLEEN VIRGINIA
	106	4219	MCKINNEY AVE	MARLEY STEPHEN
	107	4219	MCKINNEY AVE	GOLDBERG ROBERT ALAN
	108	4219	MCKINNEY AVE	ONDRUSEK HENRY R & JULIE E
	109	4219	MCKINNEY AVE	DELEON CARLOS & ANITZA M
	110	4219	MCKINNEY AVE	DANIEL WILLIAM C

Agenda Information Sheet

File #: 18-1035 **Item #:** 70.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict to allow additional retail and personal service uses, on property zoned Blocks 12 and 13 within Planned Development District No. 800, on the southwest line of South Riverfront Boulevard, between Dearborn Street and Corinth Street
Recommendation of Staff: Approval, subject to a revised conceptual plan, revised form-based urban design standards, and staff's recommended conditions
Recommendation of CPC: Approval, subject to a revised conceptual plan, revised form-based urban design standards, and conditions
Z178-265(SM)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, OCTOBER 24, 2018**

ACM: Majed Al-Ghafry

FILE NUMBER:	Z178-265(SM)	**DATE FILED:**	May 25, 2018
LOCATION:	Southwest line of South Riverfront Boulevard, between Dearborn Street and Corinth Street		
COUNCIL DISTRICT:	2	**MAPSCO:**	45 X
SIZE OF REQUEST:	Approx. 7.0635 acres	**CENSUS TRACT:**	204.00

OWNER: Texas Central Real Estate Management Dallas, LLC

APPLICANT: David Taggart, EOT Odyssey, LLC dba Eye of Texas, LLC

REPRESENTATIVE: William S. Dahlstrom; Jackson Walker, LLC

REQUEST: An application for a new subdistrict to allow additional retail and personal service uses on property zoned Blocks 12 and 13 within Planned Development District No. 800.

SUMMARY: The purpose of this request is to modify the existing form-based zoning regulations to allow for an observation wheel and supporting uses.

CPC RECOMMENDATION: **Approval**, subject to a revised conceptual plan, revised form-based urban design standards, and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a revised conceptual plan, revised form-based urban design standards, and staff's recommended conditions.

BACKGROUND INFORMATION

- The request site is currently undeveloped and is bordered by South Riverfront Boulevard on the northeast and is otherwise surrounded by the old Trinity River meanders.

- On October 22, 2008, City Council established PDD No. 800 which is intended to be a form-based planned development district consistent with the efforts of the zoning cases within the Trinity River Corridor Plan and *forward*Dallas! Comprehensive Plan for new mixed use, pedestrian-friendly districts.

Zoning History: There has been no zoning cases in the vicinity in the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Thoroughfare Plan Dimension
S. Riverfront Boulevard	Principal Arterial	6-lanes divided; 130' ROW, 93' pavement with bicycle lanes

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development will not have a negative impact on the surrounding street system.

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.1 Implement the Trinity River Corridor Plan.

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

Policy 2.5.2 Ensure that existing and future residential areas are appropriately linked in order to enhance economic development and urban design benefits.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.
Policy 5.1.3 Encourage complementary building height, scale, design and character.
Policy 5.1.4 Enhance visual enjoyment of public space.

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY

Policy 5.2.2 Promote the character of the city's significant districts, linkages and areas.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

ENVIRONMENT ELEMENT

GOAL 6.3 IMPROVE ENERGY EFFICIENCY AND AIR QUALITY

Policy 6.3.3 Limit vehicle miles traveled.

TRANSPORTATION ELEMENT

GOAL 4.2 PROMOTE A VARIETY OF TRANSPORTATION OPTIONS

Policy 4.2.2 Promote a network of on-street and off-street walking and biking paths.

Area Plans:

On March 9, 2005, City Council adopted the Trinity River Comprehensive Land Use Plan, which outlines desired development patterns within the Corridor and identifies 23 land use opportunity areas. These opportunity areas were subject to more detailed evaluation and policy recommendations, and represent specific development opportunities within the Corridor.

Key urban design concerns outlined in the plan include

- avoiding a 'wall of buildings' that limits views along the river greenbelt edge;
- establishing riverfront development patterns that encourage new investment and redevelopment while protecting views from properties located further from the river's edge; and

- establishing riverfront development patterns that enhance the view looking back at the city from the trails, lakes, and wetlands inside the river greenbelt and from bridges crossing the river.

Design concepts outlined in the Plan to address the third issue included placing limitations on the buildings maximum façade width above 4 stories to between 20 and 50 percent, and limiting buildings immediately adjacent and parallel to the levee to a maximum of 3 stories of habitable structures above the levee.

Two of the objectives of the Trinity River Comprehensive Land Use Plan 2050 Vision are (1) to create a vibrant central city and (2) enhance the City's urban form to increase the appeal of urban life.

Trinity River Comprehensive Land Use Plan calls the Cedars West area "one of Dallas' best opportunities for development similar to that found along San Antonio's Riverwalk. Riverwalk-style improvements are anticipated to transform the sumps into areas that appeal to visitors as well as complete storm drainage functions." The area's proximity to downtown, the Convention Center, and transportation makes it attractive for restaurants, retail, and entertainment uses. Cedars West will become a destination for Dallas residents and visitors. The Plan calls for an urban residential neighborhood that will benefit from the lakes and open space nearby.

STAFF ANALYSIS:

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 800	Undeveloped
Northeast	PDD No. 800	Undeveloped
Southeast	PDD No. 800	Undeveloped
Southwest	PDD No. 784 (Cedars West)	Undeveloped
Northwest	PDD No. 784 (Cedars West)	Undeveloped

Land Use Compatibility:

The request site is undeveloped and uniquely situated with a divided thoroughfare with bike lanes on the northeast and the three remaining sides front on the old Trinity River channel, which is called *meanders* in the existing PDD. Beyond these boundaries, the surrounding areas are largely undeveloped and commercial uses and the vision of the area to be a vibrant, mixed-use, urban district has yet to be developed. However, the

applicant proposes to invest in the parcel to be an anchor and iconic feature of the Dallas skyline.

The applicant proposes to construct an observation wheel with a minimum height of 380 feet that will provide patrons with an experience that has both entertainment and learning opportunities. The proposed observation wheel will be oriented near the center of the request site and will be situated parallel to South Riverfront Boulevard. The patrons would likely arrive in a vehicle, bike, transit, or by the upcoming high-speed rail station.

According to the applicant, patrons of the observation wheel would begin their experience with a "pre-flight" experience that may include a museum-like area to learn about the region and prepare for their experience. The patrons would then take a 38-minute ride for a single rotation of the observation wheel and be provided with views of the region in all directions. The patrons would then exit in a "post-flight" area. The applicant proposes to compliment the observation wheel with a variety of other mixed uses including retail, restaurant, and other entertainment uses on the property to encourage regular patronage and activity. The proposed uses and activities are consistent with the vision of the area and will compliment future surrounding uses.

Development Standards:

The existing PDD requires the buildings comply with build-to zones, minimum transparency, blank wall area, minimum and maximum structure and floor heights, and other various and typical form-district development standards. In Article XIII of the Dallas Development Code, these standards are applied to specific "development types" such as a mixed use development, apartment, townhouse, civic, and open space. Because these development types have differing urban forms, their building standard should also differ. Form-based planning theory also typically adds another development type that Article XIII and PDD 800 do not, which is sometimes called, a "special district" or a "campus development" that do not conform to any of the aforementioned development types. Typical "special districts" and "campus development" may include a football stadium, airport, or university campus.

The applicant proposes to construct an observation wheel, which is a rotating structure that is supported from ground supports to the center of the wheel structure with a minimum height of 380 feet that provides each rider views of surrounding properties from vantage points from the base to the top of the overall structure. Because the observation wheel is unique and cannot conform to the urban form standards of retail and residential development types, the request includes a new development type called

a *regional observation campus*. The defining element of a regional observation campus is the presence of an observation wheel. Supporting uses such as restaurant, retail, museum, and open areas may also be located within a regional observation campus.

Staff supports the applicant's request to allow the site limited exceptions as listed in the proposed conditions for a regional observation campus because the unique shape and design of the observation wheel would prevent the site from complying with the urban forms described in the existing PDD where the exceptions are requested.

Further, because the pedestrian connection from South Riverfront Boulevard through the site is proposed to remain open to the public with a new exception to allow for the observation wheel to rotate above the open pedestrian connection, staff supports the request.

Parking:

The existing PDD conditions allow for reductions in parking based on mixed use development, allow tandem parking for residential uses, and gives credit for on-street parking for non-residential uses. Parking requirements are also reduced to one space per 300 square feet except for specific uses. Because the request site is generally isolated, there is not an easily accessible place for spill-over parking. Structured parking must have a concealed façade so that it visually blends into the main building. The applicant has requested three related parking provisions for the new subdistrict.

The Dallas Development Code requires that for the first 50 percent of a site's minimum parking requirement, remote parking agreements must be within 300 feet walking distance to the main use; when a site has a minimum of 50 percent of its required parking within 300 feet of the business, the walking distance may then be extended to 600 feet; a site may also have the walking distance further extended to a half-mile (2640 feet) if a special parking license is obtained, which requires a valet or shuttle service from the remote parking facility to the main use.

The applicant has requested that remote parking be allowed within 1,000 feet of the request site. Similarly, the applicant has requested that special parking may account for all of the off-street parking requirements of a use. Staff supports these request as the site is envisioned as a mixed-use district that will be physically separate from more sensitive areas and because similar provisions are in existing planned development districts such as PDD No. 621 Old Trinity and Design District Special Purpose District and in PDD No. 830, in the Bishop Arts area.

Additionally, the Dallas Development Code states,

> In all districts except a central area district, required off-street parking must be available as free parking or contract parking on other than an hourly or daily fee basis. This requirement does not apply to institutional uses or mechanized parking approved under Division 51A-4.340. [Section 51A-4.301(a)(8)].

The applicant has also requested that a fee may be charged for off-street parking spaces within a regional observation campus. Staff supports this request because it will encourage patrons to pay for parking or find other means of access to the site.

Finally, the Dallas Development Code outlines parameters for Class II bicycle parking[1], but does not require a site to provide them. Staff supports this condition as it will cause the developer to construct facilities that would keep bicycles maintained in a neat appearance for this site that is along a bicycle trail and would likely generate higher bicycle traffic volumes than other uses.

Signs:

Staff supports the applicant's request for an exception to a provision that requires sites within 100 feet of a public park to follow non-business sign regulations in the event the Trinity River is considered a public park.

The applicant has requested modifications to the existing regulations for attached signs in order to display a larger premise or noncommercial message upon the proposed observation wheel. The wheel may not display non-premise messages (e.g. advertisements) unless a separate application for a new special provision sign district with a minimum of 50 acres is adopted through a separate zoning application.

The existing sign regulations limit the effective area of attached signs to a maximum 25 percent of the facade area of the building to which the sign is attached. In exchange for an increase in effective area, the applicant has proposed several additional sign restrictions which either reiterate existing sign regulations or further restrict the proposed sign.

Subparagraphs B through E are consistent with changeable message signs in business districts. Subparagraphs A, F, G and H are additional restrictions offered by the applicant to limit text and logos to a maximum of 15 minutes per hour, ensure that the lighting method of the proposed sign is by LED lights among the spokes of the proposed observation wheel rather than from a solid screen, a limitation on the number of spokes

[1] Class II bicycle parking means enclosed parking spaces intended for bicycles within a building or structure designed for increased security from theft and vandalism, such as locked bicycle storage rooms, bicycle check-in systems, and bicycle lockers

to ensure the display of the sign allows views through the sign, and an hours of operation limitation of the sign's message when the observation wheel is not in operation at night. Subparagraph I was derived from the sign brightness levels allowed upon the Omni Hotel building facade in downtown, which was derived from industry-standard calculations on brightness. Staff supports each of these requests because they offer limitations and restrictions on the proposed sign.

In subparagraph J, the applicant proposes to establish that the calculation of the facade of the observation wheel is to include the omitted areas within the proposed wheel's circumference. Staff supports this request because typical building facades are solid and the proposed observation wheel contains voids within the observation wheel's circumference; therefore, this clarification allows staff to easily calculate the overall area of the facade rather than calculating the surface area of each spoke and supporting element.

Additionally, since typical building facades are rectilinear, and the proposed observation wheel is circular and because logos are often also circular, the applicant proposes to adjust the measurement of how effective area is calculated for logos. The existing definition of effective area for an attached sign is as follows (emphasis added):

> The sum of the areas within minimum imaginary *rectangles of vertical and horizontal lines*, each of which fully contains a word. If a design, outline, illustration, or interior illumination surrounds or attracts attention to a word, then it is included in the calculation of effective area.

The proposed modification to the definition of effective area for attached signs on an observation wheel is, "The area within a minimum imaginary circle that fully contains all the extremities of the logo."

In other words, the existing definition of effective area would require the effective area for a circular logo to be calculated within an imaginary rectangle on the proposed circular observation wheel. Therefore, in order for a circular logo to extend to the circumference of the wheel, the effective area would need to be 128 percent of the facade area, which is not an intuitive number when considering the structure is circular. The applicant's proposed adjusted effective area calculation allows for a more intuitive evaluation of effective area.

However, staff does not support the applicant's requested increase in effective area in subparagraph K. The applicant requests to increase the effective area from 25 percent to 40 percent of the building facade for text and logos. Since the applicant proposes to

construct an observation wheel with an approximate diameter of 500 feet, the following table compares the applicant's requested effective area and staff's recommended effective area.

Givens	**Diameter of wheel (feet)**	**500**
	Wheel facade (SF)	196,350
	Wheel facade (acres)	4.51
Applicant Requested	40 % effective area (SF)	78,540
	40 % effective area (acres)	1.80
	40 % effective area diameter (feet)	316
	40 % effective area square root (feet)	280
Staff Recommended	25 % effective area (SF)	49,087
	25 % effective area (acres)	1.13
	25 % effective area diameter (feet)	250
	25 % effective area square root (feet)	222

Because the proposed observation wheel is large and will likely become a defining icon of the Dallas skyline and because staff has agreed to stretch the interpretation of structure facade to include the voids within the wheel's circumference, staff hesitates to support an effective area that would further exceed the maximum effective areas allowed in all other business zoning districts.

Prior CPC Action – July 19, 2018:

Motion: In considering an application for a new subdistrict to allow additional retail and personal service uses on property zoned Blocks 12 and 13 within Planned Development District No. 800, on the southwest line of South Riverfront Boulevard, north of South Houston Street, it was moved to **hold** this case under advisement until August 16, 2018.

Maker: Rieves
Second: Jung
Result: Carried: 14 to 0

For: 14 - West, Rieves, Houston*, Davis*, Shidid, Carpenter, Mack, Jung, Housewright*, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 8

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 20
Replies: For: 0 Against: 0

Speakers: None

Prior CPC Action – August 16, 2018:

Motion I: It was moved to recommend **approval** of a new subdistrict to allow additional retail and personal service uses, subject to a revised conceptual plan and staff's recommended conditions with the following changes: 1) require in the regional observation campus in Subdistrict 1, a 10 foot wide pedestrian and bicycle trail from Riverfront Drive to the western boundary of Subdistrict 1, 2) illuminating signs may be illuminated between one-half hour before sunset and 11 p.m.; on national holidays signs may be illuminated between one-half hour before sunset and 1:00 a.m., 3) outdoor sale permitted by specific use permits, 4) regular hours of operation for outside commercial amusement uses in Subdistrict 1 are from 9:00 a.m. to 11:00 p.m.; national holidays' hours of operation are from 9:00 a.m. to 1:00 a.m., 5) maximum effective area for premise signage is 40 percent of area within the entire wheel façade, and 6) limit maximum height to 575 feet, on property zoned Blocks 12 and 13 within Planned Development District No. 800, on the southwest line of South Riverfront Boulevard, north of South Houston Street.

Maker: Rieves
Second: Jung
Result: **Commissioner Rieves withdrew the motion and Commissioner Jung agreed.**

Motion II: In considering an application for a new subdistrict to allow additional retail and personal service uses on property zoned Blocks 12 and 13 within Planned Development District No. 800, on the southwest line of South Riverfront Boulevard, north of South Houston Street, it was moved to **hold** this case under advisement until September 6, 2018.

Maker: Rieves
Second: Jung
Result: Carried: 15 to 0

For: 15 - West, Rieves, Houston, Davis, Shidid, Carpenter, Mack, Lewis, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 0

Notices: Area: 500 Mailed: 20
Replies: For: 0 Against: 0

Speakers: For: Bill Dahlstrom, 2323 Ross Ave., Dallas, TX, 75201
David Taggart, 3224 McKinney Ave., Dallas, TX, 75204
Against: None

Prior CPC Action – September 6, 2018:

***De minimus* Significant Change Motion:** In considering the requirement in Section 5(m)(1)(B) of the CPC Rules of Procedure, the finding is it does not apply because the impact of the proposed change to increase the height to 600 feet in the Commission's judgment is *de minimus* in nature.

Maker: Rieves
Second: Mack
Result: Carried: 11 to 1

For: 11 - West, Rieves, Houston, Davis, Shidid, Carpenter, Mack, Lewis, Schultz, Peadon, Tarpley

Against: 1 - Ridley
Absent: 3 - Jung, Housewright, Murphy
Vacancy: 0

Motion: It was moved to recommend **approval** of a new subdistrict to allow additional retail and personal service uses, subject to a revised conceptual plan, and staff's recommended conditions with the following changes: 1) add the definition of "Education Center" and include a sentence that states: "An Education Center must be constructed in the 1st phase of the development in the regional observation campus"; 2) add "Education Center" as a permitted use in Subdistrict 1; 3) maximum area of text and logos is 40 percent of the area within the entire wheel façade; 4) limit the length of time a logo may be displayed at any one time on the observation wheel to 30 seconds; and 5) increase the maximum height of the use to 600 feet on property zoned Blocks 12 and 13 within Planned Development District No. 800, on the southwest line of South Riverfront Boulevard, north of South Houston Street.

Maker: Rieves
Second: Carpenter
Result: Carried: 11 to 1

For: 11 - West, Rieves, Houston, Davis, Shidid, Carpenter, Mack, Lewis, Schultz, Peadon, Tarpley

Against: 1 - Ridley
Absent: 3 - Jung, Housewright, Murphy
Vacancy: 0

Notices: Area: 500 Mailed: 20
Replies: For: 0 Against: 0

Speakers: For: David Taggart, 3224 McKinney Ave., Dallas, TX, 75204
Bill Dahlstrom, 2323 Ross Ave., Dallas, TX, 75201
Shandra Colon, 2627 Martin Luther King, Dallas, TX, 75215
Michael Barrett, 1602 Beaumont St., Dallas, TX, 75215
Against: None

APPLICANT LIST OF PRINCIPALS
EYE OF TEXAS, LLC

Mike Beucler
Rick Kuper
Dudley Hays

OWNER LIST OF OFFICERS
TEXAS CENTRAL REAL ESTATE MANAGEMENT – DALLAS, LLC

Jack Matthews, President
Kristian Teleki, Senior Vice President
Dave Snell, Vice President
Bruce Bent, Vice President, Secretary, and Treasurer
Adam Miller, Vice President

CPC RECOMMENDED AMENDMENTS TO

ARTICLE 800.

PD 800.

SEC. 51P-800.101. LEGISLATIVE HISTORY.

PD 800 was established by Ordinance No. 27372, passed by the Dallas City Council on October 22, 2008.

SEC. 51P-800.102. PROPERTY LOCATION AND SIZE.

PD 800 is established on property generally bounded by Riverfront [~~Industrial~~] Boulevard, Cadiz Street, Rock Island Street, and the Union Pacific Railroad. The size of PD 800 is approximately 60.59 acres.

SEC. 51P-800.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this district:

(1) A-FRAME SIGN means a portable detached premise sign that is hinged at the top and is made of durable, rigid materials such as wood, plastic, or metal.

(2) ANTIQUE SHOP means an establishment for the retail sale of articles such as glass, china, furniture, or similar furnishings and decorations that have value and significance as a result of age, design, or sentiment.

(3) ART GALLERY means an establishment where original works of art or limited editions of original works of art are bought, sold, loaned, appraised, or exhibited to the general public.

(4) ART OR CRAFT PRODUCTION FACILITY means a facility for the production of handcrafted art or craft products through processes such as kiln firing, glass blowing, welding, or woodworking, and for the sale of the products to the general public.

(5) BLADE SIGN means a sign that projects perpendicularly from a main building facade and is visible from both sides.

(6) BUILD-TO ZONE means the location shown on the form-based urban design standards where a street-facing facade must be constructed on a lot.

(6.1) EDUCATION CENTER means a facility that provides educational programs, courses, instruction, or skills to the general public on matters related to the observation wheel including, but not limited to conservation, local history, science, urban planning, literature, political science, and civics. An education center is not a public, private, or business school. An observation wheel and an education center must be constructed in the first phase of development in the regional observation campus.

(7) INTERNAL STREET means a minor street, public or private, that is located within the boundaries of the district.

(8) MEANDERS means those portions of the old Trinity River channel that are outside of the levees.

(9) MEWS means a multimodal street for pedestrian or low-speed vehicular traffic.

(9.1) OBSERVATION WHEEL means a rotating, vertically oriented, disk-like structure with a minimum height of 380 feet that provides each rider views of surrounding properties from vantage points from the base to the top of the overall structure.

(10) PEDESTRIAN-ORIENTED USE means any retail and personal service, residential, office, or lodging use permitted as a main use. A pedestrian-oriented use does not include a commercial parking lot or garage.

(11) PRIMARY STREET means an internal street designated on the conceptual plan that is designed for the highest level of pedestrian activity.

(11.2) REGIONAL OBSERVATION CAMPUS means a development that contains an observation wheel and an education center. A regional observation campus may also include other supporting uses including, but not limited to restaurant, retail, office, education center, museum, open areas for the operation of food trucks, and other supporting uses. An observation wheel must be constructed in the first phase of development in the regional observation campus.

(12) SECONDARY STREET means an internal street designated on the conceptual plan that is a minor street designed for a low level of vehicular activity.

(13) STREET WALL means the vertical plane of facades within a block face that frame the public space.

(14) TANDEM PARKING means one parking space in front of another parking space, making it necessary to pass through one parking space to gain vehicular access to the other parking space.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) This district is considered to be a nonresidential zoning district.

SEC. 51P-800.104. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 800A: conceptual plan.

(2) Exhibit 800B: form-based urban design standards.

SEC. 51P-800.104.1. CREATION OF SUBDISTRICT 1.

This district has one subdistrict: Subdistrict 1. The boundaries of Subdistrict 1 are shown in the conceptual plan (Exhibit 800A).

SEC. 51P-800.105. CONCEPTUAL PLAN AND FORM-BASED URBAN DESIGN STANDARDS.

(a) Development and use of the Property must comply with the conceptual plan (Exhibit 800A) and the form-based urban design standards (Exhibit 800B). If there is a conflict between the text of this article and the conceptual plan, the text of this article controls. If there is a conflict between the text of this article and the form-based urban design standards, the text of this article controls. If there is a conflict between the conceptual plan and the form-based urban design standards, the conceptual plan controls.

(b) The location of internal streets other than Primary Street and Hotel Street are approximate and may be adjusted in the development plan as long as the block standards in Section 51P-800.120 are met.

SEC. 51P-800.106. DEVELOPMENT PLAN.

(a) A development plan must be approved by the city plan commission before the issuance of any building permit to authorize work in this district. If there is a conflict between the text of this article and the development plan, the text of this article controls. If there is a conflict between the development plan and the conceptual plan, the conceptual plan controls. If there is a conflict between the development plan and the form-based urban design standards, the form-based urban design standards control.

(b) The development plan may be on a single drawing and must clearly indicate:

(1) any proposed public or private streets and alleys;

(2) building sites;

(3) areas proposed for dedication or reserved as parks, open space, parkways, playgrounds, utility and garbage easements, school sites, street widenings, or street changes;

(4) the points of ingress and egress from existing public streets;

(5) an accurate survey of the boundaries of the site;

(6) topography of the site with contour intervals of not less than five feet, or spot grades where relief is limited;

(7) location of proposed land uses;

(8) the location of buildings and the minimum distance between buildings and between buildings and property lines, street and alley rights-of-way, and private streets;

(9) the arrangement of off-street parking and loading, indicated as a ratio of off-street parking and loading area to building area if all off-street parking and loading areas are indicated for the site and there is an example that demonstrates a common feasible method of providing the off-street parking and loading;

(10) any special traffic regulation facilities proposed or required;

(11) screening, landscaping, and major tree groupings to be retained if this information is essential to the proper arrangement of the development in relation to adjacent property and internal land uses;

(12) each phase of development if separate phases are proposed;

(13) all public and private right-of-way lines and easements;

(14) location of existing and proposed public and private utilities; and

(15) build-to zones.

(c) If the director determines that one or more of the items listed in Subsection (b) is unnecessary to allow for a complete review of the proposed development, the director shall waive the required item. In making this determination, the director shall consider existing property conditions and the extent of the changes necessitated by the proposed development.

(d) The commission may require elevations and perspective drawings for buildings more than 12 feet in height that are not used for single family or duplex uses.

(e) The applicant shall submit a preliminary plat with the development plan. The commission shall process the preliminary plat and the development plan simultaneously.

(f) The applicant shall submit a legal instrument establishing a plan for the use and permanent care and maintenance of any common area before the development plan may be approved. The legal instrument must be approved as to form by the city attorney, and by the commission as to the suitability for the proposed use of the common area.

SEC. 51P-800.107. SITE PLAN.

A site plan that complies with the requirements of this article must be submitted to the building official before an application is made for a building permit. The site plan must include:

(1) existing and proposed building entrances, exits, service areas, and windows;

(2) all public and private right-of-way lines and easements;

(3) the location, type, size, and height of perimeter fencing, screening, and buffering elements proposed or required;

(4) all provisions to be made to direct and detain storm water;

(5) mitigation to erosion during construction;

(6) location, type, orientation, size, and height of light standards;

(7) location of existing and proposed signs;

(8) location of existing and proposed exterior loudspeakers and sound amplifiers;

(9) the existing and proposed locations for all mechanical equipment capable of producing high levels of noise;

(10) pedestrian zones and circulation, including the location and description of amenities provided, including:

(A) enhanced pavement,

(B) benches,

(C) trash receptacles,

(D) pedestrian street lamps,

(E) awnings and canopies,

(F) bicycle parking, and

(G) tree grates;

(11) demonstration of eligibility for off-street parking reductions if requested by the applicant;

(12) location of existing and proposed public and private utilities;

(13) build-to zones and curb lines; and

(14) any other information that the building official determines is necessary.

SEC. 51P-800.108. MAIN USES PERMITTED.

(a) In general. The following uses are the only main uses permitted:

(1) Agricultural uses.

None permitted.

(2) Commercial and business services uses.

-- Catering service.
-- Custom business services.
-- Custom woodworking, furniture construction or repair. *[SUP. Limited to inside only. Outside storage is prohibited.]*
-- Job or lithographic printing.
-- Medical or scientific laboratory. *[SUP. Prohibited at street level.]*
-- Technical school. *[SUP. Prohibited at street level.]*

(3) Industrial uses.

-- Temporary concrete or asphalt batching plant. *[By special authorization of the building official.]*

(4) Institutional and community service uses.

-- Adult day care facility.
-- Child-care facility.
-- Church.
-- College, university, or seminary.

-- Community service center.
-- Convalescent and nursing homes, hospice care, and related institutions.
-- Education center *[Subdistrict 1]*.
-- Hospital.
-- Library, art gallery, or museum.
-- Public or private school. *[SUP]*

(5) Lodging uses.

-- Hotel or motel. *[No fewer than 80 guest rooms. Guest rooms are prohibited at street level.]*

(6) Miscellaneous uses.

-- Carnival or circus (temporary). *[By special authorization of the building official.]*
-- Temporary construction or sales office.

(7) Office uses.

-- Financial institution without drive-in window.
-- Medical clinic or ambulatory surgical center.
-- Office.

(8) Recreation uses.

-- Private recreation center, club, or area.
-- Public park, playground, or golf course.

(9) Residential uses.

-- Handicapped group dwelling unit. *[SUP required if spacing component of Section 51A-4.209(b)(3.1) is not met.]*
-- Multifamily.
-- Residential hotel.
-- Retirement housing.
-- Single family. *[A minimum of four single family structures must be attached together.]*

(10) Retail and personal service uses.

-- Alcoholic beverage establishments. *[SUP. See Section 51A-4.210(b)(4).]*
-- Animal shelter or clinic without outside runs. *[Limited to inside only.]*

-- Antique shop.
-- Art gallery.
-- Art or craft production facility.
-- Business school.
-- Commercial amusement (inside). *[SUP may be required. See Section 51A-4.210(b)(7)(B). Treat as if in a mixed use district.]*
-- Commercial amusement (outside). *[Prohibited, except in Subdistrict 1 when in conjunction with a regional observation campus.].*
-- Commercial parking lot or garage. *[Permitted by right in Subdistrict 1 when located within a structured parking garage. SUP in all other locations.]*
-- Dry cleaning or laundry store. *[On-site dry cleaning is prohibited.]*
-- Furniture store.
-- General merchandise or food store 3,500 square feet or less.
-- General merchandise or food store greater than 3,500 square feet. *[Uses greater than 50,000 square feet must: (1) be located on a minimum of two floors; (2) be integrated as part of a multi-story mixed use development with residential, office, or lodging uses located on upper floors; or (3) have a maximum street-level street frontage of 100 feet per block face, excluding ingress and egress points and visibility triangles with the remaining frontage being separate retail and personal service or office uses that have direct access to a sidewalk and a minimum depth of 30 feet, measured from the building facade.]*
-- General merchandise or food store 100,000 square feet or more. *[SUP. Must: (1) be located on a minimum of two floors; (2) be integrated as part of a multi-story mixed use development with residential, office, or lodging uses located on upper floors; or (3) have a maximum street-level street frontage of 100 feet per block face, excluding ingress and egress points and visibility triangles with the remaining frontage being separate retail and personal service or office uses that have direct access to a sidewalk and a minimum depth of 30 feet, measured from the building facade.]*
-- Motor vehicle fueling station. *[SUP]*
-- Nursery, garden shop, or plant sales. *[Limited to inside only. Outside storage is prohibited. Outside display is permitted but must be removed and placed inside a fully-enclosed building at the end of each business day.]*
-- Outside sales. *[In Subdistrict 1, SUP. Prohibited in all other locations].*
-- Personal service uses.
-- Restaurant without drive-in or drive-through service.
-- Temporary retail use.
-- Theater.

-- Vehicle display, sales, and service. *[Limited to inside only. Outside storage prohibited.]*

(11) Transportation uses.

-- Helistop. *[SUP]*
-- Private street or alley. *[Gated streets are prohibited. Mews may have bollards* [~~*ballards*~~] *to prevent vehicular traffic.]*
-- Railroad passenger station.
-- Transit passenger shelter.
-- Transit passenger station or transfer center. *[SUP]*

(12) Utility and public service uses.

-- Commercial radio or television transmitting station. *[SUP]*
-- Electrical substation. *[SUP]*
-- Local utilities. *[Utility services by right. Communication exchange facility by SUP only.]*
-- Police or fire station.
-- Post office.
-- Tower/antenna for cellular communication. *[Limited to mounted only as defined in Section 51A-4.212(10.1)(A)(i) and only when integrated into the building facade or when mounted on the roof of a main structure and not visible from the street.]*
-- Utility or government installation other than listed. *[SUP]*

(13) Wholesale, distribution, and storage uses.

-- Recycling drop-off container. *[SUP required if the requirements of Section 51A-4.213(11.2)(E) are not satisfied.]*

(b) Pedestrian-oriented uses.

(1) Primary Street and Hotel Street. A minimum of 75 percent of the street-level frontage, excluding pedestrian and vehicular ingress and egress points and visibility triangles, must be pedestrian-oriented uses that have a minimum depth of 30 feet measured from the building facade.

(2) Cadiz Street, Riverfront [~~Industrial~~] Boulevard, and the meanders. Except for uses in a regional observation campus in Subdistrict 1, a [~~A~~] minimum of 50 percent of the street-level frontage, excluding pedestrian and vehicular ingress and egress points and visibility triangles, must be pedestrian-oriented uses that have a minimum depth of 30 feet measured from the building facade.

(c) Drive-through uses. To maintain the district's street wall and urban character, drive-through lanes, windows, or services are prohibited.

(d) Commercial amusement (outside) uses. Except for national holidays, hours of operation are limited to the hours between 9:00 a.m. and 11:00 p.m. Monday through Sunday. On national holidays, hours of operation are limited to the hours between 9:00 a.m. and 1:00 a.m. (the next day).

SEC. 51P-800.109. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

(b) The following accessory uses are not permitted:

-- Accessory medical/infectious waste incinerator.
-- Accessory outside storage.
-- Accessory pathological waste incinerator.
-- Amateur communication tower.
-- Day home.
-- General waste incinerator.
-- Private stable.

SEC. 51P-800.110. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) Front, side, or rear yards. No minimum front, side, or rear yard.

(b) Build-to zone.

(1) In general. Except as provided in this paragraph and for a regional observation campus in Subdistrict 1, the build-to zones are as shown on the form-based urban design standards. The build-to zone is an area between the property line or right-of-way line and the front building facade. For the meanders, Cadiz Street, and Riverfront [~~Industrial~~] Boulevard, an area located within a public utility easement is exempt from the build-to zone requirements.

(2) Build-to zone. If a build-to zone is not shown on the conceptual plan or the form-based urban design standards, the maximum build-to zone is as follows:

(A) Riverfront [~~Industrial~~] Boulevard: 25 feet.

(B) Internal streets: 10 feet.

(C) The meanders: 50 feet.

(D) Build-to zone does not apply to a regional observation campus in Subdistrict 1.

(3) Building articulations. Buildings articulations, stairs, and stoops are permitted within the build-to zone.

(4) Facade required within the build-to zone. The minimum amount of lot frontage that must have a facade constructed within the build-to zone is as follows:

(A) Riverfront [~~Industrial~~] Boulevard, Hotel Street, and Primary Street: 75 percent.

(B) The meanders: 50 percent.

(C) Secondary streets: 30 percent.

(D) All other internal streets: no minimum required.

(c) Density.

(1) Maximum density. No maximum dwelling unit density.

(2) Minimum density.

(A) For multifamily uses, minimum dwelling unit density is 40 units per acre for each building site.

(B) For a mixed use project, minimum dwelling unit density must be 40 units per acre for any portion of the project devoted to residential uses, as calculated using the following formula:

$$\frac{\text{residential floor area}}{\text{total project floor area}} \times 40 \text{ units per acre} \times \text{____ acres} = \text{required number of dwelling units}$$

(C) For a regional observation campus in Subdistrict 1, no minimum density.

(d) Floor area ratio. Maximum floor area ratio is 20.0.

(e) Height.

(1) Maximum height. Except as provided in this paragraph, m[~~M~~]aximum structure height is any legal height consistent with the Federal Aviation Administration air space limitations. For an observation wheel, maximum height is 600 feet.

(2) Minimum height. Except for structures within a regional observation campus in Subdistrict 1, all [~~All~~] portions of a main structure must have a vertical facade that meets the following minimum structure heights:

(A) For multifamily uses, minimum structure height is 36 feet.

(B) For all other uses, minimum structure height is 30 feet.

(3) Measurement of height. Height is measured from grade at the abutting street level to the top of the vertical facade.

(f) Lot coverage. No maximum lot coverage.

(g) Lot size. No minimum lot size.

(h) Stories.

(1) No maximum number of stories.

(2) For structures with multifamily uses, minimum number of stories is three.

(i) Tower coverage. To prevent a canyon effect, any portion of the building above 75 feet in height may not exceed the following coverage for that block:

(1) Block 1 and Subdistrict 1[~~s 1, 12, and 13~~]. No maximum tower coverage.

(2) All other blocks. Maximum tower coverage is 50 percent.

(j) Private open space.

(1) Purpose. Open space requirements are intended to provide relief from a dense urban environment, assist with pedestrian movement, and provide connections to public spaces.

(2) Requirements.

(A) Open space is required for all subdivisions. A minimum of five percent of the lot area or building site (minus street right-of-way) must be open space.

(B) Private open space must be developed and maintained by the owner. The general public may be restricted from using the open space.

(C) Except as provided in this paragraph, open space must be unobstructed to the sky.

(D) Open space may not have permanent structures except for an observation wheel with a minimum clearance of 15 feet in Subdistrict 1 and structures supporting pedestrian or outdoor recreational uses, including kiosks that provide information related to the open space; cabanas; shade structures; and security, audio-visual, or maintenance equipment.

(E) For a regional observation campus in Subdistrict 1, accessible green roofs and landscaped areas used for food truck parking may count as open space. Passenger parking areas do not count open space.

SEC. 51P-800.111. SITE LAYOUT AND DESIGN STANDARDS.

(a) Purpose. The site layout and design standards are intended to:

(1) ensure that new development enhances the character of the Trinity River corridor;

(2) ensure that increased density and height provides an urban environment; and

(3) create and enhance the character and environment for pedestrians.

(b) Entrances.

(1) Street facing facades must be clearly visible from the street. The primary facade and primary entrance must face the street and must have an improved path connecting to the sidewalk.

(2) Street facing entrances on Hotel Street, Primary Street, and the meanders must be spaced a maximum of 75 linear feet apart. For the purposes of this section, the meanders is considered a street. Street facing entrances may be private entrances, but must have an improved path connecting to the sidewalk. For the meanders, an area located within a public utility easement or within a regional observation campus in Subdistrict 1 is excluded from the 75 linear feet spacing calculations.

(3) For corner lots, primary entrances for retail and personal service uses may be oriented toward the corner.

(4) Primary entrances for retail and personal service uses must have two or more of the following architectural details:

(A) Arcade.

(B) Arch.

(C) Awning.

(D) Canopy.

(E) Decorative elements such as tile work, molding, raised banding, or projected banding.

(F) Display windows.

(G) Integral planters or wing walls that incorporate landscaped areas or places for sitting.

(H) Patio.

(I) Porch.

(5) Residential dwelling units with direct access to the sidewalk must have raised or lowered entrances a minimum of two feet from grade.

(c) Facades.

(1) Street-facing facades must be similar to and compatible with the architectural design of other street-facing facades on the same block face.

(2) Street-facing facades exceeding 50 feet in length must have two of the following elements. Except as provided in this subparagraph, s[S~~S~~]treet -facing facades exceeding 100 feet in length must have four of the following elements. When a street-facing facade for a regional observation campus in Subdistrict 1 exceeds 100 feet in length, two of the following elements are required. This subparagraph does not apply to an observation wheel in Subdistrict 1.

(A) Change in plane, such as an offset, reveal, recess, or projection. Changes in plane must have a width of no less than 24 inches, a depth of at least eight inches, and may include columns, planters, arches, or niches.

(B) Architectural details such as raised bands, balconies, projected or bay windows, and cornices.

(C) Architecturally prominent public entrance.

(D) Attached tower or turret.

(E) Awnings.

(F) Change in color.

(G) Change in material.

(H) Change in texture.

(I) Change in height of at least 10 feet while complying with the minimum structure height. See Exhibit 800B (form-based urban design standards).

(J) In Subdistrict 1, form articulation, which may include canted, non-perpendicular, or curving wall forms.

(d) Story dimensions.

(1) Except in Subdistrict 1, a[A] minimum 10-foot floor-to-floor story dimension is required for the ground floor of residential structures.

(2) A minimum 14-foot floor-to-floor story dimension is required for the ground floor of nonresidential structures facing Primary Street. Parking structures are exempt from this story dimension requirement

(e) Storefront treatments.

(1) Except for a regional observation campus in Subdistrict 1, f[~~F~~]or facades facing Cadiz Street, Hotel Street, Primary Street, the meanders, or Riverfront [~~Industrial~~] Boulevard, no more than 10 continuous linear feet of a street-fronting, street-level facade may lack a transparent surface (e.g. a window or a transparent door). The purpose of this provision is to prevent long expanses of walls. This requirement does not apply to ground floor residential uses.

(2) Corner lots with structures that have a corner entrance must comply with the visibility triangle regulations in Section 51P-800.113.

(3) Windows on street-fronting, street-level structures with retail or personal service uses must be:

(A) clear and unpainted or made of similarly treated glass that provides a transparent surface (spandrel glass or back-painted glass is prohibited);

(B) a minimum of 50 percent of the street-fronting, street-level facade;

(C) located a maximum of three feet above the base of the structure; and

(D) at least 10 feet in height.

(f) Residential garage doors, non-residential loading-area service doors, and commercial parking garage entrances.

(1) Residential garage doors for individual dwelling units may not face Primary Street, Cadiz Street, Hotel Street, or Riverfront [~~Industrial~~] Boulevard.

(2) Non-residential loading-area service doors may not face the meanders, Primary Street, Cadiz Street, Hotel Street, or Riverfront [~~Industrial~~] Boulevard.

(3) A commercial parking garage vehicular entrance gate may face any street.

(4) A commercial parking garage vehicular entrance gate must be designed to provide adequate queuing area to prevent traffic hazards and stacking on streets.

(g) Pedestrian amenities.

(1) In general.

(A) Pedestrian amenities must be accessible to the public.

(B) Pedestrian amenities must be located at least seven feet away from a transit stop.

(C) Canopies, awnings, and street lamp fixtures must have a minimum clearance of eight feet in height above grade.

(D) Lamp fixtures may not exceed 14 feet in height. Light fixtures must be cut-off type luminaries that direct lighting downward.

(E) Except as provided, pedestrian amenities must be provided on each block and must be located within the curb-to-building area.

(F) For the meanders, pedestrian amenities must be provided on each block and must be located within the build-to zone or may be on public property in the meanders if approved by the director of public works and transportation.

(G) For Cadiz Street, pedestrian amenities must be provided on each block and located within the build to zone.

(H) For Riverfront [~~Industrial~~] Boulevard, pedestrian amenities must be provided on each block and must be located within the two planting and amenities zones. The first planting and amenities zone begins at the street curb and extends to a depth of five feet. The second planting and amenities zone begins at the end of the sidewalk and extends to a depth of six feet.

(I) For a regional observation campus in Subdistrict 1, a 10-foot-wide pedestrian and bicycle trail must be provided from Riverfront Drive to the western boundary of Subdistrict 1. Fences and screens are prohibited across the pedestrian and bicycle trail or across any other pedestrian and bicycle access to Subdistrict 1.

(2) Cadiz Street, Hotel Street, Riverfront [~~Industrial~~] Boulevard, Primary Street, and the meanders.

(A) The following pedestrian amenities must be provided:

(i) at least one bench per 100 feet of street frontage;

(ii) at least one trash receptacle per 100 feet of street frontage; and

(iii) free-standing or wall-mounted street lamps as specified in the form-based urban design standards.

(B) At least one of the following pedestrian amenities must be provided on each block:

(i) Awnings or canopies with a minimum overhang of four feet and a minimum length of 25 feet per 100 feet of building facade along the street frontage.

(ii) At least one five-bicycle parking unit per 100 feet of street frontage.

(iii) Public art, approved in writing by the director of the office of cultural affairs or the cultural affairs commission.

(3) All other internal streets. The following pedestrian amenities must be provided:

(A) at least one free-standing street lamp, street light suspended between structures, or wall-mounted street lamp per 60 feet of street frontage; and

(B) at least one trash receptacle per 100 feet of street frontage.

(4) Maintenance.

(A) A maintenance agreement for the street trees and pedestrian amenities must be provided. The agreement must be approved as to form by the city attorney and executed by the homeowners' association, merchants' association, or the property owner.

(B) The pedestrian amenities must be maintained in a state of good repair and neat appearance.

(h) Driveway design.

(1) Pedestrian crosswalks across ingress and egress driveways must be clearly marked by colored concrete or patterned or stamped concrete and approved by the director of public works and transportation. Pedestrian crosswalk markings on the same block frontage must be consistent.

(2) Curb cuts must be at least 12 feet but not more than 24 feet in length measured parallel to the frontage.

SEC. 51P-800.112. STREET AND SIDEWALK STANDARDS.

(a) Street standards.

(1) Applicability. These street standards apply to internal streets only.

(2) Construction standards. Internal streets must be built in accordance with this subsection and with the right-of-way standards and pavement widths shown in the street sections in the form-based design standards. Curb neck-downs and landscape islands are permitted in the area designated for on-street parking.

(3) Street sections.

(A) Primary Street. Minimum right-of-way is 126 feet with a minimum pavement width of 96 feet from back-of-curb to back-of-curb.

(B) Hotel Street. Minimum right-of-way is 64 feet with a minimum pavement width of 44 feet from back-of-curb to back-of-curb.

(C) Secondary streets. Minimum right-of-way is 44 feet with a minimum pavement width of 24 feet from back-of-curb to back-of-curb.

(D) Mews. Minimum right-of-way is 20 feet. Mews may not be gated to pedestrians.

(b) Sidewalk standards.

(1) Applicability. The sidewalk standards in the form-based urban design standards apply to Primary Street, Hotel Street, Cadiz Street, Riverfront [~~Industrial~~] Boulevard, the secondary streets, and the meanders.

(2) Hotel Street, mews, and secondary streets. Minimum sidewalk width is 10 feet with a minimum unobstructed width of six feet.

(3) Cadiz Street and Primary Street. Minimum sidewalk width is 15 feet with a minimum unobstructed width of 10 feet.

(4) Riverfront [~~Industrial~~] Boulevard. Minimum sidewalk width is 10 feet. The sidewalk must be located between the two planting and amenities zones described in Section 51P-800.111(g)(1)(H).

(5) The meanders. Minimum sidewalk width is 15 feet with a minimum unobstructed width of 10 feet. The sidewalk may be located in the meanders only if approved by the director of public works and transportation.

(6) Curbs and grates. Street curbs and tree grates may not be counted as part of the unobstructed sidewalk width.

(7) Waiver. Sidewalk waivers are not permitted.

(c) Ingress and egress points. Ingress and egress points not shown on the conceptual plan may be approved if shown in a development plan.

(d) Subdistrict 1 developer report. Within one year of issuance of the final certificate of occupancy for any structure within a regional observation campus, the property owner or operator shall submit a developer report to the director in accordance with Section 51A-1.109(b). The director shall then determine what infrastructure improvements are needed, if any, following the procedure set forth in Section 51A-1.109.

SEC. 51P-800.113. VISUAL OBSTRUCTION REGULATIONS.

(a) Except as provided in this section, the visual obstruction regulations in Section 51A-4.602(d) apply.

(b) Except at internal streets intersecting Riverfront [~~Industrial~~] Boulevard or Cadiz Street, the visibility triangle is the portion of a corner lot within a triangular area formed by connecting together the point of intersection of adjacent street curb lines (or, if there are no street curbs, what would be the normal street curb lines) and points on each of the street curb lines 30 feet from the intersection.

(c) At internal streets intersecting Riverfront [~~Industrial~~] or Cadiz Street, the visibility triangle is the portion of a corner lot within a triangular area formed by connecting together the point of intersection of adjacent street curb lines (or, if there are no street curbs, what would be the normal street curb lines) and points on each of the street curb lines 45 feet from the intersection.

SEC. 51P-800.114. PARKING AND LOADING.

(a) Required parking. Except as provided in this subsection, one off-street parking space for each 300 square feet of floor area is required.

(1) Antique shop, art gallery, art or craft production facility, or furniture store use. One space per 1,000 square feet of floor area is required.

(2) Hotel use. One-half space per guest room plus one space per 200 square feet of meeting room is required.

(3) Alcoholic beverage establishment, commercial amusement (inside) for a dance hall, and restaurant use. One space per 150 square feet of floor area is required.

(4) Office use. One space per 400 square feet of floor area is required.

(5) Single family use. One space per dwelling unit with one or fewer bedrooms is required; two spaces per dwelling unit with more than one bedroom are required.

(6) Multifamily use. One space per dwelling unit with one or fewer bedrooms is required. One-and-a-half space per dwelling unit with two bedrooms and one-half space for each additional bedroom is required.

(7) Theater use. One space per 42 square feet of seating area.

(b) Handicapped parking. If more than 10 off-street parking spaces are required, handicapped parking must be provided in accordance with Section 51A-4.305.

(c) Parking reductions.

(1) Remote parking. Remote parking is permitted if it is located within 1,000 feet of the main use and complies with Division 51A-4.320.

(2) On-street parking.

(A) Except as provided in this paragraph, parallel and angled parking spaces are permitted as shown on the form-based urban design standards.

(B) Except for off-peak metered parallel parking in the curb lane, on-street parking spaces are prohibited on Cadiz Street and Riverfront [~~Industrial~~] Boulevard. Off-peak metered parallel parking in the curb lane must be approved by the director of public works and transportation.

(C) On-street parking spaces on internal streets are prohibited within 60 feet of Cadiz Street or Riverfront [~~Industrial~~] Boulevard.

(D) On-street parking on Primary Street is prohibited within 150 feet of Riverfront [~~Industrial~~] Boulevard.

(E) On-street parking spaces are prohibited where maneuvering into or out of the space requires backing into any crosswalk, alley, or driveway. On-street parking spaces are prohibited where the vehicle may obstruct the required intersection, alley, or driveway visibility triangle.

(F) On-street parking must be striped in accordance with standard city specifications.

(G) Except as provided in this paragraph, on-street parking spaces abutting building sites may be counted toward the off-street parking requirement of nonresidential and multifamily uses on that building site.

(i) On-street parking spaces may not be used to reduce the required parking for more than one use.

(ii) An on-street parking space that is not available to the public at all times of the day may only be counted as a partial parking space in proportion to the amount of time that it is available. For example, a parking space that is available to the public only eight hours per day will be counted as one-third of a parking space (8 ÷ 24 = one-third). The total of the limited availability parking spaces will be counted to the nearest whole number, with one-half counted as an additional space.

(d) Special parking.

(1) In general. Except as provided in this paragraph, see Division 51A-4.320 for special parking requirements.

(2) Packed parking. Required off-street parking may be special parking, including packed parking that complies with Section 51A-4.329.

(3) Shared parking. An adjusted standard off-street parking requirement for a mixed-use development is calculated as follows:

(A) The standard parking requirements for each of the uses in the mixed-use development must be ascertained.

(B) The parking demand for each use is determined for each of the five times of day shown in the mixed-use development parking chart by multiplying the standard off-street parking requirement for each use by the percentage in the chart assigned to the category of use. If a use in the development does not fall within one of the categories shown in the mixed use development parking chart, the percentage assigned to that use is 100 percent for all five times of day.

(C) The time of day columns are totaled to produce sums that represent the aggregate parking demand for the development at each time of day. The largest of these five sums is the adjusted standard off-street parking requirement for the mixed-use development.

(D) A special exception for the number of required parking spaces may not be combined with a shared parking reduction.

Table 1: Shared Parking Table
(For calculating the parking requirement for shared parking)

Use Category	Morning	Noon	Afternoon	Late Afternoon	Evening
Residential uses	60%	60%	50%	70%	100%
Office related uses	100%	80%	100%	85%	35%
Retail related uses	60%	75%	70%	65%	70%
Bar and restaurant uses	20%	100%	30%	30%	100%
All other uses	100%	100%	100%	100%	100%

(4) Tandem parking. For residential uses, tandem parking may be counted toward required off-street parking.

(e) Fees. A property owner may charge occupants and customers a fee on a daily, hourly, or other basis for the use of required off-street parking located in a parking structure.

(f) Surface parking lot pedestrian pathways. Surface parking lots having more than two rows of parking across the width of the lot must have a pedestrian pathway system. The pedestrian pathway must be distinguished from the parking and driving surface by landscape barriers or a change in surface materials such as pavers or patterned concrete. Pedestrian pathways may not be distinguished by paint alone. Pedestrian pathways must be a minimum of four feet wide.

(g) Parking adjacent to Cadiz Street. A maximum of 20 parking spaces may be located between the street-facing building facade and the property line adjacent to Cadiz Street on Blocks 1 and 11 as shown on the conceptual plan.

(h) Off-street parking in Subdistrict 1.

(1) Required parking may be located in a commercial parking lot or garage located within Subdistrict 1 or within 1,000 feet of Subdistrict 1.

(2) A fee may be charged for use of required off-street parking spaces for any use within a regional observation campus.

(3) Special parking may account for 100 percent of the off-street parking required for any use within a regional observation campus.

(i) Bicycle parking for a regional observation campus in Subdistrict 1. A minimum of 50 percent of the required bicycle parking spaces must qualify as class II bicycle parking.

SEC. 51P-800.115. SCREENING REGULATIONS.

(a) In general. Except as provided in this section, the provisions of Section 51A-4.301(f) apply.

(b) Parking lots.

(1) Except at pedestrian openings and ingress and egress points, a minimum four-foot-high fence must be provided along the perimeter of surface parking lots that abut a right-of-way. A maximum of two pedestrian access points are permitted for each street frontage. Pedestrian access points may not exceed 10 feet in width. Surface parking lot screening is not required to be fully sight-obscuring.

(2) Materials for required fencing may include masonry and metal. To prevent visual monotony, at least 20 percent of a fence longer than 200 feet must have alternate materials, alternate textures, combination of materials, gates, offsets, openings, or landscape area between the fence and the sidewalk. Landscape areas must be a minimum of two-and-one-half feet wide and include a combination of ground cover, shrubs, and trees.

(c) Commercial parking garage structures. Except as provided in this subsection, an aboveground parking structure must have a facade that is similar in materials, architecture, and appearance to the facade of the main structure or the closest main structure. Breaks in the exterior parking structure facade not exceeding 40 feet in width are permitted at driveway and entryway locations. Openings in a parking structure facade may not exceed 50 percent of the total parking structure facade area. Parking structure facades abutting a railroad right-of-way are not required to have matching facade appearance.

(d) Off-street loading spaces.

(1) Loading spaces.

(A) Loading spaces must be screened with a solid fence.

(B) Screening materials must be consistent and compatible with the main structure and must include brick, stone, or concrete masonry; stucco; concrete; or wood.

(C) Screening must be at least as high as the objects being screened, but not less than six feet in height.

(D) Uses in Subdistrict 1 may share loading spaces.

(2) Dumpsters and garbage storage areas.

(A) Dumpsters and garbage storage areas must be screened on all sides with a solid fence, except that one side may be a gate.

(B) Screening materials must be consistent and compatible with the main structure and must include brick, stone, or concrete masonry; stucco; concrete; or wood.

(C) Screening must be at least as high as the objects being screened, but not less than six feet in height.

(e) Partially sight-obscuring fencing.

(1) Except as provided in this section, fencing within the build-to zone along Cadiz Street, Hotel Street, Riverfront [~~Industrial~~] Boulevard, and Primary Street must be no more than 50 percent sight-obscuring.

(2) Fencing in the landscape and stoop area may not exceed five feet in height and must be no more than 50 percent sight-obscuring.

SEC. 51P-800.116. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-800.117. LANDSCAPING.

(a) In general. Except as provided in this section, landscaping must be provided in accordance with Article X.

(b) Tree spacing. Trees must be planted no closer than two-and-a-half feet on center from the back of curb and must be spaced as uniformly as practicable. Large trees must be planted no closer than eight feet on center from a building wall and no closer than 20 feet on center from another large tree.

(c) Street trees.

(1) Location.

(A) Except as provided in this section, street trees must be provided as shown on the form-based urban design standards.

(B) For Riverfront [~~Industrial~~] Boulevard, street trees must be planted in the planting and amenities zones described in Section 51P-800.111(g)(1)(H).

(C) Street trees may be counted towards site tree requirements.

(2) Number and size of trees required. The number and type of street trees is determined by street type adjacency.

(A) Primary Street. One street tree having a caliper of at least three inches must be provided for each 30 feet of street frontage. A maximum of 25 percent of the required street trees may be planted in the Primary Street median.

(B) Cadiz Street and Riverfront [~~Industrial~~] Boulevard. One street tree having a caliper of at least three inches must be provided for each 30 feet of street frontage.

(C) Hotel Street. One street tree having a caliper of at least three inches must be provided for each 50 feet of street footage.

(D) Secondary streets. One street tree having a caliper of at least two inches must be provided for each 30 feet of street frontage.

(3) Tree species. Required street trees must be a species listed in this subsection. The following tree species are also recommended for use as non-required trees:

Cedar elm
'Shumard' red oak
Chinese pistachio
Sweetgum
Bald cypress
Lacebark elm
Caddo maple
Chinquapin oak
Mexican plum
Texas persimmon
Desert willow
Redbud
Crape myrtle
Yaupon holly
Possumhaw
'Highrise' live oak
Pond cypress

(d) Tree survey. A tree survey must be submitted to the building official before any demolition or construction activity may occur on the Property.

(e) Landscape plan. A landscape plan that complies with the requirements of this article the must be submitted to the building official before an application is made for a building permit. The landscape plan must include:

(1) date, scale, and north point;

(2) names, addresses, and telephone numbers of both the property owner and the person preparing the plan;

(3) location of existing boundary lines and dimensions of the lot, the zoning classification of the lot, the zoning classification of adjacent properties, and a vicinity map;

(4) approximate centerlines of existing water courses; location of the 100-year flood plain; and approximate location of significant drainage features;

(5) location and size of existing and proposed streets and alleys, utility easements, driveways, and sidewalks on or adjacent to the lot;

(6) project name, primary street address, and lot and block description;

(7) location, height, and material of proposed screening and fencing (with berms to be delineated by one-foot contours); and the location of existing and proposed loading and garage storage areas;

(8) locations and dimensions of proposed landscape buffer strips;

(9) a complete description of plant materials shown on the plan, including names (common and botanical name), locations, quantities, container and caliper sizes at installation, heights, spread, and spacing;

(10) location and type of all existing trees over six inches in caliper on the lot and the location of all trees to remain on the building site, in the adjacent right-of-way, or within 15 feet of adjacent property, as well as plans to protect trees from damage during construction;

(11) a complete description of landscaping and screening to be provided in or near off-street parking and loading areas, including information as to the amount (in square feet) of landscape area to be provided interior to parking areas, and the number and location of required off-street parking and loading spaces;

(12) location of existing and proposed public and private utilities;

(13) size, height, location, and material of proposed seating, lighting, planters, sculptures, and water features;

(14) a description of proposed watering methods;

(15) location of visibility triangles on the lot (if applicable);

(16) location and dimensions of pedestrian amenities and enhanced pavement;

(17) adjacent parkway area and any landscaping within the parkway area; and

(18) any other information that the building official determines is necessary.

(f) Additional landscaping provisions.

(1) Planting areas in curb-protected landscaping islands must be covered with ground cover, natural mulch, crushed rock, or natural plant materials.

(2) Surface parking spaces may not be located more than 60 feet from a large canopy tree. Large canopy trees within parking areas must be planted in minimum five-foot by five-foot tree diamonds or in a landscaping island greater than five-foot by five-foot area that is protected with curbing.

(3) Article X design standards may be provided in the adjacent parkway.

(4) Irrigation systems that use and promote water conservation are encouraged.

(5) Use of structural soil systems is encouraged for providing root expansion areas.

SEC. 51P-800.118. PRIVATE LICENSE GRANTED FOR LANDSCAPING AND PEDESTRIAN AMENITIES.

(a) Private license granted.

(1) The city council hereby grants a revocable, non-exclusive license to the owners or tenants (with the written consent of the owner) of all property in this district for the exclusive purpose of authorizing compliance with the parkway landscaping and pedestrian amenities requirements of this article. "Parkway" means the portion of a street right-of-way between the street curb and the lot line. An owner or tenant is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a parkway landscape permit. This private license will not terminate at the end of any specific period, however, the city council reserves the right to terminate this license at will, by resolution passed by the city council, any time such termination becomes necessary. The determination by the city council of the need for termination is final and binding. The city shall become entitled to possession of the licensed area without giving any notice and without the necessity of legal proceedings to obtain possession when, in its judgment, the purpose or use of the license is inconsistent with the public use of the right-of-way or when the purpose or use of the license is likely to become a nuisance or a threat to public safety. Upon termination of the license by the city council, each owner or tenant shall remove all improvements and installations in the public rights-of-way to the satisfaction of the director of public works and transportation.

(2) An owner or tenant is not required to comply with any landscaping requirement to the extent that compliance is made impossible due to the city council's revocation of the private license granted by this subsection.

(3) Upon the installation of landscaping and related amenities, such as irrigation systems or pedestrian amenities, in the public rights-of-way, the owner or tenant shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage with an insurance company authorized to do business in the State of Texas and otherwise acceptable to the city, covering, but not limited to, the liability assumed under the private license granted under this subsection, with combined single limits of liability for bodily injury and property damage of not less than $1,000,000 for each occurrence, and $2,000,000 annual aggregate. Coverage under this liability policy must be on an occurrence basis and the city shall be named as additional insured. Proof of such insurance must be sent to: Office of Risk Management, City of Dallas, 1500 Marilla, Dallas, Texas 75201, and the policy must provide for 30 days prior written notice to the Office of Risk Management of cancellation, expiration, non-renewal, or material change in coverage. All subrogation rights for loss or damage against the city are hereby waived to the extent that they are covered by this liability insurance policy.

(4) Each owner or tenant is responsible for maintaining the landscaping in a healthy, growing condition, for keeping related amenities in good repair and condition, and for keeping the premises safe and from deteriorating in value or condition, at no expense to the city. The city is absolutely exempt from any requirements to make repairs or to maintain the landscaping, related amenities, or the premises. The granting of a license for landscaping and related amenities under this subsection does not release the owner or tenant from liability for the installation or maintenance of trees, landscaping, and related amenities in the public right-of-way.

(b) Parkway landscape permit.

(1) It is the responsibility of the property owner to apply for and obtain a parkway landscape permit before locating trees, landscaping, or related amenities in the parkway. An application for a parkway landscape permit must be made to the building official. The application must be in writing on a form approved by the building official and accompanied by plans or drawings showing the area of the parkway affected and the planting or other amenities proposed.

(2) Upon receipt of the application and any required fees, the building official shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the building official determines that the construction, planting, or other amenities proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, the building official shall issue a parkway landscape permit to the property owner; otherwise, the building official shall deny the permit.

(3) A property owner is not required to comply with any parkway landscaping requirement of this article if compliance is made impossible due to the building official's denial of a parkway landscape permit.

(4) A parkway landscape permit issued by the building official is subject to immediate revocation upon written notice if at any time the building official determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way. The property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the building official's revocation of a parkway landscape permit.

(5) The issuance of a parkway landscape permit under this subsection does not excuse the property owner, his agents, or employees from liability for the installation or maintenance of trees or other amenities in the public right-of-way.

SEC. 51P-800.119. SIGNS.

(a) In general. Except as provided in this section, signs must comply with the provisions for business zoning districts in Article VII.

(b) Detached signs prohibited. Except for A-frame signs and movement control signs for parking and for a regional observation campus in Subdistrict 1, detached signs are prohibited.

(c) Signs in the public right-of-way. All signs located in or intruding into the public right-of-way must have approval by the director of public works and transportation to prevent conflict with government signs. If the director of public works and transportation determines that a previously-approved sign must be removed or relocated because of safety requirements or changing traffic conditions, the relocation or removal must be done at the owner's expense within 30 days.

(d) A-frame signs. The following regulations apply to A-frame signs:

(1) A-frame signs may identify a business use.

(2) The maximum size of an A-frame sign is 32 inches wide and 36 inches tall.

(3) The maximum effective area for each side of an A-frame sign is 1,200 square inches.

(4) An A-frame sign for a particular use may only be displayed during the hours of operation for that use.

(5) A-frame signs may be located on the sidewalk if a minimum of four feet of unobstructed sidewalk area is provided, and all necessary licenses and permits have been obtained.

(6) Only one A-frame sign is permitted for each business use.

(7) A-frame signs must be separated by a minimum of 50 feet.

(8) A-frame signs may not be located within 25 feet of an intersection or within a visibility triangle.

(e) Blade signs.

(1) Blade signs are permitted.

(2) Blade signs may not be internally illuminated.

(3) Blade signs may be horizontal or vertical.

(4) There is no limit on the number of blade signs.

(5) The maximum area for blade signs is 30 square feet.

(6) Blade signs may be located no closer than 12 feet and no further than 25 feet from street level.

(7) A blade sign cannot project more than three feet into the right-of-way.

(8) A blade sign cannot be located closer than 15 feet to another projecting sign.

(f) Subdistrict 1.

(1) Business sign district. Except as provided in this subsection, signs must comply with the provisions for business zoning districts in Article VII and Section 51A-7.301 does not apply.

(2) Attached Signs. For an observation wheel, the following provisions apply to signs attached to each side of the wheel.

(A) Text and logos are permitted for a maximum of 15 minutes per hour.

(B) Each display must last a minimum of 20 seconds, a maximum of 30 seconds, and occur in a uniformly spaced frequency throughout each hour.

(C) Change of display must be accomplished within two seconds.

(D) Change of message must occur simultaneously on the entire sign face.

(E) No flashing, dimming, brightening, or rotating of message is permitted except to accommodate change of message.

(F) Display message lighting is limited to displays from light emitting diode (LED) and digital lights, or their equivalency, affixed to and coordinated among separate wire, metal or cable spokes rather than within display cabinets/screens affixed within the circumference of the observation wheel for purposes of containing an aggregated letter, word, logo, message or display.

(G) The number of spokes which may be lit to display messages is limited to 96.

(H) Except for national holidays, the hours signs may be illuminated are between one-half hour before sunset and 11:00 pm. On national holidays, the hours signs may be illuminated are between one-half hour before sunset and 1:00 am (the next day).

(I) Signs must automatically adjust the sign brightness so that the brightness level of the sign is no more than 0.3 footcandles over ambient light conditions at a distance that is equal to the square root of the effective area multiplied by 100 from the sign; must be equipped with both a dimmer control and a photocell that automatically adjusts the display's intensity according to natural ambient light conditions; and may not increase the light level on a lot in a residential district over ambient conditions without the digital display, measured in footcandles at the point closest to the sign that is five feet inside the residential lot and five feet above the ground. Before the issuance of a sign permit, the applicant shall provide written certification from the sign manufacturer that:

(a) The light intensity has been factory programmed to comply with the maximum brightness and dimming standards in this subsection; and

(b) The light intensity is protected from end-user manipulation.

(J) The facade area of the observation wheel includes the omitted areas within the observation wheel circumference.

CPC recommendation:

(K) The maximum effective area of text and logos is 40 percent of the facade area. In this paragraph, for purposes of calculating the effective area of logos, the EFFECTIVE AREA means the area within a minimum imaginary circle that fully contains all the extremities of the logo.

Staff recommendation:

(K) The maximum effective area of text and logos is 25 percent of the facade area. In this paragraph, for purposes of calculating the effective area of logos, the EFFECTIVE AREA means the area within a minimum imaginary circle that fully contains all the extremities of the logo.

SEC. 51P-800.120. PLATTING.

(a) Turnarounds.

(1) Fire department-approved turnarounds are required if street connections are not provided by abutting property owners.

(2) Dead-end street requirements in Section 51A-8.506 may not be waived.

(b) Block standards. The following block standards apply during the platting process.

(1) Except as provided in this subsection, maximum block length is 600 feet, measured along the inner edge of each street right-of-way.

(2) A maximum block length of 800 feet is permitted if:

(A) at least one mid-block sidewalk is provided that connects to at least two streets and has a minimum unobstructed width of eight feet; or

(B) at least one midblock plaza is provided that is a minimum of 20 feet by 20 feet, abuts a street, and connects to a midblock crosswalk. The midblock plaza size requirement may include the sidewalk.

(3) For Subdistrict 1, no maximum block length.

(c) Right-of-way. At the time of platting, sufficient right-of-way must be provided to allow for required traffic improvements in Section 51P-800.122.

SEC. 51P-800.121. DART STATION PEDESTRIAN CONNECTION.

(a) The purpose of this section is to facilitate pedestrian activity by providing a safe and direct pedestrian link from the Property to the Cedars DART light rail station. This section works in conjunction with the site layout and design standards in Section 51P-800.111; the street and sidewalk standards in Section 51P-800.112, which promote pedestrian connectivity to mass transit; and the parking reductions in Section 51P-800.114, which are predicated on access from the Property to mass transit.

(b) If the director determines that pedestrian access from the Property to the Cedars DART light rail station is necessary, the property owner must provide a publicly dedicated area

on the Property that allows for construction of an access point to a pedestrian bridge from the Property to the Cedars DART light rail station.

SEC. 51P-800.122. TRAFFIC IMPROVEMENTS.

(a) Traffic signals must be provided at the intersection of Cadiz Street and Hotel Street before the issuance of a certificate of occupancy for the 786th dwelling unit or 135,000 square feet of retail and lodging uses on Blocks 1, 2, 3, 4, 9, 10, and 11 combined as shown on the conceptual plan.

(b) The following traffic improvements must be provided before the issuance of a certificate of occupancy for the 1,001st dwelling unit or 200,000 square feet of retail and lodging uses on Blocks 1 through 11 combined as shown on the conceptual plan:

(1) traffic signals at the intersection of Riverfront [~~Industrial~~] Boulevard and Primary Street; and

(2) a median opening and double-left-turn lanes with a minimum storage length of 200 feet on southbound Riverfront [~~Industrial~~] Boulevard at Primary Street.

(c) The following traffic improvements must be provided before the issuance of a certificate of occupancy for the 2,601st dwelling unit or 395,500 square feet of retail and lodging uses on Blocks 1 through 11 combined as shown on the conceptual plan:

(1) traffic signals at the intersection of Riverfront [~~Industrial~~] Boulevard and Driveway No. 3; and

(2) a median opening and left-turn lanes (northbound and southbound) with a minimum storage length of 150 feet on Riverfront [~~Industrial~~] Boulevard at Driveway No. 3.

(d) A median opening and left-turn lanes with a minimum storage length of 200 feet must be provided on northbound Riverfront [~~Industrial~~] Boulevard at Primary Street before the issuance of a certificate of occupancy on Block 12 as shown on the conceptual plan.

SEC. 51P-800.123. ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

SEC. 51P-800.124. COMPLIANCE WITH CONDITIONS.

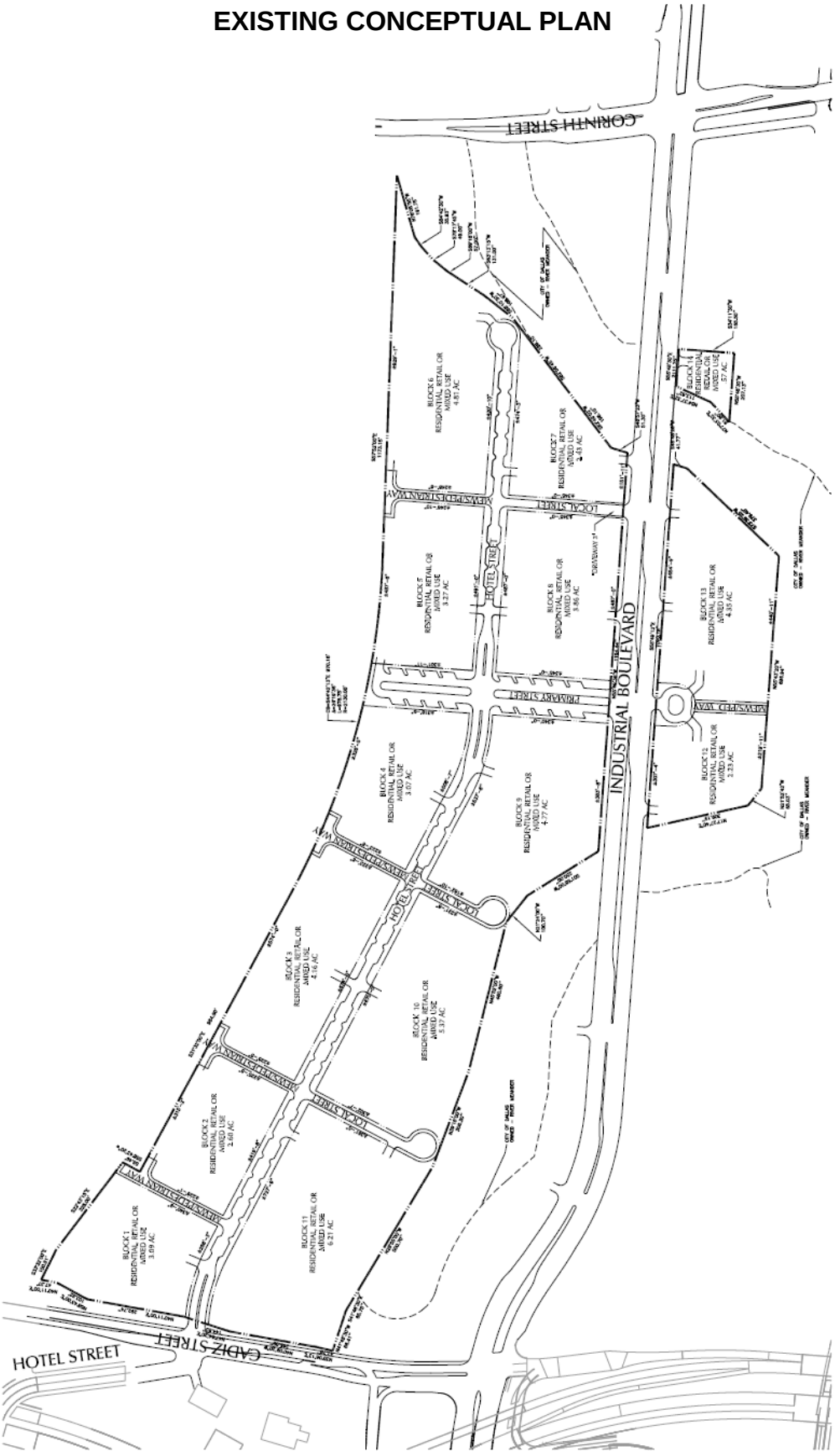
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

[~~SEC. 51P-800.125. ZONING MAP.~~

~~PD 800 is located on Zoning Map No. K-7.~~]

EXISTING CONCEPTUAL PLAN



PROPOSED CONCEPTUAL PLAN

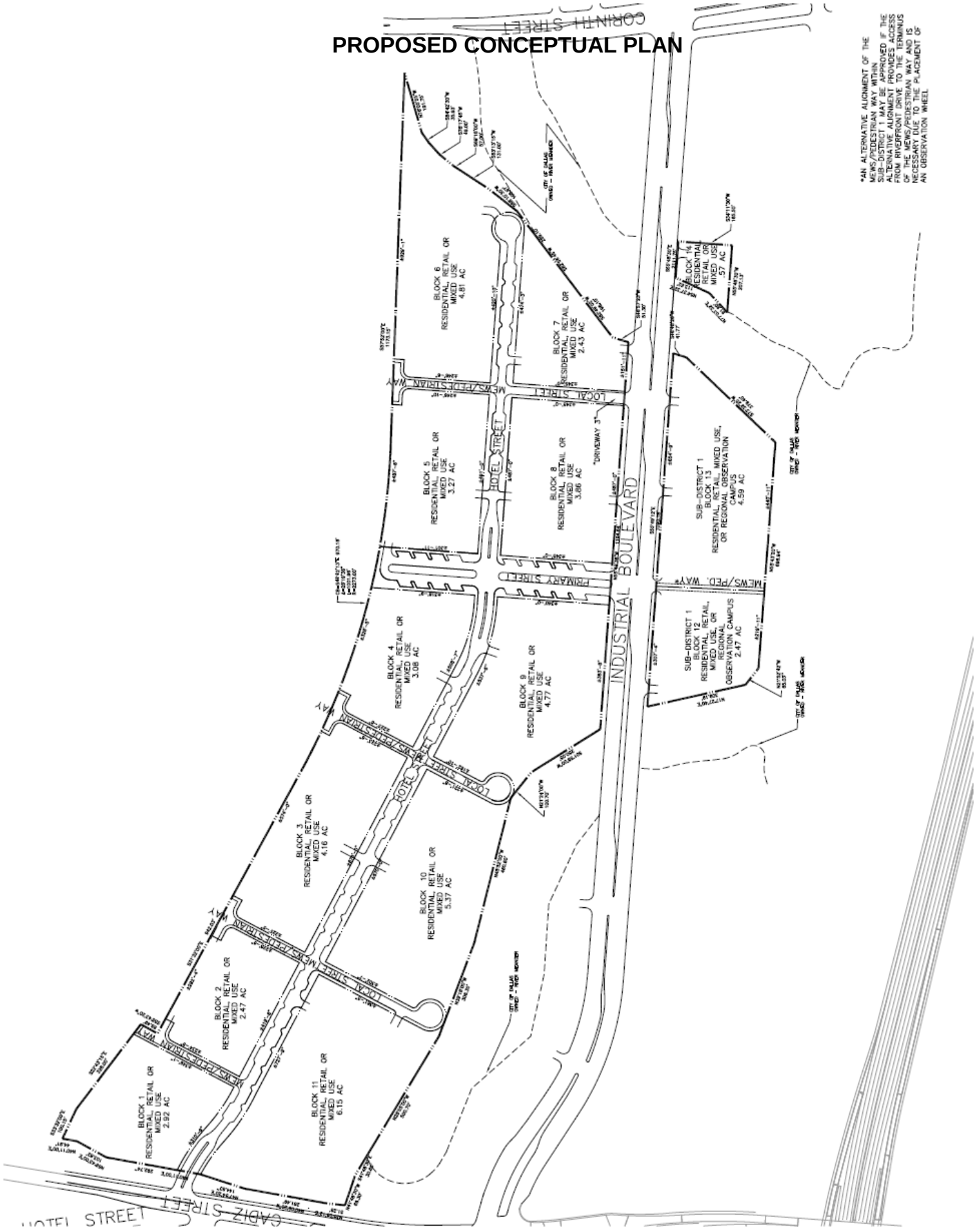
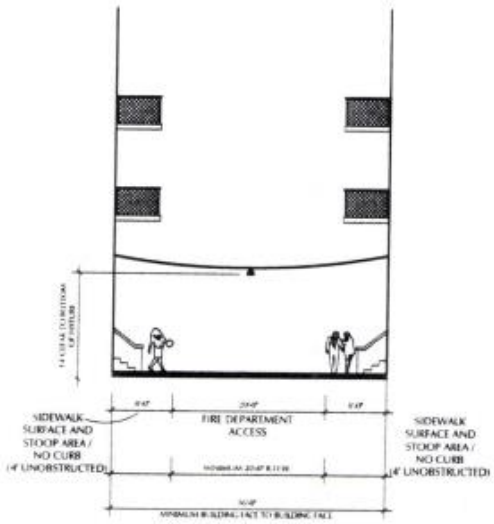


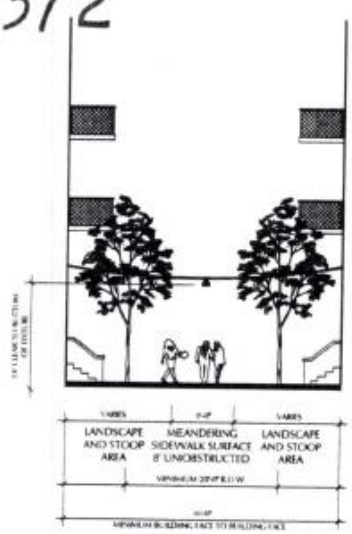
Exhibit 800B

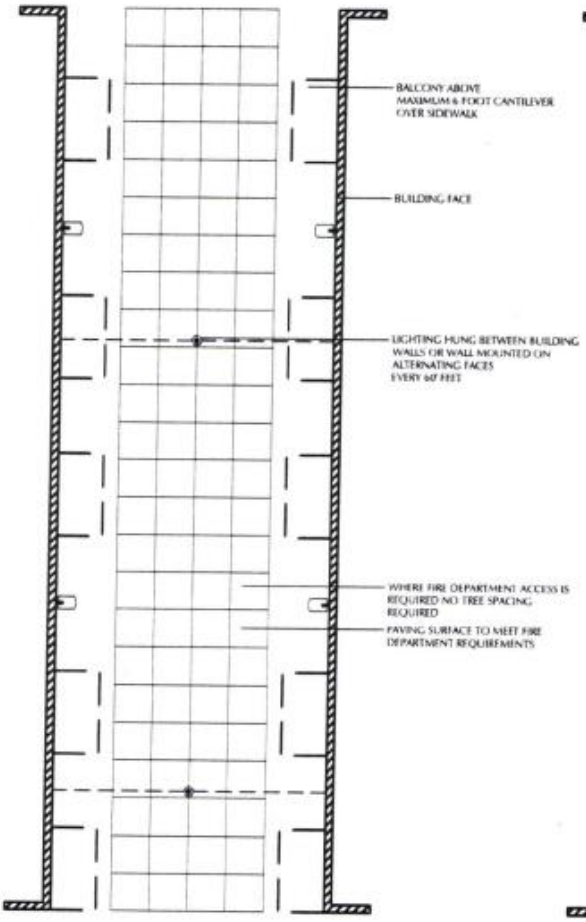
EXISTING FORM-BASED URBAN DESIGN STANDARDS

002891

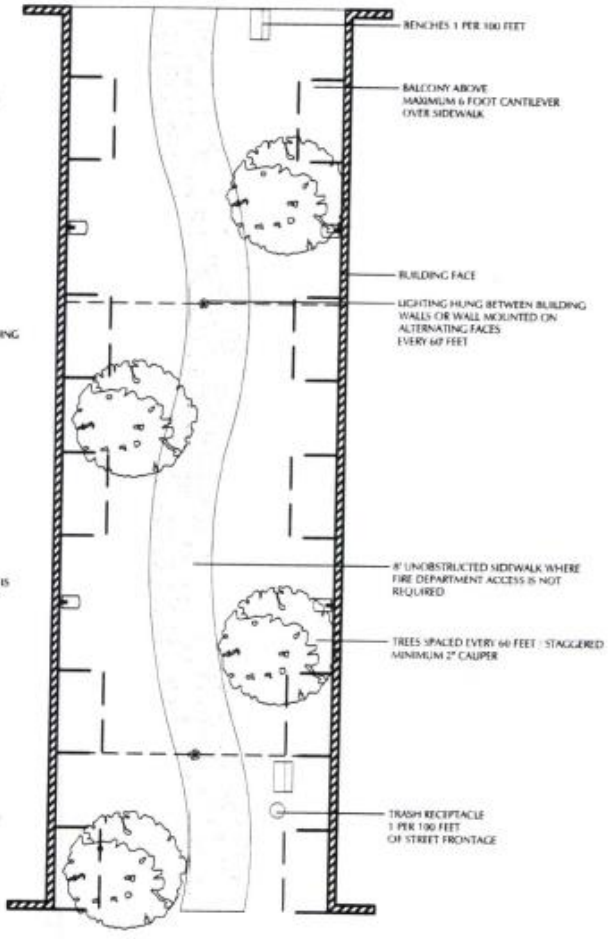
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MEWS / PEDESTRIAN WAY
WITH FIRE DEPARTMENT ACCESS

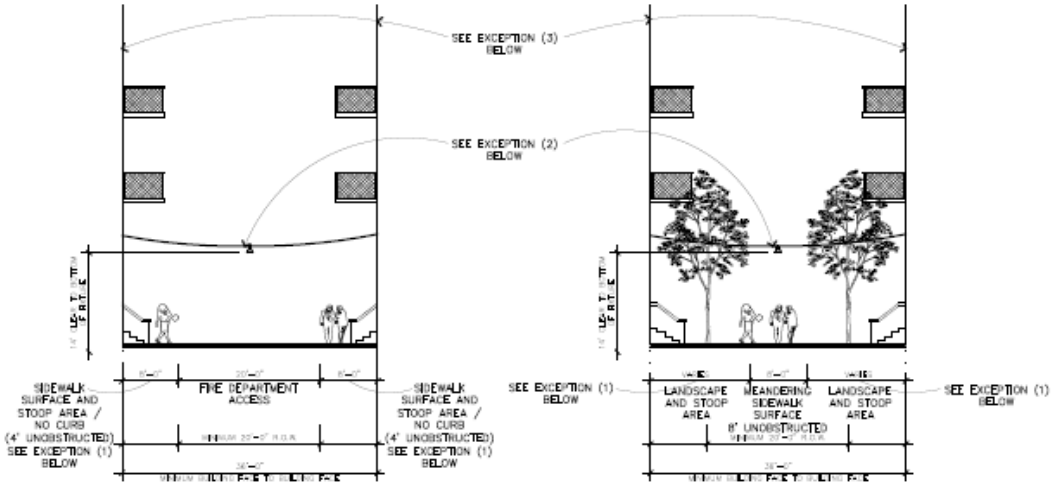


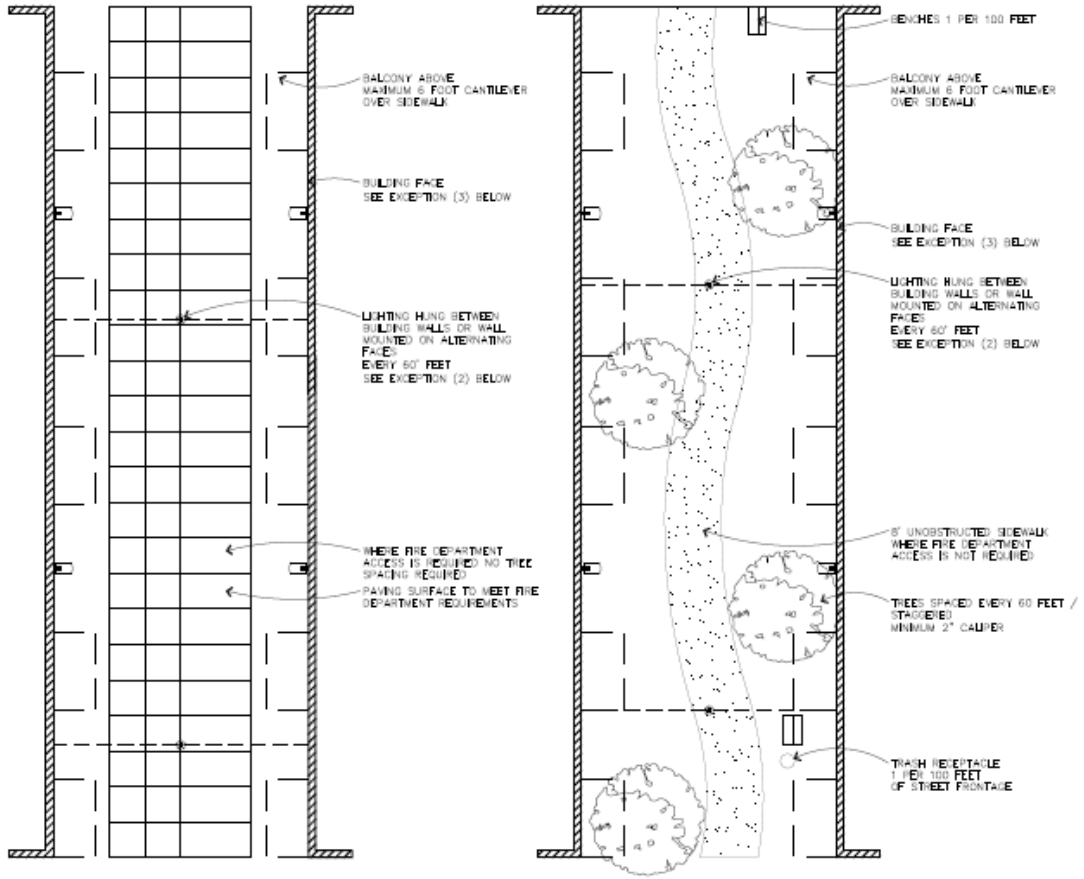
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Z067-298

Page 3 of 5

PROPOSED FORM-BASED URBAN DESIGN STANDARDS



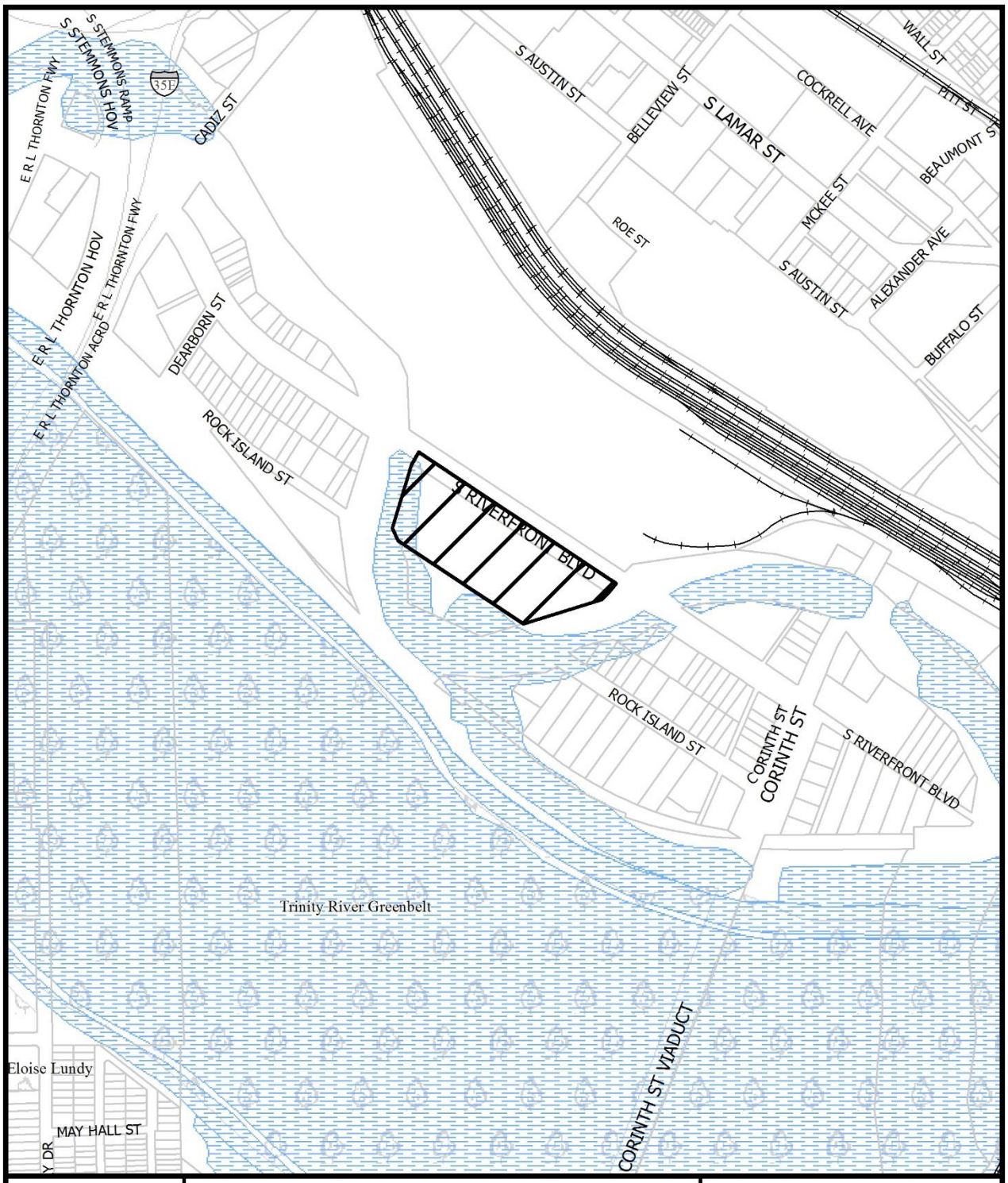


MEWS / PEDESTRIAN WAY
WITH FIRE DEPARTMENT ACCESS

MEWS / PEDESTRIAN WAY
WITHOUT FIRE DEPARTMENT ACCESS

REGIONAL OBSERVATION CAMPUS USE EXCEPTIONS

1. NO STOOPS REQUIRED
2. MEWS LIGHTING MAY BE BY MEANS OTHER THAN CABLE SUSPENDED FIXTURES SHOWN.
3. NO BUILDING FACE OR BUILD–TO LINE REQUIRED.



1:7,200

VICINITY MAP

Case no: Z178-265

Date: 6/15/2018

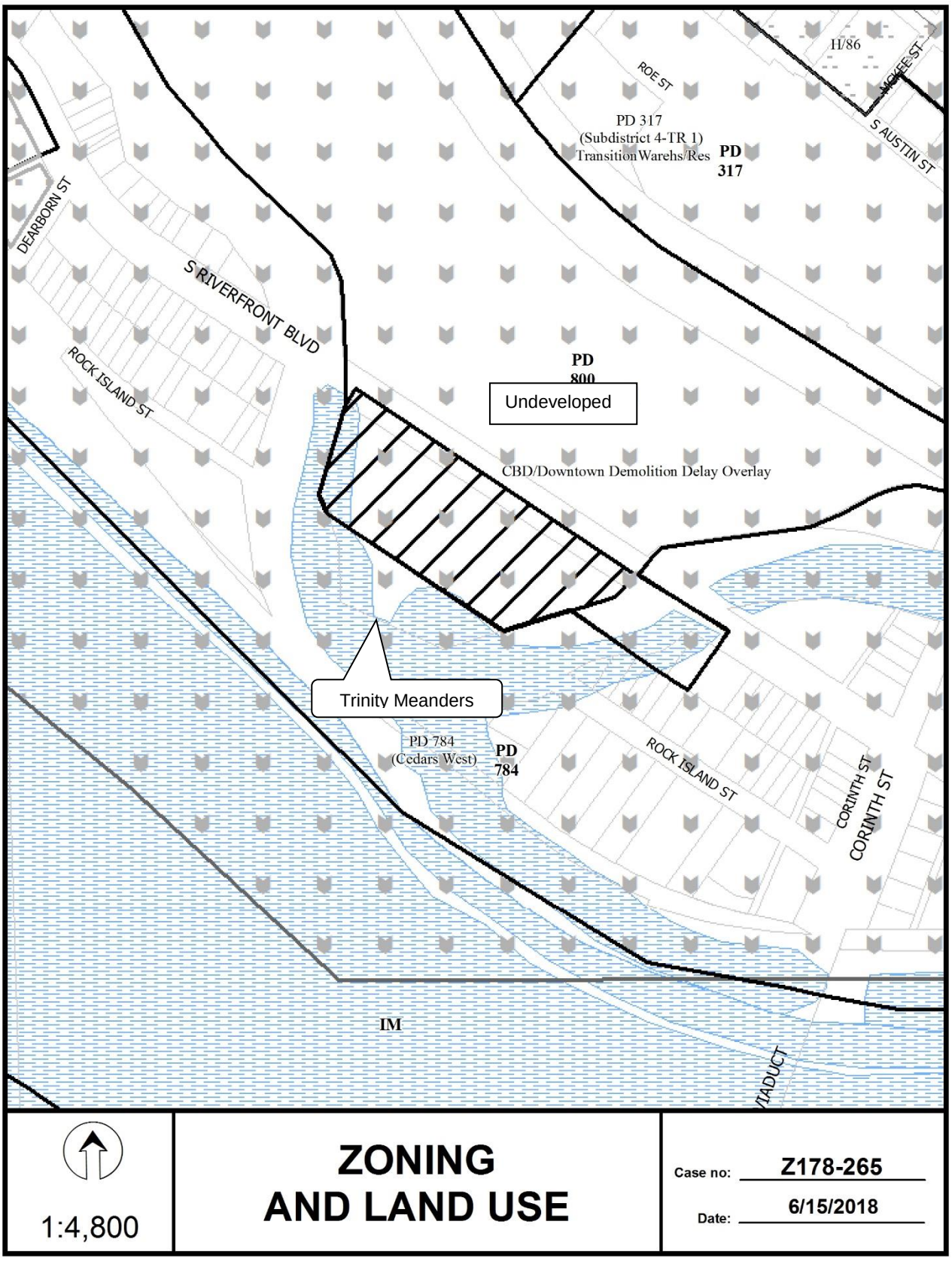


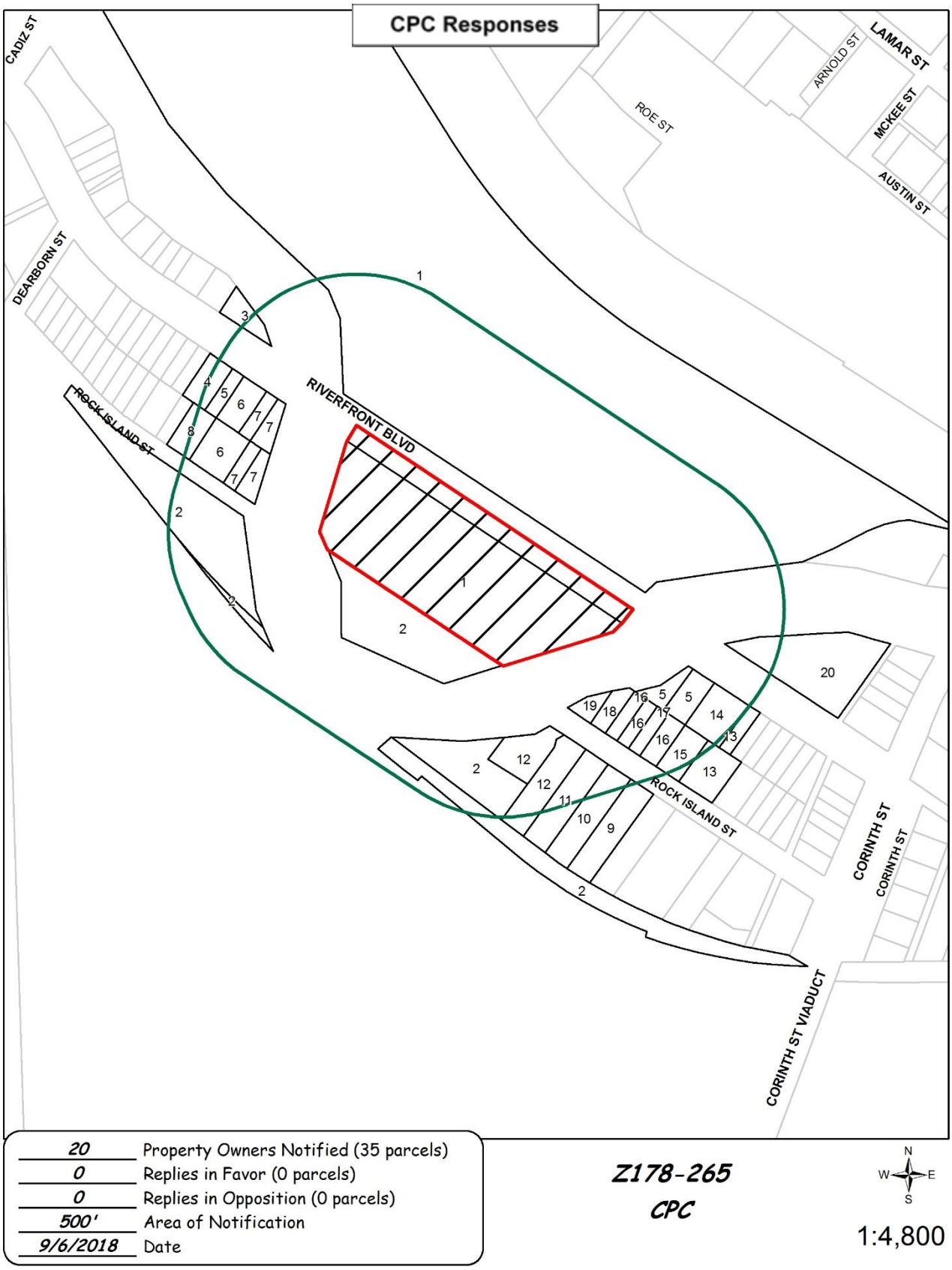
1:4,800

AERIAL MAP

Case no: Z178-265

Date: 6/15/2018


H/86
ROE ST
MCKEE ST
S AUSTIN ST
PD 317
(Subdistrict 4-TR 1)
Transition Warehs/Res
PD
317
DEARBORN ST
S RIVERFRONT BLVD
ROCK ISLAND ST
PD
800
Undeveloped
CBD/Downtown Demolition Delay Overlay
Trinity Meanders
PD 784
(Cedars West)
PD
784
ROCK ISLAND ST
CORINTH ST
CORINTH ST
IM
VIADUCT
1:4,800
ZONING
AND LAND USE
Case no: Z178-265
Date: 6/15/2018


CPC Responses
CADIZ ST
LAMAR ST
ARNOLD ST
ROE ST
MCKEE ST
AUSTIN ST
DEARBORN ST
ROCK ISLAND ST
RIVERFRONT BLVD
ROCK ISLAND ST
CORINTH ST
CORINTH ST
CORINTH ST VIADUCT
20 Property Owners Notified (35 parcels)
0 Replies in Favor (0 parcels)
0 Replies in Opposition (0 parcels)
500' Area of Notification
9/6/2018 Date
Z178-265
CPC
N
W
E
S
1:4,800

09/05/2018

Reply List of Property Owners

Z178-265

20 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	318	CADIZ ST	TEXAS CENTRAL REAL ESTATE
	2	1415	S RIVERFRONT BLVD	DALLAS COUNTY FLOOD
	3	1222	S RIVERFRONT BLVD	DOAN MISTY
	4	1213	S RIVERFRONT BLVD	CHARALAMBOPOULOS FAY
	5	1217	S RIVERFRONT BLVD	THREE RIVERFRONT PPTIES LP
	6	1219	S RIVERFRONT BLVD	1219 S INDUSTRIAL LLC
	7	1223	S RIVERFRONT BLVD	SCHEPPS M E
	8	1216	ROCK ISLAND ST	SCHEPPS M E
	9	1815	ROCK ISLAND ST	MILLER KEVIN
	10	1901	ROCK ISLAND ST	TAHOE GOLD MINING & REFINING CO
	11	1811	ROCK ISLAND ST	ROSEBUD HOLDINGS LLC
	12	1809	ROCK ISLAND ST	BUCKLEY OIL CO
	13	1921	S RIVERFRONT BLVD	HML HOLDINGS LLC
	14	1919	S RIVERFRONT BLVD	VLAHO LLC
	15	1908	ROCK ISLAND ST	HML HOLDINGS LLC
	16	1824	ROCK ISLAND ST	SHERARD SCOTT THOMAS
	17	1820	ROCK ISLAND ST	SHERARD SCOTT T
	18	1808	ROCK ISLAND ST	HML HOLDINGS LLC
	19	1800	ROCK ISLAND ST	ROCKALONG LLC
	20	2006	S RIVERFRONT BLVD	BISHOP-CORWIN PPTIES LLC

Agenda Information Sheet

File #: 18-1036 **Item #:** 71.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subdistrict B, Tract I within Planned Development District No. 375 to allow an increase in nonresidential floor area ratio on property bound by Lemmon Avenue East, Oak Grove Avenue, Cityplace West Boulevard, and Howell Street
Recommendation of Staff: Approval, subject to a revised conceptual plan and staff's recommended conditions
Recommendation of CPC: Approval, subject to a revised conceptual plan and conditions
Z178-270(SM)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, OCTOBER 24, 2018**

ACM: Majed Al-Ghafry

FILE NUMBER: Z178-270(SM) **DATE FILED:** May 30, 2018

LOCATION: Property bound by Lemmon Avenue East, Oak Grove Avenue, Cityplace West Boulevard, and Howell Street

COUNCIL DISTRICT: 14 **MAPSCO:** 35 Y, 45 C

SIZE OF REQUEST: Approx. 2.6 acres **CENSUS TRACT:** 7.01

REPRESENTATIVE: Suzan Kedron, Jackson Walker, LLP

APPLICANT/OWNER: Neal Sleeper, Blackburn Central Holdings, L.P.

REQUEST: An application for an amendment to Subdistrict B, Tract I within Planned Development District No. 375 to allow an increase in nonresidential floor area ratio.

SUMMARY: The applicant proposes to amend the PDD conditions to increase floor area ratio (FAR) from 5.0 to 8.0 and has provided a revised conceptual plan to reflect the requested increase in FAR. The applicant proposes a maximum FAR of 4.0 for residential uses.

CPC RECOMMENDATION: **Approval**, subject to a revised conceptual plan and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a revised conceptual plan and staff's recommended conditions.

BACKGROUND INFORMATION:

- The request site is currently developed with a restaurant, accessory private dog park, surface parking, and construction staging area for a nearby development.

- On November 11, 1992, City Council approved PDD No. 375 for mixed uses. The zoning was approved as a conceptual planned development district, which requires CPC approval of a development plan and landscape plan for each phase of development prior to the issuance of a building permit.

- On November 19, 2009, CPC approved a development plan/landscape plan for Tract II.

- On May 23, 2012, City Council approved an amendment to Tract I to accommodate interim use development on Tract I and to amend the Tract I Conceptual Plan to depict 1) Howell Street, which then bisected Subdistrict B and 2) to depict the trolley turntable at the terminus of Cityplace West Boulevard. Council also approved an administrative procedure to allow a director's approval of a site plan in lieu a development plan and landscape plan for interim use development.

Zoning History: There have been four zoning cases in the vicinity in the past five years.

1. **Z134-323:** On May 25, 2015, City Council approved an amendment to Planned Development District No. 183 for certain MU-3 Mixed Use District uses.

2. **Z156-251:** On October 11, 2016, City Council approved Planned Development Subdistrict No. 126 for Multiple Family Subdistrict uses on property zoned a GR General Retail Subdistrict and an MF-2 Multiple-Family Subdistrict within Planned Development Subdistrict No. 193, the Oak Lawn Special Purpose District.

3. **Z134-241:** On October 8, 2014, City Council approved Planned Development Subdistrict No. 108 for multiple family uses on property zoned an O-2 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

4. **Z134-303:** On December 10, 2014, City Council renewed Specific Use Permit No. 1980 for the sale of alcoholic beverages in conjunction with a retail food store for a five-year period.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing Dimension
Lemmon Avenue East	Principal Arterial	Existing Couplet (changes to curb locations require a TP amendment)
Oak Grove Avenue	Local	50 feet
Cityplace West Boulevard	Local	Variable width
Howell Street	Local	50 feet

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not have a negative impact on the surrounding street system. The determination is based upon a traffic impact analysis the applicant provided during the application submittal.

The site is located on a one-way couplet (Lemmon Avenue East) which receives significant vehicular traffic northbound and Cityplace West Boulevard has a unique condition of accommodating a trolley line. Due to the small block size of the request site and because the site has frontage on four streets, staff recommends that vehicular access should be limited to Oak Grove Avenue and Howell Street.

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

LAND USE ELEMENT

GOAL 1.2 PROMOTE DESIRED DEVELOPMENT

Policy 1.1.4 Capitalize on transit oriented development opportunities.

Dallas has 40 DART light rail stations planned by 2030. High density mixed-use development in these transit centers improves DART ridership, reduces auto trips, improves air quality and efficiently uses land resources. Development near stations and along multi-modal corridors should respect the character of surrounding neighborhoods, when appropriate, and should always be of the highest quality.

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.1 Ensure that zoning is flexible enough to respond to changing economic conditions.

Policy 2.2.2 Maximize development opportunities around DART stations.

Mixed-use transit oriented development (TOD) should include a variety of land uses to serve the needs of the transit rider and the immediate neighborhood as well as the surrounding community. This would include different types of housing, retail, office, professional service firms and cultural and artistic facilities.

URBAN DESIGN

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY AND WALKABILITY

Policy 5.1.1 Promote pedestrian-friendly streetscapes.

GOAL 5.3 ESTABLISHING WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Policy 5.3.3 Encourage transit oriented developments and transit centers.

There is a symbiotic relationship between public transit, a person's willingness to walk and quality design of urban places. This depends not only upon the thoughtful integration of appropriate land uses, but upon a built environment reflecting careful attention to the human scale.

STAFF ANALYSIS:

Land Use Compatibility:

The request site is currently developed with a one-story restaurant, surface parking, fenced areas for dog runs, and a temporary construction trailer and is surrounded by four streets. Multi-level multifamily structures with ground floor retail and personal service uses are located to the northwest and north, across Oak Grove Avenue and across the intersection of Cityplace West Boulevard and Oak Grove Avenue, respectively. Offices with ground floor retail and personal service uses are located to the northeast, across Cityplace West Boulevard. The Uptown trolley station and an entrance to the

subterranean Cityplace DART rail station are located to the east, across the intersection of Cityplace West Boulevard and Howell Street. A restaurant is located to the southeast, across Howell Street. A hospital is located to the south and a six-story multifamily is located to the southwest, and a one-story restaurant is located to the west; each located across Lemmon Avenue East.

Since the applicant requests to maintain the existing land use regulations, staff considers the proposed unchanged land uses compatible with surrounding properties.

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 375 (Tract I) Subdistrict B	Restaurant, surface parking, fenced areas for dog runs, and temporary construction trailer
North	PDD No. 305 (West Mixed Use) Subdistrict B-3	Multifamily, hotel, and ground floor retail and personal service uses
Northeast	PDD No. 375 (Tract I) Subdistrict A	Office and ground floor retail and personal service uses
East	Half of NE and SE Zoning Districts	Uptown trolley station and entrance to Cityplace DART station
Southeast	PDD No. 375 (Tract I) Subdistrict C	Restaurant
South	PDD No. 375 (Tract II)	Hospital
Southwest	PDD No. 193 O-2-D	Multifamily
West	PDD No. 201	Restaurant
Northwest	PDD No. 305 (West Mixed Use) Subdistrict D-5	Multifamily and ground floor personal service use

Increased Floor Area Ratio:

The primary purpose of the request is to increase the floor area ratio (FAR) of the site from 5.0:1 to 8.0:1. The applicant proposes to provide additional urban design standards, which include a blank wall maximum that is consistent with the General Commercial and Apartment development types of Form Districts, requirements that ground story street-facing dwelling units have direct connections to the sidewalk, requirements to prohibit off-

street loading facilities between a building facade and the street, a requirement that off-street parking structures be consistent with parking structure facade requirements of PDD No. 193, and a requirement that a minimum of 10 percent of the site as open-space, which is consistent with Form Districts open space requirements.

However, since these additional urban design standards do not exceed typical urban design standards of other districts, staff requested the applicant propose an additional public benefit to substantiate the request to increase FAR. Since residential uses are currently allowed and are proposed to continue to be allowed with the request with an overall increase in FAR, staff encouraged the applicant to consider offering a minimum amount of mixed-income housing.

CPC recommends the applicant's proposal to provide affordable housing for two percent of the units when the individual FAR of residential uses does not exceed 2:1 FAR and 10 percent of the units for the portion of the residential use that exceeds 2:1 FAR. Additionally, the affordable housing units will be made available to voucher holders and households earning 80 percent or less of the median family income for the Dallas area.

However, under state law[1] a zoning ordinance cannot dictate that units be rented at a specific rate unless the provision of the units is tied to a development incentive or similar voluntary program that is designed to increase the supply of moderate or lower-cost housing units. Staff has developed an alternate set of conditions that is consistent with the City Plan Commission recommendation but ties the FAR bonus to the development when affordable units are provided (see Section 51P-375.108).

Regarding the percentage of affordable housing, staff coordinated with the Department of Housing and Neighborhood Revitalization who provided the following recommendation regarding the number of affordable units and the eligible households.

CPC supports the applicant's request that affordable housing be only applicable to rented units and not units that are sold. Staff and the Department of Housing and Neighborhood Revitalization does not support the distinction between rented and sold and therefore recommends that affordable housing requirements apply to both types of occupants.

[1] Reference Local Government Code Sec. 214.905

Recommendation from the Department of Housing and Neighborhood Revitalization:

The Department of Housing and Neighborhood Revitalization (H&NR) understands that the applicant is seeking a zoning change that amends a portion of PD 375 to increase the floor area ratio from 5.0 to 8.0 for any mixed-use development located in the PD and, thus, increase the total amount of usable floor area that a potential project would be permitted to develop on approximately 2.6 acres of land. H&NR also understands that, to justify the increased development rights, the applicant is prepared to provide one or more forms of public benefit to the community. Therefore, H&NR has been asked to provide a recommendation related to providing one specific type of public benefit: reserving residential units onsite that that will be leased to and occupied by households earning incomes within specific Dallas Area Median Income (AMI) bands at rents that are affordable.

In making its recommendation, H&NR is guided, first, by the three broad goals that the Dallas City Council Housing Committee established for the development of a comprehensive strategy for housing: 1) create and maintain available and affordable housing throughout Dallas, 2) promote greater fair housing choices, and 3) overcome patterns of segregation and concentrations of poverty through incentives and requirements.

Secondly, H&NR is guided by the current Market Value Analysis (MVA), which is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets to orange, representing the weakest markets.

Finally, H&NR is guided by the Comprehensive Housing Policy that the City Council adopted on May 9, 2018 that supports creating increased availability of quality, sustainable housing that is affordable to households earning between 30 to 120 percent of AMI, with the targeted income bands varying according to the market and development type.

The existing development site is located on the west side of North Central Expressway, north of Lemmon Avenue. Because a residential development does not currently exist on this site, it was not assigned an MVA market type. However, as depicted in the attached MVA map, the adjacent parcel to the southwest, an adjacent parcel to the northwest and

two nearby parcels to the north and northwest were assigned market type C, which provides a clear indication that the existing development site is located in a strong market. In strong markets, pursuant to the Comprehensive Housing Policy, the City seeks to provide affordable homeownership and/or rental housing opportunities to a broad mix of the targeted income bands.

It is important to note that the applicant submitted its application after the Dallas City Council adopted the Comprehensive Housing Policy and after several other zoning change applications were approved by the City Council that included affordable units as a public benefit. And, although an incentive zoning ordinance is currently under review by the Zoning Ordinance Advisory Committee (ZOAC), this project site would not be eligible for incentive zoning, as it is currently proposed, because PDD No. 375 does not reference zoning districts that are considered for incentive zoning. The proposed incentive zoning ordinance would allow applicants with projects in certain zoning districts who agree to offer residential units at affordable rents to access increases in development rights *by right*, i.e. without the additional cost and uncertainty of a zoning change. The percentages of units and ranges of incomes would vary depending on the amount of development rights that are sought and the MVA market type in which the project is located,

Therefore, guided by the comprehensive policy and past council approvals of PDDs where affordable units were offered by the developer, and cognizant of the costs and uncertainty of an application for a zoning change, H&NR recommends that the Applicant agree to reserve five percent of the residential units for households earning 61 to 80 percent AMI and five percent of the residential units for households earning 80 to 100 percent AMI.

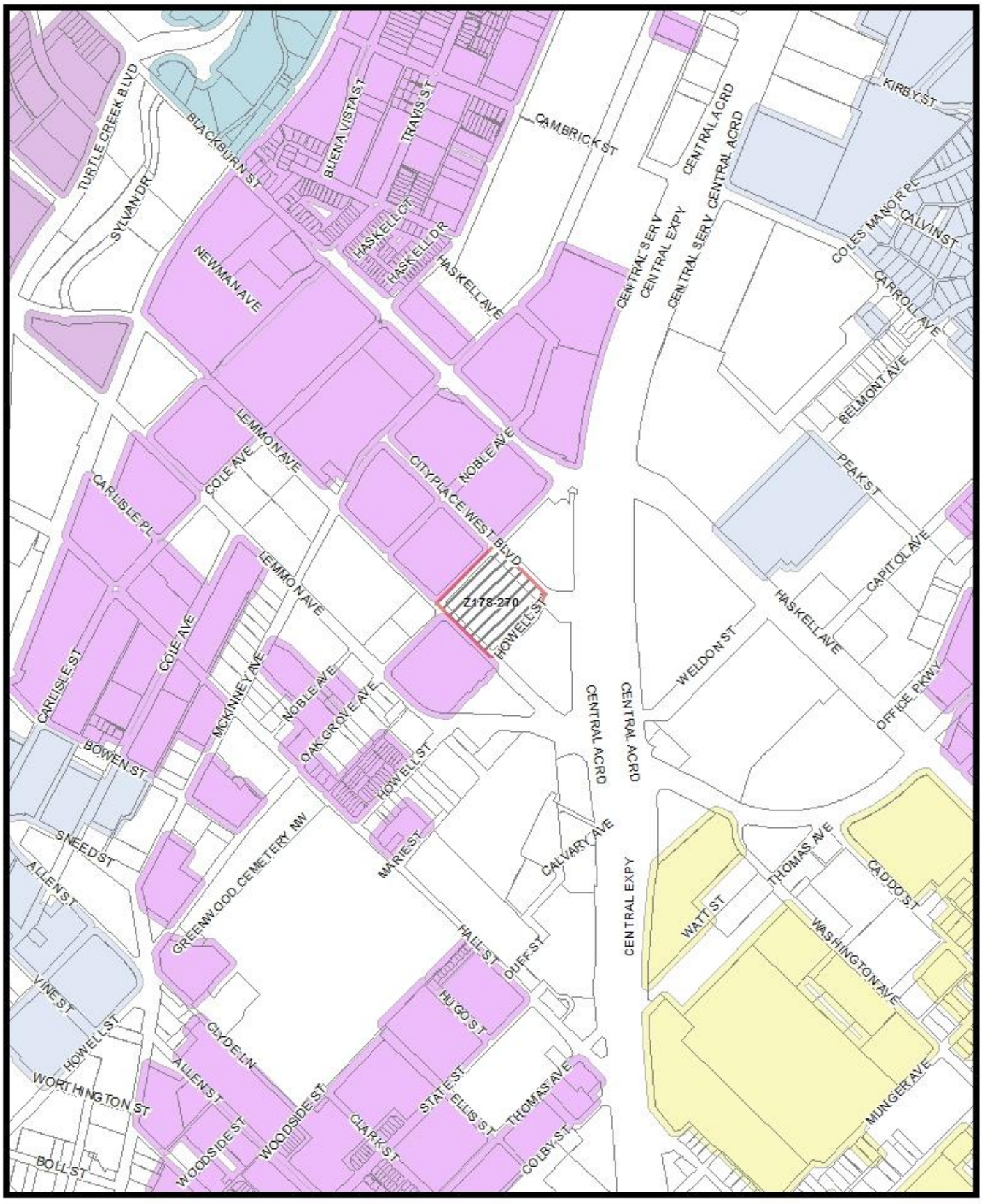
Finally, it is important to note what this recommendation is not. It is not a mandate that the applicant create residential units on the site. Instead, this recommendation is offered as one of many public benefits that could be provided by the applicant. Should the applicant intend to create residential units onsite, this recommendation offers one means by which the applicant may agree to provide a public benefit.

Parking:

Parking must be provided in accordance with the provisions of PDD No. 375.

Landscaping:

Landscaping must be provided in accordance with the provisions of PDD No. 375.



MVA Cluster A B C D E F G H I NA

1:7,200

Market Value Analysis

Printed Date: 8/29/2018

Prior CPC Action – September 6, 2018:

Motion: It was moved to recommend **approval** of an amendment to Subdistrict B, Tract I within Planned Development District No. 375 to allow additional nonresidential floor area ratio, subject to a revised conceptual plan and staff's recommended conditions with the following modifications: 1) SEC. 51P-375.108. BUILDING SIZE.,(a),Tract I, in the table containing allowable height, story and floor area ratio, for Subdistrict B, under Floor Area Ratio, add next to 8.00 "(4.0 for residential uses)"; 2) SEC. 51P-375.119. MIXED-INCOME PROVISIONS FOR SUBDISTRICT B, TRACT I., (a), follow applicant's request to read as follows: "(a) Except as provided in this section, when a residential use is proposed it must provide mixed-income housing with a minimum of two percent of the total dwelling units. When the floor area ratio for residential uses exceeds 2.0:1, residential uses must provide mixed income housing for a minimum of 10 percent of the total dwelling units which exceeds the 2.0:1."; 3) the deed restrictions required for the affordable housing component shall contain only the zoning conditions and standard city deed restriction terms; and 4) strike staff provisions dealing with the affordable housing component for sale units and purchasers and clarify that affordable housing units apply only to rental units and renters on property bound by Lemmon Avenue East, Oak Grove Avenue, Cityplace West Boulevard, and Howell Street.

Maker: Ridley
Second: Shidid
Result: Carried: 12 to 0

For: 12 - West, Rieves, Houston, Davis, Shidid, Carpenter, Mack, Lewis, Schultz, Peadon, Ridley, Tarpley

Against: 0
Absent: 3 - Jung, Housewright, Murphy
Vacancy: 0

Notices: Area: 500 Mailed: 24
Replies: For: 8 Against: 0

Speakers: For: Neal Sleeper, 3899 Maple Ave., Dallas, TX, 75219
Suzan Kedron, 2323 Ross Ave., Dallas, TX, 75201
Against: None

List of Partners/Principals/Officers:

Blackburn Central Holdings, LP
List of Officers and Directors

The ultimate General Partners of Blackburn Central Holdings, LP are Hampstead Associates, Inc. and Group Management, Inc.

Officers of Hampstead Associates, Inc. are as follows:

Donald J. McNamara, President and CEO
Neal Sleeper, Vice President

Officers of Group Management, Inc. are as follows:

David Bonderman, President, Secretary
James Coulter, Vice President
John E. Viola, Vice President, Treasurer
Clive D. Bode, Vice President, Secretary, Asst. Treasurer
Steve A. Willmann, Asst. Treasurer
David C. Reintjes, CCO, Asst. Secretary

CPC RECOMMENDED AMENDMENTS TO

ARTICLE 375.

PD 375.

SEC. 51P-375.101. LEGISLATIVE HISTORY.

PD 375 was established by Ordinance No. 21480, passed by the Dallas City Council on November 11, 1992. Ordinance No. 21480 amended Chapters 51 and 51A of the Dallas City Code, as amended. Ordinance No. 21480 was amended by Ordinance No. 23906, passed by the Dallas City Council on June 9, 1999. (Ord. Nos. 10962; 19455; 21480; 23906; 24826; 27611)

SEC. 51P-375.102. PROPERTY LOCATION AND SIZE.

PD 375 is established on property generally located on the west side of North Central Expressway, north of Lemmon Avenue. The size of PD 375 is approximately 11.4114 acres. (Ord. Nos. 23906; 24826; 27611)

SEC. 51P-375.103. DEFINITIONS AND INTERPRETATIONS.

(a) Definitions. In this article:

(1) FLOOR AREA means "floor area" as defined in the Dallas Development Code, as amended.

(2) INTERIM USE DEVELOPMENT means a development consisting of permitted uses, each of which does not exceed 20,000 square feet in floor area, a FAR of 0.6:1, and a structure height of 50 feet. Interim use developments are only permitted in Tract I.

(3) MOBILE FOOD ESTABLISHMENT means a vehicle-mounted food establishment that is designed to be readily moveable and from which food is distributed, sold, or served to an ultimate consumer. The term includes, but is not limited to, mobile food preparation vehicles and pushcarts.

(3.1) ON-SITE OPEN SPACE means the portion of a building site that is accessible to the general public. On-site open space is principally open to the sky but allows for architectural elements such as colonnades, pergolas, and gazebos. The on-site open space must be a contiguous open area of not less than 10 feet in width or length.

(4) PDD means PD 375.

(5) RETAIL-RELATED USES means any of the following uses as they are defined in Chapter 51:

(A) Any retail or bar and restaurant use.

(B) Barber and beauty shop.

(C) Health studio.

(D) Custom cleaning shop.

(E) Commercial cleaning shop.

(F) Commercial laundry or dry cleaning.

(G) Laundry or dry cleaning pickup and receiving station.

(H) Key shop.

(I) Shoe repair.

(J) Tailor, custom sewing, and millinery.

(K) Taxidermist.

(L) Travel bureau.

(M) Handcraft bookbinding.

(N) Photography studio.

(O) Handcrafted art work studio.

(P) Inside and outside commercial amusement.

(Q) Commercial parking lot or garage.

(R) Public or private school.

(S) Job printing, lithographer, printing, or blueprinting plant.

(T) Public park or playground.

(U) Public golf course.

(V) Carnival or circus (temporary). *[Limited to Tract I.]*

(W) Drive-in theatre. *[Limited to Tract I.]*

(X) Mobile food establishment. *[Limited to Tract I.]*

(Y) Private recreation club or area. *[Limited to Tract I.]*

(Z) Theatre. *[Limited to Tract I.]*

(6) OFFICE-RELATED USES means the following uses as they are defined in Chapter 51:

(A) Radio, television, or microwave tower.

(B) Commercial radio or television transmitting station.

(C) Telephone exchange, switching, and transmitting equipment.

(D) Bus passenger shelter.

(E) Game court center.

(F) Office.

(G) Temporary construction or sales office.

(H) Bank or savings and loan office (with or without drive-in windows).

(I) Medical clinic.

(7) HOTEL USE means the hotel and motel use as defined in Chapter 51.

(7.1) STOOP means a small porch that may include stairs leading to the entrance of a residence.

(8) TRAFFIC IMPACT STUDY means the traffic impact study for the PDD kept on file in the office of the city's department of public works and transportation.

(8.1) TRANSPARENCY means the total area of window and door openings filled with glass, openings in the ground story of a parking garage, and louvered openings in the upper levels of a parking garage, expressed as a percentage of the total facade area by story. Transparency is measured from floor to floor of each story of a building.

(9) TRANSPORTATION SYSTEMS MANAGEMENT ACTION PROGRAM means the transportation system management action program kept on file in the office of the city's department of public works and transportation.

(10) HOSPITAL USE means an institution where sick or injured patients are given medical treatment.

(b) Interpretations. Except as otherwise provided in this section, the definitions and interpretations in Chapter 51A apply to this article. Unless otherwise stated, all references to uses, articles, divisions, or sections in this article are to uses, articles, divisions, or sections in Chapter 51A.

(c) Conditions to development in the PDD. The following conditions apply to development in the PDD. (Ord. Nos. 23906; 24826; 27611; 28662)

SEC. 51P-375.103.1. EXHIBIT.

The following exhibit is incorporated into this article:

(1) Exhibit 375A: conceptual plan.

(2) Exhibit 375B: Tract I subdistrict property descriptions. (Ord. 28662)

SEC. 51P-375.104. CONCEPTUAL PLAN.

Development of the PDD must comply with the conceptual plan (Exhibit 375A). In the event of a conflict between the provisions of this article and the conceptual plan, the provisions of this article control. (Ord. Nos. 23906; 24826; 27611)

SEC. 51P-375.105. DEVELOPMENT PLAN.

(a) Except as provided in this section, a development plan that complies with the conceptual plan and this article must be submitted for city plan commission approval for each building site prior to the issuance of a building permit on that site. A development plan approved by the city plan commission subject to conditions shall not be considered as finally approved. Until a revised development plan is finally approved by the commission, the development plan approved subject to conditions shall be deemed denied.

(b) Except as provided in this section f~~F~~or interim use developments, no development plan is required. In Subdistrict B in Tract I, for interim use developments, no development plan is required when an original development plan has not been approved. The applicant must submit a site plan that complies with the development plan submittal requirements of Section 51A-4.702(e)(1) and (e)(2). The director may approve amendments to site plans for interim use developments following this same procedure. An applicant may appeal a decision of the director to the city plan commission. The site plan for an interim use development approved pursuant to this subsection shall not be considered a development plan and shall not preclude the submission of an original development plan for the property encompassed by the site plan. (Ord. Nos. 23906; 24826; 27611; 28662)

SEC. 51P-375.106. LANDSCAPE REQUIREMENTS.

(a) Generally. Except for interim use developments, a landscape plan for each building site must be submitted to and approved by the city plan commission. The landscape plan must be submitted to the commission with the development plan for that building site.

(b) Application of section.

(1) This section does not apply to single family and duplex uses in detached structures. This section shall become applicable to all other uses on an individual lot when work on the lot is performed that increases the existing building height, floor area ratio, or nonpermeable coverage of the lot, unless the work is to restore a building that has been damaged or destroyed by fire, explosion, flood, tornado, riot, act of the public enemy, or accident of any kind.

(2) The board may grant a special exception to the landscaping requirements of this section if, in the opinion of the board, the special exception will not compromise the spirit and intent of this

section. When feasible, the board shall require that the applicant submit and that the property comply with a landscape plan as a condition to granting a special exception under this section.

(c) Landscaping requirements in general.

(1) Designated landscape areas.

(A) In general. Each property owner is required to designate portions of the lot in the front, side, or rear yard for landscaping purposes. These designations must be shown on the landscape plan required by this section.

(B) Landscape site area. The first required designation is that of the "landscape site area." The landscape site area may consist of one large contiguous area or several smaller non-contiguous areas.

(C) General planting area. The second required designation is that of the "general planting area." The general planting area is a subarea of the landscape site area. Like the landscape site area, it may consist of one large contiguous area or several smaller non-contiguous areas.

(D) Special planting area. The third required designation is that of the "special planting area." The special planting area is a subarea of the general planting area. Again, the special planting area may consist of one contiguous area or several non-contiguous areas.

(E) Pavement restrictions. No pavement other than pavement for pedestrians and non-motorized vehicles is permitted in the designated landscape site area, except that permeable pavement for motor vehicles is allowed in multifamily subdistricts only. No pavement of any kind is allowed in the designated general planting area and special planting area.

(F) Soil depth requirements. There are no minimum soil depth requirements for portions of the landscape site area that are outside of the general planting area. The minimum soil depth requirements for portions of the general planting area that are outside of the special planting area is 18 inches. The minimum soil depth requirement for the special planting area is 24 inches.

(G) Minimum planting requirements. The minimum requirements for designated landscape areas are as follows:

(i) Landscape site area. There are no minimum planting requirements for portions of the landscape site area that are outside of the general planting area.

(ii) General planting area. The general planting area must contain living trees, shrubs, vines, flowers, or ground cover vegetation. All plants in this area must be recommended for local area use by the city arborist.

(iii) Special planting area. The special planting area must contain living trees, shrubs, or vines that are recommended for local area use by the director of park and recreation. Turf grass and ground cover are not counted toward meeting these minimum planting requirements. Initial plantings must be calculated to cover a minimum of 75 percent of this area at a minimum height of 24 inches within a three year period. There must be at least one plant for each four square feet of this area unless a landscape architect recommends an alternative planting density as part of a landscape plan that the building official determines is capable of satisfying the minimum coverage requirement for this area.

(2) Irrigation and drainage systems. All landscaping required under this section must be irrigated and drained by automatic irrigation and permanent drainage systems installed to comply with industry standards.

(3) Off-street parking and screening requirements.

(A) Surface parking screening in general. All surface parking (excluding on-street parking) must be screened from the street and residentially zoned property by using one or more of the following three methods to separately or collectively attain a minimum height of three-and-one-half feet above the parking surface:

(i) Earthen berm planted with turf grass or ground cover recommended for local area use by the director of park and recreation. The berm may not have a slope that exceeds one foot of height for each three feet of width.

(ii) Solid wood or masonry fence or wall.

(iii) Hedge-like evergreen plant materials recommended for local area use by the director of park and recreation. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed 24 inches on center over the entire length of the bed unless a landscape architect recommends an alternative planting density that the building official determines is capable of providing a solid appearance within three years. This subparagraph supplements any other applicable screening provisions for off-street parking.

(B) Surface parking screening with single family or duplex adjacency. The three methods of providing screening listed above in Subparagraph (A) of this paragraph may be used to provide screening to separate a surface parking area from an adjacent single family or duplex district, tract of this PDD, or subdistrict of PDD No. 305, if the screening barrier is at least six feet in height. This subparagraph supplements any other applicable screening provisions for off-street parking.

(C) Off-street loading and garbage storage area screening.

(i) All off-street loading spaces and garbage storage areas must be screened from:

(aa) a public street that is adjacent to the lot; and

(bb) property in a residential district that is adjacent to or directly across an alley from the lot.

(ii) Screening required by this subparagraph must be at least six feet in height measured from the horizontal plane passing through the nearest point of the off-street loading space or garbage storage area.

(iii) Required screening must be constructed of:

(aa) for off-street loading spaces, any of the materials described in Subparagraph (A) to separately or collectively attain the minimum height of six feet; and

(bb) for garbage storage areas, a solid wood or masonry fence or wall.

(iv) Access through required screening may be provided only by a solid gate that equals the height of the screening. The gate must remain closed at all times except when in actual use.

(4) Trees.

(A) Tree planting zones A and B. For purposes of this section, [the] "tree planting zone A" is that area parallel to and between two-and-one-half and five feet from the back of the projected street curb. "Tree planting zone B" is that area parallel to and within forty feet from the back of the projected street curb. [If the tree planting zone is in the parkway, the property owner must apply for a landscape permit before any required trees may be planted in the parkway. If a tree cannot be located in the tree planting zones due to a conflict with underground or aboveground utility lines, the tree must be located outside, but as near as practicable to, the designated tree planting zone.]

(B) Number, location, and type of trees required. Each lot must have one or more trees whose trunks are located wholly within [the] tree planting zones A or B. The number of required trees for tree planting zone A is determined by dividing the number of feet of lot frontage by 25. The number of required trees for tree planting zone B is determined by dividing the number of feet of lot frontage by 40. Fractions are rounded to the nearest whole number, with .5 being rounded up to the next higher whole number. All required trees must be recommended for local area use by the director of park and recreation. If a property owner cannot obtain a landscape permit to locate a required tree in the parkway, the owner shall locate the tree in the required front yard as near as practicable to the front lot line. If a lot has no front yard requirement and the property owner cannot obtain a landscape permit to locate a required tree in the parkway, the owner need not provide that required tree.

(C) Minimum tree height and trunk caliper. Required trees must have a minimum height of 14 feet, and a minimum trunk caliper of three-and-one-half inches measured at a point 12 inches above the root ball.

(D) Tree spacing requirements. Required trees must be spaced as uniformly as practicable. The trunk of a required tree must be within 60 feet of another required tree.

(E) Minimum clearance above pavement. The property owner shall maintain all trees to comply with the following minimum vertical height clearances over street and sidewalk pavements:

(i) Thirteen-and-one-half feet above street pavement.

(ii) Eight feet above a public sidewalk or the sidewalk required under Subsection (h) of this section.

(F) Tree grates required near sidewalks. Tree grates conforming to state standards and specifications adopted to eliminate, insofar as possible, architectural barriers encountered by aged, handicapped, or disabled persons, and of a size adequate to permit healthy tree growth must be provided for all trees whose trunks are within 18 inches of the sidewalk required under Subsection (h) of this section.

(5) Landscape permit required. Unless an exemption in Subsection (b) of this section applies, an application for a landscape permit must be submitted to and approved by the building official before performing any work that will increase the existing building height, floor area ratio, or nonpermeable coverage of the lot. To obtain a landscape permit, a landscape plan must be submitted. Landscape plans required under this paragraph must contain the following information:

(A) The date, scale, north point, and the names and addresses of both the property owner and the person preparing the plan.

(B) The location of existing boundary lines and dimensions of the lot, and the zoning classification of the property.

(C) The approximate center line of existing water courses; the approximate location of significant drainage features; and the location and size of existing and proposed streets and alleys, utility easements, and sidewalks in the parkway and on or adjacent to the lot.

(D) The location and size of landscape and planting areas required to be designated under this section and the location, size, and species (common or botanical name) of proposed landscaping in these areas.

(E) Information necessary for verifying whether the required minimum percentages of landscape and planting areas have been designated pursuant to this section.

(F) An indication of how the property owner plans to protect existing trees, which are proposed to be retained, from damage during construction.

(G) The location of the required irrigation system.

(H) The location of all existing and proposed loading and garbage storage areas.

(6) When landscaping must be completed. If a landscape plan is required under this section, all landscaping must be completed in accordance with the approved landscape plan before the final inspection of the last structure on the lot, or within six months of the approval of final inspection if the property owner provides the building official with documented assurance as defined in Article X.

(7) General maintenance.

(A) All required landscaping must be maintained in a healthy, growing condition. The property owner is responsible for the regular weeding, mowing of grass, irrigating, fertilizing, pruning, or other maintenance of all plantings as needed. Any plant that dies must be replaced with another living plant that complies with the approved landscape plan within six months after notification by the city. A required tree that dies after its original planting must be replaced by another living tree having a minimum height of 14 feet and a minimum trunk caliper of four inches measured at a point 12 inches above the root ball.

(B) Any damage to utility lines resulting from the negligence of the property owner, his agents, or employees in the installation and maintenance of required landscaping in the public right-of-way is the responsibility of the property owner. If a public utility disturbs a landscaped area in the public right-of-way and some plant materials die, it is the obligation of the property owner to replace the plant materials.

(d) Visual obstruction regulations. A property owner is not required to comply with the landscaping requirements of this section to the extent that they conflict with the visual obstruction regulations in Section 51A-4.602(d), as amended. In the event of a conflict between this section and the visual obstruction regulations, the visual obstruction regulations control.

(e) Area designation and privacy fencing requirements. The following specific requirements apply to all building sites in this district:

(1) Landscape site area designation. At least 10 percent of a lot, including at least 60 percent of the required front yard, must be designated by the property owner as landscape site area.

(2) General planting area designation. At least 12 percent of the required front yard must be designated by the property owner as general planting area.

(3) Special planting area designation. At least six percent of the required front yard must be designated by the property owner as special planting area.

(4) Front yard privacy fencing. A fence or wall with an average height of seven feet and a maximum height of nine feet above the top of the nearest street curb may be located in the required front yard if:

(A) the main building does not exceed 36 feet in height;

(B) there are no front street curb cuts, front yard driveways, or front entryways to garages or parking;

(C) a minimum setback of 12 feet is provided between the fence and the projected street curb; and

(D) all portions of the fence exceeding four feet in height are set back at least two feet from the lot line.

(5) Privacy fencing planting area designation. If a front yard privacy fence or wall is constructed or maintained in accordance with Paragraph (4) of this subsection, at least 80 percent of the required two-foot setback area from the lot line must be designated by the property owner as privacy fencing planting area. This area may consist of one contiguous area or several smaller noncontiguous areas. No pavement of any kind is allowed in this area. The minimum soil depth requirement for this area is 24 inches. This area must contain living evergreen shrubs or vines that are recommended for local area use by the director of park and recreation. Initial plantings must be calculated to cover a minimum of 30 percent of the total fence or wall area facing the street within a three-year period. Shrubs or vines must be planted 24 inches on center over the entire length of this area unless a landscape architect recommends an alternative planting density as part of a landscape plan that the building official determines is capable of satisfying the minimum coverage requirement for the fence or wall. (See Exhibit D-13 attached to PD 193.)

(f) Private license granted. The city council hereby grants a private license to the owners of all property in this district for the exclusive purpose of authorizing compliance with the parkway landscaping requirements of this section. A property owner is not required to pay an initial or annual fee for this license, although a fee may be charged for issuance of a landscape permit in accordance with the Dallas Building Code. This private license shall not terminate at the end of any specific time period, however, the city council retains the right to terminate this license whenever in its judgment the purpose or

use of this license is inconsistent with the public use of the right-of-way or whenever the purpose or use of this license is likely to become a nuisance.

(g) Parkway landscaping permit.

(1) Upon receipt of an application to locate trees, landscaping, or pavement (other than for the sidewalk required under Subsection (h) of this section) in the parkway and any required fees, the building official shall circulate it to all affected city departments and utilities for review and comment. If, after receiving comments from affected city departments and utilities, the building official determines that the construction and planting proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, that official shall issue a landscape permit to the property owner; otherwise, that official shall deny the permit.

(2) A property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the building official's denial of a landscape permit.

(3) A landscape permit issued by the building official is subject to immediate revocation upon written notice if at any time the building official determines that the use of the parkway authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way. The property owner is not required to comply with any parkway landscaping requirement of this section if compliance is made impossible due to the building official's revocation of a landscape permit.

(4) The issuance of a landscape permit under this section does not excuse the property owner, his agents, or employees from liability in the installation or maintenance of trees, landscaping, or pavement in the public right-of-way.

(h) Sidewalks required.

(1) Sidewalk construction is required along all public and private streets. All sidewalks must be designed and constructed to be barrier-free to the handicapped, and in accordance with the construction requirements contained in the Paving Design Manual and the Standard Construction Details of the City of Dallas.

(2) No certificate of occupancy may be issued for new construction until hard surface sidewalks are provided in accordance with the following specifications:

(A) Except as provided in Subparagraphs (B) and (C) below, a minimum unobstructed width of eight feet.

(B) Along Oak Grove Avenue, as shown on the conceptual plan, and all future streets to be located within the district, a minimum unobstructed width of seven feet.

(C) Along Lemmon Avenue East, a minimum unobstructed width of five feet.

(3) Sidewalks provided to comply with this subsection may be located in the public right-of-way. An existing sidewalk may not be used to comply with this subsection unless it meets the construction standards and minimum unobstructed widths specified above. New sidewalks provided to comply with this subsection must meet the unobstructed width standards specified above.

(4) Sidewalks in Tract II must be constructed with enhanced paving, which includes stained, sandblasted, colored concrete, pavers, or similar treatment per approval by the City of Dallas.

(i) Foundation plantings. In Tract II, a solid foundation hedge must be planted along at least fifty percent of the length of any facade of the main structure having street frontage.

(j) Streetscape. In Tract II benches, lighting not to exceed twelve feet in height, and trash receptacles must be provided along all street frontages. A minimum of two benches and one trash receptacle must be placed along each street frontage and must be available for public use. The maximum spacing between benches along each street frontage is 100 feet.

(k) Interim use developments. For an interim use development, the applicant must submit a landscape plan to the director for review for conformity with the landscape requirements of this Article. The director may waive the landscape requirements of Section 51P-375.106(c)(3)(A), (c)(3)(B), (c)(4)(F), (e)(1), (e)(2), and (e)(3) if it is determined that the landscape plan is consistent with the intent of this section. The applicant may appeal a decision of the director to the city plan commission. A landscape plan for an interim use development approved pursuant to this subsection shall not preclude the submission of a landscape plan to the city plan commission for other permitted uses. (Ord. Nos. 23906; 24826; 27611; 28662)

SEC. 51P-375.107. USES.

The following uses are the only main uses permitted:

(1) office-related uses;

(2) hotel uses;

(3) residential uses;

(4) retail-related uses *[The following retail-related uses are limited to Tract I only: carnival or circus (temporary), drive-in theatre, mobile food establishment, private recreation club or area, theatre]*;

(5) institution for special education;

(6) surface parking, limited to required off-street parking for Planned Development District No. 305 or a main use within Tract I;

(7) Hospital *[Limited to Tract II]*;

(8) Electric vehicle charging station *[Limited to Tract I]*; and

(9) Community garden *[Limited to Tract I]*. (Ord. Nos. 23906; 24826; 27611; 28662)

SEC. 51P-375.108. BUILDING SIZE.

(a) Tract I. Buildings on Tract I may not exceed the following height, story, and floor area ratio limitations:

Subdistrict	Height	Stories	Floor Area Ratio*
A	270 ft.	20	5.00

CPC Recommendation:

NOTE: Under state law, a zoning ordinance cannot dictate that units be rented at a specific rate unless the provision of the units is tied to a development incentive or similar voluntary program that is designed to increase the supply of moderate or lower-cost housing units. Staff has developed an alternate set of conditions that is consistent with the City Plan Commission recommendation but ties the FAR bonus to the development when affordable units are provided.

B	546 ft.	43	**8.00 [~~5.00~~]** **4.00 for residential uses**
C	546 ft.	43	5.00

[Note: Subdistricts A, B, and C of Tract I are shown on the conceptual plan.]

*** Any area of Tract I dedicated for street right-of-way shall be included as lot area in order to calculate the maximum floor area ratio of Tract I.**

CPC Recommendation with a floor area ratio bonus added:

B	546 ft.	43	5.00 **8.00**** **4.00 for residential uses****
C	546 ft.	43	5.00

[Note: Subdistricts A, B, and C of Tract I are shown on the conceptual plan.]

*** Any area of Tract I dedicated for street right-of-way shall be included as lot area in order to calculate the maximum floor area ratio of Tract I.**

****Maximum floor area ratio is 8.00:1 for nonresidential uses.**

****If the provisions of Section 51P-375.119 and 51P-375.120 are met, then the maximum floor area ratio for all uses combined on a development site may not exceed 8.00.**

Staff Recommendation:

B	546 ft.	43	5.00 **8.00****
C	546 ft.	43	5.00

[Note: Subdistricts A, B, and C of Tract I are shown on the conceptual plan.]

*** Any area of Tract I dedicated for street right-of-way shall be included as lot area in order to calculate the maximum floor area ratio of Tract I.**

****Maximum floor area ratio is 8.00:1 for nonresidential uses.**

****If the provisions of Section 51P-375.119 and 51P-375.120 are met, then the maximum floor area ratio for all uses combined on a development site may not exceed 8.00.**

(b) Tract II.

(1) Except as provided in this paragraph, no structure may exceed 48 feet in height.

(A) An architectural feature as shown in Exhibit 375B may be located in the area shown on the conceptual plan and project up to 17 feet above the maximum structure height. Exhibit 375B is for illustration purposes.

(B) Vent stacks, exhaust fans, and boiler stacks may project up to four feet above the maximum structure height.

(C) Structures such as chimneys, clerestories, communication towers, cooling towers, and mechanical equipment are prohibited on the roof.

(2) Maximum number of stories is three.

(3) Maximum floor area is 63,000 square feet. (Ord. Nos. 23906; 24826; 27611; 28622)

SEC. 51P-375.109. LOT COVERAGE.

Maximum permitted lot coverage for lots in Tract I is 90 percent and for lots in Tract II is 65 percent. (Ord. Nos. 23906; 24826; 27611)

SEC. 51P-375.110. PAVING.

(a) In general. Paving of all streets, driveways, parking spaces, and maneuvering areas for parking must comply with the requirements of the Dallas Development Code, as amended, and all other applicable ordinances and laws.

(b) Subdistrict B in Tract I. Vehicular egress to Lemmon Avenue is prohibited.

(c) [~~For~~]Tract II. P[~~, p~~]rior to the issuance of a certificate of occupancy for a hospital, the proposed ingress-only drive approach off Lemon Avenue West shown on the conceptual plan must meet the following minimum standards:

(1) The Intersection Sight Distance (ISD) for Howell Street, at its intersection on the south line of Lemmon Avenue West, must comply with the City of Dallas Paving Manual and compliance must be noted on the development plan.

(2) A flashing light must be attached to the top of the existing stop sign on the southeast corner of Howell Street and Lemmon Avenue West west of the entrance along Lemmon Avenue West must be provided.

(3) Two “No Exit” signs must be located on the Property at the ingress-only drive approach.

(4) Other necessary related improvements required by the City of Dallas must be provided. (Ord. Nos. 23906; 24826; 27611)

SEC. 51P-375.111. PARKING.

(a) Off-street parking requirements. Off-street parking must be provided as follows:

(1) For office-related uses, one off-street parking space must be provided for every 366 square feet of floor area.

(2) For retail-related uses, one off-street parking space must be provided for every 200 square feet of floor area.

(3) For multifamily uses, one off-street parking space must be provided for each dwelling unit.

(4) In Subdsitrict B, Tract I consult the off-street parking regulations Section 51A-4.205(1) for the specific off-street parking requirements for lodging uses.

(5) For all other permitted uses, one off-street parking space must be provided for every 500 square feet of floor area.

(b) Off-street loading location and design standards. Each off-street loading space must be designed with a reasonable means of access to and from the street or alley in a manner that least interferes with traffic movement. Each off-street loading space must be independently accessible so that no loading space obstructs another loading space. No trash removal facility or other structure may obstruct a loading space. The design of the ingress and egress to the loading space, and the maneuvering area for the loading space must be approved by the director of public works and transportation in accordance with the provisions of this subsection.

(c) Interim use developments.

(1) Remote parking for interim use development.

(A) Remote parking is permitted for an interim use development if the remote parking is within a walking distance of 600 feet from the use served and the requirements of Division 51A-4.320, "Special Parking Regulations," are met.

(B) An agreement authorizing an interim use development to use remote parking may be based on a lease of the remote parking spaces only if the lease:

(i) is in writing;

(ii) contains legal descriptions of the properties affected;

(iii) specifies the remote parking being provided and the hours of operation of any use involved;

(iv) is governed by the laws of the State of Texas;

(v) is signed by all owners of the properties affected;

(vi) is for a minimum term of one year and renewable upon mutual consent; and

(vii) provides that both the owner of the lot occupied by the interim use development and the owner of the remote parking lot shall notify the building official in writing if there is a breach of any provision of the lease, or if the lease is modified or terminated.

(C) A remote parking lot may be an interim use development.

(2) Additional parking provisions for interim use developments.

(A) Required parking may be satisfied by providing temporary parking and loading spaces that do not strictly comply with the construction and maintenance provisions for off-street parking and loading of Chapter 51A. The applicant has the burden of demonstrating to the director that temporary off-street parking or loading spaces are adequately designated to accommodate the parking and loading needs of the use and will not adversely affect surrounding uses.

(d) Tract I Special Exception. In Tract I, the board of adjustment may grant a special exception to reduce the number of off-street parking spaces required in accordance with Section 51A-4.311. (Ord. Nos. 23906; 24826; 27611; 28662)

SEC. 51P-375.112. SETBACKS.

(a) For Tract I:

(1) Except as provided in this subsection, minimum front, side, and rear yard setbacks are 10 feet.

(2) For community gardens and interim use developments, no minimum setback is required.

(3) In addition, minimum structure setbacks from any portion of a corner clip are six feet. In no event may a structure be located in a visibility triangle. See Section 51A-4.602(d) of Chapter 51A.

(4) In Subdistrict B, stoops, steps, handrails, guardrails, planters, retaining walls up to a height of three feet, patios, shade structures, transformers and other utility equipment, benches and other pedestrian seating, pots, raised planters, sculptures, and other decorative landscape features may be located within the required setbacks with no projection limitation.

(5) No side yard setback is required in Subdistrict B, Tract I.

(b) For Tract II, except as provided in this subsection and shown on the conceptual plan, the minimum front, side, and rear yard setbacks are 10 feet. Beginning at a height 14 feet above grade, the minimum front yard along Lemmon Avenue East is eight feet for an architectural feature covering no more than 15 percent of the building facade along Lemmon Avenue East. (Ord. Nos. 23906; 24826; 27611; 28662)

SEC. 51P-375.113. CORNER CLIP REQUIREMENTS.

(a) Except as provided in this section, the provisions of Section 51A-8.602(d) of Chapter 51A apply.

(b) In Tract I, the maximum size for a corner clip is that of a triangle with the legs along the edges of the street rights-of-way equaling 10 feet. A smaller corner clip may be required where conditions exist that permit the city to provide an adequate turning radius, or to maintain public appurtenances, within that reduced area. (Ord. Nos. 23906; 24826; 27611)

SEC. 51P-375.114. SIGNS.

(a) Except as provided in this section, signs must comply with the provisions for business zoning districts in Article VII, "Sign Regulations," of Chapter 51A.

(b) In Tract I, a maximum of three detached premise signs located on a fence are allowed. Maximum effective area for each sign is 300 square feet. (Ord. Nos. 23906; 24826; 27611; 28662)

SEC. 51P-375.115. PHASING OF DEVELOPMENT FOR TRACT I.

(a) Without waiving or releasing any requirement provided in Ordinance No. 18943, as amended by Ordinance No. 21107, or any covenants or agreements resulting therefrom, the Cityplace Tax Increment Financing ("TIF") Reinvestment Zone No. 2 (known as the "Cityplace TIF District"), approved by the Dallas City Council on November 11, 1992, will be the funding source for the infrastructure that is the subject of the phasing requirement in this section, to the extent provided in the reinvestment zone project plan and financing plan for the Cityplace TIF. Both plans, and the terms and conditions thereof, and any development agreement with the city related thereto, shall be subject to city council approval in accordance with state law. In the event the Cityplace TIF ceases to exist, or funds from the TIF are insufficient to pay for the total cost of the improvements provided in the TIF plans and subject to these phasing regulations, funding for the improvements may be provided from another source.

(b) No building permit for new construction may be issued to authorize work that would cause the total floor area in this district to exceed 40 percent of the maximum floor area permitted by this article until a Haskell Avenue/Blackburn Street bridge over Central Expressway is constructed or a minimum of 50 percent of the funding required for completion of the bridge is in place. The amount of the funding required for construction of the bridge shall be determined by the director of public works and transportation, based upon the estimated cost of constructing the bridge in accordance with the Texas Department of Transportation design criteria and specifications. The decision of the director of public works and transportation may be appealed to and will be heard by the city council. The final design of the bridge must comply with Texas Department of Transportation design criteria and specifications.

(c) No building permit for new construction may be issued to authorize work that would cause the total floor area in this district to exceed 40 percent of the maximum floor area permitted by this article until a Lemmon Avenue bridge over Central Expressway is completed or a minimum of 50 percent of the funding required for construction of the bridge is in place. The amount of funding required for completion of the bridge shall be determined by the director of public works and transportation, based upon the estimated cost of constructing the bridge in accordance with the Texas Department of Transportation design criteria and specifications. The decision of the director of public works and transportation may be appealed

to and will be heard by the city council. The final design of the bridge must comply with Texas Department of Transportation design criteria and specifications.

(d) The portion of Blackburn Street shown on the conceptual plan must be designated as a community collector (four-lane) before the issuance of a certificate of occupancy for 50,000 square feet of floor area.

(e) No building permit for new construction may be issued to authorize work that would exceed 40 percent of the maximum floor area permitted by this article until the following are constructed or a minimum of 50 percent of the funding for construction of the improvements is in place. The amount of funding required for completion of the improvements shall be determined by the director of public works and transportation. The decision of the director of public works and transportation may be appealed to and will be heard by the city council.

(1) One additional lane on the Central Expressway frontage road to serve as an acceleration/deceleration lane for the garage entrance shown on the conceptual plan.

(2) A minimum of nine feet of additional land width on the portion of the Central Expressway western frontage road abutting this district in order to accommodate bus operations, to the extent required by Texas Department of Transportation plans for widening Central Expressway. For purposes of this section, new floor area means floor area exceeding that in existence on the date of passage of Ordinance No. 21480. (Ord. Nos. 23906; 24826; 27611)

SEC. 51P-375.116. TRANSIT STATION(S).

Location(s) of sufficient area to incorporate Dallas Area Rapid Transit ("DART") station(s) within the PDD and within the right-of-way of Central Expressway shall be provided on the Property pursuant to a mutually acceptable cost sharing agreement between the DART Authority and the owner. (Ord. Nos. 23906; 24826; 27611)

SEC. 51P-375.117. FACADE TREATMENT.

No exterior facade of any building in the PDD may contain highly reflective glass. For purposes of this section, "highly reflective glass" means glass with exterior visible reflectance percentages in excess of 27 percent. Visible reflectance is the percentage of available visible light energy reflected away from the exterior surface of the glass. (The higher the percentage, the more visible light reflected and the more mirror-like the surface will appear.) (Ord. Nos. 23906; 24826; 27611)

SEC. 51P-375.117.1. URBAN DESIGN STANDARDS FOR SUBDISTRICT B, TRACT I.

(a) Blank wall. Maximum blank wall area for street-facing facades is 30 linear feet.

(b) Direct unit access. Ground story street-facing dwelling units must have access to the sidewalk through private stoops or on-site open space that is connected to the public sidewalk with an improved path. The improved path may be constructed out of impervious or pervious materials.

(c) Off-street loading facilities. Off-street loading facilities are prohibited between the street and the street-facing building facade.

(d) Off-street parking structures. All permanent parking structures must be either underground or concealed in a building with a facade that is similar in appearance to the facade of the main non-parking building for which the parking is accessory. At least 12 percent of the parking structure facade (including openings, if any) must be covered with the same material used predominantly on the first 24 feet of height of the main non-parking building. Openings in the parking structure facade may not exceed 52 percent of the total facade area.

(e) On-site open space. A minimum of 10 percent of the site must be provided as on-site open space that complies with one or more the following configurations.

(1) Plaza or esplanade. A plaza is a formal open space defined by building frontages and abutting streets. An esplanade is a linear, open area, abutting a street, where people may walk.

(A) A plaza or esplanade must be at least 2,000 square feet.

(B) An esplanade must have a minimum width of 40 feet

(C) A plaza or esplanade is typically furnished with paths, benches, and open shelters.

(D) A plaza or esplanade may contain landscaping and paved surfaces.

(E) A plaza or esplanade must contain a minimum 30 percent turf, groundcover, or landscaped areas.

(2) Green. A green is an informal open space defined by abutting streets.

(A) A green must be at least 6,000 square feet in size.

(B) A green must be bound by street on a minimum of one side.

(C) A green is typically furnished with paths, benches, and open shelters.

(D) Landscaping must consist of lawn and informally arranged trees and shrubs.

(E) A green must contain a minimum of 60 percent turf, groundcover, or landscaped areas.

(3) Neighborhood Park. A neighborhood park is a natural landscape consisting of open and wooded areas and may also include, but are not limited to, tennis courts, racquet ball courts, basketball courts, volley ball courts, ball fields, swings, slides, playgrounds, dog parks, benches, restrooms, picnic units, shelters, and walking paths.

(A) A neighborhood park must be at least 10,000 square feet.

(B) A neighborhood park is bound by a street on a minimum of one side.

(C) A neighborhood park may have a maximum of 15 percent impervious surface.

(4) Tot lot. A tot lot provides play areas for children as well as open shelter and benches.

(A) A tot lot must be at least 2,000 square feet.

(B) Tot lots may be freestanding or located within other open spaces.

(C) The impervious surface of a tot lot may not exceed 15 percent.

(f) Transparency.

(1) Minimum ground story transparency for street-facing facades is 30 percent.

(2) Minimum upper story transparency for street-facing facades is 20 percent.

SEC. 51P-375.118. ENVIRONMENTAL PERFORMANCE STANDARDS FOR TRACT II.

(a) In general. Except as provided in this section, see Article VI, "Environmental Performance Standards."

(b) LEED certification.

(1) A United State Green Building Council's Leadership in Energy and Environmental Design (LEED) checklist, effective April 27, 2009, shall be submitted with an application for a building permit for development of the Property, indicating how development of the Property will comply with a certified designation (40 to 49 project points). The development plans submitted for a building permit must be certified by a LEED accredited professional. A building permit may not be issued unless the building official determines that the project is consistent with the standards and criteria for a LEED certified designation.

(2) If during development within the subdistrict, the developer is unable to achieve all of the green building rating system points identified on the checklist set forth in Paragraph (1), the developer must replace any points not achieved with other green building rating system points acceptable under the United States Green Building Council's LEED rating system.

(3) All supporting documentation and templates related to the points previously approved by the city for the LEED certified level designation must be submitted with an application for a certificate of occupancy. A certificate of occupancy may not be issued until a LEED accredited professional designated by the department of development services certifies that the building complies with the LEED certified credit amount set forth in Paragraph (1).

(4) LEED certification is only required for new structures within the subdistrict. If an existing building is being repaired, renovated, or expanded, LEED certification is not required. (Ord. 27611)

SEC. 51P-375.119. MIXED-INCOME PROVISIONS FOR SUBDISTRICT B, TRACT I.

CPC Recommendation:

NOTE: Under state law, a zoning ordinance cannot dictate that units be rented at a specific rate unless the provision of the units is tied to a development incentive or similar voluntary program that is designed to increase the supply of moderate or lower-cost housing units. Staff has developed an alternate set of conditions that is consistent with the City Plan Commission recommendation but ties the FAR bonus to the development when affordable units are provided.

(a) Except as provided in this section, when a residential use is proposed it must provide mixed-income housing with a minimum of two percent of the total dwelling units. When the floor area ratio for residential uses exceeds 2.0:1, residential uses must provide mixed-income housing for a minimum of 10 percent of the total dwelling units which exceeds the 2.0:1. The units must be either:

(1) Available to holders of housing vouchers, including vouchers directly or indirectly funded by the federal government; or

(2) Available to households earning 80 percent or less of the area median family income (AMFI) for the Dallas, TX HUD Metro FMR Area and offered at affordable rents.

CPC Recommendation with a floor area ratio bonus:

(a) Applicability. This section only applies in Subdistrict B of Tract I when an application is made for a certificate of occupancy for a multifamily use that includes the increased FAR described in Section 51P-375.108.

(b) Except as provided in this section, when a residential use is proposed it must provide mixed-income housing with a minimum of two percent of the total dwelling units. When the floor area ratio for residential uses exceeds 2.0:1, residential uses must provide mixed-income housing for a minimum of 10 percent of the total dwelling units which exceeds the 2.0:1. The units must be either:

(1) Available to holders of housing vouchers, including vouchers directly or indirectly funded by the federal government; or

(2) Available to households earning 80 percent or less of the area median family income (AMFI) for the Dallas, TX HUD Metro FMR Area and offered at affordable rents.

Staff recommendation:

(a) When floor area ratio exceeds 5.0:1 and residential uses are proposed, residential uses must provide mixed income housing with a minimum of 10 percent of the total dwelling units reserved as affordable units and offered at affordable rents or sales prices.

(b) The affordable units must be either:

(1) Available to holders of housing vouchers, including vouchers directly or indirectly funded by the federal government; or

(2) Available to households earning adjusted annual incomes within the following income bands and offered at affordable rents or sales prices:

(A) a minimum of five percent of the units are available to households earning between 61 and 80 percent of the area median family income (AMFI) for the Dallas TX HUD Metro FMR Area and offered at affordable rents or sales prices; and

(B) a minimum of five percent of the units are available to households earning between 81 and 100 percent of the area median family income (AMFI) for the Dallas, TX HUD Metro FMR Area and offered at affordable rents or sales prices.

(c) Mixed-income housing must be provided in accordance with Section 375.120.

SEC. 51P-375.120. MIXED-INCOME HOUSING FOR SUBDISTRICT B, TRACT I.

(a) Applicability. This section only applies in Subdistrict B of Tract I when an application is made for a certificate of occupancy for a residential use.

(b) Definitions. In this section:

CPC recommendation:

(1) AFFIRMATIVE FAIR HOUSING MARKETING means a marketing strategy designed to attract renters of all majority and minority groups, regardless of race, color, national origin, religion, sex, age, disability, or other protected class under Title VIII of the Civil Rights Act of 1964 and all related regulations, executive orders, and directives.

Staff recommendation:

(1) AFFIRMATIVE FAIR HOUSING MARKETING means a marketing strategy designed to attract renters and purchasers of all majority and minority groups, regardless of race, color, national origin, religion, sex, age, disability, or other protected class under Title VIII of the Civil Rights Act of 1964 and all related regulations, executive orders, and directives.

(2) AFFORDABLE RENT means a monthly rent that is no more than 30 percent of an eligible household's adjusted monthly income, as that term is defined by the Department of Housing and Urban Development, but at no time must the rent be lower than the Small Area Fair Market Rent applicable to the lowest Area Median Family Income (AMFI) for which the dwelling unit is reserved.

(3) AFFORDABLE SALES PRICE means a sale price approved by the Department of Housing and Neighborhood Revitalization. In general, the sales price must allow an eligible household to obtain a loan whose monthly payment (i.e. front end ratio) does not exceed 30% of adjusted monthly income and that does not result in a total debt burden (i.e. back end ratio) in excess of 43%.

CPC recommendation:

(2) AFFORDABLE UNITS means the rental units within a development that are available to be occupied by either (i) eligible households or (ii) voucher holders during the rental affordability period.

Staff recommendation:

(4) AFFORDABLE UNITS means the rental or for sale units within a development that are available to be occupied by either (i) eligible households or (ii) voucher holders during the rental affordability period.

(3) AREA MEDIAN FAMILY INCOME (AMFI) means the median income for the Dallas, TX HUD Metro FMR Area, adjusted for household size, as determined annually by the Department of Housing and Urban Development.

(4) DEVELOPER means the owner or operator of the Property during the rental affordability period.

(5) DIRECTOR means the director of the Department of Housing and Neighborhood Revitalization or the director's representative.

(6) EFFICIENCY UNIT means a dwelling unit with no separate bedroom.

(7) ELIGIBLE HOUSEHOLDS means households earning an adjusted annual income within the income bands specified in Section 51P-375.119.

CPC recommendation:

(8) RENTAL AFFORDABILITY PERIOD means the period of time that the affordable units are available to be leased to and occupied by eligible households or voucher holders.

Staff recommendation:

(8) AFFORDABILITY PERIOD means the period of time that the affordable units are available to be leased to and occupied by eligible households or voucher holders.

(9) VOUCHER HOLDER means a holder of a housing voucher, including vouchers directly or indirectly funded by the federal government.

(c) Qualification requirements.

(1) Affordable units must be dispersed throughout the residential floor area of each building and may either be fixed to specific dwelling units or may float within each dwelling unit type.

CPC recommendation:

(2) Affordable units must be of identical finish-out and materials as the market rate dwelling units and must be made available to eligible households or voucher holders on identical lease terms, except rent amount, as are available to market rate dwelling unit tenants.

Staff recommendation:

(2) Affordable units must be of identical finish-out and materials as the market rate dwelling units and must be made available to eligible households or voucher holders on identical lease or sales terms, except rent or sales amount, as are available to market rate dwelling unit tenants

(3) Except as provided in Subsection (g), affordable units must be dispersed substantially pro-rata among the affordable unit types so that not all the affordable units are efficiency or one-bedroom units. For example, if 10 percent of the dwelling units are affordable units, 10 percent of the efficiency units, 10 percent of the one-bedroom units, 10 percent of the two-bedroom units, 10 percent of the three-bedroom units (and so on, if applicable) must be affordable units.

(4) Affordable units must be marketed in accordance with an affirmative fair housing marketing plan provided by the developer in coordination with the Department of Housing and Neighborhood Revitalization.

(5) A household's status as an eligible household must be established no more than 30 days before the household's execution of a lease for an affordable unit and each lease must not exceed one year. All eligible tenants must recertify their household income for each subsequent lease renewal.

(6) For rental units, the rent charged for affordable units must include all expenses that are mandatory for all tenants, but may not include optional reserved parking expenses, or other optional expenses approved by the director.

(7) Eligible households or voucher holders occupying affordable units may not be restricted from common areas and amenities, unless the restrictions apply to all dwelling unit occupants.

(8) The affordability period is 15 years beginning on the date the first affordable unit is leased to and occupied by an eligible household or voucher holder.

(9) The affordable units must not be segregated or concentrated in any one floor or area of any buildings but must be dispersed throughout all residential buildings.

(10) Developer must execute restrictive covenants, prior to approval of the certificate of occupancy, in a form acceptable to the city, in the city's sole discretion, and record the executed restrictive covenants in the Deed Records of Dallas County, Texas to ensure that the Property will comply with all conditions of the district.

(11) Developer shall not discriminate against holders of any housing vouchers, including vouchers directly or indirectly funded by the federal government, in accordance with Section 20A-4.1 of the Dallas City Code.

(d) Request process.

(1) Building permit. An incentive zoning affordable housing plan must be submitted with an application for a building permit and must include:

(A) The date, names, addresses, and telephone numbers of the developer and the person preparing the incentive zoning affordable housing plan, if different;

(B) Lot and block descriptions, zoning classification, and census tracts of the lots for which the increased development rights are requested;

(C) The percentage of total dwelling units that will be affordable units and the actual number of dwelling units that will be affordable units; and

(D) The total number of one-bedroom dwelling units, two-bedroom dwelling units, etc. being proposed.

(2) Affirmative fair housing marketing plan.

(A) The affirmative fair housing marketing plan must be in writing and must be submitted to, and receive written approval from, the director at least three months prior to the start of pre-leasing.

CPC recommendation:

(B) The affirmative fair housing marketing plan must describe the advertising, outreach, community contacts, and other marketing activities that informs potential renters of the existence of the affordable units.

Staff recommendation:

(B) The affirmative fair housing marketing plan must describe the advertising, outreach, community contacts, and other marketing activities that informs potential renters or purchasers of the existence of the affordable units.

(C) The director must approve or deny the affirmative fair housing marketing plan within 60 days after a complete plan is submitted.

(i) Approval. The director shall approve the affirmative fair housing marketing plan if it complies with the requirements of this section and meets the purpose of the marketing requirements.

(ii) Denial. The director shall deny the affirmative fair housing marketing plan if it does not comply with the requirements of this section or does not meet the purpose of the marketing requirements. If the director denies the affirmative fair housing marketing plan, he or she shall state in writing the specific reasons for denial. If denied, a new affirmative fair housing marketing plan may be submitted.

(3) Certificate of occupancy. Before the issuance of a certificate of occupancy, the developer must submit to the building official an incentive zoning affordable housing plan that must include:

(A) The approved affirmative fair housing marketing plan.

CPC recommendation:

~~(B) A statement that all signatories agree to defend, indemnify, and hold harmless the City of Dallas from and against all claims or liabilities arising out of or in connection with residential uses.~~

Staff recommendation:

(B) A statement that all signatories agree to defend, indemnify, and hold harmless the City of Dallas from and against all claims or liabilities arising out of or in connection with residential uses.

(C) A statement and acknowledgement from the developer that the qualifications in Subsection (c) will be continuously met until the expiration of the affordability period.

(D) The signature of the director verifying that the developer has informed the Office of Fair Housing that the developer intends to apply for a certificate of occupancy.

(e) Annual report.

(1) An annual report must be submitted to the director in writing and must include the following:

CPC recommendation:

(A) a rent roll;

Staff recommendation:

(A) a rent roll or list of year-to-date sales;

(B) a list of dwelling units deemed affordable units;

CPC recommendation:

(C) a list of the affordable units currently offered for lease;

Staff recommendation:

(C) a list of the affordable units currently offered for lease or sale;

(D) the adjusted annual income and household size for each eligible household or voucher holder;

(E) a signed statement by the developer acknowledging compliance with Subsection (c); and

(F) any other reasonable and pertinent information the director deems necessary to demonstrate compliance with Subsection (c).

(2) The first annual report must be submitted to the director on the one-year anniversary of the beginning of the affordability period. After the first annual report, the developer shall submit annual reports on subsequent anniversary dates.

CPC recommendation:

(3) The final annual report must be signed by the director verifying that the rental affordability period has ended and must be filed with the building official immediately following recording.

Staff recommendation:

(3) The final annual report must be signed by the director verifying that the affordability period has ended and must be filed with the building official immediately following recording.

(f) Consent to substitute.

CPC recommendation and Staff recommendation:

(1) Notwithstanding the pro-rata distribution requirements in this section, if the developer cannot locate eligible households or voucher holders to lease two-bedroom or larger dwelling units, if any, and if the director is satisfied that the developer has made best efforts to lease the two-bedroom or larger dwelling units, if applicable, including full compliance with the affirmative fair housing marketing plan, with written consent from the director, developer may from time to time substitute on a two-for-one basis additional one bedroom dwelling units and/or on a three-to-one basis additional efficiency units to meet the pro rata distribution requirements described in this subsection.

Applicant requested:

(1) Notwithstanding the pro-rata distribution requirements in this section, if the developer cannot locate eligible households or voucher holders to lease two-bedroom or larger dwelling units, if any, and if the director is satisfied that the developer has made best efforts to lease the two-bedroom or larger dwelling units, if applicable, including full compliance with the affirmative fair housing marketing plan, with written consent from the director, developer may from time to time substitute to meet the pro rata distribution requirements described in this subsection.

(2) Before granting written consent, the director shall review and approve an amended affirmative fair housing marketing plan detailing how the developer will target marketing to households who could qualify to lease any required two-bedroom dwelling units (and larger dwelling units, if applicable). The director's written consent shall include a time period during which the agreed-upon substitutions satisfy the pro rata distribution requirements.

(h) Audit and income verification.

(1) The annual report may be audited by the director to verify the information provided in the annual report.

(2) The director may also randomly, regularly, and periodically select a sample of tenants occupying affordable units for the purpose of income verification. Any information received pursuant to this subsection remains confidential and may only be used for the purpose of verifying income to determine eligibility for occupation of the affordable units. At the time the affordable units are leased, the Developer shall obtain the tenants' consent to provide or to allow the director to obtain sufficient information to enable income verification as contemplated in this section as a condition to leasing the unit.

SEC. 51P-375.121[~~19~~]. ADDITIONAL PROVISIONS.

(a) Except as provided in this section, Section 51A-4.603 applies to use of a conveyance as a building.

(b) Use of a conveyance as a building is allowed in Tract I, subject to the following:

(1) Use of conveyance may be a main use and is not required to be associated with another use on the property.

(2) Electrical service is not limited to temporary pole service.

(3) Signs are limited to an aggregate of 120 square feet of effective area, per facade, per conveyance.

(c) Development of the Property must comply with all applicable federal and state laws and regulations and with all applicable ordinances, rules, and regulations of the City of Dallas. (Ord. Nos. 23906; 24826; 27611; 28662)

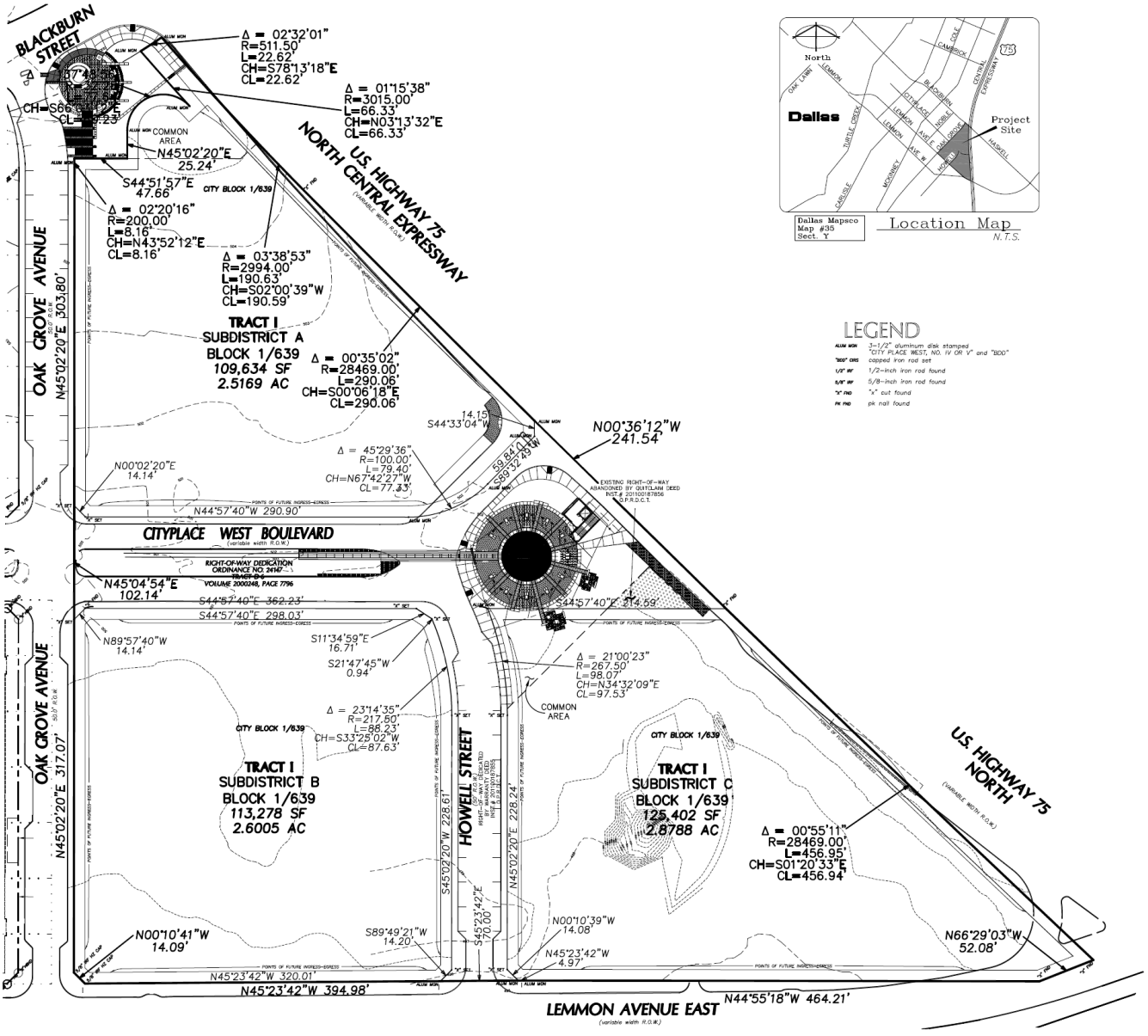
SEC. 51P-375.122[~~0~~]. COMPLIANCE WITH CONDITIONS.

The building official shall not issue a certificate of occupancy for a use in this planned development district until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other applicable ordinances, rules, and regulations of the City of Dallas. (Ord. Nos. 21480; 24826; 27611)

SEC. 51P-375.123[~~1~~]. PRIOR OBLIGATIONS NOT CHANGED.

Nothing in Ordinance No. 21480, as amended, modifies, alters, or diminishes the owner's obligations and responsibilities contained in Ordinance No. 18943, as amended by Ordinance No. 21107, or any covenants or agreements resulting therefrom. (Ord. Nos. 21480; 24826; 27611)

Existing Tract I Conceptual Plan



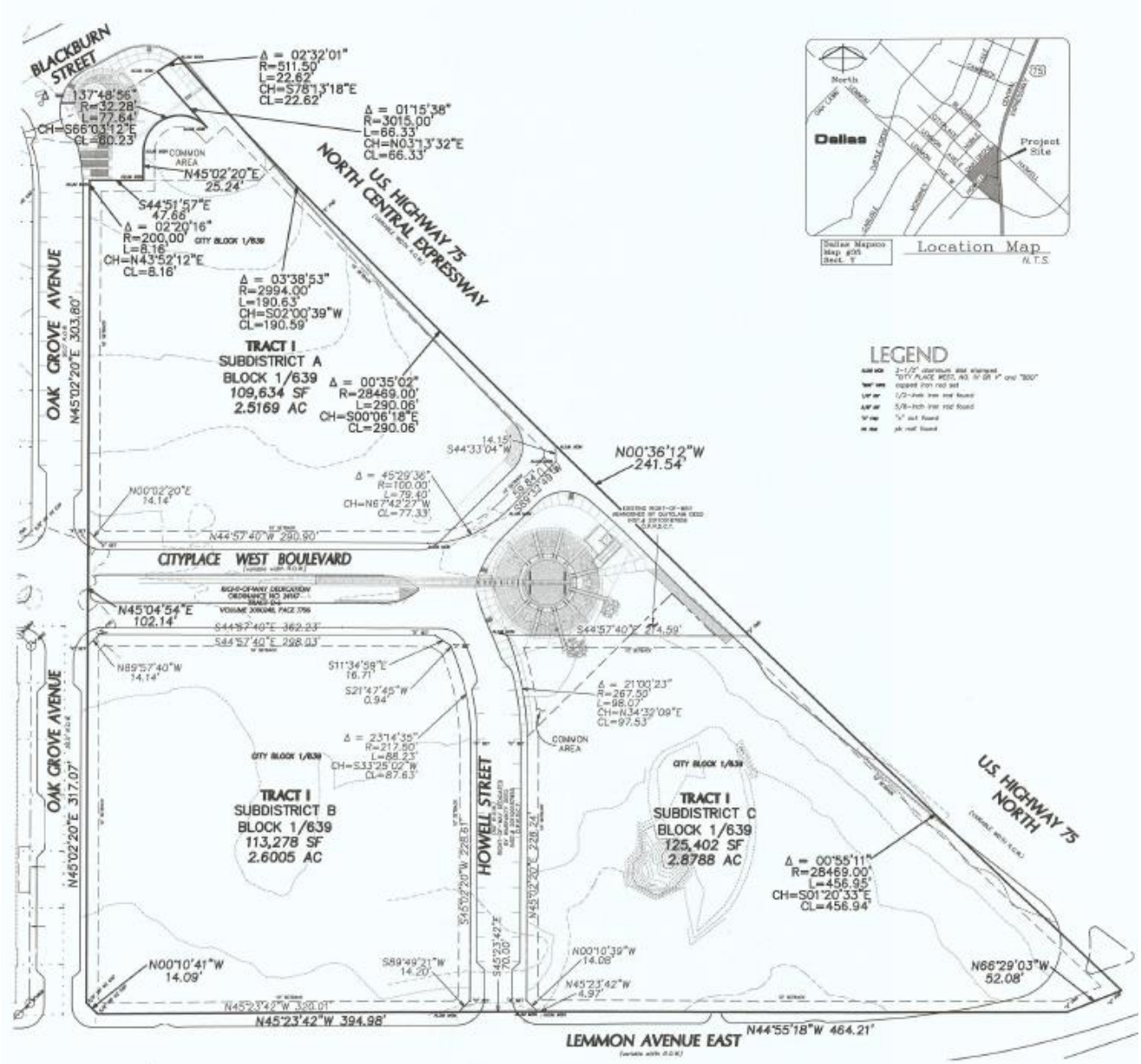
CITYPLACE: PD375, Tract I

Subdistrict	Max Stories	Max Height	Max fAR	Land Area	Max Lot Coverage
A	20	270	5.00	109,636 SF(2.517 AC)	90%
B	43	546	5.00	113,278 SF(2.601 AC)	90%
C	43	546	5.00	125,402 SF(2.879 AC)	90%

CITYPLACE: PD375, Tract II

	Max Stories	Max Height	Square Footage	Land Area	Max Lot Coverage
Tract II	3	36'	23,305 SF	36,871 SF(0.8464 AC)	34%

Proposed Tract I Conceptual Plan



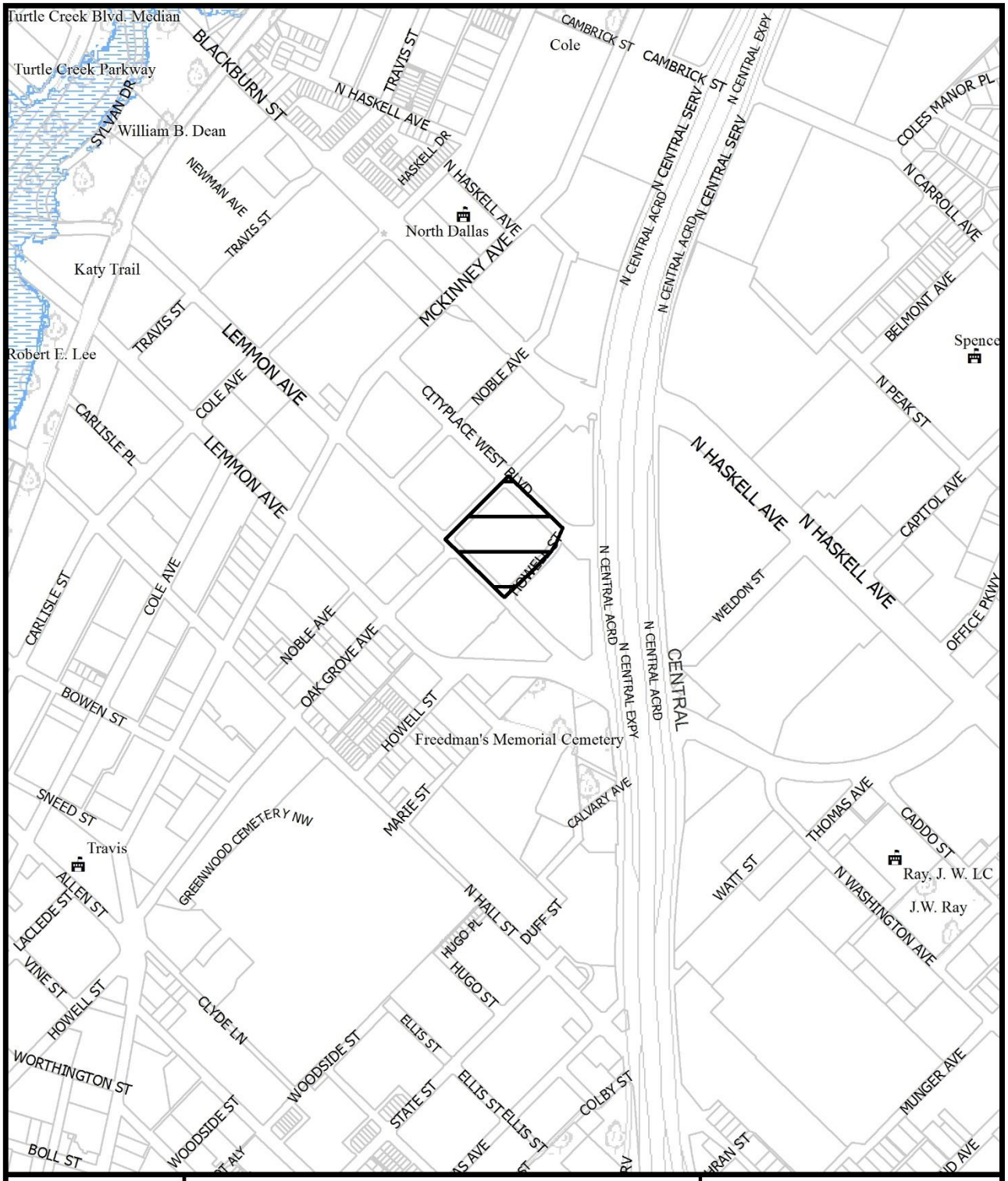
CITYPLACE: PD375, Tract I

Subdistrict	Max Stories	Max Height	Max fAR	Land Area	Max Lot Coverage
A	20	270	5.00	109,636 SF(2.517 AC)	90%
B	43	546	8.00 *	113,278 SF(2.601 AC)	90%
C	43	546	5.00	125,402 SF(2.879 AC)	90%

CITYPLACE: PD375, Tract II

* MULTIFAMILY FAR 4.0
ALL OTHER USES FAR 8.0
COMBINED FAR NOT TO EXCEED 8.0

	Max Stories	Max Height	Square Footage	Land Area	Max Lot Coverage
Tract II	3	36'	23,305 SF	36,871 SF(0.8464 AC)	34%

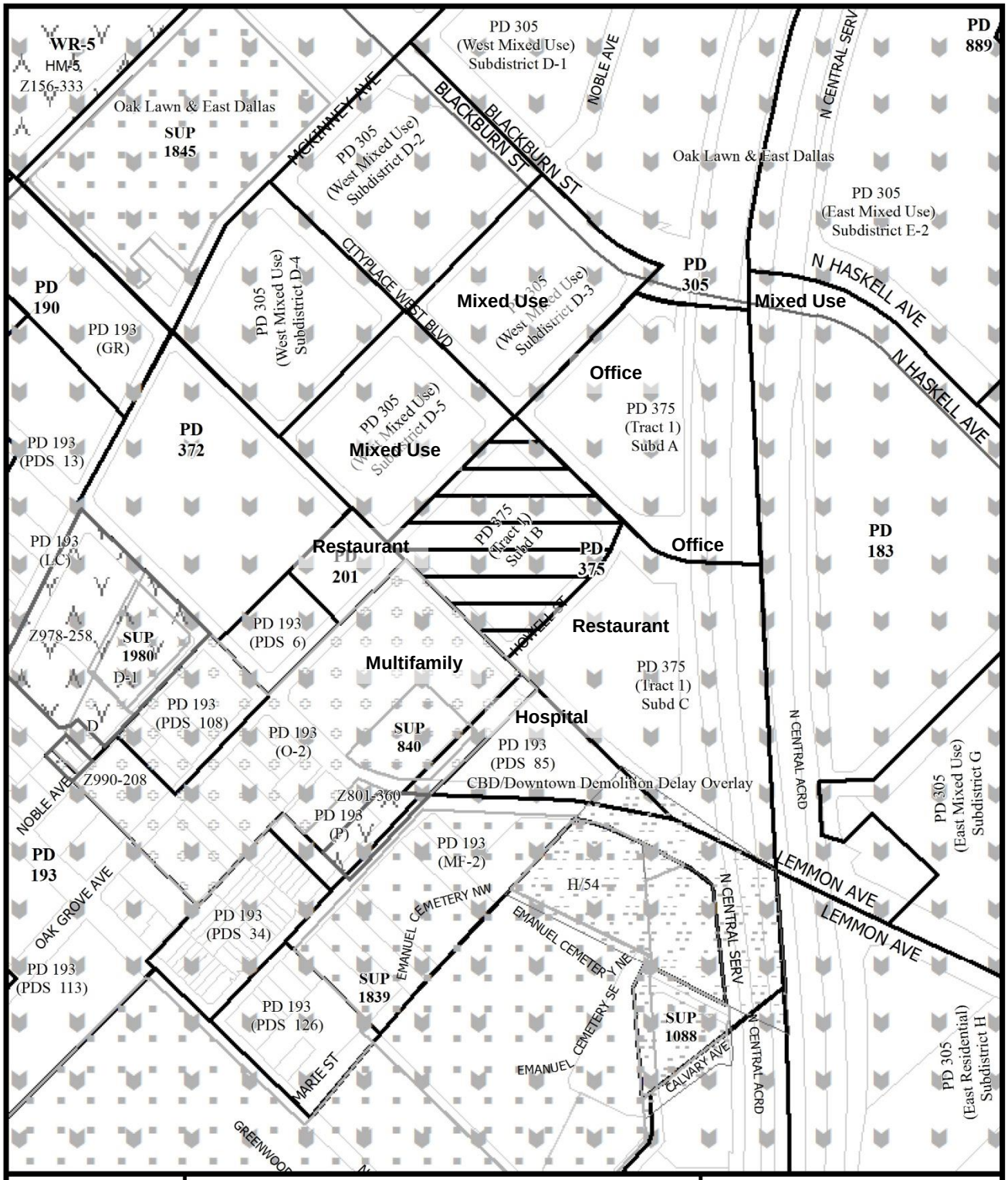


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VICINITY MAP

Case no: Z178-270

Date: 6/20/2018

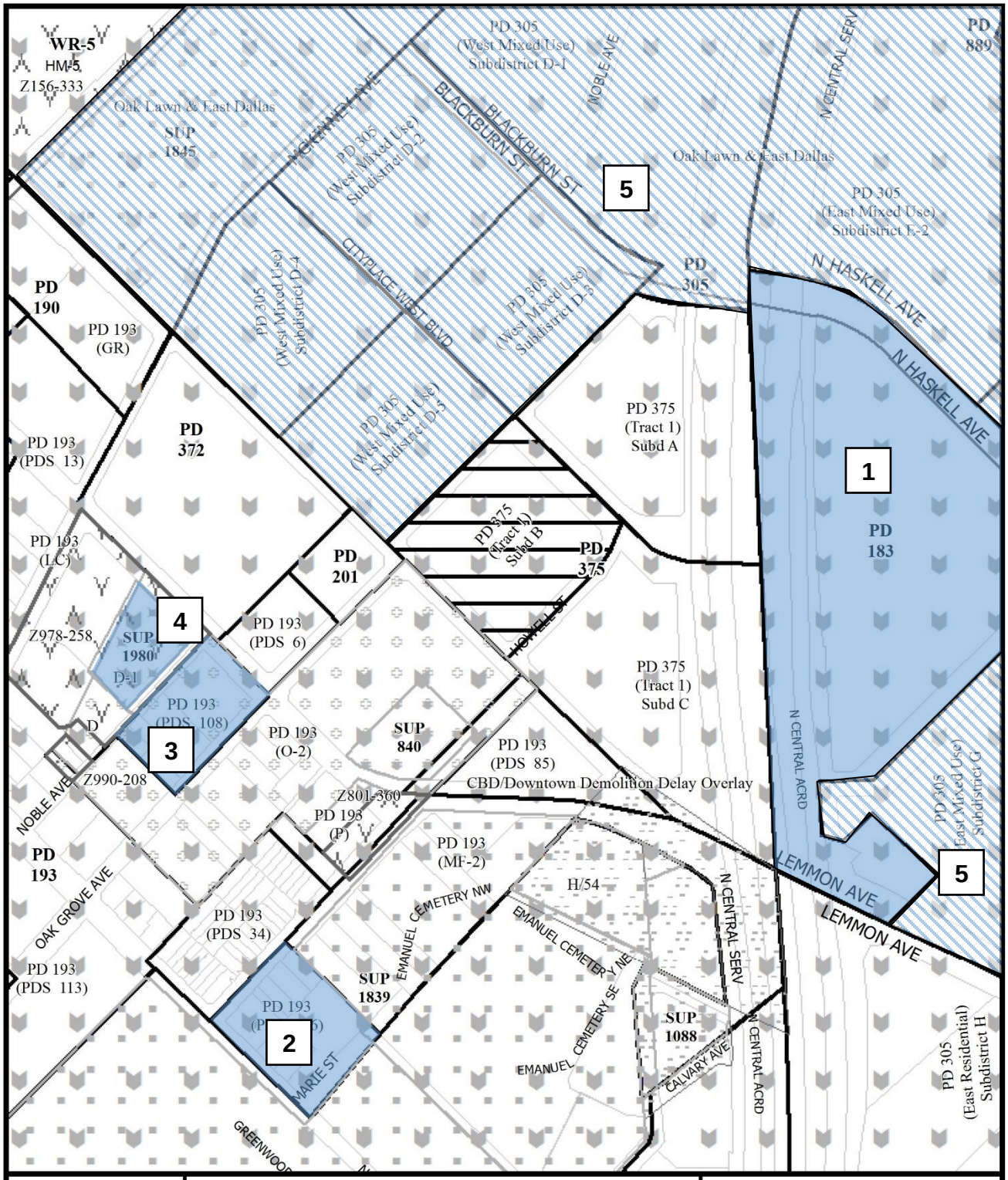


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ZONING AND LAND USE

Case no: Z178-270

Date: 6/20/2018

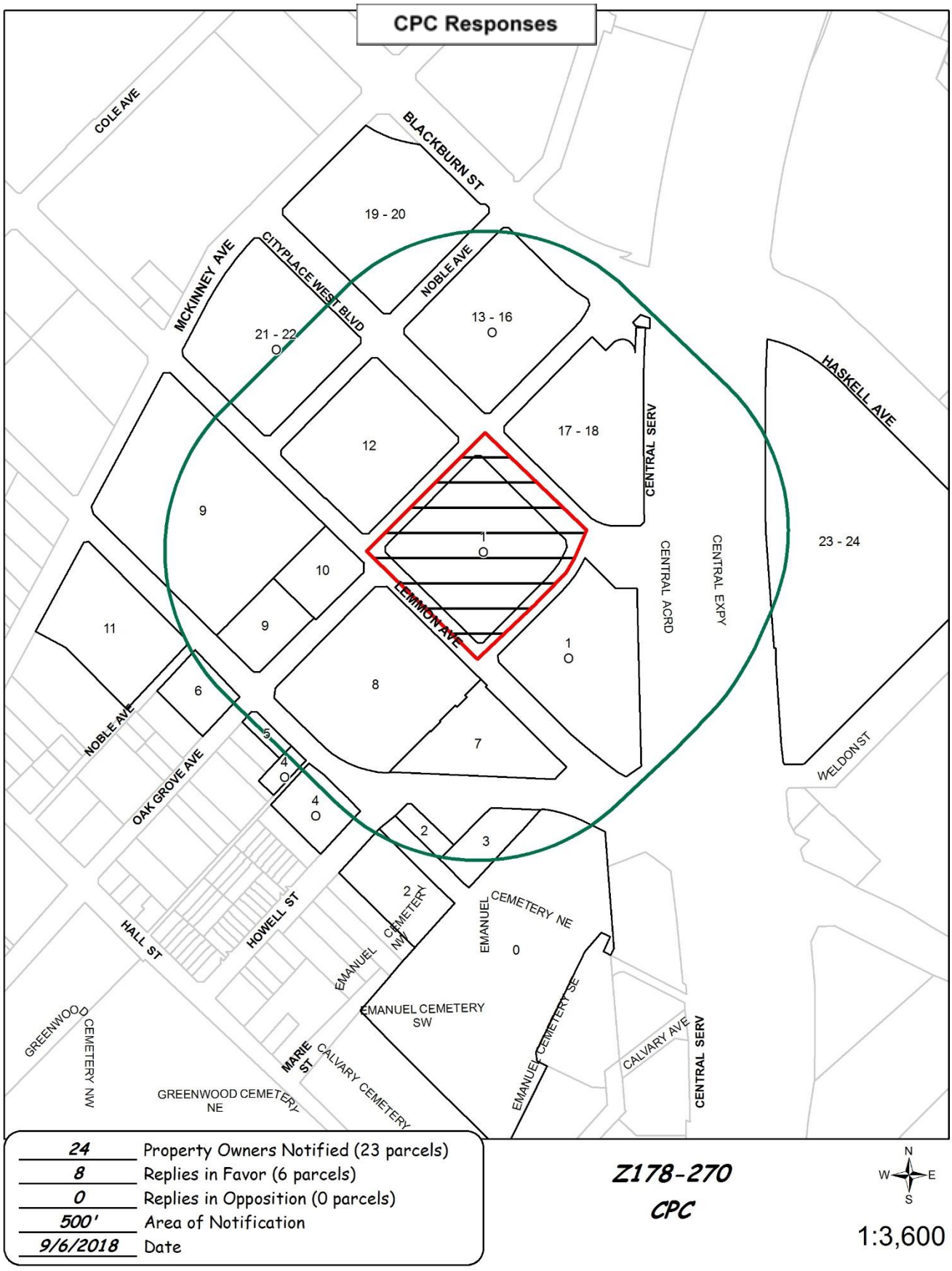


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ZONING HISTORY

Case no: Z178-270

Date: 6/20/2018


CPC Responses
COLE AVE
BLACKBURN ST
MCKINNEY AVE
CITYPLACE WEST BLVD
NOBLE AVE
19 - 20
21 - 22
13 - 16
12
17 - 18
9
10
11
6
5
4
8
7
1
2
3
CENTRAL SERV
CENTRAL ACRD
CENTRAL EXPY
HASKELL AVE
23 - 24
WELDON ST
LEMMON AVE
OAK GROVE AVE
HALL ST
HOWELL ST
EMANUEL CEMETERY NW
EMANUEL CEMETERY NE
EMANUEL CEMETERY SW
EMANUEL CEMETERY SE
GREENWOOD CEMETERY NW
GREENWOOD CEMETERY NE
MARIE ST
CALVARY CEMETERY
CALVARY AVE
CENTRAL SERV
24 Property Owners Notified (23 parcels)
8 Replies in Favor (6 parcels)
0 Replies in Opposition (0 parcels)
500' Area of Notification
9/6/2018 Date
Z178-270
CPC
N
W
E
S
1:3,600

09/05/2018

Reply List of Property Owners

Z178-270

24 Property Owners Notified 8 Property Owners in Favor 0 Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
O	1	2889	W CITYPLACE BLVD	BLACKBURN CENTRAL
	2	3502	HOWELL ST	CONGREGATION EMANU EL
	3	2700	LEMMON AVE	TEMPLE EMANU EL
O	4	2817	LEMMON AVE	2801 INVESTMENTS LTD
	5	3420	OAK GROVE AVE	ANTONETTI & VEGA LTD LP
	6	2909	LEMMON AVE	LG LEMMON OAK GROVE LLC
	7	2727	E LEMMON AVE	HC 2727 E LEMMON AVENUE LLC
	8	3515	HOWELL ST	NORTHWESTERN MUTUAL LIFE
	9	3524	MCKINNEY AVE	PAN COASTAL LIMITED PS
	10	3521	OAK GROVE AVE	MESSINA MARIO L
	11	3418	MCKINNEY AVE	WALGREEN CO
	12	2901	W CITY PLACE BLVD	BRYSON NOBLE LLC
O	13	2901	BLACKBURN	CITYPLACE HOTEL REALTY LP
O	14	2901	BLACKBURN	FC 2901 BLACKBURN LLC
O	15	2901	BLACKBURN	BLACKBURN CENTRAL
O	16	2901	BLACKBURN	7B SOUTH RETAIL PARTNERS LP
	17	2801	N CENTRAL EXPY	SBR REAL ESTATE HOLDINGS LP
	18	2801	N CENTRAL EXPY	TOWER WEST PARTNERS LP
	19	3700	MCKINNEY AVE	FC 3700 MCKINNEY OWNER LLC
	20	3700	MCKINNEY AVE	3700 MCKINNEY LTD
O	21	3636	MCKINNEY AVE	CIM/3636 MCKINNEY AVE LP
O	22	3600	MCKINNEY AVE	3600 MCKINNEY LTD PS
	23	2711	N HASKELL AVE	UPTOWN CITYPLACE LLC
	24	2711	N HASKELL AVE	UPTOWN TRS LLC

Agenda Information Sheet

File #: 18-1037 **Item #:** 72.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict within Planned Development District No. 842 with a MD-1 Modified Delta Overlay, on the west side of Greenville Avenue, north of Alta Avenue
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to conditions
Z178-272(CY)

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HONORABLE MAYOR AND CITY COUNCIL WEDNESDAY OCTOBER 24, 2018
ACM: Majed Al-Ghafry

FILE NUMBER: Z178-272(CY) **DATE FILED:** June 1, 2018

LOCATION: West side of Greenville Avenue, north of Alta Avenue

COUNCIL DISTRICT: 14 **MAPSCO:** 36 X

SIZE OF REQUEST: Approx. 0.13 acres **CENSUS TRACT:** 10.02

OWNER/APPLICANT: SEB Group, LLC.

REPRESENTATIVE: Rob Baldwin

REQUEST: An application for a new subdistrict within Planned Development District No. 842 with a MD-1 Modified Delta Overlay.

SUMMARY: The applicant proposes to create a new subdistrict to allow for an existing building to be occupied with daytime retail uses and provide no off-street parking.

CPC RECOMMENDATION: **Approval**, subject to conditions

STAFF RECOMMENDATION: **Denial**

BACKGROUND INFORMATION:

- In 1987, the City Council created the MD-1 Modified Delta Overlay District in those areas where it was determined that a continued operation of the delta theory is not justified because there is no longer a need to encourage redevelopment and adaptive reuse of existing structures, or a continued application of the delta theory will create traffic congestion and public safety problems and would not be in the public interest.

- The MD-1 Overlay District establishes that the right to carry forward nonconforming parking and loading spaces under the delta theory terminates when a use is discontinued or remains vacant for 12 months or more [Ord. 19726].

- On January 26, 2011 City Council approved Planned Development No. 842. The purpose of the district is to ensure the compatibility of uses with adjacent residential neighborhoods and to reduce the incidence of crime by discouraging an over-proliferation of regional-serving, late-night venues.

- The 0.13-acre area of request is developed with an approximately 5,900-square foot one and one-half story building that is currently unoccupied.

- Dallas Central Appraisal District records indicate that the building was constructed in 1929.

- The applicant proposes to restrict the occupancy of the building to daytime retail and office uses, which will off-set the typical peak demand of the other retail and restaurant uses in this area.

- Building Inspection records indicate that an application for a Certificate of Occupancy (CO) was submitted for review on January 18, 2018, for a Medical Clinic use.

- The records also show that prior to the Certificate of Occupancy application currently in review, between 2003 and 2008, a series of five Certificate of Occupancy permits were issued and later either revoked or denied; one of them remained pending inspections and was never issued. The revocation and denial of these Certificates of Occupancy came as a result of the lack of parking and the termination of parking agreements due to discontinuation of use.

- The last issued Certificate of Occupancy for the subject site prior to the current application in review, dates from 2001 for a restaurant without drive-in service use.

- On February 21, 2018, the Board of Adjustment denied an application for a Special Exception to the Modified Delta Overlay District No. 1 regulations to carry forward nonconforming parking spaces under the delta theory that were terminated due to the use being discontinued or remaining vacant for 12 months or more at the subject site.

- This case was held under advisement from the City Plan Commission meeting on August 2, 2018. Since then, the applicant held a neighborhood meeting that resulted in the agreement on restricting late-hours establishment as a prohibited use in the proposed subdistrict. This has been added to the PDS conditions.

Zoning History:

There have been seven zoning changes in the vicinity during the last five years.

1. Z134-204 On August 13, 2014, City Council approved an amendment to Specific Use Permit No. 2044 for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property located to the north of the area of request.

2. Z134-262 On October 8, 2014, City Council approved the renewal of Specific Use Permit No. 1903 for a late-hours establishment limited to a restaurant without drive-in or drive-through service on property located southwest of the area of request.

3. Z156-294 On October 26, 2016, City Council approved the renewal of Specific Use Permit No. 1912 for a late-hours establishment limited to an alcoholic beverage establishment for a bar, lounge, or tavern on property located to the north of the area of request.

4. Z156-300 On October 26, 2016, City Council approved the renewal of Specific Use Permit No. 1905 for a late-hours establishment limited to an alcoholic beverage establishment limited to a restaurant without drive-in or drive-through service on property located to the north of the area of request.

5. Z167-342 On October 11, 2017, City Council approved the renewal of Specific Use Permit No. 1903 for a late-hours establishment limited to a restaurant without drive-in or drive-through service.

6. Z167-367 On December 13, 2017, City Council approved Specific Use Permit No. 2272 for a late-hours establishment limited to a restaurant without drive-in or drive-through, on property located to the northeast of the area of request.

7. Z178-186 On April 25, 2018, the City Council created a Demolition Delay Overlay for nearby properties that also included the area of request. A demolition delay overlay district is intended to encourage the preservation of historically significant buildings that are not located in a historic overlay district by helping the property owner identify alternatives to demolition.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Greenville Avenue	Major Arterial	variable

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request. The request does not support the following Plan's goals or policies.

ECONOMIC ELEMENT

GOAL 2.1 FOSTER A CITY OF GREAT NEIGHBORHOODS.

> **Policy 2.5.1** Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

URBAN DESIGN

GOAL 5.2 STRENGTHEN COMMUNITY AND NEIGHBORHOOD IDENTITY.

> **Policy 5.2.1** Maintain neighborhood scale and character.

Land Use:

	Zoning	Land Use
Site	PD No. 842 MD-1 Modified Delta Overlay	Unoccupied Building
North	PD No. 842 MD-1 Modified Delta Overlay	Unoccupied Building
East	PD No. 842 MD-1 Modified Delta Overlay	General Merchandise
South	PD No. 842 MD-1 Modified Delta Overlay	General Merchandise
West	PD No. 842 MD-1 Modified Delta Overlay	Commercial Parking Lot

Land Use Compatibility:

The approximate 0.13-acre site is zoned Planned Development No. 842 with an MD-1 Modified Delta Overlay District No. 1, the Greenville Avenue Modified Delta Overlay District and is currently developed with a one and one-half story unoccupied building with a total floor area of 5,900.

The request site is located within Modified Delta Overlay No. 1, the Greenville Avenue Modified Delta Overlay District. As mentioned above, an MD-1 Overlay District, is established by City Council in those areas where the delta theory as defined in Sec. 51A-4.704 of the Dallas Development Code as amended, is no longer justified.

In general, the delta theory means the number of nonconforming parking or loading spaces for a use that may be carried forward when the use is converted or expanded.

The Greenville Avenue Modified Delta Overlay District establishes that the right to nonconforming delta parking credits are lost if the use is vacant for 12 months or more.

Building Inspections records show that the last Certificate of Occupancy for a restaurant without drive-in or drive-through service use, issued for the subject site on August 2008, was revoked on February 2014, after the Building Official determined that the off-street parking requirements were not being provided in accordance with the Development Code. This determination was made after confirming that the parking agreement, through which off-street parking for the restaurant use was being provided, was terminated as a result of the restaurant use ceasing to operate.

The records also reflect that a prior Certificate of Occupancy for a restaurant without drive-in or drive-through service, was issued for the subject site on March 2007 and later denied (revoked) on March 2008 due to lack of parking after a parking agreement providing off-street parking for the restaurant use, was terminated on November 2007.

The properties surrounding the subject site include an unoccupied building directly adjacent to the north followed by restaurant, financial institution and general merchandise uses further north, along Greenville Avenue. More restaurant and general merchandise uses are located to the northeast, east, south, and southeast of the area of request. Commercial parking lot uses are to the west and southwest of the property.

After reviewing the application, staff finds that there is not a land use rationale for the request to change the zoning to require an exception to the off-street parking requirements for an isolated tract of land amid similarly situated properties. The request is foreseen to cause inconsistency with the surrounding zoning and uses.

The Dallas Development Code, as amended, provides for alternatives to provide the off-street parking requirements such as remote parking and shared parking. Moreover, the Greenville Avenue Modified Delta Overlay District enhances the availability of these special parking provisions by allowing for the walking distances for the remote parking

to be increased from 600 feet to 900 feet and also allows for special parking to account for more than 50 percent of the off-street parking required for any use.

It is staff's determination that the applicant has alternative options other than the proposed zoning change to allow for the existing building to be occupied with daytime retail uses.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
Existing: PD No. 842 with MD-1 Overlay	Min. 15'	20' adjacent to residential OTHER: No Min. or 5'	0.75 FAR overall, 0.5 office	54' 4 stories	60%	RPS, Visual intrusion	Retail and personal service and office uses.
Proposed PDS ___ within PD No. 842 with MD-1 Overlay	Min 15'	20' adjacent to residential OTHER: No Min. or 5'	0.75 FAR overall MAX 6,000 sf for an office use or a retail and pers. serv. Use.	54' 4 stories	60%	RPS, Visual intrusion	Retail and personal service and office uses.

Parking:

The existing building is approximately 5,900 square feet. The proposed PDS conditions amend the off-street parking regulations to require that in the proposed subdistrict, no off-street parking is required for an office or retail and personal service use with a parking ratio of 1 space per 200 square feet of floor area or less and that does not operate between 7:00 pm and 6:00 am.

Based on the floor area of the existing building, the parking reduction could be for up to 30 off-street parking spaces for those uses with a 1:200 parking ratio occupying the building.

The applicant is proposing to restrict certain uses currently allowed and to limit the building floor area.

Landscaping:

No new development is proposed. Therefore, no additional landscaping is required. Any additions to the property that exceed 35 percent of the existing floor area or 2,000 square feet of new non-permeable pavement will require landscaping per Article X of the Dallas Development Code.

Prior CPC Action – September 6, 2018

Z178-272(CY) Planner: Carolina Yumet

Motion: It was moved to recommend **approval** of a new subdistrict, subject to conditions, within Planned Development District No. 842 with a MD-1 Modified Delta Overlay, on the west side of Greenville Avenue, north of Alta Avenue.

Maker: Ridley
Second: Davis
Result: Carried: 12 to 0

For: 12 - West, Rieves, Houston, Davis, Shidid, Carpenter, Mack, Lewis, Schultz, Peadon, Ridley, Tarpley

Against: 0
Absent: 3 - Jung, Housewright, Murphy
Vacancy: 0

Notices: Area: 500 Mailed: 127
Replies: For: 3 Against: 19

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
For (Did not speak): Michael Farah, 1908 Greenville Ave., Dallas, TX, 75206
Against: None

List of Officers

SEB GROUP, LLC

- Sebastian Ahmadi Sole owner.

CPC RECOMMENDED CONDITIONS

ARTICLE
842.

PD 842.

SEC. 51P-842.101. LEGISLATIVE HISTORY.

PD 842 was established by Ordinance No. 28109, passed by the Dallas City Council on January 26, 2011. (Ord. 28109)

SEC. 51P-842.102. PROPERTY LOCATION AND SIZE.

PD 842 is established on property located on both sides of Greenville Avenue between Belmont Avenue and Bryan Street. The size of PD 842 is approximately 50.598 acres. (Ord. Nos. 28109; 28825)

SEC. 51P-842.103. PURPOSE.

The purpose of this district is to ensure the compatibility of uses with adjacent residential neighborhoods and to reduce the incidence of crime by discouraging an over-proliferation of regional-serving, late-night venues. (Ord. 28109)

SEC. 51P-842.104. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article. In this article, LATE-HOURS ESTABLISHMENT means a retail and personal service use that operates between 12 a.m. (midnight) and 6 a.m. See Section 51P-842.11~~43~~4.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A. In this district,

(1) BAIL BOND OFFICE means an office for the issuance, brokerage, or procurement of bail bonds.

(2) MASSAGE ESTABLISHMENT and MASSAGE mean a massage establishment or massage as defined by Texas Occupation Code Chapter 455, as amended.

(3) TATTOO STUDIO means an establishment in which tattooing is performed. TATTOOING means the practice of producing an indelible mark or figure on the human body by scarring or inserting a pigment under the skin using needles, scalpels, or other related equipment, but does not include permanent makeup application or intradermal cosmetics as a component or service of a duly licensed beauty parlor or salon.

(c) This district is considered to be a nonresidential zoning district.

SEC. 51P-842.105 EXHIBIT.

The following exhibit is incorporated into this article: Exhibit 842A: Subdistrict map

SEC. 51P-842.106. DEVELOPMENT PLAN.

No development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply. (Ord. 28109)

SEC. 51P-842.107. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the CR Community Retail District, subject to the same conditions applicable in the CR Community Retail District, as set out in Chapter 51A. For example, a use permitted in the CR Community Retail District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the CR Community Retail District is subject to DIR in this district; etc.

(b) The following use is permitted only by SUP:

-- Late-hours establishment. *[See Section 51P-842.1143.]*

(c) In Subdistrict 1, the following uses are not permitted uses.

-- Alcoholic beverage establishment.
-- Alternative financial establishment.
-- Auto service center.
-- Bail bond office.
-- Car wash.
-- Commercial amusement (inside).
-- Commercial amusement (outside).
-- Convenience store with drive-through.
-- Late-hours establishment.
-- Liquor store.
-- Massage establishment.
-- Mini-warehouse.
-- Mortuary, funeral home, or commercial wedding chapel.
-- Motor vehicle fueling station.
-- Paraphernalia shop.
-- Restaurant without drive-in or drive-through service.
-- Restaurant with drive-in or drive-through service.
-- Swap or buy shop.
-- Tattoo studio.

SEC. 51P-842.108. ACCESSORY USES.

(a) As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. (Ord. 28109)

SEC. 51P-842.109. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, t[~~T~~]he yard, lot, and space regulations for the CR Community Retail District apply. (Ord. 28109)

(b) Floor area. In Subdistrict 1, maximum total floor area for office and retail and personal service uses combined is 6,000 square feet.

SEC. 51P-842.110. OFF-STREET PARKING AND LOADING.

(a) In general. Except as provided in this section, c~~C~~onsult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) Subdistrict 1. For an office use or a retail and personal service use that only operates between 6:00 a.m. and 7:00 p.m. and has parking ratio of 1:200 or less according to Chapter 51A, no off-street parking or loading is required.

SEC. 51P-842.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. 28109)

SEC. 51P-842.112. LANDSCAPING.

(a) Landscaping must be provided in accordance with Article X.

(b) Plant materials must be maintained in a healthy, growing condition. (Ord. 28109)

SEC. 51P-842.113. SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII. (Ord. 28109)

SEC. 51P-842.114. ADDITIONAL PROVISIONS.

(a) In general. The Property must be properly maintained in a state of good repair and neat appearance.

(b) Compliance. Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

(c) Late-hours operations.

(1) Except for late-hours establishments operating under a valid specific use permit, all services for the public must be stopped and all customers must be removed from the establishment between 12 a.m. (midnight) and 6 a.m. Any retail and personal service use that offers services to the public or that has customers remaining in the establishment between 12 a.m. (midnight) and 6 a.m. is a late-hours establishment.

(2) No occupancy shall have nonconforming rights to operate between 12 a.m. (midnight) and 6 a.m. All occupancies must come into compliance with this subsection by September 23, 2011.

(d) Traffic impact analysis waiver. A traffic impact analysis is not required in connection with an application for a specific use permit for a late-hours establishment.

(e) Factors to be considered for a specific use permit for a late-hours establishment. The city plan commission and city council shall consider the following factors when making the findings required by Section 51A-4.219(a)(3):

(1) the number of citations issued by police to patrons of the establishment;

(2) the number of citations issued by police for noise ordinance violations by the establishment;

(3) the number of arrests for public intoxication or disorderly conduct associated with the establishment;

(4) the number of Texas Alcoholic Beverage Code violations of the establishment; and

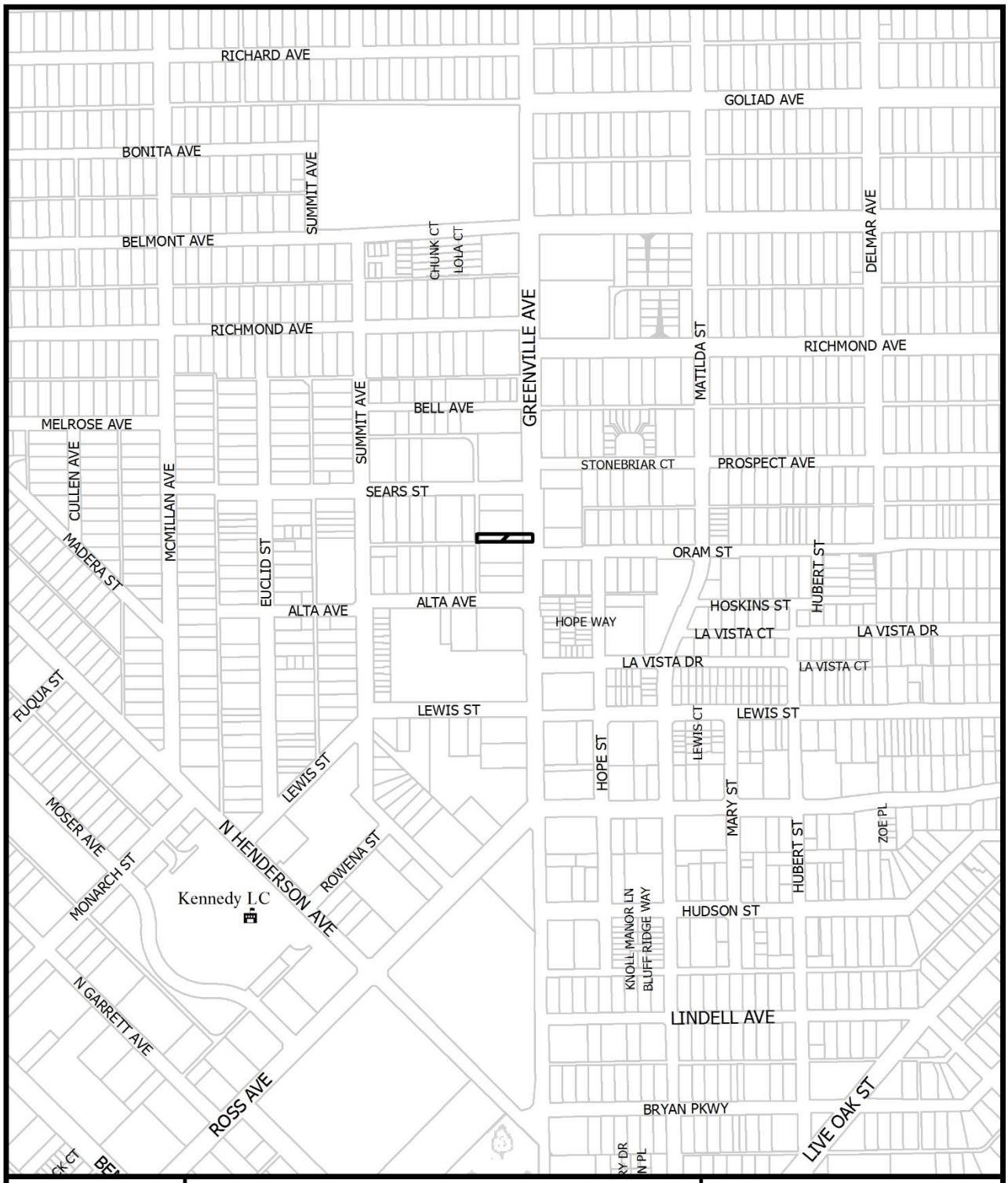
(5) the number of violent crimes associated with the establishment, with emphasis on violent crimes originating inside the establishment.

(f) Street improvements. If the city has not begun streetscape enhancements within this district by January 1, 2017, the director shall request that the city plan commission authorize a public hearing to determine proper zoning with consideration given to repeal of this district. For purposes of this subsection, "streetscape enhancements" means improvements to the streetscape such as wider sidewalks, street landscaping, and pedestrian lighting. (Ord. 28109)

SEC. 51P-842.114. COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city. (Ord. 28109)

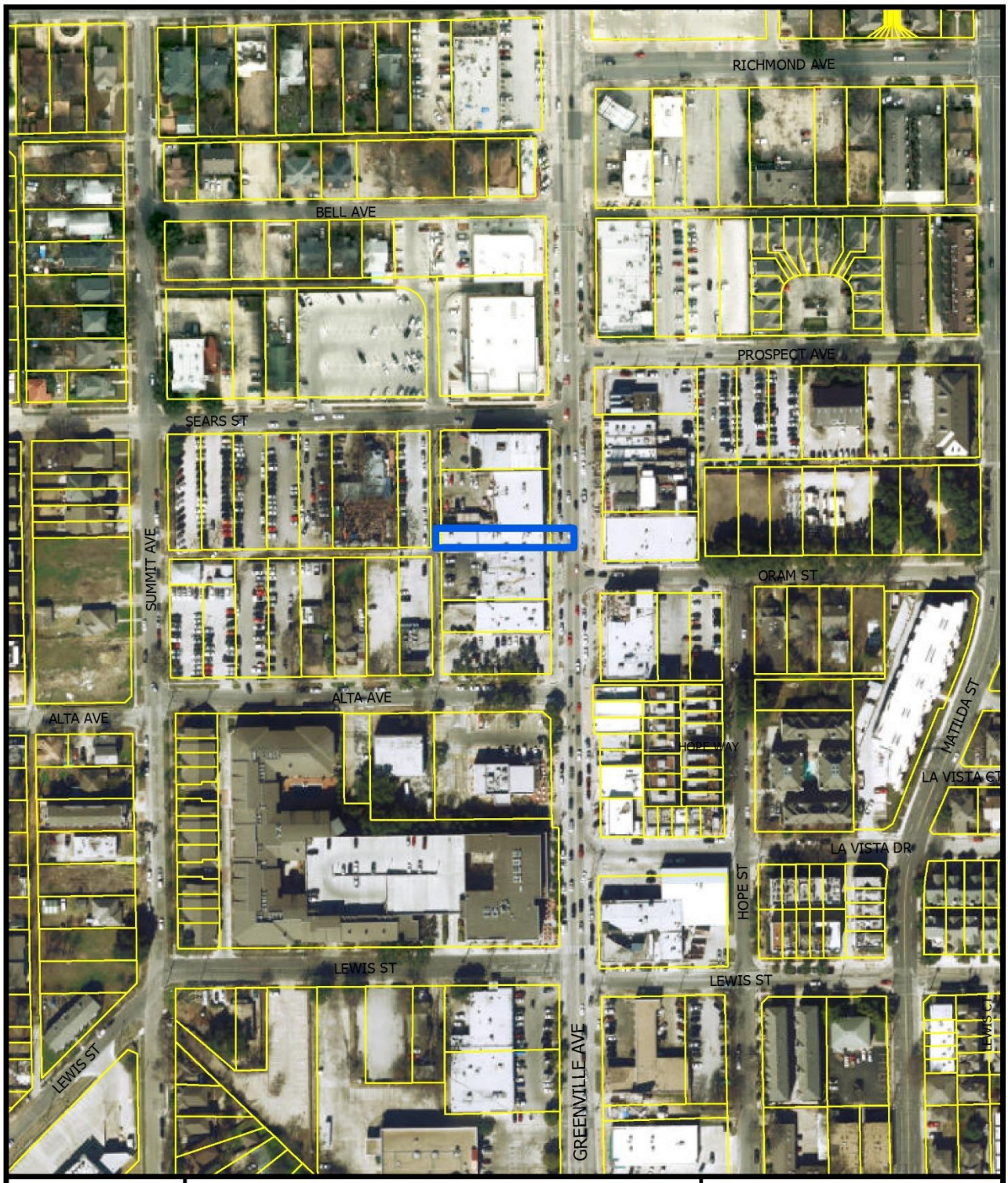


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VICINITY MAP

Case no: Z178-272

Date: 7/20/2018

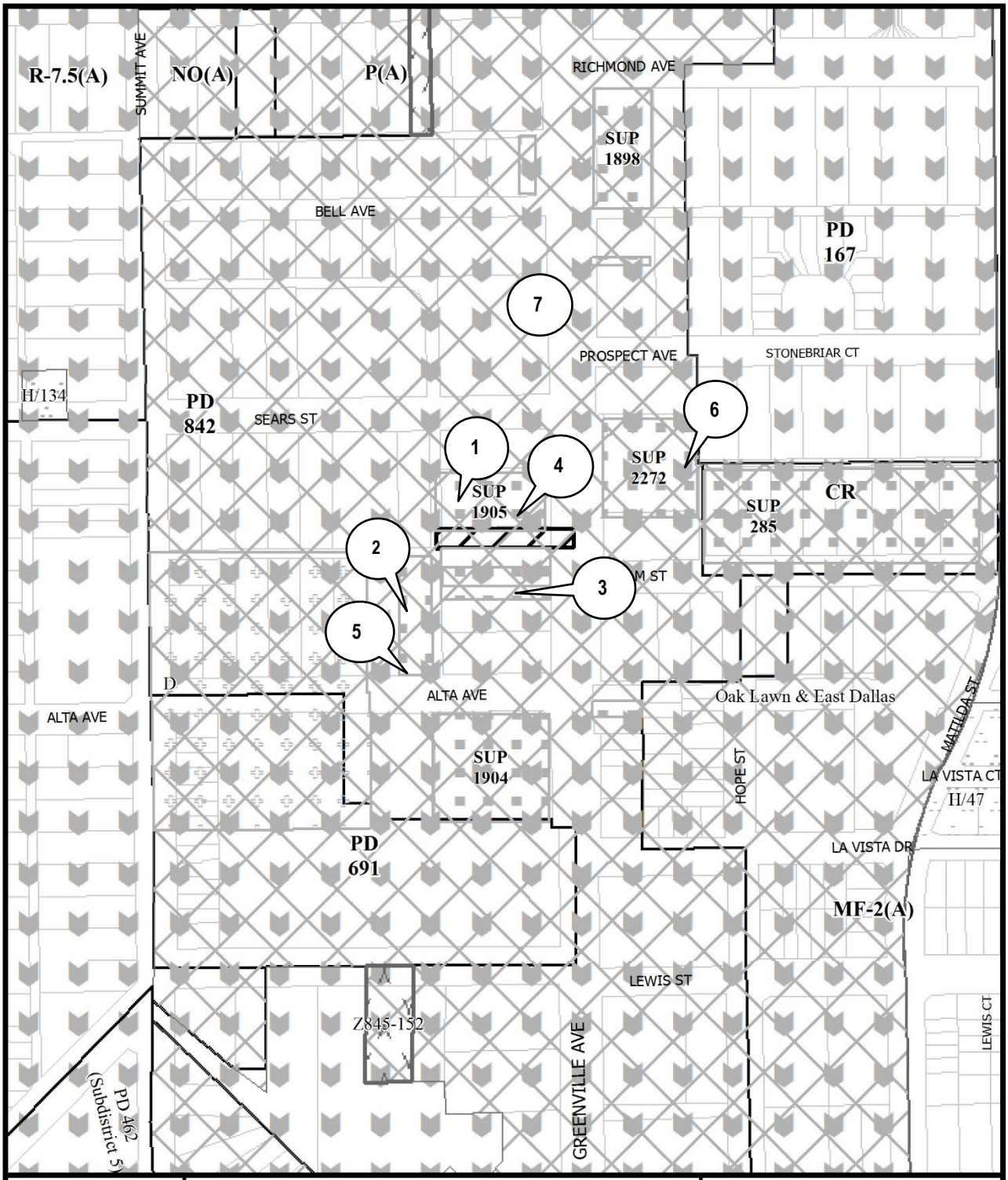


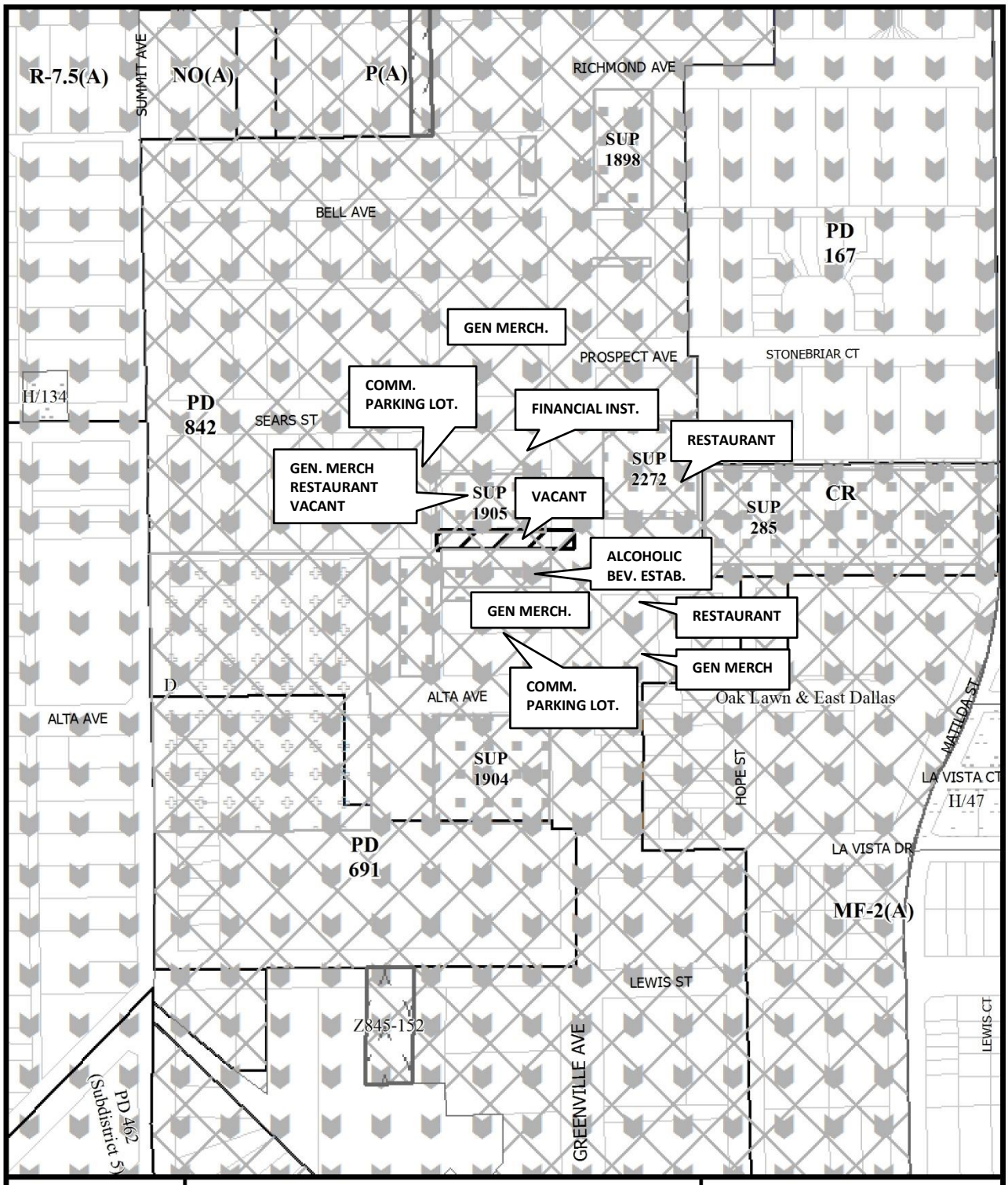
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AERIAL MAP

Case no: Z178-272

Date: 7/20/2018


R-7.5(A)
NO(A)
P(A)
SUMMIT AVE
RICHMOND AVE
SUP 1898
BELL AVE
PD 167
7
PROSPECT AVE
STONEBRIAR CT
H/134
PD 842
SEARS ST
6
1
4
SUP 2272
SUP 1905
CR
SUP 285
2
3
M ST
5
D
ALTA AVE
ALTA AVE
Oak Lawn & East Dallas
MATILDA ST
SUP 1904
HOPE ST
LA VISTA CT
H/47
PD 691
LA VISTA DR
MF-2(A)
LEWIS ST
Z845-152
GREENVILLE AVE
LEWIS CT
PD 462 (Subdistrict 5)
1:2,400
ZONING HISTORY
Case no: Z178-272
Date: 7/20/2018

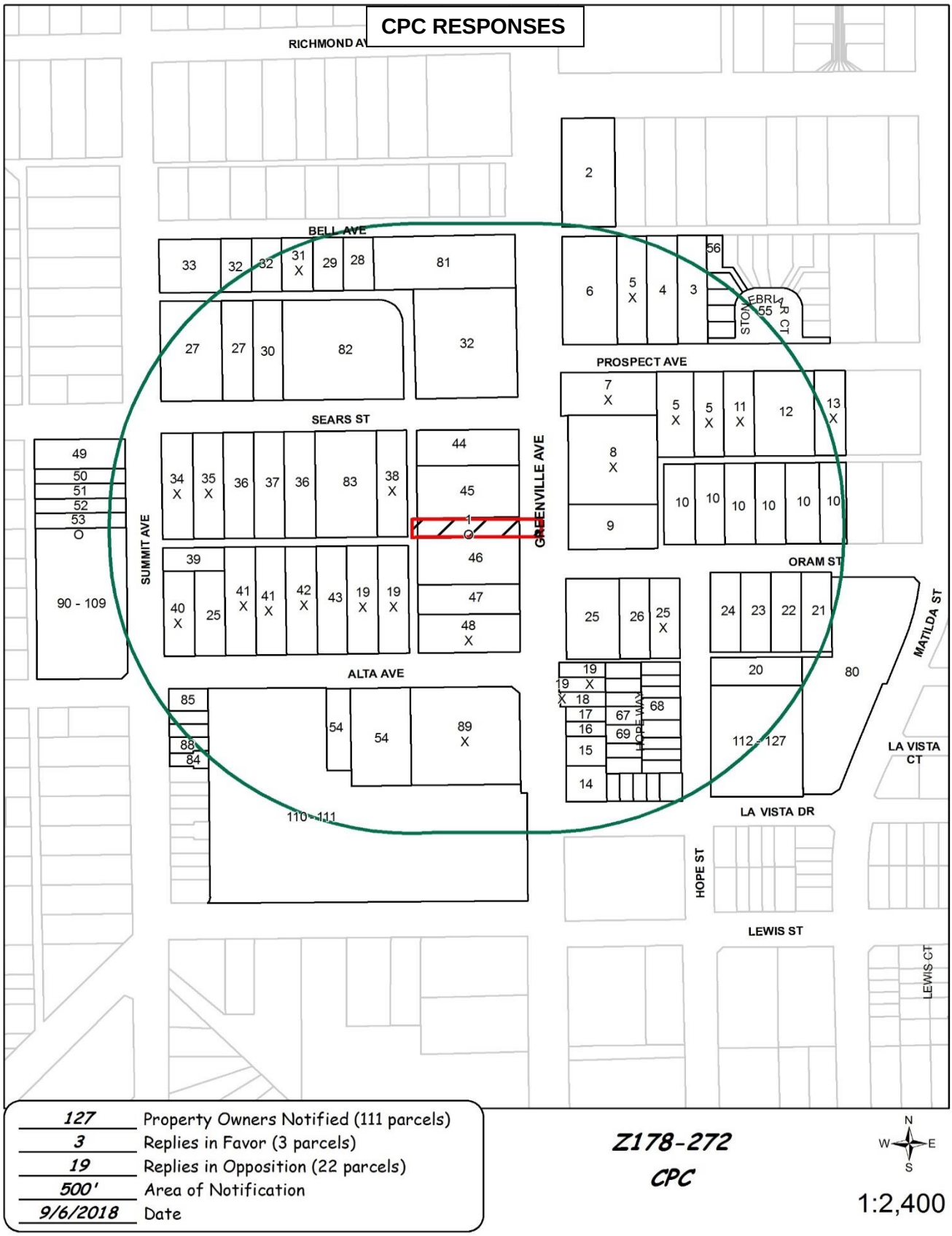


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ZONING AND LAND USE

Case no: Z178-272

Date: 7/20/2018


CPC RESPONSES
RICHMOND AV
BELL AVE
SEARS ST
PROSPECT AVE
ORAM ST
ALTA AVE
LA VISTA DR
LEWIS ST
SUMMIT AVE
GREENVILLE AVE
HOPE WAY
HOPE ST
MATILDA ST
LA VISTA CT
LEWIS CT
STONEBRIAR CT
90 - 109
110 - 111
112 - 127
127 Property Owners Notified (111 parcels)
3 Replies in Favor (3 parcels)
19 Replies in Opposition (22 parcels)
500' Area of Notification
9/6/2018 Date
Z178-272
CPC
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W
E
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09/05/2018

Reply List of Property Owners

Z178-272

127 Property Owners Notified ***3 Property Owners in Favor*** ***19 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	1917	GREENVILLE AVE	SEB GROUP LLC
	2	5702	RICHMOND AVE	GREENVILLE ROSS PTNR LTD
	3	5719	PROSPECT AVE	MADISON PACIFIC DEV COM
	4	5715	PROSPECT AVE	REESE GRANDCHILDRENS
X	5	5711	PROSPECT AVE	ANDRES FAMILY TRUST
	6	2100	GREENVILLE AVE	GREENVILLE 2100 LTD
X	7	2026	GREENVILLE AVE	ANDRES FAMILY TRUSTS THE
X	8	2008	GREENVILLE AVE	LAVO PROPERTIES LLC
	9	2000	GREENVILLE AVE	LANDE PAUL &
	10	5715	ORAM ST	TEXAS UTILITIES ELEC CO
X	11	5724	PROSPECT AVE	ANDRES FAMILY TRUST
	12	5728	PROSPECT AVE	WALL JOHN E JR
	14	1900	GREENVILLE AVE	TRUST REAL ESTATE
	15	1904	GREENVILLE AVE	GREENVILLE PARKS LP
	16	1908	GREENVILLE AVE	GREENVILLE PARKS LP
	17	1910	GREENVILLE AVE	MORENO RICHARD
	18	1912	GREENVILLE AVE	CAMPBELL OLIVER
X	19	1914	GREENVILLE AVE	LOWGREEN PS LTD
	20	1916	HOPE ST	LANDE GREENVILLE AVE LLC
	21	5734	ORAM ST	SUBDIVISIONS REALTY LLC
	22	5730	ORAM ST	SOUZA DIANA FAYE
	23	5726	ORAM ST	TARL CABOT LLC &
	24	5722	ORAM ST	MCKINNEY FEARGAL &
	25	1928	GREENVILLE AVE	LOWGREEN PS
	26	5710	ORAM ST	SOURIS GEORGIA REVOCABLE TRUST
	27	5601	SEARS ST	LONCAR CYNTHIA SUE

09/05/2018

Reply	*Label #*	*Address*		*Owner*
	28	5626	BELL ST	FOREMOST PROPERTY HOLDINGS LLC
	29	5622	BELL ST	DOTTER DOUGLAS & LAURIE L
	30	5615	SEARS ST	RUNGRUANGPHOL VEERACHAI &
X	31	5618	BELL ST	ANDRES MARC
	32	5610	BELL ST	2001 GREENVILLE VENTURE LTD
	33	5602	BELL ST	KNIGHTS OF CLOUMBUS COUNCIL 5538
X	34	5602	SEARS ST	ANDRES FAMILY TRUSTS
X	35	5606	SEARS ST	ANDRES FAMILY TRUSTS
	36	5610	SEARS ST	GREENVILLE HOLDINGS CO
	37	5614	SEARS ST	GREENVILLE HOLDINGS INC
X	38	5628	SEARS ST	ANDRES FAMILY TRUSTS
	39	1910	SUMMIT AVE	5624 SEARS ST LTD
X	41	5611	ALTA AVE	THACKER RICHARD E
X	42	5619	ALTA AVE	THACKER RICHARD E JR
	43	5623	ALTA AVE	GREENWAYSEARS LP
	44	1931	GREENVILLE AVE	GREENWAY SEARS LP
	45	1919	GREENVILLE AVE	1919 27 GREENVILLE LTD
	46	1911	GREENVILLE AVE	INTERCITY INVESTMENT PROP
	47	1909	GREENVILLE AVE	WORLDWIDE FOOD INC
	49	1931	SUMMIT AVE	BLS REAL ESTATE LLC
	50	1927	SUMMIT AVE	PATEL DIPESH & SHEETAL
	51	1925	SUMMIT AVE	RAY SAMIR
	52	1923	SUMMIT AVE	KRUPP ROBERT
O	53	1921	SUMMIT AVE	PUTNAM SHEA & KATIE
	54	5626	ALTA AVE	LATORRE ROBERT INC
	55	2100	STONEBRIAR CT	STONEBRIAR CT H O A
	56	5	STONEBRIAR CT	TUOHY SEAN ALBRO SR
	57	4	STONEBRIAR CT	STOKES ROBERT CHARLES
	58	3	STONEBRIAR CT	MATTHEW JOHN W &
	59	2	STONEBRIAR CT	WHITE SHARI
	60	1	STONEBRIAR CT	HOOPER NICOLE E

09/05/2018

Reply	*Label #*	*Address*		*Owner*
	61	1919	HOPE WAY	NGUYEN NGOC DIEP
	62	1922	HOPE WAY	ALGUEA CARLOS &
	63	1917	HOPE WAY	MCFALL JAMES
	64	1920	HOPE WAY	ISAACSON CHRISTOPHER M
O	65	1918	HOPE WAY	MARCH SEAN
	66	1915	HOPE WAY	ALARCON WALDO & YAZMIN R
	67	1913	HOPE WAY	HERNDON LINDSEY
	68	1916	HOPE WAY	QUATRANO ANGLEO M
	69	1911	HOPE WAY	NIEHUUS MICHAEL
	70	1912	HOPE WAY	CRAVENS KIMBERLY A
	71	1910	HOPE WAY	DANISH DAVID
	72	1909	HOPE WAY	JOHNSON RONALD L
	73	1908	HOPE WAY	GANDHI ANUPAMA K
	74	1907	HOPE WAY	WEINER ERIC DAVID
	75	1906	HOPE WAY	ABOUJAOUDE DORY
	76	5715	LA VISTA DR	CATHCART DAVID
	77	5713	LA VISTA DR	CHIANG THOMAS S &
	78	5711	LA VISTA DR	WHITE JULIUS
	79	5709	LA VISTA DR	SHANE MARIO M & RACHELLE
	80	1965	MATILDA ST	1965 MATILDA LLC
	81	2023	GREENVILLE AVE	2001 GREENVILLE VENTURE
	82	5623	SEARS ST	2001 GREENVILLE VENTURE LTD
	83	5622	SEARS ST	5624 SEARS STREET LTD
	84	1864	SUMMIT AVE	LONG RIDGE RESIDENTIAL PORTFOLIO LP
	85	1872	SUMMIT AVE	TRAN KEVIN
	86	1870	SUMMIT AVE	SMARON LAUREN E
	87	1868	SUMMIT AVE	BUTLER CHAD A
	88	1866	SUMMIT AVE	HWANG CONWAY
	90	1907	SUMMIT AVE	CHANDLER JEFFERY T
	91	1907	SUMMIT AVE	PRIAMO ERIC DANIEL & JAMIE
	92	1907	SUMMIT AVE	PATEL RIDDHI H

09/05/2018

Reply	*Label #*	*Address*		*Owner*
	93	1907	SUMMIT AVE	MOWREY JUSTIN &
	94	1911	SUMMIT AVE	BURNS CHRISTOPHER & NAYLA
	95	1911	SUMMIT AVE	SMOLENSKY MATTHEW F &
	96	1911	SUMMIT AVE	SOUTHWICK PHILIP J & KEELY E
	97	1911	SUMMIT AVE	ORAM ALAYNA
	98	1915	SUMMIT AVE	CSAVOY ANDREW N
	99	1915	SUMMIT AVE	KELLY WHITNEY &
	100	1915	SUMMIT AVE	EMER SCOTT & PATRICIA
	101	1915	SUMMIT AVE	KINDLER CAROL S REVOCABLE
	102	1919	SUMMIT AVE	HAN ANNIE
	103	1919	SUMMIT AVE	GANDY JARED ALLAN
	104	1919	SUMMIT AVE	DAMMAN ADAM J & LIZVETTE
	105	1919	SUMMIT AVE	KHACHATRYAN GEORGE &
	106	5565	ALTA AVE	RAVER IAN K &
	107	5565	ALTA AVE	HOLDEN STEPHEN BROWNING
	108	5565	ALTA AVE	NGUYEN QUANG &
	109	5565	ALTA AVE	PANICKER VILAS &
	110	1811	GREENVILLE AVE	EGW GREENVILLE INVESTMENTS LP
	111	1811	GREENVILLE AVE	GREENWAY GREENVILLE LP
	112	1910	HOPE ST	MOJICA EDWARD
	113	1910	HOPE ST	KEELING THOMAS
	114	1910	HOPE ST	CALVERT DAVID
	115	1910	HOPE ST	KUPERMAN YELENA
	116	1910	HOPE ST	CROUCH EDIE D
	117	1910	HOPE ST	HANLON WILLIAM R &
	118	1910	HOPE ST	BEAHM CYNTHIA DIANE
	119	1910	HOPE ST	RADIGAN MEGAN M
	120	1910	HOPE ST	UTKOV GARY S & CAROL C
	121	1910	HOPE ST	KOBAYASHI AARON S &
	122	1910	HOPE ST	MERZ RYAN E
	123	1910	HOPE ST	HOPE STREET RENTAL COMPANY LLC

09/05/2018

Reply	*Label #*	*Address*		*Owner*
	124	1910	HOPE ST	ANKERSEN KRISTEN A
	125	1910	HOPE ST	DROUILLARD SUZETTE M
	126	1910	HOPE ST	VITALE JOSEPH K & ANNE
	127	1910	HOPE ST	BREWSTER LLOYD R & DANA L
X	A1	5712	ORAM ST	LOWGREEN PS
X	A2	5601	ALTA AVE	LOWGREEN P S
X	A3	1903	GREENVILLE AVE	LOWGREEN PS
X	A4	1827	GREENVILLE AVE	LOWGREEN PS
X	A5	1916	GREENVILLE AVE	LOWGREEN PS LTD
X	A6	5627	ALTA AVE	LOWGREEN PS LTD
X	A7	5631	ALTA AVE	LOWGREEN PS LTD
X	A8	5736	PROSPECT AVE	BLACK HAWK MGMT INC

Agenda Information Sheet

File #: 18-1046 **Item #:** 73.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 7

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned an MF-2(A) Multifamily Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the south corner of JB Jackson Jr Boulevard and Park Row Avenue
Recommendation of Staff and CPC: Approval for a 10-year period with eligibility for automatic renewals for additional 10-year periods, subject to a site plan and conditions
Z178-193(SM)
Note: This item was deferred by the City Council before opening the public hearings on September 12, 2018 and September 26, 2018, and is scheduled for consideration on October 24, 2018

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, OCTOBER 24, 2018**

ACM: Majed Al-Ghafry

FILE NUMBER: Z178-193(SM) **DATE FILED:** February 26, 2018

LOCATION: South corner of JB Jackson Jr Boulevard and Park Row Avenue

COUNCIL DISTRICT: 7 **MAPSCO:** 46 P

SIZE OF REQUEST: Approx. 2.3 acres **CENSUS TRACT:** 203.00

APPLICANT: Verizon Wireless

OWNER: Fourth Avenue Church of Christ

REPRESENTATIVE: Peter Kavanagh, Zone Systems, Inc.

REQUEST: An application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned MF-2(A) Multifamily Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District.

SUMMARY: The applicant [Verizon Wireless] proposes to construct a cellular communication tower within a concealment tower with an overall height of 85 feet to the southwest of the existing church property. The 25-foot by 52-foot wireless lease area is proposed approximately 360 feet southwest of the south corner of JB Jackson Jr Boulevard and Park Row Avenue and the tower and equipment is proposed to be surrounded by a six-foot-tall concrete masonry unit (CMU) wall to match the church.

CPC RECOMMENDATION: **Approval** for a 10-year period with eligibility for automatic renewals for additional 10-year periods, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a 10-year period with eligibility for automatic renewals for additional 10-year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The wireless lease site is proposed to be located behind the existing church building.
- The church building was originally constructed in 1990 and expanded in 2005, according to Dallas Central Appraisal District Records.

Zoning History: There have been no recent zoning cases requested in the area in the past five years

Thoroughfares/Streets:

Thoroughfare/Street	Type	Street Width
JB Jackson Jr Boulevard	Local	50' ROW
Park Row Avenue	Local	45' ROW
Trezevant Street	Local	40' ROW
South Trunk Avenue	Local	15' ROW

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that it will not impact the surrounding street system for the proposed development.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *forwardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant's request.

There are no goals or policies supporting or opposing the request.

Surrounding Land Uses:

Location	PDD No.595 Subdistrict	Land Use
Site	MF-2(A)	Church
Northeast	Community Commercial (CC)	Retail and Drive-through restaurants
Southeast	MF-2(A) with SUP 1511	Transit Station and Single Family
Southwest	MF-2(A) and Community Commercial (CC)	Undeveloped, DART rail line, and Commercial
Northwest	WMU-5	Storage and Undeveloped

Land Use Compatibility:

The subject site is currently developed with an existing church and surface parking lot. The proposed location of the cellular communication tower is to the rear of the church, near the DART light rail line. The 25-foot by 52-foot wireless lease area is proposed approximately 360 feet southwest of the south corner of JB Jackson Jr Boulevard and Park Row Avenue and the tower and equipment is proposed to be surrounded by a six-foot-tall concrete masonry unit (CMU) wall to match the church.

Development of the remainder of the site consists of an existing church and an abutting undeveloped parcel to the southwest. The proposed location of the cellular communication tower is southeast and across a bounding street from an outside storage area. Retail and drive-through restaurants are located to the northeast of the existing church. Surrounding uses to the southeast include three single family homes, three undeveloped parcels, and a transit center. Finally, a small undeveloped parcel abuts the site to the southwest and separates the proposed location of the cellular communication tower from a narrow roadway and the DART light rail line, which physically separates the site from commercial uses located farther southwest with two chain-link fences on each side of the rail line.

Section 51A-4.408 of the Dallas Development Code provides an exception of maximum structure height for utility and public service uses, including a tower/antenna for wireless communication, but requires compliance with residential proximity slope. Therefore, the maximum structure height of 36 feet in the MF-2(A) Multifamily District does not apply to a tower/antenna for cellular communication; however, a one-to-three residential proximity slope (RPS) is required. For the proposed 85-foot tall tower to comply with RPS, it must be placed 255 feet away from the nearest single family, duplex, or townhouse zoned private property, called a *site of origination*. Since the closest site of origination to the proposed cellular communication tower is over 1,000 feet to the southeast, staff's position is the proposed structure is not detrimental to surrounding properties.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The applicant proposes to construct a cellular communication tower at this location to primarily provide additional capacity to users within Fair Park and has provided the coverage maps on the following pages. Generally, the area has adequate coverage that allows users of the nearby Verizon system to have service inside and outside of buildings in the vicinity on a normal basis. However, when the area is inundated with additional users (e. g. during the State Fair of Texas), the current Verizon system cannot accommodate all the users and cellular and data service is not available to the applicant's customers. The applicant's engineer's note that four "sectors serve the southwest side of the Fair Park" and "the State Fair event is not properly served". Therefore, the applicant currently utilizes a cell tower on wheels (COW) to accommodate the need for additional capacity. However, COWs require generators that can produce noise and may not hold as much capacity as the system requires. The proposed cellular communication tower will add six "sectors" to the southwest side of Fair Park.

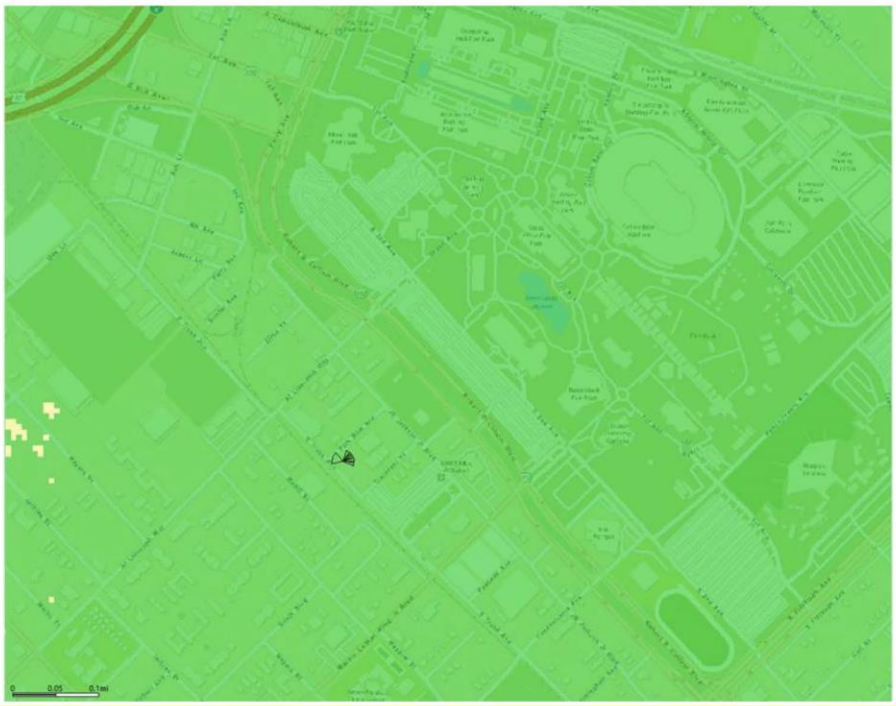
Staff supports the request because (1) the proposed cellular communication tower is located over three times the distance beyond where an residential proximity slope would project from the nearest site of origination, (2) the cellular array is concealed within a pole thus minimizing the visual effect of a cellular platform, (3) the replacement of the cell tower on wheels (COW) which requires a generator for power with a permanent stealth cellular communication tower will improve ambient noise levels where the COW was previously and temporarily in operation, and (4) the public utility service of increased capacity would significantly improve as shown by the following coverage maps.

Parking:

Parking will be provided in accordance to the parking requirements in the Dallas Development Code, as amended, which is one space if the cellular communication tower/antenna has an auxiliary building housing electronic and communication equipment ("auxiliary building") greater than 120 square feet. No auxiliary building is proposed and therefore no additional parking is triggered by the development of this use.

Landscaping: In general, landscaping must be provided in accordance with the landscaping requirements in Article X, as amended. Per the current proposal, the area of request will not be required to provide landscaping because less than 2,000 square feet of non-permeable surface will be installed.

SF_GRAND – 700MHz RSRP Current



RSRP 700 MHz

- Indoor Coverage
- Marginal Indoor/ Outdoor/Vehicle Coverage

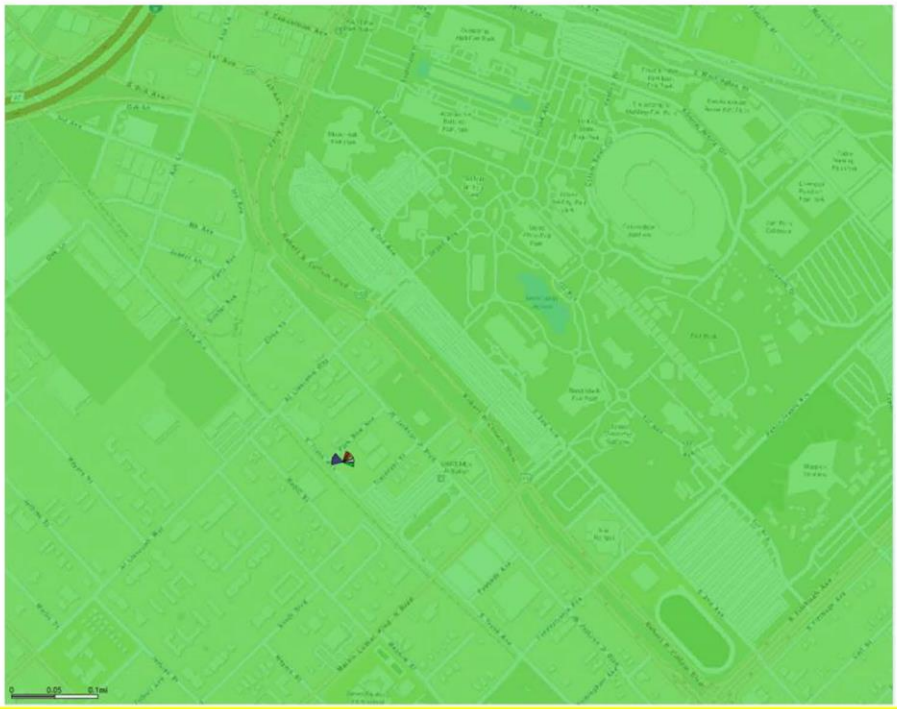
Note: Coverage in the area is mostly adequate. The purpose of the new site SF_GRAND is to increase capacity.

verizon

Confidential and proprietary materials for authorized Verizon personnel and outside agencies only. Use, disclosure or distribution of this material is not permitted to any unauthorized persons or third parties except by written agreement.

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SF_GRAND – 700MHz RSRP Proposed



RSRP 700 MHz

- Indoor Coverage
- Marginal Indoor/ Outdoor/Vehicle Coverage

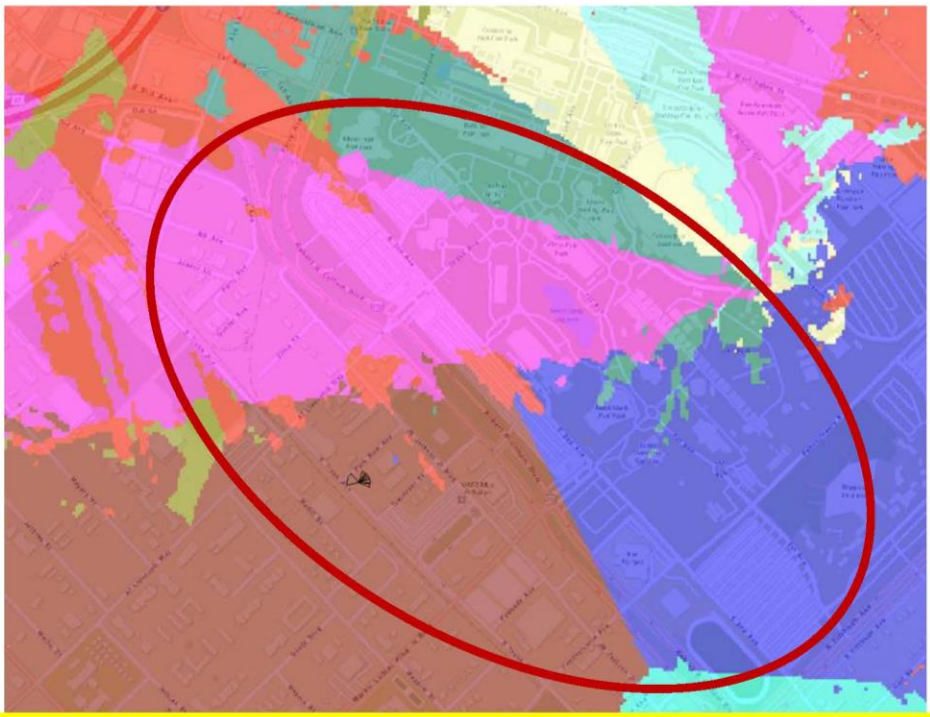
Note: Coverage in the area is mostly adequate. The purpose of the new site SF_GRAND is to increase capacity.

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SF_GRAND – Best Server 700 MHz Current



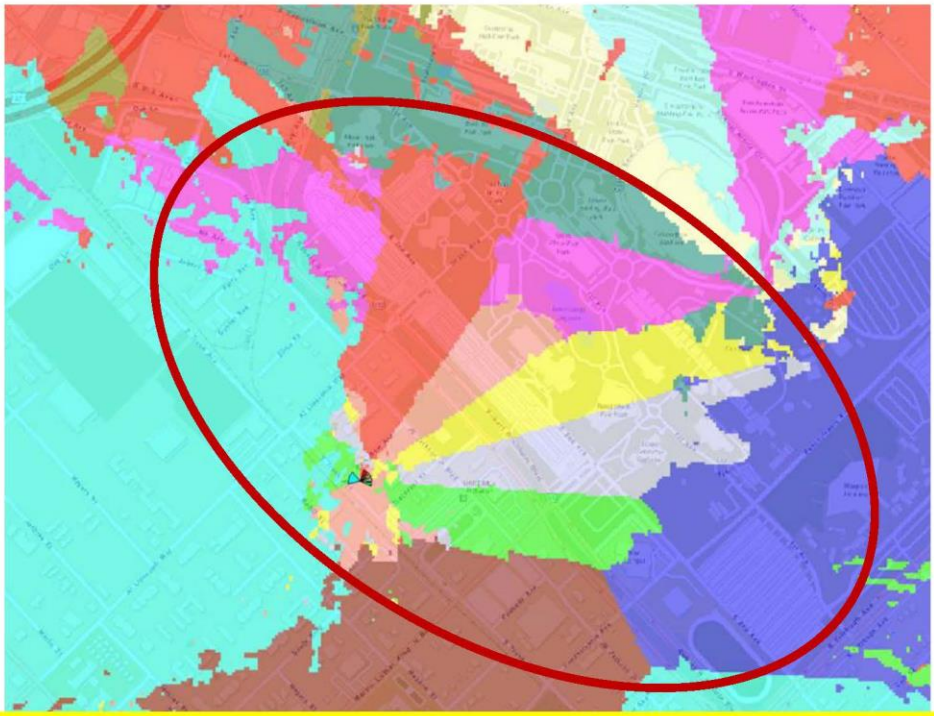
Note: Currently 4 sectors serve the southwest side of the Fair Park. As an example the traffic demand during the State Fair event is not properly served. A temporary site have to be deployed every year, which is in service for only 24 days.

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4

SF_GRAND – Best Server 700 MHz Proposed



Note: SF_GRAND adds 6 new sectors for a total of 10 sectors to serve the southwest side of Fair Park. With this new site the traffic demand in the area during the State Fair event and throughout the entire year will be properly supported.

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5

Prior CPC Action – June 21, 2018:

Motion: In considering an application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned an MF-2(A) Multifamily Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the south corner of JB Jackson Jr Boulevard and Park Row Avenue, it was moved to **hold** this case under advisement until August 2, 2018.

Maker: Mack
Second: Rieves
Result: Carried: 12 to 0

For: 12 - West, Rieves, Houston, Davis, Shidid, Carpenter, Mack, Jung, Housewright, Schultz*, Peadon, Murphy

Against: 0
Absent: 2 - Ridley, Tarpley
Vacancy: 1 - District 8

Notices: Area: 300 Mailed: 38
Replies: For: 1 Against: 0

Speakers: For: Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208
Against: None

Prior CPC Action – August 2, 2018:

Motion: It was moved to recommend **approval** of a Specific Use Permit for a tower/antenna for cellular communication for a 10-year period with eligibility for automatic renewals for additional 10-year periods, subject to a site plan and conditions on property zoned an MF-2(A) Multifamily Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the south corner of JB Jackson Jr Boulevard and Park Row Avenue.

Maker: Mack
Second: Rieves
Result: Carried: 12 to 0

For: 12 - West, Rieves, Houston, Davis, Shidid, Carpenter, Mack, Jung, Housewright, Schultz, Peadon, Murphy

Against: 0
Absent: 1 - Tarpley
Vacancy: 1 - District 8
Conflict: 1 - Ridley

Notices: Area: 300 Mailed: 38
Replies: For: 1 Against: 3

Speakers: For: Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208
Omar Siddiqui, Address not given
Harold Wallace, 8717 Deerwood Dr., Rowlett, TX, 75088
Against: None

List of Officers

Fourth Avenue Church of Christ Shepherds

Bro. Robert Edison and wife Bonnie

Bro. Robert Ivy and wife Effeunia

Bro. Calvin Jones and wife Christell

Bro. Harold Wallace and wife Carol

Verizon Board of Directors

Lowell McAdam
Richard Carrion
Clarence Otis, Jr.
M. Frances Keith
Gregory Weaver
Rodney Slater
Melanie Healey
Kathryn Tesija
Gregory Wasson
Shellye Archambeau
Mark Bertolini

Verizon Executive Officers

Lowell McAdam, Chief Executive Officer
Tim Armstrong, Chief Executive Officer – Oath
Martin Burvill, Senior Vice President
Eric Cevis, Senior Vice President
Kenneth Dixon, Senior Vice President
Ronan Dunne, Executive Vice President
Mathew D. Ellis, Executive Vice President
Tami Erwin, Executive Vice President
George Fischer, Senior Vice President
James Gerace, Chief Communications Officer
Rose Stuckey Kirk, Chief Social Responsibility Officer
Rima Qureshi, Executive Vice President and Chief Strategy Officer
Marc C. Reed, Executive Vice President
Diego Scotti, Executive Vice President
Craig Silliman, Executive Vice President
David Small, Executive Vice President
John G. Stratton, Executive Vice President
Hans Vestberg, Executive Vice President

CPC Recommended SUP Conditions

1. USE: The only use authorized by this specific use permit is a tower/antenna for cellular communication.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan and elevation.

3. TIME LIMIT: This specific use permit expires on (ten years from the passage of the ordinance), but is eligible for automatic renewal for additional ten-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

4. COLLOCATION: Any tower/antenna support structure must be constructed to support the antenna arrays for at least two other wireless communications carriers. The tower/antenna support structure must be made available to other wireless communication carriers upon reasonable terms.

5. HEIGHT: The maximum height of a tower/antenna for cellular communication is 85 feet.

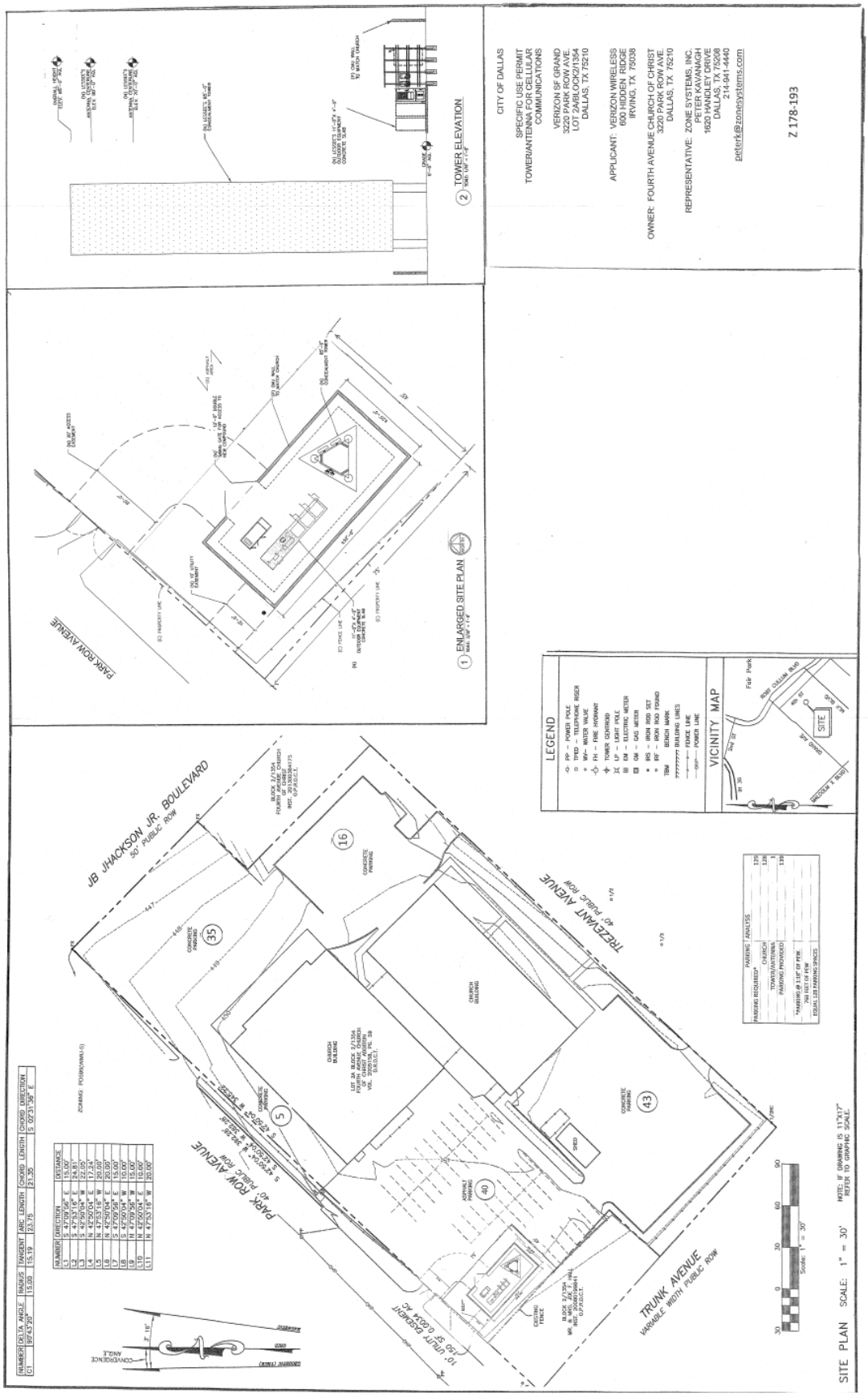
6. SCREENING: The lease area must be screened by a six-foot-tall solid screening fence and secured by a six-foot-tall access gate in the location shown on the attached site plan.

7. STEALTH DESIGN: The tower/antenna for cellular communication must be constructed with a stealth design with the platform concealed within the overall vertical design of the tower.

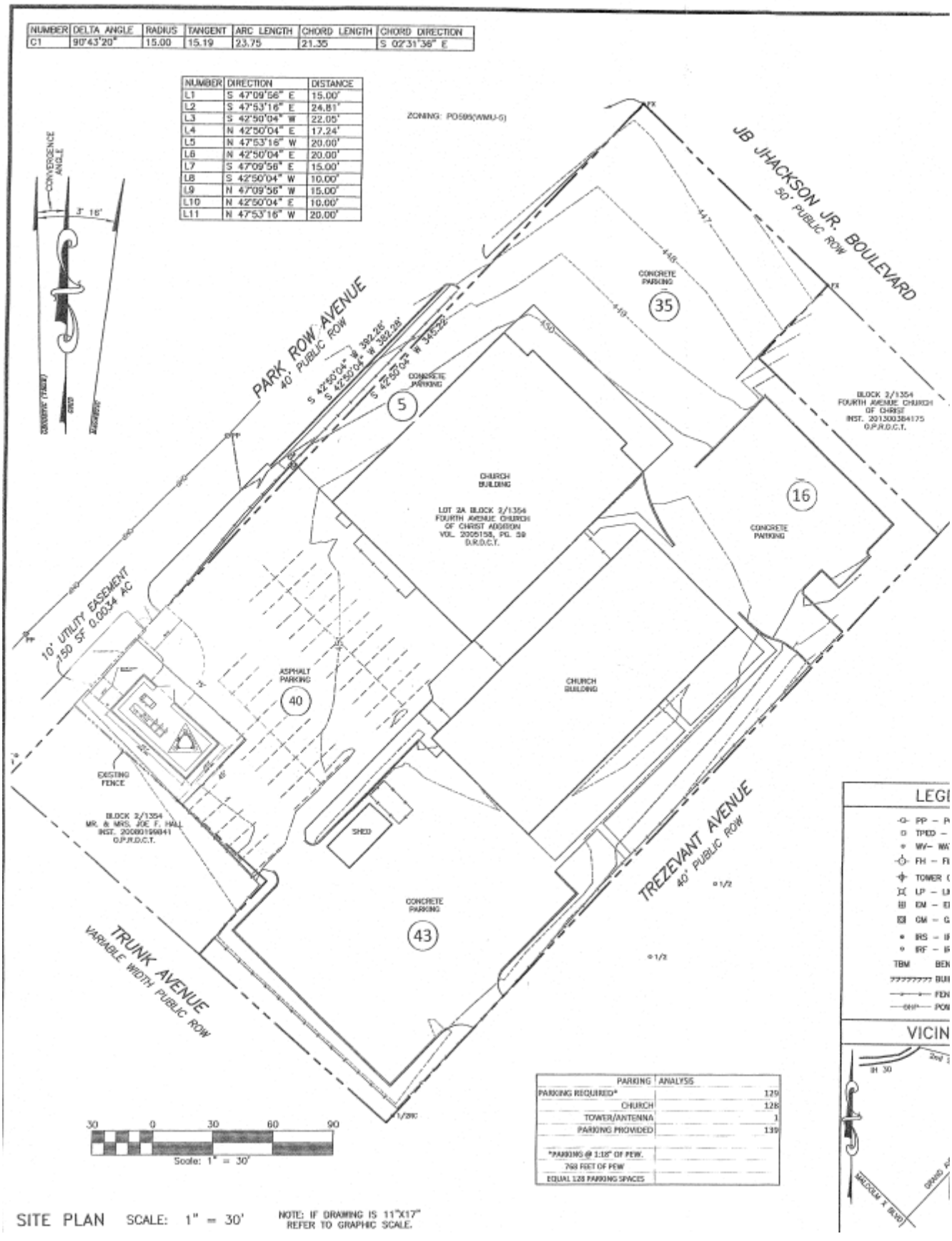
8. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

9. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

CPC RECOMMENDED SITE PLAN



ENLARGED OVERALL SITE PLAN



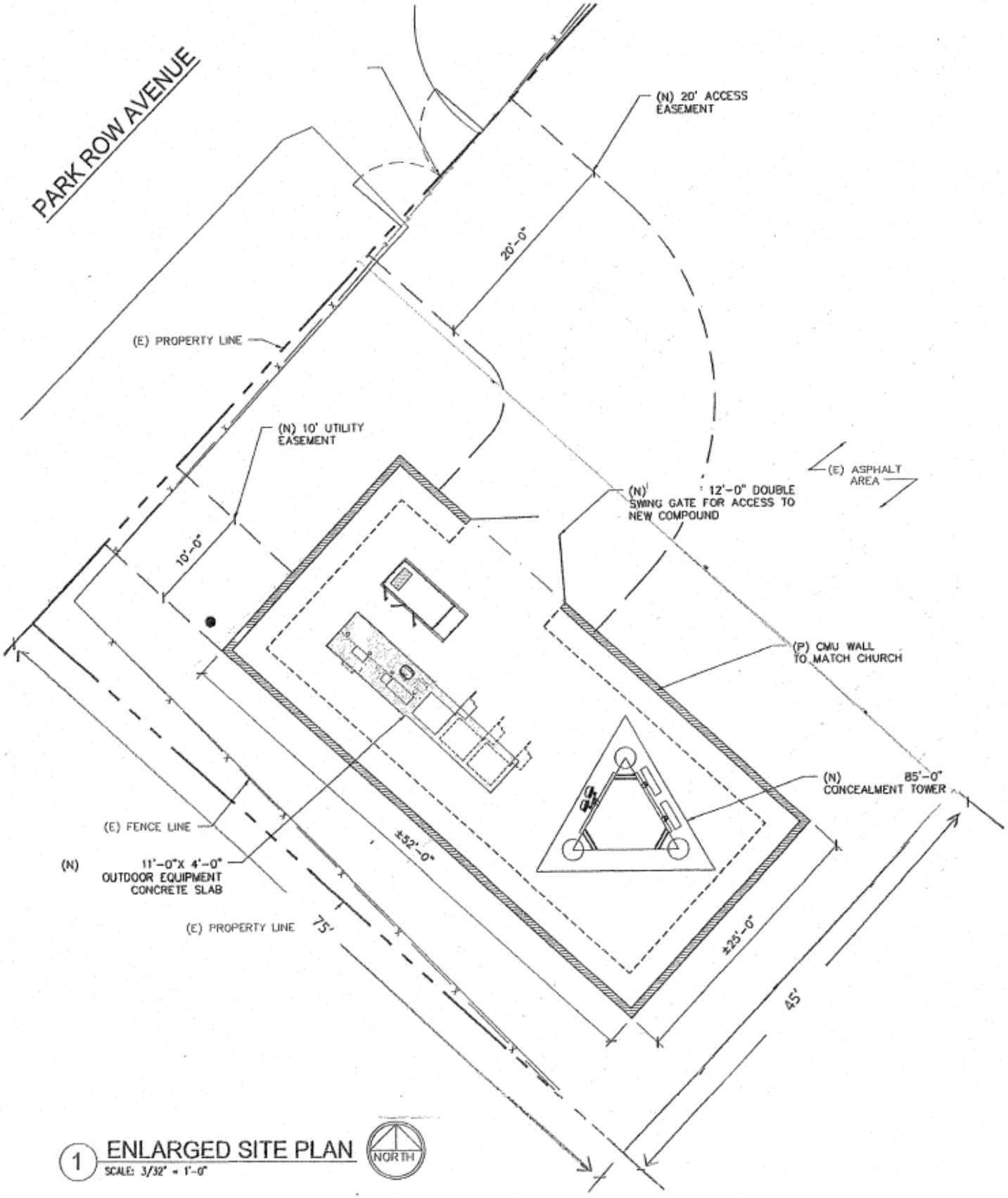
NUMBER	DELTA ANGLE	RADIUS	TANGENT	ARC LENGTH	CHORD LENGTH	CHORD DIRECTION
C1	90°43'20"	15.00	15.19	23.75	21.35	S 02°31'36" E

NUMBER	DIRECTION	DISTANCE
L1	S 47°09'56" E	15.00'
L2	S 47°53'16" E	24.81'
L3	S 42°50'04" W	22.05'
L4	N 42°50'04" E	17.24'
L5	N 47°53'16" W	20.00'
L6	N 42°50'04" E	20.00'
L7	S 47°09'56" E	15.00'
L8	S 42°50'04" W	10.00'
L9	N 47°09'56" W	15.00'
L10	N 42°50'04" E	10.00'
L11	N 47°53'16" W	20.00'

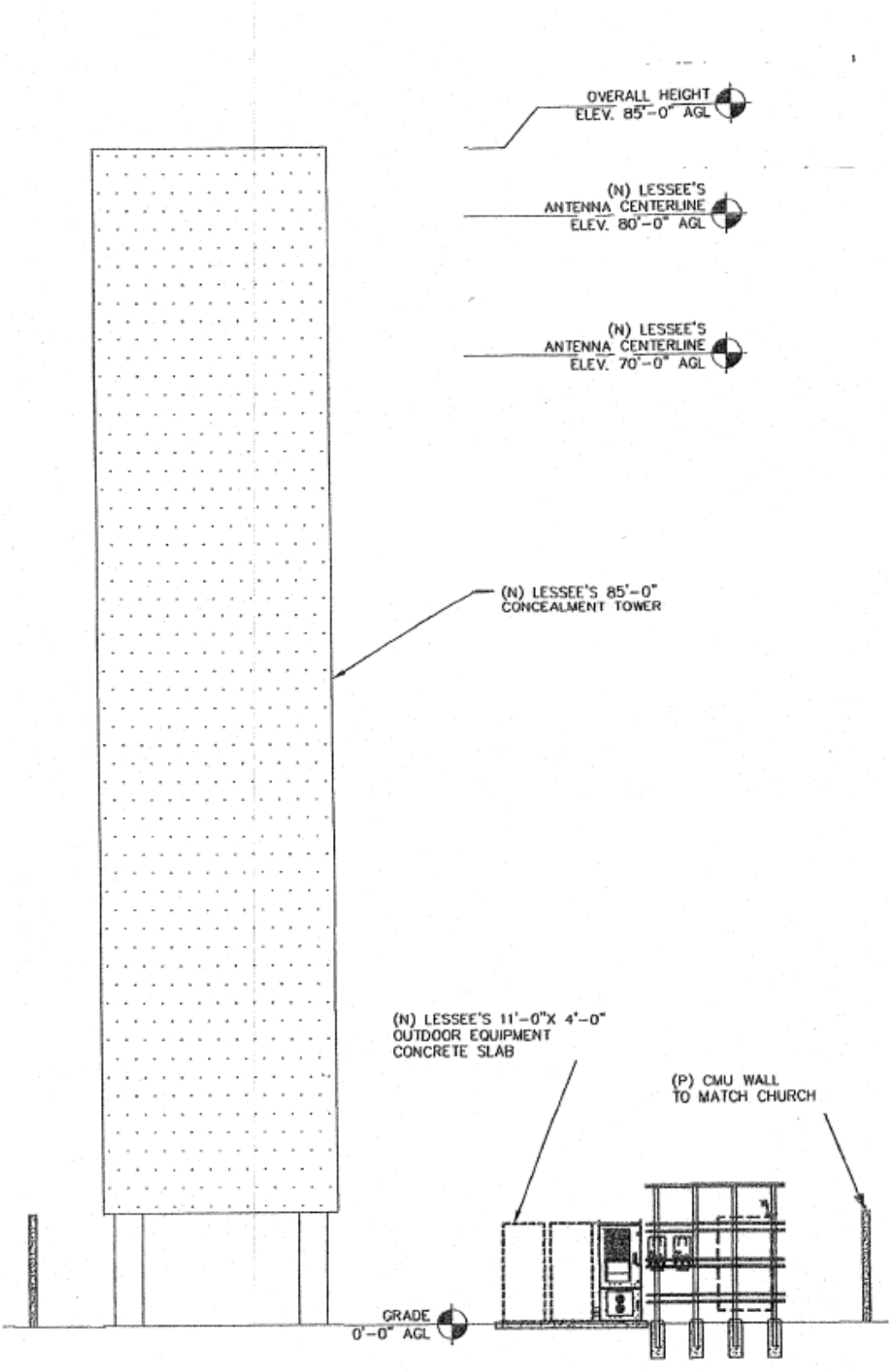
PARKING ANALYSIS	
PARKING REQUIRED*	129
CHURCH	128
TOWER/ANTENNA	1
PARKING PROVIDED	139
*PARKING @ 1:125' OF PEW.	
768 FEET OF PEW	
EQUAL 128 PARKING SPACES	

SITE PLAN SCALE: 1" = 30' NOTE: IF DRAWING IS 11"X17" REFER TO GRAPHIC SCALE.

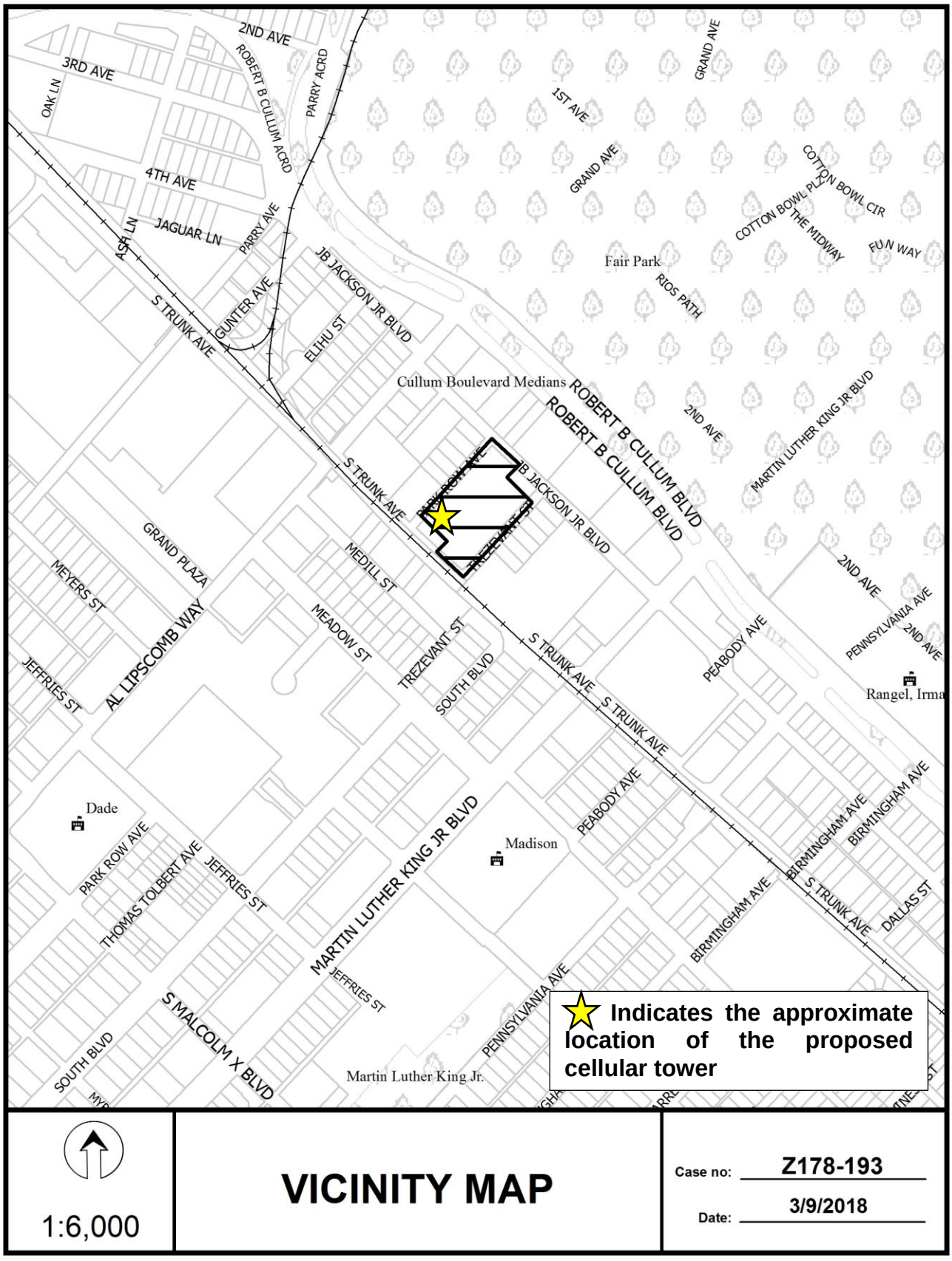
ENLARGED SITE PLAN

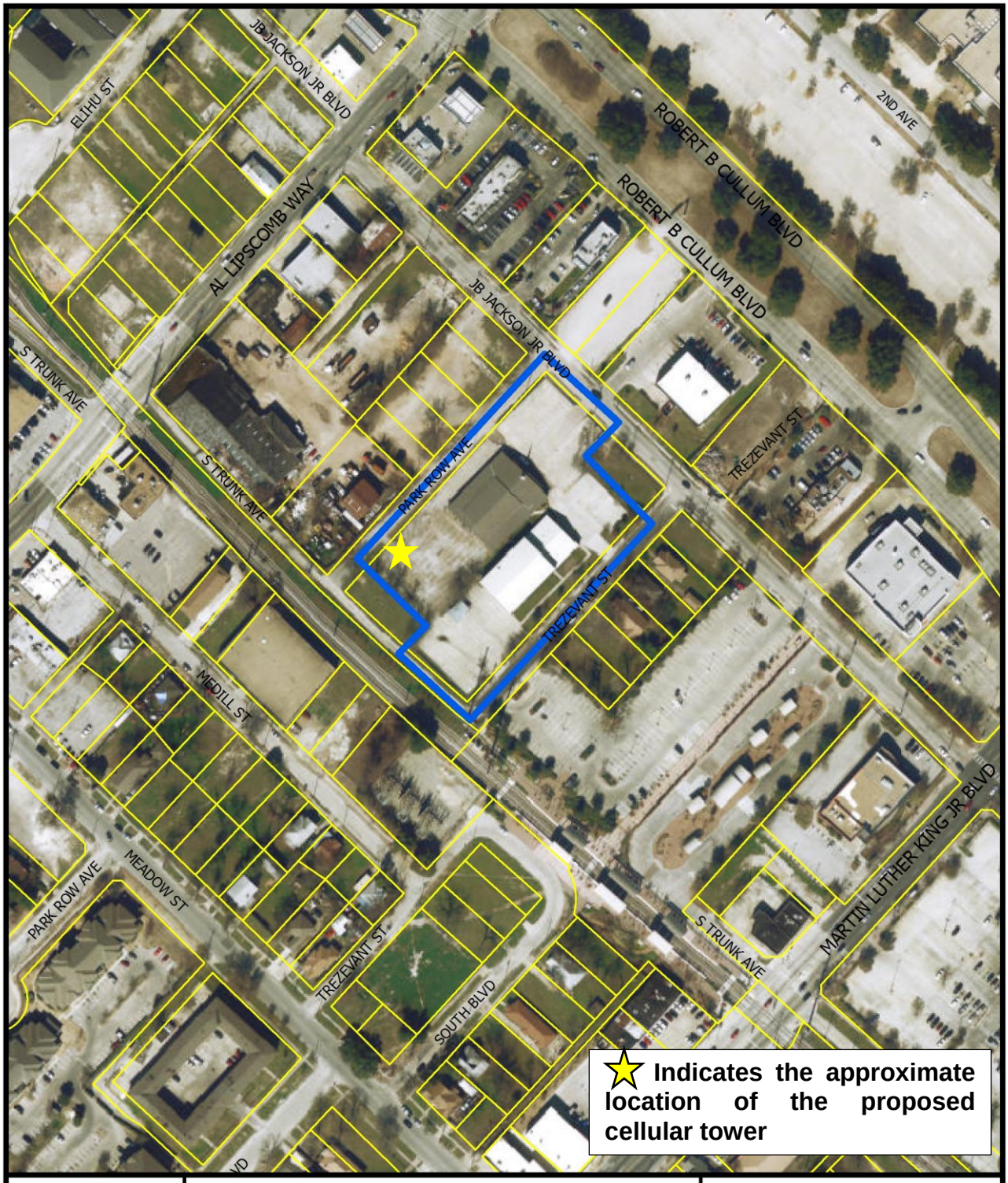


ENLARGED ELEVATION DETAIL



2 TOWER ELEVATION
SCALE: 1/16" = 1'-0"


2ND AVE
3RD AVE
OAK LN
ROBERT B CULLUM ACRD
PARRY ACRD
4TH AVE
JAGUAR LN
ASH LN
PARRY AVE
GUNTER AVE
S TRUNK AVE
JB JACKSON JR BLVD
ELIHU ST
1ST AVE
GRAND AVE
COTTON BOWL CIR
COTTON BOWL PLZ
THE MIDWAY
FUN WAY
Fair Park
RIOS PATH
Cullum Boulevard Medians
ROBERT B CULLUM BLVD
MARTIN LUTHER KING JR BLVD
PARK ROW AVE
TREZEVANT ST
GRAND PLAZA
MEYERS ST
MEDILL ST
MEADOW ST
SOUTH BLVD
PEABODY AVE
PENNSYLVANIA AVE
AL LIPSCOMB WAY
JEFFRIES ST
Rangel, Irma
Dade
Madison
PARK ROW AVE
THOMAS TOLBERT AVE
BIRMINGHAM AVE
DALLAS ST
S MALCOLM X BLVD
Martin Luther King Jr.
Indicates the approximate location of the proposed cellular tower
1:6,000
VICINITY MAP
Case no: Z178-193
Date: 3/9/2018

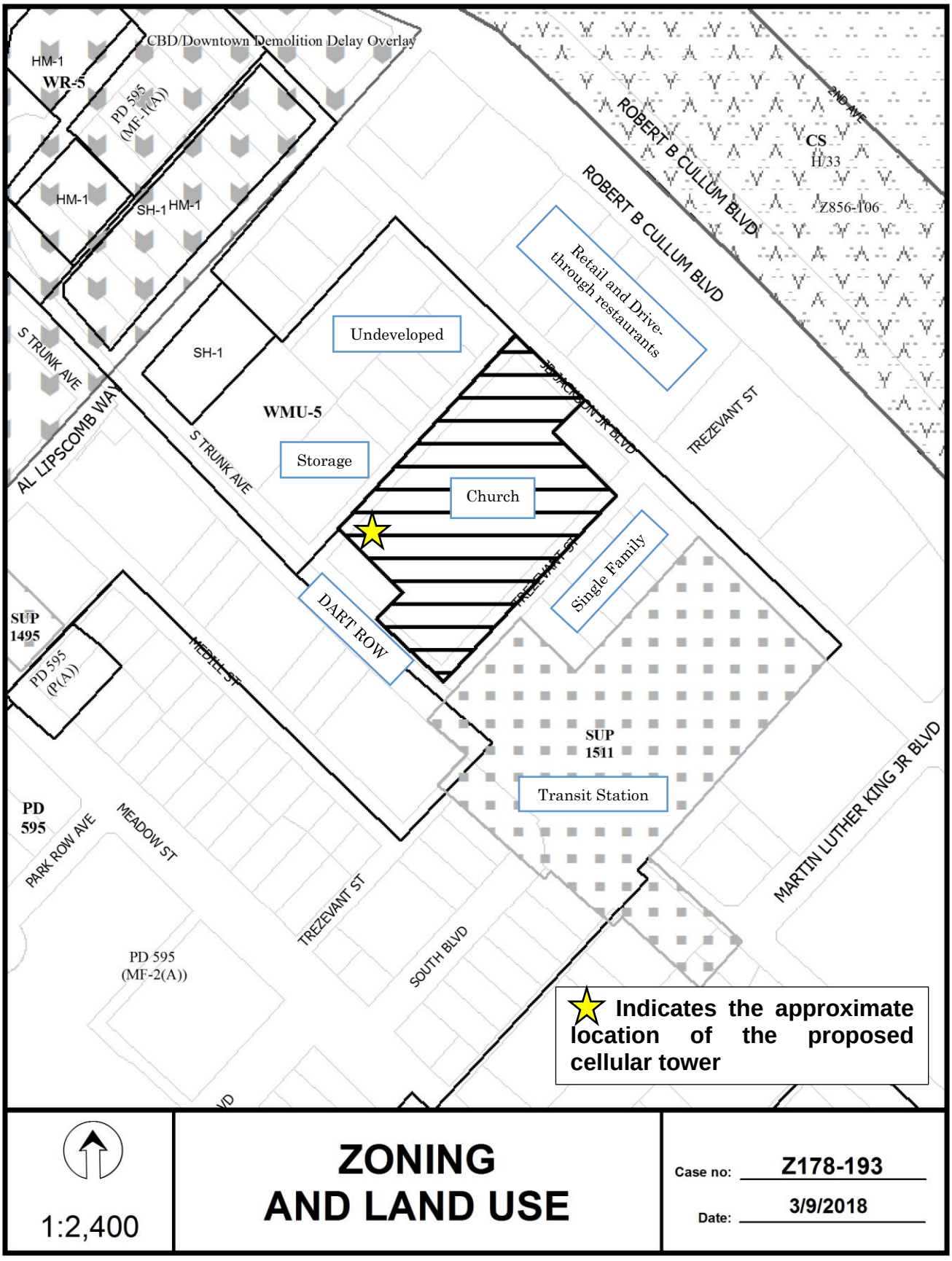


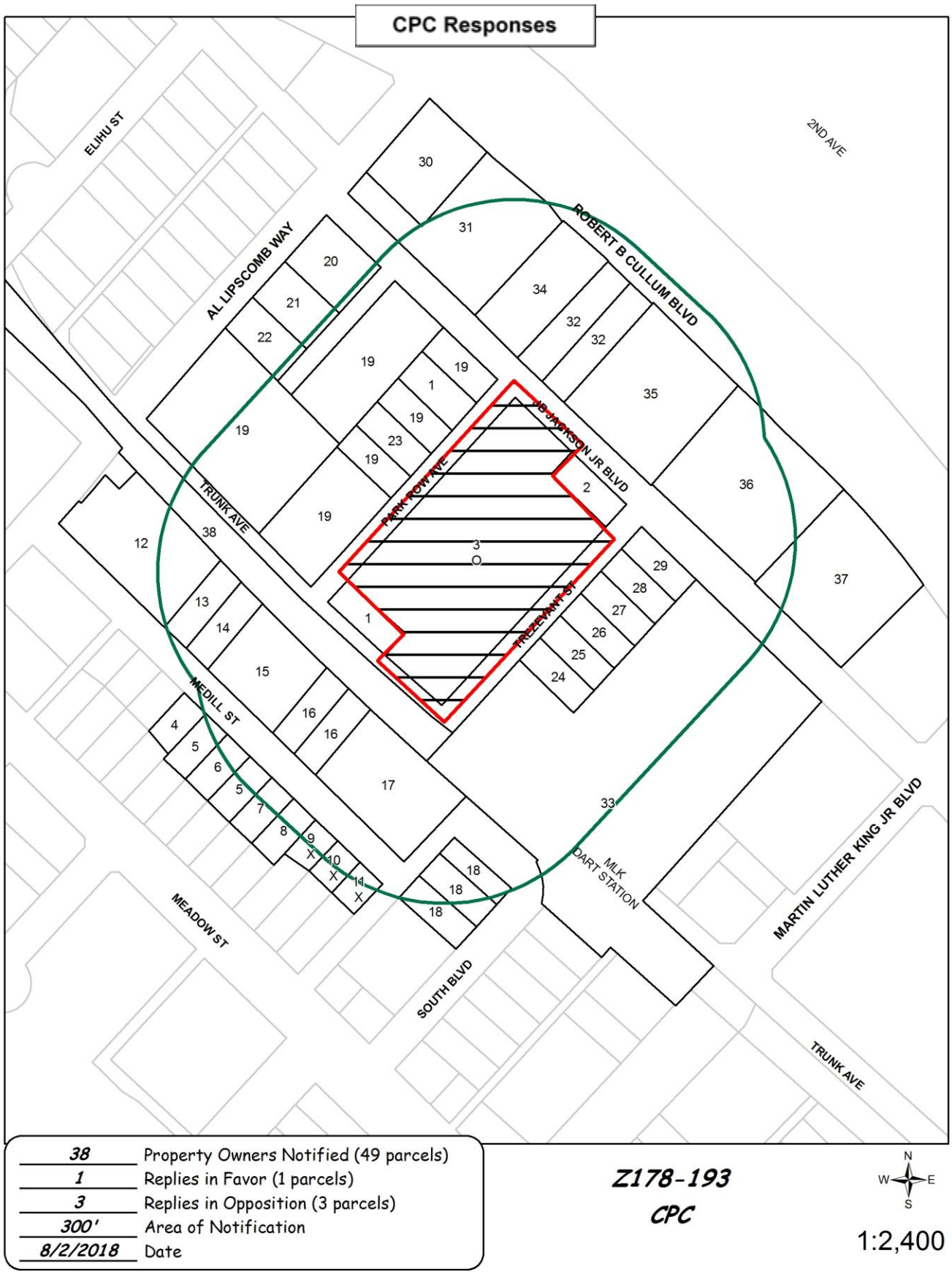
1:2,400

AERIAL MAP

Case no: Z178-193

Date: 3/9/2018


CBD/Downtown Demolition Delay Overlay
HM-1
WR-5
PD 595 (MF-1(A))
HM-1
SH-1
HM-1
SH-1
S TRUNK AVE
AL LIPSCOMB WAY
S TRUNK AVE
WMU-5
Undeveloped
Storage
Church
DART ROW
TREZEVANT ST
Retail and Drive-through restaurants
JB JACKSON JR BLVD
TREZEVANT ST
ROBERT B CULLUM BLVD
ROBERT B CULLUM BLVD
2ND AVE
CS
H/33
Z856-106
Single Family
SUP 1495
PD 595 (P(A))
MEDILL ST
SUP 1511
Transit Station
PD 595
PARK ROW AVE
MEADOW ST
TREZEVANT ST
SOUTH BLVD
PD 595 (MF-2(A))
MARTIN LUTHER KING JR BLVD
Indicates the approximate location of the proposed cellular tower
1:2,400
ZONING AND LAND USE
Case no: Z178-193
Date: 3/9/2018


CPC Responses
ELIHU ST
2ND AVE
AL LIPSCOMB WAY
ROBERT B CULLUM BLVD
JB JACKSON JR BLVD
PARK ROW AVE
TRUNK AVE
TREZEVANT ST
MEDILL ST
MEADOW ST
SOUTH BLVD
MLK DART STATION
MARTIN LUTHER KING JR BLVD
TRUNK AVE
38 Property Owners Notified (49 parcels)
1 Replies in Favor (1 parcels)
3 Replies in Opposition (3 parcels)
300' Area of Notification
8/2/2018 Date
Z178-193
CPC
N
W
E
S
1:2,400

08/01/2018

Reply List of Property Owners

Z178-193

38 Property Owners Notified ***1 Property Owner in Favor*** ***3 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	3200	PARK ROW AVE	HALL FLOYDELL
	2	3233	TREZEVANT ST	FOURTH AVENUE CHURCH OF CHRIST
O	3	3220	PARK ROW AVE	FOURTH AVE CHURCH OF CHRIST
	4	2725	MEDILL ST	LARSON MARK E
	5	2801	MEDILL ST	LARSON MARK
	6	2805	MEDILL ST	JOHNSON DON
	7	2811	MEDILL ST	COBB LARRY C
	8	2819	MEDILL ST	COBB LARRY &
X	9	2823	MEDILL ST	JOHNSON DEWAYLON OSHUN
X	10	2825	MEDILL ST	BATES WILLIAM
X	11	2831	MEDILL ST	BATES DEBORAH C
	12	3120	AL LIPSCOMB WAY	ALPHA VII GROUP INC
	13	2722	MEDILL ST	SDMC INVESTMENTS LLC
	14	2728	MEDILL ST	LOUER BETTE B TRUSTEE
	15	2730	MEDILL ST	PEREZ BROTHERS INV LLC
	16	2810	MEDILL ST	PEREZ BROTHERS INVESTMENTS LLC
	17	2814	MEDILL ST	TEXAS UTILITIES ELEC CO
	18	3125	SOUTH BLVD	GOLDBERG ALEXANDER J
	19	3200	AL LIPSCOMB WAY	HALL FLOYDELL
	20	3232	AL LIPSCOMB WAY	EDWARDS BRUCE TRUST
	21	3224	AL LIPSCOMB WAY	EDWARDS BRUCE M TRUST
	22	3220	AL LIPSCOMB WAY	SELMA VENTURES LTD
	23	3225	PARK ROW AVE	HALL FLOYDELL
	24	3214	TREZEVANT ST	HALL DEVIN
	25	3218	TREZEVANT ST	WATSON CLARA
	26	3222	TREZEVANT ST	WILLIAMS THOMAS

08/01/2018

Reply	*Label #*	*Address*		*Owner*
	27	3226	TREZEVANT ST	BYNUM ONITA &
	28	3230	TREZEVANT ST	REED PHILLIP
	29	3234	TREZEVANT ST	THOMPSON MAYE E DARBY REVOCABLE TRUST THE
	30	3306	AL LIPSCOMB WAY	S PETROLEUM INC
	31	3310	AL LIPSCOMB WAY	MCDONALD CORP 042 0306
	32	1232	ROBERT B CULLUM BLVD	GOOD CLUCK LLC
	33	1423	MARTIN LUTHER KING JR BLVD	DALLAS AREA RAPID TRANSIT
	34	1228	ROBERT B CULLUM BLVD	ASLAM REAL ESTATE LLC
	35	1300	ROBERT B CULLUM BLVD	GREGSON ENTERPRISES LLC
	36	1441	ROBERT B CULLUM BLVD	TWO PODNERS RETAIL EATERIES LLC
	37	1461	ROBERT B CULLUM BLVD	WG DALLAS TX LP
	38	555	2ND AVE	DART

Agenda Information Sheet

File #: 18-1039 **Item #:** 74.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subdistrict A of the Arts District Special Provision Sign District, Sections 51A-7.1203 and 51A-7.1214.1 of the Dallas City Code on property zoned Planned Development District No. 145, the Arts District Special Purpose District, in an area bounded by Flora Street, Leonard Street, Ross Avenue, and Crockett Street
Recommendation of Staff: Denial
Recommendation of CPC: Approval
SPSD178-002

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, OCTOBER 24, 2018**

ACM: Majed Al-Ghafry

FILE NUMBER: SPSD178-002 **DATE FILED:** May 24, 2018

LOCATION: An area generally bounded by Flora Street, Leonard Street, Ross Avenue, and Crockett Street

COUNCIL DISTRICT: 14 **MAPSCO:** 45 G; L

SIZE OF REQUEST: Approximately 2.718 acres **CENSUS TRACT:** 17.01

REPRESENTATIVE: Larry Harris

APPLICANT: Hall Financial Group, Ltd.

OWNER: 2323 Ross Holdings, LLC; Hall Arts Residencies, LLC; Leonard Hotel RE, LLC; Flora/Leonard Retail RE, LLC

REQUEST: An application for an amendment to Subdistrict A of the Arts District Special Provision Sign District, Sections 51A-7.1203 and 51A-7.1214.1 of the Dallas City Code on property zoned Planned Development District No. 145, the Arts District Special Purpose District.

SUMMARY: The purpose of this request is to amend Subdistrict A to allow retaining wall signs in Subdistrict A.

CPC RECOMMENDATION: **Approval**

STAFF RECOMMENDATION: **Denial**

BACKGROUND INFORMATION:

The Arts District Sign District was created on February 16, 1983. The SPSD currently has two subdistricts within the boundary – Subdistrict A and Subdistrict B. Subdistrict A was created on November 7, 2011, and amended on May 14, 2014. Subdistrict B was created on December 13, 2017. On July 2, 2018, an application was submitted requesting a new subdistrict within the Arts SPSD. The Committee will consider the request in the near future.

The applicant is proposing to amend Subdistrict A to allow four retaining wall signs that would be integrated onto a retaining wall and only allowed on Ross Avenue. The signs would be consistent in color and material to an integrated sign.

The creation of Subdistrict A introduced signs similar to those allowed in the abutting Downtown SPSD. Signs included one primary tenant identity sign or building identification sign per façade above the highest leasable floor and one integrated sign either an attached sign facing Crockett Street or a monument sign in the building plaza area.

The 2014 amendment requested "limited" signage intended "to provide the secondary main tenant requisite signage." The amendment removed the allowance for a tenant identity sign or building identification sign on the Leonard Street facade; allowed the tenant identity signs Ross Avenue to be at any level; and increased the effective area from 20 square feet to 30 square feet for detached premise signs.

STAFF ANALYSIS:

Creating a new subdistrict in 2011 was viewed by staff as unnecessary. Staff believed treating one single block differently from the remainder of the Arts District could begin to erode the cohesiveness of the district. Staff's opinion was the same with the request for Subdistrict B. Staff stated in both cases that a review of the entire SPSD would be preferable to singling out one block at a time.

The boundaries of the Arts District Special Provision Sign District are consistent with the boundaries of the Sasaki Plan, which serves as a guideline for the Art's District Planned Development District. While signage is not covered in detail in the Sasaki Plan, the plan does set out consistent design guidelines for the District as a whole. The intent of the Arts District is to create a pedestrian-oriented space with a distinct visual image for the district.

One of the purposes of the Arts District SPSD is to create a sense of uniformity between signs and the other streetscape elements of the Arts District.

Two SPSDs allow retaining wall signs in one of their subdistricts. The Downtown SPSD allows a maximum of four retaining wall signs within the Retail B Subdistrict. The sign must be affixed or engraved into a retaining wall supporting a landscape bed or similar

feature. Retail B Subdistrict is one block bound by Main Street, Lamar Street, Elm Street, and Griffin Street.

The One Arts Plaza Subdistrict in the Arts Extension SPSD allows a maximum of two retaining wall signs. The maximum effective area for the retaining wall signs is 20 square feet. The signs must be mounted on a perimeter retaining wall facing a public right-of-way. The signs may identify the building's owner or developer and multiple tenants. The maximum height for the retaining wall sign is eight feet measured to the top of the sign face and may be within five feet of the public right-of-way. The signs must be consistent in color and material.

The regulations for the proposed retaining wall signs in this request are patterned after the retaining wall signs in the Arts Extension SPSD. The differences are the proposed maximum effective area is 15 square feet instead of 20 square feet and there is no limit on the height of the retaining wall.

Below is a comparison of the two Subdistricts within the Arts SPSD and the requested retaining wall signs.

Subdistrict A	**Subdistrict A** **Proposed amendment**	**Subdistrict B**
	Retaining wall signs • Total of four on Ross Avenue • Mounted on perimeter retaining wall facing ROW • Identify building's owner or developer and multiple tenants • Within five feet of ROW • May be cabinet sign and internally illuminated • Maximum effective area is 15 square feet • Consistent in color and material to an integrated sign	
One tenant identity sign or building identification sign is permitted per facade. No identification sign on Leonard St. façade.	No change	Two tenant identity or building identification signs on Woodall Rodgers façade. No tenant identity signs on Munger Avenue, Crockett Street, or Pearl Street façades.

Subdistrict A	Subdistrict A Proposed amendment	Subdistrict B
Tenant identity signs must be located above the highest leasable floor. A tenant identity sign located on the Ross Avenue facing facade, may be located on any floor.	No change	Tenant identity or building identification signs must be located at or above the third floor on Woodall Rodgers façade.
		Tenant identity, building identification, and restaurant/retail identity signs combined may not exceed four percent of the façade to which it is affixed.
One integrated sign is permitted.	No change	One integrated sign is permitted
Integrated sign may be attached sign or monument sign.	No change	Integrated sign must be a monument sign.
If attached integrated sign must face Crockett Street.	No change	Integrated sign must be located on Pearl Street a minimum of 15 feet from Woodall Rodgers and 100 feet from Munger Avenue
If monument integrated sign, may be two sided and must be in building plaza area.	No change	Integrated sign may be located within five feet of a public right-of-way.
Maximum height of an integrated sign is eight feet from bottom of sign face to top of sign face.	No change	Maximum height of an integrated sign is eight feet from bottom of sign face to top of sign face
Maximum effective area of an integrated sign is 50 square feet	No change	Maximum effective area of an integrated sign is 175 square feet. Tenant names are limited to 60 square feet effective area.
		Restaurant/retail identity signs may not be located above 24 feet.
		Two restaurant/retail identity signs on Pearl Street façade and two restaurant/retail identity signs on Woodall Rodgers façade.

Subdistrict A	Subdistrict A Proposed amendment	Subdistrict B
		Tenant identity, building identification, and restaurant/retail identity signs combined may not exceed four percent of the façade to which it is affixed.

Officers

Leonard Hotel RE, LLC and Hall Arts Residences

Donald L. Braun:	Manager, President and Secretary
Michael J. Jaynes:	Executive Vice President
Larry Harris:	Vice President
Bryan Tolbert:	Vice President of Finance

Flora/Leonard Retail RE, LLC

Brad Brooks:	Manager and President
Michael Norvet:	Manager and Vice President

2323 Ross Holdings, LLC

2323 Ross Investments, LLC:	Member
Daniel J. Healy:	President of 2323 Ross Investments, LLC
Najam Syed:	Secretary of 2323 Ross Investments, LLC

ADJACENT PROPERTY - PART OF SAME SIGN SUBDISTRICT

2323 ROSS AVE

* KPMG PLAZA @ HALL ARTS BUILDING

City Plan Commission action:
September 6, 2018

Motion: It was moved to recommend **approval** of an amendment to Subdistrict A of the Arts District Special Provision Sign District, Sections 51A-7.1203 and 51A-7.1214.1 of the Dallas City Code on property zoned Planned Development District No. 145, the Arts District Special Purpose District, in an area bounded by Flora Street, Leonard Street, Ross Avenue, and Crockett Street.

Maker: Rieves
Second: Houston
Result: Carried: 11 to 0

For: 11 - West, Rieves, Houston, Davis, Shidid, Carpenter, Mack, Lewis, Schultz, Peadon, Tarpley

Against: 0
Absent: 3 - Jung, Housewright, Murphy
Vacancy: 0
Conflict: 1 - Ridley

Notices: Area: 200 Mailed: 10
Replies: For: 0 Against: 0

Speakers: For: Suzan Kedron, 2323 Ross Ave., Dallas, TX, 75201
Lily Weiss, 750 N. St. Paul St., Dallas, TX, 75201
For (Did not speak): Kimberly Butler, 4667 Alta Vista Ln., Dallas. TX, 75229
Kristina Hart, 3093 Ponder Dr., Dallas, TX, 75229
Against: None

CPC Recommended Conditions

(Proposed changes are on pages 9, 11, and 25)

SEC. 51A-7.1201. DESIGNATION OF ARTS DISTRICT SIGN DISTRICT.

(a) A special provision sign district is hereby created to be known as the Arts District Sign District. For purposes of this article, the boundaries of the Arts District Sign District are the same as those of the Dallas Arts District (Planned Development District No. 145) established by Ordinance No. 17710, passed by the Dallas City Council on February 16, 1983.

(b) Subdistrict A is hereby created within the Arts District Sign District. For the purposes of this division, Subdistrict A is the area bounded by Flora Street to the northwest, Leonard Street to the northeast, Ross Avenue to the southeast, and Crockett Street to the southwest.

(c) The property described in Subsection (a), which was formerly part of the Downtown Special Provision Sign District, is no longer considered to be part of that district. This division completely supersedes Division 51A-7.900 with respect to the property described in Subsection (a).

SEC. 51A-7.1202. PURPOSE.

The Dallas Arts District (Planned Development District No. 145) was established by Ordinance No. 17710, which was passed by the Dallas City Council on February 16, 1983. This approximately 17-block, 60-acre area in the northeast section of the central business district represents a concerted effort on the part of the city and arts organizations to consolidate major art institutions in one mixed-use area.

The guideline for development in the Arts District is an urban design plan known as the “Sasaki Plan.” This plan is based on district-wide design and land use concepts, which include the creation of a pedestrian-oriented environment and a distinctive visual image for the district. Flora Street is defined as the major pedestrian spine and focus of development in the district. As a wide, tree-lined environment, Flora Street connects three subdistricts (Museum Crossing, Concert Lights, and Fountain Plaza) and provides continuity in a development framework for public institutions and private owners.

The sign regulations in this division have been developed with the following objectives in mind:

(1) To protect the character of Flora Street and the Arts District from inappropriate signs in terms of number (clutter), size, style, color, and materials.

(2) To enhance the image and liveliness of the Arts District by encouraging compatible signs that are colorful, decorative, entertaining, and artistic in style, while being functional and informative in purpose.

(3) To promote the commercial success of each individual tenant in the Arts District and, in turn, the commercial success of all the tenants in the district collectively.

(4) To create a sense of design uniformity between signs and the other streetscape elements of the Arts District.

(5) To help make the Arts District an attractive place for the public to frequent by providing ease of direction to specific cultural institutions.

(6) To create a means of identifying the various types or categories of retail establishments along Flora Street.

(7) To identify and promote cultural events and activities consistent with the purposes of the Arts District.

(8) To recognize that sign hardware is a part of the overall visual design of a sign, and to ensure that investments in signs and other structures in the Arts District are not devalued by inappropriate or poor quality sign hardware.

SEC. 51A-7.1203. DEFINITIONS.

(a) In this division:

(1) ARTS DISTRICT means Planned Development District No. 145 (the Dallas Arts District).

(2) ARTS DISTRICT OFFICIAL LOGO means the official logo of the Arts District as depicted in Exhibit A, which is attached to and made a part of this ordinance.

(3) AWNING SIGN means a sign that is or appears to be part of an awning.

(4) BLOCK means an area bounded by streets on all sides.

(5) BLOCKFACE means all of the lots on one side of a block.

(6) BUILDING CORNICE AREA means that portion of a building facade above the highest story, but below the actual roof structure.

(7) BUILDING IDENTIFICATION SIGN means any sign composed of one or more characters that identify a specific building's name.

(7.1) CANOPY means a permanent non-fabric architectural element projecting from the face of a building.

(7.2) CANOPY FASCIA SIGN means a sign with a digital display that is attached to, applied on, or supported by the fascia or soffit of a canopy.

(8) CBD STREETSCAPE PLAN means the Dallas Central Business District Streetscape Guidelines approved by the Dallas City Council on April 15, 1981, by Resolution No. 81-1118.

(8.1) CABINET SIGN means an illuminated, flat attached sign not composed of individual lettering which contains its own lighting.

(9) CHARACTER means a symbol, as a letter or number that represents information.

(9.0) CONSTRUCTION BARRICADE SIGN means a sign that is affixed to a construction barricade.

(9.1) CULTURAL INSTITUTION means any facility used primarily for the visual or performing arts; open to the public, such as a museum, concert hall, theater, or similar facility; and established by a public or philanthropic entity.

(9.1.1) CULTURAL INSTITUTION DIGITAL SIGN means a monument sign with a digital display that identifies the cultural institution; the district; a sponsor of the cultural institution, district, or arts organization; or an arts organization such as a symphony, dance troupe, or theatre group that uses that cultural institution.

(9.2) CULTURAL INSTITUTION IDEN- TIFICATION SIGN means a premise sign that identifies the cultural institution or the primary arts organization such as a symphony, dance troupe, or theater group that uses that cultural institution.

(10) DETACHED PREMISE SIGN means a sign that is both a detached sign and a premise sign as defined in Section 51A-7.102.

(11) FLAT ATTACHED SIGN means an attached sign projecting four inches or less from a building.

(12) FLORA STREET FRONTAGE AREA means the "Flora Street Frontage Area" as defined in the Arts District PD ordinance (Ordinance No. 17710, as amended).

(12.1) FREESTANDING IDENTIFICA-TION SIGN means a monument sign that identifies the cultural institution; the district; a sponsor of the cultural institution, district, or arts organization; or an arts organization such as a symphony, dance troupe, or theater group that uses that cultural institution.

(13) GENERIC RETAIL IDENTIFICATION SIGN means a sign identifying a type or category of retail establishment without identifying a specific establishment.

(14) GOVERNMENTAL TRAFFIC SIGN means a sign, signal, or other traffic control device installed by a governmental agency for the purpose of regulating, warning, or guiding vehicular or pedestrian traffic on a public highway. Examples of these signs include stop signs, one-way signs, no parking signs, and electronic pedestrian and vehicular signalization devices and their fixtures.

(15) INSTITUTIONAL MOVEMENT INFORMATION SIGN means a sign showing the location of or route to a specific cultural institution or a parking area serving that institution.

(15.1) INTEGRATED SIGN means a premise sign within Subdistrict A that is integrated into the design of the building and may be a monument sign.

(16) KIOSK means a small structure with one or more open sides used to display artwork or temporary signs.

(17) MARQUEE SIGN means a sign attached to, applied on, or supported by a permanent canopy projecting over a pedestrian street entrance of a building, and consisting primarily of changeable panels, words, or characters.

(17.1) MONUMENT SIGN means a detached sign applied directly onto a grade-level support structure (instead of a pole support) with no separation between the sign and grade.

(18) PLAQUE means a permanent tablet, the contents of which are either commemorative or identifying.

(18.1) PREMISE means the entire Arts District Sign District land area as defined in 51A-7.1201(a).

(19) PRIVATE SIGNS means those signs that are not "public signs" as defined in this section.

(20) PROJECTING ATTACHED SIGN means an attached sign projecting more than four inches from a building.

(21) PROMOTIONAL SIGN means a sign that promotes a cultural event or activity.

(22) PUBLIC SIGNS means governmental traffic signs, institutional movement control signs, generic retail identification signs, promotional signs, or plaques as defined in this section.

(22.1) RETAINING WALL SIGN means an attached premise sign within Subdistrict A of the Arts District Sign District that is integrated onto a retaining wall.

(23) SASAKI PLAN means the urban design plan prepared by Sasaki Associates, Inc. in August, 1982 to serve as the guideline for development in the Dallas Arts District. The Sasaki Plan is attached to and made a part of the Arts District PD ordinance (Ordinance No. 17710, as amended).

(24) SIGN HARDWARE means the structural support system for a sign, including the fastening devices that secure a sign to a building facade or pole.

(24.1) SPONSORSHIP CONTENT means goods and services sold by the sponsor of the cultural institution, district, or arts organization whether sold on or off the premises.

(24.2) TENANT IDENTITY SIGN means an attached premise sign within Subdistrict A located on a building that is primarily used for office uses that identifies a specific office tenant.

(25) THIS DISTRICT means the Arts District Sign District.

(26) WINDOW SIGN means a sign temporarily or permanently attached to, applied on, or supported by a window.

(b) Except as otherwise provided in this section, the definitions contained in Sections 51A-2.102 and 51A-7.102 apply to this division. In the event of a conflict, this section controls.

SEC. 51A-7.1204. ARTS DISTRICT SIGN PERMIT REQUIREMENT.

(a) A person shall not alter, place, maintain, expand, or remove a sign in this district without first obtaining a sign permit from the city, except that no sign permit is required for:

(1) governmental traffic signs; and

(2) promotional signs other than banners.

(b) The procedure for obtaining a sign permit is outlined in this section. Section 51A-7.602 does not apply to signs in this district.

(c) No sign permit may be issued to authorize a sign in this district unless the director has first issued a certificate of appropriateness in accordance with this section.

(d) There is hereby created a committee to be known as the Arts District Sign Review Committee ("the committee"). The committee shall be composed of five members appointed by the city plan commission. One member of the committee must be an architect or graphic designer. The commission shall solicit a list of nominees from entities operating in the Arts District. Appointments to the committee shall be for a term of two years ending on September 1 of each odd-numbered year, and the members shall serve without compensation. The commission may appoint up to three alternate members to the committee who serve in the absence of one more regular members when requested to do so by the chairperson or by the city manager. The alternate members serve for the same period and are subject to removal the same as regular members. The commission shall fill vacancies occurring in the alternate membership the same as in the regular membership.

(e) The committee shall meet upon the call of the chair or a simple majority of the committee members. A simple majority of members present shall constitute a quorum, and issues shall be decided by a simple majority vote of the members present. The department shall furnish staff support to the committee.

(f) The function of the committee shall be to familiarize itself thoroughly with the character, special conditions, and economics of the Arts District. In addition, the committee shall provide guidance, advice, and assistance to the director in reviewing applications for permits to authorize signs in this district.

(g) Section 51A-7.504, which establishes the special sign district advisory committee for special provision sign districts in the city generally, does not apply to this district. The Arts District Sign Review Committee is the exclusive advisory committee for reviewing and making recommendations to the director concerning applications for permits to authorize signs in this district.

(h) Upon receipt of an application for a permit to authorize a sign in this district, the building official shall refer the application and plans to the director for a review to determine whether the work complies with this ordinance. The director shall conduct his or her review so that a decision on issuance of the permit can be made within 30 calendar days from the date the completed application is submitted to the building official.

(i) The director shall solicit a recommendation from the committee before making a decision to approve or disapprove a certificate of appropriateness. The recommendation of the committee is not binding upon the director, and the director may decide a matter contrary to the recommendation of the committee.

(j) A decision by the director to grant a certificate of appropriateness may be appealed by the committee only. A decision to deny the certificate may be appealed by either the applicant or the committee. An appeal is made by filing a written request with the director for review by the city plan commission. An appeal must be made within 10

days after notice is given to the applicant of the director's decision. In considering the appeal, the sole issue shall be whether or not the director erred in making the decision, and, in this connection, the commission shall consider the same standards that were required to be considered by the director in making the decision. Decisions of the commission are final as to available administrative remedies and are binding on all parties.

(k) If the city plan commission fails to make a decision on an appeal by the applicant within 30 calendar days of the date the written request for an appeal is filed with the director, the application shall be considered approved subject to compliance with all other applicable city codes, ordinances, rules, and regulations.

(l) A person who violates Subsection (a) or any other provision in this division is guilty of a separate offense for each day or portion of the day during which the violation is continued.

SEC. 51A-7.1205. SPECIAL PROVISIONS FOR ALL SIGNS.

(a) This division does not apply to signs that are not visible from outside the premise on which they are located.

(b) Signs in this district are permitted in or overhanging the public way subject to city franchise requirements.

(c) Except in Subdistrict A, no sign may obscure a window or a significant architectural element of a building.

(d) Sign hardware may be visible if its structural elements have been specifically devised for their intrinsic contribution to an overall visual effect. Utilitarian hardware intended only for functional purposes must be concealed from normal view.

(e) Mounting devices supporting a projecting attached sign must be fully integrated with the overall design of the sign.

(f) Materials, fasteners, and anchors used to manufacture and install signs must be resistant to corrosion.

(g) Paints and coatings must contain a UV inhibitor to retard the discoloration and fading effects of ultraviolet light. In addition to finish coats, bare metals must have a primer coat or other surface pretreatment as recommended by the paint or coating manufacturer.

(h) Electrical power required for signs must be supplied by means of concealed conduit from an appropriate power source to the sign in accordance with city codes and accepted practices of the trade. Electrical disconnects, transformers, and related apparatus, including wiring and conduit, must be concealed from normal view.

(i) No signs may be illuminated by an independent external light source.

(j) Burned out or defective lights in signs must be replaced within a reasonable time. Failure to comply with this provision may result in sign permit revocation.

(k) Banners are only allowed as promotional signs.

SEC. 51A-7.1205.1. OPERATIONAL REQUIREMENTS FOR SIGNS WITH DIGITAL DISPLAYS.

(a) Display. All signs with digital display:

(1) must contain a default mechanism that freezes the image in one position in case of a malfunction;

(2) must automatically adjust the sign brightness based on natural ambient light conditions in compliance with the following formula:

(A) the ambient light level measured in luxes, divided by 256 and then rounded down to the nearest whole number, equals the dimming level; then

(B) the dimming level, multiplied by .0039 equals the brightness level; then

(C) the brightness level, multiplied by the maximum brightness of the specific sign measured in nits, equals the allowed sign brightness, measured in nits.

For example:

32768 =ambient
÷ 256
128 =dimming level
x .0039
.4992 =brightness level
x 9000 =(maximum brightness
of the example sign)
4492.8 =allowed brightness in
nits;

(3) may not display light of such intensity or brilliance to cause glare, impair the vision of an ordinary driver, or constitute a nuisance;

(4) must have a full color display able to display a minimum of 281 trillion color shades; and

(5) must be able to display a high quality image with a minimum resolution equivalent to the following table:

Digital Display Sign Resolution Chart	
Size of LED Panel	**Maximum Pixel Size**
100 s/f to 125 s/f	16 mm
Greater than 126 s/f	19 mm

(b) Light intensity. Before the issuance of a sign permit for a sign with a digital display, the applicant shall provide written certification from the sign manufacturer that:

(1) the light intensity has been factory programmed to comply with the maximum brightness and dimming standards in the formula in Subparagraph (a)(2); and

(2) the light intensity is protected from end-user manipulation by password-protected software, or other method satisfactory to the building official.

(c) Change of message. Except as provided in this section, changes of message must comply with the following:

(1) Each message must be displayed for a minimum of eight seconds.

(2) Changes of message must be accomplished within two seconds.

(3) Changes of message must occur simultaneously on the entire sign face.

(4) No flashing, dimming, or brightening of message is permitted except to accommodate changes of message.

(d) Streaming information. If a special events permit has been issued for district activities, ticker tape streaming and streaming video are permitted.

(e) Malfunction. Digital display sign operators must respond to a malfunction or safety issue within one hour after notification.

SEC. 51A-7.1206. PUBLIC SIGNS.

(a) Generic retail identification signs.

(1) This subsection applies only to generic retail identification signs as defined in Section 51A-7.1203.

(2) These signs are only permitted on Flora Street.

(3) These signs must be one-eighth inch thick aluminum disks that are 12 inches in diameter.

(4) Messages on these signs must consist entirely of graphic symbols or glyphs designed to identify a type or category of retail facility. They may not identify specific retail establishments.

(5) These signs must be mounted on streetlight poles. No more than six signs are allowed on a pole. When there is more than one sign, the second sign must be the same height as the first sign and located on the other side of the pole. Additional signs must be similarly paired and located immediately beneath the first two signs. Thus, the proper maximum configuration will be symmetrical and consist of three pairs of signs, with the second and third pairs being located immediately below the first pair.

(b) Governmental traffic signs.

(1) This subsection applies only to governmental traffic signs as defined in

Section 51A-7.1203.

(2) Notwithstanding any other provision in this division, these signs must comply with applicable statutory specifications.

(3) On Flora and Crockett Streets these signs must be mounted on streetlight poles, or on white cylindrical poles. On other streets they must be mounted on white cylindrical poles or on other fixtures recommended in the CBD Streetscape Plan.

(4) The backs of these signs must be white in color.

(c) Institutional movement information signs.

(1) This subsection applies only to institutional movement information signs as defined in Section 51A-7.1203.

(2) On Flora and Crockett Streets these signs must be mounted on streetlight poles, or on white cylindrical poles. On other streets they must be mounted on white cylindrical poles or on other fixtures recommended in the CBD Streetscape Plan.

(3) The backs of these signs must be white in color and incorporate the Arts District official logo.

(d) Plaques. Plaques must be made of bronze or stone and contain an inscription that relates to the Arts District.

(e) Promotional signs.

(1) This subsection applies only to promotional signs as defined in Section 51A-7.1203.

(2) These signs must promote cultural events and activities. The portion of a sign devoted to sponsor identification, if any, must not exceed 10 percent of its effective area. No sign or portion of a sign may be used to advertise a specific product or service other than the cultural event or activity.

(3) Banners must be either flat against a building facade or mounted on streetlight poles. All other signs must be affixed to city-franchised kiosks.

(4) No sign other than a banner may be larger than 30 inches by 40 inches.

(5) No sign may be permanent in nature. Each sign must be removed no later than 30 days after its specific advertised event or activity has ended.

SEC. 51A-7.1207. ATTACHED PRIVATE SIGNS.

(a) In general.

(1) This section applies to all attached private signs except building identification signs, cultural institution identification signs, canopy fascia signs, and tenant identity signs within Subdistrict A. For the regulations governing building identification signs, see Section 51A-7.1209. For the regulations governing cultural institution identification signs, see Section 51A-7.1210. For the regulations governing canopy fascia

signs, see Section 51A-7.1211. For the regulations governing tenant identity signs within Subdistrict A, see Section 51A-7.1214.1.

(2) These signs are only allowed on building facades that are in the Flora Street Frontage Area.

(3) No sign may project above the building cornice area.

(4) At grade structural supports are prohibited.

(5) No establishment may have a mix of awning signs, projecting attached signs, flat attached signs, and/or marquee signs, except that awning signs may be mixed with flat attached signs.

(b) Awning signs.

(1) This subsection applies only to awning signs as defined in Section 51A-7.1203.

(2) Letters and numbers on these signs must:

(A) be parallel or perpendicular to the front building facade; and

(B) not exceed 18 inches in height.

(3) No letters or numbers are allowed on the sloped top of an awning except as part of an official corporate logo or registered trademark. No more than 50 percent of the total sloped awning surface area may contain graphics.

(4) No words, other than those which are part of the basic awning design pattern, are permitted on awnings located above the second story.

(5) No sign may have flashing or sequenced lighting.

(c) Flat attached signs.

(1) This subsection applies only to flat attached signs as defined in Section 51A-7.1203.

(2) These signs are not permitted above the third story of a building.

(3) No sign may have a length that exceeds 70 percent of the length of the frontage of the establishment with which it is associated. Signs associated with the same establishment must be spaced at least 30 feet apart. No sign may exceed 60 square feet in effective area.

(4) The maximum character heights allowed on these signs are:

(A) 18 inches for signs located below the third story; and

(B) 24 inches for third-story signs.

(5) No sign cabinets are permitted. Adequate clear space for staging characters must be provided. In no event may the character height exceed 60 percent of the vertical dimension of the sign. The sides of three-dimensional characters, if any, must be the same color as their faces.

(6) No sign may contain more than five words.

(7) Sources of sign illumination that are an integral part of the design of the sign, such as neon or small individual incandescent lamps, are permitted. These signs may be protected by transparent covers.

(8) Internally-lit plastic translucent signs are prohibited.

(9) No sign may have flashing or sequenced lighting.

(d) Marquee signs.

(1) This subsection applies only to marquee signs as defined in Section 51A-7.1203.

(2) These signs are only allowed in conjunction with establishments that have as their major use movies or live entertainment productions.

(3) The permanent canopy of which this sign is a part must:

(A) project no more than six feet from the building facade;

(B) be a minimum of ten feet above the sidewalk grade;

(C) have a vertical dimension that does not exceed four feet; and

(D) have a horizontal dimension along the building facade that does not exceed 30 feet.

(4) The total effective area of signs on the permanent canopy must not exceed 120 square feet.

(5) No sign may:

(A) project more than three feet from the permanent canopy;

(B) extend vertically more than 30 feet above the canopy height; or

(C) be more than three feet in width.

(6) Messages with characters over eight inches in height are limited to a maximum of five words on each canopy facade. Messages with characters under eight inches in height have no limit on the number of words. Character height must not exceed 60 percent of the vertical dimension of the permanent canopy, or 24 inches, whichever is less.

(7) Only the name of the establishment with which the sign is associated may appear on that portion of the sign located above the permanent canopy.

(8) Display panels that announce a show or event may have plastic characters on an internally-lit background.

(9) These signs may turn on or off or change their brightness. The restrictions contained in Section 51A-7.303(b)(1) do not apply to these signs. Flashing and sequenced lighting are permitted.

(e) Projecting attached signs.

(1) This subsection applies only to projecting attached signs as defined in Section 51A-7.1203.

(2) These signs must be a minimum of ten feet above grade.

(3) These signs must be located in either the bottom, top, or combined envelope depicted graphically in the diagram that is attached to and made a part of this ordinance as Exhibit B. Restrictions on the size and location of each sign depend on which envelope the sign is located in as follows:

	Bottom Envelope	**Top Envelope**	**Combined Envelope**
Maximum projection allowed from building facade	6 ft.	3 ft.	3 ft.
Maximum vertical dimension allowed	10 ft.	20 ft.	30 ft.
Maximum effective area allowed for each sign face*	30 sq. ft.	40 sq. ft.	45 sq. ft.
*Double this amount to compute the total effective area allowed for both sides of the sign.			

(4) If their characters are eight inches or less in height, these signs are not restricted as to the number of words permitted. Signs with characters more than eight inches in height are limited to five words. No character may exceed 12 inches in height if the message area exceeds 60 percent of the sign surface area.

(5) One sign is allowed above each entrance provided that signs associated with the same establishment are spaced at least 30 feet apart.

(6) No sign may be more than 12 inches thick. All messages on these signs must be located on a sign face that is perpendicular to the front building facade.

(7) No illuminated sign or element of a sign may turn on or off or change its brightness.

(8) Sources of sign illumination that are an integral part of the design of the sign, such as neon or small individual incandescent lamps, are permitted. These signs may be protected by transparent covers.

(9) Internally-lit plastic translucent signs are prohibited.

(f) Window signs.

(1) This subsection applies only to window signs as defined in Section 51A-7.1203.

(2) No character on these signs may exceed 12 inches in height.

(3) The maximum amount of window area that may be utilized as sign space varies depending on the location of the window as follows:

Window Location	Maximum Window Coverage Allowed
First Story	8 sq. ft. or 15 percent, whichever is less
Second Story	10 sq. ft. or 20 percent, whichever is less
Third Story	12 sq. ft. or 25 percent, whichever is less

(4) No establishment may have more than four window signs.

(5) Hanging neon signs are allowed if their transformers are concealed from normal view.

(6) Opaque painted backgrounds on windows are prohibited.

SEC. 51A-7.1208. DETACHED PRIVATE SIGNS.

(a) Detached non-premise signs. Detached non-premise private signs are prohibited in this district. This provision does not apply to:

(1) sponsorship messages on canopy fascia signs, cultural institution digital signs, and freestanding identification signs; or

(2) non-premise messages allowed on construction barricade signs.

(b) Detached premise signs.

(1) This subsection applies to all detached premise signs except building identification signs, cultural institution identification signs, cultural institution digital signs, freestanding identification signs, construction barricade signs, and integrated signs within Subdistrict A. For the regulations governing building identification signs, see Section 51A-7.1209. For the regulations governing cultural institution identification signs, see Section 51A-7.1210. For the regulations governing cultural institution digital signs, see Section 51A-7.1212. For the regulations governing freestanding identification signs, see Section 51A-7.1213. For the regulations governing construction barricade signs, see Section 51A-7.1214. For the regulations governing integrated signs within Subdistrict A, see Section 51A-7.1214.1.

(2) No detached premise sign may exceed 20 square feet in effective area.

(3) Each premise may have no more than one sign on each blockface.

(4) The pole support element of these signs must be a cylindrical metal column that is six inches in diameter and white in color.

(5) No sign may exceed 13 feet 6 inches in height.

(6) The face of these signs must be flat. Vacuum-formed sign faces are prohibited.

(7) No sign may move or rotate.

(8) No sign may be more than 12 inches thick.

(9) No illuminated sign or element of a sign may turn on or off or change its brightness.

SEC. 51A-7.1209. BUILDING IDENTIFICATION SIGNS.

(a) This section applies only to building identification signs as defined in Section 51A-7.1203.

(b) Illumination of these signs, if any, must be from within to illuminate the building facade or monument and produce a "halo" around the characters. No illuminated sign or element of a sign may turn on or off or change its brightness.

(c) These signs must be located:

(1) on a building facade above an entrance;

(2) in the building cornice area; or

(3) on a monument in a landscaped area between a building facade and the property line.

(d) Signs located above building entrances are limited to the building name and/or street address. A maximum of 50 square feet of effective area of each sign may be allocated to the building name, and a maximum of 25 square feet of effective area of each sign may be allocated to the building address. The maximum permitted heights of characters on these signs are 24 inches for the building name, and 12 inches for the building address. These signs are not allowed above the third story of the building.

(e) No facade may have more than one sign in the building cornice area.

(f) Signs on monuments must conform to the setback and area regulations of detached premise signs in this chapter generally. These signs must be composed of individual characters made of bronze, brass, or stainless steel, or be engraved in stone.

SEC. 51A-7.1210. CULTURAL INSTITUTION IDENTIFICATION SIGN.

(a) This section applies only to cultural institution identification signs.

(b) Signs may only be located on:

(1) a building facade;

(2) a lower-level roof line as shown on Exhibit C; or

(3) a monument in a landscaped area between a building facade and the property line.

(c) Signs on a building facade may not have an effective area greater than five percent of that building facade.

(d) Signs on a lower-level roof line may not have an effective area greater than five percent of the facade segment located beneath that lower-level roof line. (See Exhibit

C).

(e) No portion of a sign on a lower-level roof line may project above the structures' highest roof-line.

(f) Sign cabinets are not permitted.

(g) Illuminated signs and illuminated sign elements may not turn on or off, but may go through cycles of dimming and brightening to create a slow pulsing effect. Each cycle of dimming and brightening must exceed five seconds.

(h) Signs must be compatible with the architectural design and contribute to the visual effect of the building.

(i) Characters may not exceed 24 inches in height.

(j) Monument signs must comply with the setback and effective area regulations for detached premise signs in this chapter.

(k) Signs shall not be considered a business identification sign.

(l) Signs may not have a changeable message.

SEC. 51A-7.1211. CANOPY FASCIA SIGNS.

(a) This section applies only to canopy fascia signs as defined in Section 51A-7.1203.

(b) Canopy fascia signs must comply with the operational requirements in Section 51A-7.1205.1.

(c) Canopy fascia signs may only be located on buildings fronting on Flora Street.

(d) A maximum of two canopy fascia signs per building is allowed. Only one canopy fascia sign is allowed on a building facade.

(e) Maximum height of a canopy fascia sign is four feet.

(f) Maximum length of a canopy fascia sign is 74 feet.

(g) Maximum effective area of a canopy fascia sign is 496 square feet.

(h) Canopy fascia signs may only display premise and sponsorship content.

SEC. 51A-7.1212. CULTURAL INSTITUTION DIGITAL SIGNS.

(a) This section applies only to cultural institution digital signs as defined in Section 51A-7.1203.

(b) Cultural institution digital signs must comply with the operational requirements in Section 51A-7.1205.1.

(c) A maximum of six cultural institution digital signs are allowed.

(1) One cultural institution digital sign is allowed at the southwest corner of the intersection of Woodall Rodgers Freeway and Jack Evans Street.

(A) Maximum height is 50 feet.

(B) Maximum width is 20 feet.

(C) Total maximum effective area is 1,000 square feet, per side. Maximum effective area for identification of sponsor is 400 square feet, per side.

(D) Minimum setback is 12 feet from back of curb.

(2) One cultural institution digital sign is allowed at the northeast corner of the intersection of Ross Avenue and Leonard Street.

(A) Maximum height is 35 feet.

(B) Maximum width is 12 feet.

(C) Total maximum effective area is 420 square feet, per side. Maximum effective area for identification of sponsor is 144 square feet, per side.

(D) Minimum setback is 35 feet from back of curb.

(3) Four cultural institution digital signs are allowed along Flora Street.

(A) Maximum height is 7 feet.

(B) Maximum width is 3.5 feet.

(C) Total maximum effective area is 8 square feet, per side. Maximum effective area for identification of sponsor is 1.25 square feet, per side.

(D) Minimum setback is 30 feet from back of curb.

(d) Cultural institution digital signs may only display premise and sponsorship content.

SEC. 51A-7.1213. FREESTANDING IDENTIFICATION SIGNS.

(a) This section applies only to freestanding identification signs as defined in Section 51A-7.1203.

(b) A maximum of three freestanding identification signs are allowed only along Flora Street.

(c) Maximum height is 20 feet.

(d) Maximum width is 8 feet.

(e) Maximum effective area is 160 square feet, per side.

(f) Minimum setback is 30 feet from back of curb.

(g) Freestanding identification signs may only display premise and sponsorship content.

SEC. 51A-7.1214. CONSTRUCTION BARRICADE SIGNS.

(a) This section applies only to construction barricade signs as defined in Section

51A-7.1203.

(b) A minimum 10 percent of the effective area of the sign must display the names of the owner, occupant, district sponsor, district activity, and/or Woodall Rodgers Park name or activity.

(c) Non-premise messages are allowed. Only one non-premise message along a street frontage is allowed.

(d) Construction barricade signs must be removed when the construction barricade is removed.

(e) The message area on a construction barricade sign may be fully decorated or graphically designed if:

(1) no decoration or graphic horizontally projects more than two inches from the surface of the barricade; or

(2) no decoration or graphic vertically projects more than four feet above the top of the barricade.

SEC. 51A-7.1214.1. SUBDISTRICT A.

(a) In general. Except as provided in this division, the provisions of the Arts District Sign District apply in this subdistrict.

(b) Tenant identity signs and building identification signs.

(1) Only one tenant identity sign or building identification sign is permitted per facade, except that a tenant identity sign or building identification sign is not permitted on the Leonard Street facade.

(2) Except as provided in this paragraph, tenant identity signs must be located above the highest leasable floor. On the Ross Avenue facade, a tenant identity sign may be located at any floor.

(3) Tenant identity signs must be composed of individual letters only and illumination of these signs, if any, must be internal to each letter. No illuminated sign or element of a sign may turn on or off or change its brightness.

(4) All tenant identity signs and building identification signs must be the same color.

(c) Integrated sign.

(1) Only one integrated sign is permitted.

(2) This sign must be either an attached sign or a monument sign.

(A) If the sign is an attached sign, it must be attached to a wall and face Crockett Street.

(B) If the sign is a monument sign, it may be two sided, but must be located in the building plaza area.

(3) This sign may identify the building’s owner or developer and multiple

tenants.

(4) This sign may be located at the building line.

(5) This sign may be located within five feet of a public right of-way.

(6) The maximum height for the sign is eight feet measured from the bottom of the sign face to the top of the sign face.

(7) The maximum effective area for the sign is 50 square feet.

(8) All elements of an integrated sign must be consistent in color and materials.

(d) Detached premise sign. Detached premise signs may not exceed 30 square feet.

(e) Retaining wall signs.

(1) Only four retaining wall signs are permitted and must be located on Ross Avenue.

(2) Retaining wall signs must be mounted on a perimeter retaining wall facing a right-of-way.

(3) Retaining wall signs may identify the building's owner or developer and multiple tenants.

(4) Retaining wall signs may be located within five feet of the public right-of-way.

(5) Retaining Wall Signs may be cabinet signs and be internally illuminated as white only.

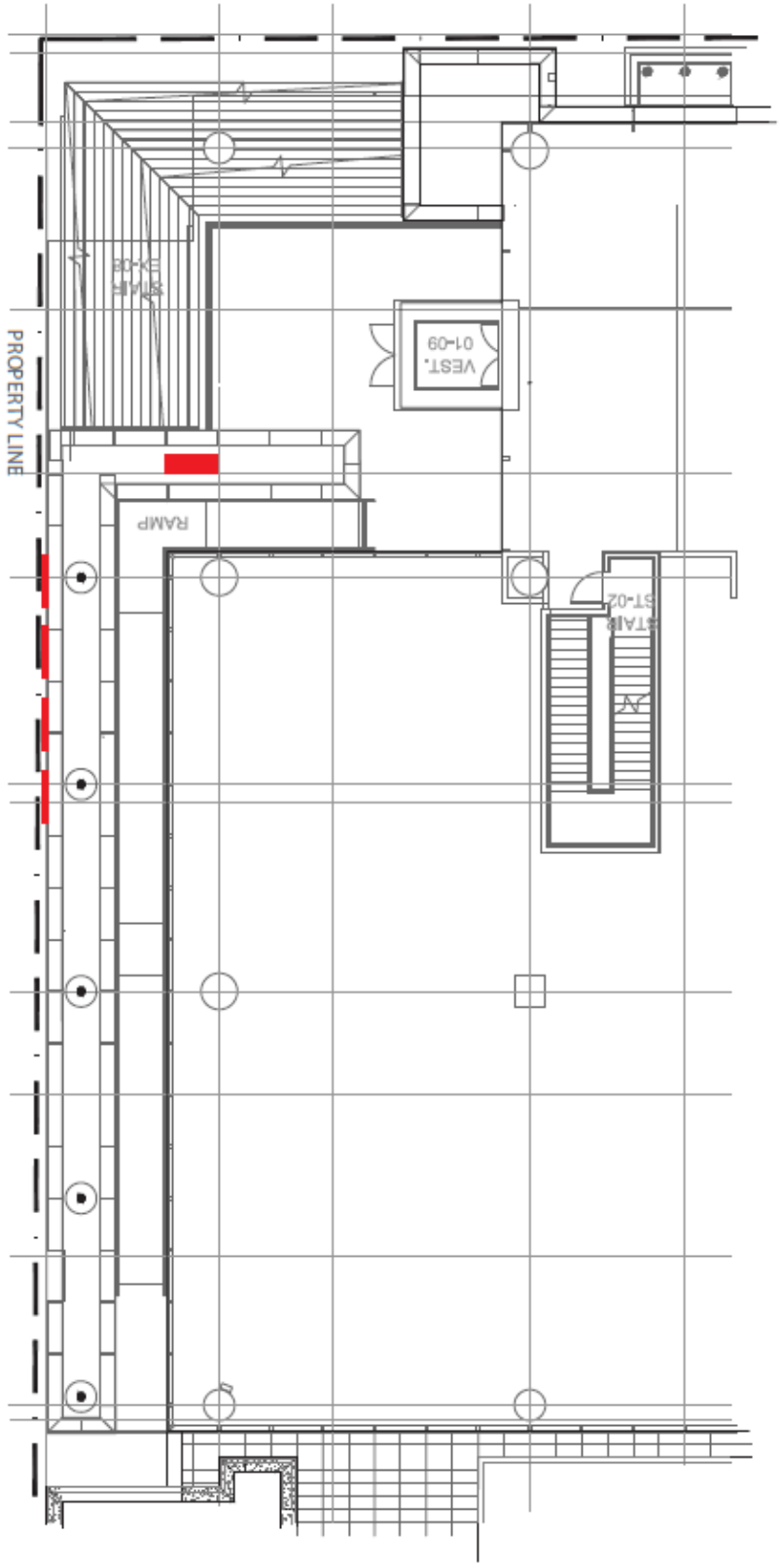
(6) The maximum effective area for each retaining wall sign is 15 square feet.

(7) All elements of a retaining wall sign must be consistent in color and material to an integrated sign.

SEC. 51A-7.1215. APPLICATION OF HIGHWAY BEAUTIFICATION ACTS.

For purposes of applying the Federal and Texas Highway Beautification Acts, this district is considered to be a commercial zone.

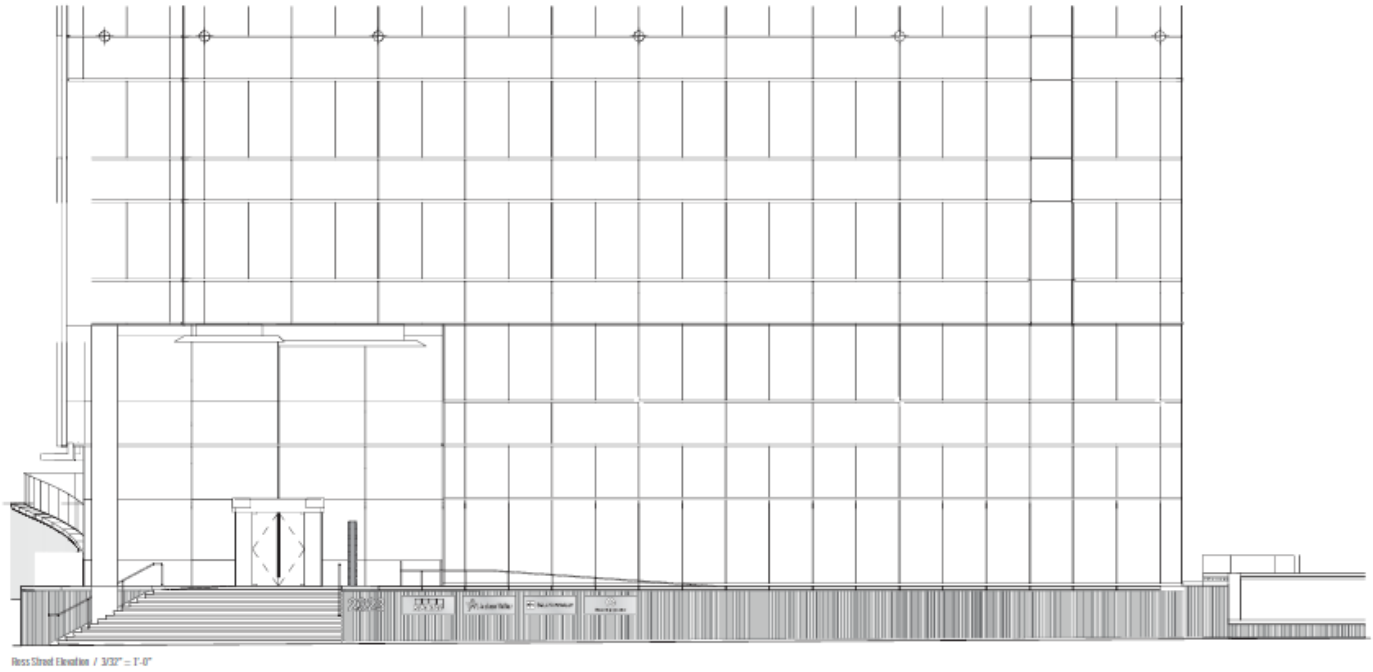
Applicant's renderings & site plan

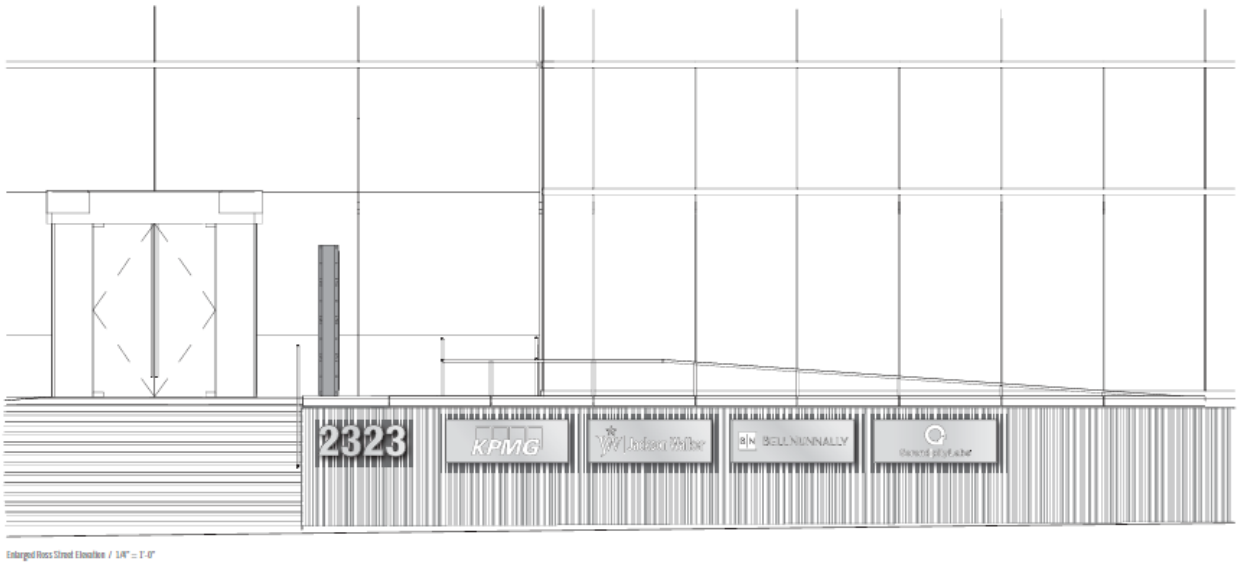


Hall Arts
KPMG Plaza at Hall Arts Tenant Signage

Site Plan

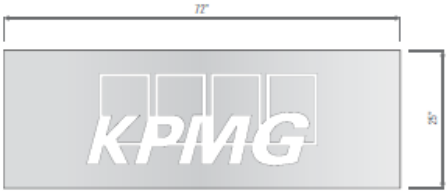
Applicant's renderings



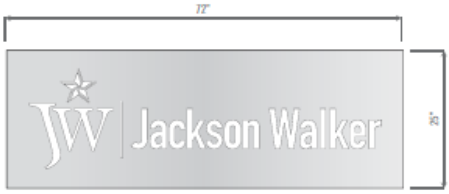


SPSD178-002

Applicant's renderings



Elevation / 3/4" = 1'-0"
12.5 Sq. Ft.



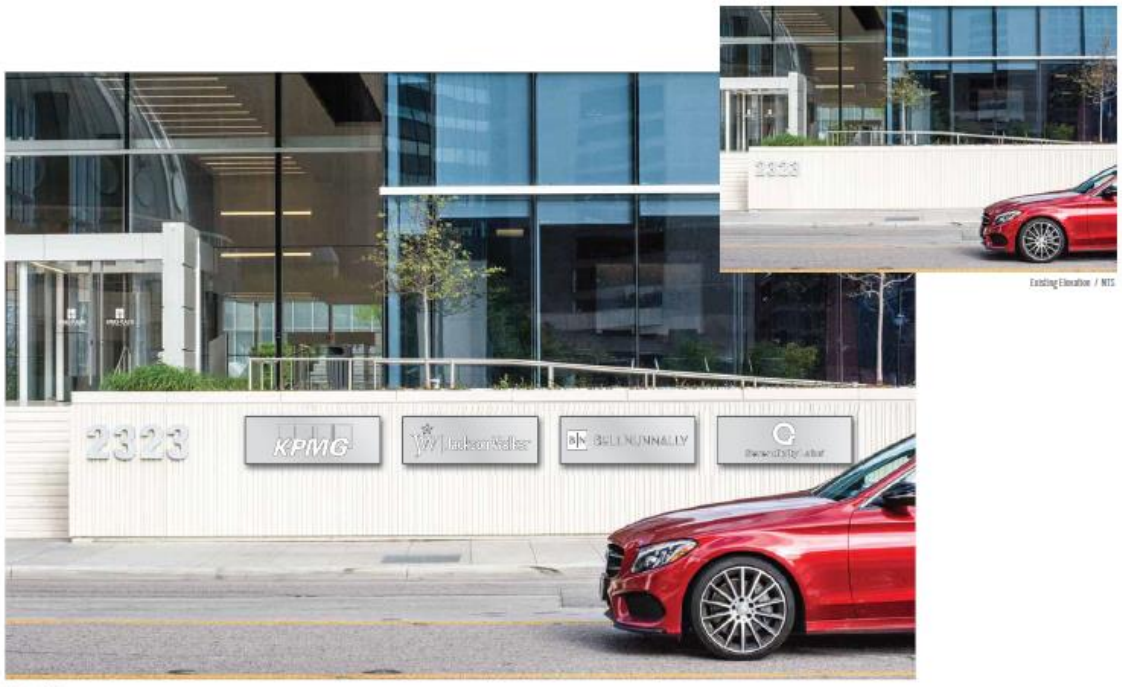
Elevation / 3/4" = 1'-0"
12.5 Sq. Ft.



Elevation / 3/4" = 1'-0"
12.5 Sq. Ft.



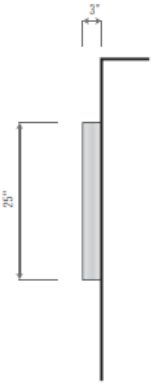
Elevation / 3/4" = 1'-0"
12.5 Sq. Ft.



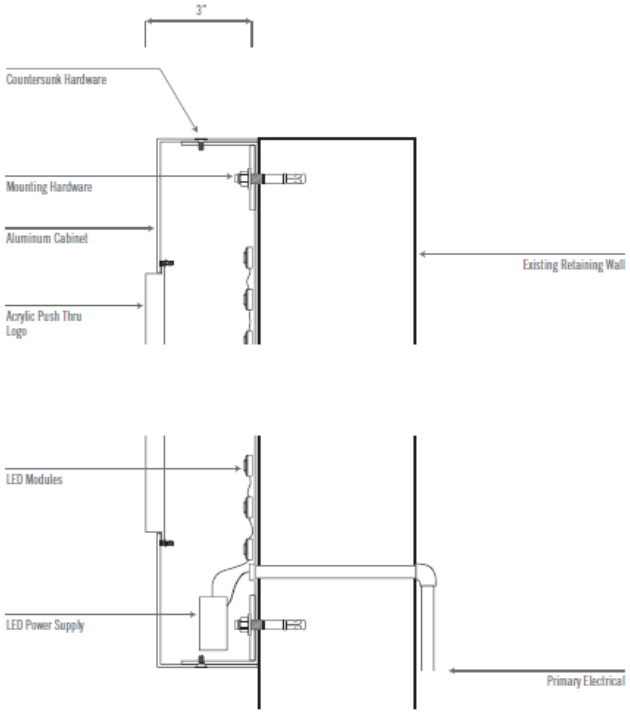
Existing Elevation / NTS

Elevation / NTS

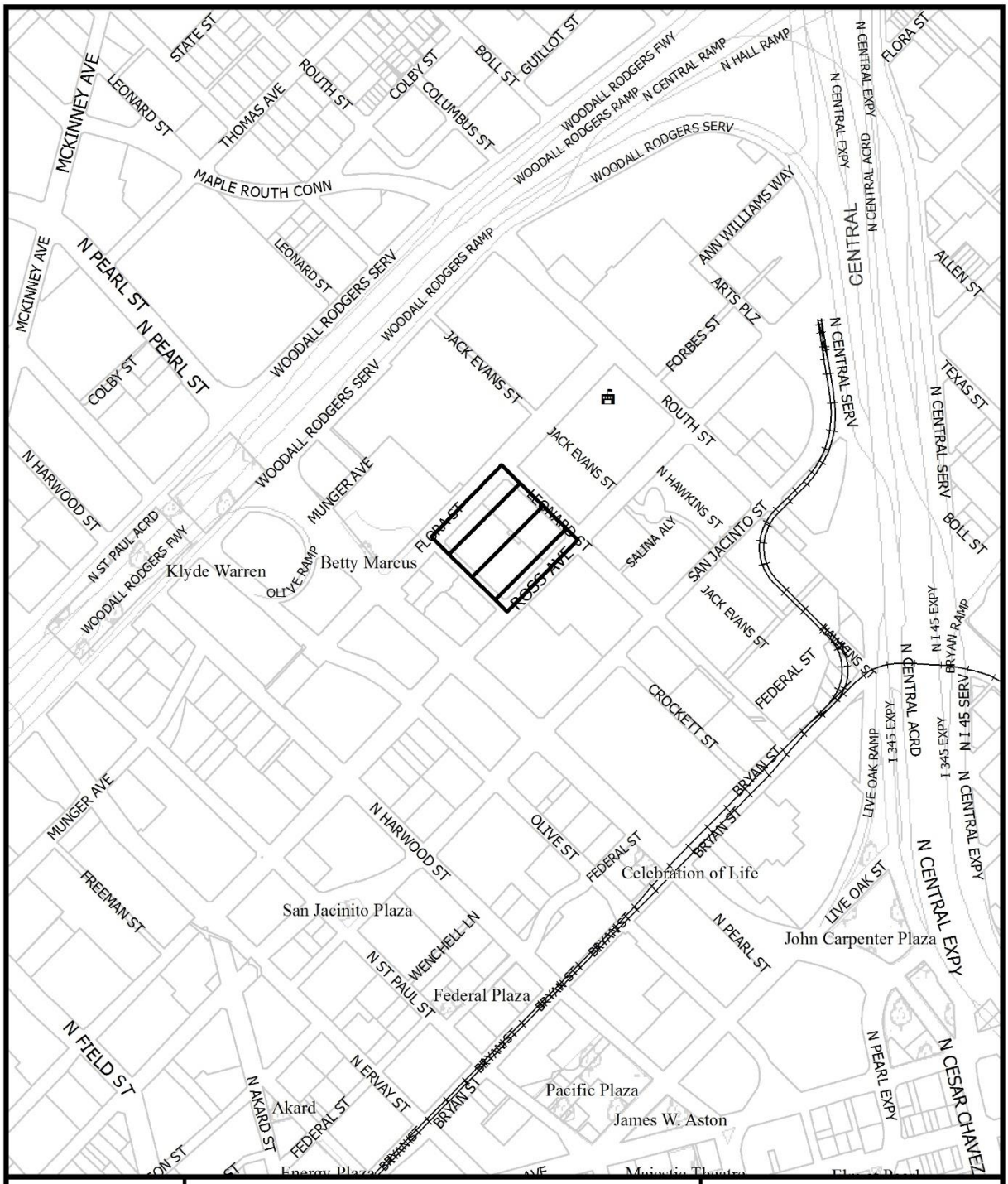
Cabinet elevation



Side View / 3/4" = 1'-0"



Schematic Section View / NTS

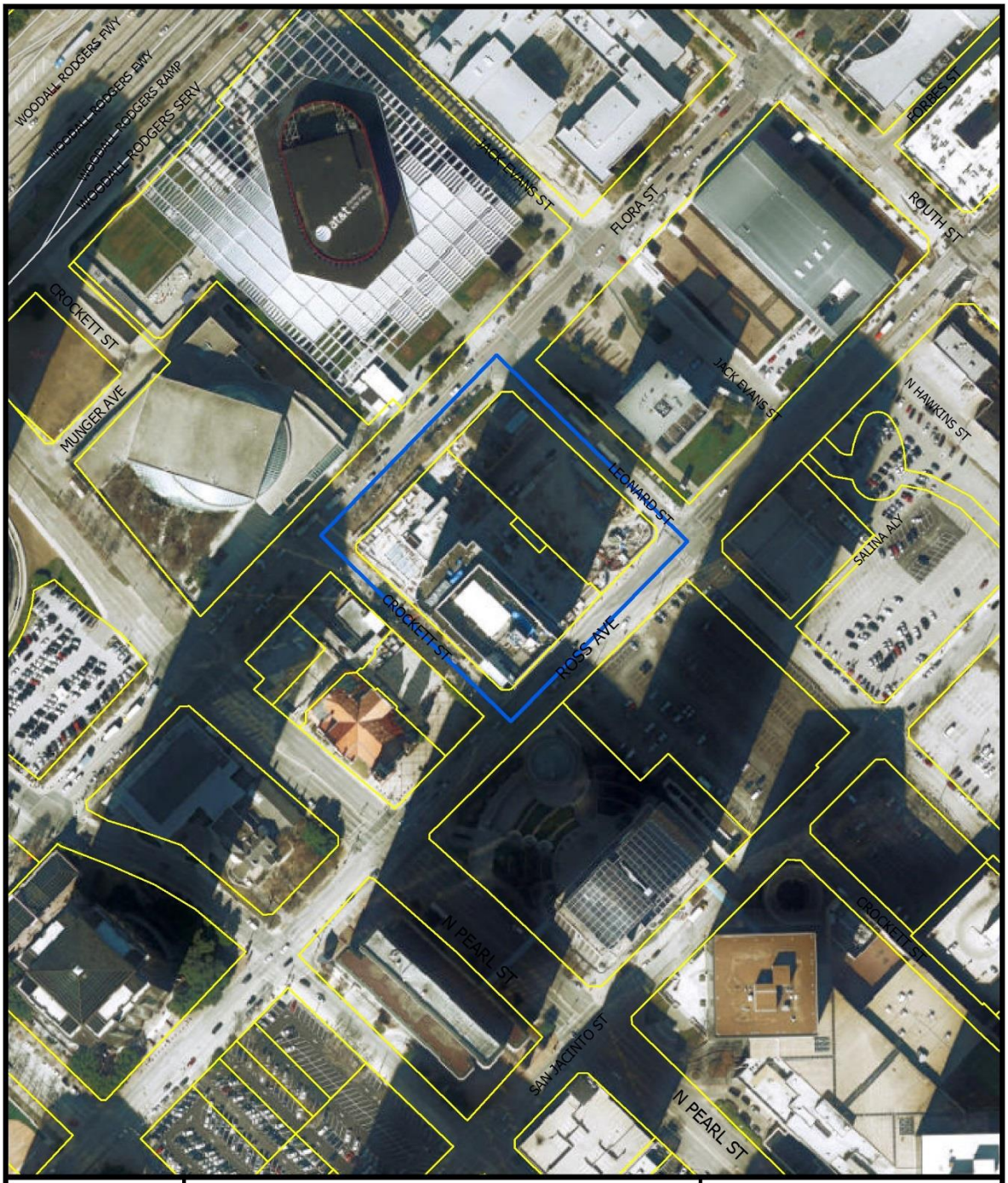


1:6,000

VICINITY MAP

Case no: SPSD178-002

Date: 8/15/2018

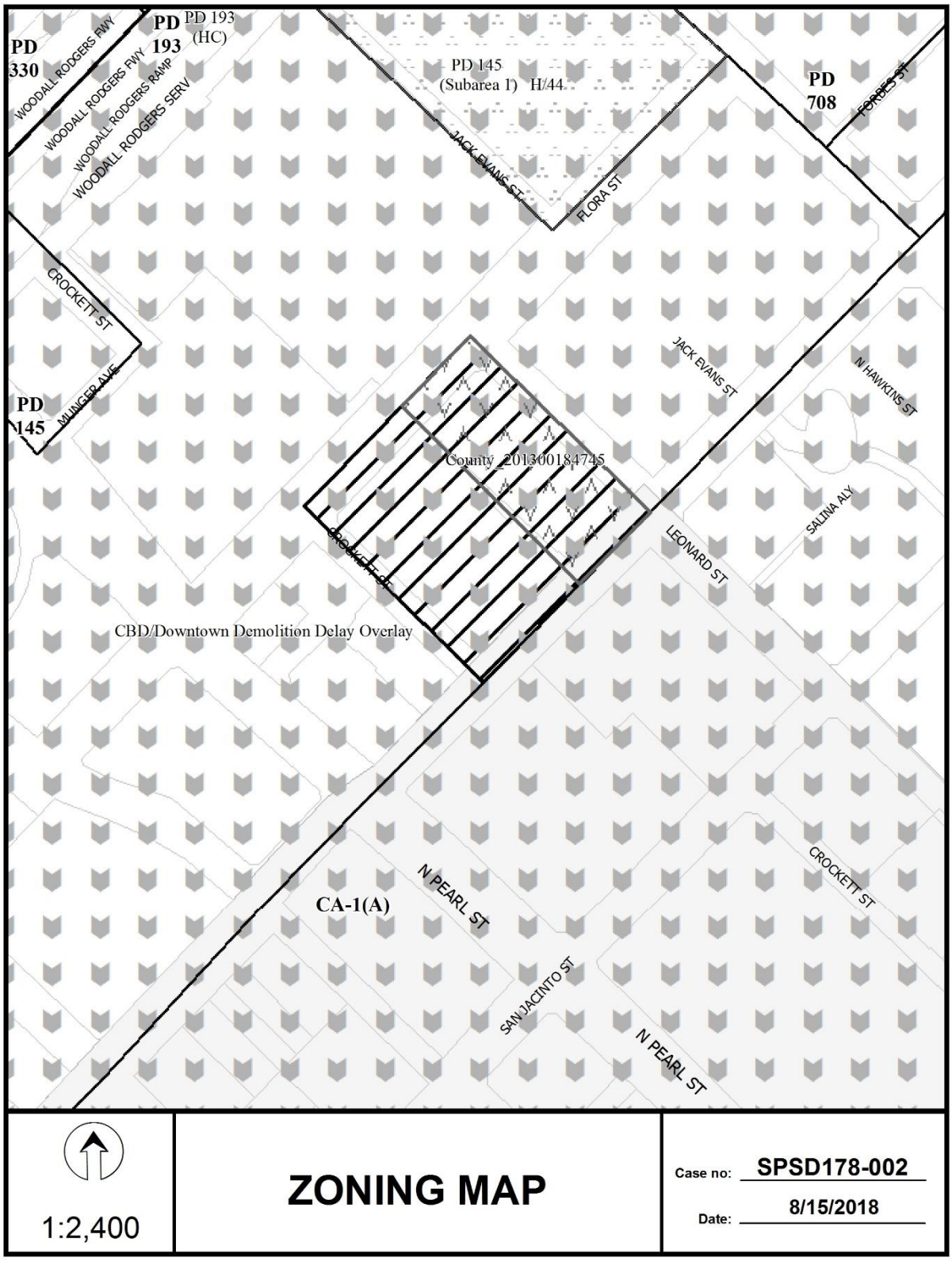


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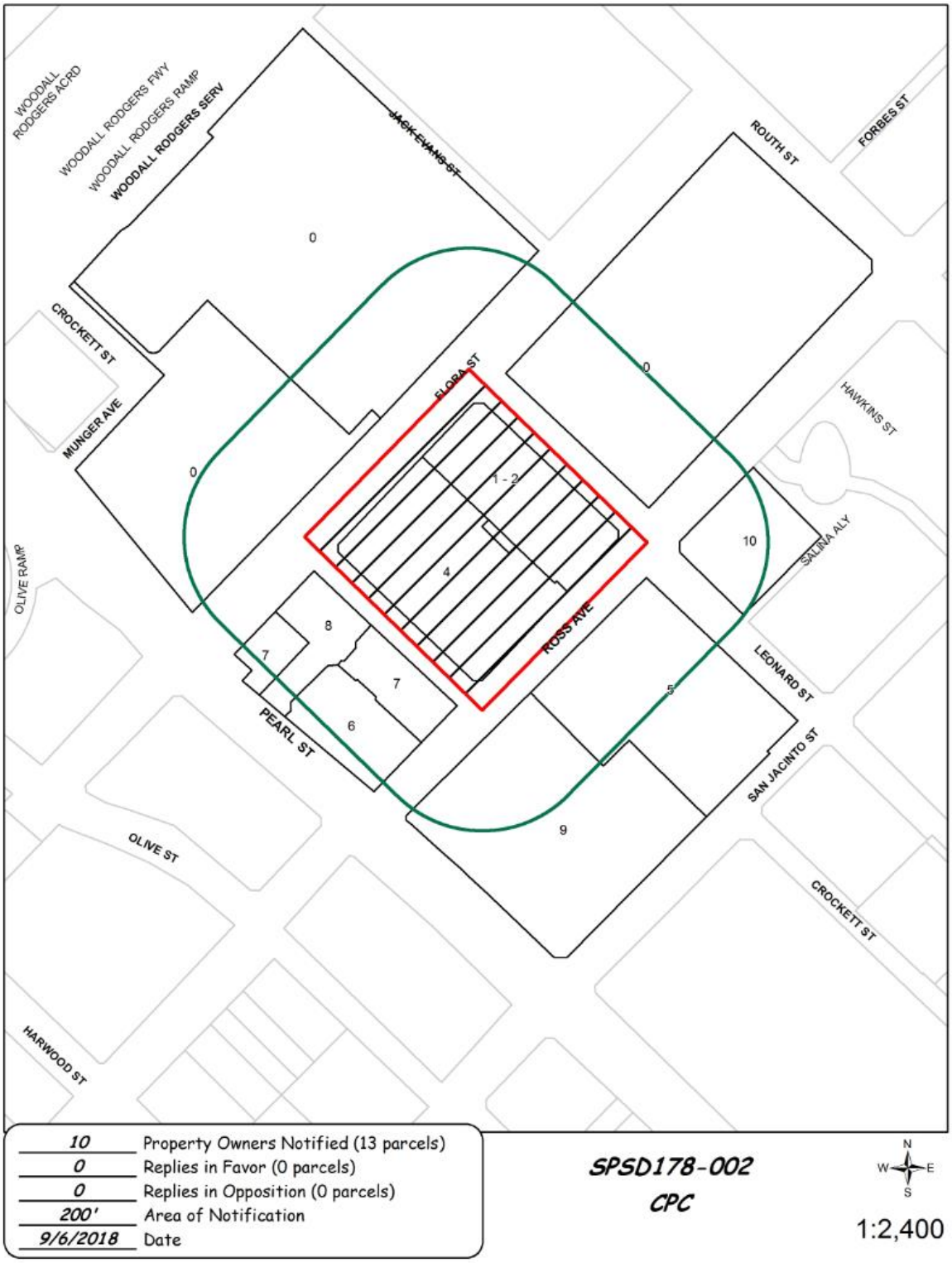
AERIAL MAP

Case no: SPSD178-002

Date: 8/15/2018


PD 330
WOODALL RODGERS FWY
PD 193
PD 193 (HC)
WOODALL RODGERS FWY
WOODALL RODGERS RAMP
WOODALL RODGERS SERV
PD 145
(Subarea 1) H/44
JACK EVANS ST
FLORA ST
PD 708
FORBES ST
CROCKETT ST
MUNGER AVE
PD 145
JACK EVANS ST
N HAWKINS ST
County_201300184745
SALINA ALY
LEONARD ST
CBD/Downtown Demolition Delay Overlay
CA-1(A)
N PEARL ST
CROCKETT ST
SAN JACINTO ST
N PEARL ST
1:2,400
ZONING MAP
Case no: SPSD178-002
Date: 8/15/2018

CPC Responses



09/05/2018

Reply List of Property Owners

SPSD178-002

10 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	2323	ROSS AVE	HALL ARTS RESIDENCES LLC
	2	2350	FLORA ST	HALL LONE STAR ASSOCS LP
	3	2360	FLORA ST	FLORA STREET RETAIL II, LLC
	4	2323	ROSS AVE	2323 ROSS HOLDINGS LLC
	5	2318	ROSS AVE	HALL ARTS TOWER LLC
	6	1722	PEARL ST	SACRED HEART CATHEDRAL
	7	1726	PEARL ST	ROMAN CATHOLIC DIOCESE DALLAS
	8	2251	PEARL ST	ROMAN CATHOLIC DIOCESE DALLAS
	9	2200	ROSS AVE	FPG CT OWNER LP
	10	2400	ROSS AVE	SOUTHWESTERN BELL

Agenda Information Sheet

File #: 18-955 **Item #:** 75.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 9

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding the application for and approval of the fill permit and removal of the floodplain (FP) prefix from approximately 0.029 acres of the current 0.658 acres of land located at 3810 Frontier Lane, within the floodplain of Williamson Branch, Fill Permit 18-05 - Financing: No cost consideration to the City

BACKGROUND

The property owner at 3810 Frontier Lane along Williamson Branch has applied for a fill permit to remove the 100-year floodplain from approximately 0.029 acres of the current 0.305 acres of floodplain on this property.

A neighborhood meeting was held at the Samuell Grand Park Recreation Center on September 26, 2018. Attendees included the property owner and engineers, five City staff members, and three citizens from the area. There has been no objection to the fill permit.

The fill permit application meets all engineering requirements for filling in the floodplain as specified in Part II of the Dallas Development Code, Section 51A-5.105(h). The applicant has not requested a waiver of any criteria. Accordingly, the City Council should approve this application; or, it may pass a resolution to authorize acquisition of the property under the laws of eminent domain and may then deny the application to preserve the status quo until acquisition.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

OWNER/APPLICANT

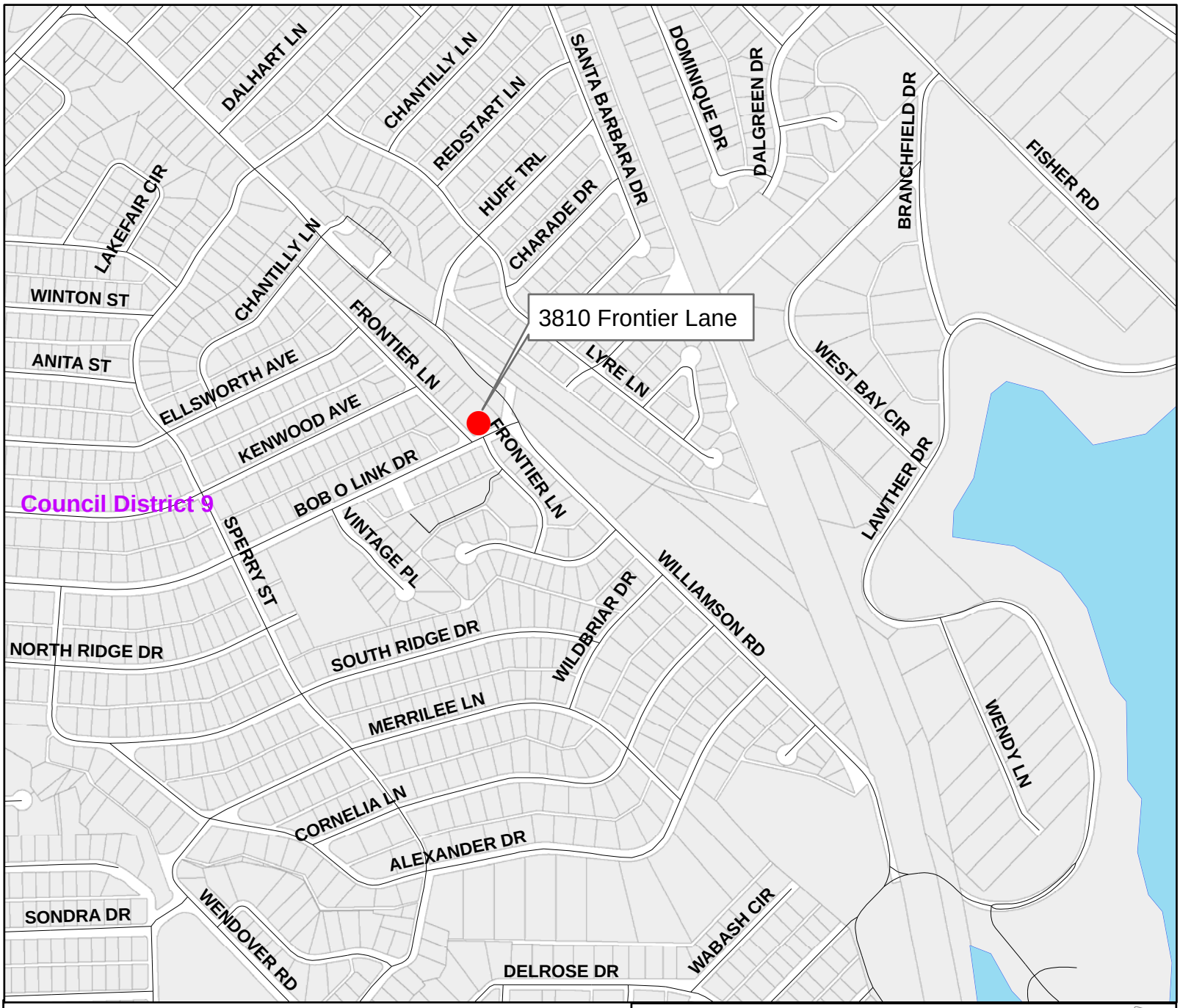
Brennan Knott
2620 Willowbrook Road
Dallas, TX 75220

ENGINEER

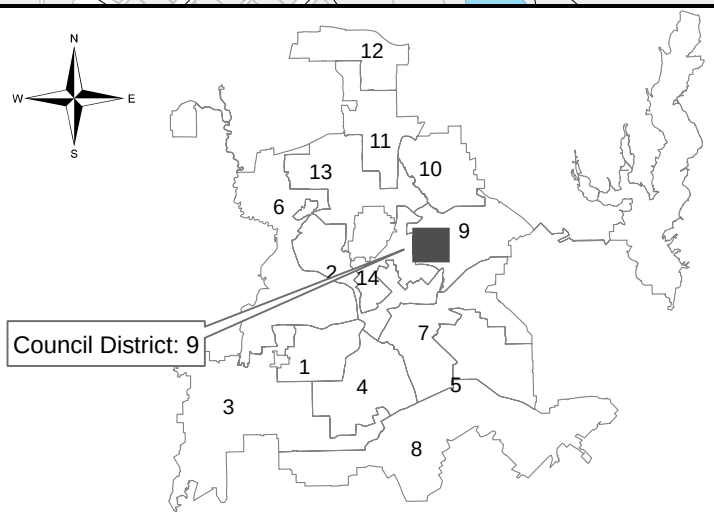
Mark Roberts
Nathan D. Maier Consulting Engineers, Inc.
12377 Merit Drive, Suite 700
Dallas, TX 75251

MAP

Attached



3810 Frontier Lane



Dallas Water Utilities
Fill Permit 18-05

Agenda Information Sheet

File #: 18-693 **Item #:** 76.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 6

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

A public hearing to receive comments on the proposed use of a portion of L.B. Houston Nature Area located at 10401 Wildwood Drive, totaling approximately 1,058 square feet of land, and temporary use of approximately 3,233 square feet of land, for the installation of a wastewater facility by the City of Irving for the benefit of the public; and at the close of the public hearing, consideration of a resolution authorizing the proposed use of parkland pursuant to Chapter 26 of the Texas Parks and Wildlife Code - Revenue: $194.00

BACKGROUND

The City of Dallas owns municipal parkland known as L.B. Houston Nature Area (approximately 325 acres) located at 10401 Wildwood Drive, south of California Crossing Road and east of the Elm Fork of the Trinity River.

The City of Irving plans to upgrade an existing wastewater pipeline in the L.B. Houston Nature Area in order to connect to the Trinity River Authority's upcoming EF-7 project (Elm Fork Relief Interceptor Project) in the same area. Though the City of Irving has an existing utility easement within the parkland, the upgrade of the wastewater pipeline requires a slight realignment of the existing pipeline alignment. The realignment requires that the City of Irving obtain approximately 1,058 additional square feet of utility easement. The City of Irving also requires a temporary construction easement of approximately 3,233 square feet of land for the project. In consideration for this conveyance and temporary conveyance by easement, the City of Irving will pay the fair market value of $194.00 for these easements, as determined by an independent appraisal. Upon completion of the project, the area will be restored to its pre-construction condition or better.

In compliance with the law, the City has determined that there is a need and that no feasible and prudent alternative to the use or taking of such parkland and that all reasonable care has been taken so as to not damage the remainder of the park property and to mitigate any disruption of park services.

In accordance with the Texas Parks and Wildlife Code, Chapter 26 (Sections 26.001 through 26.004) the City Council must advertise and hold a public hearing on the change of use of parkland.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 16, 2018, the Park and Recreation Board authorized a public hearing to be held on October 24, 2018.

On September 12, 2018, City Council authorized a public hearing to be held on October 24, 2018, by Resolution No. 18-1276.

FISCAL INFORMATION

Revenue: $194.00

OWNER

City of Dallas

MAP

Attached

powered by Legistar™



0 200 400 800 1,200 Feet

1 in = 400 ft

Dallas Park & Recreation

L.B. Houston Nature Area

(10401 Wildwood Drive)

City of Irving Wastewater Easement

Mapsco
22 W

District
6

WHEREAS, the City of Dallas owns land in northwest Dallas known as L.B. Houston Natural Area, which was acquired for park purposes and has been maintained as parkland; and

WHEREAS, the City of Irving has requested use of approximately 1,058 square feet of land and temporary use of approximately 3,233 square feet of land in order to upgrade an existing wastewater pipeline, in order to connect to the Trinity River Authority's upcoming EF-7 project (Elm Fork Relief Interceptor Project) in the same area, as shown on Exhibit A, and the City of Dallas Park and Recreation Board is agreeable to providing the property for this use; and

WHEREAS, said improvements require the conveyance of a wastewater easement of approximately 1,058 square feet of land and conveyance of a temporary construction easement of approximately 3,233 square feet of land in L.B. Houston Natural Area, as described in Exhibit A, attached hereto and made a part hereof; and

WHEREAS, in consideration for conveyance by easement and conveyance by a temporary construction easement, the City of Irving will pay the fair market value of these easements as determined by an independent appraisal; and

WHEREAS, a public hearing was held, as required by the Texas Parks and Wildlife Code (Chapter 26, Section 26.001 through 26.004), to determine that there is no feasible and prudent alternative to the change of use of this parkland and that all reasonable planning to minimize harm to the L.B. Houston Natural Area has been taken.

Now, Therefore,

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

SECTION 1. That as a result of the public hearing held today, it is hereby determined that there is no feasible and prudent alternative to the use of parkland for the purpose stated in this resolution and that all reasonable planning to minimize harm to the park and the surrounding adjacent parkland has been taken.

SECTION 2. That the City of Dallas hereby approves and authorizes the conveyance by easement and temporary construction easement of parkland to the City of Irving, including the exercise in the City of Irving of the right of eminent domain, if such becomes necessary, by the City of Irving for interests in land by easement and temporary construction easement, as identified in Exhibit A, for construction and maintenance of improvements within the easement, said easement area more fully described in Exhibit A, attached hereto and made a part hereof.

SECTION 3. That, since the City of Irving use of eminent domain for acquiring this tract by easement and temporary construction easement has been authorized, the City of Dallas Park and Recreation Board has approved, and the public hearing with appropriate determinations has been held, the City Manager or designee, upon approval as to form by the City Attorney, is authorized to execute all documents regarding the conveyance of a portion of the L.B. Houston Natural Area, subject to this resolution, and to all of the following terms and conditions:

a. The City of Irving shall covenant to the City:

1. To observe safety regulations;

2. To not be detrimental to the park and to coordinate work with City staff so as to provide for the least disruption of City services;

3. To comply with health, safety, noise, environmental protection, waste disposal, and water and air quality regulations;

4. To keep the adjacent park area free from construction debris and waste;

5. To bear the cost of construction, operation, and maintenance of the wastewater utility line and improvements;

6. To do all work within the park in a good a workmanlike manner under the supervision of the Director of the Park and Recreation Department;

7. To permit any park use or to the benefit of the park, as determined by the Director of the Park and Recreation Department (PKR), within the easement area—any maintenance, construction work, or disturbance by the City of Irving or its assigns which damages or impacts parkland or any park improvements within or adjacent to the easement shall be repaired, restored, replaced, or a combination thereof, at the City of Irving's sole cost, to the satisfaction of the Director of PKR.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit funds paid by the City of Irving for the easements into Capital Gifts, Donation and Development Fund, Fund 0530, Department PKR, Unit 919A, Revenue Code 8428, in an amount not to exceed $194.00.

SECTION 5. 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.

FIELD NOTES DESCRIBING A 1,058 SQUARE FOOT (0.0243 ACRE) PERMANENT WASTEWATER FACILITY EASEMENT TO BE ACQUIRED IN CITY BLOCK A/8370 FROM CITY OF DALLAS

BEING a 1,058 square foot (0.0243 Acre) tract of land located in Block A/8370 in the Joshua M. Cants Survey, Abstract No. 934, City of Irving, Dallas County, Texas, said 1,058 square foot (0.0243 Acre) tract of land being a portion of that same tract conveyed to **CITY OF DALLAS**, by Warranty Deed as recorded in Volume 221, Page 1797, Official Public Records, Dallas County, Texas, said 1,058 square foot (0.0243 Acre) tract of land being a **Permanent Wastewater Facility Easement** and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with a cap stamped "SPOONER & ASSOCIATES" set (hereinafter referred to as an iron rod set) on the north easement line of an existing 50 feet wide easement for Sewer Mains to the City of Irving, by deed as recorded in Volume 510, Page 46, Deed Records, Dallas County, Texas, from said beginning point the southwest property corner of a called 28.408 acre tract of land, identified at "Tract 1" and being conveyed to the City of Irving by deed as recorded in Volume 91238, Page 857, Deed Records, Dallas County, Texas bears South 86°26'32" West, 1,232.54 feet said beginning point having a NAD83 Texas North Central Zone (4202) coordinate of N: 6,999,940.65 and E: 2,453,072.91;

THENCE departing said easement line, over and across the said City of Dallas tract, the following courses and distance:

(1) North 00°00'00" East, 1.93 feet to an iron rod set, from which an "X" cut found at the north lot corner of Lot 3X, Block C, of AMLI at Las Colinas Urban Center, being an Addition to the City of Irving, Dallas County, Texas, according to the plat thereof recorded in Instrument Number 201200218426, Plat Records, Dallas County, Texas, bears North 61°38'56" West, 1,788.49 feet;

(2) North 84°10'41" East, at 58.80 feet passing the west easement line of an existing 50 feet wide easement to Trinity River Authority of Texas (TRA), Dated 12-23-1958, by deed as recorded in Volume 5030, Page 389, Deed Records, Dallas County, Texas continuing in all a total distance of 63.81 feet to an iron rod set;

(3) **THENCE** South 09°37'44" East, 31.16 feet to an iron rod set on said north City of Irving easement line;

(4) **THENCE** North 72°00'00" West, along the said City of Irving easement line, at 5.64 feet passing the said west easement line of the existing TRA easement, continuing in all a total distance of 72.23 feet to the **POINT OF BEGINNING**.

The hereinabove described tract of land contains a computed area of **0.0243 acres (1,058 square feet)** of land more or less.

SPOONER AND ASSOCIATES, INC, 309 BYERS STREET, #100, EULESS, TEXAS 76039 – PH. 817-685-8448 – ESPOONER@SPOONERSURVEYORS.COM – S&A #16-019

**FIELD NOTES DESCRIBING A 1,058 SQUARE FOOT (0.0243 ACRE)
PERMANENT WASTEWATER FACILITY EASEMENT TO BE ACQUIRED IN CITY BLOCK A/8370
FROM CITY OF DALLAS**

The bearings shown hereon are based on a local coordinate system from NAD83 Texas North Central Zone (4202), derived from gps RTK observations using the North Central Texas VRS network (maintained by Western Data Systems). All areas and distances shown hereon are surface values.

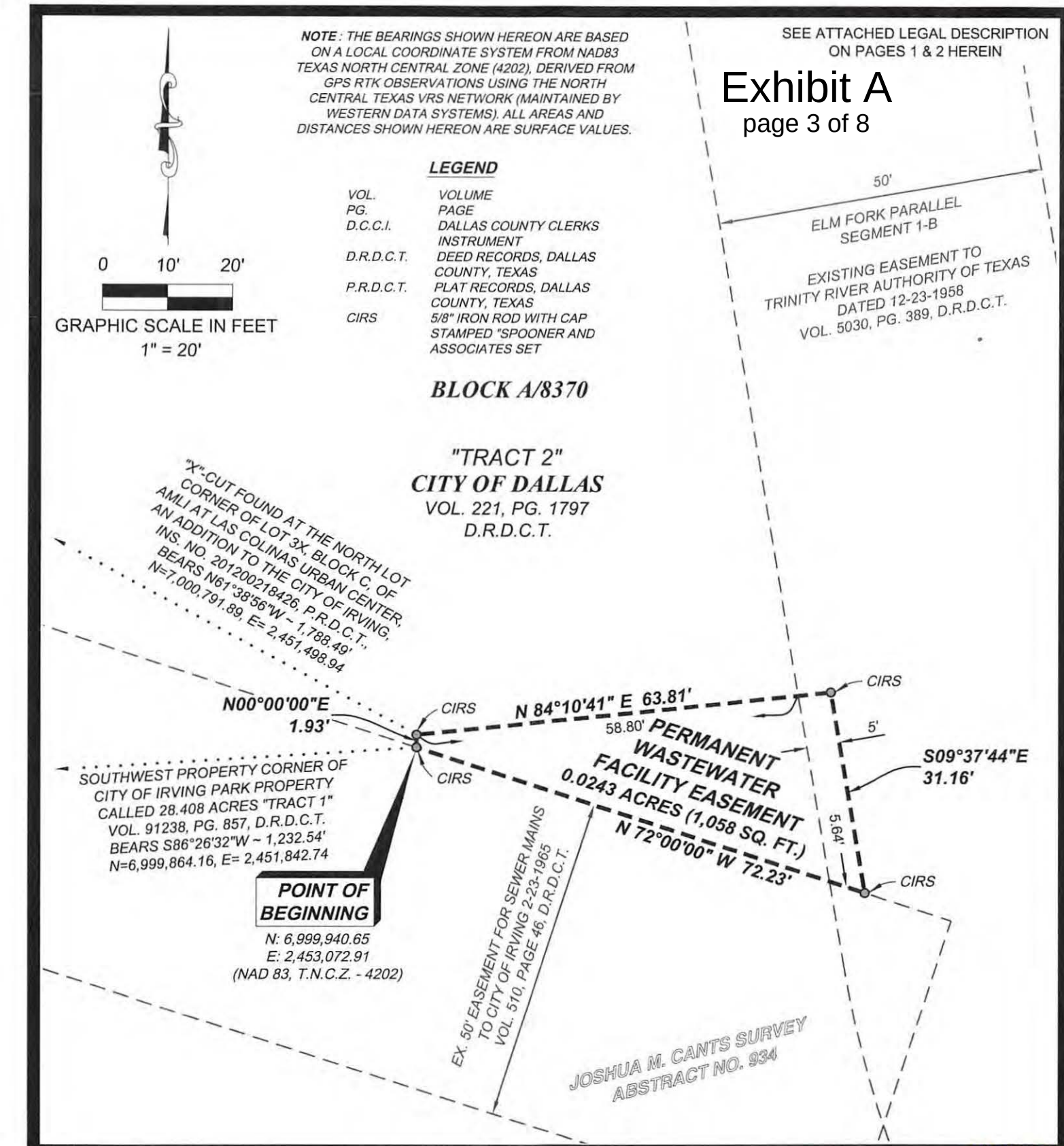
SURVEYORS CERTIFICATE*

I do hereby certify that the above legal description was prepared from public records and from an actual and accurate survey upon the ground and that same is true and correct.

Surveyors Name: Eric S. Spooner
Registered Professional Land Surveyor, Texas No. 5922
Spooner and Associates, Inc.
Texas Board of Professional Land Surveying No. 10054900
Surveyed on the ground April-2017



SPOONER AND ASSOCIATES, INC, 309 BYERS STREET, #100, EULESS, TEXAS 76039 – PH. 817-685-8448 – ESPOONER@SPOONERSURVEYORS.COM – S&A #16-019



CITY OF DALLAS BEING IN "TRACT 2", PERMANENT SEWER FACILITY EASEMENT CITY OF IRVING, DALLAS COUNTY, TEXAS

REV: 04/23/2018

PROPERTY: CITY OF DALLAS, "TRACT 2", VOL. 221, PG. 1797, D.R.D.C.T.
16-019 IRVING URBAN CENTER LIFT STATION_SAN SEW ESMNT.dwg

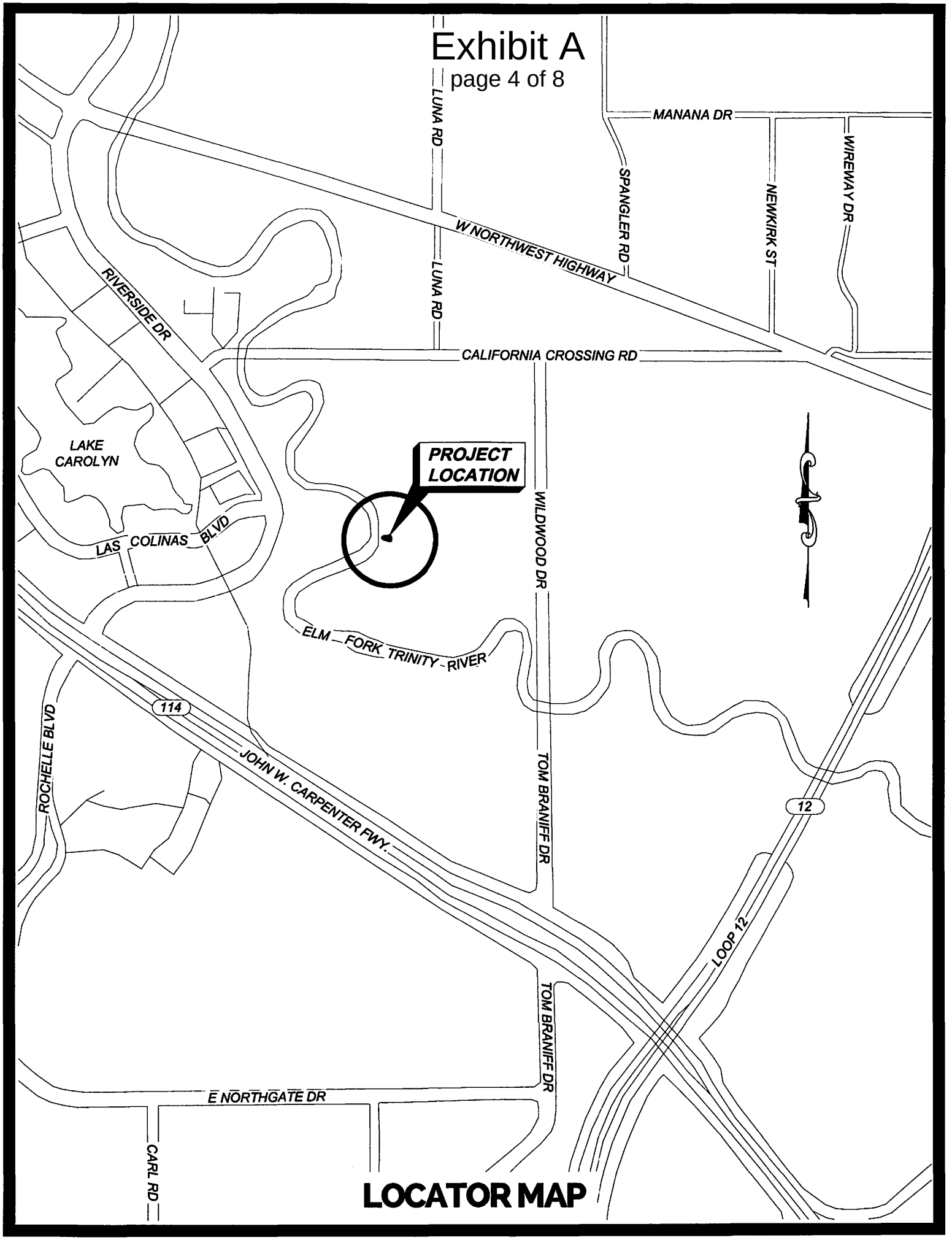
S&A JOB NO.: 16-019	DRAWN BY: J.B.N.	PAGE 3 OF 3
DATE: 02/23/2018	CHECKED BY: E.S.S.	
FILE NO.	FOLDER NO.	

SPOONER & ASSOCIATES
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OVER 25 YEARS OF SERVICE
309 BYERS STREET, SUITE 100, EULESS, TEXAS 76039
(817) 685-8448 WWW.SPOONERSURVEYORS.COM
TBPLS FIRM NO. 10054900

4-23-18

STATE OF TEXAS
REGISTERED
ERIC S. SPOONER
5922
PROFESSIONAL
LAND SURVEYOR

Exhibit A



LOCATOR MAP

FIELD NOTES DESCRIBING A 3,233 SQUARE FOOT (0.0742 ACRE) TEMPORARY CONSTRUCTION EASEMENT TO BE ACQUIRED IN CITY BLOCK A/8370 FROM CITY OF DALLAS

BEING a 3,233 square foot (0.0742 Acres) tract of land located in Block A/8370 in the Joshua M. Cants Survey, Abstract No. 934, City of Irving, Dallas County, Texas, said 3,233 square foot (0.0742 Acres) tract of land being a portion of that same tract conveyed to **CITY OF DALLAS**, by Warranty Deed as recorded in Volume 221, Page 1797, Official Public Records, Dallas County, Texas, said 3,233 square foot (0.0742 Acres) tract of land being a **Temporary Construction Easement** and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with a cap stamped "SPOONER & ASSOCIATES" on the north line of a future permanent wastewater facility easement, to be acquired by separate instrument, from said beginning point, the southwest property corner of a called 28.408 acre tract of land specifically identified as Tract 1 and being conveyed to the City of Irving by deed as recorded in Volume 91238, Page 857, Deed Records, Dallas County, Texas bears South 86°21'10" West, 1,232.67 feet, said beginning point having a NAD83 Texas North Central Zone (4202) coordinate of N: 6,999,942.58 and E: 2,453,072.91;

THENCE departing said future easement line, over and across the said City of Dallas tract, the following courses and distance:

(1) North 05°52'01" East, 44.33 feet, to a point from which an "X" cut found at the north lot corner of Lot 3X, Block C, of AMLI at Las Colinas Urban Center, being an Addition to the City of Irving, Dallas County, Texas, according to the plat thereof recorded in Instrument Number 201200218426, Plat Records, Dallas County, Texas, bears North 62°58'24" West, 1,772.01 feet;

(2) North 42°06'27" East, 59.64 feet to the west easement line of an existing 50 feet wide easement to Trinity River Authority of Texas (TRA), Dated 12-23-1958, by deed as recorded in Volume 5030, Page 389, Deed Records, Dallas County, Texas;

(3) **THENCE** South 09°37'44" East, along said TRA easement line, 83.56 feet to the said future north easement line;

(4) **THENCE** South 84°10'41" West, along the said future easement line, 58.80 feet to the **POINT OF BEGINNING**.

The hereinabove described tract of land contains a computed area of **0.0742 acres (3,233 square feet)** of land more or less.

The bearings shown hereon are based on a local coordinate system from NAD83 Texas North Central Zone (4202), derived from gps RTK observations using the North Central Texas VRS network (maintained by Western Data Systems). All areas and distances shown hereon are surface values.

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FIELD NOTES DESCRIBING A 3,233 SQUARE FOOT (0.0742 ACRE) TEMPORARY CONSTRUCTION EASEMENT TO BE ACQUIRED IN CITY BLOCK A/8370 FROM CITY OF DALLAS

SURVEYORS CERTIFICATE

I do hereby certify that the above legal description was prepared from public records and from an actual and accurate survey upon the ground and that same is true and correct.

Surveyors Name: Eric S. Spooner
Registered Professional Land Surveyor, Texas No. 5922
Spooner and Associates, Inc.
Texas Board of Professional Land Surveying No. 10054900
Surveyed on the ground April-2017

4-23-18



SPOONER AND ASSOCIATES, INC, 309 BYERS STREET, #100, EULESS, TEXAS 76039 – PH. 817-685-8448 – ESPOONER@SPOONERSURVEYORS.COM – S&A #16-019

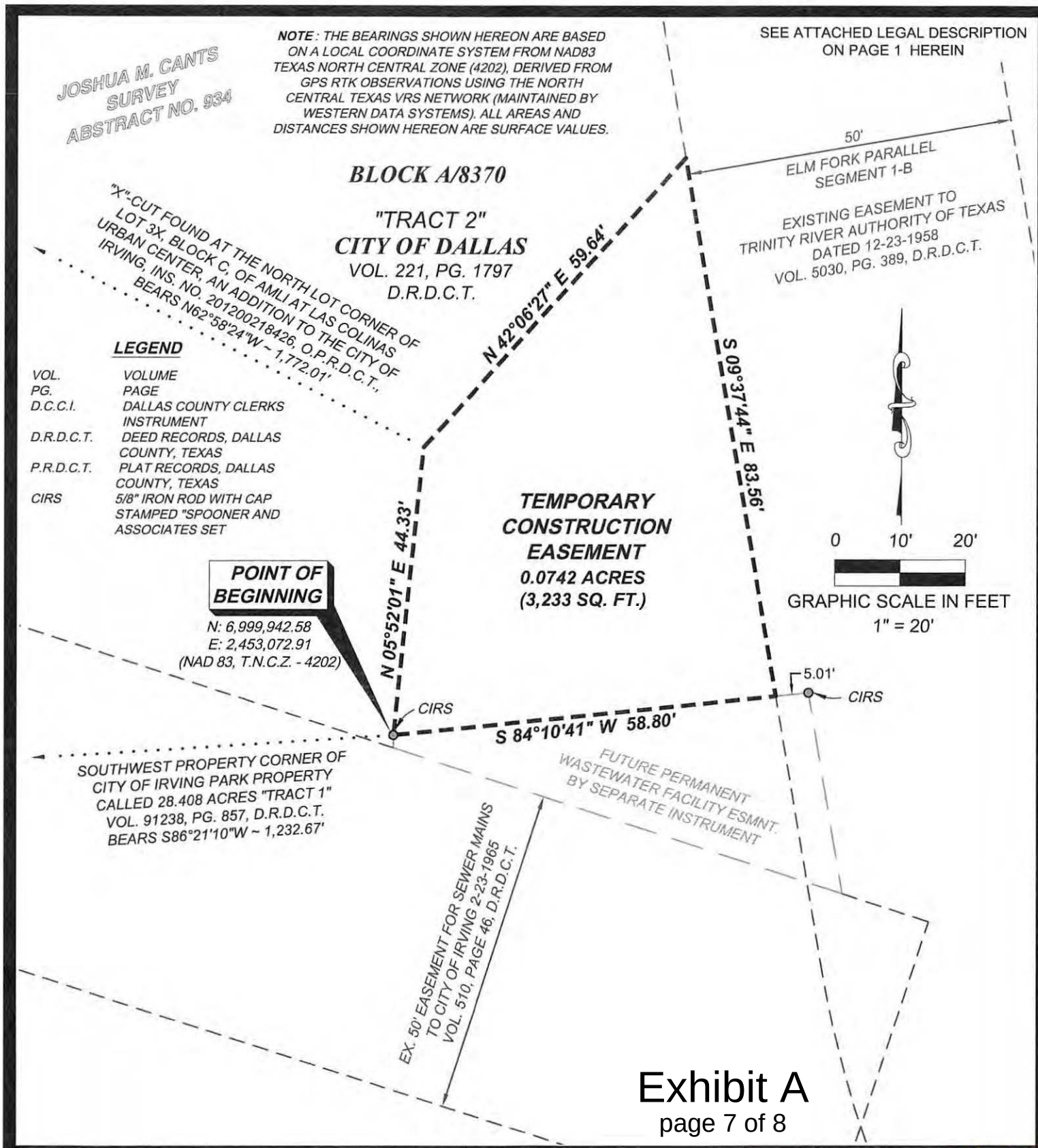


Exhibit A
page 7 of 8

CITY OF DALLAS BEING IN "TRACT 2", TEMPORARY CONSTRUCTION EASEMENT CITY OF IRVING, DALLAS COUNTY, TEXAS

REV: 04/23/2018

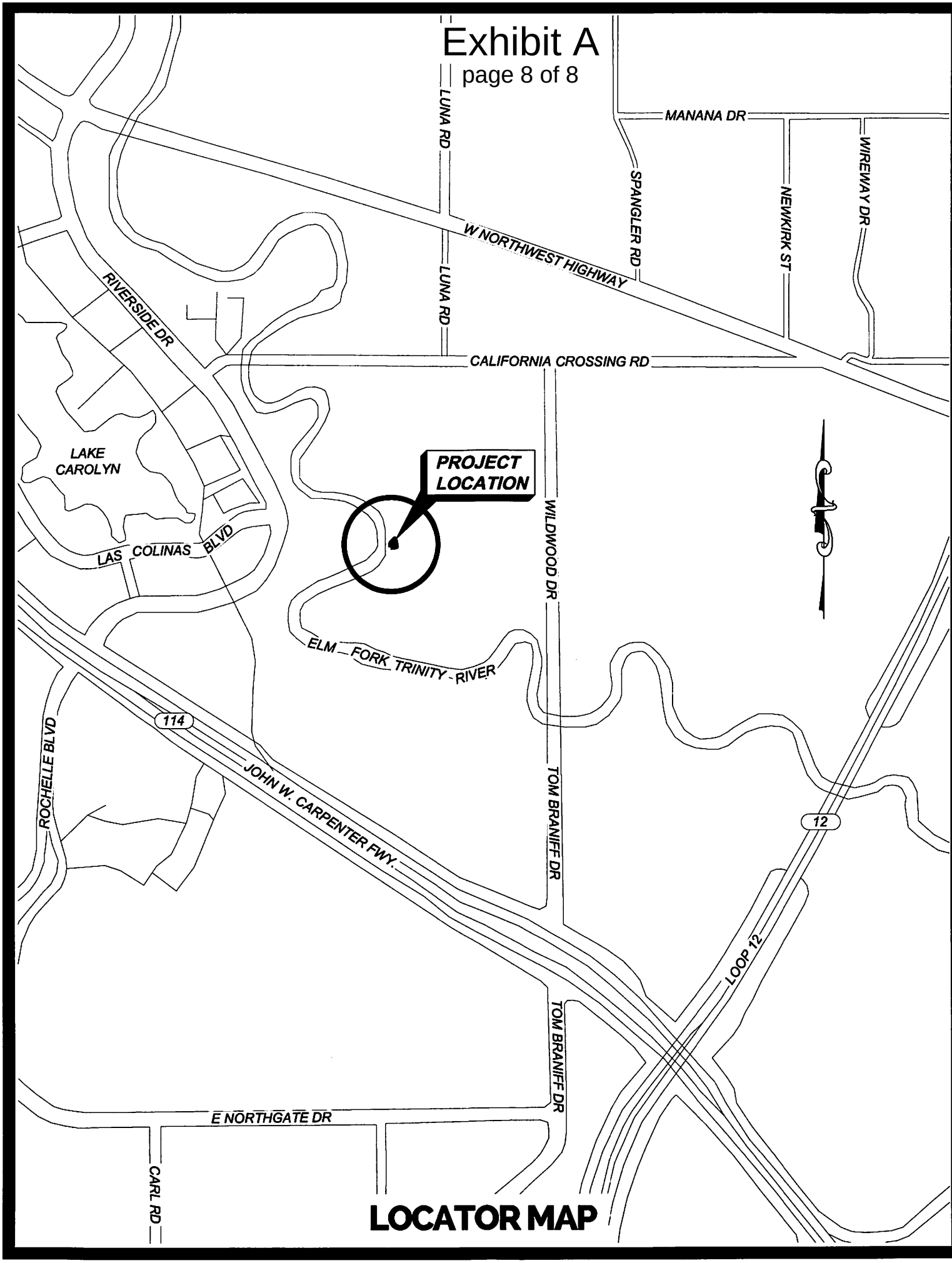
PROPERTY: CITY OF DALLAS, "TRACT 2", VOL. 221, PG. 1797, D.R.D.C.T.
16-019 IRVING URBAN CENTER LIFT STATION_TEMP CONST. ESMNT.dwg

S&A JOB NO.: 16-019	DRAWN BY: J.B.N.	PAGE 3 OF 3
DATE: 02/23/2018	CHECKED BY: E.S.S.	
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TBPLS FIRM NO. 10054900

4-23-18
STATE OF TEXAS REGISTERED
ERIC S. SPOONER
5922
PROFESSIONAL LAND SURVEYOR

Exhibit A



LOCATOR MAP

Agenda Information Sheet

File #: 18-1055 **Item #:** 77.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	October 24, 2018
COUNCIL DISTRICT(S):	14
DEPARTMENT:	Department of Sustainable Development and Construction
EXECUTIVE:	Majed Al-Ghafry

SUBJECT

An appeal of the City Plan Commission's decision to deny an application for a certificate appropriateness for a 43.56 square foot multi-tenant monument sign at 2121 North Pearl Street on the southeast corner - Financing: No cost consideration to the City (This item was deferred on September 26, 2018)

BACKGROUND

On April 16, 2018, an application for a certificate of appropriateness was made for a 43.56 square foot multi-tenant monument sign on the southeast corner of 2121 North Pearl Street. The sign is proposed to be three feet, five inches in height; 12 feet, nine inches in length: and setback seven feet from North Pearl Street. The request was approved by the City Plan Commission's Special Sign District Advisory Committee on May 8, 2018. On June 7, 2018, the City Plan Commission denied the request.

The City Plan Commission denied the certificate of appropriateness based on the interpretation of Section 51A-7.304(d) which states with regard to multi-tenant monument signs that the setback is five feet; the height may not may not exceed a 1:1 setback-to-height slope or 35 feet, whichever is less; and that the effective area of a multi-tenant monument sign may not exceed a 10:1 effective-area-to-height ratio or 200 square feet, whichever is less. (Attached is a copy of Section 51A-7.304 (d)). The Commission interpreted the subsection as each paragraph needing to be met independently of the other paragraphs. If read independently, the paragraph stating that for monument signs the effective area may not exceed a 10:1 effective-area-to-height ratio or 200 square feet, whichever is less, would not allow a 43.56 square foot effective area be three feet, five inches tall.

Staff recommended approval of the certificate of appropriateness concluding that it met the code requirement. Staff concluded the multi-tenant monument sign at its proposed setback at seven feet, could reach 14 feet in height and have an effective area of approximately 140 square feet. Staff has interpreted the paragraphs in Section 51A-7.304(d) must be read together to determine the allowed effective area. In 2004, during a code amendment process to amend Article VII regarding regulations

for detached premise signs, staff created a diagram to show the maximum effective area for monument signs illustrating the three components related to a sign - the setback, the height, and the effective area. (Attached is a copy this diagram). Staff uses this diagram to determine the maximum size and setback for detached signs.

Section 51A-7.505(5) states “If the committee finds the proposed sign to be consistent with the special character of the special provision sign district, the committee shall make a recommendation of approval to the city plan commission. The committee shall consider the proposed sign in terms of its appropriateness to the special provision sign district with particular attention to the effect of the proposed sign upon the economic structure of the special provision sign district and the effect of the sign upon adjacent and surrounding premises without regard to any consideration of the message conveyed by the sign. After consideration of these factors, the committee shall recommend approval or denial of the application and forward that recommendation to the city plan commission.

Section 51A-7.505(6) states "In making its decision, the commission shall consider the same factors that were required to be considered by the committee in making its recommendation. If the commission approves the application, it shall forward a certificate of appropriateness to the building official within 15 days after its approval. If the commission denies the application, it shall so inform the building official in writing. Upon receipt of the written denial, the building official shall so advise the applicant within five working days of the date of receipt of the written notice.”

City Council shall consider the same factors required to be considered by the City Plan Commission to this appeal of the commission’s decision to deny the application for a certificate of appropriateness of a 43.55 square foot multi-tenant monument sign.

PRIOR ACTION (COUNCIL, BOARDS, COMMISSIONS)

On September 26, 2018, this item was deferred by Councilmember Philip T. Kingston.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

powered by Legistar™

SEC. 51A-7.304. DETACHED SIGNS.

(d) Regulations applicable to multi-tenant signs.

(1) Setback.

(A) Monument signs. The minimum setback for a multi-tenant monument sign is five feet.

(B) Non-monument signs. The minimum setback for a multi-tenant non-monument sign is 15 feet.

(2) Height. The height of a multi-tenant sign may not exceed a 1:1 setback-to-height slope or 35 feet, whichever is less.

(3) Effective area.

(A) Monument signs. The effective area of a multi-tenant monument sign may not exceed a 10:1 effective-area-to-height ratio or 200 square feet, whichever is less.

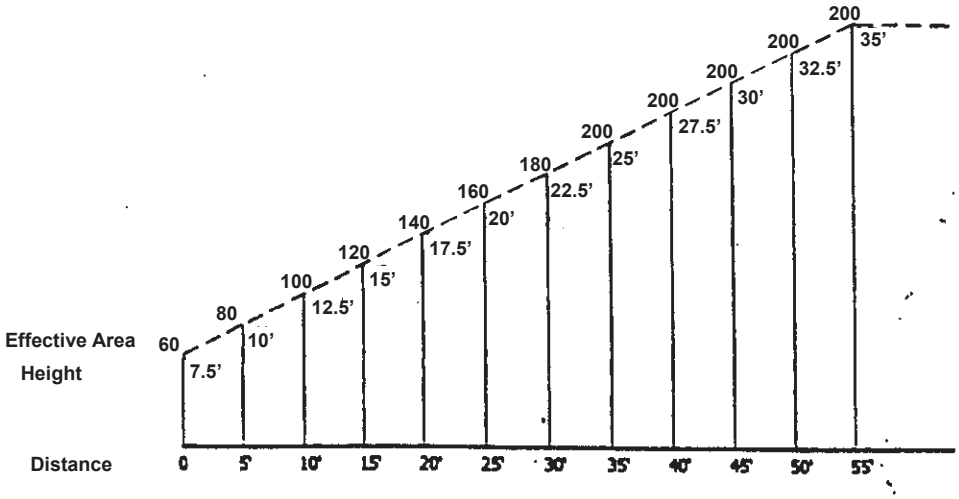
(B) Non-monument signs. The effective area of a multi-tenant non-monument sign may not exceed a 5:1 effective-area-to-height ratio or 200 square feet, whichever is less.

(4) Address required. A multi-tenant sign must contain the address of the premise.

Monument Signs

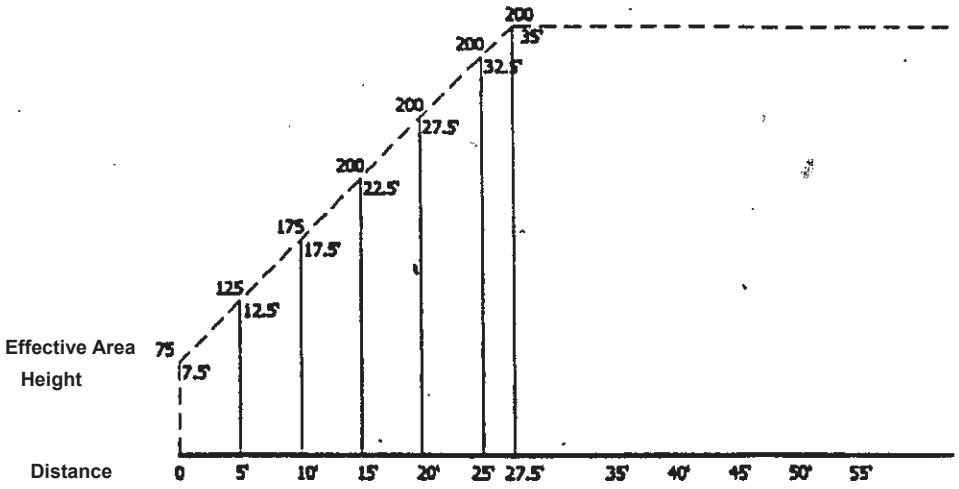
SINGLE TENANT

7.5’ Starting Point
2:1 = Setback:Height
8:1 = Area: Height
min setback = 0’



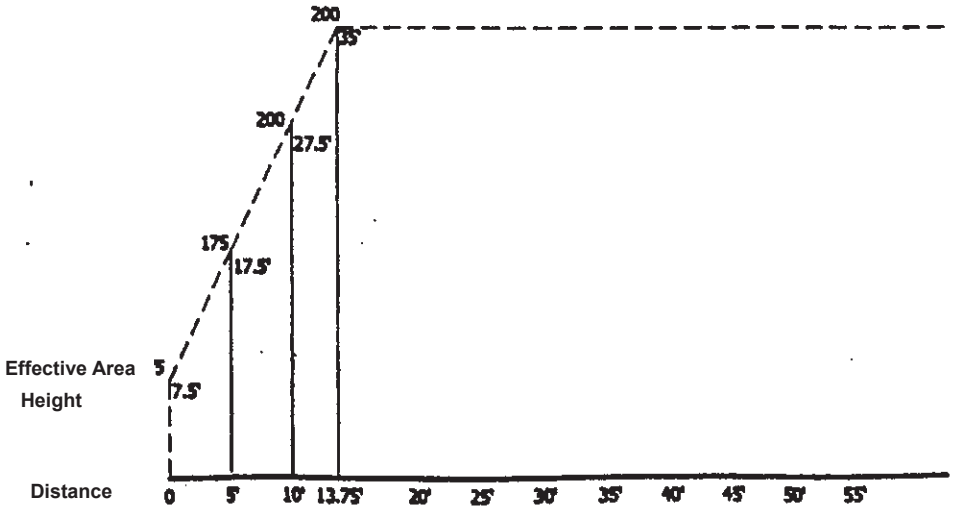
MULTI TENANT

7.5’ Starting Point
1:1 = Setback:Height
10:1 = Area: Height
min setback = 5’



UNITY AGREEMENT

7.5’ Starting Point
0.5:1 = Setback:Height
10:1 = Area: Height
min setback = 5’



Case Number: 1804160021



1:2,000

CA 1804160021
Downtown Perimeter Subdistrict

signs manufacturing Corporation™

August 3, 2018

Steve Long, Chief Planner
Current Planning Division
Sustainable Development & Construction Department

RE: Sign certificate of appropriateness
1804160021
2121 N. Pearl Street (southeast corner)

We would like to appeal the decision of the SSDAC to deny the small 43.56 square foot monument sign.

Please inform us of the date for the meeting so that we can have our customer, Trammel Crow and Chase Bank, attend to discuss the appeal.

Thank you.

Sincerely,

James Watson
President

RECEIVED
AUG 06 2018
By 10:53am

4610 MINT WAY DALLAS, TEXAS 75236 214-339-2227

CITY PLAN COMMISSION **THURSDAY, JUNE 7, 2018**

Planner: Steve Long

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS FOR A SIGN IN A SPECIAL PROVISION SIGN DISTRICT (SPSD)

DOWNTOWN SIGN DISTRICT PERIMETER

CASE NUMBER: 1804160021 **DATE FILED:** April 16, 2018

LOCATION: 2121 N. Pearl Street (southeast corner) **SIZE OF REQUEST:** 43.56 sq. ft.

COUNCIL DISTRICT: 14 **ZONING:** PDS No. 117 in PD No. 193 **MAPSCO:** 45 F

APPLICANT: Elizabeth Cardenas

CONTRACTOR: Sign Manufacturing & Maintenance Corporation

OWNER: TC Uptown Associates

REQUEST: An application for a Certificate of Appropriateness for a 43.56-square foot multi-tenant monument sign (southeast corner).

SUMMARY: The applicant is requesting a multi-tenant monument sign which will include businesses to be determined and "PARK DISTRICT DALLAS" and a logo.

SSDAC RECOMMENDATION: **Approval**

STAFF RECOMMENDATION: **Approval**

BACKGROUND:

- The subject site is located within the Downtown Perimeter Subdistrict and follows the regulations set forth by Section 51A-7.303 (GENERAL PROVISIONS APPLICABLE TO SIGNS IN BUSINESS ZONING DISTRICTS)

- The request is for a flat multi-tenant monument sign. Monument sign means a detached sign applied directly onto a ground-level support structure (instead of a pole support) with no separation between the sign and the ground, or mounted on a fence. Multi-tenant sign means a detached sign that advertises two or more businesses on a single premise.

- The proposed sign is 43.56 square feet (12' 9" in length, 3' 5' in height), and will be located on the southeast corner of the site.

- The proposed multi-tenant monument sign which will include businesses to be determined and "Park District Dallas" and a logo.

- Construction of the multi-tenant monument sign is in accordance with SPSD regulations and meets the requirements of the Dallas City Code per SECTION. 51A-7.305. BUSINESS ZONING DISTRICT DETACHED SIGNS.

SECTION. 51A-7.304. DETACHED SIGNS IN BUSINESS ZONING DISTRICTS.

(d) Regulations applicable to multi-tenant signs:

(1) Setback.
(A) Monument signs. The minimum setback for a multi-tenant monument sign is five feet. *The setback for the sign is seven feet.*
(B) Non-monument signs. The minimum setback for a multi-tenant non-monument sign is 15 feet. *N/A*

(2) Height. The height of a multi-tenant sign may not exceed a 1:1 setback-to-height slope or 35 feet, whichever is less. *The sign is 3' 5" in height.*

(3) Effective area.
(A) Monument signs. The effective area of a multi-tenant monument sign may not exceed a 10:1 effective-area-to-height ratio or 200 square feet, whichever is less. *The sign is 43.56 square feet.*
(B) Non-monument signs. The effective area of a multi-tenant non-monument sign may not exceed a 5:1 effective-area-to-height ratio or 200 square feet, whichever is less. *N/A*.

(4) Address. A multi-tenant sign must contain the address of the premises. *The sign includes the address.*

Case Number: 1804160021

List of owners and/or officers

From: Liz Cardenas [mailto:lcardenas@signsmanufacturing.com]
Sent: Wednesday, May 09, 2018 4:19 PM
To: Long, Steve <steve.long@dallascityhall.com>
Cc: Dean, Neva <neva.dean@dallascityhall.com>
Subject: Re: 2121 N Pearl Street signs - CA #1804160021 and CA #1804160022

Good Afternoon Steve,

Please see the the following owner information below:

TC Uptown Office Tower, LLC
2100 McKinney Avenue, Suite 800
Dallas, TX 75201

Liz Cardenas
(214) 339-2227 | (817) 861-1234 | (972) 239-4448 | (800) 333-7137 | fax:(214) 3
Liz@SignsManufacturing.com | 4610 Mint Way, Dallas, Texas 75236 USA |
www.SignsManufacturing.com
Provide Feedback

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Long, Steve

From:	Liz Cardenas <lcardenas@signsmanufacturing.com>
Sent:	Thursday, May 10, 2018 11:32 AM
To:	Long, Steve
Subject:	Re: 2121 N Pearl Street signs - CA #1804160021 and CA #1804160022

Good Morning Steve,

Please see the following information below (I hope it helps):

- Scott Krikorian
- Jonathan Probst
- Jeff DeBruin

Liz Cardenas
(214) 339-2227 | (817) 861-1234 | (972) 239-4448 | (800) 333-7137 | fax:(214) 339-
Liz@SignsManufacturing.com | 4610 Mint Way, Dallas, Texas 75236 USA |
www.SignsManufacturing.com
Provide Feedback

This communication and all attachments are protected by Copyright 2017 - All Rights Reserved | TSCL 18015, TSCL 18016, TECL 17503 | This e-mail

Case Number: 1804160021

SSDAC Action
May 8, 2018

CA 1804160021

MOTION: It was moved to **approve** a 43.56-square foot multi-tenant monument sign at 2121 North Pearl Street (southeast corner)

Maker: Dumas
Second: Peadon
Result: Carried: 2 to 0

For: 2 – Dumas, Peadon

Against: 0
Absent: 0
Conflict: Hardin

Speakers – Elizabeth Cardenas of Sign Manufacturing & Maintenance Corporation

Case Number: 1804160021

DATE: _____

APPLICATION TYPE
REGULAR ◯ EXPRESS ◯

PERMIT APPLICATION

PLEASE TYPE OR PRINT CLEARLY

City of Dallas

JOB NO: (OFFICE USE ONLY)

PERMIT NO: (OFFICE USE ONLY) 1804161110

STREET ADDRESS OF PROPOSED PROJECT	SUITE/BLDG/FLOOR NO	USE OF PROPERTY
2121 N Pearl Street	100	

APPLICANT	ADDRESS	CITY	STATE	ZIP CODE
Elizabeth Cardenas	4610 MINT WAY	DALLAS	TEXAS	75236

DBA (IF APPLICABLE)	PHONE NO	E-M
Park District	214-339-2227	

CONTRACTOR-INDIVIDUAL	CONTRACTOR NUMBER	PIN	COMPANY NAME
JAMES WATSON	501	1221	S RP.

CURRENT HOME REPAIR LICENSE ON FILE?	IF YES, LIST NUMBER	PHONE NO	E
◉ YES ◯ NO	238434	214-339-2227	

PROPERTY OWNER (INDIVIDUAL CONTACT)	ADDRESS	CITY	STATE	ZIP CODE
Park District	2121 N Park District	Dallas	Texas	75201

PROPERTY OWNER (COMPANY NAME)	PHONE NO	E-MAIL ADDRESS (MAY BE USED FOR OFFICIAL COMMUNICATION)
Park District	214-339-2227	lcardenas@signsmanufacturing.com

DESCRIPTION OF PROPOSED PROJECT

Installing Illuminated Multi Tenant Monument Sign #1:

3'5"H x 12'9"L = 43.56 S.F.

VALUATION ($)		CONST AREA (sq ft)	
NEW CONST	$ 1,200.00	NEW CONST	43.56 S.F.
MFD OTHER		MFD OTHER	
REMODEL		REMODEL	
TOTAL VALUATION	$ 1,200.00	TOTAL AREA	43.56 S.F.

PLEASE INDICATE ALL TYPES OF WORK THAT WILL BE PART OF THIS PROJECT BY CHECKING THE APPROPRIATE BOX

☐ BUILDING	☐ PLUMBING	☐ FENCE	☐ DRIVE APPROACH	☐ BACKFLOW	☐ BARRICADE	☐ ENERGY	
☐ ELECTRICAL	☐ FIRE SPRKLR	☒ SIGN	☐ SWIMMING POOL	☐ CUSTOMER SVC	☐ GREEN	☐ PAVING/GRADING	
☐ MECHANICAL	☐ FIRE ALARM	☐ LANDSCAPE	☐ LAWN SPRINKLER	☐ FLAMMABLE LIQUID	☐ OTHER:		

All food service establishments require a grease interceptor to be installed on site. Is there a grease interceptor on site? ◯ YES ◉ NO

The following is applicable to all applications for building permits that are accepted and routed for any reviews. As required by Texas Local Government Code Section 214.904, the City of Dallas will grant (Approve) or deny your building permit application to erect or improve a building or other structure no later than the 45th day after the application is submitted. Denial of a permit application due to time constraints may be avoided by agreeing to allow the City the following additional time to review the application:

I hereby agree to a deadline of 14 days to grant or deny the permit after the date of the approval of all of the following reviews, as applicable, where the applicant has provided the plans examiners the requested corrections, plans and actions; and, the contractor has been named on the permit:

Zoning, Building Code, Electrical Code, Plumbing/Mechanical Code, Green Building Code, Health, Historical/Conservation District, Engineering/Flood Plain, Water Utilities, Fire Code, Landscaping and Aviation.

If the permit is granted (*Approved*) within this deadline the City will retain and/or assess all fees. If the permit is denied within this deadline, the City will retain all plan review fees and 20 percent of the permit fees. If the permit application is not granted or denied within the agreed additional time of review, the City will refund any permit fees that have been collected and the City may not collect any permit fees associated with the application.

◉ I AGREE. ◯ I DO NOT AGREE.

I UNDERSTAND THAT THIS PERMIT APPLICATION WILL EXPIRE IN 180 DAYS FROM THE APPLICATION DATE. I MAY REQUEST IN WRITING AN ADDITIONAL 180 DAY EXTENSION OF THE PERMIT APPLICATION PRIOR TO THE APPLICATION EXPIRATION. IF THE APPLICATION IS ALLOWED TO EXPIRE, IT MAY ONLY BE REACTIVATED BY THE FILING OF A NEW APPLICATION INCLUDING APPLICABLE PLANS AND FEES

I HAVE CAREFULLY READ THE COMPLETED APPLICATION AND KNOW THE SAME IS TRUE AND CORRECT AND HEREBY AGREE THAT IF A PERMIT IS ISSUED ALL PROVISIONS OF THE CITY ORDINANCES AND STATE LAWS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT. I AM THE OWNER OF THE PROPERTY OR THE DULY AUTHORIZED AGENT. PERMISSION IS HEREBY GRANTED TO ENTER PREMISES AND MAKE ALL INSPECTIONS. I ALSO AFFIRM THAT THE EMAIL ADDRESS GIVEN ABOVE MAY BE USED FOR OFFICIAL COMMUNICATION CONCERNING THIS APPLICATION AND PERMIT.

APPLICANT'S SIGNATURE	DATE OF APPLICATION SUBMISSION
Elizabeth Cardenas	4/16/18

SUSTAINABLE DEVELOPMENT AND CONSTRUCTION DEPARTMENT • BUILDING INSPECTION DIVISION
OAK CLIFF MUNICIPAL CENTER, 320 E. JEFFERSON BLVD., ROOM 118, DALLAS, TX 75203 • TEL. NO. (214) 948-4480

REV 03-01-2017

Case Number: 1804160021

FOR OFFICE USE ONLY

STREET ADDRESS OF PROPOSED PROJECT	SUITE/BLDG/FLOOR NO	PROJECT/PERMIT NUMBER
2121 N Pearl	100	1804161110

ZONING				BUILDING		MISCELLANEOUS	
LAND USE	TYPE OF WORK	BASE ZONING	PD	CONSTRUCTION TYPE	OCCUPANCY	ACTIVITY	OWN
LOT	BLOCK	REQUIRED PARKING	PROPOSED PARKING	SPRINKLER	OCCUPANT LOAD	FLOOD PLAIN	AIRPORT
LOT AREA	BDA	SUP	RAR	STORIES	DWELLING UNITS	SPECIAL INSPECTIONS	HISTORICAL
DIR	EARLY RELEASE	DEED RESTRICTION	PARKING AGREEMENT	NUMBER BEDROOMS	NUMBER BATHROOMS	DRY	LL

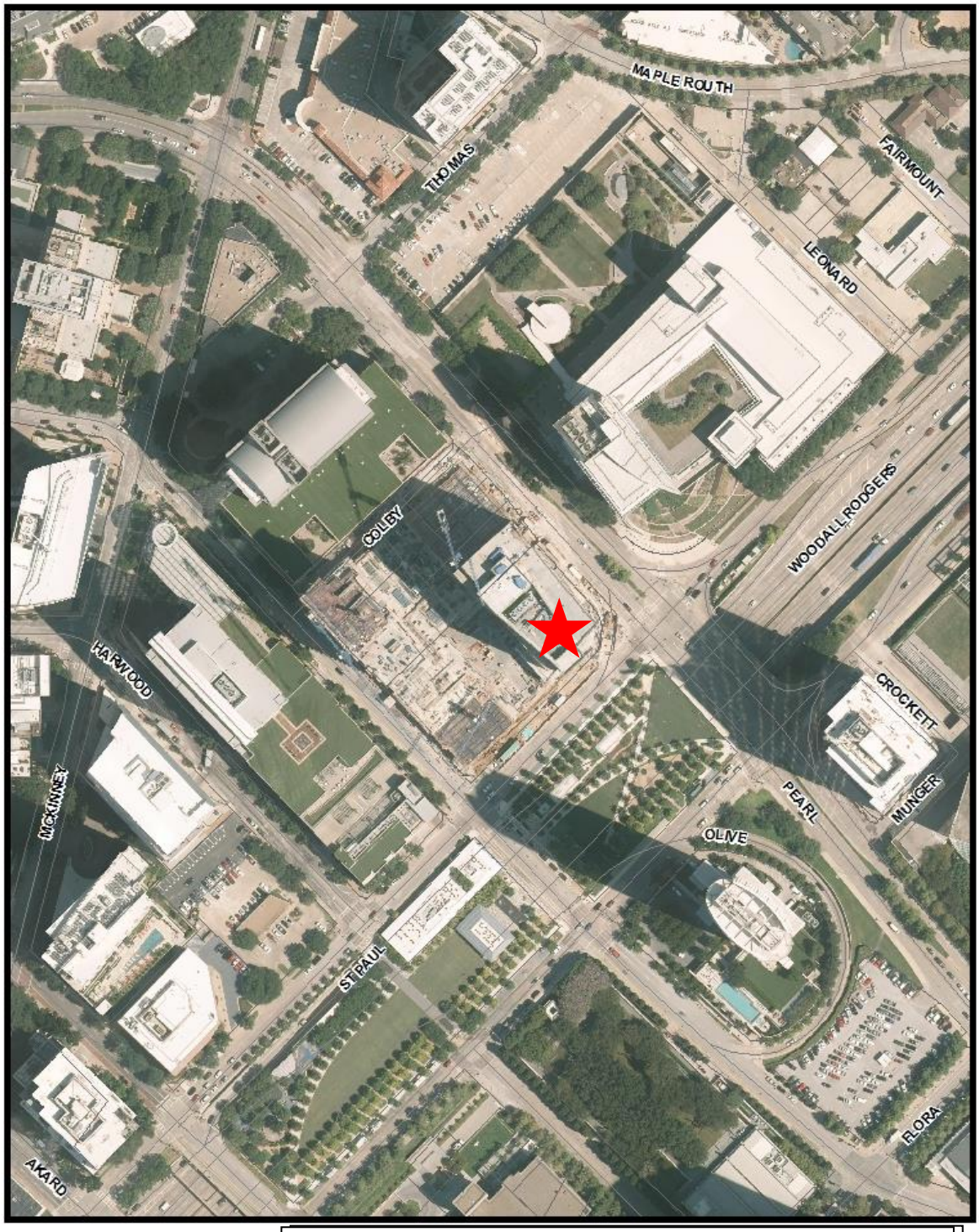
ROUTE TO	REVIEWER	DATE	APPLICATION REMARKS	FEE CALCULATIONS ($)
PRE-SCREEN	MM	4-16-18	Pre-Inspection	PERMIT FEE
ZONING				SURCHARGE
BUILDING				PLAN REVIEW FEE
ELECTRICAL				PREQUALIFICATION REVIEW FEE
PLUMBING/MECHANICAL				EXPRESS PLAN REVIEW HOURLY FEE TOTAL
GREEN BUILDING				HEALTH PERMIT APPLICATION FEE
HEALTH				HEALTH PLAN REVIEW FEES
HISTORICAL/CONS DIST				OTHER FEES
ENGINEERING				OTHER FEES
WATER				TOTAL FEES
FIRE				$
LANDSCAPING				
AVIATION				
OTHER:				

PLAN REVIEW NOTES

PD 193 (PDS 117) = Business rules

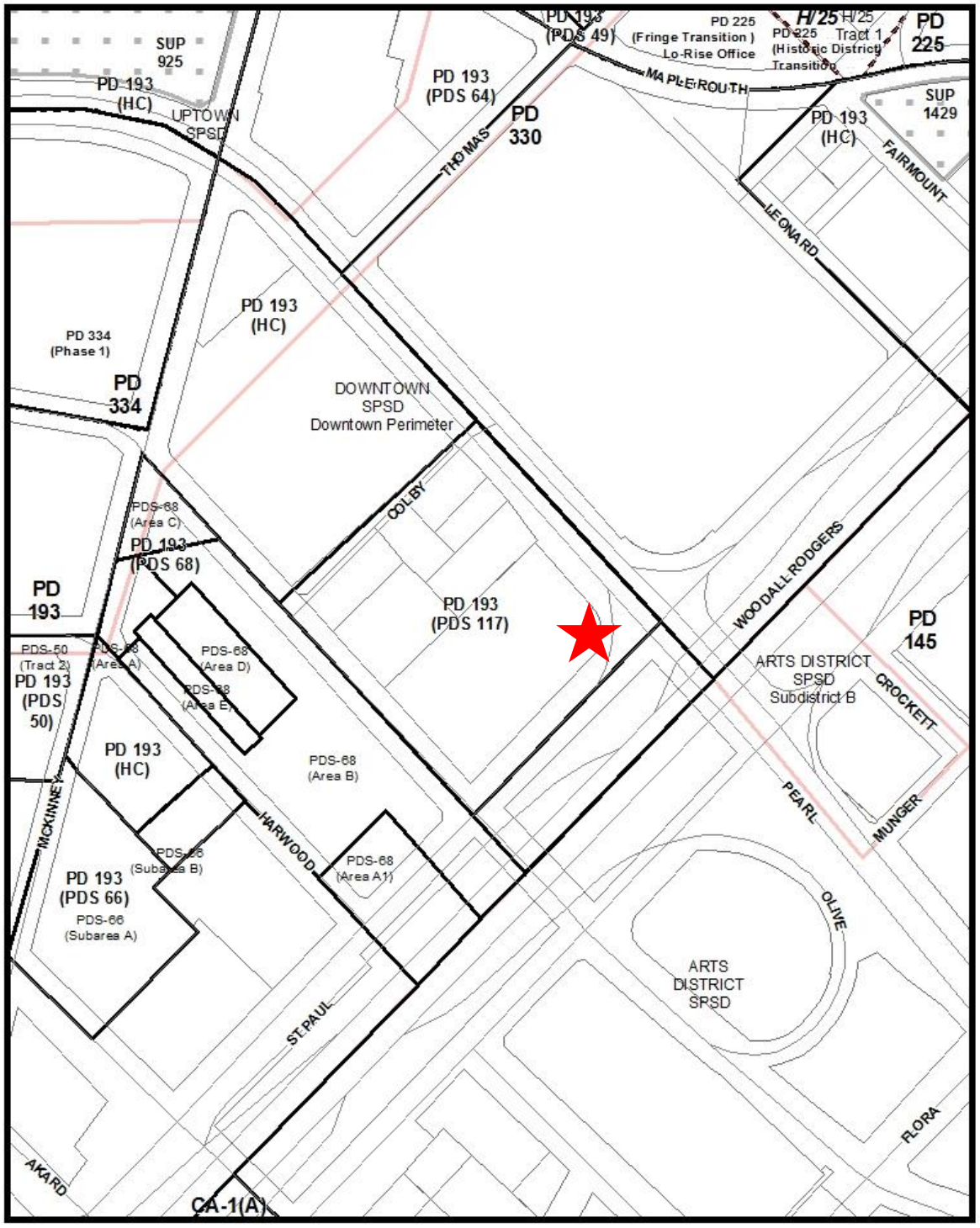
SPSD- Dowtown Perimeter

SSDAC # 1804160021



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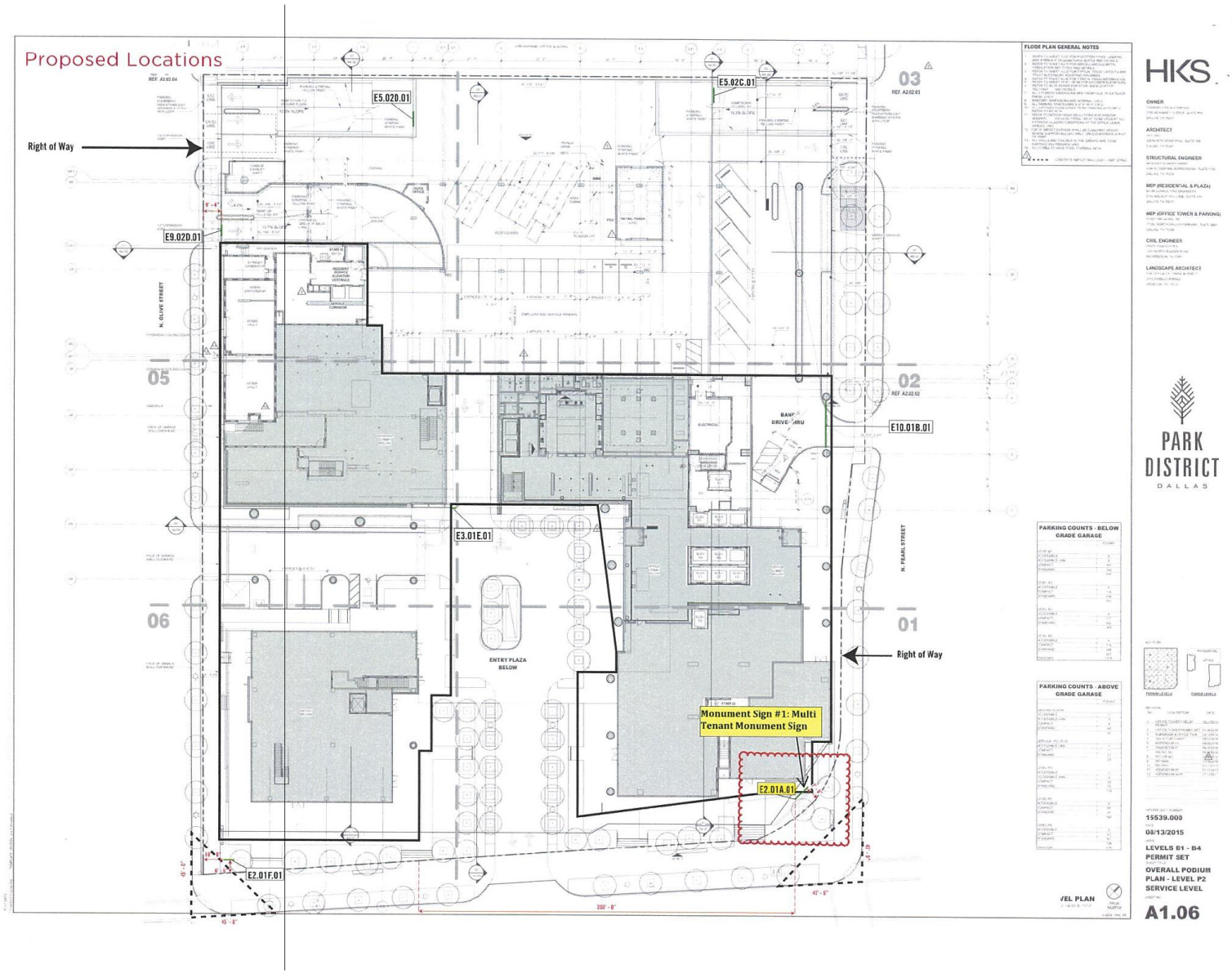
CA1804160021
Downtown SPSD Perimeter Subdistrict

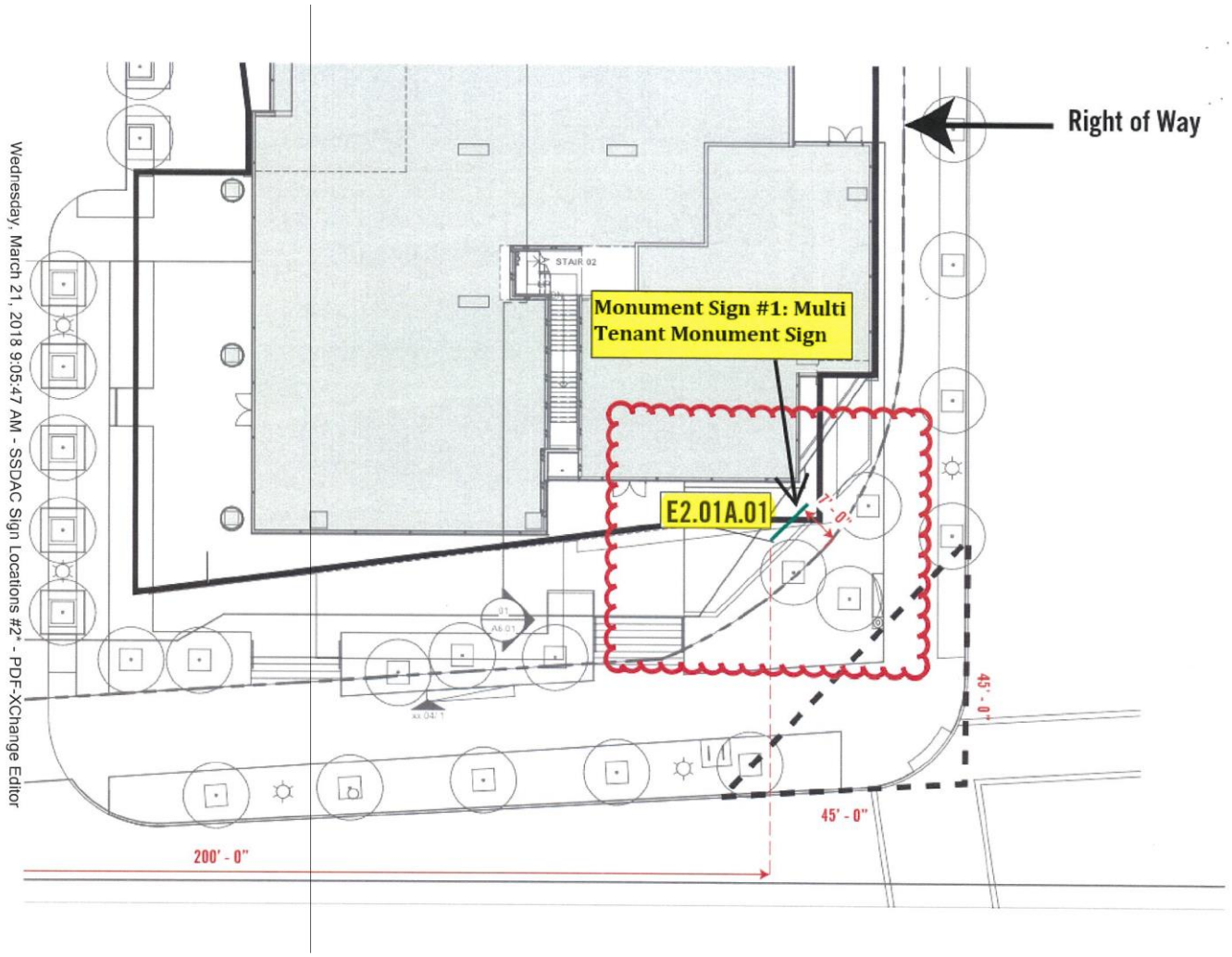


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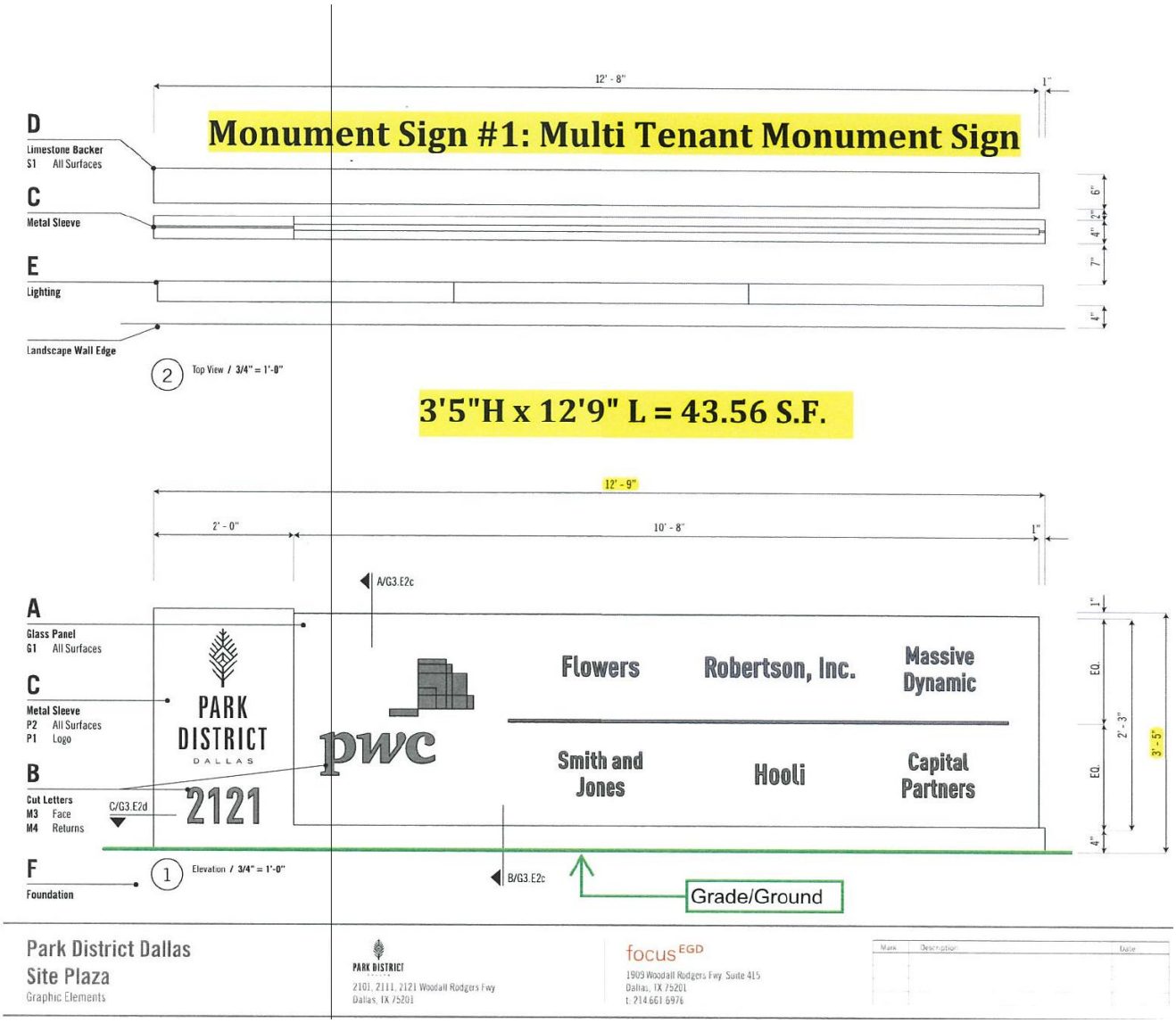
CA 1803220004
Downtown SPSD Perimeter Subdistrict

Case Number: 1804160021




Right of Way
Monument Sign #1: Multi Tenant Monument Sign
E2.01A.01
STAIR 02
45' - 0"
45' - 0"
200' - 0"
Wednesday, March 21, 2018 9:05:47 AM - SSDAC Sign Locations #2* - PDF-XChange Editor

Case Number: 1804160021



Case Number: 1804160021

E2.M MULTI-TENANT MONUMENT - S/F EXT. ILLUMINATED (QTY. 1)

SQUARE FOOTAGE: 43.56

CONFIRM COPY BEFORE PRODUCTION

Designed Per IBC 2015 TX Edition
With Applicable Amendments

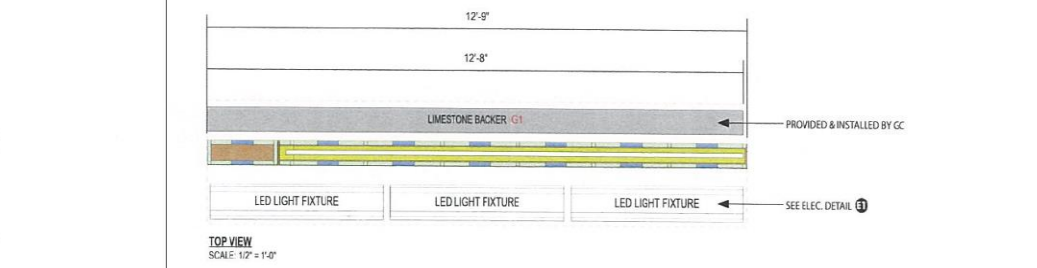
Snow Loads

Ground Snow Load	Pg:	5 psf
Snow Exposure Factor	Ce=	1.0
Snow Load Importance	Is=	1.1
Thermal Factor	Ct=	1.0

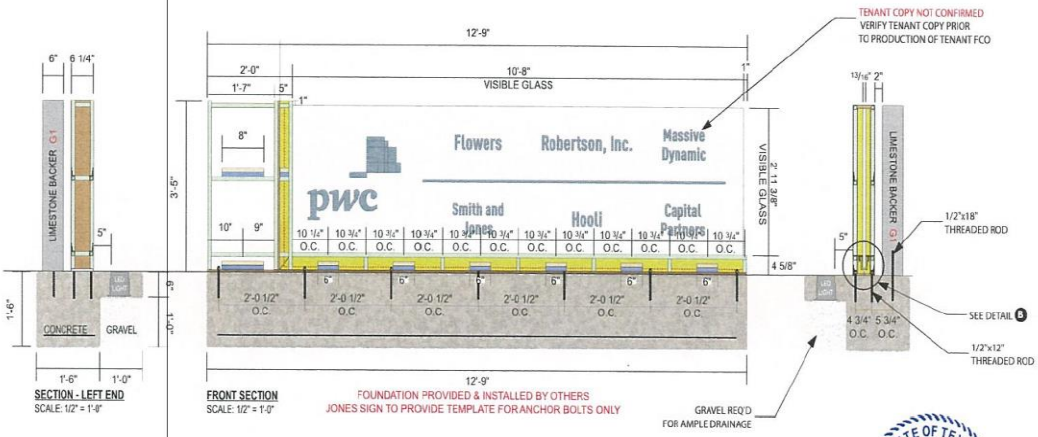
Wind Loads

Ultimate Design Wind Speed		115 mph
Nominal Design Wind Speed		89.1 mph
Risk Cat		II
(3-Sec Peak Gust MPH*)		
Wind Importance Factor	I=	1
Wind Exposure		C
Gust Factor		0.85

Exterior components designed in accordance with applicable provisions of the ASCE 7-10



TOP VIEW
SCALE: 1/2" = 1'-0"



SECTION - LEFT END
SCALE: 1/2" = 1'-0"

FRONT SECTION
SCALE: 1/2" = 1'-0"

Engineer's Note:
-Within concrete base: Install anchor bolts with two heavy duty bolts and washer in-between
-Tie anchor bolts together with #3 rebar ties
-Min. 10" embedment
-Provide 6x6 #10 welded wire mesh 3" from bottom of footing (approx. 12'-3" x 1'-0" mat)

MATERIAL LEGEND:
- 3/4" TEMPERED GLASS
- 1/8" ALUM. FCO
- 1"x1"x1/8" ALUM. TUBE (CAB. FRAME)
- 1/2"x6" ALUM. FLAT BAR (BASE)
- 1"x1"x1/8" ALUM. ANGLE CLIPS
- .063" ALUM. "Z" BRACKETS
- RG500 SHOE BASE (GLASS FRAME)

ELECTRICAL DETAILS E1
(3) 4' LUMASCAPE LS3150 INGROUND LED FIXTURES (.53A EA.)
TOTAL: 1.6A @ 120V

STATE OF TEXAS
JERE MURDOCH
113937
LICENSED
PROFESSIONAL ENGINEER

MURDOCH ENGINEERING
SIGN STRUCTURE PROFESSIONALS
2 HUMMINGBIRD CT.
HOWELL, NJ 07731
(973) 570-8245

4/12/2018
Jere Murdoch, PE
Professional Engineer
TX PE Lic. #113937

Case Number: 1804160021

E2.M MULTI-TENANT MONUMENT - S/F EXT. ILLUMINATED (QTY. 1)

SQUARE FOOTAGE: 43.56

CONFIRM COPY BEFORE PRODUCTION

Designed Per IBC 2015 TX Edition
With Applicable Amendments

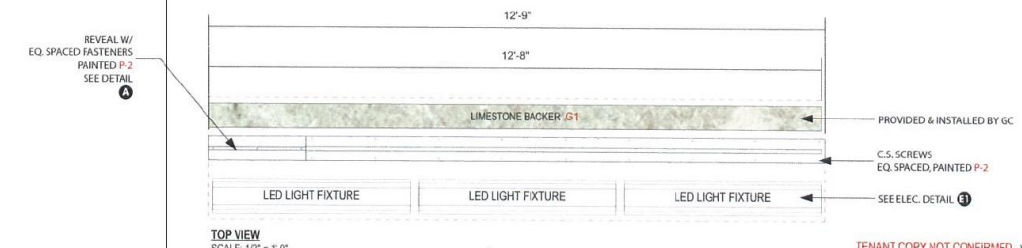
Snow Loads

Ground Snow Load	Pg:	5 psf
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Snow Load Importance	Is=	1.1
Thermal Factor	Ct=	1.0

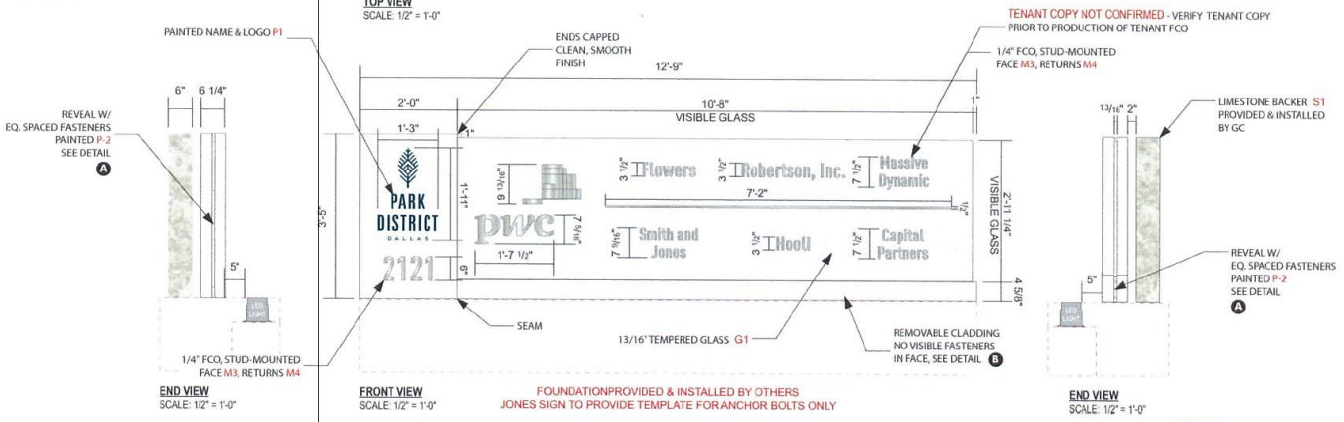
Wind Loads

Ultimate Design Wind Speed		115 mph
Nominal Design Wind Speed		89.1 mph
Risk Cat		II
(3-sec Peak Gust MPH*)		
Wind Importance Factor	I=	1
Wind Exposure		C
Gust Factor		0.85

Exterior components designed in accordance with applicable provisions of the ASCE 7-10



TOP VIEW
SCALE: 1/2" = 1'-0"



END VIEW
SCALE: 1/2" = 1'-0"

FRONT VIEW
SCALE: 1/2" = 1'-0"

FOUNDATIONPROVIDED & INSTALLED BY OTHERS
JONES SIGN TO PROVIDE TEMPLATE FOR ANCHOR BOLTS ONLY

END VIEW
SCALE: 1/2" = 1'-0"

SPECIFICATIONS

1. 13/16" STARPHIRE TEMPERED GLASS PANEL
2. 1/4" FCO - LOGO & ADDRESS STUD MOUNTED
3. 1/4" FCO - TENANTS (VHB TAPE & ADHESIVE)
4. CABINET - .125" ALUM. SKIIN, SMOOTH, EVEN FINISH COUNTERSUNK FASTENERS WHERE NECESSARY
5. LED ILLUMINATION (SEE ELEC. SPECS)
6. FOUNDATION - ENGINEERED

COLORS/FINISHES

- P1 MP TO MATCH PMS 295c (LOGO)
- P2 MP27386 VERIZON WHITE (REVEAL)
- M3 BRUSHED ALUMINUM, HORIZ. GRAIN (FCO FACE)
- M4 SANDBLASTED ALUM., FINE (FCO RETURNS)
- G1 13/16" STARPHIRE TEMPERED, LAMINATED (GLASS)
- S1 SOUTHERN SILVER PEARL LIMESTONE, HONED FINISH (BACKER)

STATE OF TEXAS
JERE MURDOCH
113937
LICENSED PROFESSIONAL ENGINEER

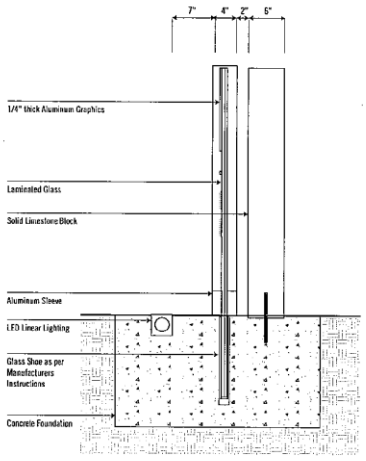
MURDOCH ENGINEERING
STRUCTURE PROFESSIONALS
2 HUMMINGBIRD CT
HOWELL, NJ 07731
(973) 570-8215

Jere Murdoch, PE 4/12/2018
Professional Engineer
TX PE Lic. #113937

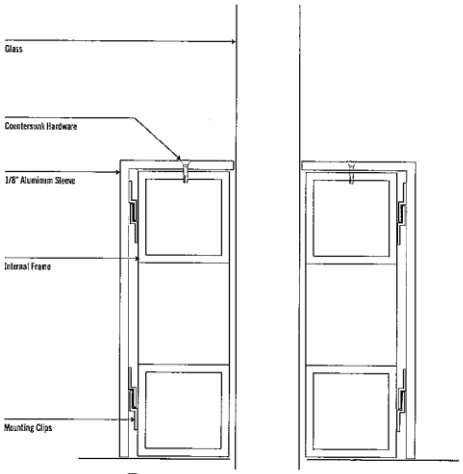
Case Number: 1804160021

Multi-Tenant Monument **E2**

Dimensions & shapes of all elements as shown on G3.E2a thru G3.E2d.



A Section Detail / 1" = 1'-0" Schematic



B Section Detail / Full Size Schematic

Park District Dallas
Site Plaza
Graphic Elements

PARK DISTRICT
2101, 2113, 2121 Woodall Rodgers Fwy
Dallas, TX 75201

focus EGD
1909 Woodall Rodgers Fwy, Suite 415
Dallas, TX 75201
t: 214.661.6976

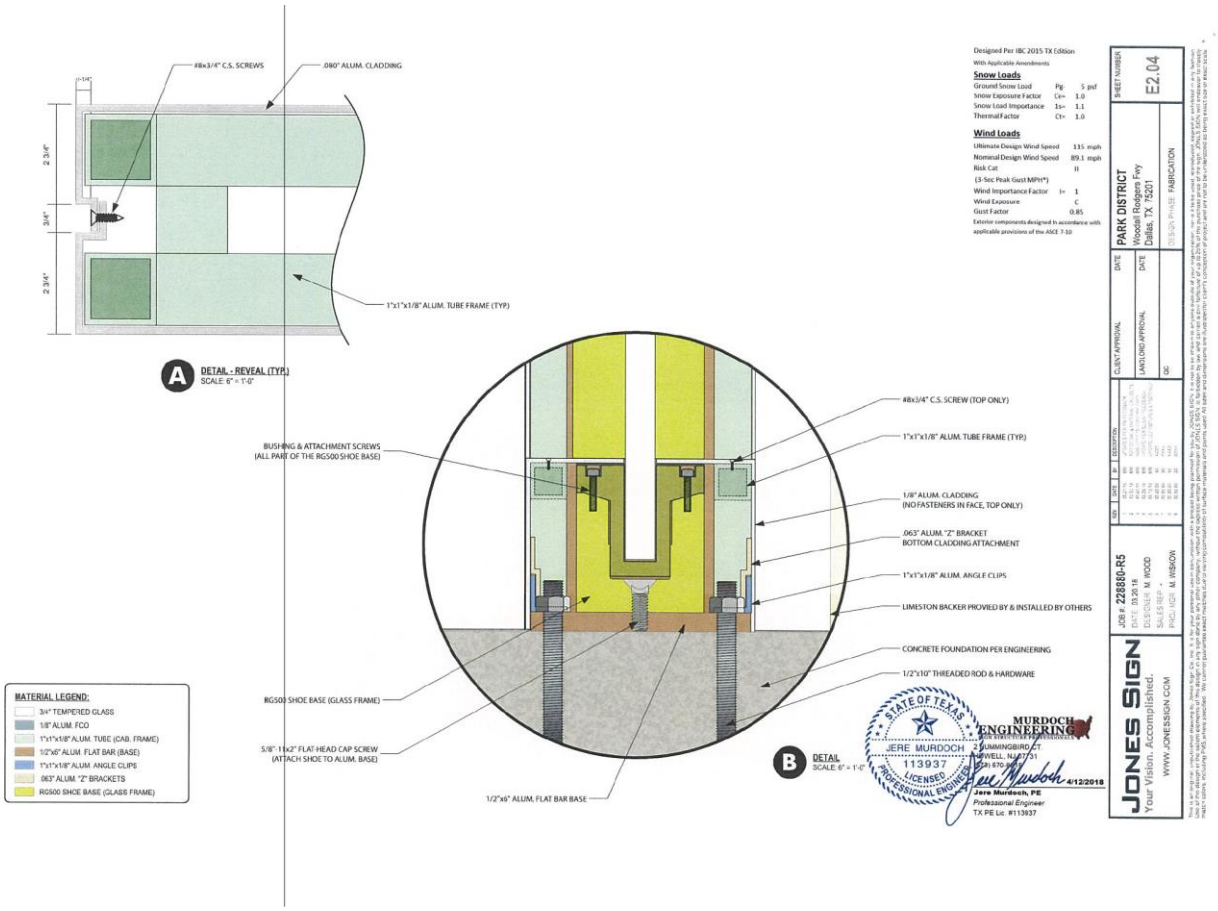
Mark	Description	Date

Project No 16020.001
Pricing Issue: 14 March 2018

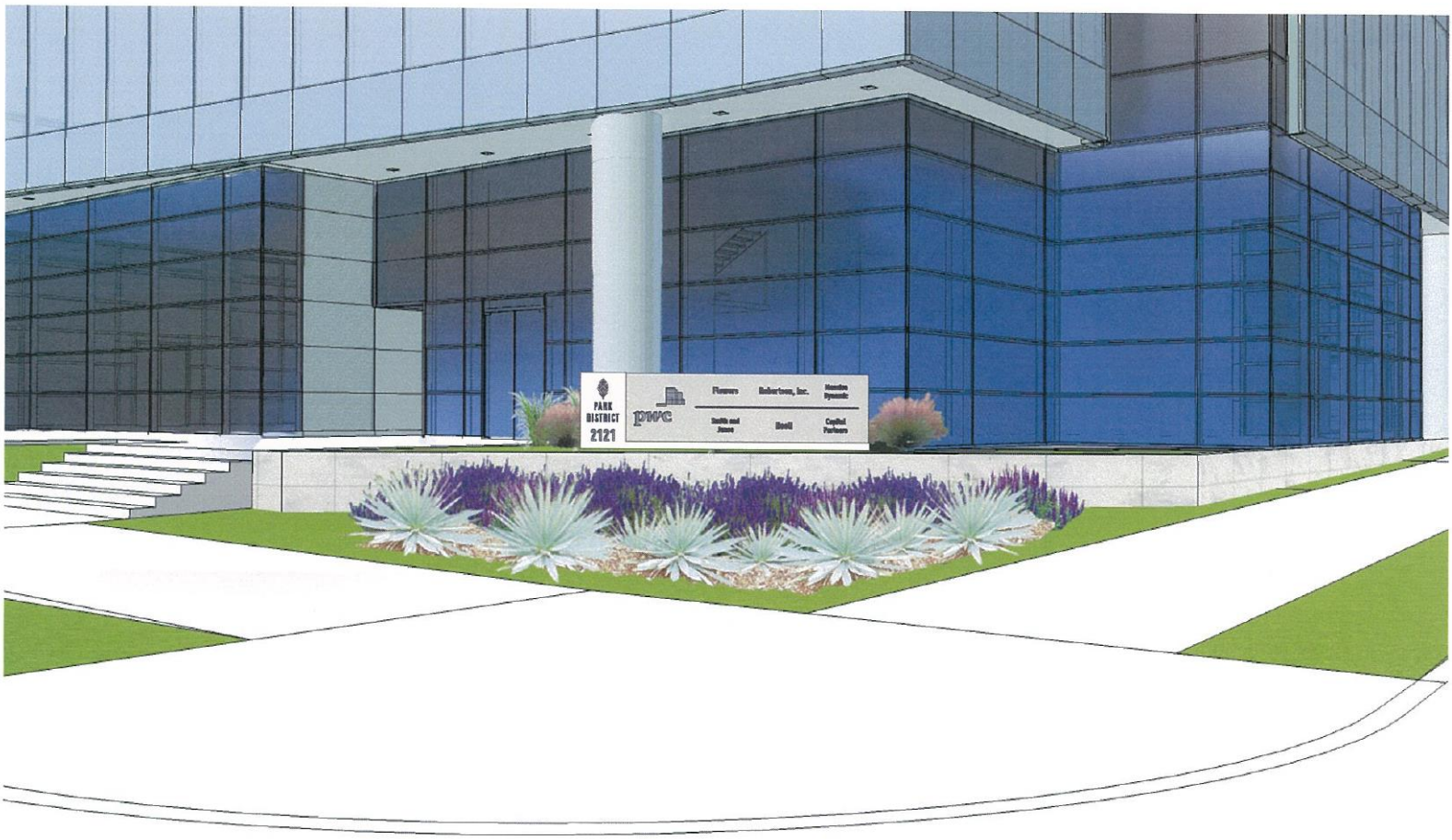
Series G3.00
Design Intent Documents

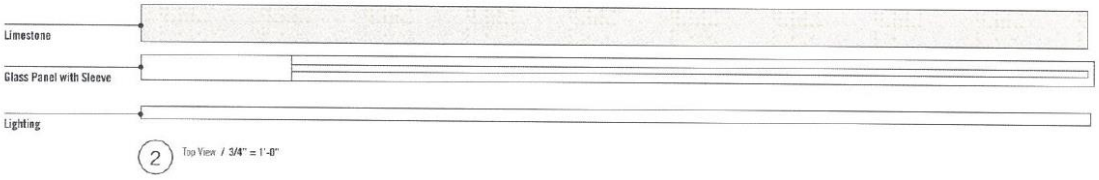
Sheet
G3.E2c

Case Number: 1804160021

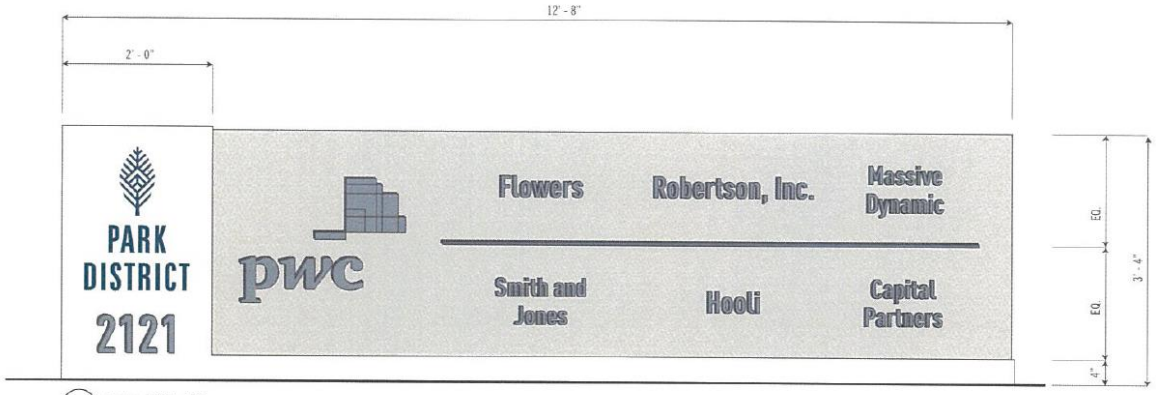


Case Number: 1804160021





2 Top View / 3/4" = 1'-0"



1 Elevation / 3/4" = 1'-0"

1804160021 Steve Long

Motion: It was moved to **deny** an application for a Certificate of Appropriateness by Elizabeth Cardenas of Sign Manufacturing & Maintenance Corporation for a 43.56-square foot multi-tenant monument sign at 2121 North Pearl Street (southeast corner).

Maker: Ridley
Second: Murphy
Result: Carried: 12 to 0

For:	12 - West, Rieves, Houston, Carpenter, Mack, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley
Against:	0
Absent:	2 - West, Shidid
Vacancy:	1 - District 8

Speakers: For: None
For (Did not speak): Douglas Jorgensen, 4610 Mint Way, Dallas, TX 75236
Against: None

OCTOBER 24, 2018 CITY COUNCIL ADDENDUM
CERTIFICATION

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Addendum dated October 24, 2018. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.

T.C. Broadnax
City Manager

10/19/2018
Date

Elizabeth Reich
Chief Financial Officer

10/19/18
Date

ADDENDUM
CITY COUNCIL MEETING
WEDNESDAY, OCTOBER 24, 2018
CITY OF DALLAS
1500 MARILLA STREET
COUNCIL CHAMBERS, CITY HALL
DALLAS, TX 75201
9:00 A.M.

RECEIVED
2018 OCT 19 PM 5:4
CITY SECRETARY
DALLAS, TEXAS

REVISED ORDER OF BUSINESS

Agenda items for which individuals have registered to speak will be considered no earlier than the time indicated below:

9:00 a.m. **INVOCATION AND PLEDGE OF ALLEGIANCE**

OPEN MICROPHONE

CLOSED SESSION

MINUTES Item 1

CONSENT AGENDA Items 2 - 55

CONSENT ADDENDUM Addendum Items 1 - 2

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier than 9:15 a.m. Items 56 - 61
Addendum Items 3 - 6

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m. Items 62 - 77
Addendum Items 7 - 8

Handgun Prohibition Notice for Meetings of Governmental Entities

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistol oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

ADDITIONS:

CONSENT ADDENDUM

City Attorney's Office

1. 18-1104 Authorize payment of the judgment for Rosalyn Henry in the lawsuit styled Rosalyn Henry, et al. v. City of Dallas, Cause No. DC-16-13267 - Not to exceed $88,355.07 - Financing: Risk Management Funds

Office of Economic Development

2. 18-1108 Authorize a third amendment to the development agreement with Drever 1401 Elm, LLC for the 1401 Elm Street redevelopment project, previously approved on January 22, 2014, by Resolution No. 14-0216, as amended, to: (1) extend the project completion and Certificate of Occupancy deadline from December 31, 2019 to December 31, 2020; (2) reduce the required minimum 387,000 square feet of residential space to 350,000 square feet; (3) revise the requirement for non-residential, commercial space, including retail/restaurant and office space to add hotel space to the requirement, remove retail/restaurant space from the requirement and increase the minimum square footage from 65,000 to 250,000 for the revised requirement; (4) add a separate requirement for a minimum of 20,000 square feet of retail/restaurant space; and (5) as consideration for the requested amendment, increase the required minimum private investment for the project from $100,000,000.00 to $175,000,000.00 - Financing: No cost consideration to the City

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

3. 18-1099 A resolution designating absences by Deputy Mayor Pro Tem Adam Medrano and Councilmember Rick D. Callahan as being for "Official City Business" - Financing: No cost consideration to the City

Housing & Neighborhood Revitalization

4. 18-1127 Authorize the first amendment to the Comprehensive Housing Policy Manual, previously approved on May 9, 2018, by Resolution No. 18-0704 to amend the Resolutions of Support and No Objection policy to change the application schedule for developers requesting Resolutions of Support or No Objection for multi-family rental housing development projects seeking Housing Tax Credits through the Texas Department of Housing and Community Affairs so that the City Manager may publish a schedule each year, which may be amended from time to time, for issuing one or more Request for Applications for Resolutions of Support or No Objection and brief the appropriate City Council committee on the annual schedule - Financing: No cost consideration to the City

Office of Economic Development

5. 18-1094 Authorize a real property tax abatement agreement with Preferred Freezer Services Dallas Holding Co., LLC and/or an affiliate thereof for the purpose of granting a seven-year abatement of 50 percent of the taxes on the added value to the real property in conjunction with the proposed build-to-suit development of a cold storage distribution facility within a Texas Enterprise Zone situated on approximately 15 acres of property located at 4100 Cedardale Drive in Dallas, Texas, in accordance with the City's Public/Private Partnership Program - Estimated Revenue Foregone: $983,304.00 over a seven-year period

6. 18-1095 Authorize (1) a conditional grant agreement with TCHF V, LP or an affiliate thereof ("Developer") for the renovation of the Square 67 Shopping Center located at 2550 West Red Bird Lane; and (2) an increase in appropriations in an amount not to exceed $1,450,000.00 in ECO (I) Fund - Not to exceed $1,450,000.00 - Financing: 2017 Bond Funds

PUBLIC HEARINGS AND RELATED ACTIONS

Housing & Neighborhood Revitalization

7. 18-1120 A public hearing to receive comments regarding an application by DAL Steele Ridgecrest LLC to the Texas Department of Housing and Community Affairs (TDHCA) for 2018 4% Non-Competitive Housing Tax Credits for the acquisition and rehabilitation of the Ridgecrest Terrace Apartments, an existing multifamily complex with 250 units located at 526 South Walton Walker Boulevard, in accordance with the requirements of Texas Government Code §2306.67071 and Texas Administrative Code §10.204(4); and at the close of the public hearing, consider a resolution of no objection to DAL Steele Ridgecrest, LLC's application for the TDHCA 2018 4% Non-Competitive Housing Tax Credits allocation for the acquisition and rehabilitation of the Ridgecrest Terrace Apartments - Financing: No cost consideration to the City

8. 18-1125 A public hearing to receive comments regarding an application by JKLF Eastfield, LTD. to the Texas Department of Housing and Community Affairs (TDHCA) for 2018 4% Non-Competitive Housing Tax Credits for the acquisition and rehabilitation of the Treymore Eastfield Apartments, an existing multifamily complex with 196 units located at 2631 John West Road, in accordance with the requirements of Texas Government Code §2306.67071 and Texas Administrative Code §10.204(4); and at the close of the public hearing, consider a resolution of no objection to JKLF Eastfield, LTD.'s application for the TDHCA 2018 4% Non-Competitive Housing Tax Credits allocation for the acquisition and rehabilitation of the Treymore Eastfield Apartments - Financing: No cost consideration to the City

CORRECTION:

Park & Recreation Department

49. 18-680 Authorize (1) an Advance Funding Agreement with the Texas Department of Transportation (TxDOT) for a Transportation Alternatives Set-Aside Program Project (Agreement No. CSJ 0918-47-204205, CFDA No. 20.2054) in the amount of $5,421,124.00 for construction of the Trinity Strand Trail - Phase II Project; (2) a required local match in the amount of $64,314.00 to be paid by warrant check to the State at the beginning of the project; (3) the receipt and deposit of funds in an amount not to exceed $5,421,124.00 in the Transportation Alternatives Set-Aside Program Fund; (4) the establishment of appropriations in an amount not to exceed $5,421,124.00 in the Transportation Alternatives Set-Aside Program Fund; (5) allocation of $5,197.91 in 2006 Bond Funds and $2,069,298.09 in 2012 Bond Funds as the City of Dallas' local cash match; and (6) execution of the grant agreement including all terms, conditions, and documents required by the grant agreement - Total not to exceed $7,495,620.00 - Financing: Texas Department of Transportation Funds ($5,421,124.00), 2006 Bond Funds ($5,197.91), and 2012 Bond Funds ($2,069,298.09)

DELETION:

Department of Sustainable Development and Construction

27. 18-835 A resolution (1) declaring twelve properties unwanted and unneeded and authorizing their sale by public auction (list attached to the Agenda Information Sheet); (2) authorizing a Purchase and Sale Agreement to be prepared for each auctioned surplus property receiving the highest qualified bid that is sold absolute; and (3) waving the minimum reserve amount - Estimated Revenue: $946,060.00

EXECUTIVE SESSION NOTICE

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]

2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]

3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]

4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]

5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]

6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.087]

7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex Govt. Code §551.089]

Addendum Date: 10/24/2018

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
1.	N/A	C	ATT	$88,355.07	Authorize payment of the judgment for Rosalyn Henry in the lawsuit styled Rosalyn Henry, et al. v. City of Dallas, Cause No. DC-16-13267 - Not to exceed $88,355.07 - Financing: Risk Management Funds
2.	2, 14	C	ECO	NC	Authorize a third amendment to the development agreement with Drever 1401 Elm, LLC for the 1401 Elm Street redevelopment project, previously approved on January 22, 2014, by Resolution No. 14-0216, as amended, to: (1) extend the project completion and Certificate of Occupancy deadline from December 31, 2019 to December 31, 2020; (2) reduce the required minimum 387,000 square feet of residential space to 350,000 square feet; (3) revise the requirement for non-residential, commercial space, including retail/restaurant and office space to add hotel space to the requirement, remove retail/restaurant space from the requirement and increase the minimum square footage from 65,000 to 250,000 for the revised requirement; (4) add a separate requirement for a minimum of 20,000 square feet of retail/restaurant space; and (5) as consideration for the requested amendment, increase the required minimum private investment for the project from $100,000,000.00 to $175,000,000.00 - Financing: No cost consideration to the City
3.	N/A	I	SEC	NC	A resolution designating absences by Deputy Mayor Pro Tem Adam Medrano and Councilmember Rick D. Callahan as being for "Official City Business" - Financing: No cost consideration to the City
4.	All	I	HOU	NC	Authorize the first amendment to the Comprehensive Housing Policy Manual, previously approved on May 9, 2018, by Resolution No. 18-0704 to amend the Resolutions of Support and No Objection policy to change the application schedule for developers requesting Resolutions of Support or No Objection for multi-family rental housing development projects seeking Housing Tax Credits through the Texas Department of Housing and Community Affairs so that the City Manager may publish a schedule each year, which may be amended from time to time, for issuing one or more Request for Applications for Resolutions of Support or No Objection and brief the appropriate City Council committee on the annual schedule - Financing: No cost consideration to the City
5.	8	I	ECO	REV-$983,304.00	Authorize a real property tax abatement agreement with Preferred Freezer Services Dallas Holding Co., LLC and/or an affiliate thereof for the purpose of granting a seven-year abatement of 50 percent of the taxes on the added

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					value to the real property in conjunction with the proposed build-to-suit development of a cold storage distribution facility within a Texas Enterprise Zone situated on approximately 15 acres of property located at 4100 Cedardale Drive in Dallas, Texas, in accordance with the City's Public/Private Partnership Program - Estimated Revenue Foregone: $983,304.00 over a seven-year period
6.	3	I	ECO	$1,450,000.00	Authorize (1) a conditional grant agreement with TCHF V, LP or an affiliate thereof ("Developer") for the renovation of the Square 67 Shopping Center located at 2550 West Red Bird Lane; and (2) an increase in appropriations in an amount not to exceed $1,450,000.00 in ECO (I) Fund - Not to exceed $1,450,000.00 - Financing: 2017 Bond Funds
7.	3	PH	HOU	NC	A public hearing to receive comments regarding an application by DAL Steele Ridgecrest LLC to the Texas Department of Housing and Community Affairs (TDHCA) for 2018 4% Non-Competitive Housing Tax Credits for the acquisition and rehabilitation of the Ridgecrest Terrace Apartments, an existing multifamily complex with 250 units located at 526 South Walton Walker Boulevard, in accordance with the requirements of Texas Government Code §2306.67071 and Texas Administrative Code §10.204(4); and at the close of the public hearing, consider a resolution of no objection to DAL Steele Ridgecrest, LLC's application for the TDHCA 2018 4% Non-Competitive Housing Tax Credits allocation for the acquisition and rehabilitation of the Ridgecrest Terrace Apartments - Financing: No cost consideration to the City
8.	7	PH	HOU	NC	A public hearing to receive comments regarding an application by JKLF Eastfield, LTD. to the Texas Department of Housing and Community Affairs (TDHCA) for 2018 4% Non-Competitive Housing Tax Credits for the acquisition and rehabilitation of the Treymore Eastfield Apartments, an existing multifamily complex with 196 units located at 2631 John West Road, in accordance with the requirements of Texas Government Code §2306.67071 and Texas Administrative Code §10.204(4); and at the close of the public hearing, consider a resolution of no objection to JKLF Eastfield, LTD.'s application for the TDHCA 2018 4% Non-Competitive Housing Tax Credits allocation for the acquisition and rehabilitation of the Treymore Eastfield Apartments - Financing: No cost consideration to the City

TOTAL $1,538,355.07

1500 Marilla Street
Dallas, Texas 75201

City of Dallas

Agenda Information Sheet

File #: 18-1104 **Item #:** 1.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office

EXECUTIVE: Christopher J. Caso

SUBJECT

Authorize payment of the judgment for Rosalyn Henry in the lawsuit styled Rosalyn Henry, et al. v. City of Dallas, Cause No. DC-16-13267 - Not to exceed $88,355.07 - Financing: Risk Management Funds

BACKGROUND

This item is on the addendum because the judgment was signed by the judge after the posted deadline, and action should be taken before the next available agenda to minimize the amount of post-judgment interest that the City would be required to pay.

Plaintiff Rosalyn Henry filed a lawsuit against the City of Dallas seeking compensation for alleged bodily injuries and other damages sustained in an automobile collision on January 24, 2015, involving a Dallas Police Department vehicle. The City offered Plaintiff Rosalyn Henry $40,000.00 to settle prior to trial; she rejected the offer. The case was tried to a jury on September 18-19, 2018, and the court entered a judgment for Plaintiff on October 9, 2018, in the amount of $88,355.07. The City settled with the other plaintiff in this case, Latia Richardson, on September 17, 2018, for $40,000.00, which is Agenda Item No. 4 on the October 24, 2018, agenda. Plaintiffs are represented by The Law Offices of Tim O'Hare.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council will be briefed by memorandum regarding this matter on October 19, 2018.

FISCAL INFORMATION

Funding for this item is budgeted in the current fiscal year.

Risk Management Funds - $88,355.07

powered by Legistar™

October 24, 2018

WHEREAS, a lawsuit styled Rosalyn Henry, et al. v. City of Dallas, Cause No. DC-16-13267, was filed by the plaintiff seeking compensation from the City of Dallas for alleged bodily injuries and other damages sustained in an automobile collision on January 24, 2015, involving a Dallas Police Department vehicle; and

WHEREAS, the lawsuit has been tried before a jury, which awarded the plaintiff the total amount of $88,355.07, which includes the jury award, pre-judgment interest, post judgment and taxable court costs if the judgment is paid no later than November 2, 2018, and whereby the City will pay Rosalyn Henry, The Law Offices of Tim O'Hare, and all other persons having an interest in the judgment, the total amount of $88,355.07; and

WHEREAS, it is in the best interest of the City to pay the judgment.

Now, Therefore,

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

SECTION 1. That the payment of the judgment for Rosalyn Henry in the lawsuit, styled Rosalyn Henry, et al. v. City of Dallas, Cause No. DC-16-13267, in an amount not to exceed $88,355.07 is hereby approved.

SECTION 2. That the Chief Financial Officer is hereby authorized to pay Rosalyn Henry, The Law Offices of Tim O'Hare, and all other persons having an interest in the judgment, the amount of $88,355.07 from Fund 0192, Department ORM, Unit 3890, Object 3521, Vendor CTORM001.

SECTION 3. 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.

Agenda Information Sheet

File #: 18-1108 **Item #:** 2.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 2, 14

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize a third amendment to the development agreement with Drever 1401 Elm, LLC for the 1401 Elm Street redevelopment project, previously approved on January 22, 2014, by Resolution No. 14-0216, as amended, to: **(1)** extend the project completion and Certificate of Occupancy deadline from December 31, 2019 to December 31, 2020; **(2)** reduce the required minimum 387,000 square feet of residential space to 350,000 square feet; **(3)** revise the requirement for non-residential, commercial space, including retail/restaurant and office space to add hotel space to the requirement, remove retail/restaurant space from the requirement and increase the minimum square footage from 65,000 to 250,000 for the revised requirement; **(4)** add a separate requirement for a minimum of 20,000 square feet of retail/restaurant space; and **(5)** as consideration for the requested amendment, increase the required minimum private investment for the project from $100,000,000.00 to $175,000,000.00 - Financing: No cost consideration to the City

BACKGROUND

This item is being placed on the addendum per the City Manager's Office.

On January 22, 2014, City Council authorized a TIF development agreement with Olympic 1401 Elm Associates, LLC ("Olympic") for a TIF subsidy not to exceed $50,000,000 to reimburse costs associated with the 1401 Elm Street redevelopment project. The project proposed to renovate the former headquarters of the First National Bank of Dallas into 400 residential units. The building is 1.5 million square feet in size and encompasses an entire City block.

In January of 2016, the project's lenders foreclosed on the building and Olympic filed for bankruptcy. Drever 1401 Elm, LLC ("Drever") purchased the property in April of 2016. The development agreement and TIF subsidy for the redevelopment project was assigned from Olympic to Drever in May of 2016.

Since 2016, Drever has refined the development plan for the building to include 324 residential units, 218 hotel rooms, office and retail space. Drever has also completed interior demolition and

environmental remediation, completed fireproofing and fire safing throughout the tower, negotiated state and federal historic tax credits totaling $100M and negotiated a Property Assessed Clean Energy loan of $31.5M. Drever has invested approximately $90M in equity into the redevelopment project.

Due to the size of the building and complexity of the financing structure for the project, which involves federal and state historic tax credits, property assessed clean energy financing as well as layers of debt and equity, financial closing for the project has taken much longer than anticipated. The developer has now finalized a capital stack of approximately $430,000,000.00 to complete redevelopment of the building and financial closing is scheduled for October 25, 2018.

The lenders and investors for the project are concerned that delays in construction while the developer has been finalizing financing will prohibit completion of the project by the current deadline of December 31, 2019. As a result, the lenders and investors have required Drever to secure a one-year extension of the completion and Certificate of Occupancy deadline to December 31, 2020. The additional amendments to the development agreement ensure project requirements reflect the revised development plan for the building.

The developer has requested and the TIF Board has recommended the following amendments to the project's development agreement:

1. Extension of the project completion and Certificate of Occupancy deadlines from December 31, 2019 to December 31, 2020;
2. Reduction of the required minimum 387,000 square feet of residential space (approximately 400 units) to 350,000 square feet (approximately 324 units);
3. Revision of the requirement for non-residential, commercial space, including retail/restaurant and office space to:
    a. add hotel space to the requirement
    b. remove retail/restaurant space from the requirement and
    c. increase the minimum square footage from 65,000 to 250,000 for the revised requirement
4. Addition of a separate requirement of a minimum of 20,000 square feet of retail/restaurant space; and
5. Increase the minimum investment requirement for the project from $100M to $175M.

ESTIMATED SCHEDULE OF PROJECT

Project Start Date	August 2014
Proposed Project Completion Date	December 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 22, 2014, City Council authorized a development agreement with Olympic 1401 Elm Associates, LLC, to reimburse eligible project costs related to environmental remediation, demolition, street/utility improvements and façade improvements associated with the Olympic redevelopment project (1401 Elm Street), a portion of which is in the form of an Economic Development TIF Grant, from revenues accruing to Tax Increment Financing Reinvestment Zone Eleven (Downtown Connection TIF District) by Resolution No. 14-0216.

On February 25, 2015, City Council authorized an amendment to the development agreement with Olympic 1401 Elm Associates, LLC, for the redevelopment of the 1401 Elm Street building to: (1) remove the requirement of a public plaza on a portion of the 9th floor of the building; (2) revise project completion components and extend the project completion and Certificate of Occupancy date from December 31, 2016 to December 31, 2017; and (3) combine the requirements of a minimum of 40,000 square feet of office space and 25,000 square feet of retail/restaurant space into one requirement for a minimum of 65,000 square feet of non-residential, commercial space including retail, restaurant and office space by Resolution No. 15-0410.

On October 11, 2016, City Council authorized a second amendment of the development agreement with Drever 1401 Elm, LLC, for the 1401 Elm Street redevelopment project to extend the project's completion deadline by one year, from December 31, 2017 to December 31, 2018, by Resolution No. 16-1647.

On June 27, 2017, the Downtown Connection TIF District Board of Directors reviewed and recommended approval to the Office of Economic Development Director for a one-year extension of the deadline to: (1) complete construction and receive a Certificate of Occupancy; (2) receive acceptance of public infrastructure improvements; and (3) execute an Operation and Maintenance Agreement from December 31, 2018 to December 31, 2019, for the 1401 Elm Street redevelopment project (the Drever) as permitted by and in accordance with the project's development agreement.

On October 11, 2018, the Downtown Connection TIF District Board of Directors reviewed and recommended approval of a third amendment to the development agreement with Drever 1401 Elm, LLC, for the 1401 Elm Street redevelopment project.

Information about this item was provided to the Economic Development and Housing Committee on October 15, 2018.

FISCAL INFORMATION

No cost consideration to the City.

PROJECT COUNCIL DISTRICT

14

OWNER/DEVELOPER

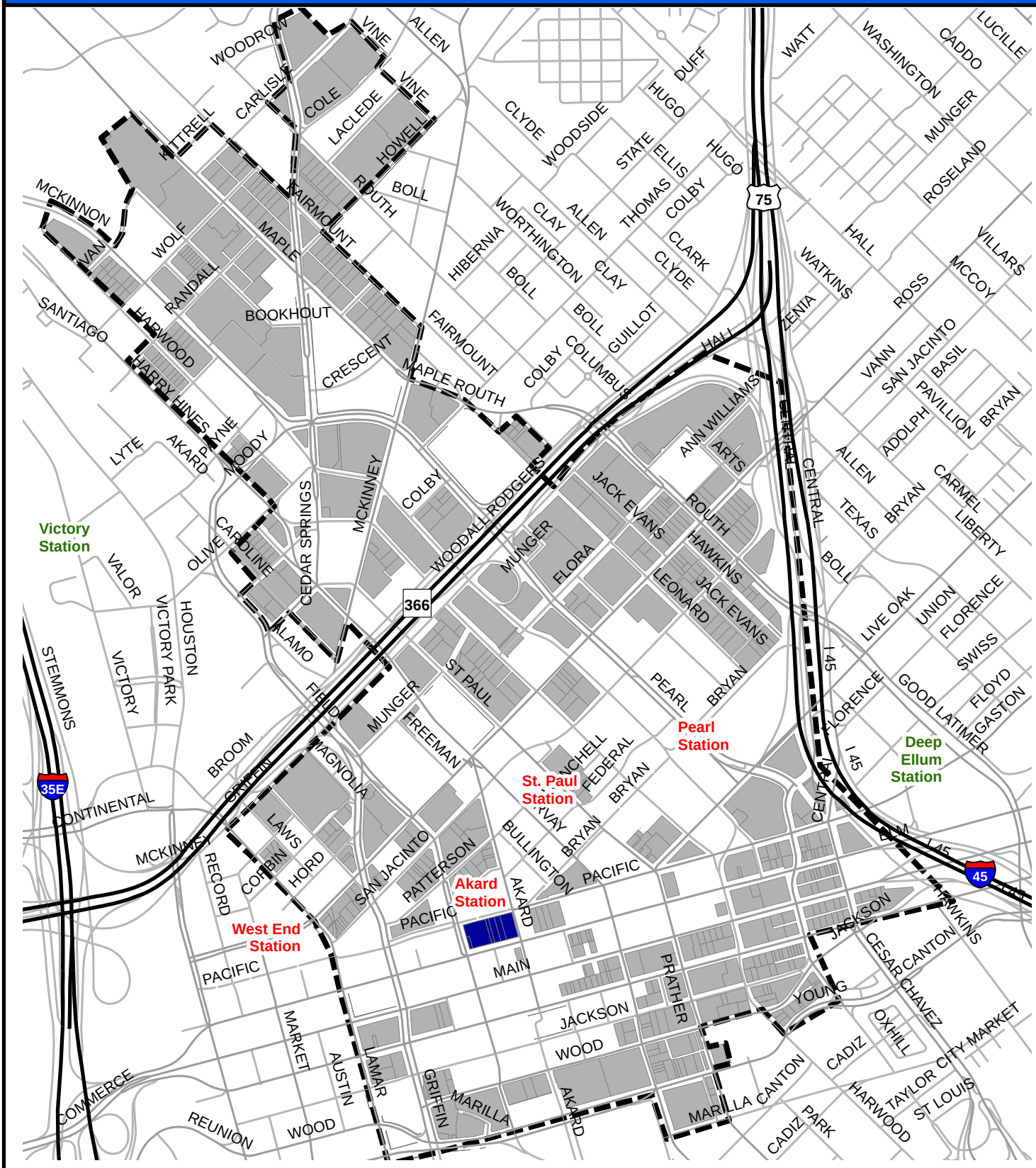
Drever 1401 Elm, LLC

Maxwell Drever, Authorized Signatory
1505 Federal Street, Suite 150
Dallas, TX 75201

MAP

Attached

The Drever -1401 Elm Street Redevelopment Project



City of Dallas
Office of Economic Development

City of Dallas

Area Redevelopment Division
http://www.Dallas-EcoDev.org

Created 2/2013

Legend

- The Olympic Project - 1401 Elm St.
- Downtown Connection TIF Boundary
- Downtown Connection TIF Parcels
- Properties Outside of TIF
- Rail Station
- DART Red Line
- DART Blue Line
- DART Green Line
- DART Orange Line
- Trinity Railway Express

N
W E
S

WHEREAS, the City recognizes the importance of its continued role in local economic development; and

WHEREAS, on June 8, 2005, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Eleven, (the "Downtown Connection TIF District") in accordance with the Tax Increment Financing Act, as amended, Chapter 311 of the Texas Tax Code, Vernon's Texas Codes Annotated (the "Act") to promote development and redevelopment in the Uptown and Downtown areas through the use of tax increment financing by Ordinance No. 26020; and

WHEREAS, on August 29, 2005, City Council authorized the adoption of the Downtown Connection Tax Increment Financing District Project Plan and Reinvestment Zone Financing Plan (the "Project and Financing Plan") by Ordinance No. 26096; and

WHEREAS, on January 22, 2014, City Council authorized a development agreement with Olympic 1401 Elm Associates, LLC, to reimburse eligible project costs related to environmental remediation, demolition, street/utility improvements and façade improvements associated with the Olympic redevelopment project (1401 Elm Street) in an amount not to exceed $50,000,000, a portion of which is in the form of an Economic Development TIF Grant, from revenues accruing to Tax Increment Financing Reinvestment Zone Eleven (Downtown Connection TIF District) by Resolution No. 14-0216; and

WHEREAS, on February 25, 2015, City Council authorized an amendment to the development agreement with Olympic 1401 Elm Associates, LLC, for the redevelopment of the 1401 Elm Street building to: (1) remove the requirement of a public plaza on a portion of the 9th floor of the building; (2) revise project completion components and extend the project completion and Certificate of Occupancy date from December 31, 2016 to December 31, 2017; and (3) combine the requirements of a minimum of 40,000 square feet of office space and 25,000 square feet of retail/restaurant space into one requirement for a minimum of 65,000 square feet of non-residential, commercial space including retail, restaurant and office space by Resolution No. 15-0410; and

WHEREAS, on March 11, 2016, Olympic 1401 Elm Associates, LLC, assigned the development agreement, in its entirety, for the 1401 Elm Street redevelopment project to Drever 1401 Elm, LLC; and

WHEREAS, on October 11, 2016, City Council authorized a second amendment of the development agreement with Drever 1401 Elm, LLC, for the 1401 Elm Street redevelopment project to extend the project's completion deadline by one year, from December 31, 2017 to December 31, 2018, by Resolution No. 16-1647; and

October 24, 2018

WHEREAS, on June 27, 2017, the Downtown Connection TIF District Board of Directors reviewed and recommended approval to the Office of Economic Development Director for a one-year extension of the deadline to: (1) complete construction and receive a Certificate of Occupancy; (2) receive acceptance of public infrastructure improvements; and (3) execute an Operation and Maintenance Agreement from December 31, 2018 to December 31, 2019, for the 1401 Elm Street redevelopment project (the Drever) as permitted by and in accordance with the project's development agreement; and

WHEREAS, on October 11, 2018, the Downtown Connection TIF District Board of Directors reviewed and recommended approval of the following amendments to the development agreement for the Drever, 1401 Elm Street redevelopment project, authorized by City Council on January 22, 2014, by Resolution Nos. 14-0216 and 14-0217, as amended to: (1) extend the Certificate of Occupancy and Project Completion deadlines for the Drever project, from December 31, 2019 to December 31, 2020; (2) reduce the required minimum 387,000 square feet of residential space to 350,000 square feet; (3) revise the requirement for non-residential, commercial space, including retail/restaurant and office space to add hotel space to the requirement, remove retail/restaurant space from the requirement and increase the minimum square footage from 65,000 to 250,000 for the revised requirement; (4) add a separate requirement of a minimum of 20,000 square feet of retail/restaurant space; and (5) as consideration for the requested amendment, increase the required minimum private investment for the project from $100M to $175M; and

WHEREAS, the expenditure of TIF funds supporting this development is consistent with promoting development and redevelopment of the Downtown Connection TIF District in accordance with the purposes for its creation, the City's revised Public/Private Partnership Guidelines and Criteria, the ordinance adopted by the City Council approving the Project and Financing Plan, and is for the purpose of making public improvements consistent with and described in the Project and Financing Plan for the Downtown Connection TIF District.

Now, Therefore,

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

SECTON 1. That the City Manager is hereby authorized to sign a third amendment to the development agreement with Drever 1401 Elm, LLC, approved as to form by the City Attorney, for the 1401 Elm Street redevelopment project previously approved on January 22, 2014, by Resolution No. 14-0216, as amended, to:

1. Extend the project completion and Certificate of Occupancy deadline from December 31, 2019 to December 31, 2020;
2. Reduce the required minimum 387,000 square feet of residential space to 350,000 square feet;
3. Revise the requirement for non-residential, commercial space, including retail/restaurant and office space to:
    a. add hotel space to the requirement;
    b. remove retail/restaurant space from the requirement;
    c. increase the minimum square footage from 65,000 to 250,000 for the revised requirement;
4. Add a separate requirement for a minimum of 20,000 square feet of retail/restaurant space; and
5. As consideration for the requested amendments, increase the required minimum private investment for the project from $100M to $175M.

SECTION 2. That with the exception of the amendment described above, all other requirements of the 1401 Elm Street Development Agreement executed on January 22, 2014, by Resolution No. 14-0216, as amended, will remain in full force and effect.

SECTION 3. 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.

Agenda Information Sheet

File #: 18-1099 **Item #:** 3.

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	October 24, 2018
COUNCIL DISTRICT(S):	N/A
DEPARTMENT:	City Secretary's Office
EXECUTIVE:	Bilierae Johnson

SUBJECT

A resolution designating absences by Deputy Mayor Pro Tem Adam Medrano and Councilmember Rick D. Callahan as being for "Official City Business" - Financing: No cost consideration to the City

BACKGROUND

This item is on the addendum to allow council members additional time to request approval of their outstanding absences (if applicable) as "Official City Business".

Chapter III, Section 4(e) of the Dallas City Charter provides in part, "If any city council member, including the mayor, misses more than 10 percent of the total number of regular meetings held by the city council during any compensation year, then the city council member's compensation...for that year will be reduced proportionately by the percentage of meetings missed.... Meetings missed by a city council member while he or she is on the official business of the city council and at the direction of the city council will not be counted towards the percentage of missed meetings for which compensation reduction is required... but will be counted as though the member had attended the meetings that are missed while so engaged in city business."

Section 4.11(b) of the City Council Rules of Procedure provides that an absence by a council member for (1) attending a meeting or conference of a professional organization of or association of municipalities or municipal officers, (2) testifying at a legislative hearing at the request of the mayor, the city council, the chair of the council's legislative affairs committee or the city manager, or (3) attending a meeting of a board, commission, or committee to which the council member has been appointed by the mayor or the city council, will automatically be deemed to be for "official city business at the direction of the city council" and will not be counted against a city council member for purposes of determining the council member's annual compensation.

Section 4.11(c) of the City Council Rules of Procedure provides that, in addition to those absences automatically considered to be on "official city business at the direction of the city council" under Section 4.11(b) above, the city council may by resolution designate whenever a council member's

absence is for official city business and not counted as a missed meeting for purposes of determining the council member's annual compensation under Chapter III, Section 4 of the Dallas City Charter.

The proposed resolution authorizes and directs the city secretary to amend the minutes of city council meetings, without further city council action or approval, to reflect when the absences by designated council members have been deemed by the city council to be for "official city business."

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

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October 24, 2018

WHEREAS, Chapter III, Section 4(e) of the Dallas City Charter provides in part, "If any city council member, including the mayor, misses more than 10 percent of the total number of regular meetings held by the city council during any compensation year, then the city council member's compensation... for that year will be reduced proportionately by the percentage of meetings missed.... Meetings missed by a city council member while he or she is on the official business of the city council and at the direction of the city council will not be counted towards the percentage of missed meetings for which compensation reduction is required... but will be counted as though the member had attended the meetings that are missed while so engaged in city business"; and

WHEREAS, Section 4.11(b) of the City Council Rules of Procedure provides that an absence by a council member for (1) attending a meeting or conference of a professional organization of or association of municipalities or municipal officers, (2) testifying at a legislative hearing at the request of the mayor, the city council, the chair of the council's legislative affairs committee or the city manager, or (3) attending a meeting of a board, commission, or committee to which the council member has been appointed by the mayor or the city council, will automatically be deemed to be for "official city business at the direction of the city council" and will not be counted against a city council member for purposes of determining the council member's annual compensation; and

WHEREAS, Section 4.11(c) of the City Council Rules of Procedure provides that, in addition to those absences automatically considered to be on "official city business at the direction of the city council" under Section 4.11(b) referenced above, the city council may by resolution designate whenever a council member's absence is for official city business and not counted as a missed meeting for purposes of determining the council member's annual compensation under Chapter III, Section 4 of the Dallas City Charter; and

WHEREAS, Deputy Mayor Pro Tem Adam Medrano and Councilmember Rick D. Callahan participated in an event(s) and/or meeting(s), as described in **Exhibit A** attached, which required them to miss all or part of one or more city council meeting(s) or committee meeting(s) on the date(s) noted.

Now, Therefore,

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

October 24, 2018

SECTION 1. That, in accordance with Chapter III, Section 4(e) of the Dallas City Charter and Section 4.11(c) of the City Council Rules of Procedure, the event(s) and/or meeting(s) described in **Exhibit A,** attached, are hereby deemed to be for "official city business," and any absences from city council meeting(s) and/or city council committee meeting(s), on the date(s) noted in **Exhibit A**, by Deputy Mayor Pro Tem Adam Medrano and Councilmember Rick D. Callahan because of their participation in any event(s) and/or meeting(s) will not be counted against them in determining their annual compensation under Chapter III, Section 4 of the Dallas City Charter.

SECTION 2. That, in accordance with Section 4.11(a) of the City Council Rules of Procedure, the City Secretary shall maintain a record of the absence on official city business so that such absence(s) will not count against Deputy Mayor Pro Tem Adam Medrano and Councilmember Rick D. Callahan in determining their annual compensation under Chapter III, Section 4 of the Dallas City Charter.

SECTION 3. That the City Secretary is hereby authorized and directed to amend the minutes of each city council meeting held on the date(s) specified in **Exhibit A**, if applicable, to reflect that the absence(s) by Deputy Mayor Pro Tem Adam Medrano and Councilmember Rick D. Callahan as described in **Exhibit A**, were for "official city business," and no further city council action or approval of those minutes is required.

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.

EXHIBIT A

CITY COUNCIL MEMBER(S)
REQUEST ABSENCE AS OFFICIAL CITY BUSINESS

COUNCILMEMBER	DATE	MEETING(S) MISSED	PURPOSE/LOCATION	ABSENCE TYPE
Adam Medrano	10/3/2018	City Council Briefing	Attended the True Colors Summit in Atlanta, Georgia in his official capacity.	Absent
Rick D. Callahan	10/15/2018	Economic Development and Housing Committee	Attended the North Texas Legislative Summit	Absent

DALLAS, TX

Memorandum

RECEIVED
2018 OCT -1 PM 3:41
CITY SECRETARY
DALLAS, TEXAS

CITY OF DALLAS

DATE October 1, 2018

TO Honorable Mayor and Members of the City Council

SUBJECT **Absent Memo – City Briefing Meeting**

Please be advised, that I will be absent from the October 3rd City Council Briefing. I am attending the True Colors Summit in Atlanta, Georgia in my official capacity.

If you have any questions, please contact my assistant Monica Moreno at (214) 670-4048.

Thank you,

Adam Medrano

Adam Medrano
Deputy Mayor Pro Tem
District 2

c:

Memorandum

RECEIVED
2019 OCT 12 PM 12:18
CITY SECRETARY
DALLAS, TEXAS

CITY OF DALLAS

DATE October 12, 2019

TO Tennell Atkins, Chair
Economic Development and Housing Committee

SUBJECT Out of Office – City Business

Please be advised I will be not be attending the Economic Development and Housing Committee Meeting Monday, October 15th. I will be on city business attending the North Texas Legislative Summit.

If you need immediate assistance during my absence, please contact my Executive Assistant Rosa Gallegos at (214) 670-4052.

Thank you,

Rick Callahan
Councilmember - District 5

c: Members of the Economic Development and Housing Committee
Chris Caso, Interim City Attorney
Carol Smith, Interim City Auditor
Bilierae Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizor Tolbert, Chief of Staff to the City Manager
Majed A. Al-Ghafry, Assistant City Manager
Jon Fortune, Assistant City Manager
Joey Zapata, Assistant City Manager
M. Elizabeth Reich, Chief Financial Officer
Nadia Chandler Hardy, Chief of Community Services

Agenda Information Sheet

File #: 18-1127 **Item #:** 4.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing & Neighborhood Revitalization

EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize the first amendment to the Comprehensive Housing Policy Manual, previously approved on May 9, 2018, by Resolution No. 18-0704 to amend the Resolutions of Support and No Objection policy to change the application schedule for developers requesting Resolutions of Support or No Objection for multi-family rental housing development projects seeking Housing Tax Credits through the Texas Department of Housing and Community Affairs so that the City Manager may publish a schedule each year, which may be amended from time to time, for issuing one or more Request for Applications for Resolutions of Support or No Objection and brief the appropriate City Council committee on the annual schedule - Financing: No cost consideration to the City

On March 12, 2017, the Dallas City Council Economic Development & Housing Committee established three goals for the development of a comprehensive strategy for housing: (1) create and maintain available and affordable housing throughout Dallas; (2) promote greater fair housing choices; and (3) overcome patterns of segregation and concentrations of poverty through incentives and requirements.

On May 9, 2018, City Council adopted a Comprehensive Housing Policy (Policy) by Resolution No. 18-0704 that set citywide production goals for homeownership and rental units for the next three years along with respective income bands that will be prioritized within the production goals. The Policy also set forth various programs, tools and strategies to be used to meet the production goals while also overcoming concentrations of poverty and racial segregation. Additionally, based on the data provided in the Market Value Analysis, a tool used to assess the residential real estate market, the Policy prioritizes the allocation of funding for new construction and substantial rehabilitation of housing and strategically focuses certain programs, tools and strategies within three types of Reinvestment Strategy Areas: (1) Redevelopment Areas are Midtown, High Speed Rail, Wynnewood, and Red Bird; (2) Stabilization Areas are LBJ Skillman, Vickery Meadow, Casa View, Forest Heights/Cornerstone Heights, East Downtown, The Bottom, West Dallas, and Red Bird North; and (3) Emerging Market Areas are Southern Gateway, Pleasant Grove, and University Hills.

In the five months since the City Council adopted the Policy, staff began implementation of the

programs, tools and strategies outlined in the Policy and have also received feedback from stakeholders regarding the Policy, including representatives of tenant advocacy organizations, legal aid organizations, non-profit and for-profit housing developers and builders, housing tax credit consultants, real estate advocacy organizations, banks, realtors, and civic groups.

Based on staff's experiences implementing the Policy and feedback from stakeholders, staff is recommending this amendment to the Policy to allow for the issuance of a Request for Applications for Resolutions of Support or No Objection outside of the current timeframe set forth in the Policy.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 9, 2018, City Council adopted the Comprehensive Housing Policy Manual by Resolution No. 18-0704.

On September 4, 2018, the Economic Development and Housing Committee was briefed on a proposed amendment to the Policy to allow for an accelerated issuance of a Request for Applications for Resolutions of No Objection for rehabilitation of multifamily rental housing projects seeking Housing Tax Credits. The Committee voted to hold the item under advisement and take it up at the September 17, 2018 meeting of the Committee but also voted to schedule a Special Called meeting on October 22, 2018 to consider the proposed amendment.

The Economic Development and Housing Committee will be briefed on the proposed amendments to the Policy at a Special Called meeting on October 22, 2018.

FISCAL INFORMATION

No cost consideration to the City.

October 24, 2018

WHEREAS, on May 9, 2018, City Council adopted a Comprehensive Housing Policy Manual (Policy) that set citywide production goals for homeownership and rental units for the next three years along with respective income bands that will be prioritized within the production goals and also set forth various programs, tools and strategies to be used to meet the production goals while also overcoming concentrations of poverty and racial segregation by Resolution No. 18-0704; and

WHEREAS, the City Council must approve any addition to, alteration or deletion of a strategy, tool, or program in the Policy; and

WHEREAS, it is in the best interest of the City of Dallas to adopt certain amendments to the Policy in order to correct inconsistencies and to facilitate effective implementation.

Now, Therefore,

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

SECTION 1. That City Council hereby authorizes and adopts the changes to the Comprehensive Housing Policy Manual attached hereto as **Exhibit A**.

SECTION 2. 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.

EXHIBIT A






Comprehensive Housing Policy

City of Dallas
Department of Housing and Neighborhood Revitalization

Adopted by the Dallas City Council
May 9, 2018

Amended October 24, 2018

Table of Contents

BACKGROUND ON DEVELOPMENT OF THE POLICY 1

CITY OF DALLAS PLANS 2

REINVESTMENT STRATEGY AREAS 4

PRODUCTION GOALS AND INCOME BANDS TO BE SERVED 6

HOMEOWNER PROGRAMS 8

Rehabilitation & Reconstruction of Owner-Occupied Homes 8

Dallas Homebuyer Assistance Program 11

Homebuyer Incentive Program ..... 12~~12~~13

LANDLORD PROGRAMS 14

Rental Rehabilitation and Reconstruction 14

TENANT PROGRAMS 17

Tenant Based Rental Assistance 17

DEVELOPER PROGRAMS 19

New Construction and Substantial Rehabilitation Program 19

OVERVIEW OF EXISTING FUNDING SOURCES 28

Strategies, Tools and Programs that Will Require Additional Action 30

Resolutions of Support or No Objection 32

Community Housing Development Organizations (CHDOs) 37

APPENDICES 39

APPENDIX 1 40

Single Family Development Underwriting 40

APPENDIX 2 49

Rental Development Underwriting 49

APPENDIX 3 60

UNIVERSAL DESIGN GUIDELINES 60

APPENDIX 4 62

City of Dallas Income Limits and Part 5 Requirements 62

APPENDIX 5 63

Community Housing Development Organization (CHDO) Policy, Procedure, and Standards 63

APPENDIX 6 ..... 89~~89~~91

Recapture/Resale Requirements for Homebuyer Activities ..... 89~~89~~91

APPENDIX 7 ..... 92~~92~~94

City of Dallas Affirmative Fair Housing Marketing Policy ..... 92~~92~~94

APPENDIX 8 ..... 96~~96~~98

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APPENDIX 9 9999101
Other Federal Requirements 9999101
APPENDIX 10 101101103
Lead-Based Paint Requirements 101101103
APPENDIX 11 105105107
Environmental Review Policy, Procedures, and Standards 105105107
APPENDIX 12 106106108
SECTION 3 106106108
APPENDIX 13 107107109
MINORITY BUSINESS ENTERPRISE & WOMEN BUSINESS ENTERPRISE 107107109
APPENDIX 14 108108110
Regulatory References 108108110
APPENDIX 15 112112114
APPENDIX 16 128128130

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BACKGROUND ON DEVELOPMENT OF THE POLICY

On March 12, 2017, the Dallas City Council Housing Committee established three goals for the development of a comprehensive strategy for housing: 1) Create and maintain available and affordable housing throughout Dallas, 2) Promote greater fair housing choices, and 3) Overcome patterns of segregation and concentrations of poverty through incentives and requirements.

In August 2017, the City of Dallas engaged The Reinvestment Fund to conduct a Market Value Analysis (MVA), which is an analytical tool used to assess the residential real estate market throughout the entire city to determine with granular detail where market strength, transition and stress exists. After briefing the City Council on the results of the MVA on January 17, 2018, eight (8) public town hall meetings were held to develop the recommendations presented here. The town hall topics were:

How Residential Development Gets Financed,
How to Reduce Development and Rehabilitation Costs,
How to Increase Access to Capital and Reduce Cost of Capital, and
Programs, Tools and Strategies for Increasing Housing Production.

Each town hall provided stakeholders an opportunity to understand the housing challenges from the perspective of the major stakeholders including: lenders, including foundations and government sources of finance; consumers and neighbors; developers, builders, and contractors; and regulatory officials, such as zoning, building inspections, and code enforcement. The town halls were held both in person and through virtual telephone communications that aired on Spectrum Channel 95 and streamed online. The in-person town halls had a combined participation of ninety-four (94) individuals, many of whom also participated in the virtual town hall meetings. The virtual telephone town halls had a total of 38,690 participants for all four (4) meetings, of which 10,000 participated in more than one town hall.

The outcome of public input helped shape the ten (10) policy recommendations presented to the Economic Development and Housing Committee (Committee) on March 19, 2018 and the strategies, tools and programs included in the Comprehensive Housing Policy.

DRAFT

CITY OF DALLAS PLANS

forwardDallas! Comprehensive Plan

The forwardDallas! Plan is Dallas' first citywide comprehensive plan to serve as the policy basis for land development decisions in the City, through reference in the Dallas Development Code. The plan contains eight policy elements: Land Use, Economics, Housing, Transportation, Urban Design, Environment, and Neighborhoods. It provides guidance on important land development considerations related to land use, transportation and economic development. Shaped by extensive community engagement and adopted by City Council in 2006, it envisions a future Dallas built around the core values of:

- Access to good education
- A safe city
- A healthy environment
- Job growth through investment in Southern Dallas
- Convenient transportation through choices in how to get around
- Quality of life through diverse housing, recreational, cultural and educational opportunities

A key initiative of the forwardDallas! Plan was a focus on "Making Quality Housing More Accessible." The plan acknowledged that, within the regional context, Dallas has the greatest range of housing needs and problems. It recommended development of a housing strategy aimed at increasing home ownership, diversifying housing stock and providing more opportunities for affordable housing, while sustaining existing neighborhoods.

The forwardDallas! Comprehensive Plan can be found at http://dallascityhall.com/departments/pnv/strategic-planning/Pages/comprehensive-plan.aspx.

Neighborhood Plus Plan

Adopted in 2015, the Neighborhood Plus Plan is a citywide neighborhood revitalization plan intended to update the forwardDallas Housing and Neighborhood elements. The Neighborhood Plus plan focused on the six strategic goals of:

- Creating a Collective Impact Framework
- Alleviating Poverty
- Fighting Blight
- Attracting and Retaining the Middle Class
- Increasing Home Ownership
- Enhancing Rental Options.

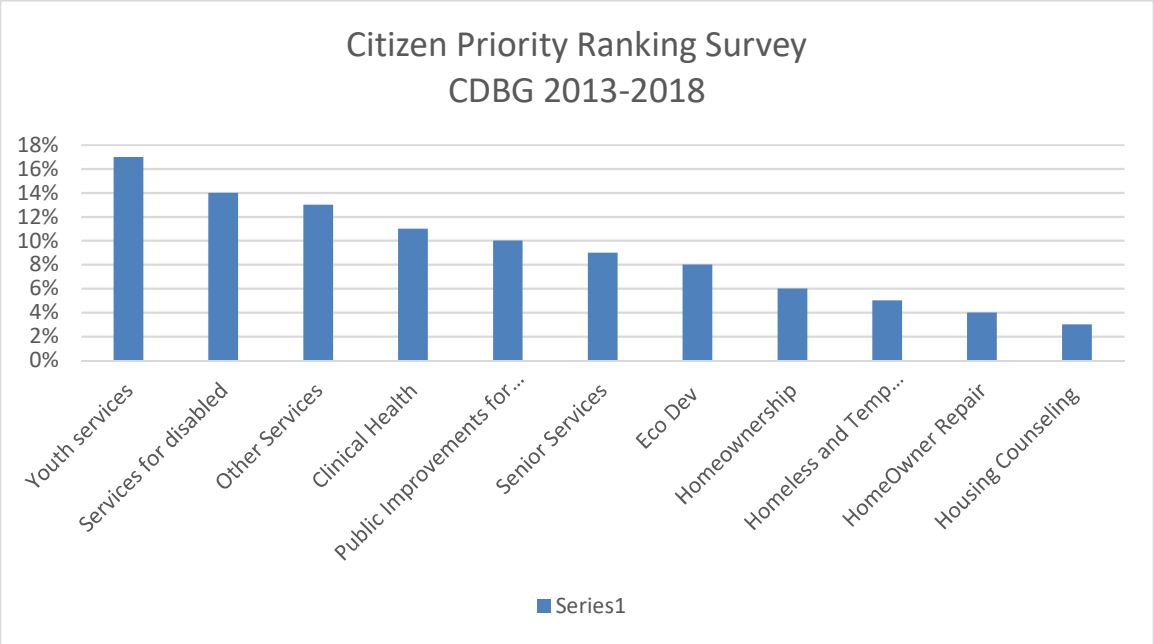
The Neighborhood Plus recommended a holistic approach to neighborhood revitalization and community building that goes beyond production of a limited number of publicly subsidized housing units, to encompass neighborhood quality, safety, mobility and access to education, jobs and health care. The Neighborhood Plus Plan also called for a neighborhood by neighborhood approach to improving quality of life and established the basis for identifying target areas to focus neighborhood revitalization efforts.

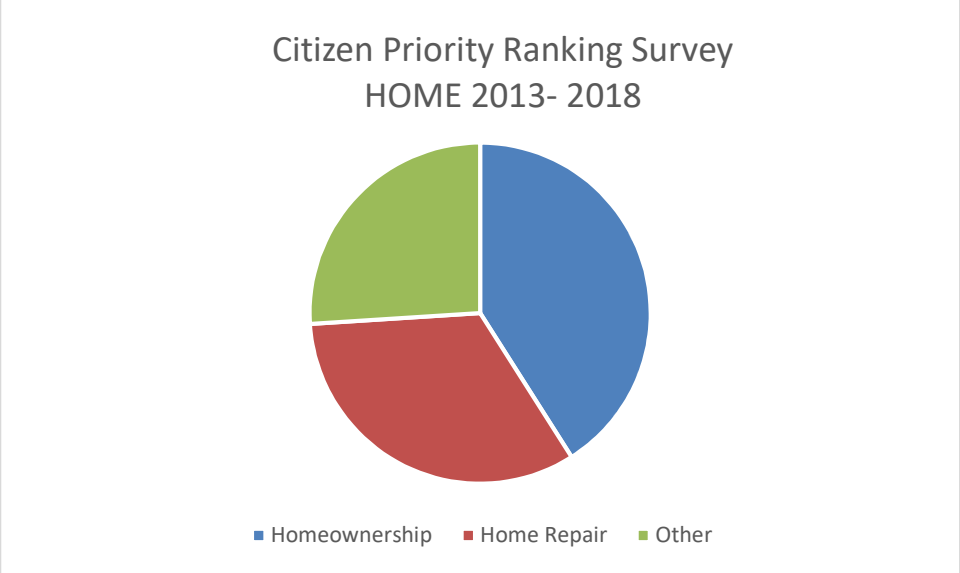
The Neighborhood Plus Plan can be found at http://dallascityhall.com/departments/pnv/strategic-planning/DCH%20Documents/Web%20-%20Neighborhood%20Plus%20Plan%20-%20Adopted%2010-07-2015.pdf.

DRAFT

Consolidated Plan Strategies

The Consolidated Plan is a five-year planning document required by HUD to carry out affordable housing and community development activities. City identified its priorities as follows:





REINVESTMENT STRATEGY AREAS

The Housing Policy provides for tiered Reinvestment Strategy Areas to address three (3) market types in need of City investment:

Redevelopment Areas:

A redevelopment area is characterized by a known catalytic project that has submitted a request for funding that shows preliminary viability and will begin within the next 12 months. The project as proposed must contain a housing component and must address the existing market conditions as identified in the MVA and must demonstrate a level of housing production supported through a third-party independent market analysis and show affordability to a mix of income bands.

Redevelopment Areas: Midtown, High Speed Rail, Wynnewood, and Red Bird.

Stabilization Areas:

Stabilization areas are characterized as G, H, and I markets that are surrounded by A-E markets and as such are at risk of displacement based on known market conditions including upcoming redevelopment projects. These areas are also where Incentive Zoning and Accessory Dwelling Units should be focused to allow for increased density.

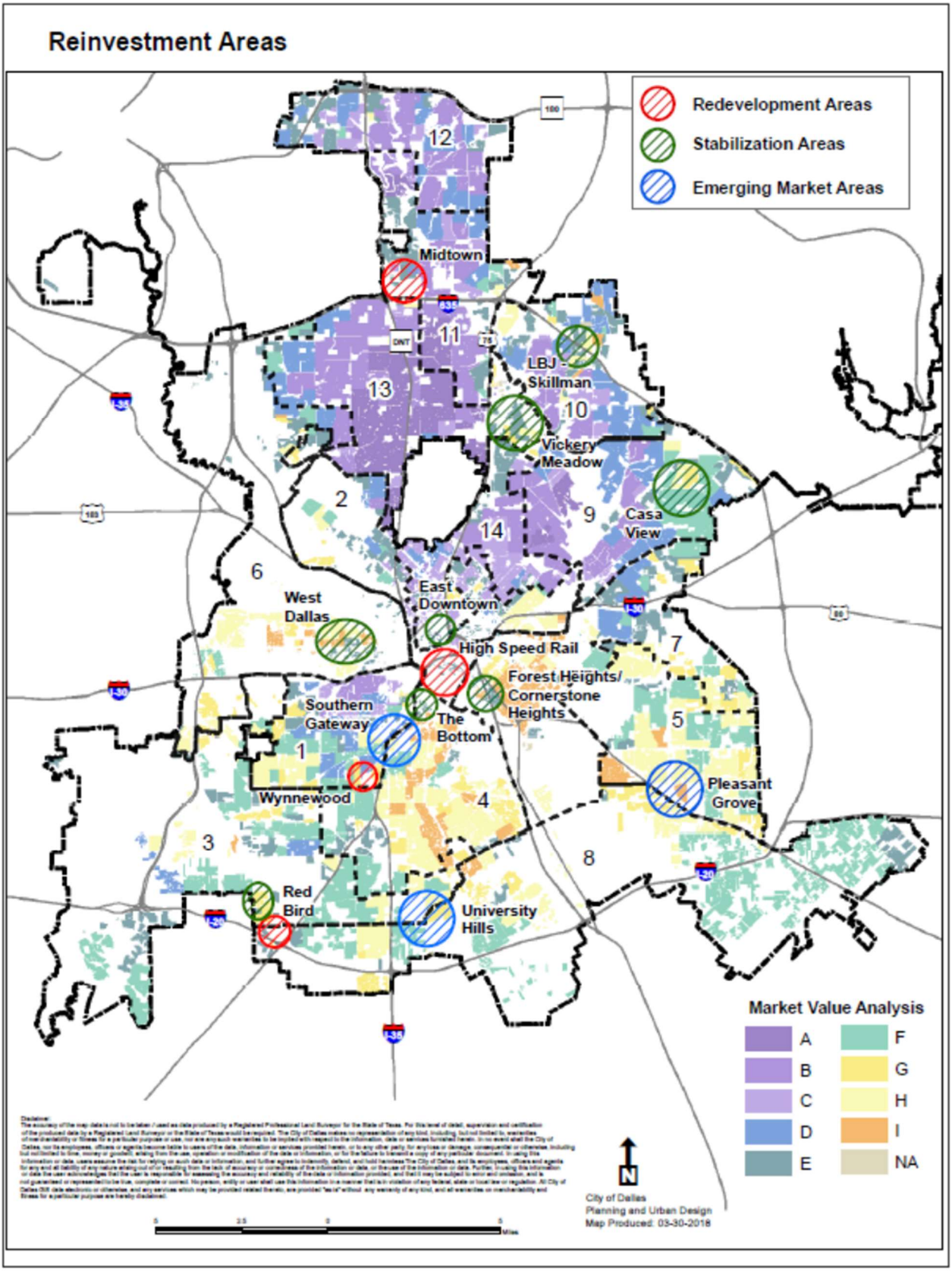
Stabilization Areas: LBJ Skillman, Vickery Meadow, Casa View, Forest Heights / Cornerstone Heights, East Downtown, The Bottom, West Dallas, and Red Bird North.

Emerging Market Areas:

These markets are characterized as areas in need of intensive environmental enhancements, master planning and formalized neighborhood organization. In order to facilitate the creation of mixed income developments, the City recommends seeking designation as Neighborhood Revitalization Strategy Areas (NRSA's) through HUD in order to prepare the area for real estate investments in a 3 to 5-year time frame and provide flexibility of use of funds without income qualifications. trust in local government and aid staff in assessing the need for strategic partnerships.

Emerging Market Areas: Southern Gateway, Pleasant Grove, and University Hills.

DRAFT


Reinvestment Areas
Redevelopment Areas
Stabilization Areas
Emerging Market Areas
Midtown
LBJ - Skillman
Vickery Meadow
Casa View
West Dallas
East Downtown
High Speed Rail
Forest Heights/ Cornerstone Heights
Southern Gateway
The Bottom
Wynnewood
Pleasant Grove
Red Bird
University Hills
1
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Market Value Analysis
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City of Dallas
Planning and Urban Design
Map Produced: 03-30-2018

PRODUCTION GOALS AND INCOME BANDS TO BE SERVED

Dallas has a housing shortage of approximately 20,000 units. This shortage is driven by the cost of land and land development, labor and materials shortages, federal, state and local constraints, as well as, the single-family rental market which prevents equilibrium in the homeownership market. It is difficult to convert rental homes to homeownership because of the perception of the neighborhood, the condition of the housing stock once it's been in the rental market for a period of time and because income-producing property in a tight market will not be released by landlords until returns are diminished. This shortage is consistent with the overall national trend following the 2009 housing bust. While the housing market has seen a steady but slow recovery, job growth in the Dallas metro area attracted a population growth of about 2.9% that outpaced the growth in the supply of housing. Much of the single-family housing inventory converted to rental following the 2009 bust while 60% or more of the home sales in the three (3) years following were in the price range below $249,999. In 2014 the housing market was in transition - the number home sales priced under $249,999 decreased to less than 40% of the market and by 2017 nearly 58% of home sales were priced between $300,000 and $1 million. According to the Real Estate Center at Texas A&M University, while the volume of homes in Dallas only grew by 3.6%, the median sales price in Dallas grew by 9.1% in 2017.

These market conditions have led to an increase in both rental rates and sales prices in the overall market and 6 out of 10 families in Dallas are housing cost burdened, meaning they spend more than 30% of their income on housing due in part to wages not keeping pace with housing costs. Undoubtedly, families at lower income bands are more financially strained by these market conditions. Therefore, increasing production over a 3-year period and minimizing the regulatory barriers to overall market production is equally important. Furthermore, because this has made even deteriorated housing stock unaffordable, it makes the need for home repair programs more important than ever. Table 1 below shows annual production goals of 3,733 for homeownership units and 2,933 for rental units while still maintaining the 3-year historic average ratio of homeownership and rental percentages.

Beyond unit production, the City supports creating increased availability of housing for people at incomes ranging from 30% - 120% of the HUD Area Median Income, by incentivizing homeownership developments for families at 60% or higher AMI and rental developments that include rent restricted units for families at the full range of 30% - 120% of AMI. These targets area are also outlined in Table 1 below.

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Table 1

Homeownership	% Total Units		HUD Area Median Income Dallas Metro	% Total Units	Rental
933	55%	Market Rate	120%	40%	587
1120			100%		587
1307	45%	Extremely Low, Very Low, Low Income	80%	60%	733
373			60%		440
			50%		293
			30%		293
Total: 3,733					Total: 2,933

HOMEOWNER PROGRAMS

Rehabilitation & Reconstruction of Owner-Occupied Homes

Provides an all-inclusive repair and rehabilitation program for single-family owner-occupied housing units. Home Improvement and Preservation Program (HIPP) will be offered as a repayment loan program to low and moderate-income homeowners, with the purpose of making needed improvements and preserving affordable housing. HIPP is designed to finance home improvements and address health, safety, accessibility modification, reconstruction and structural/deferred maintenance deficiencies. HIPP will enable homeowners to improve their housing while creating a positive effect in the community.

Eligibility

1. The property must be a single-family home.
2. The property must reside within the Dallas city limits and Applicant must have occupied the dwelling for at least six (6) months from date of application.
3. Applicant must be a U.S. Citizen or Permanent Resident, have a valid Social Security card and current Texas State issued identification card or Driver License.
4. Applicant must be current with the mortgage company meaning not more than thirty (30) days past due. (Except Accessibility Repair)
5. Property taxes must be current. Property taxes must not be delinquent for any tax year unless the homeowner has entered into a written agreement with the taxing authority outlining a payment plan for delinquent taxes and is abiding to the written agreement. (Except Accessibility Repair)
6. Applicant's annual gross income must be at or below the one hundred twenty percent (120%) of the Area Median Family Income (AMFI).
7. Standard property insurance, satisfactory to the City, must be maintained on the property (with coverage adequate to insure the City's lien position). If a property is located in a floodplain, flood insurance must also be maintained with coverage adequate to insure the City's lien position. (Except Accessibility Repair)
8. Applicant must certify that the home is not for sale and is their primary residence/homestead, as indicated per Dallas County Tax Records and utility records.
9. Title searches are obtained to evidence ownership of the property. (Except Accessibility Repair)
10. Applicants which received a Major Systems Repair loan in the last ten (10) years will be ineligible to participate.

Maximum Assistance Limits

For rehabilitation activities, the maximum amount of assistance provided shall not exceed forty-seven and half percent (47.5%) of the HUD HOME Value Limits for existing properties.

For reconstruction activities, the maximum amount of assistance provided shall not exceed seventy-five (75%) of the HUD HOME Value Limits for new construction. The Chief of Economic Development and Neighborhood Services may on a case by case basis administratively approve (without Economic Development and Housing Committee approval) additional assistance not to exceed ten percent (10%) above the maximum limit for any Owner-Occupied Rehabilitation or Reconstruction project under the following circumstances:

- To address outstanding repairs or necessary work to close out an existing project;

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- The need to provide reasonable accommodations in accordance with the Americans with Disabilities Act or other local, state or federal law;
- Unanticipated costs deemed necessary to meet applicable City Codes;
- Unforeseen environmental issues; and
- Addressing issues that threaten life, health, safety and welfare of the public.

It should be noted that the Owner-Occupied Rehabilitation and Reconstruction establishes maximum per unit thresholds below the HUD required maximum per-unit dollar limitations established under HUD Section 234 Condominium Housing Limit. Thus, no individual project under this program can exceed these HOME maximum subsidy limits.

Terms of Assistance

The terms of assistance for the HIPP will be in the form of a loan based on the following schedule: 1) homeowners with incomes at or below sixty percent (60%) AMFI will receive a deferred, zero percent interest (0%) loan, 2) homeowners with sixty-one to eighty percent (61% - 80%) AMFI, will have a combination of deferred, zero percent interest (0%) loan and monthly installment payment plan as permissible through the underwriting, and 3) for homeowners with (81%-120%) AMFI, monthly installment payment with three percent interest (3%) loan will be offered.

If the home is vacated or leased during the term of the loan, then the loan shall be immediately due and payable, subject to the Resale/Recapture Requirement in Appendix 6. If the property is transferred through sale during the term of the loan, the balance shall also be immediately due and payable.

Credit Standards

Following are the credit standards for HIPP: 1) No Chapter 7 or Chapter 13 bankruptcy if primary or any mortgage is included as a secured creditor on the subject property for which the City or subrecipient will place a lien securing the loan 2) Qualifying debt to income ratios are 30% on the front end and 43% on the back end.

Affordability Periods

Eligible rehabilitation and reconstruction activities will include all items necessary to bring the structure into compliance with the City's written rehabilitation standards and applicable local residential codes; including items recommended as necessary to preserve the property's structural integrity, historic integrity, weatherization, and quality of living conditions. The scope of work must address all major systems that have a remaining useful life for a minimum of 5 years at project completion, or the system must be rehabilitated or replaced as part of the scope of work. Major systems are identified as structural support (foundations); roofing; cladding and weatherproofing (e.g., windows, doors, siding, gutters); plumbing; electrical; and heating, ventilation, and air conditioning.

Improvements to, or demolition of an accessory structure such as detached garage, work shed, or small residential structure will be made on a case by case basis depending on the available budget, grant requirements, current building codes, health and safety concerns, and minimum occupancy requirements of residents of the property.

Amount of Assistance	Term

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Less than $5,001	5 Years
$5,001 to $50,000	10 years
Over $50,001	15 years
Reconstruction Only	20 years

Assistance to remove of any items from the property that are considered to be dangerous, hazardous, or a violation of local code are eligible in conjunction with the rehabilitation of the property.

Assistance may not be used for the purchase or repairs of appliances (except for energy efficient window units) or renovations not necessary to bring the home up to local code or property standards. Unnecessary renovations include but are not limited to luxury items (granite counter tops, swimming pools, spas, high end fixtures); tree trimming; fences; and landscaping.

Accessibility Repairs

Rehabilitation less than $10,001 is considered a minor repair and federal funds may be used to perform strictly accessibility modifications. Assistance in the form of a one-time grant not to exceed $10,000 shall exclude environmental and administrative soft costs necessary to engage the client and property.

Mortgage and Refinancing

Assistance may be provided to an Applicant who has an existing mortgage or equity loan if the total debt, including mortgage/equity loan balance and all rehabilitation costs do not exceed 100% of the after-rehabilitation value of the property. The City deferred loan may be subordinate to the existing mortgage or equity loan.

Refinancing of an existing mortgage, equity loan, or liens from lot clearance/demolition is an eligible refinancing expense up to $10,000. The total debt, including refinanced amount and rehabilitation costs, cannot exceed 100% of the after-rehabilitation value of the property. Refinancing of revolving loan accounts, vehicles, credit card debt, or property taxes are NOT allowable refinancing expenses.

Heirs

A loan may be transferred to the heir(s) of the borrower if the heir(s) are income qualified and utilize the assisted property as their primary residence whether the loan is still within the period of affordability or not. If the heir(s) do not meet the income requirements of the program, the remaining balance of the loan is due immediately and payable in full if the loan is still within the period of affordability. If the property is not within the period of affordability and the heir(s) are not income qualified or do not utilize the property as their primary residence, the City or Sub-recipient may make payment arrangements with the heir(s) at an interest rate between zero (0) and three percent (3%).

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Dallas Homebuyer Assistance Program

Provides homeownership opportunities to low and moderate income homebuyers through the provision of financial assistance when purchasing a home, in accordance with federal, state and local laws and regulations.

Eligibility

Applicants to homebuyer programs must meet the following criteria:

1. Property must be located in the city limits of Dallas.
2. Applicant's projected annual income must be no less than 40% of Area Median Income, but not exceed 120% of the Area Median Income, adjusted for household size, at the time of application to the program.
3. Applicant must have acceptable credit. High cost or sub-prime loans, adjustable rate mortgages, interest only loans are not allowed.
4. Applicant household must be U.S Citizens or legal residents and possess a valid social security card.
5. Property to be purchased must be primary residence of Applicant.
6. Applicant must attend an 8-hour homeownership education class from a HUD certified counseling agency within 12 months of application for assistance.
7. Applicant must make a minimum initial cash investment of $1,000 toward purchase of home.
8. Home must meet federal and local requirements, including Minimum Housing Standards, Environmental Review, and international residential code.

Eligible Properties

The property can be privately or publicly owned prior to sale to the Applicant. The property must be within the Dallas city limits and meet City building codes, lead based paint requirements, and environmental standards at the time of initial occupancy.

The property must contain adequate living and sleeping space for the applicant household as verified by the property appraisal, site visit, and/or Dallas Appraisal District Data. The property can be an existing property, or it may be newly constructed. The property can be:

- Single-family property (one unit)
- Two to four-unit property (Assistance provided for the unit to be occupied as the purchaser's principal residence); or
- Condominium or cooperative unit

All Homebuyer Programs require an appraisal and can be provided by the first mortgage lender. The appraisal value of an assisted property to be acquired for this activity cannot exceed the HOME Value Limit for Dallas. This limit is updated annually. The sale price of an assisted property may not exceed the "Appraised Value".

Affordability Periods

The residence must remain affordable for a certain period of time, which is dependent on the amount of funds invested. The City's recapture provisions will apply.

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Amount of Funds	Required Affordability
Less than $15,000	5 Years
$15,000 to $40,000	10 Years
Over $40,000	15 Years

HOME Program Recapture/Resale Requirements
These requirements can be found in Appendix 6.

Eligible Expenses
Homebuyer Programs may include any of the following activities: principle reduction, down payment and closing cost assistance. If the house is sold before the required affordability period has elapsed, the assistance funds must be recaptured.

Terms of Assistance
The assistance for the Dallas Homebuyer Assistance Program will be offered in the form of a deferred, zero percent interest (0%) loan. If the home is vacated or leased during the term of the loan, then the full loan shall be immediately due and payable in accordance with the Resale/Recapture Requirements in Appendix 6. If the property is transferred through sale during the term of the loan, the balance shall also be immediately due and payable.

Credit Standards
Following are the credit standards for homebuyer programs:

- No Chapter 7 or Chapter 13 bankruptcy if primary or any mortgage is included as a secured creditor on the subject property for which the City or subrecipient will place a lien securing the loan.
- Qualifying debt to income ratios are 30% on the front end and 43% on the back end. With compensating factors, the City will allow 33%on the front end and 45% on the back end.
- Maximum loan is up to the 1st lien holder's approval of Complete Loan to Value (CLTV).
- Predatory lending describes lending practices that take advantage of clients by charging usurious interest rates or excessive fees and penalties. Loans will not be made with an interest rate more than 2% above the prevailing market rate.

Heirs
A loan may be transferred to the heir(s) of the borrower if the heir(s) are income qualified and utilize the assisted property as their primary residence whether the loan is still within the period of affordability or not. If the heir(s) do not meet the income requirements of the program, the remaining balance of the loan is due immediately and payable in full. If the property is not within the period of affordability and the heir(s) are not income qualified or do not utilize the property as their primary residence, the City or Sub-recipient may make payment arrangements with the heir(s) at an interest rate between zero (0) and three percent (3%).

Refinancing
Refinancing for better rate and term is permitted. Refinancing of revolving loan accounts, vehicles, credit card debt, or property taxes are NOT allowable refinancing expenses. Cash out are also NOT allowed.

Homebuyer Incentive Program

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This program offers financial assistance for school teachers, police officers, emergency medical technicians, and fire fighters which purchase a property within one of the targeted areas. By purchasing a home in one of the target areas, then repayment of the loan shall be due only upon re-sale or transfer, and contingent upon maintaining owner occupancy for a 10-year period.

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LANDLORD PROGRAMS

Rental Rehabilitation and Reconstruction

Provides an all-inclusive repair and rehabilitation program for single-family (1-4) rental units. The Home Improvement and Preservation Program (HIPP) expands to offer a repayment loan program to landlords which lease to low income household, with the purpose of making needed improvements and preserving affordable housing. HIPP is designed to finance home improvements and address health, safety, accessibility modifications, reconstruction and structural/deferred maintenance deficiencies.

Eligibility

- The property must be a single-family home (1-4 units). Properties with over 5 units are not eligible for rehabilitation assistance under this program.
- The property must reside within the city limits of Dallas.
- Applicant must lease the unit to a household with an annual gross income at or below the eighty percent (80%) of the Area Median Family Income (AMFI.
- Applicant must provide evidence of property ownership. Additionally, City shall require a title search to verify whether liens or deed restrictions exist.
- Applicant and tenants must be a U.S. Citizen or Permanent Resident, have a valid Social Security card, and current Texas State issued identification card or Driver License.
- Applicant must be current with the mortgage company meaning not more than 30 days past due.
- Property taxes must be current. Property taxes must not be delinquent for any tax year.
- Tenant household's annual gross income must be at or below the 80% of the Area Median Income.
- Standard property insurance, satisfactory to the City, must be maintained on the property (with coverage adequate to insure the City's lien position). If a property is located in a flood plain, flood insurance must also be maintained with coverage adequate to insure the City's lien position.
- Applicant must adhere to the City Code Section 20-A and comply with HUD rent limits.

Maximum Assistance Limits

For rehabilitation activities, the maximum amount of assistance provided shall not exceed 47.5% of the HUD HOME Value Limits for existing properties.

For reconstruction activities, the maximum amount of assistance provided shall not exceed 75% of the HUD HOME Value Limits for new construction. The Chief of Economic and Neighborhood Services may on a case by case basis administratively approve (without Housing Committee approval) additional assistance not to exceed 10% above the maximum limit for any Rental Rehabilitation or Reconstruction project under the following circumstances:

- To address outstanding repairs or necessary work to close out an existing project.
- The need to provide reasonable accommodations in accordance with the Americans with Disabilities Act or other local, state or federal law;
- Unanticipated costs deemed necessary to meet applicable City Codes;
- Unforeseen environmental issues; and
- Addressing issues that threaten life, health, safety and welfare of the public.

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It should be noted that the Rental Rehabilitation and Reconstruction establishes maximum per unit thresholds below the HUD required maximum per-unit dollar limitations established under HUD Section 234 Condominium Housing Limit. Thus, no individual project under this program can exceed these HOME maximum subsidy limits.

Terms of Assistance

The terms of assistance to Applicants of Rental Repair and Rehabilitation will be in the form of a three percent (3%) interest rate loan. If the landlord does not comply with the requirements set out in this program, including but not limited, leasing to a household over eighty percent (80%) AMFI, then the full loan shall be immediately due and payable in full. If the property is transferred through sale during the term of the loan, the balance shall also be immediately due and payable in full.

Credit Standards

Following are the credit standards for HIPP:

- No Chapter 7 or Chapter 13 bankruptcy if primary or any mortgage is included as a secured creditor on the subject property for which the City or subrecipient will place a lien securing the loan.

Eligible Rehabilitation and Reconstruction Scope

Eligible rehabilitation and reconstruction activities will include all items necessary to bring the structure into compliance with the City's written rehabilitation standards and applicable local residential codes; including items recommended as necessary to preserve the property's structural integrity, historic integrity, weatherization, and quality of living conditions. The scope of work must address all major systems that have a remaining useful life for a minimum of 5 years at project completion, or the system must be rehabilitated or replaced as part of the scope of work. Major systems are identified as structural support (foundation); roofing; cladding and weatherproofing (e.g., windows, doors, siding, gutters); plumbing; electrical; and heating, ventilation, and air conditioning.

Improvements to or demolition of an accessory structure such as detached garage, work shed, or small residential structure will be made on a case by case basis depending on the available budget, grant requirements, current building codes, health and safety concerns, and minimum occupancy requirements of residents of the property.

Amount of Assistance	Term
Less than $5,001	5 Years
$5,001 to $50,000	10 years
Over $50,001	15 years
Reconstruction Only	20 years

Assistance to remove of any items from the property that are considered to be dangerous, hazardous, or a violation of local code are eligible in conjunction with the rehabilitation of the property.

Assistance may not be used for the purchase or repairs of appliances (except for energy efficient window units) or renovations not necessary to bring the home up to local code or property

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standards. Unnecessary renovations include but are not limited to luxury items (granite counter tops, swimming pools, spas, high end fixtures); tree trimming; fences; and landscaping.

Refinancing

Refinancing of an existing mortgage, equity loan, or liens from lot clearance/demolition is an eligible refinancing expense up to $10,000. The total debt, including refinanced amount and rehabilitation costs, cannot exceed 100% of the after-rehabilitation value of the property. Refinancing of revolving loan accounts, vehicles, credit card debt, or property taxes are NOT allowable refinancing expenses. Cash out is also not permissible.

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TENANT PROGRAMS

Tenant Based Rental Assistance

The purpose of this program is to provide supplemental financial assistance to displaced tenants as a result of the High Impact Landlord Initiative (HILI) to pay the difference between the cost of rent and the actual affordable amount that the tenant can pay. The program shall be operated on a first come first serve basis. Only HOME funds can be used to fund Tenant Based Rental Assistance (TBRA) programs. This is not an eligible activity under the Community Development Block Grant (CDBG) Program.

Eligible Uses

Eligible costs include: Subsidy is based on the amount of the rent, household income and City rent standard in a form of a grant. Covered expenses include:

- Rent supplemental financial assistance:
- Utility costs
- Security deposits
- Utility deposits
- Maximum assistance of 24 months
- May provide security deposit and utility deposit assistance upon exiting the program for a permanent unit

No payments will be made directly to the tenant household.

Prohibited Uses

City of Dallas HOME TBRA funds may not be used to assist tenants in conjunction with homebuyer programs, including lease purchase programs.

Eligible Units

Eligible tenants may rent any housing that meets the following criteria:

- Located in Dallas City Limits
- Meets Minimum Housing Quality Standards
- Reasonable rents are charged
- Are not public housing projects, or receiving project based federal assistance

Subsidy Amounts and Tenant Contribution

Maximum Subsidy: Maximum assistance that can be provided is the difference between 30% of the household's adjusted monthly income and the payment standard.

Minimum Tenant Contribution: All tenants are required to pay 30% of their monthly adjusted income, or $20.00 per month, whichever is greater.

Length of Assistance: Assistance will not be provided for a period of time longer than two years, and minimum of one-year lease.

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Other Tenant Requirements

Agencies administering TBRA programs may require tenant participation in a self-sufficiency program as a condition of rental assistance.

A legitimate, legal lease is required for program participants.

Income Recertification

Income of tenants receiving HOME tenant based rental assistance must be re-certified on an annual basis, at a minimum. City staff may require recertification of tenant income at any time, at the City's discretion, if it appears that a tenant's income has changed substantially during the contract term. If the tenant's income exceeds eighty percent (80%) of Area Median Family Income, HOME assistance must be terminated.

Payment Standard

The HOME payment standard will be the Small Area Market Rent, annually established and published by the US Department of Housing and Urban Development.

Termination of Assistance

HOME assistance may be terminated if the following occurs:

- Household's income exceeds eighty percent (80%) of Area Median Income;
- Household is evicted from the approved unit by owner for cause;
- After receipt of two official notices requesting cooperation in the re-certification process, the household is unresponsive and uncooperative.

In all cases above, thirty days' notice of the termination must be provided to the tenant and landlord.

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DEVELOPER PROGRAMS

New Construction and Substantial Rehabilitation Program

The purpose of this program is to provide financial assistance to new developments or substantial rehabilitation developments, where such assistance is necessary, and appropriately incentivize private investment for the development of quality, sustainable housing that is affordable to the residents of the City.

Funds may be used for projects to: 1) build new single-family with 5 or more homes, 2) build new multi-family rental housing with 5 or more units, or 3) substantially rehabilitate multi-family rental housing greater than 5 units. The City shall award, when funds are available, through a competitive Notice of Funding Availability (NOFA) or Request for Applications (RFA) process in accordance with the program's scoring policy.

Eligibility

To be eligible for funding under the New Construction and Substantial Rehabilitation Program assistance the proposed project must meet all of the following basic criteria:

- Project must consist of 5 or more units located within the municipal boundaries of the City of Dallas. Note: Extra Territorial Jurisdictions areas are not eligible for financial assistance.
- Substantial rehabilitation projects must, at a minimum, meet the substantial rehabilitation test

In addition to fully meeting the City's minimum code requirements, a project must meet one or more of the following Substantial Rehabilitation threshold tests:

- Replacement of two or more major building components (roof; wall or floor structures; foundations; plumbing, central HVAC or electrical system); or
- costs are 15% or more, exclusive of any acquisition and/or acquisition and development soft costs, of the property's replacement cost (fair market value) after completion of all required repairs, replacements and improvements; or
- rehabilitation hard costs are $10,000 or more per unit.

The after-rehabilitation rents required to effectively support the property, including the additional rehabilitation project debt service, must be:

- Reasonable, and fall within the underwriting standards; and
- Affordable and meet the City's definition of affordability.

Owners must exhibit a cash equity participation of at least 10% in the rental property proposed for rehabilitation. Note: Housing tax credits proceeds are to be treated as equity.

Loan Terms

Financial assistance can be provided in the form of a repayable loan with scheduled payments or, if the project involves housing tax credits, a surplus cash loan. The City loan is fully repayable, and the interest rate varies by the type of Borrower. The interest rate for a qualified CHDO Borrower or Sponsor shall be zero percent (0%) simple annual interest. The interest rate for a qualified nonprofit Borrower or Sponsors shall be one percent (1%) simple annual interest. The base interest rate for all other Borrowers shall be three percent (3%). However, the 3% base rate can be reduced through a combination of one or more Borrower concessions:

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- A Borrower guarantee to make annual interest payments will reduce base interest rate by 1%;
- Borrower agreement to limit loan maturity to 20 years or less reduces base interest rate by 1%; or
- Borrower guarantee of annual interest and principal payments reduces base interest rate by 2%.

The Borrower can combine a) and b) above to reduce the 3% annual simple interest base interest rate by 2% to the 1% annual simple interest floor rate. However, in no instance can the floor interest rate be less than 1% annual simple interest for a Borrower in this category.

Repayment of loan principal and interest should be either:

- Equal monthly installments over a period of up to 300 months if the project does not involve housing tax credits. Subject to City review and approval, multi-family projects may have up to 24 months (in addition to the above stated maturity of 300 months) of deferred principal and interest during a construction and lease-up; or,
- An annual surplus cash payment. The City's surplus cash loans funding will be structured with note provisions requiring that at least 50% of Eligible Cash in excess of $50,000 be paid annually to subordinate lenders (including funding partners and related parties) on a prorated basis.

Eligible Cash shall be defined as: Surplus cash available for partnership distribution, less any outstanding:

- Credit adjusters
- Asset management fees
- Operating reserve account replenishment
- Limited partner loans that have been approved by the City
- Deferred developer fees
- Supplemental replacement reserve deposits approved by the City

Note: Incentive management fees have been deliberately omitted from the above list. Payment of incentive management fees shall be subordinate to repayment of the City's loan(s).

Additional Requirements for New Construction Development

For new construction housing developments funded by the City, the maximum subsidy per unit is 22.5% of the HUD HOME Value Limit.

Funding will be provided to Community Housing Development Organizations, governmental entities, or public facility corporations at 0% simple interest, which will be forgiven upon sale of the property to home buyer.

In addition, funding will be provided to other qualified non-profit organizations at 1% simple interest, which will be forgiven upon sale of the property to home buyer.

Projects shall submit, on an annual basis, either HUD Form 93489 (HUD Computation of Surplus Cash), or the City's form, with the project audit. The City will invoice the project, allowing for repayment to occur up to the end of the current calendar year when HUD financing is involved. Otherwise, the surplus cash payment will be due within 45 days of the invoice postmark. Late

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payments will be assessed a 5% late charge. The loan will be in default if payments are more than 75 days late. The default interest rate shall be 500 basis points (5%) over the note interest rate.

The City multi-family rental loan is limited to only the amount necessary to fully fund the required rehabilitation work, not to exceed nine percent (9%) of the annual HUD Section 234 – Condominium Housing Limits in Dallas, Texas for elevator units (by number of bedrooms per unit). In 2018, the annual limits were as follows:

Efficiency - $58,787
1 Bedroom - $67,391
2 Bedroom - $81,947
3 Bedroom - $106,013
4 Bedroom - $116,369

Note: The above table is only valid for 2018 and is otherwise provided for illustrative purposes. Contact the City's Housing Department for a schedule of current HUD 234 Limits.

Affordability Period Requirements for All Rental Housing Development and Substantial Rehabilitation Loans

The Period of Affordability (income and rent restrictions) applies to both single-family and multi-family rental housing projects. Affordability periods shall be set as follows, in keeping with HUD requirements.

Amount of CDBG or HOME funds Per Unit	Minimum Period of Affordability
Under $15,000/ Unit	Five (5) years
$15,000 - $40,000/ Unit	Ten (10) years
Over $40,000 or rehabilitation involving refinancing	Fifteen (15) years
New construction of Rental Housing	Twenty (20) years

Conditions of All City Loans

- The property must be residential rental property under the existing ownership for the entire loan term. If the property is transferred by any means during the loan term, the remaining unforgiving portion, plus interest based on the existing market, will become immediately due and payable;
- The Borrower must maintain the property according to the Dallas Unified Building Code and agrees to allow City personnel to annually inspect the property;
- The Borrower provides evidence of having paid annual property taxes and having secured fire and extended insurance coverage for the property;
- Borrower must annually provide the City of Dallas with the information on rents and occupancy of HOME-assisted units to demonstrate compliance with the affordability rent requirements;
- The Borrower must maintain reserves for maintenance; and
- No further assistance during the affordability period term of the loan, whichever is longer.

The City loan will be secured by a lien on the property. The lien position will be no less than a second, except upon approval of the appropriate City Department Director, subordinate only to a private financial institution's superior lien for a loan in a greater amount. The City may also require additional security for its loan, including, but not limited to, a first lien position on other investment property of the owner, as well as personal and/or corporate guarantees if it is necessary to secure the loan.

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The terms of payment will continue throughout the entire term of the note, provided the Borrower complies with each and every term and condition of the loan documents. If the Borrower does not comply, or if the borrower at any time defaults under the terms of the note, interest on the unpaid principal will thereafter:

- accrue at a rate that is 500 basis points over the Note interest rate, and
- be immediately payable in addition to the entire outstanding principal amount

Financial Structuring

GAP Financing
The City deferred debt (deferred forgivable or surplus cash) only be used for and based upon the financing gap on affordable units. The City loan cannot exceed the financing gap.

Balloon Mortgages
Ballooning senior debt mortgages may require additional mitigating factors depending on overall project sources and uses, projected loan-to-value, and other risk factors. Under no circumstances will the City participate in a transaction where a senior balloon term is less than 15 years.

Surplus Cash Mortgages
The City's surplus cash loans funding will be structured with note provisions requiring that at least 50% of Eligible Cash in excess of $50,000 be paid annually to subordinate lenders (including funding partners and related parties) on a prorated basis.

Eligible Cash shall be defined as:
- Surplus cash available for partnership distribution, less
- Any outstanding:
- Credit adjusters
- Asset management fees
- Operating reserve account replenishment
- Approved limited partner loans
- Deferred developer fees
- Approved supplemental replacement reserve deposits

Projects shall submit, on an annual basis, either HUD Form 93489 (HUD Computation of Surplus Cash), or the City's form, with the project audit. The City will invoice the project, allowing for repayment to occur up to the end of the current calendar year when HUD financing is involved and general HUD distribution guidelines. Otherwise, the surplus cash payment will be due within 45 days of the invoice postmark. Late payments will be assessed a 5% late charge. The loan will be in default if payments are more than 75 days late. The default interest rate shall be 500 basis points (5%) over the note interest rate.

Appraisal Requirements

Projects Receiving City First Mortgage Acquisition Financing
Prior to funding commitment, the borrower must provide a completed Appraisal Request Form for City-Ordered Appraisals by the date specified in the City's notice of funding award, unless the development is exempt from the appraisal requirement as described below. The establishment of

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the date will take into account the applicable funding source commitment deadline and the Borrower's project timeline.

Developments exempt from the prior to commitment appraisal requirement:

- Acquisition price under $100,000
- Land only where there is no identity of interest. Identity of interest is used broadly to include non-arm's length transactions, related-party transactions, etc.
- Single family homes (1-4 family structures) that are aggregated under one loan
- The Borrower has provided a Market Study
- The Project is HUD 202 or HUD 811 with a funding reservation

Note: Whenever a project is exempt under one of the above provisions, the City will use assessed value unless the borrower requests an appraisal for determining acquisition cost as defined in these Underwriting Standards.

The cost of appraisals must be borne by the Borrower. All costs incurred for the appraisal, and any revisions, will be the responsibility of the applicant. The City will collect the appraisal costs from its loan proceeds at closing.

Appraisals ordered by the Borrower will not be accepted. All appraisals must be ordered by the City, HUD or a designated HUD MAP lender, Fannie Mae or a designated Fannie Mae Delegated Underwriter Services (DUS) lender or a regulated financial institution.

An Agency ordered appraisal will be used to support the acquisition costs identified at the time of application. The appraised value will be used by the City and its funding partners in underwriting the acquisition cost.

An As-Is Appraisal:
Land Only for New Construction: Fee simple value of the land. The market value appraisal will consider the real property's zoning as of the effective date of the appraiser's opinion of value. If the real property consists of more than one parcel, the parcels will be combined in one appraisal with one value conclusion.

Acquisition/Rehab:
Fee simple "as-is" value of the existing multi-family property assuming market rate rents. Fee simple, in "as-is" condition, with existing restricted rate rents.

Adaptive Re-Use:
Fee simple market value of the property to be adapted for an alternate use. The valuation will assume the highest and best use permitted by law and economically feasible in the current market.

Prior to Closing – Scheduled Payment Loans:
For scheduled payment loans, an as-completed appraisal is required to establish loan to value. An "as-completed and stabilized" appraisal is required for all amortizing loans.
Two hypothetical values are required:

- As completed and stabilized, subject to restricted rents
- As completed and stabilized, assuming market rate rents

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The lesser of the two values will be used to determine loan to value for the City's underwriting. The City will finance no more than 87% of appraised value (85% for loans with $15,000 per unit or less in rehabilitation). Plans and specifications must be sufficiently complete for the appraiser to establish the "as completed" value. The appraisal must be conducted no more than six months prior to closing or end loan commitment (or the borrower will be required to pay for an appraisal update).

Prior to Closing- Deferred Loans:
For non-amortizing loans, the City requires an appraisal prior to closing similar to that required for amortizing loans (above). Borrowers may use another lender's appraisal. Non- Amortizing developments exempt from the prior to closing appraisal requirement include:

- Single family homes (1-4 family) that are aggregated under one loan (the City will use assessed value unless the Borrower requests an appraisal for determining acquisition cost as defined in the Borrower's Underwriting Standards.)

Loan Conditions

As a condition of the City Loan, the Developer must agree:

- To rent these properties in accordance with Affirmative marking standards and the current HUD Section 8 rental income guidelines for the Period of Affordability and the federal equal housing opportunity requirements in the Fair Housing Act.
- Not discriminate on basis or race, religion or national origin.
- Not discriminate against lower income prospective tenants, solely on the basis of their receipt of Section 8 Housing assistance support.
- Not convert the property to condominiums for the duration of the public note.
- To maintain the property in a safe, sanitary and decent condition, in compliance with the City of Dallas Building Codes throughout the term of the public sector note.
- To provide evidence of having paid annual property taxes and secured fire and extended insurance coverage for the property.
- Comply with Annual Re-certification of tenant's annual income, which means each year the property owner must document the income of the tenant by reviewing documents such as W-2's, pay stubs, etc. in order to ensure that their income meets the low-income requirements.
- To a property inspection one (1) year after the rehabilitation and every two (2) years thereafter during the period of affordability. The owner must agree to cooperate with and assist in this inspection effort, and to resolve all deficiencies cited within the designated correction period allotted.
- To pay real property taxes and maintain adequate fire and extended coverage insurance with City named as co-insured on the subject property for the full term of the loan. The City will require owner to provide documentation of tax payment and insurance coverage on an annual basis.
- To adhere to Lead-Based Paint Abatement guidelines for all properties built 1978 and before.

The City will examine the sources and uses for each project and determine whether the costs are eligible and reasonable, the return to the developer is appropriate (not excessive); and the other sources of funds needed for the project are firm commitments. "Reasonableness" of development costs should be based on the following factors:

- Costs of comparable projects in the same geographical area;
- Qualifications of the cost estimators for the various budget line items; and

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- Comparable costs published by recognized industry cost index services

Failure to comply with any of the conditions outlined above will constitute a default of the public sector loan, requiring the balance to become immediately due and payable.

During the term of the public sector loan, if the property is sold, or ownership transferred through any means, then the balance of the note then owning, including the remaining deferred forgivable portion is immediately due and payable in full.

For HOME projects, a determination of fixed or floating HOME units must be made at the time of Loan commitment. Fixed units must remain the same throughout the period of affordability. Floating units may change in order to maintain conformity so that the total number of units meet the required number of bedrooms to the originally designated HOME-assisted unit.

Loan Closing

The property owner will be required to provide the following items for loan closing:

- For substantial rehabilitation projects, the after-rehabilitation appraisal of the property showing the appropriate value relative to the proposed loan.
- Acceptable Commitment for Title Insurance Policy showing the City's interest in the total amount of the City's Deferred Payment Loan.
- Credit Reports on all Borrowers with a 15% or greater ownership interest.
- List of all real property assets and their value.
- An acceptable bid from an approved contractor. The approved contractor must be licensed, and provide proof of appropriate insurance coverage, covering the total cost of the
- rehabilitation work and including, but not limited to worker's compensation, general liability, and personal liability.
- Copy of the insurance policy for fire and extended coverage for 80% of the value of the property with City named as co-insured.

Permitted Rehabilitation Program Costs

CDBG or HOME funds will be used to support only the following eligible costs:

- Actual rehabilitation costs necessary to correct substandard conditions to comply with the City of Dallas building Codes, federal environmental conditions standards, and federal lead-based paint abatement requirements.
- Essential improvements including energy conservation-related repairs, and improvements to permit use of the rehabilitated units by persons with disabilities.
- Repairs to major building system in danger of failure.
- Costs, generated by the public sector, for processing and closing the financing for the project, such as: credit reports, fees for title evidence, fees for recordation and filing of legal documents, attorney's fees, permits, and appraisal fees.
- Cost for the relocation of tenants currently residing in the property at the date of initial application, who must be temporarily or permanently displaced as a direct result of the rehabilitation activity.

Involuntary Displacement

The City prohibits involuntary displacement of residents from developments receiving funding. If a development receives federal funds, the Uniform Relocation Act provisions will apply.

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Eligible Costs

The following costs may be reimbursed with HOME funds:

Hard Costs	Soft Costs
Land and Structure Acquisition	Financing Fees & credit reports
Site preparation, including Demolition	Affirmative marketing, initial leasing & marketing costs
Construction Materials and Labor	Title binders and insurance
	Performance bonds and surety fees
	Recording fees
	Legal & accounting fees
	Appraisals
	Eligible Soft Costs
	Environmental reviews

CDBG funds may not be used for new building construction, in accordance with HUD regulations. However, CDBG funds may be used for all other reasonable and eligible costs in the above table.

Monitoring

The City is required by HUD to obtain information on rents and occupancy of HOME – assisted units to demonstrate compliance with the affordability rent requirements on an annual basis.

Additional Requirements for ALL Rental Housing Projects

Tenant Selection/Eligibility:
An owner of rental housing assisted with HOME or CDBG funds must adopt written tenant selection policies and criteria that:

- are consistent with the City's goal of providing housing for very low-income and low-income families;
- are reasonably related to program eligibility and the applicant's ability to perform the obligations of the lease;
- provide for the selection of tenants from a written waiting list in the chronological order of their application, insofar as is practicable; and
- give prompt written notification to any rejected applicant stating the grounds for the rejection

Income Eligibility and Re-certification:
Tenant incomes must be re-certified annually and verified with source documents every six years. If the income of a household in an assisted unit rises above 80% of Area Median Income, the household may continue to rent the unit and the household must pay monthly rent equal to the lesser of:

- The rent permitted by state law; or
- 30% of the family's adjusted monthly income at annual re-certification.
- If the project was financed with Low Income Housing Tax Credits, the tax credit rent prevails.

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Acceptable Rents for HOME Projects Only

The HOME program has established rules in relation to acceptable rents. There are two rent standards: High HOME Rent and Low HOME rent. For properties with five (5) or more HOME assisted united, at least 20% of the units must have rents that meet the "Low HOME" criteria.

High HOME Rent: lesser of the Section 8 Fair Market Rents for existing housing OR thirty (30) percent of the adjusted income of a family whose annual income equals 65% of the area median income.

Low HOME Rent: Thirty percent of the tenant's monthly adjusted income OR thirty percent of the annual income of a family whose income equals 50% of the area median income.

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OVERVIEW OF EXISTING FUNDING SOURCES

Federal Funding Sources

The City receives financial support from the U.S. Department of Housing and Urban Development (HUD) to assist low and moderate-income families in obtaining affordable housing. The City receives several Entitlement (HUD) grants, which it can use to support its housing initiatives. HUD outlines certain regulations that apply when using grant funds. This policy document uses the HUD regulations as a basis and incorporates the City's own policies as adopted by City Council.

Community Development Block Grant (CDBG)

The Community Development Block Grant has been in existence since 1974. The primary objective of the CDBG program is to improve communities by providing decent housing, providing a suitable living environment, and expanding economic opportunities. The primary beneficiary of CDBG funds must benefit low to moderate-income persons; aid in the prevention or elimination of slums or blight; or meet an urgent need.

HOME Investment Partnership Program (HOME)

The HOME Investment Partnership Program has been in existence since 1990. The goals of the HOME program are to provide decent affordable housing to lower-income households, expand the capacity of nonprofit housing providers, strengthen the ability of state and local governments to provide housing, and leverage private sector participation. HOME funds may be utilized for rental activities, homebuyer activities, and homeowner rehabilitation activities. All HOME funds must benefit persons of low and moderate income.

HOME Match Requirement

All housing development projects must meet a twenty-five (25%) HOME matching requirement of contributions made from non-federal resources and may be in the form of one or more of the following:

- Cash contributions from nonfederal sources
- Forbearance of fees
- Donated real property
- Cost, not paid with federal resources, of on-site and off-site infrastructure that the participating jurisdiction documents are directly required for HOME-assisted projects
- Proceeds from multifamily affordable housing project bond financing
- Reasonable value of donated site-preparation and construction materials, not acquired with federal resources
- Reasonable rental value of the donated use of site preparation or construction equipment
- Value of donated or voluntary labor or professional services in connection with the provision of affordable housing

Neighborhood Stabilization Program (NSP)

The Neighborhood Stabilization Program was authorized under Division B, Title III of the Housing and Economic Recovery Act of 2008 (HERA) to help communities recover from the effects of foreclosures, abandoned properties, and declining property values. The City collects program income from this source and appropriates it on an annual basis.

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State and Local Funding Sources

General Obligation Bonds

General Obligation Bonds were authorized under the 2017 bond package to help with infrastructure, economic development and housing, and related expenses as authorized by law. Economic Development and Housing have been allocated approximately $55 million for the next five (5) years.

Tax Exempt Bond Financing (City of Dallas Housing Finance Corporation)

The City of Dallas Housing Finance Corporation (DHFC) was organized in 1984 in accordance with Chapter 394 of the Texas Local Government Code (Code). Under the Code, the purpose of the DHFC is to assist persons of low and moderate income to acquire and own decent, safe, sanitary, and affordable housing. To fulfill this purpose, the DHFC can be an issuer of tax exempt bonds. The DHFC may issue bonds to finance, in whole or in part, the development costs of a residential development or redevelopment; the costs of purchasing or funding the making of home mortgages; and any other costs associated with the provision of decent, safe, and sanitary housing and non-housing facilities that are an integral part of or are functionally related to an affordable housing development.

- Affordable Housing Partnerships: The DHFC can also partner with affordable housing developers for the production of multifamily housing. The DHFC can acquire an ownership stake in the development by becoming the General Partner (GP) of an ownership entity, right of refusal to purchase the improvements, and owning and controlling the land. DHFC is the sole member of the GP. Fifty-one percent of the units must be set aside for affordable housing. If all of the aforementioned criteria are met; then the development can benefit from a tax exemption. Additionally, the DHFC can be the General Contractor to allow for sales tax exemption on construction materials.

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Strategies, Tools and Programs that Will Require Additional Action

Housing Trust Fund

Establish a Dallas Housing Trust Fund (DHTF) that allows monies to be used to make loans to support the production goals of the Housing Policy. At a future date, staff will seek Council approval to authorize a one-time transfer of a minimum of $7 million in unencumbered fund balances from high-performing Tax Increment Financing Districts (TIFs), as well as $7 million from Dallas Water Utility funding set aside to support developments. Staff will further research potential dedicated revenue sources for the DHTF, including unencumbered fund balances from high-performing TIFs, property tax revenues from developments that have been built on previously City-owned land, proceeds from the sale of properties acquired by the City following non-tax lien foreclosures, among other sources.

Tax Increment Financing

Creation of a non-contiguous Tax Increment Finance District for areas not already located in an existing TIF District will leverage TIF on projects that propose to meet the unit production goals with affordability requirements.

Voluntary Inclusionary Zoning

In addition to development subsidies, the City may also incentivize the production of rental units via voluntary inclusionary zoning. Voluntary inclusionary zoning is a strategy by which the City can provide development bonuses to encourage the construction of mixed-income housing in multi-family and mixed-use zoning districts. At a future date, staff will seek council approval to amend the Development Code to allow for by-right development bonuses, including increases in maximum height and lot coverage, for developments that provide mixed-income housing in MF-1, MF-2, MU-1 and MU-2 districts. While these development bonuses would be available regardless of whether the MF-1, MF-2, MU-1 or MU-2 district is in a Reinvestment area, the City could layer in development subsidies for projects in Redevelopment and Stabilization areas to encourage more income stratification or a higher-percentage of affordable units. Furthermore, this strategy, as it has already been briefed to the Dallas Zoning Ordinance Advisory Committee (ZOAC), will encourage such mixed-income housing developments to adopt design principles that encourage walkability, reduce the need for parking, and require the provision of more open space.

Neighborhood Empowerment Zones

At a future date, staff will seek council approval to designate Neighborhood Empowerment Zones (NEZ) in certain Reinvestment Areas. Once a NEZ is established, staff will implement the following programs and strategies to preserve affordability and deconcentrate RECAP:

- a property tax freeze for up to ten (10) years for homeowners if they are making improvements to their property resulting in more than 25% increase in value,
- development fee rebates (permits, planning, zoning, parkland dedication, landscape & tree mitigation),
- encourage Incentive Zoning/Density Bonuses to support the creation of mixed income communities,
- allow Accessory Dwelling Units,
- designate Homestead Preservation District overlay where applicable, and

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Sublease Program

Furthermore, staff will pursue council approval to create a Sublease Program which incentives a landlord/developer to facilitate the rental of units to voucher holders. This program is administered through the Dallas Housing Finance Corporation.

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Resolutions of Support or No Objection

The City of Dallas (the City) has developed a policy for developers requiring Resolutions of Support or No Objection for multi-family rental housing development projects seeking Housing Tax Credits (HTC) through the Texas Department of Housing and Community Affairs (TDHCA). Each year, the TDHCA is required to develop the Qualified Allocation Plan (QAP) to establish the procedures and requirements relating to the allocation of Housing Tax Credits. Once the QAP is submitted and approved by the Office of Governor, which occurs in December of each year, the adopted QAP will be published in the Texas Register.

In the administration of its HTC Program, the TDHCA awards application points for a resolution from a Governing Body of a local municipality on the following basis:

Within a municipality, the application will receive:

- seventeen (17) points for a resolution from the Governing Body of that municipality expressly setting forth that the municipality supports the application or development; or
- fourteen (14) points for a resolution from the Governing Body of that municipality expressly setting forth that the municipality has no objection to the application or development.

Within the extraterritorial jurisdiction of a municipality, the Application may receive:

- eight and one-half (8.5) points for a resolution from the Governing Body of that municipality expressly setting forth that the municipality supports the Application or Development; or
- seven (7) points for a resolution from the Governing Body of that municipality expressly setting forth that the municipality has no objection to the Application or Development

The City will issue a Request for Applications for Resolutions of Support or No Objection in December of each year and bring forth recommendations to the Economic Development and Housing Subcommittee and City Council in February of each year. This schedule is in line with the TDHCA program ~~calendar. The~~calendar. The City Manager ~~will~~may publish a schedule each year, which may be amended from time to time, for issuing one or more Request for Applications for Resolutions of Support or No Objection and brief the appropriate City Council committee on the annual schedule.

Evaluation Criteria

The City has developed a self-scoring application in order to conduct a comprehensive, fair and impartial evaluation of all applications received in response to the Request for Applications process. Each application is analyzed to determine overall responsiveness and qualifications under this policy. Evaluation Criteria are outlined below:

1. **General Partner and Property Management Experience –** Up to 20 total points (as determined utilizing the below general partner and property manager point tables)

General Partner – up to 10 of the 20 total experience points. To receive experience points under this category, the proposed general partner(s), or a key individual(s) (officer, managing member or principal) within the proposed general partner organization (the "general partner"), must meet one of the following tests for each counted project.

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To obtain points for a current project owned by the proposed general partner, the applicant must certify that the development has:

- been in service and continuously operated for three or more years;
- yielded positive operating cash flow from typical residential income alone (e.g. rents, rental subsidies, late fees, forfeited deposits, etc.); and
- held reserves as required by the partnership agreement and any/all applicable loan agreements.

To obtain points for projects previously owned by the proposed general partner, the applicant must certify that:

- the ending date of ownership or participation was no more than 10 years before the deadline associated with the subject application;
- the previously owned development was yielding positive operating cash flow from typical residential income alone (e.g. rents, rental subsidies, late fees, forfeited deposits, etc.) at the time of disposition; and
- the project was holding reserves as required by the partnership agreement and any/all applicable loan agreements at the time of disposition.

Experience of the General Partner – Up to 10 points	Points
1-2 Multi-family rental housing projects in service more than 3 years	**1**
1-2 Sec. 42/142/HOME projects in service more than 3 years	**3**
3-6 Multi-family rental housing projects in service more than 3 years	**4**
3-6 Sec. 42/142/HOME projects in service more than 3 years	**6**
7 or more Multi-family rental housing projects in service more than 3 yrs.	**7**
7 or more Sec. 42/142/HOME projects in service more than 3 years	**10**

"Sec.42/142/HOME" means Internal Revenue Code §42 "Low-income housing credit", §142 "Exempt facility bond – qualified residential rental project", and/or 24 CFR Part 92 - HOME Investment Partnerships Program ("HOME")

"Multi-family housing" means any multi-family rental housing project of 20 units or more that is not subject to IRC §42, IRC §142, or 24 CFR Part 92 requirements.

2. **Property Manager** – Up to 10 of the 20 total experience points.

To receive experience points under this category, the proposed property management entity must meet one of the following tests for each counted project.

To obtain points for a current project managed by the proposed property management entity, the applicant must certify that the property has:

- been in service and continuously managed by the proposed property management entity for three or more years;
- yielded positive operating cash flow from typical residential income alone (e.g. rents, rental subsidies, late fees, forfeited deposits, etc.); and

- held reserves as required by any/all applicable partnership agreement and loan agreements.

To obtain points for projects previously managed by the proposed property manager, the applicant must certify that:

- the ending date of management agreement was no more than 10 years before the deadline associated with the subject application;
- the previously managed development was yielding positive operating cash flow from typical residential income alone (e.g. rents, rental subsidies, late fees, forfeited deposits, etc.) at the time of termination of the management agreement; and
- the project was holding reserves as required by the partnership agreement and any/all applicable loan agreements at the time of termination of the management agreement.

Experience of Property Manager – Up to 10 points	Points
1-2 Multi-family rental housing projects managed more than 3 years	**0**
1-2 Sec. 42/142/HOME projects in service more than 3 years	**3**
3 or more Multi-family rental housing projects in service more than 3 yrs.	**4**
3-6 Sec. 42/142/HOME projects in service more than 3 years	**6**
7 or more Multi-family rental housing projects in service more than 3 yrs.	**7**
7 or more Sec. 42/142/HOME projects in service more than 3 years	**10**

"Sec. 42/142/HOME" means Internal Revenue Code §42 "Low-income housing credit", §142 "Exempt facility bond – qualified residential rental project", and/or 24 CFR Part 92 - HOME Investment Partnerships Program ("HOME")

"Multi-family housing" means any multi-family rental housing project of 20 units or more that is not subject to §42, §142, or 24 CFR Pat 92 requirements.

3. **Nonprofit Organization Participation** – 10 points

To receive these points, the nonprofit organization must have controlling interest (e.g., greater than 50 percent ownership in the General Partner) in the project. If ownership is a limited partnership, the Qualified Nonprofit Organization must be the Managing General Partner. If ownership is a limited liability company, the nonprofit organization must be the controlling Managing Member. Additionally, the nonprofit entity or its affiliate or subsidiary must be the developer or a co-developer of the project.

The nonprofit organization is not required to elect to apply under the State's Nonprofit Set-aside in order to receive these points.

4. **Redevelopment Areas** – 20 points

Project must be located in one of the four Redevelopment Areas – 1) Midtown, 2) High Speed Rail, 3) Wynnewood, and 4) Red Bird areas.

5. **Stabilization Target Areas** – 20 points

To receive these points, the Project must be located in one of the eight Stabilization Target Areas – 1) LBJ Skillman 2) Vickery Meadow, 3) Casa View, 4) Forest Heights / Cornerstone Heights, 5) East Downtown 6) The Bottom, 7) West Dallas, and 8) Red Bird North.

6. **Emerging Market Area** – Up to 10 points.

To receive these points, the Project must be located in one of the three Emerging Target Areas – 1) Southern Gateway 2) Pleasant Grove, and 3) University Hills.

7. **Determination of Project Feasibility** – Up to 20 points (5 points each, no more than 20 points can be awarded in this category)

- Proposed rent schedule consistent with TDHCA rent limits on rent-restricted units.
- Appropriate vacancy and collection loss assumptions in the project pro forma are consistent with TDHCA HTC requirements.
- Reserves in the pro forma are consistent with TDHCA HTC requirements.
- Completed Market Feasibility Report with conclusions supporting the applicable project pro forma assumptions completed or underway.

8. **Project Site Characteristics** – Up to 10 points (5 points each)

Project meets land use density and City of Dallas zoning requirements at time of application.

9. **Transit Amenities** – Up to 28 points (zero to four points each, no more than 28 points can be awarded in this category)

The following transit amenity matrix shall be used in scoring the project:

	Points		
Amenity	**1/4 mile or less**	**>1/4 mile and < 1/2 mile**	**1/2 mile and up to 1 mile**
Bus Station or Stop	5	3	1
Public Park	5	3	1
Full Scale Grocery Store	5	3	1
Community or Senior Center	5	3	1
Aging & Disability Resource Center	5	3	1
Amenity	**1/2 mile or less**	**>1/2 mile and < 1 mile**	**1 mile and up to 2 miles**
Qualifying Medical Clinic or Hospital	5	2	1
Amenity	**20 minutes or less**	**>20 min. and < 40 min.**	**More than 40 min.**

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Transit time to Major Employment Center	5	2	0

10. **Project Readiness** – Up to 10 Points *(5 points each, no more than 10 points can be awarded in this category)*

- Applicant has secured site control per TDHCA HTC definition of site control.
- Environmental Report (s) has/have been completed.

11. **Resident Services** – Up to 15 points *(5 points each; no more than 15 points can be awarded in this category)*

- The equivalent of one (1) FTE resident service coordinator for every 600 project bedrooms.
- Project provides or has agreements with third party service providers to provide on-site educational, wellness and/or skill building classes
- Project provides on-site, licensed child care or after school program that operates at least 20 hours per week.

140 total points are provided under the above scoring preferences.

To receive a staff recommendation for a **Resolution of Support**, the applicant must score 85 points. Any applicant receiving less than 85 points, shall be eligible to receive a staff recommendation for a **Resolution of No Objection**, provided the application receives at least 6 experience points under the *I. General Partner and Property Manager Experience* of the above scoring methodology.

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Community Housing Development Organizations (CHDOs)

A CHDO is defined under 24 Code of Federal Regulations (CFR) Part 92.2 as a nonprofit organization (501©3 or 4) organized under state law; has no part of its net earnings inuring to the benefit of any member, founder, contributor, or individual; is neither controlled by nor under the direction of individuals seeking to derive profit or gain from the organization. While a CHDO may be sponsored or created by a for-profit entity whose primary purpose is **not** the development or management of housing, such as a builder, developer or real estate management firm, the for-profit entity may not have the right to appoint more than one-third of the membership of the organization's governing body and the board members appointed by the for-profit entity may not appoint the remaining board members. A CHDO does not include a public body although a locally chartered organization may qualify under certain conditions.

The CHDO must be free to contract for goods and services from vendors of its own choosing. The CHDO must comply with certain financial accountability standards as described in the 24 CFR 84.21 Standards for Financial Management Systems. Among the primary purposes of the CHDO's organization, as outlined in their organizational charter, articles of incorporation, resolutions or bylaws must be the provision of decent housing that is affordable to low-to-moderate income persons. A CHDO must remain accountable to the low-income community residents by: **1)** maintaining at least one-third of its governing board's membership for residents of low-income neighborhoods, other low-income community residents, or elected representative of a low-income neighborhood organization; **2)** providing a formal process for low-income program beneficiaries to advise the organization in its decisions regarding the design, site selection, development and management of affordable housing.

A service area in urban areas such as Dallas, "community" may be defined as a neighborhood, or neighborhoods, city, county or metropolitan area. Additionally, CHDOs are subject to the affirmatively furthering fair housing rules which state that housing should not be located in areas of minority concentration or with high poverty rates. Historically, Dallas CHDOs have elected to work in areas where disinvestment has occurred, and where high concentrations of poverty exist. CHDOs should grow and develop the capacity to partner with for-profit developers to produce market rate housing in areas of disinvestment. Furthermore, CHDOs should work in areas with low poverty rates, have access to a quality education, transportation, and jobs. These high opportunity areas lack quality affordable housing options.

A CHDO must demonstrate the capacity to carry out the activities assisted with HOME Investment Partnership Program (HOME) funds within **12 months** of the project commitment. CHDO's may satisfy the HOME requirement by hiring experienced key staff members who have successfully completed similar projects or a consultant with the same type of qualified experience and a plan to train appropriate key staff member of the organizations. CHDO's must demonstrate a minimum of one-year experience in serving the community in which the assisted housing will be located before funds can be reserved for the organization. This requirement can be satisfied by a parent organization in some cases if a CHDO is formed by a group of local churches or local service organizations. CHDOs must be certified by the City of Dallas to be awarded CHDO set-aside funds for the development of housing and operating assistance.

Set Aside

HUD requires that 15% of the HOME allocation each year be made available to Community Housing Development Organizations (CHDOs) for the development of affordable homebuyer or

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rental housing.

Operating

In addition, the City can allocate up to 5% of the HOME allocation each year operating expenses for CHDOs. These funds provide operating funds to Community Housing Development Organizations based on financial need and the expectation that the organization is utilizing or will utilize the City's HOME CHDO set aside funding within 24 months of the award.

HOME funding provided for CHDO operating expenses may not exceed $50,000 or 50% of the organization's total annual operating expenses for that fiscal year, whichever is greater. CHDO operating expense funds may not supplant CHDO set-aside funds for project costs.

Certification

To be eligible to receive HOME CHDO set-aside funding and Operating Assistance Grants, a CHDO must be certified by the City of Dallas. CHDO certification must be done prior to the commitment of funds for a set-aside development, and there cannot be a general CHDO certification. The City can work in advance to determine if a CHDO will likely meet the requirements for certification prior to funding considerations. A CHDO must continue to be certified throughout the development of a project and during the affordability period. the City has developed the "Community Housing Development Organization (CHDO) Policy, Procedure, and Standards" document to outline the process and requirements for CHDO certification. This can be found in Appendix 5.

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APPENDICES

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APPENDIX 1
Single Family Development Underwriting

A. Eligible Developer Applicants

The City of Dallas will fund developers of affordable single-family homebuyer units, including for-profit developers, non-profit developers, and City of Dallas-designated CHDOs, with City of Dallas HOME single-family development program funds. Developers must demonstrate the capacity and previous experience developing projects of the type presented in their proposals. Prior to committing funds, the City of Dallas will review the status of any organization seeking funds from the CHDO set-aside to ensure that it meets all HOME requirements and that it has sufficient staff and financial capacity to carry out the project.

Project Location
Projects must be located within the city limits of Dallas.

Project Types
Funds will be provided for new construction projects. In general, the City of Dallas will require that all homes constructed have a minimum square footage of 1,200 sq ft, at least 3 bedrooms, and at least 1.5 bathrooms. RFPs issued by the City of Dallas may further specify or provide priority for eligible project types.

Parameters of HOME Investment
Applications must include an investment of $1,000 in HOME funds per HOME unit. In no case will the City of Dallas investment exceed the maximum HOME investment allowed under 24 CFR 92.250.

Additionally, for projects involving both City of Dallas other HOME funds, the combined HOME funding investment shall not exceed the total maximum HOME investment allowed under 24 CFR 92.250.

Typically, the City of Dallas will also establish a maximum cap on its investment in a single home. Such a limit will be based on the availability of funding and other City of Dallas priorities and will be addressed in any NOFA issued by the City of Dallas.

B. Eligible Costs
Costs funded with the City of Dallas HOME funds must be eligible according to HOME Final Rule 24 CFR 92.206. The following additional limitations also apply:

- HOME funds shall not be used for luxury improvements according to 24 CFR 92.205.
- Acquisition costs shall be supported by an independent appraisal of the property. Acquisition costs exceeding the appraised value of the property will be ineligible for HOME funding reimbursement.
- HOME funds shall not be used for non-residential accessory structures such as free-standing garages, carports, or storage structures. Applicants must delineate project costs in a manner that allows free-standing structures to be clearly paid for using other project funds.

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City of Dallas Eligible Project Soft Costs
The HOME program allows the City of Dallas to include, as project costs, its internal soft costs specifically attributable to a HOME project. These may include consulting, legal, inspection, and staff costs associated with reviewing, processing, and overseeing the award of funds to the project. Projects must provide budget allowances for "City of Dallas-Lender Due Diligence & Legal Costs" in the project's sources and uses.

Cost Reasonableness
Per the requirements of 92.250(b) and 2 CFR 200 Subpart E (formerly known as OMB Circular A-87), all project costs must be reasonable, whether paid directly with HOME funds or not. The City of Dallas will review project costs, including hard and soft costs, to evaluate their reasonableness and may, at its option, require applicants to obtain additional quotes, bids, or estimates of costs.

Identity of Interest
Developers must disclose any identity of interest situations that may occur when contracting with related companies during either the development or ongoing operation of the project. City of Dallas staff must be allowed the opportunity to conduct a cost analysis to determine costs reasonableness. Applications may be determined ineligible if access is not granted or costs are determined to be unreasonable.

C. Property Standards
To meet both HOME regulations and City of Dallas goals, all HOME-funded projects must meet certain physical standards intended to provide quality affordable housing that is durable and energy efficient.

Construction must meet all local codes. City of Dallas has adopted and enforces the following codes with amendments:

- 2012 International Building Code
- 2012 International Mechanical Code
- 2009 International Energy Conservation Code
- 2012 International Existing Building Code
- 2011 National Electric Code
- Chapter 11 of the 2009 International Residential Code

All HOME projects must meet applicable Section 504/UFAS requirements. Pursuant to 24 CFR 8.29, single-family housing developed with Federal funds must be made accessible upon the request of the prospective buyer if the nature of the prospective occupant's disability so requires. Developers must ensure that projects are designed in a way that can accommodate such a request. Should a prospective buyer request a modification to make a unit accessible, Developer must work with the homebuyer to provide the specific features that meet the need(s) of the prospective homebuyer or occupant. If the design features that are needed for the buyer are design features that are covered in UFAS, those features must comply with the UFAS standard. Developers shall be permitted to depart from the standard in order to have the homebuyer/occupant's needs met.

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Site shall be served by public sewer, public water, and public road. Sites should have ready access to recreational opportunities such as parks, playgrounds, etc., nearby shopping and services including transportation, grocery, banking, and medical facilities, and otherwise be located in neighborhoods that provide amenities that support residential development. The City of Dallas also generally prefers that sites have safe, walkable connections—including sidewalks—to the surrounding neighborhood.
Site shall be in a designated Fire District or served by a Fire Department;

Units must be equipped with the following appliances: Refrigerator, range/oven, dishwasher, and garbage disposal. Developers may also propose to include in-unit clothes washers and dryers, microwave/vent fan combination units, as appropriate. If the Energy Star program rates the type of appliances being installed, the developer must furnish the units with Energy Star rated appliances. Note however that not all appliances are rated by the Energy Star program.

D. Sales Price
Housing developed with HOME funds must be modest, and the sales/purchase prices for homes developed under this program cannot exceed the HOME Homeownership Value Limits published by HUD in effect at the time of project commitment. The City of Dallas will identify the applicable limits in any NOFA issued.

Units produced under the City of Dallas' single-family development program must be sold at the fair market value as determined by an "as-completed" or "subject to completion" appraisal completed by an independent state licensed appraiser. Developers shall submit such an appraisal prior to project commitment, and the City of Dallas may require an updated appraisal prior to construction completion if the appraisal is more than 9 months old at that point. Any reductions in list or sales price below the City of Dallas-approved appraised value must be approved in writing by the City of Dallas and will generally require updated market information.

E. Eligible Homebuyers
Homebuyers for units produced under the City of Dallas single-family development program must meet the eligibility criteria set forth in the City of Dallas Homebuyer Assistance Program (DHAP) guidelines.

F. Environmental Review Requirements
Federally-assisted projects are subject to a variety of environmental requirements. Developers should be familiar with these requirements and are strongly encouraged to discuss any questions they have with City of Dallas staff prior to entering into a purchase agreement or submitting an application.

All projects shall be implemented in accordance with environmental review regulations as defined 24 CFR Part 58.

The City of Dallas shall be responsible for conducting the environmental review and completing all necessary public notifications, and the request for release of funds (RROF) from HUD. The applicant is responsible for cooperating with the City of Dallas in the environmental review process and providing information necessary for the City of Dallas to fulfill its responsibilities under Part 58 and other applicable regulations.

Submitting an application for HOME funds triggers environmental review requirements under 24 CFR 58, including the National Environmental Policy Act (NEPA). Once an application for federal

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funds is submitted, a development proposal is now subject to the environmental review requirements and requires an environmental clearance and issuance of a Release of Funds (ROF) by the US Department of Housing and Urban Development.

Developers are prohibited from undertaking or committing or expending any funds to (including non-federal funds) any physical or choice-limiting actions on the site prior to an environmental clearance as required by Part 58. Physical and choice limiting actions include, but are not limited to, property acquisition, demolition, movement, rehabilitation, conversion, repair or construction. This prohibition applies regardless of whether federal or non-federal funds are used, and taking a choice limiting action prior to completion of the required environmental clearance process will result in the denial of any HOME funds from the City of Dallas.

G. Other Federal Requirements

Nondiscrimination and Equal Opportunity
The following federal nondiscrimination and equal opportunity guidelines apply to all projects and affect both development and sales of assisted housing:

- The Fair Housing Act (42 U.S.C. 3601-19) and implementing regulations at 24 CFR part 100 et seq.;
- Executive Order 11063, as amended by Executive Order 12259 (3 CFR, 1959-1963 Comp., p. 652 and 3 CFR, 1980 Comp., p. 307) (Equal Opportunity in Housing Programs) and implementing regulations at 24 CFR part 107;
- Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d- 2000d-4) (Nondiscrimination in Federally Assisted Programs) and implementing regulations at 24 CFR part 1;
- The Age Discrimination Act of 1975 (42 U.S.C. 6101-6107) and implementing regulations at 24 CFR part 146;
- Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at part 8 of this title;
- Title II of the Americans with Disabilities Act, 42 U.S.C. 12101 et seq.; 24 CFR part 8; Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR part 135;
- Executive Order 11246, as amended by Executive Orders 11375, [[Page 41]] 11478, 12086, and 12107 (3 CFR, 1964-1965 Comp., p. 339; 3 CFR, 1966- 1970 Comp., p. 684; 3 CFR, 1966-1970 Comp., p. 803; 3 CFR, 1978 Comp., p. 230; and 3 CFR, 1978 Comp., p. 264, respectively) (Equal Employment Opportunity Programs) and implementing regulations at 41 CFR chapter 60;
- Executive Order 11625, as amended by Executive Order 12007 (3 CFR, 1971- 1975 Comp., p. 616 and 3 CFR, 1977 Comp., p. 139) (Minority Business Enterprises); Executive Order 12432 (3 CFR, 1983 Comp., p. 198) (Minority Business Enterprise Development); and
- Executive Order 12138, as amended by Executive Order 12608 (3 CFR, 1977 Comp., p. 393 and 3 CFR, 1987 Comp., p. 245) (Women's Business Enterprise). The nondiscrimination provisions of Section 282 of the National Affordable Housing Act of 1982.

Uniform Relocation Act (URA)
All projects fall under requirements of the URA. Any project resulting in permanent relocation/displacement of households will not be funded by the City of Dallas. Applicants must

further document that any purchase of property meets the requirements of URA, including provision of notices to the seller identifying the transaction as a voluntary sale not under the threat of eminent domain. To ensure compliance with URA, applicants should consult the City of Dallas to understand the requirements of URA and reference the URA forms included in the RFP prior to submitting an application involving an occupied property.

Davis Bacon
Davis Bacon federal prevailing wage requirements shall apply to all projects with 12 or more units assisted with HOME funds.

Excluded Parties
The City of Dallas will not fund projects owned, developed, or otherwise sponsored by any individual, corporation, or other entity that is suspended, debarred, or otherwise precluded from receiving federal awards. Nor may the developer contract with any other entity (including but not limited to builders/general contractors, property management companies, or other members of the development team) that are suspended, debarred, or otherwise so precluded. Similarly, the general contractor will be required to determine that subcontractors are not so precluded.

H. Ongoing Project Requirements

Deadlines
Construction Start- If construction is not started within 12 months of the date the City of Dallas commits funds to a project, the commitment will be subject to cancellation. If the project is cancelled as a result of failure to meet this deadline, the Developer must repay to the City of Dallas any HOME funds disbursed for the project.

Completion Deadline- Project completion occurs when construction is complete, all HOME funds have been disbursed by the City of Dallas and drawn from the US Treasury, title to the property has transferred to an eligible buyer, and required completion data has been entered in HUD's IDIS system. Project completion must occur within 2 years of the date of commitment of funds to the project. If the Developer fails to meet this 2-year deadline, it must repay to the City of Dallas any HOME funds disbursed for the project.

Sales Deadline- Pursuant to 24 CFR 92.254(a)(3), Developers must have a ratified sales contract with an eligible buyer for each HOME-funded unit within nine (9) months of completion of construction or the unsold units must be converted to rental housing or the project will be deemed ineligible and all HOME funds drawn must be repaid to HUD.

If a unit is unsold after six (6) months, the Developer must present an updated sales and marketing plan to the City of Dallas outlining steps being taken to identify buyers. At the City of Dallas option, the Developer may be required to i) take further steps--such as listing the home with a licensed realtor, adjusting the sales price, etc.—as the City of Dallas may require to facilitate the sale of the home or ii) to transfer title to the City of Dallas or to another entity selected by the City of Dallas that can otherwise identify buyers prior to the regulatory deadline.

At the City of Dallas option, if a unit remains unsold after nine (9) months, the developer shall be required i) to repay the entire HOME investment, including any City of Dallas project soft costs; ii) to convert the project to rental housing in accordance with 24 CFR 92.252; or iii) to transfer title to the City of Dallas or to another entity selected by the City of Dallas for conversion to rental housing.

Units converted to rental housing must be rented to eligible tenants in accordance with 24 CFR 92.252, which includes tenant income eligibility and rent limit requirements. Further, any units converted to rental properties shall be operated in compliance with the City of Dallas Rental Housing Program guidelines.

Reporting and Record Keeping
To allow effective oversight of funded projects and document compliance with applicable HOME requirements, all projects must submit periodic reports to the City of Dallas. While this section outlines standard reporting requirements, the City of Dallas reserves the right to require additional reporting or to alter the reporting format or frequency based on future changes to HOME requirements or City of Dallas policy. Additionally the City of Dallas reserves the right to require additional or more frequent reporting for projects with compliance deficiencies.

- Developers are required to report monthly during the development phase and sales phase. During the construction phase, developers must provide monthly reports detailing construction progress and barriers to progress, copies of invoices being paid, and evidence of appropriate lien waivers.
- During the sales phase, developers are required to provide monthly reports detailing the number of additional sales, total sales, and marketing activity. These reports are required until all units are sold.
- The City of Dallas may require more frequent reporting due to findings identified during the development and sales phases.
- At the City of Dallas option, Developers may be required to obtain and submit an audit of project costs (i.e. cost certification) prepared by an independent Certified Public Account.
- Developers shall allow City of Dallas, HUD, State of Texas, the Comptroller General of the United States (aka the GAO), and all other pertinent Federal or State agencies or their designated representative the right to inspect records and property. Conflict of Interest

To comply with HOME requirements and to maintain a high standard of accountability to the public, conflicts of interest and perceived conflicts of interest must be avoided. Developers shall maintain compliance with all HUD conflict of interest provisions as stated in 92.356(f).

Developers with officers, employees, family members, consultants, or agents that are otherwise eligible to purchase HOME funded-units must receive waiver/approval from City of Dallas staff before entering into a sales agreement with HOME eligible employees. 92.356(f) provisions apply to all HOME projects.

I. Structure of Transaction

Loan Types and Terms
The City of Dallas will provide HOME funds in the form of a loan to the entity that owns the property. No grants will be awarded, and funding commitments are not transferable without prior written City of Dallas approval.

The City of Dallas HOME Loan may be used for acquisition and construction financing. Proceeds of the HOME loan will only be released following satisfaction of all requirements outlined below.

In all cases, the HOME loan will:

Have a maximum term of 2 years;

- Be repayable in full upon sale, refinancing, or transfer of the property or upon maturity, except that repayment will be limited to the net proceeds of a City of Dallas-approved sale to a low-income buyer. Net sales proceeds will exclude any portion of the sale proceeds used to repay senior construction debt, return of City of Dallas-recognized developer equity, approved sales costs, and any HOME-assistance transferred to the buyer(s) at closing as direct homebuyer assistance.; and
- Secured with a promissory note, mortgage, and appropriate UCC liens. Mortgages will be recorded with the Dallas County Recorder of Deeds and generally may be subordinate only to an approved amortizing first mortgage.

Guarantees
Unless otherwise determined by the City of Dallas, all underlying individuals, corporate entities, partnerships, or limited liability companies with an interest in the project will be required to provide a completion guarantee including provisions guaranteeing construction completion of the project. For nonprofit organizations, including community housing development organizations (CHDOs), a guarantee shall not be required, but in all cases the City of Dallas may require a performance bond or irrevocable letter of credit acceptable to the City of Dallas to ensure project completion.

HOME Agreement
In addition to any financing documents, developers of HOME-financed projects must sign a HOME agreement with the City of Dallas. The HOME agreement will identify requirements for compliance with the HOME regulations and the City of Dallas Single-Family Development. Program requirements and will remain in effect in the event of any prepayment of the HOME loan.

J. Underwriting & Subsidy Layering Reviews

Market Demand
Developers must, as part of their application, provide evidence of sufficient demand for the proposed units. Developers shall provide information from the multiple listing service pertaining to recent sales in the neighborhood, average time on the market for recent sales, availability of other product and average “months of supply” currently available, and any known or planned projects.

Additionally, Developers must complete the HOME Sales and Marketing Plan, identifying among other items the profile of typical buyers, relationships with homeownership counseling agencies or other sources of buyer referrals, and plans for marketing the homes.

In some cases, the City of Dallas may only commit to a specific project (or may limit the number of projects under construction by a given developer) upon demonstration that a home has been pre-sold to an identified low-income buyer who has, at least, executed a reservation or initial purchase agreement with the Developer.

Project Underwriting
All HOME applications must include financial statements from all underlying owners and guarantors. Developers must have a net worth equal to 10% of the total development cost with net liquid assets equal to 3% of the total development cost.
Applicant must provide the amounts and terms for any other financing being provided to the project.

Proforma Requirements
The proforma must explicitly show:

- An itemized breakdown of development hard and soft costs by unit including any allowances for soft costs such as architectural fees, carrying costs, etc;
- The hard costs of any stand-alone accessory buildings, including free-standing garages, carports, or storage structures should be specifically itemized in the Development Sources and Uses so that the City of Dallas can complete preliminary HOME cost allocation calculations. (Stand-alone accessory structures like a detached garage may be included in the project but are not HOME-eligible and must be paid for with another funding source.)
- Costs and fees to be paid to the City of Dallas as permitted by the HOME program. The HOME program allows the City of Dallas to include, as project costs, its internal soft costs specifically attributable to the project. These may include consulting, legal, inspection, and staff costs associated with reviewing, processing, and monitoring award of funds to a project. The City of Dallas will notify Developers of the amounts to include in their Development Sources and Uses for "City of Dallas-Lender Due Diligence & Legal Costs."
- Estimates of the sales transaction to an eligible homebuyer, including a calculation of the proposed buyer's ability to qualify for a mortgage meeting City of Dallas requirements, the anticipated need to provide direct HOME assistance (e.g. downpayment and closing cost assistance) to the buyer, projected sales costs (e.g. realtor's commissions), and the distribution of sales proceeds (including toward repayment of private construction financing)

Cost Limitations
All project costs must be reasonable and customary. The City of Dallas reserves the right to review any line-item cost to ensure that total project costs are not excessive. Additionally, HOME projects will be subject to the following specific cost limitations:

- The maximum allowable developer fee is 15% of total development costs less the developer fee itself and seller's closing costs.
- Acquisition costs are limited to fair market value as determined by a third-party appraisal.
- Unless prior approval has been obtained from the City of Dallas, all project hard costs and all project professional fees should be the result of a competitive bidding process. While developers are not subject to federal procurement rules and may use less formal bid processes, the City of Dallas generally expects developers to seek multiple bids and identify the most advantageous bidder based on cost, track record, and other pertinent factors.

Other Public Funding Sources
Developers must disclose all other public and private sources or applications for funding with their initial HOME Single-Family Development application to the City of Dallas at the time of application and upon receiving any additional commitments of public source funding. The City of Dallas will conduct a subsidy layering review as part of the underwriting process for all projects. Using its underwriting criteria, the City of Dallas will assess the project and may require changes to the transaction to ensure that return to the owner/developer are not excessive. Changes may include a reduction in HOME funds awarded.

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The City of Dallas will consider adjusting its underwriting in consultation with other public funders, if applicable, to the project. The City of Dallas retains, at its sole discretion, the power to decide whether to accept alternative standards.

K. Construction Process

City of Dallas Construction Inspections
The City of Dallas must be provided with copies of all contractor invoices and provided reasonable notice of monthly draw inspections during the construction period. City of Dallas staff will participate in all draw reviews whether or not the specific draw is being funded with HOME or other project funds and conduct inspections to ensure that the project is progressing and that work completed is consistent with all applicable HOME requirements.

Davis Bacon
When Davis Bacon applies to a project, the City of Dallas must be provided with compliance documentation throughout the construction period. Prior to commencing construction, the City of Dallas must approve current wage determinations applicable to the project. The contractor will be required to provide weekly payroll forms to the City of Dallas and allow access to the site and workers for the purpose of completing worker interviews.

Drawing City of Dallas HOME Funds
Proceeds of the HOME loan will only be released as reimbursement for eligible project costs following:

- Review and acceptance of appropriate source documentation by the City of Dallas including evidence of appropriate lien waivers and/or title endorsements.
- A determination by the City of Dallas that all HOME requirements pertaining to the development of the Project have been met, including but not limited to monitoring of Davis Bacon compliance.

For nonprofit developers, including CHDOs, the City of Dallas may release payment based upon outstanding invoices for costs incurred and work completed. In such cases, the City of Dallas reserves the right to disburse through a title company, directly to the vendor, or with two-party checks.

Project Closeout
Developers are required to submit homebuyer eligibility packets to the City for approval of the homebuyers. Data shall include elderly status, race, gender, female head of household, number of household members, and income.

The City of Dallas requires a copy of the final project sources and uses statement and, at the City of Dallas option, may require the submission of the project cost certification prepared by an independent Certified Public Accountant following completion of construction and payment of all development costs.

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APPENDIX 2
Rental Development Underwriting

In reviewing applications for HOME assistance, as required by §92.250(b) and prudent business practices, the City's underwriting framework includes evaluations of:

- **Regulatory requirements applicable to the project**, including compliance (or ability to become compliant) with HOME's affordability restrictions, property standards, and cross-cutting federal requirements;
- **Market risk**, including whether or not sufficient demand exists for the project, the anticipated lease-up period, and whether general economic conditions and other competition supports ongoing viability;
- **Developer risk**, focusing on whether the owner/developer (including but not limited to the underlying owners of special purpose entities) have the technical capacity to develop and operate the property and the financial capacity to safeguard public funds and backstop the project if the event of poor financial performance; and
- **Project risk (or "financial underwriting")**, testing the economic and financial projections for the transaction including both sources and uses as well as ongoing operating assumptions. This includes confirmation that all sources of project financing are available, commercially reasonable, and have been appropriately maximized prior to awarding HOME funds.

Market Assessment
All HOME project applications must include a third-party market study prepared in a manner consistent with TDHCA's market analysis requirements. Unless otherwise approved by the City, market studies shall be prepared by providers included on the list of TDHCA Approved Market Analysts. Owner's may generally submit the market study used in conjunction with the Owner's LIHTC application, if applicable. Market studies must be less than one year old at the time of commitment of HOME funds. For market studies that are more than one year old, the City will typically require an update from the original analyst or a new market study from another analyst. Proposed rent levels must be supported by the applicant's market study and be within HOME regulatory limits.

Additionally, the market study should demonstrate the following:

- All units, including any "market rate" units as well as any units with income/rent restriction imposed by other programs such as LIHTC, must demonstrate viability within the primary market area taking into account any known rent concessions being offered by competing properties;
- Income and rent restricted units must have "discounts" of at least 15% relative to comparable un-restricted units;
- Achievable occupancy rates, based on a comparison of comparable properties in the primary market area, must be at or above 95% (physical occupancy);
- Capture rate for the development as a whole is no more than 10%, and no capture rate for specific unit sizes (e.g. 3-bedroom units) exceeds 25%; and
- Absorption can be expected to result in underwritten occupancy levels within six (6) months of units being ready for occupancy.

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For projects not meeting these standards the City, in its sole discretion, may also consider the following:

- For project targeting special needs populations (e.g. homeless households, domestic violence victims, veterans, or other specific subpopulations), the City may accept higher capture rates if data from the local Continuum of Care and/or service providers specializing in the targeted populations (e.g. VA service centers) suggest an adequate pipeline of eligible renters exists and will be consistently referred to the development.
- For existing projects being rehabilitated, the City will consider the recent operating history of the project in terms of actual rents charged/received, eligibility of in-place tenants, and the like for evidence that the development's projections are supported by actual performance.

The City may also consider offsetting the risk of relatively "weaker" market study findings by offering HOME assistance as permanent debt only, to be disbursed following actual lease-up of the development at proforma levels and achievement of stabilized occupancy.

Developer and Development Team
In most cases, projects considered by the City will be owned by single-purpose, single-asset entities created to hold title the development. For various purposes, including structuring necessary to comply with industry norms and take advantage of other funding sources such as LIHTC, the "owner" and "developer" of a project are often legally distinct entities, even if ultimately owned and controlled by the same underlying parties.

Developer Technical/Professional Capacity
In evaluating the capacity of the "developer" the City will use the term more loosely to refer collectively to the underlying corporate entities and individuals that will own and control the single-purpose entity (excluding the investor member/limited partner). Additionally, the City requires various guarantees and indemnities from all of the underlying corporate and individual owners of the various limited partnership or limited liability corporation entities involved in the ownership and development of the project.
Developers should demonstrate:

- Recent, ongoing, and successful experience with the development of similar regulated affordable housing; and
- The presence of adequate staff, with specific experience appropriate to their role in the project, to successfully implement and oversee the project. This includes the assembly and oversight of the development team.

The City requires applicants to provide lists of real estate owned (including partnership/membership interests) by the developer as well as all projects underway. The City will review the performance of those projects, including financial factors like net occupancy, actual DCR, cash flow received, outstanding loan balances, and net equity of individual projects and the developer's overall portfolio.

Applicants are also required to provide descriptions of the role played by specific staff members relative to the proposed project along with resumes or other similar information demonstrating experience appropriate to the assigned staff member's role.

Financial Capacity

Developers must also demonstrate the financial capacity to support the proposed project both during construction and lease-up as well during ongoing operations. This includes not just that the applicant has sufficient financial resources but that it has adequate financial systems in place to appropriately manage project funding, accurately account for all project costs, and provide reliable reporting to the City and other project funders.

At minimum, the City will review audited financial statements, interim financial statements, and individual personal financial statements to ensure that:

- The "primary" development entity's most recent audit must demonstrate compliance with Generally Accepted Accounting Principals (GAAP) and must not express material weaknesses in the entity's system of internal controls or financial management systems;
- The developer's net worth (including the un-duplicated net worth of other guarantors) is equal to at least 10% of the total development cost of all projects underway (i.e. those that have received funding commitments from HOME or LIHTC but have not yet been completed and converted to permanent financing); and
- The developer has net liquid assets (current assets less current liabilities) equal to at least 3% of the total development cost of all projects underway.

Development Team
The City will also review the capacity of the development team including but not limited to the general contractor, architect, engineer, market analyst, management company, accountant, attorney, and any other specialized professionals or consultants.

As a whole, the development team should have the skills and expertise necessary to successfully complete and operate the development. Insomuch as possible, on balance the development teams should have worked successfully on other projects in the past. That is, while a developer may identify new development team members from project to project, an "entirely new" team may present added risk.

Additionally, when using development team members from outside of the region, the City will consider whether assigned team members have recent local experience or have been supplemented with local professionals. This may be particularly important for design professionals and legal counsel.

In no case, may any owner/developer/applicant or any member of the development team be a suspended, debarred, or otherwise excluded party.

Identify of Interest Relationships & Costs
Applicants must disclose all identity of interest relationships/contracts and/or costs involved in a transaction, including during the development period and following completion of the project. The City reserves the right to review any such costs further to ensure they are reasonable and consistent with the costs expected from arms-length relationships.

An "Identity of Interest" (whether or not such term is capitalized) is any relationship based on family ties or financial interests between or among two or more entities involved in a project-related transaction which reasonably could give rise to a presumption that the entities may not operate at arms-length. The City will take a broad approach to defining identities of interest and expects all applicants to err on the side of disclosure. That is, if there is any question about

whether an identity of interest may exist, the relationship should be disclosed and explained to the City.

Beyond this general definition, an identity of interest relationship will be deemed to exist if:

- An entity, or any owner of any direct or indirect ownership interest in such entity, or any family member of any such owner is also an owner, through a direct or indirect ownership interest, or an officer, director, stockholder, partner, trustee, manager, or member of the counterparty; or
- Any officer, director, stockholder, partner, trustee, manager, member, principal staff, contract employee or consultant of an entity, or any family member of thereof, is an owner, through any direct or indirect ownership interest, or an officer, director, stockholder, partner, trustee, manager or member of the counterparty.

For purposes of this definition, "family member" means the spouse, parents or stepparents, children or stepchildren, grandparents or step-grandparents, grandchildren or step-grandchildren, aunts, uncles, parents-in-law, and siblings-in-law (or their children or stepchildren). It also includes any other similar relationship established by operation of law, including but limited to guardianship, adoption, foster parents, and the like.

Financial Analysis
As noted in the introduction, the City views underwriting as more than just the financial review of a project. However, a revive of the underlying financial assumptions is still a critical and core part of underwriting. In reviewing projects, as a public funder the City must to balance two somewhat competing perspectives.

Projects must be viable, that is they must have sufficient allowances for all costs to maximize the chances the project can meet or exceed its financial projections and thereby succeed in the marketplace. In other words, the project must represent a "safe" investment. However, taken to an extreme, "safe" or overly conservative projections can also result in a project that is over-subsidized and risks providing excessive returns to the owner/developer.

As a steward of very limited public funding for affordable housing, the City also needs to ensure that costs are reasonable, that they represent a "good deal" to the public, and that returns to the owner/developer are fair but not excessive. In seeking to balance these perspectives, the City has established the following review factors and principals.

Development Costs
In general, the City will review the entire project budget to all costs are reasonable yet that the budget is sufficient to complete and sustain the project. All line items, whether or not paid directly with HOME funds, must be necessary and reasonable.

The City will consider the cost of both specific line items as well as the total development cost on a per unit and per square foot basis, comparing costs to other projects from the City's portfolio, similar projects in the region (such as those funded by TDHCA), City-data from the Building Department, and/or third-party indices such as RS Means.

Selected Development Cost Items

Acquisition – Acquisition costs must be supported by an independent third-party appraisal prepared by a state-licensed appraiser. The purchase price must be at or below the as-is market value of the property. In the event an applicant has previously purchased land prior to applying to the City, the project budget may only reflect the lesser of the actual purchase price or the current market value. Standard closing costs from the acquisition may be included.

Applicants who purchased property prior to applying to the City, or following environmental releases under NEPA but prior to closing, may not charge or include financing costs associated with interim financing, whether from third-party or related lenders.

Architectural Fees – Architectural fees cannot exceed the following:
Design services: 6% of total construction costs
Supervision/Administration: 2% of total construction costs
City Soft Costs – The development budget for each project must include an allowance for the City's internal project-related soft costs as specified in periodic RFPs issued by the City. Similar to lender due diligence or lender legal costs, the inclusion of soft costs allows the City to recoup its direct costs of underwriting, processing, closing, and monitoring the project prior to project completion. These costs will be included in the HOME loan but may be drawn directly from HUD by the City rather than via payment requests from the project owner.

Construction Interest – Any budgeted line item for construction interest must be supported by developer period cash flow projections, modeling the actual expenditure of development costs and the anticipated pay-in of equity, HOME funds, and other construction period sources. For presentation purposes, only interest from the date of initial closing through the end of the month in which the building(s) are placed in service (i.e. approved for occupancy) may be included as construction interest. Additional interest following that date and prior to the conversion to (or closing on) permanent debt must be separately itemized and modeled. In most cases, this should be included in the "lease up reserve" noted below.

Contingencies – Applicants should include a contingency (inclusive of hard and soft costs) within the minimum and maximum amounts noted below. The contingency will be measured as a percentage of hard costs (including the construction contract plus any separate contracts for off-site work but excluding contractor fees).

- New construction projects should include a contingency of least 3% and no more than 7% of hard costs;
- Acquisition/rehabilitation projects, including adaptive reuse projects, should include a contingency of at least 5% and no more than 10% of hard costs.
- The City may consider higher contingencies based on identified risk factors such as the known need for environmental remediation or poor subsurface soils.

Contractor Fees – Contractor fees are limited as a percentage of net construction costs as further identified below. Net construction costs exclude the contractor fees, any budgeted contingency, and (even if otherwise included in the construction contract) permits and builder's risk insurance.

- Contractor Profit: 6% of net construction costs
- General Requirements/General Conditions: 6% of net construction costs. General requirements include on-site supervision, temporary or construction signs, field office expenses, temporary sheds and toilets, temporary utilities, equipment rental, clean-up costs, rubbish removal, watchmen's wages, material inspection and tests, all of the

builder's insurance (except builder's risk), temporary walkways, temporary fences, and other similar expenses.
- Contractor Overhead: 2% of net construction costs.

With prior approval of the City, contractor fees may vary from the limits above provided the gross contractor fees do not exceed 14% of net construction costs.

Developer Fees – Developer fees are intended to compensate a developer for the time and effort of assembling a project, overseeing the development team, and carrying a project to fruition. Developer fees are also intended to compensate for the risk inherent in the development process, including that not every potential project proves viable and that developers must necessarily advance funds for their own operating costs and various third-party predevelopment costs prior to closing (or in some cases for projects that never proceed). The City, therefore, allows the inclusion of developer fees as follows:

- Developer Fee: 15% of total development costs less a) the developer fee itself; b) organizational expenses and/or syndication fees/cost (including investor due diligence fees); and c) reserves, escrows, and capitalized start-up/operating expenses (such as working capital, marketing, etc.).
- Maximum Limit: Regardless of percentage, the maximum developer fee shall be $1.5M.
- Combined Contractor & Developer Fees: When an identity of interest exists between the owner/developer and the general contractor, the combined total of contractor fees and developer fees cannot exceed 20% of total development cost less a) the developer fee and b) other cost elements excluded from the calculation of the developer fee itself (see above).

In some cases, developers may delegate some of its responsibilities to third-party professionals or consultants. This may include contracting specific tasks – such as construction oversight of the builder or specialized consulting related to applying for or structuring various financial incentives like LIHTC. The costs of engaging such professionals, whether they are third parties or identity of interest relationships, must be paid from (and if separately itemized will be counted against) the allowable developer fee.

Reserves – Capitalized reserves to facilitate the initial start-up and to protect the ongoing viability of the project will include the following:

- Deficit Reserve: The City anticipates that in most cases, developments with predicted deficits during the affordability period would not be funded. However, in the event a development's long-term operating proforma projects actual cash deficits during the affordability period, an operating deficit reserve must be included in the development budget in an amount sufficient, taking into account any interest on reserve balances, to fully fund all predicted deficits through the affordability period.
- Lease-Up Reserve: A lease-up reserve intended to cover initial operating deficits following the completion of construction but prior to breakeven operations may be included. Any such reserve must be based on lease-up projections/cash-flow modeling and the lease-up (or absorption) period identified in the project's market study. In evaluating the appropriateness of any lease-up reserve, the City will consider whether the development budget includes specific line items for other start-up expenses that otherwise are typically

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part of the ongoing operating budget for a development. This may include budgets for marketing, working capital, etc.

- Operating Reserve: An operating reserve equal to three (3) months of underwritten operating expenses, reserve deposits, and amortizing debt service must be included in the development budget. The operating reserve is intended as an "unexpected rainy day" fund and will only be accessible after a project has achieved stabilized occupancy.
- Replacement Reserve: For acquisition-rehabilitation projects, a capitalized replacement reserve must be included in the development budget. The capitalized replacement reserve should be funded at the greater of i) $1,000 per unit; or ii) the amount determined by a capital needs assessment approved by the City.
- Other: The City may consider other specialized reserves as appropriate based on unique features of the project and/or requirements of other funding sources. These may include special security reserves, supportive service reserves, or transition reserves for projects with expiring project-based rental assistance contracts, etc.

Operating Revenues

The City will review an applicant's projection of operating revenues to ensure they are reasonable and achievable both initially and through the affordability period. In evaluating operating revenues, the City will take into account the i) project-specific market study; ii) actual operating performance from other comparable projects including those from the applicant's existing portfolio of real-estate owned; iii) data available from comparable projects in the City's portfolio; and/or iv) information available from actual performance within TDHCA's portfolio.

For purposes of the long-term operating proforma, operating revenue projections cannot be increased by more than 2% per year. The City reserves the right to "stress" proposals for underwriting purposes to assess the impact of lower inflationary increases, such as modeling the impact of only 1% rent increases for the first three to five years of a project's affordability period.

Rents

All rents should be supported by the market study. Including the utility allowance, the gross rent for any income/rent restricted unit should demonstrate at last a 15% "discount" compared to comparable "market rate" units.

Additionally, to hedge against flat or declining rents to the owner in the event that income limits (and therefore rents) do not increase in a given year (particularly between commitment and lease-up), gross rents should demonstrate at least a 2.5% discount from the regulatory limit imposed on any income/rent restricted units by HOME, LIHTC, or other similar sources. As an alternative to setting rents below the applicable regulatory limit, the City will consider increasing the allowance for vacancy by 2.5%.

Non-Rental Revenue

Non-rental revenue must be fully explained and conservatively estimates. In general, no more than $60-$240 per-unit, per-year may be budgeted in "other revenue" including that from tenant's fees (such as fees for late payment of rent, nonsufficient funds, garage/carport upgrades, pet fees, etc. or interest on operating account balances). Exceptions may be considered by the City based on the operating history of an acquisition/rehabilitation project or normalized operations are other comparable properties in the same market area.

Vacancy

Total economic vacancy includes physical vacancy (a unit is unrented), bed debt (a unit is occupied but the tenant is not paying rent), concessions (a unit has been leased for less than the

budgeted rent), and "loss to lease" (an pre-existing lease is less than the most recently approved annual rent but will be adjusted upward at renewal).

In all cases, based on the market study or other data available to the City, the City reserves the right to require higher vacancy projections. This may include higher vacancy rates for small developments (e.g. less than 20 unit) where standard percentage assumptions about vacancy may not be appropriate. Minimum allowances for vacancy must include:

- 5% for projects where all units are supported by a project-based rental assistance contract with a term equal to or in excess of the affordability period (e.g. project based Section 8); or
- 7% for all other projects.

As noted above, the minimum vacancy rate will be increased by 2.5% if budgeted gross rents are at the applicable regulatory maximums.

Operating Costs

The City will review an applicant's projection of operating expenses to ensure they are reasonable and adequate to sustain ongoing operations of the project through the affordability period. In evaluating a proposed operating budget, the City will compare projects costs to i) actual operating expenses of comparable projects in the applicant's existing portfolio of real-estate owned (insomuch as possible, comparable projects will be in the same vicinity and operated by the same management company); ii) actual operating expenses of other comparable projects in the City's portfolio; iii) data available on the operating costs of affordable housing in the TDHCA portfolio; and/or iv) minimum per-unit, per-year allowances established by the City through periodic RFPs for rental housing.

For purposes of the long-term operating proforma, operating expenses, including reserve deposits, will be inflated at no less than 3% per year. The City reserves the right to "stress" proposals for underwriting purposes to assess the impact of higher operating cost factors, such as modeling the impact of higher inflation rates in general of for specific items of cost (for example, assessing the impact of high rates of increase for insurance or development paid utility costs).

Selected Items of Operating Cost

City HOME Monitoring Fee – Pursuant to 24 CFR 92.214(b)(1)(i), the City assesses an annual HOME monitoring fee. The operating budget for each project must include an allowance for the City's annual HOME Monitoring Fee as specified in periodic RFPs issued by the City.

Property Management Fees – An allowance of 5% of effective gross income (i.e. gross rent potential plus other revenues minus actual vacancy, bad debt, concessions, etc.) should be included. In the event a lower management fee is proposed, the City will consider using a fee as low as 3% provided the proposed management company is acceptable to the City and has agreed in writing to the lower fee.

Property Taxes – Applicants must provide detailed explanations of property tax projections and, as applicable, provide documentation that any anticipated partial or full exemptions or payments in lieu of taxes (PILOT) have been approved by the appropriate tax assessor. In the absence of a tax exemption or PILOT, the operating budget must provide for a tax rate equal to 1.25% of the

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market value of the property or the City, at its option, may require confirmation from the tax assessor of the applicant's projection.

Replacement Reserve Deposits – The operating budget must include minimum replacement reserve deposits of:

- New Construction Family: $300 per-unit, per-year
- New Construction Senior: $250 per-unit, per-year
- Rehabilitation: The greater of i) $300 per-unit, per-year; or ii) a higher amount established by a CNA approved by the City.

Note: The City will reserve the right within a project's transactional documents to require periodic CNAs for all projects and to adjust ongoing replacement reserve deposits base on the results of the CNA to ensure that the replacement reserve is sufficient to address all anticipated needs for the project's affordability period of the term of the City's loan, whichever is longer.

Items Payable only from Surplus Cash

Certain costs, sometimes identified by project owners as "operating costs" cannot be included in the operating budget and will only be payable from surplus cash (aka cash flow). These include:

- Incentive Management Fees payable in addition to the allowable management fees noted above, whether paid to related party or independent third-party management fees.
- Asset Management Fees payable to any investor, general or limited partner, or member of the ownership entity.
- Deferred Developer Fees
- Operating Deficit Loan Payments made to any related party including any investor, general or limited partner, or members of the ownership entity.
- Other payments to investors, general or limited partners, or members of the ownership entity, however characterized, including but not limited to negative adjustors, yield maintenance fees, etc.

Ongoing Economic Viability

The City will review the ongoing economic viability of all projects, taking into account long-term projections of revenue and expenses. Projects must demonstrate they can be expected to remain viable for at least the affordability period, taking into account trending assumptions noted above, as well as other any other changes in operating revenues or expenses that can reasonably be anticipated based on other information available to the City or other project funders. In particular, the City will review the debt coverage ratio and operating margin as outlined below.

Debt Coverage Ratio

Projects must demonstrate a minimum debt coverage ratio (DCR) of 1.25 (Net Operating Income divided by amortizing debt service) throughout the affordability period. In some cases, for projects with relatively small levels of mortgage debt, this may require a higher initial DCR to ensure that the DCR in later years remains at or above the appropriate level.

Operating Margin

In addition to considering the DCR, the City will review the operating margin (surplus cash divided by total operating expenses and amortizing debt service). The operating margin must remain at or above 5% for the period of affordability.

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Other Funding Sources
Prior to committing funds, all other funding sources necessary for a project must be identified, committed in writing, and consistent with the both the City's underwriting requirements and the affordability restrictions of the HOME program. In general, developers must make all reasonable efforts to maximize the availability of other funding sources, including conventional mortgage debt and tax credit equity (as applicable), within commercially available and reasonable terms.

Additionally, restrictions or limitations imposed by other funding sources cannot conflict with any applicable HOME requirements and cannot, in the discretion of the City, create undue risk to the City.

Senior Mortgage Debt
Any amortizing mortgage debt that will be senior to the City's HOME loan must:

- Provide fixed-rate financing;
- Have a term equal to or in excess of the HOME affordability period. The affordability period will generally be 15 years beyond the date of "project completion" as defined in 24 CFR 92.2 for acquisition/rehabilitation projects and 20 years for new construction projects. In practice, the date of "project completion" will not be the same as "placed in service" date for tax purposes but for most projects will occur prior to permanent loan conversion following property stabilization. Insomuch as possible, the first mortgage should have the longest amortization period available but cannot balloon prior to the expiration of the affordability period; and
- Allow the City's HOME covenant running with the land (i.e. the deed restrictions imposing the HOME affordability requirements) to be recorded senior to all other financing documents such that the HOME covenant is not extinguished in the case of foreclosure by a senior lender. Note the City HOME loan itself will be junior to conventional amortizing loans; only the deed restrictions must be senior.

Tax Credit Equity
Projections of tax credit equity must be documented by letters of intent or other similar offers to participate in the transaction by the proposed tax credit investor. Prior to committing funds, the applicant must provide evidence it has received a tax credit reservation from TDHCA and provide the proposed limited partnership agreement or operating agreement, as applicable, documenting the terms of the equity investment.

The City will review proposed equity pricing against information from other projects in the region to assess whether the pricing and terms are reasonable.

Deferred Developer Fee
It is common for projects to include deferred developer fees as a financing source. The City will generally require:

- That projections of surplus cash available (after any cash-flow contingent payment due the City) be sufficient to repay the deferred fee within 15 years (notwithstanding other "waterfall" provisions in the partnership or operating agreement, the City will assume that all surplus cash distributions will be credited against the developer fee);
- That following the initial application to the City, the level of deferred developer fee with remain fixed (in nominal dollar terms) in the event City underwriting identifies cost reductions, increases in other funding sources, or other changes that result in a net reduction of the "gap" to be filled with HOME funds; and

DRAFT

- That any net savings (or increased funding sources including but not limited to upward adjusters for tax credit equity) at project completion and cost certification will be used in equal parts to reduce the deferred developer fee and the City's permanent HOME loan. In the event savings are sufficient to eliminate the deferred fee in this manner, any remaining net savings will be used to further reduce the City's HOME loan, or in the sole discretion of the City, to increase the operating reserve.

Exceptions and Interpretation

The City has developed these guidelines for several reasons. Not only are they required by HUD as part of the City's role as a HOME PJ, but more generally they are intended to provide clarity to applicants on what the City expects and transparency about the "rules of the road." However, the City recognizes that it cannot pre-emptively identify every possible special circumstance that may warrant an exception to its general requirements, nor can it identify every possible "loophole" whereby a creative presentation of costs or other projections might subvert the general need to balancing of viability and reasonable returns, risk to the City and public benefit.

Consequently, the City reserves the right to waive specific underwriting criteria for specific projects when, in its judgement, the purposes of the program can be better achieved without taking on undue risk. When waiving any given requirement, the City may impose additional special conditions or business terms that are not otherwise typically applied to all projects.

For administrative ease, the City may also align its underwriting standards with those required by other public funders involved in a given transaction, particularly if those standards are more restrictive or conservative than the City's. However, the City retains the right, in its sole discretion, to decide whether to accept alternative standards.

The City also reserves the right to reject any element of a transaction that, despite not being specifically prohibited, was not anticipated by these guidelines of such an element or business term otherwise creates unacceptable risks, excessive returns to the owner/developer, or otherwise undermines the public purposes of the City's program.

Insomuch as is reasonable, the City will update and clarify these guidelines over time to account for exceptions, waivers, or additional restrictions it imposes.

DRAFT

APPENDIX 3
UNIVERSAL DESIGN GUIDELINES

This portion of the manual outlines the City's policy on Universal Design and the minimum design criteria for new affordable housing projects.

In order to ensure the sustainability of the projects supported by CDBG and HOME funds, the City has established guidelines in relation to Universal Design. In addition, the City wants to ensure that newly constructed units are compatible with existing neighborhoods.

Universal Design

This comprehensive housing policy creates a Universal Design construction requirements for all new single-family homes, duplexes, and triplexes using financial assistance from the City.

The goal of "Universal Design" is to ensure that housing can accommodate the needs of people with a wide range of abilities, including children, aging populations and persons with disabilities. Consequently, all new construction housing projects using City of Dallas CDBG and/or HOME funds will meet all the following criteria:

- At least one entrance shall have 36-inch door and be on an accessible route.
- All interior doors shall be no less that 32-inches wide; except for a door that provides access to a closet of fewer than 15 square feet in area. Each hallway shall have a width of at least 36-inches wide and shall be level and ramped or beveled changes at each door threshold.
- All bathrooms shall have the walls reinforced around the toilet, bathtub and shower; for future installation of grab bars.
- Each electrical panel, light switch or thermostat shall be mounted no higher than 48 inches above the floor. Each electrical plug or other receptacle shall be at least 15 inches from the finished floor.
- An electrical panel located outside the dwelling unit must be between 18 inches and 42 inches above the ground and served by an accessible route.
- All hardware installed to open/close doors and operate plumbing fixtures shall be lever handles.

Universal Design Waiver or Exterior Accessibility Requirements

The Director of Sustainable Development or his designee may only grant modifications or an exemption to the requirements of the Ordinance regarding full compliance with the exterior path of travel on an individual case-by-case basis. The criteria for granting a modification or exemption are as follows:

- The lots rise or falls so steeply from the street that a maximum 1:12 slope cannot be achieved without extensive grading; and
- No vehicular access to the back of the house will be available by means of an alley.
- Appeals of orders, decisions of determination made by the Director of Sustainable Development may be made to the Board of Adjustments.

Universal Design Implementation

- Clearly stamp or print "Universal Design" on plans submitted
- Clearly Identify design elements outlined in Ordinance.
- Certify that the plans comply with the requirements of the Ordinance.

DRAFT

- Plan checking, construction inspections and enforcement shall be accomplished by the Development Services Department in accordance with existing procedures.

Design Guidelines

All builders and developers of infill housing are strongly encouraged to incorporate the defining features of a neighborhood into newly constructed infill houses. Those defining features of older inner city neighborhoods may include: roof pitches, porches, materials, and window types. Developers must comply with any standards established by an existing neighborhood conservation district and/or approved neighborhood plans. Additionally, All projects must advance the principles and policies contained in the City of Dallas Complete Streets Design Manual. Site plans and building designs should contribute towards safe and convenient pedestrian, bicycle, transit and automobile access to the extent possible within the project site and the adjacent public right-of-way frontage.

For infill projects supported with CDBG and/or HOME funds, developers will be required to demonstrate that the neighborhood association near the land to be developed has been consulted on the design issues. Developers should obtain input and feedback from neighborhood residents and work with them to ensure that designs are compatible with existing housing and development patterns.

In extreme cases where an agreement cannot be reached between the developer and local neighborhood groups, CDBG and/or HOME funding may be pulled from the project.

Specific design guidelines may be developed for certain City sponsored projects. Historic and neighborhood conservation district requirements must also be met for all projects.

For rehabilitation projects, builders and developers are strongly encouraged to retain the defining features of older structures. This applies to multi-family and single-family projects.

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APPENDIX 4
City of Dallas Income Limits and Part 5 Requirements

Per 24 CFR Part 92.203(b)(1), the City has elected to utilize the 24 CFR Part 5 definition for determining annual income which is commonly referred to as the "Section 8 Low-Income Limit". To be eligible for HOME or CDBG funds, households must have annual (gross) incomes at or below 80% of area median income, adjusted by household size and determined annually by the U.S. Department of Housing and Urban Development (HUD).

The *Technical Guide for Determining Income and Allowances for the HOME Program* should be utilized as a resource and the standard for the following determinations:

- Whose Income to Count
- Types of Income to Count
- Treatment of Assets
- Income Inclusions and Exclusions
- Verifying Income
- Comparing Annual Income to Published Income Limits
- Determining Household Size
- Source Documentation
- Timing of Income Certifications

The annual income limits are published by HUD each year at the webpage below. http://www.huduser.gov/portal/datasets/il/il15/index.html

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APPENDIX 5
Community Housing Development Organization (CHDO) Policy, Procedure, and Standards

WHAT IS A COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO)?
A CHDO (pronounced cho'doe) is a private nonprofit, community-based service organization that has significant capacity, and whose **primary** purpose is, to develop affordable housing for the community it serves. Certified CHDOs receive special designation from the City of Dallas (City). The HOME Investment Partnership (HOME) Program definition of a CHDO is found at 24 CFR Part 92.2.

WHAT SPECIAL BENEFITS ARE AVAILABLE TO CHDOs?
HOME regulations require that the City set aside **15%** of its annual HOME allocation exclusively for qualified, eligible CHDO projects. If an organization becomes a certified CHDO, it is eligible to take advantage of the HOME funds set-aside just for CHDOs, as well as financial support for a portion of its operating expenses (Operating Assistance Grants) associated with CHDO projects. The City's CHDOs also have first right of purchase on land bank lots and as a nonprofit they are eligible to purchase HB110 lots.

REGULATORY REQUIREMENTS FOR CHDO CERTIFICATION
The U.S. Department of Housing and Urban Development (HUD) has established standard criteria for organizations to be eligible to become a certified CHDO:

1. **Organized Under State/Local Law**. A nonprofit organization must show evidence in its Articles of Incorporation that it is organized under state or local law.
2. **Nonprofit Status**. The organization must be conditionally designated or have a tax exemption ruling from the Internal Revenue Service (IRS) under Section 501(c) of the Internal Revenue Code of 1986. A 501(c) certificate from the IRS must evidence the ruling.
3. **Purpose of Organization**. Among its primary purposes, the organization must have the provision of decent housing that is affordable to low- and moderate-income people. This must be evidenced by a statement in the organization's Articles of Incorporation and/or Bylaws.
4. **Board Structure**. The board of directors must be organized to contain no more than one-third representation from the public sector and a minimum of one-third representation from the low-income community.
5. **No For-Profit Control**. The organization may not be controlled by, nor receive directions from, individuals or entities seeking profit from or that will derive direct benefit from the organization.
6. **No Individual Benefit**. No part of a CHDO's net earnings (profits) may benefit any members, founders, contributors, or individuals. This requirement must also be evidenced in the organization's Articles of Incorporation.
7. **Clearly Defined Service Area**. The organization must have a clearly defined geographic service area outlined in its Articles of Incorporation and/or Bylaws. CHDOs may serve individual neighborhoods or large areas. However, while the organization may include an entire community in their service area (such as a city, town, village, county, or multi-county area), they may not include the entire state.
8. **Low-Income Advisory Process**. A formal process must be developed and implemented for low-income program beneficiaries and low-income residents of the organization's service area to advise the organization in all of its decisions regarding the design, location, development and management of affordable housing projects.
9. **Capacity/Experience**. The key staff and board of directors must have significant experience and capacity to carry out CHDO-eligible, HOME-assisted projects in the community where it intends to develop affordable housing (key staff and board of directors have successfully completed HOME-funded, CHDO-eligible projects in the past).
10. **Community Service**. A minimum of one year of relative experience serving the community(ies)

where it intends to develop affordable housing must be demonstrated.

11. **Financial Accountability Standards**. The organization must meet and adhere to the financial accountability standards as outlined in 2 CFR 200 Subpart D, "Standards for Financial and Program Management."

CITY REQUIREMENTS FOR CHDO CERTIFICATION

In addition to the regulatory requirements, the City has established additional criteria for CHDO designation. To be eligible for CHDO designation, an organization must also:

1. Maintain a record of good standing with the Texas Secretary of State's office.
2. Maintain a staffed, physical office location in the proposed service area that is open for business and accessible by potential program applicants during generally-accepted customary business hours.
3. Have established a minimum **3**-year strategic business plan, which must include CHDO- related production and community involvement goals.
4. Maintain a history of no significant compliance findings on its City funded projects.

The City will accept applications from new CHDOs year-round; however, CHDO certifications will not be provided until a project is identified for funding and prior to execution of a written agreement. Please note that the criteria noted above is not intended to be all-inclusive and the City may require additional information prior to making a determination for CHDO designation. Meeting the above requirements does not guarantee that the organization will be granted CHDO designation. City reserves the right to deny or revoke CHDO designation based upon its evaluation of the nonprofit organization's performance. Designated CHDOs will be evaluated periodically for production and other benchmarks as established by City.

ORGANIZATIONAL STRUCTURE REQUIREMENTS FOR CHDO CERTIFICATION

The HOME Program establishes requirements for the organizational structure of a CHDO to ensure that the governing body of the organization is **controlled by the community it serves**. These requirements are designed to ensure that the CHDO is capable of decisions and actions that address the community's needs without undue influence from external agendas.

There are four specific requirements related to the organization's board, which must be evidenced in the organization's Articles of Incorporation and/or Bylaws. These are:

1. **Low Income Representation.** At least one-third of the organization's board must be representatives of the low-income community served by the CHDO. There are three ways a board member can meet the definition of a low-income representative:

   - The person lives in a low-income neighborhood where **51%** or more of the residents are low-income. This person need not necessarily be low-income.

or

   - The person is a low-income (below **80%** area median income) resident of the community.

or

   - The person was elected by a low-income neighborhood organization to serve on the CHDO board. The organization must be composed primarily of residents of the low-income neighborhood and its primary purpose must be to serve the interests of the neighborhood residents. Such organizations might include block groups, neighborhood associations, and neighborhood watch groups.

The CHDO is required to certify the status of low-income representatives.

2. **Public Sector Limitations**. No more than one-third of the organization's board may be representatives of the public sector, including elected public officials, appointees of a public

official, any employees of a local government or public school system, or employees of City or the State of Texas. If a person qualifies as a low-income representative **and** a public-sector representative, their role as a public-sector representative supersedes their residency or income status. Therefore, this person counts toward the one-third public sector limitation.

3. **Low-Income Advisory Process**. Input from the low-income community is not met solely by having low-income representation on the board. The CHDO must provide a formal process for low-income program beneficiaries to advise the CHDO on design, location of sites, development and management of affordable housing. The process must be described in writing in the Articles of Incorporation and/or Bylaws. Each project undertaken by the CHDO should allow potential program beneficiaries to be involved and provide input on the entire project from project concept, design and site location to property management. One way to accomplish this requirement is to develop a project advisory committee for each project or community where a HOME assisted project will be developed. Proof of input from the low-income community will be required at the CHDO's annual recertification.
4. **For-Profit Limitations**. If a CHDO is sponsored by a for-profit entity, the for-profit may not appoint more than one-third of the board. The board members appointed by the for-profit may not appoint the remaining two-third of the board members.

EXPERIENCE, CAPACITY AND ROLES (24 C.F.R. 92.300-92.303)

To be certified as a CHDO, the HOME Program requires organizations to demonstrate sufficient experience, capacity, and financial accountability.

Experience & Capacity: A CHDO must certify to City that it has the capacity, demonstrated by having paid staff with demonstrated capacity to perform the specific role for which is it being funded. CHDO staff can be full-time or part-time and can be contract employees. The CHDO cannot count the experience of board members, donated staff, parent organization staff, or volunteers to meet the capacity requirement. The CHDO can only count capacity brought to the table by a consultant in the first year of participation. Afterward, the CHDO must demonstrate capacity based upon paid staff.

The CHDO must demonstrate experience and capacity relevant to the project and its role as owner, developer, or sponsor. If the CHDO is the owner, its staff must have the capacity to act as the owner (this may mean the ability to oversee development.) If the CHDO is the developer or sponsor, its staff must have development experience on projects of similar scope or complexity.
CHDOs must demonstrate a history of serving the community where the housing to be assisted with HOME funds will be located. HUD requires that organizations show a history of serving the community by providing:

- A statement that documents at least one year of experience serving the community.
- For newly created organizations, provide a statement that the parent organization (if applicable) has at least **1**-year experience serving the community.

CHDOs must provide resumes and/or statements of key staff members that describe their experience of successfully completed projects similar to those proposed.

CHDO SERVICE AREA

While the City does not limit the number of counties is a CHDO's service area, the very definition of a CHDO is that it be community-based. Therefore, an organization proposing a large or regional service area must demonstrate that it is taking the appropriate steps to achieve the community-based component. Some of the ways this can be achieved is by having an active community (nonpublic) representative from each of the counties on the CHDO's board of directors; establishing local advisory councils to advise the CHDO board on topics relative to the organization's activities; hosting "town hall" meetings in the proposed project areas, etc. the City will consider other methods suggested by the CHDO. CHDOs will be required

to provide updates on how it is ensuring that it is active and visible in the communities included in its service area.

The City reserves the right to limit CHDOs going into a service area where an existing CHDO is already providing service. Unless a CHDO is already approved to serve a particular territory, the City will not approve CHDOs to serve overlapping territory.

CHDO RECERTIFICATION
To ensure compliance with the HOME regulations, the recertification process will apply to CHDOs with active development projects including those under development and within the affordability period. Each CHDO will be required to submit specific information to City on an annual basis in conjunction with annual monitoring and compliance audits, including, but not limited to:

- The response to questions, numbered exhibits, and attachments listed in the City's CHDO certification application
- An updated **3-year** business plan and a description of how the low-income advisory process was implemented. If no HOME funds were used within the reporting period, a detailed description of all other affordable housing initiatives undertaken will be requested.

Recertification will be required **ANNUALLY WHEN THE CITY MONITORS THE CHDO FOR COMPLIANCE**. The CHDO must recertify as to its continued qualifications as a CHDO and its capacity to own, sponsor, or develop housing.

CHDOs that have not been allocated project funds from the HOME CHDO set-aside for **3** consecutive years will be deemed inactive. At its discretion, the City may revoke the designation of inactive CHDOs based upon a review of other non-CHDO housing activities the organization has undertaken (if any), as well as other factors deemed appropriate by City.

CHDO SET-ASIDE
The HOME requirements at 24 CFR Part 92.300 require City to set aside at least **15%** of its annual HOME allocation for projects owned, developed or sponsored by CHDOs. A certified CHDO must serve as the owner, developer or sponsor of a HOME-eligible project when using funds from the **15%** percent CHDO set-aside. A CHDO may serve in one of these roles or it may undertake projects in which it combines roles, such as being both an owner and developer. The CHDO must be certified for each type of activity it plans to undertake.

FINANCIAL ACCOUNTABILITY
CHDOs must have financial accountability standards that conform to the requirements detailed in 2 CFR 200 – Subpart D, "Standards for Financial and Program Management." This can be evidenced by:

- A notarized statement by the president or chief financial officer of the organization.
- Certification from a certified public accountant.
- Audit completed by CPA.
- City reserves the right to request additional audited financial statements at any time.

ELIGIBLE AND INELIGIBLE USES OF HOME CHDO SET-ASIDE FUNDS

ELIGIBLE ACTIVITIES - OWNERS, SPONSORS, DEVELOPERS
Using the **15%** set-aside, a CHDO acting as an owner, sponsor, or developer may undertake any of the following activities:

- Acquisition and/or rehabilitation of rental property;
- New construction of rental housing;

- Acquisition, rehabilitation and resale of existing, vacant homebuyer property;
- New construction of homebuyer property;
- Direct financial assistance to purchasers of HOME-assisted housing developed by a CHDO with HOME CHDO set-aside funds.

Please note that to be considered a CHDO-eligible project, CHDO set-aside HOME funds must be used during the construction or rehabilitation of the project.

INELIGIBLE CHDO ACTIVITIES
Using the **15%** set-aside, a CHDO may not undertake any of the following activities:

- Rehabilitation of existing homeowners' properties;
- Tenant-based rental assistance (TBRA); or
- Down payment and/or closing cost assistance to purchasers of housing not developed with HOME CHDO set-aside funds.

ELIGIBLE ACTIVITIES – SUBRECIPIENTS
CHDOs may also act as subrecipients with non-set-aside funds by undertaking other HOME-eligible activities such as:

- Tenant-Based Rental Assistance (TBRA);
- Owner-occupied rehabilitation of single-family dwellings; and
- Down payment or closing cost assistance in the acquisition of single-family units.

OPTIONAL OPERATING EXPENSES
From time to time, funds may be available to provide general operating assistance to CHDOs receiving CHDO set-aside funds for activities. When funds are available, certified CHDOs that are administering an eligible project funded from the CHDO set-aside may be eligible to receive funds to be used for operating expenses. The regulations allow the City to allocate no more than **5%** of its HOME allocation for CHDO operating expenses (Operating Assistance Grants). However, the City reserves the right to further restrict the amount of funds an entity may receive for CHDO operating funds. This allocation does not count toward the required **15**% CHDO set-aside funds that are to be used by CHDOs for projects.

The amount of the optional Operating Assistance Grants awarded will be based on, but not limited to, the following factors:

1. The total amount of HOME funds City has available to allocate for reimbursable CHDO operating expenses;
2. The anticipated completion date and size of your current CHDO set-aside project(s); and
3. The CHDO's past performance as a CHDO developer.
4. The CHDO's capacity to complete the project in a timely manner.
5. The ability of the CHDO to retain CHDO proceeds.

The City will allocate Operating Assistance Grants on annually. Operating Assistance Grants will be provided on a fiscal year basis (October 1 – September 30) provided funds are available and the CHDO has demonstrated acceptable performance.

Although the disbursement of CHDO operating funds is not tied directly to the drawdown of the CHDO project funds, the City reserves the right to delay disbursement of operating funds if it is evident that the CHDO project is experiencing excessive delays.

City reserves the right to reduce the amount of, or not award, operating funds based upon its evaluation of the CHDO's production and overall performance.

Eligible operating expenses for which CHDOs may use operating funds include:

- Salaries, wages, benefits, and other employee compensation
- Employee education, training and travel
- Rent and utilities
- Communication costs
- Taxes and insurance
- Equipment, materials and supplies

Because the purpose of providing CHDO operating support is to nurture successful CHDOs and ensure their continued growth and success, the City will periodically evaluate the performance of any CHDO wishing to receive CHDO operating funds.

CHDO PROCUREMENT
As noted in HUD CPD Notice 97-11, CHDO organizations are not subject to the requirements of 2 CFR, Part 200 in regard to the procurement of goods and services. However, the City strongly encourages organizations to ensure that costs are reasonable and equitable. This exemption is only applicable to procurement associated with CHDO-eligible projects; CHDOs must still follow appropriate procurement procedures compliant with Part 200 for its non-CHDO projects. City may request a copy of the CHDO's procurement policy for any non-CHDO project funding proposals.

EFFECTIVE PERIOD OF CHDO CERTIFICATION
To maintain its CHDO certification, the CHDO must submit at least **30** days prior to its annual compliance and monitoring audit a copy of the most recent audit financial statements along with all required attachments listed in the City's CHDO Certification Application, which is attached to this manual as **Exhibit "A" – City CHDO Application**. If the CHDO fails to submit the recertification packet, the CHDO may no longer qualify as a CHDO. Prior to awarding any City CHDO funds, the CHDO must recertify that no changes have occurred within the agency that would disqualify the entity as a CHDO for the specific type of activity being undertaken.

HOW TO APPLY FOR CHDO CERTIFICATION
Complete the City's CHDO Certification Application including all requested attachments, documentation, and forms. The applicant has **30** days to respond to any request for additional information. If information is not received within **30** days, the CHDO certification application will be denied.

Exhibit “A” – City CHDO Application

A Community Housing Development Organization (CHDO) is a private, nonprofit, community-based service organization that has obtained staff with the capacity to develop affordable housing in the community it serves.

The following application details the requirements that nonprofit corporations must satisfy to be certified as a CHDO by the City of Dallas Housing and Neighborhood Revitalization Department (HNR). Please refer to the CHDO Manual which provides details and additional requirements HNR will use in reviewing your application submission. The CHDO Manual can be found on the City of Dallas (City) website at www.dallascityhall.com/departments/housing-neighborhood-revitalization.

Please fully complete the application and supply all requested documentation. An incomplete application package will significantly delay the consideration of your application.

We are here to help if you have any questions in completing the application. Please do not hesitate to contact Cynthia Rogers-Ellickson (214) 670-3601 for assistance.

We look forward to receiving your application!

Submit Original Certification Application Package to:

Cynthia Rogers-Ellickson
Housing Development Manager
Housing and Neighborhood
Revitalization
1500 Marilla Street, 6DN
Dallas, TX 75201

***APPLICANT INFORMATION REQUIRED**:*

Name of Applicant Organization

Address

City | State | Postal Code

Contact Person | Position with Organization

Telephone Number | Email Address

Fax Number | Federal Tax I.D. Number

STATEMENT OF CERTIFICATION

I hereby certify that all statements I have provided in this application and in the attachments herein are true; that I am authorized to sign this application, and to make these statements, on behalf of the applicant organization; and that the organization understands that misrepresentation of any facts which lead to the improper allocation and expenditure of public funds may result in legal action against the organization for retrieval of any such funds and appropriate penalties.

Signed:

Signature | Date

Name: (typed or printed)

Title: (Executive Director)

Name of Organization

(Submit this application, with original signature, to the City of Dallas)

I. LEGAL STATUS

1. **ORGANIZED**: To receive certification, your organization must be organized under state or local laws and must provide evidence of your legal status. Organization must Maintain a record of good standing with the Texas Secretary of State's office. Which of the following have you supplied?
   - ❑ Charter
   - ❑ Articles of Incorporation along with confirmation from the Secretary of State; and
   - ❑ Certificate of Good Standing or comparable document from the Secretary of State.

Provided in Exhibit #_____(please specify Exhibit #)

2. **PURPOSE OF ORGANIZATION**: An organization must have among its purposes the provision of decent housing that is affordable to low and moderate-income persons'. Which of the following have you included that demonstrate compliance with this requirement?
   - ❑ Charter
   - ❑ By-laws signed by the board Secretary
   - ❑ Articles of Incorporation

Provided in Exhibit #_____(please specify Exhibit #)

3. **NO INDIVIDUAL BENEFIT**: No part of your organization's net earnings can inure to the benefit of any member, founder, contributor or individual. Which of the following have you included that demonstrate compliance with this requirement?
   - ❑ Charter
   - ❑ By-laws signed by the board Secretary
   - ❑ Articles of Incorporation

Provided in Exhibit #_____(please specify Exhibit #)

4. **SERVICE AREA:** To receive certification an organization must have a clearly defined geographic service area. The service area can be an area larger than a single neighborhood but must be an area smaller than an entire state. CHDO must maintain a staffed, physical office location in the proposed service area that is open for business and accessible by potential program applicants during generally-accepted customary business hours. If you will be serving a special population the geographic boundaries and your service area must also be defined. Which of the following have you included to demonstrate that your organization has a clearly defined geographic service area?
   - ❑ Charter
   - ❑ By-laws signed by the board Secretary
   - ❑ Articles of Incorporation

Provided in Exhibit #_____(please specify Exhibit #)

5. **TAX EXEMPT RULING**: Your organization must have a tax-exempt ruling from the Internal Revenue Service (IRS), under section 501 (c) (3), 501 (c) (4) or a Section 905 of the Internal Revenue Code of 1986. Which of the following have you provided to indicate receipt of such a ruling?
   - ❑ A 501 (c) (3) Certificate Letter from the IRS
   - ❑ A 501 (c) (4) Certificate Letter from the IRS
   - ❑ A group exemption letter, that is dated 1986 or later, from the IRS that includes the agency seeking certification as a CHDO (acceptable for Section 905 organizations only)

Provided in Exhibit #_____(please specify Exhibit #)

II. ORGANIZATIONAL STRUCTURE

6. **BOARD COMPOSITION**: To be certified a CHDO, an organization must structure the board of directors to consist of **at least** one-third representatives of the low-income community and no more than one-third representatives of the public sector. These provisions and examples are as follows:
   a) An applicant organization must ensure that at all times **at least** one-third of its governing board consists of representatives of the low-income community. There are three ways to meet this requirement: 1) Individuals can be residents of a low-income neighborhood in the organization's service area (but do not necessarily have to earn a low income themselves), 2) they can be low-income residents of the community, or 3) they can be appointed representatives to the board from a low-income neighborhood association. Which of the following documents have you provided that demonstrate that the one-third requirement will be maintained?
      - ❑ Charter
      - ❑ By-laws signed by the board Secretary
      - ❑ Articles of Incorporation

Provided in Exhibit #_____(please specify Exhibit #)

   b) An organization's board of directors may consist of no more than one-third representatives of the public sector. Representatives of the public sector include: 1) ***elected officials*** such as council members, 2) ***appointed public officials*** such as planning or zoning commission, regulatory or advisory boards, 3) ***public employees*** which include employees of public agencies or departments of the City such as fire and police, and 4) any individual who is not necessarily a public official, but has been ***appointed by a public official*** to serve on the organization's Board of Directors. Which of the following have you provided that demonstrate that the one-third cap on public representation will be met?
      - ❑ Charter
      - ❑ By-laws signed by the board Secretary
      - ❑ Articles of Incorporation

(Under the HOME Program, "community" is defined as one or several neighborhoods or the city at large)

In order to verify that your **current board** meets both the low-income requirement and the limits on public- sector representation above, please complete the worksheet included as **Attachment B** to this application. In order to complete the worksheet, you will need to know whether the board member resides in a 'low-income' neighborhood or whether the board member qualifies as a low-income resident. An individual residing in a household earning **80%** of the area median family income or less meets the "low-income" designation. **Attachment E** provides the dollar amount of that income cap by family size. If you are uncertain as to whether the neighborhood your board

7. **LOW-INCOME INPUT**: To be certified a CHDO, an organization must provide a specific formal process for low-income program beneficiaries to advise the organization in all of its decisions regarding the design, location of sites, development and management of affordable housing projects. Specifically, a detailed plan for ensuring that input from low-income program beneficiaries will be solicited and integrated into the decision-making and project development processes of the organization. Which of the following has your organization provided, that detail the systems you will use to gather community involvement/input from those affected by your projects?
   - ❑ By-laws signed by the board Secretary
   - ❑ A Board Resolution, (written statement of operating procedures approved by the governing body).

Provided in Exhibit #_____(please specify Exhibit #)

III. RELATIONSHIP WITH OTHER ENTITIES

RELIGIOUS ORGANIZATION SPONSORSHIP:

8. Is your nonprofit organization sponsored or created by a religious organization?
   - ❑ Yes, (please continue with the following)
   - ❑ No, (if no, skip to # 9)

A religious organization cannot qualify as a CHDO, but they may sponsor the creation of a wholly secular nonprofit. The developed housing must be used exclusively for secular purposes. It must also be ensured that housing will be made available to all persons, regardless of religious affiliation or belief. The religious organization can appoint an unlimited number of board members to the housing organization's board, but the religious organization cannot control the housing organization. Which of the following has been provided to demonstrate that all of these provisions will be met in the operation of the organization?

- ❑ By-laws
- ❑ Charter
- ❑ Articles of Incorporation

Provided in Exhibit #_____(please specify Exhibit #) PUBLIC ENTITY SPONSORSHIP:

9. Was your organization chartered by a state or local government?
   - ❑ Yes, (please continue with the following)
   - ❑ No, (If no, skip to # 10)

The state or local government may not appoint more than one-third of the organization's governing body, and the board members appointed by the state or local government may not, in turn, appoint the remaining two-thirds of the board members. Which of the following has been provided that demonstrate compliance with these requirements?

- ❑ By-laws signed by the board Secretary
- ❑ Charter
- ❑ Articles of Incorporation

Provided in Exhibit #_____(please specify Exhibit #) FOR-PROFIT RELATIONSHIPS:

10. Is the nonprofit organization being sponsored by or was it created by a for-profit entity?
    - ❑ Yes, (please continue with the following, # 11-14)
    - ❑ No, (If no, skip to # 15)
11. A CHDO cannot be controlled by, nor receive direction from individuals or entities seeking profit from the organization. Which of the following has been provided to address compliance with this requirement?
    - ❑ By-laws signed by the board Secretary
    - ❑ A Memorandum of Understanding (MOU)

Provided in Exhibit #_____(please specify Exhibit #)

III. RELATIONSHIP WITH OTHER ENTITIES, Continued…

12. An organization may be sponsored or created by a for-profit entity, however; the for-profit entity's primary purpose may not include the development or management of housing. Please provide the following to evidence compliance:
    - ❑ The By-laws of the for-profit entity

Provided in Exhibit #_____(please specify Exhibit #)

13. The nonprofit organization is free to contract for goods and services from vendor(s) of its own choosing. Which of the following items has been provided to demonstrate that the nonprofit is free to do this?
    - ❑ By-laws signed by the board Secretary
    - ❑ Charter
    - ❑ Articles of Incorporation

Provided in Exhibit #_____(please specify Exhibit #)

14. If the nonprofit is sponsored by a for-profit entity, the for-profit entity may not appoint more than one-third of the organization's governing body, and the board members appointed by the for-profit entity may not, in turn, appoint the remaining two-thirds of the board members. Which of the following items has been provided to demonstrate that the nonprofit is free to do this?
    - ❑ By-laws signed by the board Secretary
    - ❑ Charter
    - ❑ Articles of Incorporation

Provided in Exhibit #_____(please specify Exhibit #)

IV. EXPERIENCE and CAPACITY

15. **FINANCIAL ACCOUNTABILITY**: The organization must have financial accountability standards that conform to 2 CFR 200 Subpart D, "Standards for Financial and Program Management", which is included as **Attachment A** to this application. These standards are a variation on OMB Circular A-133 but are an updated version to that circular. The organization must certify that its financial management and internal controls comply with this specific standard. Which of the following have you provided to evidence compliance with this federal requirement?
    - ❑ A notarized statement by the Treasurer or Chief Financial Officer of the organization
    - ❑ Certification from a Certified Public Accountant
    - ❑ HUD approved audit summary

Provided in Exhibit #_____(please specify Exhibit #)

16. **AUDIT REQUIREMENT:** The City of Dallas requires that your organization submit audited financial statements for the organization's most recent program year. The audits financials should include all components conducted, including any A-133 analysis of compliance with federal grants, analysis of internal controls, letter to the Board of Directors or management letters. If your organization does not have audited financial statements because it has been operating for less than one year, you must submit the audited financial statements of the parent or sponsor organization, along with your organization's current unaudited financial statements.

Provided in Exhibit #_____(please specify Exhibit #)

NOTE: No nonprofit organization shall be certified as a CHDO if the organization's most recent audit reflects an outstanding finding, material weakness or other unresolved matter, which would prevent the City of Dallas from certifying the capacity of that organization to successfully develop a CHDO project.

17. **EXPERIENCE:** To become a certified CHDO, the organization must demonstrate a capacity for carrying out housing projects assisted with HOME funds. A designated organization undertaking development activities as a developer or sponsor must satisfy this requirement by having paid employees with housing development experience who will work on projects assisted with HOME funds or by contract with a consultant who has housing development experience to train appropriate key staff of the organization. The organization must have ***at least*** one year of experience serving the community where the housing to be assisted with HOME funds is to be located. The year of service does **not** have to be directly related to housing. Newly created organizations wishing to become CHDOs can meet the requirement if the parent (or sponsoring) organization is a nonprofit and has provided services to the community for at least one year. These are the two forms in which capacity may be documented and accepted. Which of the two have you provided to demonstrate compliance with this requirement?
    - ❑ A statement signed by the Executive Director that documents at least **1** year of experience serving the community prior to seeking CHDO certification plus details the type of service provided; and have paid employees or a consultant with housing development experience working on projects assisted with HOME funds **OR**,
    - ❑ A statement signed by the Executive Director that documents that its parent or sponsoring organization has at least **1** year of experience serving the community prior to seeking CHDO certification plus details the type of service provided; and have paid employees or a consultant with housing development experience working on projects assisted with HOME funds

Provided in Exhibit #_____(please specify Exhibit #)

17a. **3-Year Business Plan:** To be eligible for CHDO designation, an organization must also have established a minimum 3-year strategic business plan, which must include CHDO- related production and community involvement goals.

Provided in Exhibit #_____(please specify Exhibit #)

18. **PROJECT DETAIL:** As a next step toward assessing your organization's capacity, please provide the following information about the type of project(s) your organization is currently developing or expects to develop in the next 6 months:

NUMBER OF UNITS IN FIRST PROJECT:_

BUILDING TYPE:	EXPECTED USE:	CONCENTRATION:	CONSTRUCTION ACTIVITY
❑ Single Family buildings	❑ Rental ❑ Homeownershi	❑ Single Site ❑ Scattered Site	❑ Acquisition ❑ New Construction

FOR RENTAL ONLY:	FOR HOMEOWNERSHIP ONLY:
❑ CHDO will do Property Management	❑ CHDO will do Homeownership Counseling
❑ CHDO will contract out for Property Management	❑ CHDO will work with established Homeownership Counseling or replace

Additional comments about the project?

19. **STAFF AND CAPACITY**: To be certified as a CHDO, the organization must have paid staff *. HUD defines CHDO staff as paid employees who are responsible for the day-to-day operations of the CHDO; this does not include volunteers, board members or consultants. Additionally, the organization must demonstrate the capacity of its key staff to carry out the activities it is planning to undertake. Specifically, the key staff who will be responsible for the project must have successfully completed projects **similar to those the organization expects to undertake**. Please submit the following to evidence staff capacity:
    - ❑ Resumes of key staff members who have successfully completed projects similar to that being proposed, (include project descriptions of relevant completed projects)

Provided in Exhibit #_____(please specify Exhibit #)

** HUD's Definition of a paid employee is a person whose salary, payroll taxes, and unemployment insurance are paid by the organization and from whom the organization withholds payroll and income taxes. Receipt of a W-2 is sufficient evidence that an individual is a 'paid employee'. The employee must be paid by the CHDO and, therefore cannot be contracted through, shared with, or cost-allocated through another entity. Employees of a for-profit organization that created a CHDO cannot also be employees of that CHDO.*

Please submit a roster of the organizations current board composition and their positions on the board.
Please describe the organization's current staffing by completing **Attachment C**

PLEASE REVIEW THE FOLLOWING CHECKLIST TO BE SURE YOUR APPLICATION SUBMISSION INCLUDES ALL OF THE ITEMS LISTED BELOW:

- ❑ All questions have been answered, exhibit numbers indicated, and the Executive Director has signed the certification statement on page one.
- ❑ Attachment B, Board information has been completed for every board member and is enclosed.
- ❑ Attachment C, Staff information has been completed for every staff person and is enclosed.
- ❑ All exhibits referenced in the application are numbered and enclosed.

Thanks very much for applying for CHDO Certification with the City of Dallas's Housing and Neighborhood Revitalization Department. We will work diligently to provide you with a quick response to your application.

ATTACHMENT A TO CHDO CERTIFICATION APPLICATION
HUD–Required Standards for Financial Management and Internal Controls

Code of Federal Regulations, Title 2, Volume 200, Parts 302 and 303
Revised as of December 19, 2014
From the U.S. Government Printing Office via GPO Access
[CITE: 2CFR200.302, 2CFR200.303], Page 107-108
TITLE 2-- GRANTS AND AGREEMENTS
Subpart D--Post Federal Award Requirements
Sec. 200.302-- **Financial management.**

(a) Each state must expend and account for the Federal award in accordance with state laws and procedures for expending and accounting for the state's own funds. In addition, the state's and the other non-Federal entity's financial management systems, including records documenting compliance with Federal statutes, regulations, and the terms and conditions of the Federal award, must be sufficient to permit the preparation of reports required by general and program specific terms and conditions; and the tracing of funds to a level of expenditures adequate to establish that such funds have been used according to the Federal statutes, regulations, and the terms and conditions of the Federal award. See also §200.450 Lobbying.

(b) The financial management system of each non-Federal entity must provide for the following (see also §§ 200.333 Retention requirements for records, 200.334 Requests for transfer of records, 200.335 Methods for collection, transmission and storage of information, 200.336 Access to records, and 200.337 Restrictions on public access to records):

(1) Identification, in its accounts, of all Federal awards received and expended and the Federal programs under which they were received. Federal program and Federal award identification must include, as applicable, the CFDA title and number, Federal award identification number and year, name of the Federal agency, and name of the pass-through entity, if any.

(2) Accurate, current, and complete disclosure of the financial results of each Federal award or program in accordance with the reporting requirements set forth in §200.327 Financial reporting and 200.328 Monitoring and reporting program performance. If a Federal awarding agency requires reporting on an accrual basis from a recipient that maintains its records on other than an accrual basis, the recipient must not be required to establish an accrual accounting system. This recipient may develop accrual data for its reports on the basis of an analysis of the documentation on hand. Similarly, a pass-through entity must not require a subrecipient to establish an accrual accounting system and must allow the subrecipient to develop accrual data for its reports on the basis of an analysis of the documentation on hand.

(3) Records that identify adequately the source and application of funds for federally-funded activities. These records must contain information pertaining to Federal awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and be supported by source documentation.

(4) Effective control over, and accountability for, all funds, property, and other assets. The non-Federal entity must adequately safeguard all assets and assure that they are used solely for authorized purposes. See §200.303 Internal controls.

(5) Comparison of expenditures with budget amounts for each Federal award.

(6) Written procedures to implement the requirements of §200.305 Payment.

(7) Written procedures for determining the allowability of costs in accordance with Subpart E—Cost Principles of this part and the terms and conditions of the Federal award.

ATTACHMENT A TO CHDO CERTIFICATION APPLICATION
HUD–Required Standards for Financial Management and Internal Controls

Code of Federal Regulations, Title 2, Volume 200, Parts 302 and 303
Revised as of April 1, 2000
From the U.S. Government Printing Office via GPO Access
[CITE: 2CFR200.302, 2CFR200.303], Page 107-108
TITLE 2-- GRANTS AND AGREEMENTS
Subpart D--Post Federal Award Requirements
Sec. 200.303-- **Internal controls.**
The non-Federal entity must:

(a) Establish and maintain effective internal control over the Federal award that provides reasonable assurance that the non-Federal entity is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. These internal controls should be in compliance with guidance in ‘‘Standards for Internal Control in the Federal Government’’ issued by the Comptroller General of the United States or the ‘‘Internal Control Integrated Framework’’, issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).

(b) Comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.

(c) Evaluate and monitor the non-Federal entity’s compliance with statutes, regulations and the terms and conditions of Federal awards.

(d) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.

(e) Take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive or the non-Federal entity considers sensitive consistent with applicable Federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

CHECK THE APPROPRIATE BOX BELOW:

		Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.	
	Yes							Included
hone:	No							N/A
	Additional Comment:							

		Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.	
	Yes							Included
hone:	No							N/A
	Additional Comment:							

		Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.	
	Yes							Included
hone:	No							N/A
	Additional Comment:							

		Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.	
	Yes							Included
hone:	No							N/A
	Additional Comment:							

PLEASE CHECK THE APPROPRIATE BOX BELOW:

		Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.	
	Yes							Included
hone:	No							N/A
	Additional Comment:							

		Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.	
	Yes							Included
hone:	No							N/A
	Additional Comment:							

		Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.	
	Yes							Included
hone:	No							N/A
	Additional Comment:							

		Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.	
	Yes							Included
hone:	No							N/A
	Additional Comment:							

PLEASE CHECK THE APPROPRIATE BOX BELOW:

		Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.	
	Yes							Included
hone:	No							N/A
	Additional Comment:							

		Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.	
	Yes							Included
hone:	No							N/A
	Additional Comment:							

		Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.	
	Yes							Included
hone:	No							N/A
	Additional Comment:							

		Elected or appointed Public Official?	Public Employee?	* Low-income resident of the community?	Resident of the low-income neighborhood in service area?	Elected rep of low-income neighborhood organization?	* NOTE: If a low-income resident, provide a signed statement from the individual confirming that their income is below 80% MFI for their family size.	
	Yes							Included
hone:	No							N/A

ATTACHMENT C
Staff Member Information
(Please make additional copies as needed to include *all* staff members)

PLEASE NOTE: A paid employee is a person whose salary, payroll taxes, and unemployment insurance are paid by the organization and from whom the organization withholds payroll and income taxes. Receipt of a W-2 is sufficient evidence that an individual is a 'paid employee'. The employee must be paid by the CHDO and, therefore cannot be contracted through, shared with, or cost-allocated though another entity. Employees of a for-profit organization that created a CHDO cannot also be employees of that CHDO.

STAFF INFORMATION:

Name:		Please indicate if this position is:
Title:		❑ Paid Unpaid
Position:		
Hours of work:		Resume Included?
Duties and Responsibilities		Yes No (Required)

Name:		Please indicate if this position is:
Title:		Paid Unpaid
Position:		
Hours of work:		Resume Included?
Duties & Responsibilities		Yes No (Required)

Name:		Please indicate if this position is:
Title:		Paid Unpaid
Position:		
Hours of work:		Resume Included?
Duties & Responsibilities		Yes No (Required)

ATTACHMENT D TO CHDO CERTIFICATION APPLICATION

City of Dallas

Community Housing Development Organization

CERTIFICATION REQUIREMENTS

To be certified as a Community Housing Development Organization (CHDO), an organization must meet the minimum certification criteria as required by the U.S. Department of Housing and Urban Development. Additionally, the organization must comply with the following policies in order to receive CHDO certification from the Housing and Neighborhood Revitalization Department (HNR).

NO DISTRIBUTIONS

An applicant organization's charter or the articles of incorporation must specify that no net earnings of the corporation can inure to the benefit of any member, founder, contributor or individual. All net income must be reinvested in the projects developed by the organization or in subsequent affordable housing projects.

BOARD COMPENSATION

Board members may receive a reasonable fixed sum and expenses for each board meeting he/she attends. However, board members cannot receive a salary for their service as a board member. For HNR staff to verify the reasonableness of compensation, CHDO applicants are required to submit all financial statements and, upon request, any other documents necessary for HNR to verify the amount of compensation provided to board members and the services for which the sum was paid.

SPONSORSHIP OR CREATION BY A RELIGIOUS ORGANIZATION

A religious organization cannot become a CHDO but can create a wholly secular nonprofit housing organization. The sponsoring organization can appoint an unlimited number of board members to the board of the housing organization. Beyond that, however, the housing organization cannot be controlled by the religiously-based sponsor organization. That is, the housing organization must be free to select its projects, to procure its goods, services and financing, and to otherwise operate the organization without influence or intervention by the religiously based sponsor. Additionally, the housing developed by the housing organization must be made available to all persons, regardless of religious belief or affiliation. The by-laws of the housing organization must include language that ensures compliance with all of the above requirements.

REPRESENTATIONS AND WARRANTIES

Any applicant who submits fabricated information, documentation or signatures as part of or along with its CHDO application, or any applicant who misrepresents any aspect of the board, staff or organizational accomplishments, experience or expertise shall be disqualified from the CHDO certification process for a period of **1** year. The **1**-year disqualification period will begin at the time the misrepresentation is made by the HNR Department and is reported in writing by HNR staff to the applicant organization. If an applicant believes the HNR determination of misrepresentation is in error, the applicant organization may appeal the decision in writing to the Director of the Housing and Neighborhood Revitalization.

AUDIT

The Housing and Neighborhood Revitalization Department requires that your organization submit audited financial statements for the organization's most recent program year. If your organization does not have audited financial statements because it has been operating for less than one year, you must submit the audited financial statements of the parent or sponsor organization, along with your organization's current unaudited financial statements. No nonprofit organization shall be certified as a CHDO if the organization's most recent audit has an outstanding finding, material weakness or other unresolved matter which would prevent the Housing and Neighborhood Revitalization from certifying the capacity of that organization to successfully develop a CHDO project. The audit will also be used in assessing the organization's financial capacity for executing the affordable housing activities it intends to pursue.

VERIFICATION OF COMPLIANCE WITH BYLAWS

As part of the certification process, the Housing and Neighborhood Revitalization may do all necessary due diligence to verify that the operations of an applicant organization are being conducted in keeping with the by-laws submitted in the CHDO Certification application.

City of Dallas, Housing and Neighborhood Revitalization Department
1500 Marilla Street, Dallas, Texas 75201
(214) 670-5988 Fax (214) 670-0156
www.dallascityhall.com/departments/housing-neighborhood-revitalization

ATTACHMENT E TO CHDO CERTIFICATION APPLICATION
HUD Income Limits by Household Size Effective Date: April 14, 2017

FY 2017 Area Median Family Income Dallas, Texas
$73,400 (4-person household)

Number of Persons in Households Eligibility Standard	1	2	3	4	5	6	7	8	9
80%[1]	$41,100	$47,000	$52,850	$58,700	$63,400	$68,100	$72,800	$77,500	$82,200
67%	$34,425	$39,342	$44,260	$49,178	$53,112	$57,046	$60,981	$64,915	$68,849
65%	$33,397	$38,168	$42,939	$47,710	$51,527	$55,344	$59,160	$62,977	$66,794
60%	$30,828	$35,232	$39,636	$44,040	$47,563	$51,086	$54,610	$58,133	$61,656
50%[1]	$25,700	$29,400	$33,050	$36,700	$39,650	$42,600	$45,500	$48,450	$51,400
30%[1]	$15,400	$17,600	$19,800	$22,000	$23,800	$25,550	$27,300	$29,050	$30,850
Size adjustment:	70%	80%	90%	100%	108%	116%	124%	132%	140%

[1]Income for the 80%, 50% and 30% categories are HUD's estimated figures rounded to the nearest $50.

CHDO Certification Application, **Attachment E**, MFI Chart

ATTACHMENT F TO CHDO CERTFICATION APPLICATION

Community Housing Development Organization
SELF-CERTIFICATION FORM

For the purpose of determining income eligibility, I,_(print name), do hereby understand that in order to qualify as a representative of the low-income community, my total household income cannot exceed **80%** of the Median Family Income for the Dallas area as established by the Federal Government. Currently, the amounts are:
HUD Income Limits by Household Size
Effective Date: April 14, 2017
2017 Area Median Family Income for Dallas, Texas

1 PERSON	**2 PERSON**	**3 PERSON**	**4 PERSON**	**5 PERSON**	**6 PERSON**	**7 PERSON**	**8 PERSON**
$41,100	$47,000	$52,850	$58,700	$63,400	$68,100	$72,800	$77,500

The following is a list of all persons who are currently occupying this household:

Name	**Age**	**Relationship**	**Gross Monthly Income** (Before Taxes)

Signature Date

WARNING: Title 18, Section 1001 of the U.S. Code states that a person is guilty of a felony for knowingly and willingly making false or fraudulent statements to any department of the United States Government.

FOR CITY STAFF ONLY:

Based on the information provided above, the information has been verified by HNR Staff to reflect that the person named above

☐ **DOES** ☐ **DOES NOT**

qualify as a representative of the low-income community as defined by HUD.

HNR Staff Name: _____ Date: _____

CHDO Certification Application, **Attachment F**, CHDO Board Self-Certification Form

APPENDIX 6
Recapture/Resale Requirements for Homebuyer Activities

To ensure that HOME investments yield affordable housing over the long term, HOME regulations impose occupancy requirements over the length of an affordability period. If a house purchased with HOME funds is sold during the affordability period, recapture or resale provisions as per 24 CFR 92.254 shall apply to ensure the continued provision of affordable homeownership.

Definitions

Affordability Period: Occupancy restrictions for varying lengths of time for those homeowners assisted with HUD HOME funds. The affordability period affects the terms of the resale/recapture of the property if sold during the affordability period.

HOME Affordability Periods	
HOME subsidy/unit	Minimum Period of Affordability in Years
Under $15,000	5
$15,000 to $40,000	10
Over $40,000	15

Direct Homebuyer Subsidy: A direct subsidy consists of any financial assistance that reduces the purchase price from fair market value to an affordable price, or otherwise directly subsidized the purchase (e.g., down payment or closing cost assistance, subordinate financing, etc.).

Development subsidy: A development subsidy is the difference between the cost to develop housing and the market price. For example, the PJ might provide a $50,000 construction loan to a developer. The appraised value after construction will be $45,000 because of neighborhood and the market conditions. The $5,000 difference between the $45,000 sale price and $50,000 construction loan is not repaid to the PJ and represents a development subsidy provided to the developer. While the subsidy does not go directly to the homebuyer, it helps make development of an affordable home feasible.

Summary of Provisions for the City of Dallas by Subsidy Type:		
Direct Homebuyer Subsidy (DHS)	**DHS + Development Subsidy**	**Development Subsidy**
Recapture provisions shall apply	Recapture provisions shall apply	Resale provisions shall apply

Net Proceeds: The sales price minus loan repayment (other than HOME funds) and closing costs.

Recapture Requirements

Pursuant to HOME regulations at 24 CFR 92.254(a)(5) each HOME-funded homebuyer unit must be subject to either resale or recapture requirements during the affordability period. The City of Dallas exclusively uses the recapture provisions as defined herein and does not intend to use resale restrictions.

The City of Dallas provides HOME-funded direct buyer assistance to income eligible buyers based on need as dictated by the City of Dallas Homebuyer Assistance Program Underwriting Guidelines.

The level of HOME assistance provided to a buyer is based on an evaluation of the buyer's individual need taking into account their specific income, debts, etc. according to the City's underwriting policies for homebuyer assistance. Depending on the level of homebuyer assistance provided, the affordability period may be five (5) years (less than $15,000 in direct assistance), ten (10) years ($15,000 or more but less than $40,000 in direct assistance), or fifteen (15) years ($40,000 or more in direct assistance). Based on the City's program design, most projects trigger a 5- or 10-year affordability period.

All buyers sign a HOME written agreement with the City outlining the affordability period and recapture provisions. HOME assistance is provided in the form of a deferred loan secured by a second-position deed of trust which is due and payable upon sale or transfer of title. In the event buyers remain in the unit beyond the end of the affordability period, the HOME loan remains outstanding until sale or transfer of title while the term of the HOME written agreement expires.

Any sale or transfer of title during the affordability period results in recapture by the City of the lesser of the:

a) Entire amount of direct HOME assistance originally provided to the buyer (less any voluntary prepayments previously made); or
b) Net proceeds of sale (sales price minus senior secured debt minus reasonable seller's closing costs).

When the net proceeds are inadequate to fully repay the City's HOME loan, the City accepts the net proceed as full and final payoff of the note. The City reserves the right to determine that the sales price reflects an arms-length transaction at fair market value. Receipts received as a result of a sale within the affordability period are recorded as "recaptured funds." When net sales proceeds exceed the HOME assistance, buyers retain all remaining net proceeds after repaying the HOME loan balance.

After the expiration of the affordability period, any sale or transfer requires the HOME loan balance be repaid, and the City similarly limits the payoff to the net proceeds of sale. Receipts collected after the affordability period has expired are recorded as "program income." Net proceeds in excess of the City's HOME loan balance are retained by the original homebuyer.

Resale Requirements

The City of Dallas shall require that Resale provisions be used in the event that only a Development Subsidy is used to make the home affordable (i.e. funding construction to the developer). In a project where both Development and Direct subsidies are provided, recapture provisions apply.

Resale provisions require the homeowner to sell to another low-income homebuyer. The resale requirement must ensure that the price at resale provides the original HOME-assisted owner a fair return on investment and ensure that the housing will remain affordable to a reasonable range of low-income homebuyers as defined below:

Affordable to range of low-income homebuyers (As it relates to the Resale Provision only): That which is affordable to a family earning 80% AMI and below and that who not pay any more than 30% their gross income for PITI (Principle, Interest, Tax, and Insurance).

Fair Return on Investment (As it relates to the Resale Provision only): A Homeowner can sell the home during the affordability period according to the following chart:

Fair Return on Investment (as it relates to Resale Provision only)		
Years	**Lower Range**	**Max Limit**
Year 1-5 of Affordability Period	A Homeowner can sell the home during the affordability period for no more than 15% over DCAD's most recent appraisal value	Current (as of date of sale) Affordable Home Price as set forth in the City of Dallas Housing Policy
Year 6-15 of Affordability Period	No Cap on appreciation rate	Current (as of date of sale) Affordable Home Price as set forth in the City of Dallas Housing Policy

Homeownership projects undertaken using the resale provision shall use deed restrictions, covenants running with land, or other similar mechanisms per 92.254(a)(5)(i)(A) to ensure the resale requirements. The period of affordability specified in the mortgage will be the minimum period for the project as specified above. The period of affordability is based on the total amount of HOME funds invested in the housing.

Either recapture or resale provisions must be detailed and outlined in accordance with 24 CFR in marketing brochures, written agreements and all legal documents with homebuyer. Either recapture or resale may be used within a project, not both. Combining provisions to create "hybrids" is not allowed.

APPENDIX 7
City of Dallas Affirmative Fair Housing Marketing Policy

The Affirmative Fair Housing Marketing (AFHM) Plan is a marketing strategy or approach designed to attract renters and buyers that would be least likely to apply to assisted multi- family or single-family developments. The City of Dallas requires that all recipients and sub-recipients of HOME, CDBG or NSP funds, for all projects resulting in five (5) or more assisted housing units, implement affirmative marking approaches as part of the overall marketing strategy. To market affirmatively means that a good faith effort is made to attract to a project those minority or majority groups who are least likely to apply or are underrepresented in a neighborhood or community. Good faith efforts are recorded activities and documented outreach to those individuals identified as least likely to apply. Affirmative marketing requirements apply to all housing programs, including, but not limited to Tenant- Based Rental Assistance and Down Payment Assistance Programs.

The City of Dallas is committed to affirmatively market to such groups and requires that recipients of HOME/CDBG funds to submit an AFHM Plan using HUD Form 935.2B for single- family developments and HUD Form 935.2A for multi-family developments, prior to expending any funds on a project.

In developing an Affirmative Marketing Plan, the recipient/managing agent shall abide by the following:

I. Regulations

HOME: The recipient/managing agent shall adopt the affirmative marketing procedures and requirements as specified in the HOME Final Rule 92.351 for all projects resulting in five (5) or more HOME-assisted housing units.

CDBG: The Housing and Community Development Act of 1974, as amended, requires from each federal grantee, through the Consolidated Plan certify the following:

(1) Examine and attempt to alleviate housing discrimination with their jurisdiction;
(2) Promote fair housing choice for all persons;
(3) Provide opportunities for all persons to reside in any given housing development, regardless of race, color, religion, sex, disability, familial status, or national origin;
(4) Promote housing that is accessible to and usable by persons with disabilities;
(5) And comply with non-discrimination requirements of the Fair Housing Act.

II. Policy on Nondiscrimination and Accessibility

The recipient/managing agent shall not discriminate against any individual or family because of race, color, national origin, religion, gender, disability, familial status, sexual orientation, gender identity or expression or source of income (disability, child support, spousal support or veteran's income or voucher). Reasonable accommodations will be offered to all disabled persons who request accommodations due to disability at any time during the application, resident selection and rent up process.

III. Training

1. The recipient/managing agent shall provide property management staff with all relevant regulations and Fair Housing provisions. All property

management staff shall be required to follow the procedures and policies adopted by the recipient/managing agent. In the event that property management staff requires fair housing technical assistance, staff is to call the **City of Dallas Office of Fair Housing and Human Rights 214-670-FAIR (3247).**

2. Regular training programs shall including marketing, outreach, data collection, reporting, and record keeping. Property management staff shall annually receive instruction regarding fair housing laws and the recipient/managing agent's Affirmative Marketing Plan.

IV. Marketing and Outreach

1. All advertising shall display the Equal Housing Opportunity logo or the phrase "Equal Housing Opportunity" and the accessibility logo when appropriate, as shown below:





2. Consistent with resident population the development is designed to serve, the marketing of the project will ensure equal access to appropriate size units for all persons in any category protected by federal, state, and local laws governing discrimination. There will be no local residency requirements nor will preference be given to local residents for the project. Special marketing outreach consideration shall be given to the following traditionally underserved populations:
    a. African-Americans
    b. Native Americans
    c. Hispanics
    d. Asians and Pacific Islanders
    e. Disabled Persons

3. Marketing shall include the use of newspapers of general circulation in Dallas, The recipient/managing agent will place notices in newspapers, specialized publications, and newsletters to reach potential residents. Applications, notices and all publications will include a Fair Housing and Equal Opportunity Logo, and the Accessibility Logo.

4. The recipients/managing agent will contact local civic and community organizations representative of the ethnic and cultural diversity of the area in order to disseminate information about the development. Groups representing disabled and elderly individuals will be contacted. Where necessary, recipient/managing agent will publish its marketing

materials in multiple languages and alternate formats as requested in order to better reach potential recipients and sub-recipients in the area with language limitations.

V. Race and Ethnic Data Collection and Reporting

An applicant shall be given an application package containing the following: Application, Income Requirements and form HUD-27061-H "Race and Ethnic Data Reporting Form." The recipient/managing agent is required to offer each household member the opportunity to complete the form. Parents or guardians are to complete the form for children under the age of 18. Completed documents for the entire household shall be stapled together and place in the household's file.

VI. Compliance Assessment

1. The recipient/managing agent will review the Affirmative Marketing Plan every year and update as needed to ensure compliance. The advertising sources will be included in the review to determine if past sources should be changed or expanded.

2. The recipient/managing agent will annually assess the success of affirmative marketing actions for the project. If the demographic data of the residents vary significantly from the jurisdiction's population data, advertising efforts and outreach will be targeted to underrepresented groups in an attempt to balance the residents with the demographics of the jurisdiction. The recipient/managing agent shall submit any changes to the plan to the Fair Housing Office.

VII. Record Keeping

1. The assigned recipient/managing agent shall establish and maintain an Affirmative Marketing file to hold advertisements, flyers, and other public information documents to demonstrate that the appropriate logo and language have been used. Additionally, staff shall keep records of its activities in implementing the affirmative marketing plan, including other community outreach efforts and its annual analysis.

2. Recipient/managing shall keep up-to-date records based on census data, applications, and surveys about community residents, recipients and sub-recipients, residents of the project, and records about tenant selection or rejection.

3. The recipient/managing agent shall provide City staff provide City staff access to any pertinent books, documents, papers or other records of their properties, as necessary, for determining compliance with civil rights and nondiscrimination requirements.

APPENDIX 8
Residential Anti-Displacement and Relocation Assistance Plan (RARAP)

This Residential Anti-Displacement and Relocation Assistance Plan (RARAP) is prepared by the City of Dallas Housing & Neighborhood Revitalization Department (City) in accordance with the Housing and Community Development Act of 1974, Section 104(d) as amended and HUD regulations at 24 CFR 42.325 and is applicable to CDBG, CDBG-R, Section 108 Loan Guarantee Program, NSP and/or HOME-assisted projects.

Plan to Minimize Displacement of Low/Mod-Income Families as a Result of Any HUD Assisted Activities

Consistent with the goals and objectives of activities assisted under the Act, the City will take the following steps to minimize the direct and indirect displacement of persons from their homes:

- Coordinate code enforcement with rehabilitation and housing assistance programs.
- Support the Redevelopment and Stabilization Target Areas through this policy
- Ensure the staging of rehabilitation of apartment units to allow tenants to remain in the building/complex during and after the rehabilitation, working with empty units first.
- Ensure for the arrangement of facilities to house persons who must be relocated temporarily during rehabilitation.
- Identify and mitigate displacement resulting from intensive public investment in neighborhoods.
- Provide reasonable protections for tenants faced with conversion to a condominium or cooperative.
- Where feasible, give priority to rehabilitation of housing, as opposed to demolition, to avoid displacement.
- If feasible, allow for demolition or conversion of only dwelling units that are not occupied or vacant occupied dwelling units (especially those units which are “lower- income dwelling units” (as defined in 24 CFR 42.305).
- Target only those properties deemed essential to the need or success of the project.

Relocation Assistance to Displaced Persons

The City will ensure relocation assistance for lower-income tenants who, in connection with an activity assisted under the above-mentioned Programs, move permanently or move personal property from real property as a direct result of the demolition of any swelling unit or the conversion of lower-income dwelling unit in accordance with the requirements of 24 CFR 42.350.

A displaced person who is not a lower-income tenant, shall be provided relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970m Section 104(d) as amended, and implementing regulations at 49 CFR Part 24.

One-for-One Replacement of Lower-Income Dwelling Units
The City will ensure replacement of all occupied and vacant occupied lower-income dwelling units demolished or converted to use other than lower-income housing in connection with a project assisted with funds provided under the above-mentioned programs in accordance with 24 CFR 42.375.

Before entering into a contract committing the City to provide funds for a project that will directly result in demolition or conversion of lower-income dwelling units, the City will ensure publication of such project in a newspaper of general circulation and submit to HUD the following information in writing:

1. A description of the proposed assisted project;

2. The address, number of bedrooms, and location on a map of lower-income dwelling units that will be demolished or converted to a use other than as lower-income dwelling units as a result of assisted project;

3. A time schedule for the commencement and completion of the demolition or conversions;

4. To the extent known, the address, number of lower-income dwelling units by size (number of bedrooms) and location on a map of the replacement lower-income housing that has been or will be provided. NOTE: See also 24 CFR 420.75(d).

5. The source of funding and a time schedule for the provision of the replacement dwelling units;

6. The basis for concluding that each replacement dwelling unit will remain a lower- income dwelling unit for at least 10 years from the date of initial occupancy; and

7. Information demonstrating that any proposed replacement of lower0income dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1- bedroom units), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the HUD-approved Consolidated Plan and 24 CFR 42.375(b).

To the extent that the specified location of the replacement dwelling units and other data in items 4 through 7 are not available at the time of the general submission, the general location of such dwelling units will be identified on a map and the City will ensure that the disclosure and submission requirements are completed as soon as the specific data is available.

Replacement not required Based on Unit Available
Under 24 CFR 42.375(d), the City may submit a request to HUD for a determination that the one-for-one replacement requirement does not apply based on objective data that there is an adequate supply of vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within the area.

Responsible Entity

The City is responsible for tracking the replacement of lower income dwelling units and ensuring that they are provided within the required period. This City will also ensure that relocation payments and other relocation assistance are provided to any lower-income person displaced by the demolition of any dwelling unit or the conversion of lower-income dwelling units to another use.

APPENDIX 9
Other Federal Requirements

Other Federal Requirements	Apply to Owner Occupied Rehabilitation?	Apply to Homebuyer Programs?	Applies to Rental Housing Programs?
Non-Discrimination and Equal Access Rules			
Fair Housingand Equal Opportunity	Yes. Must affirmatively further Fair Housing	Yes	Yes.
Affirmative Marketing	Yes.	Yes, for all projects of five or more HOME-assisted units.	Yes; for projects containing five or more Home-assisted units.
Accessibility for Disabled Persons	Accessibility features must be part of rehabilitation, if needed by owner/occupant and the overall unit is brought up to the PJ's property standard. (Note: Accessibility improvements are eligible costs.)	Yes.	Yes.
Employment and Contracting Rules			
Equal Opportunity Employment	Yes.	Yes.	Yes.
Section 3 Economic Opportunity		Yes, if amount of assistance exceeds $200,000 or contract ***or*** subcontract exceeds $100,000.	Yes, if amount of assistance exceeds $200,000 or contract ***or*** subcontract exceeds $100,000.
Minority/Women Business Enterprises	No.	Yes.	Yes.
Davis-Bacon & other Labor	No.	Yes, if construction contract includes 12 or more units that are HOME-assisted	Yes, if construction contract includes 12 or more units that are HOME-assisted
Conflict of interest	Yes.	Yes.	Yes.
Excluded Parties (e.g., Debarred Contractors)	Yes.	Yes	Yes.
Other Federal Requirements			
Environmental Reviews	Yes.	Yes	Yes.
Flood Insurance	Yes for PJs that are cities/counties. No for State programs.	Yes if city or county. No if state program	Yes for PJs that are cities/counties. No for State PJs.

Site and Neighborhood Standards	No.	No.	Yes; for rental new construction only
Lead-Based Paint	Yes for pre-1978 units	Yes for pre-1978 units.	Yes for rehabilitation of pre-1978 units. Applies to HOME and non-HOME assisted units. Requirements differ depending on whether rehabilitation work is performed.
Relocation	Yes.	Yes	Yes.

APPENDIX 10
Lead-Based Paint Requirements

This portion of the manual outlines the requirements in relation to Lead-Based Paint.

The U.S. Department of Housing and Urban Development recently adopted new regulations in relation to the treatment of Lead Based Paint in properties built before 1978 that are assisted with HUD funding. The requirements are outlined below based on the activity undertaken. To obtain a copy of the rules from HUD, go to the HUD website at: www.hug.gov/lead and download the regulation.

The section does not outline the City programs that are available to provide financial assistance in relation to lead abatement. Please note, however that any financial assistance provided by the City to address lead based paint will be in the form of a GRANT to the homeowner to developer.

Down-payment Assistance Programs:

The following are HUD's requirements See 24 CFR part 35 (subpart K):

- Distribute Lead Hazard Information Pamphlet and Disclosure to buyers of homes built prior to 1978.
- Perform Visual Assessment of all painted surfaces.
- If Visual Assessment reveals deteriorated paint, action must be taken to stabilize each deteriorated paint surface.
  -At this point, one will have to assume every component has lead since the Visual Assessment does not determine where lead is present. Safe work practices must be used by trained worker in this field. Paint stabilization works will on non-friction surfaces such as walls (interior/exterior). When dealing with friction points such as windows and doors, abatement procedures (removal, replacement, enclosure) are recommended.
- After paint stabilization, clearance must be performed by a certified Risk Assessor or Lead Inspector. HUD has established lead levels that meet clearance requirements.
- Notify the homebuyer within 15 days of results of clearance exam.

At the Visual Assessment Stage, the homebuyer *may opt* for a lead test. This will reveal the levels of lead present in the home. A lead inspection will not tell you the risk involved, but only where the leas is located. This is when a buyer may request a Risk Assessment to outline the necessary Lead Hazard Reduction methods needed to insure a lead safe residence.

Following are some options (NOT REQUIREMENTS) to consider in relation to your program design for down payment assistance programs:

- If the visual assessment reveals defective paint in which stabilization and clearance is required then this cost can be funded by the nonprofit or the homebuyer or seller.
- If visual assessment shows no deterioration of a painted surface, the homebuyer can sign a waiver stating that they are aware of the potential presence of lead paint and they choose not to address it.
- A qualified consultant should advise on any lead inspection, lead hazard screen or risk assessments.

For Rehabilitation Programs (Owner-Occupied, Homebuyer, and Rental Property Rehabilitation Programs and Historic Preservation Residential Programs):

See 24 CFR Part 35 (subpart J)

If you are implementing a rehabilitation program, HUD's requirements are a bit more stringent in relation to lead based paint. The following describes HUD's requirements:

For HUD funded rehabilitation activities, lead hazard evaluation and reduction activities must be carried out for all projects constructed before 1978.

In all case, notification must be made to the homeowner/buyer in the form of the HUD Lead Hazard Information Pamphlet and Disclosure or an acceptable alternative pamphlet.

The required evaluation and reduction activity is dependent upon the amount of HUD funding used for the project.

For cases where less than or equal to $5,000 will be spent on the rehabilitation: *Testing:* Paint Testing of surfaces to be disturbed by the rehabilitation activities must occur.

Lead Hazard Reduction: Surfaces, which are disturbed during rehabilitation, must be re paired. Safe work practices must be used. After the rehabilitation activities are completed, clearance must be performed by a certified professional to ensure that units are safe.

For cases where $5,001 to $25,000 will be spent on the rehabilitation:
Testing: Paint testing of surfaces to be disturbed by rehabilitation must occur. In addition, a risk assessment must be performed.

Lead Hazard Reduction: Interim controls must be used. This means that the friction and impact surfaces would be addressed. Interim controls include paint stabilization and cleaning. Safe work practices must be used. After the rehabilitation activities are completed, clearance must be performed by a certified professional to ensure that units are safe.

For cases where more than $25,000 will be spent on the rehabilitation:
Testing: Paint testing of surfaces to be disturbed by rehabilitation must occur. In addition, a risk assessment must be performed.

Lead Hazard Reduction: abatement of hazards is the required approach. Abatement involves permanently removing lead based hazards, often through paint and component removal, replacement, encapsulation and enclosure. Interim controls and paint
stabilization may be used on the home's exterior if it is not involved in the rehabilitation. Safe work practices must be used. After the lead hazard reduction activities are completed, clearance must be performed by a certified professional to ensure that units are safe.

Calculating the level of rehabilitation assistance:
When calculating how much HUD funding will be used on a rehabilitation project, the following costs are counted: soft costs, administrative costs, relocation costs, environmental reviews, acquisition of property, and lead hazard evaluation and reduction costs.

Lead-Based Paint Requirements
For HUD funded rehabilitation activities, lead hazard evaluation and reduction activities must be carried out for all projects constructed before 1978.

Less than or equal to $5,000 spent on the rehabilitation:
Projects where the level of rehabilitation assistance is less than or equal to $5,000 per unit must meet the following requirements. All work must be conducted using lead safe work practices and workers/contractors must be trained in lead safe work practices. It is presumed that painted surfaces being worked on contain lead-based paint. All disturbed paint must be repaired. Clearance is required by a State of Texas Certified Risk Assessor or Inspector if paint is disturbed. Safe work practices are NOT required when lead hazard reduction activities do not disturb (De Minimis Levels) painted surfaces that total more than 20 sq ft on exterior surfaces, 2 sq ft in any one interior room, or space or 10% of the total surface on an interior or exterior type of component.

In addition, the following notices must be provided to owners:

- Lead Hazard Information pamphlet
- Notice of Presumption and
- The Notice of Lead Hazard Reduction

Where $5,001 to $25,000 spent on the rehabilitation:
A risk assessment is required to identify lead hazards and identified hazards must be addressed by interim controls. A risk assessment must be conducted by a qualified professional prior to rehabilitation to find lead-based paint hazards in assisted units, in common areas that service those units, and on exterior surfaces. The risk assessment must include paint testing of any surfaces to be disturbed by the rehabilitation. If the risk assessment identifies lead-based paint hazards, interim controls must be implemented to address lead-based paint hazards. Interim controls must be performed by qualified professionals using safe work practices. Clearance, conducted by a State of Texas Certified Risk Assessor or Inspector, is required when lead hazard reduction activities are complete.

In addition, the following notices must be provided to owners:

- Lead Hazard Information pamphlet
- Notice of Presumption and
- The Notice of Lead Hazard Reduction

Where more than $25,000 will be spent on the rehabilitation:
A risk assessment is required to identify hazards and any identified hazards must be abated by a qualified professional. A risk assessment must be conducted prior to rehabilitation to find lead- based paint hazards in assisted units, in common areas that service those units, and on exterior surfaces. The risk assessment must include paint testing of any surfaces to be disturbed by the rehabilitation.

To address hazards identified:

- Abatement must be conducted to reduce all identified lead-based paint hazards except those described below. Abatement must be conducted by a certified abatement contractor.

If lead-based paint hazards are detected during the risk assessment on the exterior surfaces that are not to be disturbed by rehabilitation, interim controls may be completed instead of abatement to reduce these hazards.

- Clearance is required when lead hazard reduction activities are complete.

In addition, the following notices must be provided to owners:

- Lead Hazard Information pamphlet
- Notice of Presumption and
- The Notice of Lead Hazard Reduction

	<$5,000	$5,000 to $25,000	>$25,000
Approach to Lead Hazard Evaluation and Reduction	Do no harm	Identify and control lead hazards	Identify and abate lead hazards
Notification	Yes	Yes	Yes
Lead Hazard Evaluation	Paint Testing	Paint Testing and Risk Assessment	Paint Testing and Risk Assessment
Lead Hazard Reduction	Repair surfaces disturbed during rehabilitation	Interim Controls	Abatement (Interim controls may be used on exterior surfaces not disturbed by rehabilitation

APPENDIX 11
Environmental Review Policy, Procedures, and Standards

For every project, an Environmental Review must be completed in accordance with 24 CFR Part 58 prior to executing an agreement with a sub-recipient, developer or CHDO. The City has developed the "Environmental Review Policy, Procedures, and Standards" document to outline the process and requirements of completing an Environmental Review.

APPENDIX 12
SECTION 3

All projects receiving an award of HOME funds must comply with HUD's Section 3 requirements. The purpose of Section 3 is to ensure that employment, training, contracting, and other economic opportunities generated by financial assistance from HUD shall, to the greatest extent feasible, and consistent with existing federal, state, and local laws and regulations, be directed to low- and very low-income persons, particularly those who are recipients of government assistance for housing, and to business concerns that provide economic opportunities to low- and very low-income persons. Recipients of an award of HOME funds will be required to complete Section 3 compliance forms prior to execution of a loan agreement. Applicants requesting HOME funds must provide a written strategy demonstrating understanding of the Section 3 requirements and detailing how they will ensure that, when employment or contracting opportunities are generated because the project or activity necessitates the employment of additional persons or the award of contracts for work, preference shall be given to low- and very low-income persons or business concerns in the neighborhood. Neighborhood is defined in the HOME regulations (24 CFR Part 92, Subpart A) as "a geographic location designated in comprehensive plans, ordinances, or other local documents as a neighborhood, village, or similar geographical designation that is within the boundary but does not encompass the entire area of a unit of general local government."

Developers must obtain the City's approval of the Section 3 plan prior to the construction start of the project.

APPENDIX 13
MINORITY BUSINESS ENTERPRISE & WOMEN BUSINESS ENTERPRISE

Developers must maintain a MBE/WBE plan that demonstrates marketing and solicitation of MBE/WBE businesses and contractors for the construction of the project.

APPENDIX 14
Regulatory References

You may be interested in reading the actual regulations published by the U.S. Department of Housing and Urban Development for CDBG and HOME and the applicable federal requirements. A copy of the regulations may be obtained by the contracting the Department of Housing and Neighborhood Revitalization or downloading the information from the HUD website at www.hud.gov.

The regulations for CDBD are located at 24 CFR Part 570: Part 570 – Community Development Block Grants

Subpart A – General Provisions

Section	Title
570.1	Purpose and Primary Objective
570.2	Removed
570.3	Definitions
570.4	Allocations of Funds
570.5	Waivers

Subpart C – Eligible Activities

Section	Title
570.200	General Policies
570.201	Basic eligible activities
570.202	Eligible rehabilitation and preservation activities
570.203	Special economic development activities
570.204	Special activities by Community-Based Development Organizations (CBDO's)
570.205	Eligible planning, urban environmental design and policy-planning-management- capacity building activities
570.206	Program administration costs
570.207	Ineligible activities
570.208	Criteria for national objectives
570.209	Guidelines for evaluating and selecting economic development projects

The regulations for HOME are located at 24 CFR Part 92: Home Investment Partnerships Program

Section	Title SUBPART A - GENERAL
92.1	Overview
92.2	Definitions
92.4	Waivers and Suspensions of Requirements for Disaster Areas

SUBPART B – ALLOCATIONS FORMULA

92.50 Formula Allocations
92.60 Allocation Amounts for Insular Areas
92.61 Program Description
92.62 Review of Program Description and Certifications
92.63 Amendments to Program Description
92.64 Applicability of Requirements to Insular Areas
92.65 Funding Sanctions
92.66 Reallocations

SUBPART C – CONSORTIA; DESIGNATION AND REVOCATION OF DESIGNATION AS A PARTICIPATING JURISDICTION

92.101 Consortia
92.102 Participation Threshold Amount
92.103 Notification of Intent to Participate
92.104 Submission of a Consolidated Plan
92.105 Designation as a Participating Jurisdiction
92.106 Continuous Designation as a Participating Jurisdiction
92.107 Revocation of Designation as a Participating Jurisdiction

SUBPART D – SUBMISSION REQUIREMENTS

92.150 Submission Requirements

SUBPART E – PROGRAM REQUIREMENTS

92.200 Private-Public Partnership
92.201 Distribution of Assistance
92.202 Site and Neighborhood Standards
92.203 Income Determinations
92.204 Applicability of Requirements to Entities that Receive a Reallocation of HOME Funds, other than Participating Jurisdictions
92.205 Eligible Activities: General
92.206 Eligible Project Costs
92.207 Eligible Administrative and Planning Costs
92.208 Eligible Community Housing Development Organization (CHDO) Operating Expense and Capacity Building Costs
92.209 Tenant-Based Rental Assistance: Eligible Costs and Requirements

Lead Based Paint Regulations
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
24 CFR Parts 35, 91, 92, 200, 203, 206, 280, 291, 511, 570, 572, 573, 574, 576, 582, 583, 585,
761, 881, 882, 883, 886, 891, 901, 906, 941, 965, 968, 670, 982, 983, 1000, 1003, and 1005
Requirements for Notification, Evaluation and Reduction of Lead-Based Paint Hazards in Federally Owned Residential Property and Housing Receiving Federal Assistance.

AGENCY: Office of the Secretary – Office of Lead Hazard Control, HUD.

ACTION: Final rule.

SUMMARY: The purpose of this rule is to ensure that housing receiving Federal assistance and federally owned housing that is to be sold does not pose lead-based paint hazards to young children. It implements sections 1012 and 1013 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, which is Title X of the Housing and Community Development Act of 1992.
The requirements of this rule are based on the practical experience of cities, states and others who have been controlling lead-based paint hazards in low-income privately-owned housing and public housing through HUD assistance. It also reflects the results of new scientific and technological research and innovation on the sources, effects, costs, and methods of evaluating and controlling lead hazards. With today's action, HUD's lead-based paint requirements for all Federal programs are now consolidated in one part of title 24 of the Code of Federal Regulations.

DATES: Effective Dates: Section 35.140 is effective on November 15, 1999. All other provisions of the rule are effective on September 15, 2000.

FOR FURTHER INFORMATION CONTACT: For questions on this rule, call (202) 755-1785, ext. 104 (this is not a toll-free number) or e-mail your inquiry to lead regulations@hud.gov. For lead-based paint program information, contact the Office of Lead Hazard Control, Department of Housing and Urban Development, 451 7th Street, SW, Room B-133, Washington, DC 20410- 0500. For legal questions, contact the Office of General Counsel, Room 9262, Department of Housing and Urban Development. Hearing and speech-impaired persons may access the above telephone number via TTY by calling the toll-free Federal Information Relay Service at 1-800- 877-8339.

Subpart A – Disclosure of Known Lead-Based Paint Hazards upon Sale or Lease of Residential Property.
Subpart B – General Lead-Based Paint Requirements and Definitions for All Programs

- **a.** Definitions
- **b.** Exemptions
- **c.** Options
- **d.** Notice of Evaluation and Hazard Reduction Activities

e. Lead Hazard Information Pamphlet
f. Use of Paint Containing Lead
g. Prohibited Methods of Paint Removal
h. Compliance with Other, State, Tribal, and Local Laws
i. Minimum Requirements
j. Waivers
k. Prior Evaluation or Hazard Reduction
l. Enforcement
m. Records

Subpart C – Disposition of Residential Property Owned by Federal Agency Other Than HUD **Subpart D –** Project-Based Assistance Provided by a Federal Agency Other than HUD **Subpart E -** Reserved
Subpart F – HUD-Owned Single-Family Property **Subpart G –** Multifamily Mortgage Insurance **Subpart H –** Project – Based Rental Assistance
Subpart I – HUD – Owned and Mortgagee-in-Possession Multifamily Property
Subpart J – Rehabilitation
Subpart K – Acquisition, Leasing, Support Services, or Operation
Subpart L - Public Housing Programs
Subpart M – Tenant-Based Assistance
Subpart N-Q – Reserved
Subpart R – Methods and Standards for Lead-Based Paint Hazard Evaluation and Reduction Activities

a. Standards
b. Adequacy of Dust-Lead Standards
c. Summary Notice Formats
d. Interim Controls
e. Standard Treatments
f. Clearance
g. Occupant Protection and Worksite Preparation
h. Safe Work Practices
i. Ongoing Lead-Based Paint Maintenance and Reevaluation

APPENDIX 15

OWNER-OCCUPIED HOUSING REHABILITATION / RECONSTRUCTION PROGRAM
GENERAL CONTRACTOR / HOMEBUILDER APPLICATION

A. **COMPANY NAME:** (Print) _____

Address _____

City, State, & Zip _____

Office Telephone No. _____ Employer's Tax No. _____

Cell No. _____ Fax No. _____

B. **BUSINESS OWNER(S) / PRINCIPAL(S):**

1. Name _____ Title _____

Home Address _____

City, State, & Zip _____

Telephone No. ( )_____ Fax No. ( )_____

2. Name _____ Title _____

Home Address _____

City, State, & Zip _____

Telephone No. ( ) _____ Fax No. ( )_____

3. Name _____ Title _____

Home Address _____

City, State, & Zip _____

Telephone No. ( ) _____ Fax No. ( )_____

C. **HISTORY OF COMPANY:**

1. How long has your company been under the present company name? If less than 2 years, please list previous company name, if any_____

_____

2. Are you a member of any trade or professional association? Yes _____ No _____

If yes, please indicate name and number of years as member: _____

_____

_____

3. Number of Employees: Office/Admin_____Trades _____ (Give averages if number fluctuates)

4. Contractor's and/or Homebuilder's License Number _____

Where Licensed _____

5. Have you ever had your Contractor's License revoked? Yes _____ No _____

If yes, provide year revoked and justification.

_____ _____

_____

6. Have you ever defaulted on a contract? Yes _____ No _____
7. Are you on any debarment or suspension lists or have been declared ineligible to participate in any Federal Assistance Programs? Yes _____ No _____
8. Have any members of the firm been sued within the past 2 years by sub-contractors, suppliers, customers, or other persons? Yes _____ No _____

   If yes, give details: _____

   _____
9. Do you have working capital to start a home improvement job of $50,000.00? Yes_____ No_____
10. How do you finance your work?

    _____
11. If this application is approved, how do you plan on financing these public projects?

    _____
12. If you intend on using interim financing from a lending institution to finance these public projects, please provide a commitment letter from your lending institution or

other financial resources.

D. **CONTRACTOR'S INFORMATION AND BACKGROUND:**

1. Principal Contractor's Social Security Number: _____

2. How long have you been in business? _____

3. Describe your construction background and specific trades: _____

   _____

   _____

   _____

   If you have no construction background, who in your company does? _____

   _____

4. In what areas and trades are you licensed by the City of Dallas? _____

   _____

5. Who is responsible for jobsite day-to-day activities such as: scheduling, supervision,
Coordination, quality control, clients concerns and complaints, etc.?

   Name:

   _____

   Title:_____ Years w/Company _____

6. Please list full-time employees and the trades they cover? List names, trades and licenses,
if any, and years with the company.

_____

_____

_____

7. What kind of warranty do you provide your customers upon completion of the construction work and how long is the warranty period?
_____
_____

8. How long does it take you to build a new 1,900 square foot home?
_____

9. How long does it take you to complete a FULL rehab of a 1,900 square foot home on pier and beam? _____

E. CONSTRUCTION WORK PREFERENCE:

1. What type of construction work program do you want to participate in?

- ❑ Reconstruction (New construction) Yes_____ No_____
  - o Single family units Yes_____ No_____
  - o Multi-family developments Yes_____ No_____
- ❑ Rehabilitation (Existing homes) Yes_____ No_____
  - o Single family units Yes_____ No_____

- Multi-family developments Yes_____
  No_____

E. EXPERIENCE WITH PUBLIC AGENCIES:

1. Have you participated or worked with similar federally-funded housing construction programs with other entities, i.e., Dallas Housing Authority (DHA), other housing non-profit organizations, etc.? Yes _____ No _____

   If yes, please complete the following information:

   (a) Agency Name _____ Phone No. _____

   Address _____ City, State, and Zip _____

   Type of Work_____

   Contract Amount $ _____ Units Completed _____ Date: _____

   (b) Agency Name _____ Phone No. _____

   Address _____ City, State, and Zip _____

   Type of Work_____

   Contract Amount $ _____ Units Completed _____ Date:_____

   (c) Agency Name _____ Phone No. _____

   Address _____ City, State, and Zip _____

   Type of Work _____

   Contract Amount $ _____ Units Completed _____ Date: _____

   (d) Agency Name _____ Phone No. _____

   Address _____ City, State, and Zip _____

   Type of Work _____

Contract Amount $ _____ Units Completed _____ Date: _____

G. **CURRENT CONTRACT AGREEMENTS:**

Presently, do you have any contracts under construction? Yes _____ No _____

If yes, provide the following information:

Project Address	**Contract Amount**	**Client's Name**	**Client's Phone No.**	**Construction Start and Expected Completion**
1				
2				
3				
4				

H. **INSURANCE REQUIREMENTS (See Attachment A): If your application is approved, you will be required to provide proof of insurance as outlined in Attachment A.**

I. **EXPERIENCE: REHABILITATION AND/OR RECONSTRUCTION WORK DURING THE PAST YEAR:**

1. Name _____ Phone No. _____

   Address _____ City, State, Zip _____

   Type of Work _____

   Contract Amount $ _____ Completed _____

2. Name _____ Phone No. _____

   Address _____ City, State, Zip _____

Type of Work _____

Contract Amount $ _____ Completed _____

3. Name _____ Phone No. _____

Address _____ City, State, Zip _____

Type of Work _____

Contract Amount $ _____ Completed _____

4. Name _____ Phone No. _____

Address _____ City, State, Zip _____

Type of Work _____

Contract Amount $ _____ Completed _____

Contract Amount $ _____ Completed _____

J. REQUIRED DOCUMENTS:

1. The following documents must accompany this General Contractor / Homebuilder Application before this application is accepted and processed.

- ❑ Copy of Current Picture I.D. (Texas Driver's License) of Owners
- ❑ Copy of Current General Contractor's License
- ❑ Copy of Current Homebuilder's License
- ❑ Copy of commitment letter from financial resource if applicable
- ❑ Copy of Current Certificate of Liability Insurance to include General Liability & Workers compensation and employers' Liability

- 2007/2008 Tax Returns for Business or Owners

K. **PENALTY FOR FALSE OR FRAUDULENT STATEMENT:**

USC Title 18, Sec. 1001, states: "Whomever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statement or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than $10,000 or imprisoned not more than five years, or both."

The undersigned certifies that all information provided in this CONTRACTOR INFORMATION APPLICATION, and all information in support of said form, is true and complete to the best of the undersigned's knowledge and belief. Further, the undersigned hereby authorizes and requests any person, firm or corporation to furnish any information requested by the City of Dallas, Housing & Neighborhood Revitalization Department, in verification of the recitals comprising this statement of contractor's qualifications.

SIGNED this _____ day of _____, 2008.

_____

Name of Business

By: _____

Print Name

Title: _____

Owner, Partner, President, Agent or Representative

STATE OF TEXAS §

§

DALLAS COUNTY §

BEFORE ME, the undersigned authority, on this day personally appeared _____

_____, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledges to me that the answers to the foregoing questions and all statements therein contained are true and correct.

GIVEN UNDER my hand and seal of office this _____ day of, _____, 2008.

_____

NOTARY PUBLIC, STATE OF TEXAS

Please Return Completed Application to:

City of Dallas
Housing & Neighborhood Revitalization Department
Attention: Inspections Manager
1500 Marilla Street,
Dallas, Texas 75201

For Questions, please contact:

EXHIBIT "A"
INSURANCE REQUIREMENTS

Prior to the commencement of the Project or any other work under this Agreement, BORROWER shall furnish an original completed Certificate(s) of Insurance or the City's Standard Certificate of Insurance form to the City's Housing & Neighborhood Revitalization Department and City's Risk Management Division, and shall be clearly labeled with Agreement name, which shall be completed by an agent authorized to bind the named underwriter(s) and their company to the coverage, limits, and termination provisions shown thereon. The original certificate(s) of form must have the agent's original signature, including the signer's company affiliation, title and phone number, and be mailed directly from the agent to the City. The City shall have no duty to pay or perform under this Agreement or under any of the other Loan Documents until such certificate(s) shall have been delivered to the City's Housing & Neighborhood Revitalization Department and the City's Risk Management Office, and no officer or employee, other than the City's Risk Manager, shall have authority to waive this requirement.

The City reserves the right to review the insurance requirements of this section during the effective period of this Agreement and of the other Loan Documents, including the term of the Note, and any extension of renewal thereof and to modify insurance coverage and their limits when deemed necessary and prudent by the City's Risk Manager based upon changes in statutory law, court decisions, or circumstances surrounding the Project, this Agreement or any of the other Loan Documents, but in no instance will the City allow modification whereupon the City may incur increased risk.

A BORROWER's financial integrity is of interest to the City; therefore, subject to BORROWER's right to maintain reasonable deductibles in such amounts as are first approved in writing by the City, BORROWER shall obtain and maintain in full force and effect for the duration of this Agreement and the other Loan Documents, and any extension thereof, at BORROWER's sole expense, insurance coverage written on an occurrence basis, by companies authorized and admitted to do business in the State of Texas and rated A- or better by A.M. Best Company and/or otherwise acceptable to the City, in the following types and amounts:

TYPE	AMOUNTS

1. Workers' Compensation ** Employers' Liability **	Statutory $1,000,000/$1,000,000/$1,000,000
2. Commercial General (public) Liability Insurance to include coverage for the following: a. Premises operations *b. Independent contractors c. Products/completed operations d. Personal Injury e. Contractual Liability *f. Explosion, collapse, underground g. Broad form property damage, to include fire legal liability	For Bodily Injury and Property Damage of $1,000,000 per occurrence; $2,000,000 General Aggregate, or its equivalent in Umbrella or Excess Liability Coverage
3. Business Automobile Liability a. Owned/leased vehicles b. Non-owned vehicles c. Hired Vehicles	Combined Single Limit for Bodily Injury and Property Damage of $1,000,000 per occurrence
4. Professional Liability (Claims Made Form)	$1,000,000 per claim to pay on behalf of the insured all sums which the insured shall become legally obligated to pay as damages by reason of any act, malpractice, error or omission in professional services.
*5. Payment/Performance Bond	$125,000.00
*6. Builder's Risk	$125,000.00
*7. Pollution of Fuel Storage Tank	$125,000.00
*8. Environmental	$125,000.00
*9. Commercial Crime/Fidelity Bond, etc.	$125,000.00
*10. Liquor Legal Liability	$125,000.00
* If Applicable	
** Alternate Plans Must Be Approved by Risk Management	

11. BORROWER must provide to City proof of continuous and renewed professional liability insurance having been obtained by all professional persons performing work or services in connection with the Project, such insurance policy having an extended discovery period of two (2) years, with such insurance policy being maintained in the same manner as set forth herein.

12. Upon completion of construction of the Project, BORROWER must carry insurance to the extent of 80% of A.C.V., fire and extended coverage policy.

13. BORROWER must provide insurance in the manner set forth herein protecting City with a standard mortgage clause naming City as loss payee for a sum equal at least to BORROWER's indebtedness to City.

BORROWER shall contractually require all third-party contractors associated with the Project to obtain the foregoing types of insurance, in the amounts and in the manner as specified herein.

The City shall be entitled, upon request and without expense, to receive copies of the policies and all endorsements thereto as they apply to the limits required by the City, and may make a reasonable request for deletion, revision, or modification of particular policy terms, conditions, limitations or exclusions (except where policy provisions are established by law or regulation binding upon either of the parties hereto or the underwriter of any such policies). Upon such request by the City, BORROWER shall exercise reasonable efforts to accomplish such changes in policy coverage and shall pay the cost thereof.

BORROWER agrees that with respect to the above-required insurance, all insurance contracts and Certificate(s) of Insurance will contain the following required provisions:

- Name City and its officers, employees, volunteers and elected representatives as additional insureds as with respect to operations and activities of, or on behalf of, the named insured performed under contract with the City, with the exception of the workers' compensation (and professional liability, if required) policies;

- BORROWER's insurance shall be deemed primary with respect to any insurance or self insurance carried by the City for liability arising out of operations under this agreement with the City or under any of the other Loan Documents; and

- Workers' compensation and employers' liability policy will provide a waiver of subrogation in favor of City.

BORROWER shall notify the City in the event of any notice of cancellation, non-renewal or material change in coverage and shall give such notices not less than thirty (30) days prior to the change, or twenty (20) days notice for cancellation due to non-payment of premiums, which notice must be accompanied by a replacement Certificate of Insurance. All notices shall be given to the City at the following address:

City of Dallas
Housing & Neighborhood Revitalization Department
Attn: Director
1500 Marilla St.
Dallas, Texas 75201

and

City of Dallas
Risk Management Division
P.O. Box 839966
Dallas, Texas 78283-3966

If BORROWER fails to maintain the aforementioned insurance, or fails to secure and maintain the aforementioned endorsements, the City may obtain such insurance, and deduct and retain the amount of the premiums for such insurance from any sums due under any of the Loan Documents; however, procuring of said insurance by the City is an alternative to other remedies the City may have, and is not the exclusive remedy for failure of BORROWER to maintain said insurance or secure such endorsement. In addition to any other remedies the City may have upon BORROWER's failure to provide and maintain any insurance or policy endorsements to the extent and within the time herein required, the City shall have the right to (a) withdraw from the Project, (b) withhold any and all Loan monies until BORROWER

demonstrates compliance with the requirements hereof, (c) declare a default under the Note and/or (d) terminate any and all Loan Documents.

Nothing herein contained shall be construed as limiting in any way the extent to which BORROWER may be held responsible for payments of damages to persons or property resulting from BORROWER's or its subcontractors' performance of the work covered hereunder or under any of the other Loan Documents.

APPENDIX 16

INTERVENTIONS BY STRATEGY AREA

IMPLEMENTATION REQUIREMENTS					
	Requires an ordinance change	**Authorized by Resolution**	**Policy Decision**	**Available through NEZ**	**Non-City Action**
Accessory Dwelling Units	X				
Building Code Fee Waivers	X			X	
Community Court			X		
Code Lien Foreclosures			X		
Community Land Trust	X				
Contractor Training Program		X	X		
Development Code Fee Waivers	X				
Employer-Assisted Housing Program					X
Envision Centers					X
Expedited Processing			X		
Home Improvement Preservation Program		X	X		
Homestead Preservation Districts			X		
Housing Trust Fund		X			
Incentive Zoning/Density Bonuses	X				
Lien Releases	X				
Multi-Family Rehab Program		X			
Neighborhood Empowerment Zones		X			
Opportunity Zones					
Park Land Dedication Fees					
Property Tax Abatement		X		X	
Rental/Homeowner Maintenance Education Program	X				
Tax Increment Financing (TIF)		X			
Voucher Sublease Program		X	X		

	Proposed Type of Activities	Redevelopment Areas	Stabilization Areas	Emerging Markets	Citywide	
1	Notice of Funding Availability: New Development (for-sale and rental) or Substantial Rehabilitation	P	P	N	Y	
2	Preservation of owner-occupied housing: Home Improvement & Preservation Program	P	P	y	Y	
3	Preservation of Single-Family rental housing: Home Improvement & Preservation Program	P	P	Y	Y	
4	Preservation of Multi-Family rental housing: Home Improvement & Preservation Program	P	P	Y	Y	
5	Landbanking	N	P	P	N	
6	Code Lien Foreclosures	N	P	P	N	
7	Neighborhood Empowerment Zones (unlocks development fee waivers including landscape and tree mitigation and parkland dedication fees & property tax freeze)	N	Y	N	N	
8	City's Second Mortgage Assistance Program (DHAP)	Y	Y	Y	Y	
9	Neighborhood Revitalization Strategy Area Designation	P	P	P	N	
10	Dallas Tomorrow Fund (Dept. of Code Compliance home repair fund through fee assessment)	Y	Y	Y	Y	
11	Code Academy	Y	Y	P	Y	P= Priority Y=Yes N=No
12	Tax Increment Reinvestment Zone designation - If one doesn't already exist	Y	Y	Y	N	
13	Create Neighborhood Association	Y	Y	P	Y	
14	Neighborhood Sweep - 2 week intensive; minor street repair, code inspections, signage, beautification projects, neighborhood plan)	Y	Y	P	N	
15	Neighborhood Beautification Projects	Y	Y	P	Y	
16	Low Income Housing Tax Credit City support - with scoring criteria	N	Y	N	Y	
17	Voucher Sublease Agreements	Y	Y	Y	Y	
18	Accessory Dwelling Units	See Citywide	Y	See Citywide	Y-opt in	
19	Incentive Zoning	P	P	N	Y	
20	Homestead Preservation District designation	N	P	N	N	
21	Community Land Trust	Y	P	N	N	
22	Tenant Based Rental Assistance Program (HILI)	-	-	-	Y	
23	Express Plan Review	P	P	N	N	

Agenda Information Sheet

File #: 18-1094 **Item #:** 5.

STRATEGIC PRIORITY:	Economic and Neighborhood Vitality
AGENDA DATE:	October 24, 2018
COUNCIL DISTRICT(S):	8
DEPARTMENT:	Office of Economic Development
EXECUTIVE:	T.C. Broadnax

SUBJECT

Authorize a real property tax abatement agreement with Preferred Freezer Services Dallas Holding Co., LLC and/or an affiliate thereof for the purpose of granting a seven-year abatement of 50 percent of the taxes on the added value to the real property in conjunction with the proposed build-to-suit development of a cold storage distribution facility within a Texas Enterprise Zone situated on approximately 15 acres of property located at 4100 Cedardale Drive in Dallas, Texas, in accordance with the City's Public/Private Partnership Program - Estimated Revenue Foregone: $983,304.00 over a seven-year period

BACKGROUND

This item is being placed on the addendum per the City Manager's Office.

Since late 2017, City Staff has been in discussions with representatives of Preferred Freezer Services, LLC ("PFS") regarding the development of an approximately 240,000 square foot cold storage distribution facility ("Facility") situated on approximately 15 acres of property located at 4100 Cedardale Drive in the International Inland Port of Dallas. PFS has also been considering sites in Hutchins and Fort Worth for this project.

PFS began operations in 1989, offering full-service temperature-controlled warehouse space for clients/vendors including ConAgra, Lamb Weston, Sysco, US Food Service, Tyson Foods, and Ocean Spray. Currently, PFS has 41 facilities and over 300 million cubic feet of warehouse space located across the United States and internationally (China and Vietnam).

PFS anticipates using an operating company/property company ("Opco-Propco") structure for the project. Opco-Propco is a strategy in which a company is divided into at least two parts: a property company that owns all the real estate and assets associated with generating revenues and an operating company that uses those assets to generate sales. Preferred Freezer Services of Dallas, LLC ("PFS of Dallas") will be the entity which will operate the warehouse and be the employer/tenant ("Company"/"Tenant"). PFS of Dallas is a wholly-owned subsidiary of Preferred Freezer Services

Operating, LLC, which in turn is a wholly-owned subsidiary of PFS. Preferred Freezer Services Dallas Holding Co., LLC ("PFS Holding") will be the owner ("Owner") of the real property and all related improvements. PFS of Dallas will lease the Facility from PFS Holding. The lease term is anticipated to be 25-30 years.

Investment in real property improvements is estimated at approximately $43,000,000.00 (inclusive of hard and soft costs for the construction of site improvements, shell building, and tenant improvements), and investment in business personal property (furniture, fixtures, and equipment) is estimated at approximately $4,000,000.00. PFS of Dallas anticipates on-site inventory of approximately $40,000,000.00 per year with an average of 6 to 8 (40 day) turn-overs per year.

Additionally, PFS of Dallas anticipates creating approximately 60 net new full-time equivalent ("FTE") jobs as part of the project (including 2 managerial positions which are anticipated be relocated/transferred to the Facility). The annual average salary is anticipated to be $40,000.00 per FTE, with all jobs having health, vacation and retirement benefits.

To facilitate the project, Staff is recommending City Council approval of a real property tax abatement for seven years in an amount equal to the City taxes assessed on 50 percent of the increased value of the real property owned by PFS Holding.

The proposed incentive will help secure new investment and job opportunities at this southern Dallas location. The real property tax abatement will be a pass-through benefit from the Owner to the Tenant via lease agreement, thereby ensuring that the new Facility is competitively viable within a market providing similar lease rate benefits to other users.

As conditions to receipt of this incentive, the following provisions shall be met (among other related contractual terms):

(a) That a new cold storage facility of at least 200,000 square feet shall be developed at 4100 Cedardale Drive and shall be substantially completed no later than December 31, 2019.

(b) That at least $40,000,000.00 in real property improvements and related soft cost shall be invested by December 31, 2020. This amount shall not include land acquisition costs, attorney's fees, or any party's fees or profit.

(c) That the Company shall take occupancy of the facility no later than December 31, 2020 and shall continually occupy the entire facility during the term of the abatement.

(d) That, by December 31, 2020, at least 50 permanent FTEs (defined as an employee working a minimum of 40 hours per week) shall be created at the facility. The average annual salary of the required minimum FTEs shall be $40,000.00, and a minimum of 25% (12 FTEs) of the required minimum 50 FTEs shall be residents of the city of Dallas.

(e) Owner and/or Company shall work with the Director of the Office of Economic Development (the "Director") to coordinate at least one job recruitment fair/event by December 31, 2020.

(f) Once the conditions contained in (a) through (e) are achieved, the following shall be maintained during the term of the abatement: (i) minimum 50 FTEs at the facility with an average annual

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salary of $40,000.00 and (ii) minimum 25% (12 FTEs) of the required minimum 50 FTEs are residents of the city of Dallas.

(g) If the Company and/or Owner fails to perform any condition listed above and/or otherwise breaches the abatement agreement and fails to cure such breach during any year of the term of such agreement, the abatement shall be forfeited for that year. If any condition is not performed, the agreement is breached, and/or any existing breach remains uncured in the subsequent year, the abatement shall again be forfeited for the remaining subsequent year(s), and the agreement shall terminate.

(h) The Owner shall report and shall cause the Company to report to the Director quarterly on the progress in satisfying each of the conditions listed above. The Owner and/or Company shall additionally report quarterly to the Director regarding the number of net new jobs created at the facility in the previous quarter. The reports will be in a form acceptable to Director in his sole discretion and must be signed by an authorized signatory of Company and/or Owner. The progress reports shall be submitted to the City of Dallas Office of Economic Development within 30 days after the end of each quarter.

(i) The Owner and/or Company shall permit staff from the Office of Economic Development access to the facility and review of all records related to the abatement agreement and the obligations contained therein in order to monitor compliance with same.

(j) The Director may, at his sole discretion, extend deadlines for a period of up to six months for just cause.

Pursuant to the City's Public/Private Partnership Program (P/PPP) Guidelines and Criteria (effective for the period January 1, 2017 through December 31, 2018), the proposed project is located in a Non-Target Area. With the project's private investment exceeding $5 million, the project meets minimum eligibility criteria requirements of the P/PPP Guidelines and Criteria. Based on an analysis of the project's fiscal impact to the City over a ten-year period, the present value of net revenues to the City is an estimated $6,195,015.00.

In the context of the City's Market Value Analysis (MVA), the proposed project is located in a non-residential tract and is generally surrounded by residential market types E and F, which reflect middle to lower-middle residential real estate markets in Dallas. The proposed project will provide significant local employment opportunities to these surrounding residential areas.

The proposed project is located in a Texas Enterprise Zone. Pursuant to Section 312.2011 of the Texas Tax Code, designation of an area as a Texas Enterprise Zone constitutes designation of an area as a reinvestment zone without further hearing or other procedural requirements.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	December 2018
Complete Construction	December 2019

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PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Economic Development and Housing Committee was briefed in Executive Session on September 17, 2018 to discuss the offer of a financial incentive under Section 551.087 of the Texas Government Code.

FISCAL INFORMATION

Estimated Revenue Foregone: $983,304.00 over a seven-year period

OWNER/TENANT

Preferred Freezer Services Dallas Holding Co., LLC

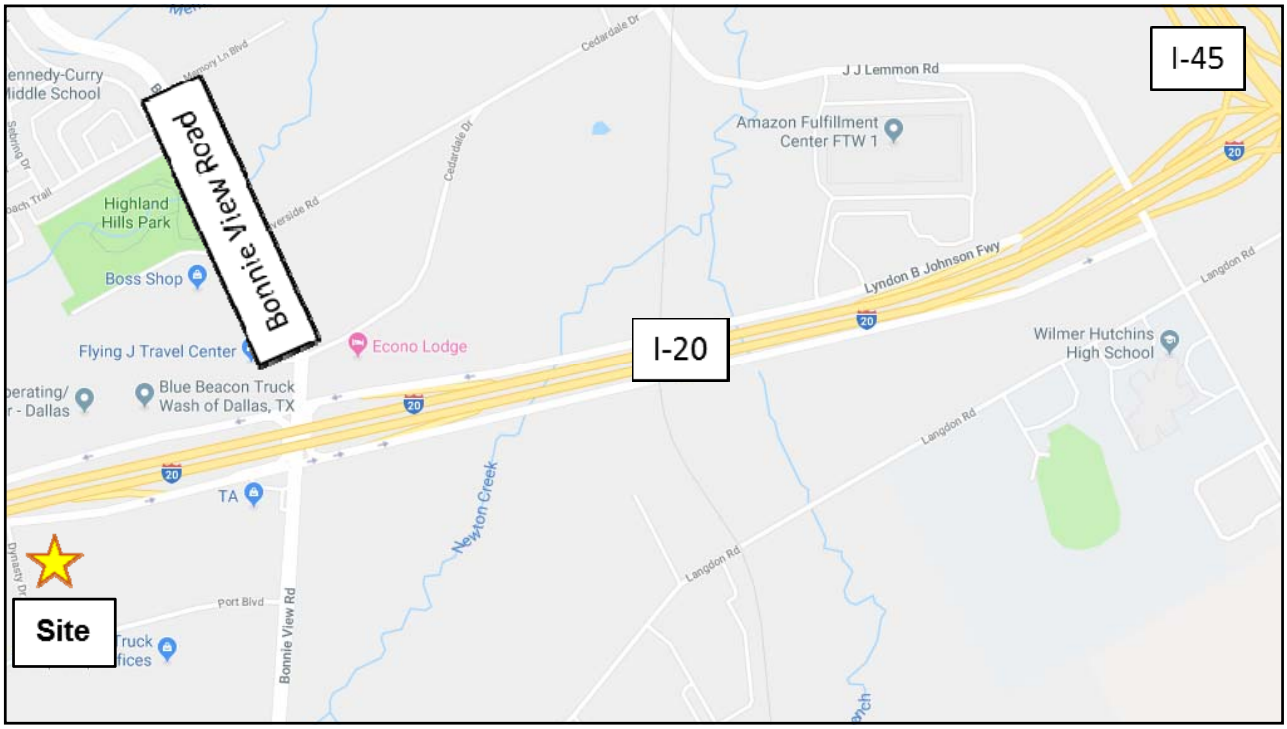
Samuel Hensley, Chief Financial Officer

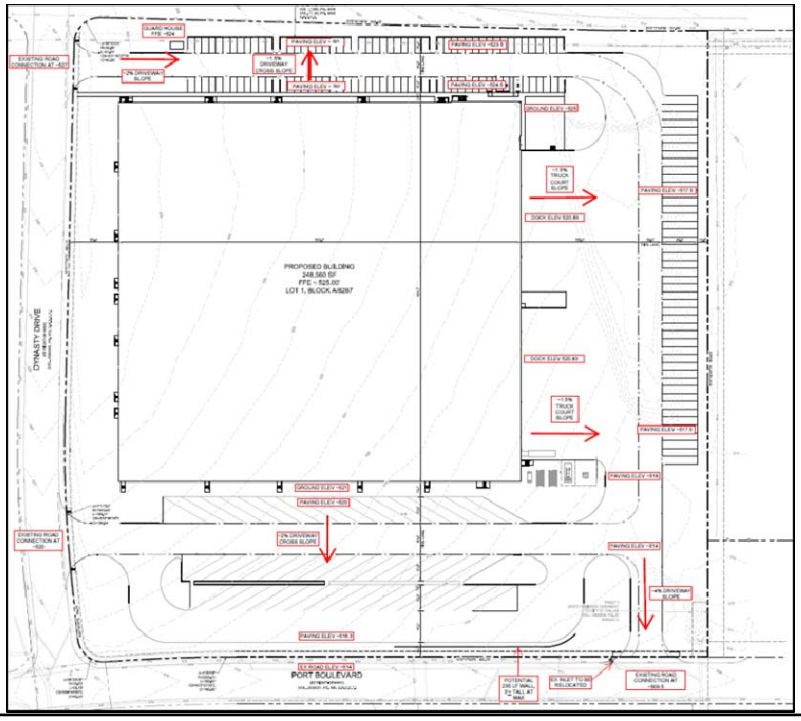
MAP

Attached

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Location Map
Preferred Freezer
4100 Cedardale Drive





WHEREAS, the City of Dallas ("City") recognizes the importance of its role in local economic development; and

WHEREAS, many municipalities within the Dallas-Fort Worth region have economic development programs to compete with the City for development of new logistics facilities; and

WHEREAS, site selection decisions made by developers and businesses are often significantly influenced by a municipality's ability to provide competitive economic development incentives; and

WHEREAS, the City desires to support and secure new employment opportunities and taxable revenue that new logistics facilities will bring for Dallas residents; and

WHEREAS, the proposed development will not occur within the city of Dallas without an offer of economic development incentives from the City; and

WHEREAS, pursuant to Resolution No. 16-1984, approved by the City Council on December 14, 2016, the City: (1) elected to continue its participation in economic development incentives and re-adopted its Public/Private Partnership Program - Guidelines and Criteria, which established certain guidelines and criteria for the use of City incentive programs for private development projects, (2) established programs for making loans and grants of public money to promote local economic development and to stimulate business and commercial activity in the City pursuant to the Economic Development Programs provisions under Chapter 380 of the Texas Local Government Code ("Economic Development Act"), and (3) established appropriate guidelines and criteria governing tax abatement agreements to be entered into by City as required by the Property Redevelopment and Tax Abatement Act, as amended, (V.T.C.A. Tax Code, Chapter 312) ("Tax Abatement Act"); and

WHEREAS, the proposed development is a cold chain logistics facility, which meets the definition of a Target Industry project pursuant to the City's Public/Private Partnership Program - Guidelines and Criteria; and

WHEREAS, the proposed development site is located in an existing Texas Enterprise Zone; and

WHEREAS, pursuant to Section 312.2011 of the Texas Tax Code, the Property Redevelopment and Tax Abatement Act provides that the designation of an area as an enterprise zone under the Texas Enterprise Zone Act constitutes designation of an area as a reinvestment zone without further hearing or other procedural requirements; and

WHEREAS, consistent with the authority granted under the Tax Abatement Act and the City's Public/Private Partnership Program - Guidelines and Criteria, it is in the best interest of the City to enter into a real property tax abatement agreement and provide this incentive as a part of the City's ongoing program to promote local economic development and to stimulate business and commercial activity in the city.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a real property tax abatement agreement with Preferred Freezer Services Dallas Holding Co., LLC and/or an affiliate thereof (hereafter referred to as "PFS Holding" or "Owner"), approved as to form by City Attorney, for added value to the real property in accordance with the Property Redevelopment and Tax Abatement Act and the City's Public/Private Partnership Program - Guidelines and Criteria.

SECTION 2. That at least seven days prior to the execution of the tax abatement agreement, notice of the City's intention to enter into the tax abatement agreement shall be delivered to the governing bodies of each other taxing unit that includes in its boundaries the real property that is the subject of this agreement.

SECTION 3. That the approval and execution of the tax abatement agreement by the City is not conditional upon approval and execution of any other tax abatement agreement by any other taxing entity.

SECTION 4. That the real property ("Property") subject to the tax abatement agreement is depicted on the attached site map **Exhibit A (Map)** and is more particularly described by **Exhibit B (Metes and Bounds Legal Description)**.

SECTION 5. That the tax abatement agreement shall provide, among other provisions, the following:

(a) The Property subject to tax abatement shall be located entirely within the City of Dallas, Texas.

(b) None of the Property subject to tax abatement is owned or leased by a member of the City Council of the City of Dallas or by a member of the City Plan Commission.

(c) Development of the Property shall conform to all requirements of the City's zoning ordinance and that the use of the Property is consistent with the general purpose of encouraging development or redevelopment in the Enterprise Zone during the period the tax abatement is in effect.

(d) The City of Dallas shall provide PFS Holding a seven-year abatement of fifty percent (50%) of the added value to the real property within the area of land particularly described by **Exhibit B (Metes and Bounds Legal Description)**.

(e) PFS Holding shall build a new cold storage facility ("Facility") of at least 200,000 square feet at 4100 Cedardale Drive in Dallas, Texas. The Facility shall be substantially completed no later than December 31, 2019.

(f) PFS Holding shall invest or cause to be invested at least $40,000,000.00 in real property improvements and related soft costs by December 31, 2020. This amount does not include land acquisition costs, attorney's fees, or any party's fees or profit. Soft costs shall not include attorney fees or developer fees or profit.

(g) PFS Holding shall take occupancy of the Facility no later than December 31, 2020 and shall continually occupy the entire Facility during the term of the abatement.

(h) By December 31, 2020, PFS Holding shall create a minimum of 50 new permanent full-time equivalent (FTE)s (defined as an employee working a minimum of 40 hours per week) at the Facility. The average annual salary of the required minimum FTEs shall be $40,000.00, and a minimum of 25% (12 FTEs) of the required minimum 50 FTEs shall be residents of the city of Dallas.

(i) PFS Holding shall work with the Director of the Office of Economic Development (the "Director") to coordinate at least one (1) job recruitment fair/event by December 31, 2020.

(j) Once the conditions contained in (e) through (i) are achieved, PFS Holding shall: (i) maintain a minimum of 50 FTEs with an average annual salary of $40,000.00 at the Facility during the term of the abatement and (ii) ensure that a minimum of 25% (12 FTEs) of the required minimum 50 FTEs are residents of the city of Dallas. Failure to maintain the required city of Dallas residents as FTEs throughout the term of the abatement agreement shall subject PFS Holding to a prorated repayment requirement of the abatement.

(k) PFS Holding shall report to the Director quarterly on the progress in satisfying each of the conditions listed above. PFS Holding shall additionally report quarterly to the Director regarding the number of net new jobs created at the Facility in the previous quarter. The reports shall be in a form acceptable to Director in his sole discretion and must be signed by an authorized signatory of PFS Holding. The progress reports shall be submitted to the City of Dallas Office of Economic Development within 30 days after the end of each quarter.

(l) PFS Holding shall permit staff from the Office of Economic Development access to the Facility and review of all records related to the abatement agreements and the obligations contained therein in order to monitor compliance with same.

(m) A description of the kind, number, location, and costs of all proposed real property improvements to the Property shall be provided to the Director by PFS Holding.

(n) Access to the Property shall be provided to allow for inspection by City inspectors and officials to ensure that the improvements are made and occupancy is achieved according to the specification and terms of the tax abatement agreement.

(o) The Owner of the property shall certify annually to the City that the Owner is compliant with each applicable term of the tax abatement agreement.

(p) The Dallas City Council may terminate or modify the tax abatement agreement if the property owner fails to comply with the tax abatement agreement.

(q) The real property tax revenue foregone by the City because of the tax abatement agreement shall be recaptured by the City if improvements to real property are not made and maintained as provided by the tax abatement agreement.

(r) The abatement agreement shall only be assignable upon written approval of the assignment by the Director.

(s) The abatement agreement shall be executed no later than December 31, 2019.

(t) If PFS Holding fails to perform any condition listed above and/or otherwise breaches the abatement agreement and fails to cure such breach during any year of the term of such agreement, the abatement shall be forfeited for that year. If any condition is not performed, the abatement is breached, and/or any existing breach remains uncured in the subsequent year, the abatement shall again be forfeited for the remaining subsequent year(s) and the agreement shall terminate.

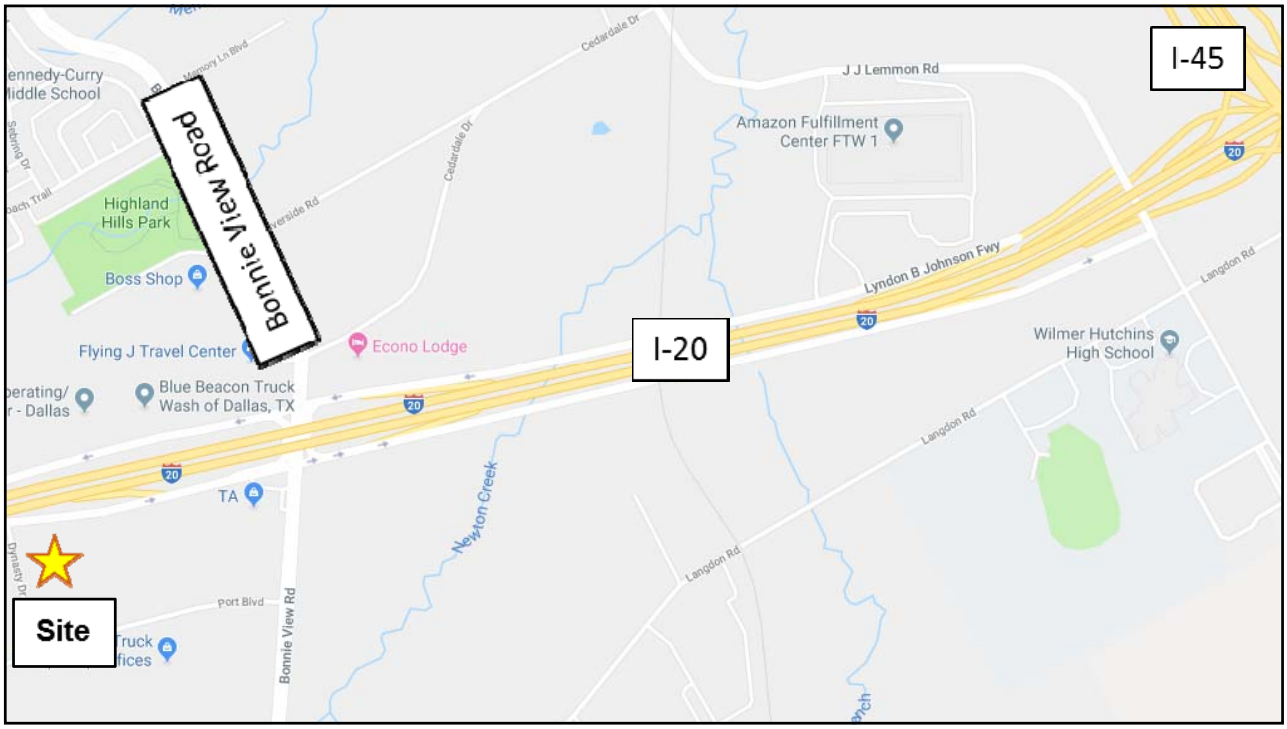
(u) The Director of the Office of Economic Development ("Director") may, at his sole discretion, extend the deadlines for a period of up to six months for just cause.

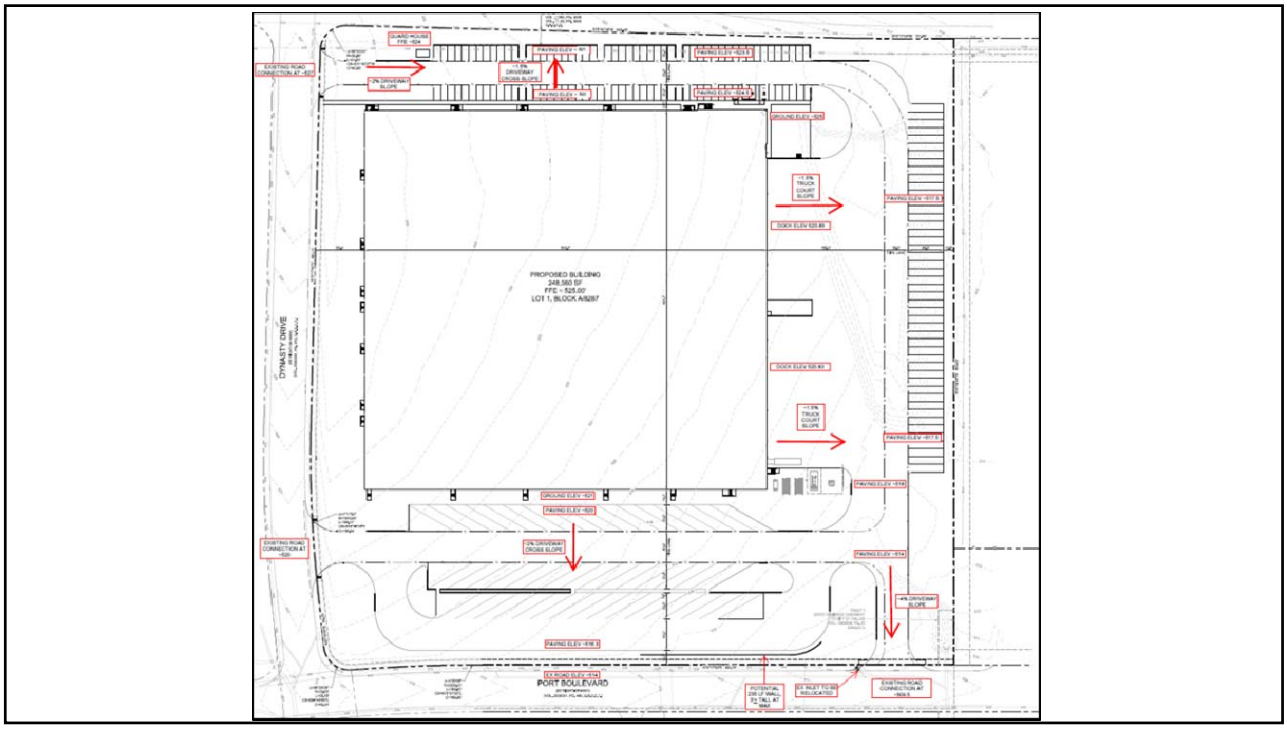
SECTION 6. That this tax abatement agreement is designated as Contract No. ECO-2018-00007819.

SECTION 7. 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.

EXHIBIT A

Location Map
Preferred Freezer
4100 Cedardale Drive





Agenda Information Sheet

File #: 18-1095 **Item #:** 6.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 3

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize **(1)** a conditional grant agreement with TCHF V, LP or an affiliate thereof ("Developer") for the renovation of the Square 67 Shopping Center located at 2550 West Red Bird Lane; and **(2)** an increase in appropriations in an amount not to exceed $1,450,000.00 in ECO (I) Fund - Not to exceed $1,450,000.00 - Financing: 2017 Bond Funds

BACKGROUND

This item is being placed on the addendum per the City Manager's Office.

Developer submitted an incentive application to the City of Dallas for the renovation of the Square 67 Shopping Center at 2550 W. Red Bird Lane between U.S. Highway 67 and Hampton Road. The 183,610 square foot retail property (situated on approximately 17 acres) was originally developed in 1973 and underwent a small expansion in 1989. The property is underutilized, with approximately 59% occupancy due to property disrepair.

Developer proposes to rehabilitate and renovate the property into a high-quality shopping and dining environment. The project budget is approximately $11,000,000.00, including the cost of acquisition. The project scope includes new paint, building façade improvements, roof repair/replacement, parking lot repairs, storefront improvements (including glass replacement), new signage, and updated landscaping/hardscaping/irrigation.

Key terms of the conditional grant agreement include the following:

(a) Developer shall commence construction of the project on or before January 1, 2019 and substantially complete the project, as defined in the conditional grant agreement, no later than December 31, 2019.

(b) Developer shall invest no less than $3,000,000.00 in capitalized costs for the project, except working capital and developer profit or fees.

(c) Square 67 Shopping Center shall achieve at least 80% occupancy by December 31, 2018.

(d) Developer shall use best efforts, as defined in the conditional grant agreement, to secure a grocery-related tenant in the Square 67 Shopping Center by December 31, 2019.

(e) City shall provide 2017 general obligation bond funds in an amount not to exceed $1,450,000.00 from Proposition I (Economic Development and Housing) for gap financing to support the construction of the project. The general obligation bond funds shall be awarded in the form of a conditional grant secured by a performance lien. Funds shall be paid upon Developer's successfully achieving conditions (a) through (d) above and in conformance with all requirements of the bond proposition. City's lien shall be subordinate to the senior construction/permanent lender.

(f) From the date that City makes the grant payment, the conditional grant and performance lien shall be amortized over a seven-year period (amortized at a rate of $207,143.00 per year).

(g) From the date that City makes the grant payment, Square 67 Shopping Center shall maintain at least 80% occupancy for a seven-year period.

(h) Following an initial urban design review in July 2018, the Planning and Urban Design ("PUD") Department issued written recommendations to Developer on August 1, 2018. On September 14, 2018, Developer provided a written response satisfactory to PUD, including an exhibit showing landscape enhancements planned with the project. At or before the time of Developer's permit submittal to the City's Sustainable Development and Construction Department, Developer shall submit a set of permit drawings to the PUD Department for review to ensure compliance with the spirit and intent of the August 1, 2018 recommendations and the September 14, 2018 responses. Allowable minor modifications may include those required for conformance with regulatory requirements of the Sustainable Development and Construction Department. The PUD Department shall complete the review of permit drawings within ten days of submission and shall provide a written response letter to Developer for each such review.

(i) Developer shall provide written quarterly reports to the Office of Economic Development on the progress in satisfying the conditions of the agreement.

(j) The Director of the Office of Economic Development may, at his sole discretion, extend any material date in the conditional grant agreement for a period up to six months for just cause as specified in the conditional grant agreement.

(k) Access to the Square 67 Shopping Center shall be provided to allow for inspection by City officials to ensure that the improvements and investments are made according to the specifications and terms of the grant agreement.

Pursuant to the City's Public/Private Partnership Program (P/PPP) Guidelines and Criteria (effective for the period January 1, 2017 through December 31, 2018), the proposed project is located in a Target Area. With the project's private investment exceeding $9.5 million, the project meets minimum eligibility criteria requirements of the P/PPP Guidelines and Criteria.

In the context of the City's Market Value Analysis (MVA), the proposed project is located in a non-residential tract and is generally surrounded by residential market type F, which reflects a middle residential real estate market in Dallas.

City Council approval of this item will authorize the City Manager to execute the conditional grant agreement and related documents with the Developer.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	January 2019
Complete Construction	December 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Economic Development and Housing Committee was briefed in Executive Session on September 17, 2018 to discuss the offer of a financial incentive under Section 551.087 of the Texas Government Code.

FISCAL INFORMATION

2017 Bond Funds (Proposition I - City Council District 3 Discretionary) - $1,450,000.00

OWNER/DEVELOPER

TCHF V, LP
a Texas limited partnership

By: Texas Capital Holdings, LLC, a Texas limited liability company,
its General Partner

William Dodd, Manager
Charles M. Lucenay, Manager

MAP

Attached

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October 24, 2018

WHEREAS, the City of Dallas ("City") recognizes the importance of its role in local economic development; and

WHEREAS, investment decisions made by commercial property owners are often influenced by a municipality's ability to provide economic development incentives; and

WHEREAS, Square 67 Shopping Center is an existing commercial shopping center (approximately 183,610 square feet situated on approximately 17 acres) located at 2550 West Red Bird Lane between U.S. Highway 67 and Hampton Road (as shown on the map in **Exhibit A**); and

WHEREAS, TCHF V, LP or an affiliate thereof ("Developer") wishes to partner with the City of Dallas to renovate the Square 67 Shopping Center; and

WHEREAS, the proposed project will not occur within the city of Dallas without an offer of economic development incentives from the City; and

WHEREAS, on December 14, 2016, City Council (1) authorized the continuation of its Public/Private Partnership Program - Guidelines and Criteria, which established certain guidelines and criteria for the use of City incentive programs for private development projects; and (2) established programs for making loans and grants of public money to promote local economic development and to stimulate business and commercial activity in the City of Dallas pursuant to the Economic Development Programs provisions under Chapter 380 of the Texas Local Government Code by Resolution No. 16-1984; and

WHEREAS, pursuant to the Public/Private Partnership Program - Guidelines and Criteria (effective for the period January 1, 2017 through December 31, 2018), the proposed project is located within a target area and meets the minimum eligibility requirement of at least $1.0 million in private investment; and

WHEREAS, pursuant to the Public/Private Partnership Program - Guidelines and Criteria (effective for the period January 1, 2017 through December 31, 2018), the proposed project also meets the minimum eligibility requirements of the Neighborhood Commercial/Retail Redevelopment Grant Program; and

WHEREAS, consistent with the authority granted under the City of Dallas 2017 General Obligation Bond Fund, it is in the best interest of the City to enter into a conditional grant agreement and provide this incentive as a part of the City's ongoing program to promote local economic development and to stimulate business and commercial activity in the city.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a conditional grant agreement with TCHF V, LP or an affiliate thereof, approved as to form by the City Attorney, for the renovation of the Square 67 Shopping Center located at 2550 West Red Bird Lane.

SECTION 2. That the conditional grant agreement is hereby expressly made subject to all the following contingencies which must be performed or occur:

(a) Developer shall commence construction of the project on or before January 1, 2019 and substantially complete the project, as defined in the conditional grant agreement, no later than December 31, 2019.

(b) Developer shall invest no less than $3,000,000.00 in capitalized costs for the project, except working capital and developer profit or fees.

(c) Square 67 Shopping Center shall achieve at least 80% occupancy by December 31, 2018.

(d) Developer shall use best efforts, as defined in the conditional grant agreement, to secure a grocery-related tenant in the Square 67 Shopping Center by December 31, 2019.

(e) City shall provide 2017 general obligation bond funds in an amount not to exceed $1,450,000.00 from Proposition I (Economic Development and Housing) for gap financing to support the construction of the project. The general obligation bond funds shall be awarded in the form of a conditional grant secured by a performance lien. Funds shall be paid upon Developer's successfully achieving conditions (a) through (d) above and in conformance with all requirements of the bond proposition. City's lien shall be subordinate to the senior construction/permanent lender.

(f) From the date that City makes the grant payment, the conditional grant and performance lien shall be amortized over a seven-year period (amortized at a rate of $207,143.00 per year).

(g) From the date that City makes the grant payment, Square 67 Shopping Center shall maintain at least 80% occupancy for a seven-year period

(h) Following an initial urban design review in July 2018, the Planning and Urban Design ("PUD") Department issued written recommendations to Developer on August 1, 2018. On September 14, 2018, Developer provided a written response satisfactory to PUD, including an exhibit showing landscape enhancements planned with the project. At or before the time of Developer's permit submittal to the City's Sustainable Development and Construction Department, Developer shall submit a set of permit drawings to the PUD Department for review to ensure compliance with the spirit and intent of the August 1, 2018 recommendations and the September 14, 2018 responses. Allowable minor modifications may include those required for conformance with regulatory requirements of the Sustainable Development and Construction Department. The PUD Department shall complete the review of permit drawings within ten days of submission and shall provide a written response letter to Developer for each such review.

(i) Developer shall provide written quarterly reports to the Office of Economic Development on the progress in satisfying the conditions of the agreement.

(j) The Director of the Office of Economic Development may, at his sole discretion, extend any material date in the grant agreement for a period up to six months for just cause as specified in the conditional grant agreement.

(k) Access to the Square 67 Shopping Center shall be provided to allow for inspection by City officials to ensure that the improvements and investments are made according to the specifications and terms of the grant agreement.

SECTION 3. That the City Manager is hereby authorized to sign a conditional grant agreement and performance lien and to execute a release of lien upon compliance with the conditional grant terms, approved as to form by the City Attorney. The City's lien shall be subordinate to the senior construction/permanent lender.

SECTION 4. That pursuant to Sections 1, 2 and 3, the City Manager is hereby authorized to increase appropriations in the ECO (I) Fund, Fund 1V52, Department ECO, Unit VI07, Object 3016 in the amount of $1,450,000.00 for the 2017 Bond funding associated with the conditional grant agreement.

SECTION 5. That Pursuant to Sections 1, 2 and 4, the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $1,450,000.00 from ECO (I) Fund, Fund 1V52, Department ECO, Unit VI07, Object 3016, Program EC17VI07, Contract No. ECO-2018-00008114, Vendor VS99005.

SECTION 6. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the grant funds, until such time as the documents are duly approved by all parties and executed.

SECTION 7. 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.

Agenda Information Sheet

File #: 18-1120 **Item #:** 7.

STRATEGIC PRIORITY:	Economic and Neighborhood Vitality
AGENDA DATE:	October 24, 2018
COUNCIL DISTRICT(S):	3
DEPARTMENT:	Housing & Neighborhood Revitalization
EXECUTIVE:	T.C. Broadnax

SUBJECT

A public hearing to receive comments regarding an application by DAL Steele Ridgecrest LLC to the Texas Department of Housing and Community Affairs (TDHCA) for 2018 4% Non-Competitive Housing Tax Credits for the acquisition and rehabilitation of the Ridgecrest Terrace Apartments, an existing multifamily complex with 250 units located at 526 South Walton Walker Boulevard, in accordance with the requirements of Texas Government Code §2306.67071 and Texas Administrative Code §10.204(4); and at the close of the public hearing, consider a resolution of no objection to DAL Steele Ridgecrest, LLC's application for the TDHCA 2018 4% Non-Competitive Housing Tax Credits allocation for the acquisition and rehabilitation of the Ridgecrest Terrace Apartments - Financing: No cost consideration to the City

BACKGROUND

This item was placed on the addendum because Housing staff received the Tax Credit Proposals on September 28, 2018 and had to create a Request for Applications before performing the due diligence needed in the review process. Those various steps could not have been completed ahead of the posting deadline. The Economic Development and Housing Committee has called a special meeting on Monday, October 22, 2018.

DAL Steele Ridgecrest LLC (Applicant) has applied to the Texas Department of Housing and Community Affairs (TDHCA) for 2018 4% Non-Competitive Housing Tax Credits (4% Housing Tax Credits) for the acquisition and rehabilitation of the Ridgecrest Terrace Apartments, an existing multifamily complex with 250 units located at 526 South Walton Walker Boulevard, Dallas, Texas 75211. The property is currently owned by Ridgecrest Holdings LLC. TDHCA requires 4% Housing Tax Credit applicants to provide a resolution from the governing body of the jurisdiction in which the proposed development will be sited. As part of these TDHCA requirements, the governing body must also conduct a public hearing for citizens to provide comment on the proposed development. Once a resolution is adopted and submitted to TDHCA, then it cannot be changed or withdrawn.

The Applicant, a Texas limited liability company, is proposing to acquire, rehab, renovate, and manage the Ridgecrest Terrace Apartments. Steele Ridgecrest LM LLC, an affiliate of Steele Properties Holdings III LLC, is the current manager. An amended and restated operating agreement will be executed to add a managing member and a, to be formed entity as an investor member. Steele Properties III LLC, an affiliate of Steele Properties will serve as the developer.

The proposed property manager is Monroe Group Ltd. which is a sister company of Steele Properties. Steele Properties was founded in 2006 and has experience renovating and building affordable housing developments throughout the nation. They currently own and manage over 50 affordable housing apartment complexes across the country, including 12 housing complexes in Texas.

The Applicant proposes to rehabilitate all 250 units. The 250 units are comprised of 18 1-bedroom, 184 2-bedroom, and 48 3-bedroom. Interior renovations include upgraded kitchens and bathrooms with new energy-star appliances and flooring replacement. Plumbing fixtures and interior lighting will be replaced throughout, and HVAC systems will be upgraded as well. Exterior work will include, at a minimum, complete roofing replacement, building repainting, landscaping, exterior repair, foundation repair, parking lot repair and enhanced lighting throughout the site. As part of the rehabilitation, a new 3,000 square foot community building and management office will be constructed. This new structure will have a community room, fitness center, library, communal kitchen computer laboratory. Site amenities include a pavilion, sport court and playgrounds. The new community building will also house a police substation. Additionally, there will be substantial security upgrades including a site-wide camera system.

Total development costs are anticipated to be approximately $49,136,619.00 which include the acquisition price for the apartment complex. The hard cost rehabilitation budget is anticipated to be $11,595,444.00 plus a 10% hard cost contingency of $1,159,544.00. This will total over $12,500,000.00 in hard costs, which is over $50,000.00 per unit.

Use	**Costs**
Acquisition	$23,662,500.00
Improvements	$13,436,746.00
Cost of Financing	$ 4,484,689.00
Fees, Reserves, and Soft Costs	$ 7,552,684.00
Total	**$49,136,619.00**

Currently, there is a project-based Housing Assistance Payment (HAP) contract administered by the U.S. Department of Housing and Urban Development that provides rental assistance for the complex. The HAP contract requires units to be set aside for low income residents. The HAP contract was renewed on September 1, 2015 and expires on August 31, 2020. After the acquisition and rehabilitation is complete, the units will be made available to households earning 60% or below of Area Median Income subject to any additional restrictions required under the HAP contract.

On May 9, 2018, City Council adopted the Comprehensive Housing Policy by Resolution No. 18-0704, which provided a policy including evaluation criteria for developers requiring Resolutions of Support or No Objection for rental housing developments seeking Housing Tax Credits through TDHCA. The evaluation criteria include factors such as general partner and property management

experience, location in a Reinvestment Strategy Area, determination of project feasibility, location to amenities, etcetera. Based on the evaluation criteria, the Ridgecrest Terrace proposal scored a 69, scoring matrix is attached as Exhibit A. To receive a staff recommendation for a resolution, the applicant must score 85 points out of 140. As demonstrated on the Market Value Analysis, Ridgecrest Terrace Apartments is located in a G market type.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Economic Development and Housing Committee will be briefed regarding this item at a Special Called meeting on October 22, 2018.

FISCAL INFORMATION

No cost consideration to the City.

OWNER/DEVELOPER

Steele Ridgecrest LM LLC

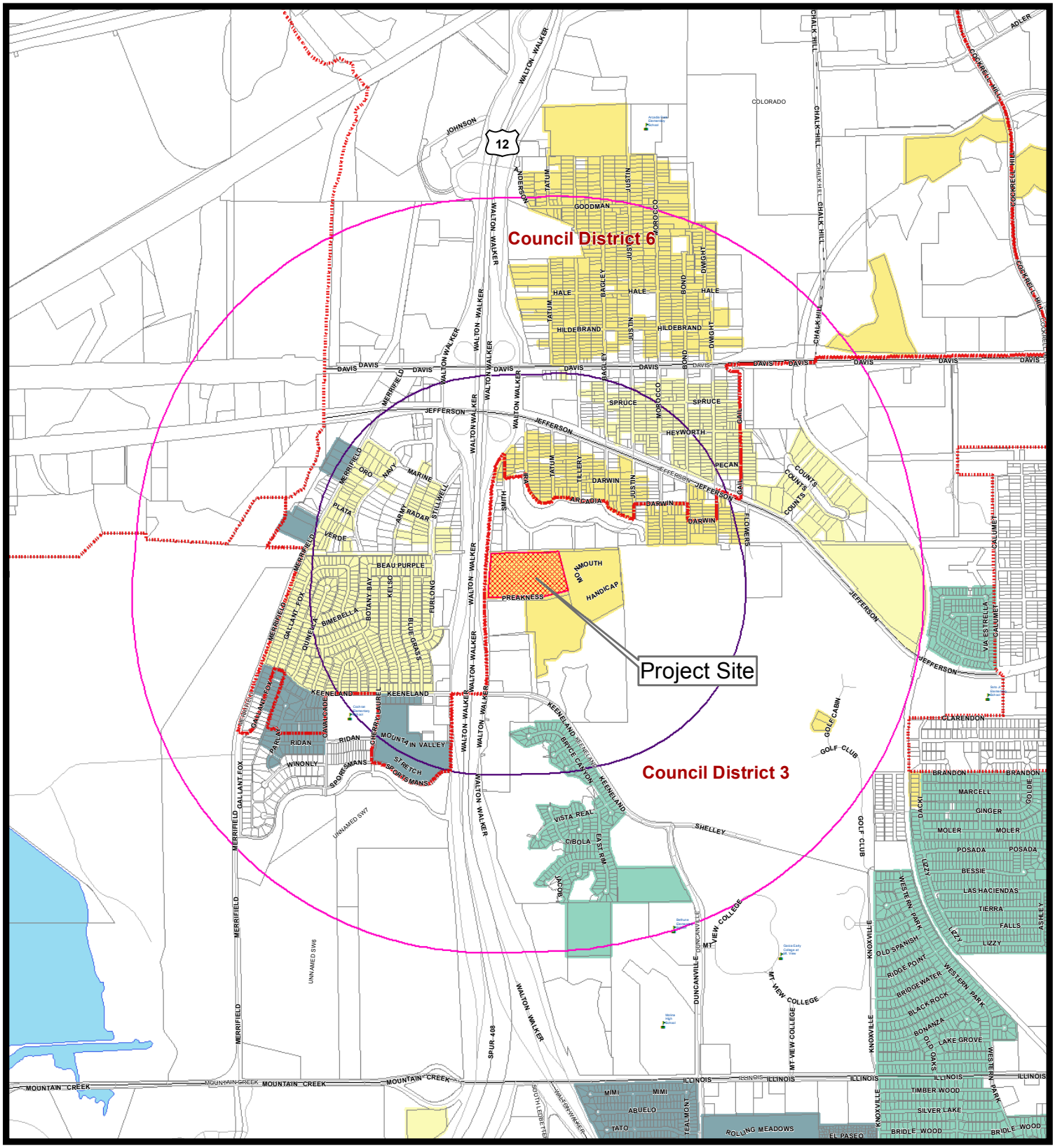
Stuart Heller, Manager of the Managing Member

MAP

Attached

powered by Legistar™

Ridgecrest Terrace Apartments - 526 S. Walton Walker Blvd., Dallas, Texas 75211



526 Walton Walker

0 0.25 0.5 Miles

Buffers
- 1 mile radius
- Half mile radius
- Quarter mile radius
- Property lines

Reinvestment Areas
- Stabilization Areas
- Redevelopment Areas
- Emerging Market Areas

MVA Market Types
- A
- B
- C
- D
- E
- F
- G
- H
- I
- NA

Map produced 10/9/2018

October 24, 2018

WHEREAS, on May 9, 2018, City Council adopted the Comprehensive Housing Policy by Resolution No. 18-0704; and

WHEREAS, the Comprehensive Housing Policy provides a policy for developers requesting a Resolution of Support or No Objection (Resolutions) for multifamily rental housing developments seeking Housing Tax Credits (HTC) through the Texas Department of Housing and Community Affairs (TDHCA); and

WHEREAS, on October 24, 2018, City Council is scheduled to amend the policy for requesting Resolutions; and

WHEREAS, DAL Steele Ridgecrest LLC, (Applicant) has proposed the acquisition and rehabilitation of a 250-unit multifamily complex known as the Ridgecrest Terrace Apartments located at 526 South Walton Walker Boulevard in the City of Dallas, Texas; and

WHEREAS, the Applicant proposes to rehabilitate all 250 units, including 18 1-bedroom, 184 2-bedroom, and 48 3-bedroom; and will include interior and exterior renovations including a new community building; and

WHEREAS, upon completion of the rehabilitation and renovations, the complex will be available to rent to low income households earning 60% or below of Area Median Income subject to any additional restrictions under the Housing Assistance Payment (HAP) contract administered by the U.S. Department of Housing and Urban Development; and

WHEREAS, the Applicant has advised the City that it applied to the TDHCA for 2018 4% Non-Competitive HTC for the proposed acquisition and rehabilitation of Ridgecrest Terrace Apartments (TDHCA # 18436); and

WHEREAS, pursuant to Section 11.9 of the Qualified Allocation Plan and Chapter 2306 of the Texas Government Code, the City desires to provide a Resolution of No Objection to the Applicant for the 2018 4% Non-Competitive HTC application for the Ridgecrest Terrace Apartments located at 526 South Walton Walker Boulevard, Dallas, Texas 75211.

Now, Therefore,

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

October 24, 2018

SECTION 1. That the City of Dallas, acting through its Governing Body, hereby confirms that it has no objection as to Applicant's application to the Texas Department of Housing and Community Affairs 2018 4% Non-Competitive Housing Tax Credits for the proposed acquisition and rehabilitation of the Ridgecrest Terrace Apartments located at 526 South Walton Walker Boulevard, Dallas, Texas 75211 for the acquisition and rehabilitation of a 250-unit multifamily complex and that this formal action has been taken to put on record the opinion expressed by the City of Dallas on October 24, 2018.

SECTION 2. That in accordance with the requirements of the Texas Government Code §2306.67071 and Texas Administrative Code §10.204(4), it is hereby found that:

a. Notice has been provided to the Governing Body in accordance with Texas Government Code §2306.67071(a); and

b. The Governing Body has had sufficient opportunity to obtain a response from the Applicant regarding any questions or concerns about the proposed acquisition and rehabilitation of the Ridgecrest Terrace Apartments; and

c. The Governing Body has held a hearing at which public comment may be made on the proposed acquisition and rehabilitation of the Ridgecrest Terrace Apartments in accordance with Texas Government Code §2306.67071(b) and Texas Administrative Code §10.204(4)(B); and

d. After due consideration of the information provided by the Applicant and after the public hearing on the proposed acquisition and rehabilitation of Ridgecrest Terrace Apartments, the City of Dallas, acting through its Governing Body, does not object to the application by the Applicant to the TDHCA for 2018 4% Non-Competitive HTC for the purpose of the acquisition and rehabilitation of the Ridgecrest Terrace Apartments.

SECTION 3. That it is FURTHER RESOLVED that for and on behalf of the Governing Body, the Mayor or the City Manager, are hereby authorized, empowered and directed to certify these resolutions to the TDHCA.

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.

Agenda Information Sheet

File #: 18-1125 **Item #:** 8.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 7

DEPARTMENT: Housing & Neighborhood Revitalization

EXECUTIVE: T.C. Broadnax

SUBJECT

A public hearing to receive comments regarding an application by JKLF Eastfield, LTD. to the Texas Department of Housing and Community Affairs (TDHCA) for 2018 4% Non-Competitive Housing Tax Credits for the acquisition and rehabilitation of the Treymore Eastfield Apartments, an existing multifamily complex with 196 units located at 2631 John West Road, in accordance with the requirements of Texas Government Code §2306.67071 and Texas Administrative Code §10.204(4); and at the close of the public hearing, consider a resolution of no objection to JKLF Eastfield, LTD.'s application for the TDHCA 2018 4% Non-Competitive Housing Tax Credits allocation for the acquisition and rehabilitation of the Treymore Eastfield Apartments - Financing: No cost consideration to the City

BACKGROUND

This item was placed on the addendum because Housing staff received the Tax Credit Proposals September 28, 2018 and had to create a Request for Applications before performing the due diligence needed in the review process. Those various steps could not have been completed ahead of the posting deadline. The Economic Development and Housing Committee has called a special meeting on Monday, October 22, 2018.

JKLF Eastfield, LTD. (Applicant) has applied to the Texas Department of Housing and Community Affairs (TDHCA) for 2018 4% Non-Competitive Housing Tax Credits (4% Housing Tax Credits) for the acquisition and rehabilitation of the Treymore Eastfield Apartments, an existing multifamily complex with 196 units located at 2631 John West Road, Dallas, TX 75228. The property is currently owned by Carleton-LaPrada, Ltd. TDHCA requires 4% Housing Tax Credit applicants to provide a resolution from the governing body of the jurisdiction in which the proposed development will be sited. As part of these TDHCA requirements, the governing body must also conduct a public hearing for citizens to provide comment on the proposed development. Once a resolution is adopted and submitted to TDHCA, then it cannot be changed or withdrawn.

The Applicant, a Texas limited partnership, is proposing to acquire, rehab, renovate, and manage the Treymore Eastfield Apartments. JKLF Eastfield GP, LLC, is the general partner and The JKL Foundation, a private foundation is its sole member. An amended and restated agreement of limited partnership will be executed to add AHP Housing Fund, LLC, a subsidiary of Berkshire-Hathaway as limited partner. JKLF Eastfield GP, LLC, an affiliate of the JKL Foundation will serve as the developer.

The proposed property manager is Dalcor Management LLC which is a sister company of Dalcor Companies. Dalcor Companies was founded in 1982 and the primary focus structuring acquisitions, financing and management of multifamily investments and operations. Dalcor Companies also successfully performed property management for various institutions. They currently own and manage 11 affordable housing apartment complexes in Texas and Florida.

The Applicant proposes to rehabilitate all 196 units. The 196 units are comprised of 108 1-bedroom, 48 2-bedroom, and 40 3-bedroom. Interior renovations include replacing all appliances with energy star rated features, replacing kitchen and bathroom countertops and fixtures, water heater, replace flooring, cabinetry, sheetrock, as needed. Exterior work includes roof replacement, as needed, replace damaged siding, as needed, repair fencing, update amenities, and add common area Wi-Fi, gazebo and volleyball court. Current property amenities include a pool, children's playscape area, fitness center, community center with a full kitchen.

Total development costs are anticipated to be approximately $21,192,744.00 which include the acquisition price for the apartment complex. The hard cost rehabilitation budget is anticipated to be $3,920,000.00 which is $20,000.00 per unit. The total construction amount is $4,664,800.00 which includes 5% contingency and contractor overhead.

Use	**Costs**
Acquisition	$11,581,515.00
Improvements	$ 4,664,800.00
Cost of Financing	$ 1,936,436.00
Fees, Reserves, and Soft Costs	$ 3,009,993.00
Total	**$21,192,744.00**

After the acquisition and rehabilitation is complete, the units will be made available to households earning 50%-60% or below of Area Median.

On May 9, 2018, City Council adopted the Comprehensive Housing Policy, by Resolution No. 18-0704, which provided a policy including evaluation criteria for developers requiring Resolutions of Support or No Objection for rental housing developments seeking Housing Tax Credits through the TDHCA. The evaluation criteria include factors such as general partner and property management experience, location in a Reinvestment Strategy Area, determination of project feasibility, location to amenities, etcetera. Based on the evaluation criteria, the Treymore Eastfield proposal scored a 87, scoring matrix is attached as Exhibit A. To receive a staff recommendation for a resolution, the applicant must score 85 points out of 140. As demonstrated on the Market Value Analysis, Treymore Eastfield Apartments is located in a G market type.

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PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Economic Development and Housing Committee will be briefed regarding this item at a Special Called meeting on October 22, 2018.

FISCAL INFORMATION

No cost consideration to the City.

OWNER/DEVELOPER

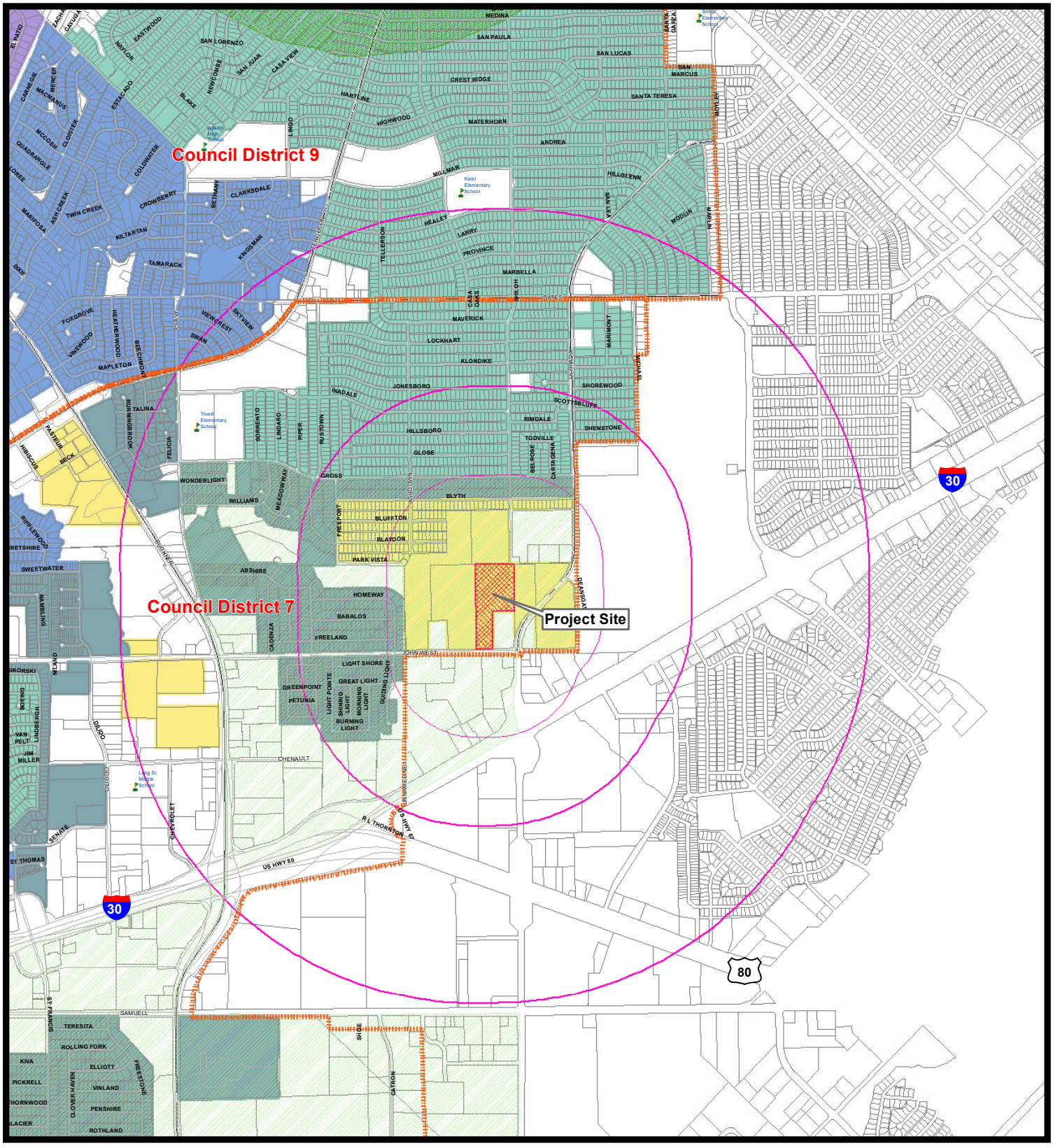
Dalcor Affordable Housing I, LLC

Ron Murff, Manager of Eastfield GP, LLC

MAP

Attached

Treymore Eastfield Apartments - 2631 John West Road, Dallas, TX 75228



0 0.25 0.5 1 Miles

1 mile buffer
half mile buffer
quarter mile buffer

Reinvestment Areas

- Stabilization Areas
- Redevelopment Areas
- Emerging Market Areas
- STREETS
- Designated Opportunity Zones

MVA Market Types

A B C D E F G H I NA

Map produced 10/9/2018
Planning and Urban Design

October 24, 2018

WHEREAS, on May 9, 2018, City Council adopted the Comprehensive Housing Policy by Resolution No. 18-0704; and

WHEREAS, the Comprehensive Housing Policy provides a policy for developers requesting a Resolution of Support or No Objection (Resolutions) for multifamily rental housing developments seeking Housing Tax Credits (HTC) through the Texas Department of Housing and Community Affairs (TDHCA); and

WHEREAS, on October 24, 2018, City Council amended the policy for requesting Resolutions; and

WHEREAS, JKLF Eastfield, LTD., (Applicant) has proposed the acquisition and rehabilitation of a 196-unit multifamily complex known as the Treymore Eastfield Apartments located at 2631 John West Road in the City of Dallas, Texas; and

WHEREAS, the Applicant proposes to rehabilitate all 196 units, 108 1-bedroom, 48 2-bedroom, and 40 3-bedroom; and will include interior and exterior renovations; and

WHEREAS, upon completion of the rehabilitation and renovations, the complex will be available to rent to low income households earning 50% and 60% or below of Area Median Income; and

WHEREAS, the Applicant has advised the City that it applied to the TDHCA for 2018 4% Non-Competitive HTC for the proposed acquisition and rehabilitation of the Treymore Eastfield Apartments (TDHCA # 18617); and

WHEREAS, pursuant to Section 11.9 of the Qualified Allocation Plan and Chapter 2306 of the Texas Government Code, the City desires to provide a Resolution of No Objection to the Applicant for the 2018 4% Non-Competitive HTC application for the Treymore Eastfield Apartments located at 2631 John West Road, Dallas, TX 75228.

Now, Therefore,

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

SECTION 1. That the City of Dallas, acting through its Governing Body, hereby confirms that it has no objection as to Applicant's application to the Texas Department of Housing and Community Affairs for 2018 4% Non-Competitive Housing Tax Credit for the proposed acquisition and rehabilitation of the Treymore Eastfield Apartments located at 2631 John West Road, Dallas, TX 75228 for the acquisition and rehabilitation of a 196-unit multifamily complex and that this formal action has been taken to put on record the opinion expressed by the City of Dallas on October 24, 2018.

SECTION 2. That in accordance with the requirements of the Texas Government Code §2306.67071 and Texas Administrative Code §10.204(4), it is hereby found that:

a. Notice has been provided to the Governing Body in accordance with Texas Government Code §2306.67071(a); and

b. The Governing Body has had sufficient opportunity to obtain a response from the Applicant regarding any questions or concerns about the proposed acquisition and rehabilitation of the Treymore Eastfield Apartments; and

c. The Governing Body has held a hearing at which public comment may be made on the proposed acquisition and rehabilitation of the Treymore Eastfield Apartments in accordance with Texas Government Code §2306.67071(b) and Texas Administrative Code §10.204(4)(B); and

d. After due consideration of the information provided by the Applicant and after the public hearing on the proposed acquisition and rehabilitation of the Treymore Eastfield Apartments, the City of Dallas, acting through its Governing Body, does not object to the application by Applicant to the TDHCA for 2018 4% Non-Competitive HTC for the purpose of the acquisition and rehabilitation of the Treymore Eastfield Apartments.

SECTION 3. That it is FURTHER RESOLVED that for and on behalf of the Governing Body, the Mayor or the City Manager, are hereby authorized, empowered and directed to certify these resolutions to the TDHCA.

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.

Agenda Information Sheet

File #: 18-680 **Item #:** 49.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize **(1)** an Advance Funding Agreement with the Texas Department of Transportation (TxDOT) for a Transportation Alternatives Set-Aside Program Project (Agreement No. CSJ 0918-47-~~204~~205, CFDA No. 20.205) in the amount of $5,421,124.00 for construction of the Trinity Strand Trail - Phase II Project; **(2)** a required local match in the amount of $64,314.00 to be paid by warrant check to the State at the beginning of the project; **(3)** the receipt and deposit of funds in ~~an~~ the amount ~~not to exceed~~ of $5,421,124.00 in the Transportation Alternatives Set-Aside Program Fund; **(4)** the establishment of appropriations in ~~an~~ the amount ~~not to exceed~~ of $5,421,124.00 in the Transportation Alternatives Set-Aside Program Fund; **(5)** allocation of $5,197.91 in 2006 Bond Funds and $2,069,298.09 in 2012 Bond Funds as the City of Dallas' local cash match; and **(6)** execution of the grant agreement including all terms, conditions, and documents required by the grant agreement - Total ~~not to exceed~~ amount $7,495,620.00 - Financing: Texas Department of Transportation Funds ($5,421,124.00), 2006 Bond Funds ($5,197.91), and 2012 Bond Funds ($2,069,298.09)

BACKGROUND

In July 2017, the City of Dallas was awarded Transportation Alternatives Set-Aside (TASA) Program funding from the North Central Texas Council of Governments in the amount of $5,421,214.00, the maximum funding allowable, for construction of the Trinity Strand Trail - Phase II which runs from the Dallas Area Rapid Transit (DART) Inwood Road Station on the north, through the Dallas Medical District south to Turtle Creek Plaza in the Dallas Design District, where it connects with the existing Trinity Strand Trail Phase One. The trail is located partially within the elevated DART railway land, within the City of Dallas existing right-of-way and taking one lane of the north side of Market Center Boulevard (City-owned right-of-way) from Harry Hine Boulevard, under IH-35E to Turtle Creek Plaza.

The TASA Program utilizes federal funding, administered by the Texas Department of Transportation (TxDOT). Acceptance of all federal-aid project funds are subject to Disadvantaged Business Enterprises (DBE) Program requirements and the City must operate under TxDOT's DBE program, rather than the City's Business Inclusion and Development Plan. This Advance Funding Agreement sets forth the parameters for both agencies and specifies the responsibilities of each.

This action will use the City of Dallas' local matching funds in the amount of $2,074,496.00 to leverage $5,421,124.00 in Federal and State funds for construction of the Trinity Strand Trail - Phase II Project for a total not to exceed $7,495,620.00.

The scope of work for the project includes:

- A 12-feet wide concrete multi-use trail
- Enhanced traffic signals at major intersections to allow pedestrians and cyclists to cross safely
- TxDOT will allow the City to install special lighting treatments under the existing IH-35E bridge and allow re-configuration and/or widening as needed.
- The trail will be within (below) the existing DART rail overhead from Inwood Station to about Parkland Memorial Hospital and Medical District Drive, where it will go within the City-owned right-of-way.
- The trail will be within the City-owned right-of-way along Harry Hines Boulevard to Market Center Boulevard. The Department of Transportation has approved repurposing one lane of the north side of Market Center Boulevard to use for the trail, from the intersection of Harry Hines Boulevard and Market Center Boulevard to the intersection of Market Center Boulevard and Turtle Creek Boulevard at Turtle Creek Plaza.
- Trail nodes, trailheads and trail amenities will be included, as allowed by the budget.

ESTIMATED SCHEDULE OF PROJECT

Began Design	June 2016
Complete Design	April 2019
Begin Construction	February 2020
Complete Construction	March 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 23, 2017, the Park and Recreation Board authorized six transportation alternative project applications.

Information about this item was provided to the Quality of Life & Environment Committee on April 10, 2017.

On April 12, 2017, City Council authorized application of seven candidate projects to the North Central Texas Council of Governments through the Transportation Alternatives Set-Aside Program for cost reimbursement in (a) the Active Transportation Project category for the proposed: Katy Trail Bridges Project, Lake Highlands Trail Northern Extension, Lake Highlands Trail Phase 2A, 2B Project, Ridgewood Trail Lighting Project, Trinity Forest Spine Trail Project, Trinity Strand Trail Phase II Project, and Union Bikeway Connector Project and (b) the Safe Routes to School Project category: Lake Highlands Trail Northern Extension Project; and a required local match by Resolution No. 17-0598.

On August 16, 2018, the Park and Recreation Board remanded this item back to the Planning and Design Committee for further review.

On September 20, 2018, the Park and Recreation Board authorized an Advance Funding Agreement with the Texas Department of Transportation.

Information about this item will be provided to the Quality of Life, Arts, and Culture Committee on October 22, 2018.

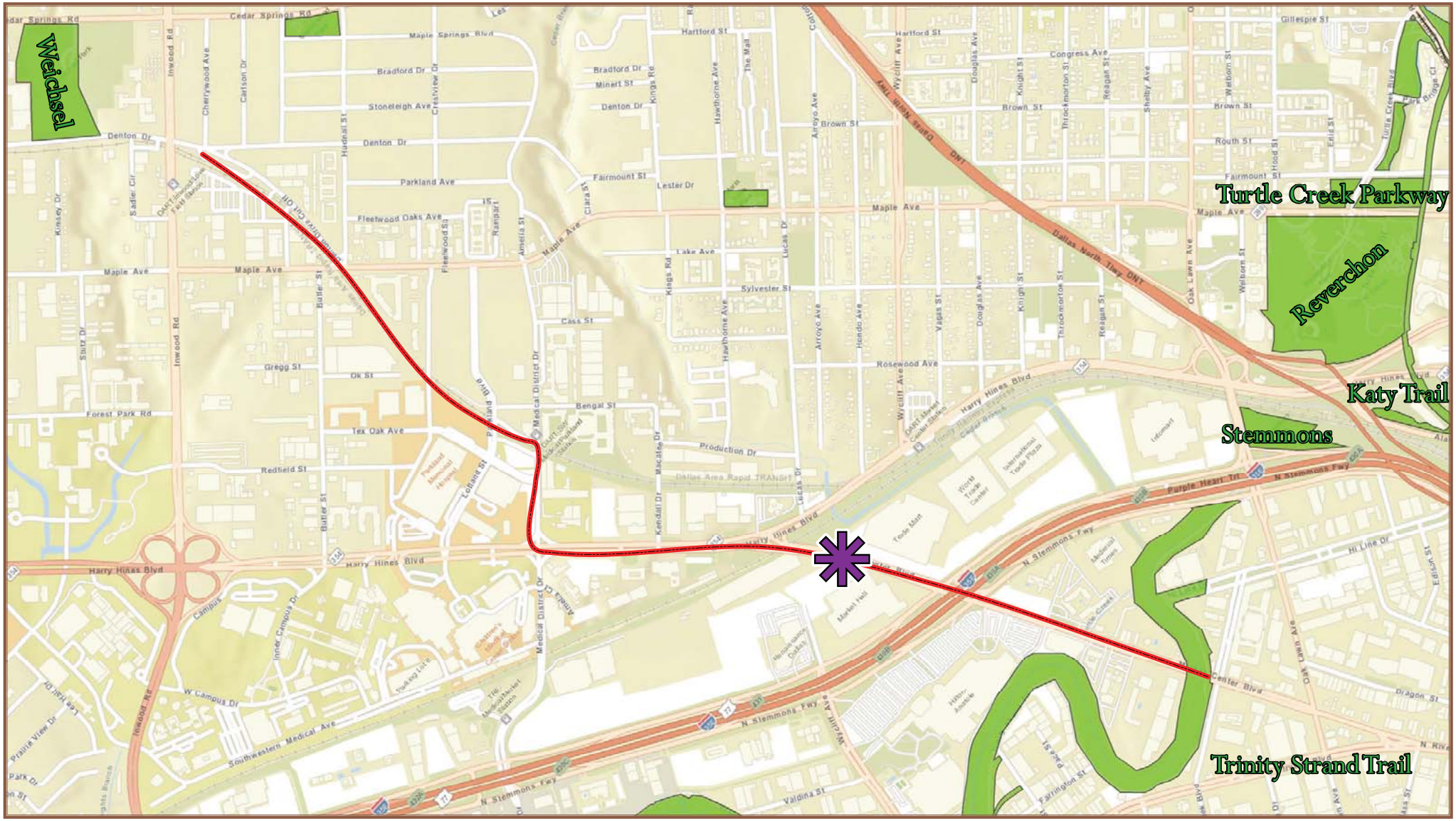
FISCAL INFORMATION

The total project cost of this funding agreement is $7,495,620.00 with the following components:

Texas Department of Transportation Funds - $5,421,124.00
2006 Bond Funds - $5,197.91
2012 Bond Funds - $2,069,298.09

MAP

Attached



0 400 800 1,600 2,400 Feet

Trinity Strand Trail Phase 2

Mapsco
34 U,X,Y 44 C,D

District
2

October 24, 2018

WHEREAS, in July 2017, the City of Dallas was awarded Transportation Alternatives Set-Aside Program funding from the North Central Texas Council of Governments in the amount of $5,421,214.00, for construction of the Trinity Strand Trail - Phase II Project; and

WHEREAS, the City of Dallas desires to enter into an Advance Funding Agreement with the Texas Department of Transportation (TxDOT) for a Transportation Alternatives Set-Aside Program Project (Agreement No. CSJ 0918-47-~~204~~205, CFDA No. 20.205) for construction of the Trinity Strand Trail - Phase II Project; and

WHEREAS, the Federal and State portion of the project is $5,421,124.00 and the City of Dallas' local match is $2,074,496.00, for a total amount ~~not to exceed~~ of $7,495,620.00; and

WHEREAS, the City of Dallas will issue a warrant check to the State at the beginning of the project in the amount of $64,314.00; and

WHEREAS, the City of Dallas will be responsible for any change orders or bid overruns.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign an Advance Funding Agreement with the Texas Department of Transportation for a Transportation Alternatives Set-Aside (TASA) Program Project (Agreement No. CSJ 0918-47-~~204~~205, CFDA No. 20.205) and all terms, conditions, and documents required by the grant agreement, approved as to form by the City Attorney, to accept funding in the amount of $5,421,124.00 for construction of the Trinity Strand Trail - Phase II Project, which may be terminated under the conditions as stated in the Master Agreement. This Advance Funding Agreement may be terminated by the State if the project is inactive for thirty-six months or longer and no expenditures have been charged against federal funds.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute an Advance Funding Agreement with the Texas Department of Transportation (Agreement No. CSJ 0918-47-~~204~~205, CFDA No. 20.205), approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to issue a warrant check to TxDOT (Vendor 020318), in the amount of $64,314.00 from:

SECTION 3. (continued)

2006 Bond Funds
Park and Recreation Facilities Fund
Fund 1T00, Department PKR, Unit T241, Object 4599
Activity HIBT, Program PB12S623 $ 5,197.91

2012 Bond Funds
Street and Transportation Improvements Fund
Fund 1U22, Department PBW, Unit S623, Object 4599
Activity HIBT, Program PB12S623 $50,492.03

Street and Transportation Improvements Fund
Fund 2U22, Department PBW, Unit S623, Object 4599
Activity HIBT, Program PB12S623 $ 8,624.06

Total amount ~~not to exceed~~ $64,314.00

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit any unused Current Funds advanced to TxDOT pertaining to this project into Fund 1T00, Department PKR, Balance Sheet Account 032B.

SECTION 5. That the Chief Financial Officer is hereby authorized to receive and deposit funds in ~~an~~ the amount ~~not to exceed~~ of $5,421,124.00 in the Transportation Alternatives Set-Aside Program Fund, Fund F554, Department PKR, Unit 3644, Revenue Code 6506.

SECTION 6. That the City Manager is hereby authorized to establish appropriations in ~~an~~ the amount ~~not to exceed~~ of $5,421,124.00 in the Transportation Alternatives Set-Aside Program Fund, Fund F554, Department PKR, Unit 3644, Object Code 4510.

SECTION 7. That the Chief Financial Officer is hereby authorized to disburse funds in ~~an~~ the amount ~~not to exceed~~ of $7,495,620.00 in accordance with the terms and conditions of the agreement as follows:

Transportation Alternatives Set-Aside Program Fund
Fund F554, Department PKR, Unit 3644, Object 4510
Activity HIBT, Program PB12S623 $5,421,124.00

2006 Bond Funds
Park and Recreation Facilities Fund
Fund 1T00, Department PKR, Unit T241, Object 4599
Activity HIBT, Program PB12S623 $ 5,197.91

SECTION 7. (continued)

2012 Bond Funds	
Street and Transportation Improvements Fund Fund 1U22, Department PBW, Unit S623, Object 4599 Activity HIBT, Program PB12S623	$ 50,492.03
Street and Transportation Improvements Fund Fund 2U22, Department PBW, Unit S623, Object 4599 Activity HIBT, Program PB12S623	$ 136,412.83
Street and Transportation Improvements Fund Fund 3U22, Department PBW, Unit S623, Object 4599 Activity HIBT, Program PB12S623	$1,642,272.78
Street and Transportation Improvements Fund Fund 4U22, Department PBW, Unit S623, Object 4599 Activity HIBT, Program PB12S623	$ 240,120.45
Total amount ~~not to exceed~~	$7,495,620.00

SECTION 8. That the City Manager is hereby authorized to reimburse the granting agency any expenditures identified as ineligible and notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 9. That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

SECTION 10. That this contract is designated as Contract No. PKR- 2018-00007058.

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.

Agenda Information Sheet

File #: 18-835 **Item #:** 27.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: October 24, 2018

COUNCIL DISTRICT(S): 6, 7, 14

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A resolution **(1)** declaring twelve properties unwanted and unneeded and authorizing their sale by public auction (list attached to the Agenda Information Sheet); **(2)** authorizing a Purchase and Sale Agreement to be prepared for each auctioned surplus property receiving the highest qualified bid that is sold absolute; and **(3)** waving the minimum reserve amount - Estimated Revenue: $946,060.00

BACKGROUND

This item declares twelve properties unwanted and unneeded and authorizing their advertisement for sale by public auction. These properties have been routed to City departments and outside agencies to determine whether any had a need for the properties.

Texas Local Government Code Section 253.008 authorizes municipalities to sell real properties owned by the municipality at an advertised public auction. Section 272.001 states fair market value may be determined by the highest bid price obtained by a municipality at an advertised auction.

All properties will be advertised for sale by public auction with a reservation of all oil, gas and other minerals in and under the properties and a restriction prohibiting the placement of industrialized housing.

Upon receipt of the highest qualified bid sold absolute, a Purchase and Sale Agreement, approved as to form by the City Attorney, will be prepared for the highest bidder. Staff will ensure the highest bidders are qualified to bid and be awarded the properties. All properties will be sold by Deed Without Warranty, approved as to form by the City Attorney.

These properties will return to the tax rolls upon conveyance

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on October 22, 2018.

FISCAL INFORMATION

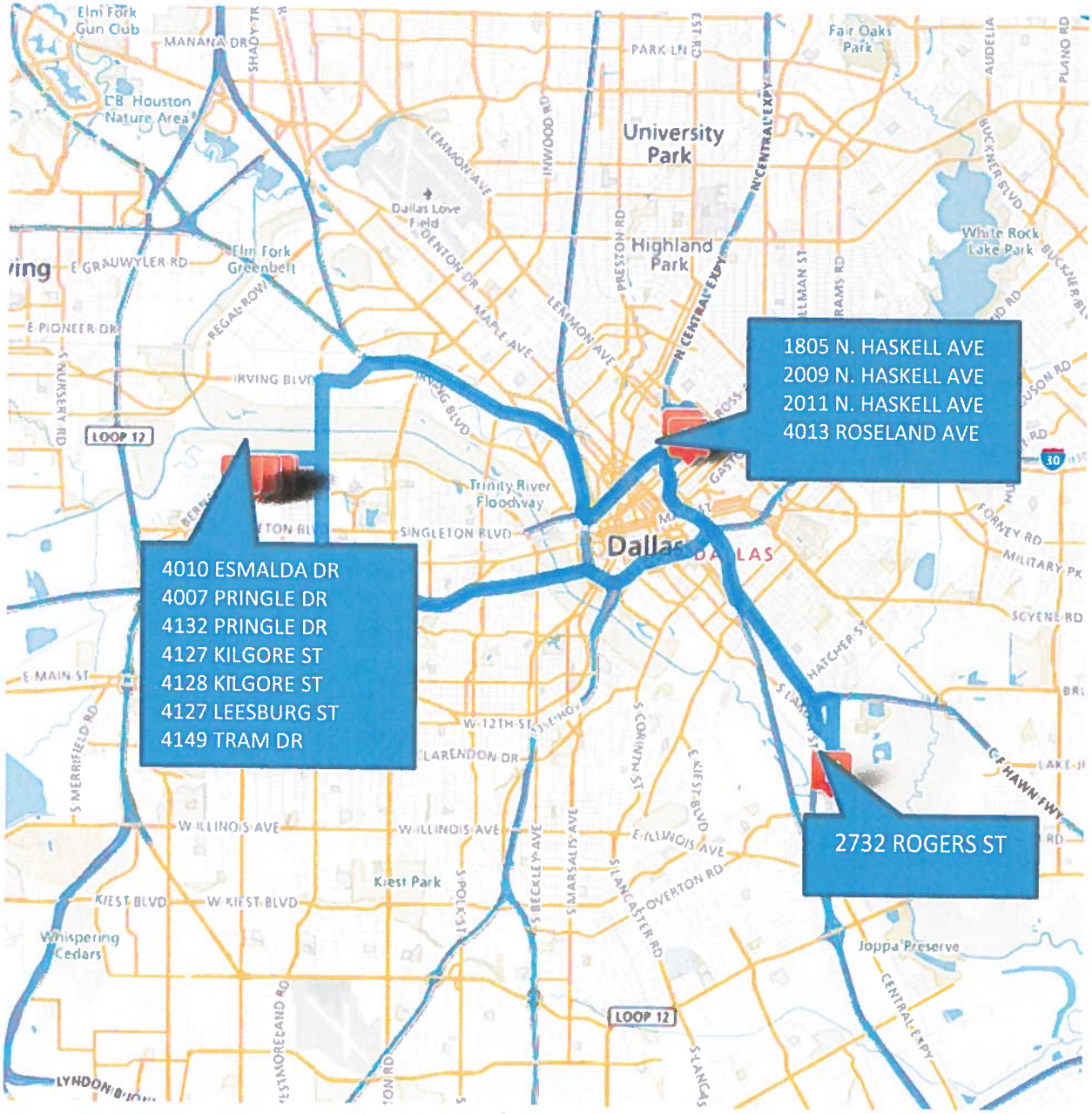
Estimated Revenue: $946,060.00

MAP

Attached

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	CITY-OWNED PROPERTY	MAPSCO	COUNCIL DISTRICT	SQ. FT OR ACREAGE	BLOCK	ZONING	DCAD ASSESSED VALUE
	UNIMPROVED LAND						
1	4010 ESMALDA DR	43E	6	0.114	7150	R-5(A)	$12,000.00
2	1805 N HASKELL AVE	45D	14	157	0602	CR	$274,000.00
3	2009 N HASKELL AVE	45D	14	0.143	0608	CR	$156,250.00
4	2011 N HASKELL AVE	45D	14	0.143	0608	CR	$156,250.00
5	4127 KILGORE ST	43E	6	0.114	7155	R-5(A)	$12,000.00
6	4128 KILGORE ST	43E	6	0.114	7155	R-5(A)	$12,000.00
7	4127 LEESBURG ST	43E	6	0.114	7155	NO(A)	$12,000.00
8	4007 PRINGLE DR	43E	6	0.114	7150	R-5(A)	$12,000.00
9	4132 PRINGLE DR	43E	6	0.114	7150	R-5(A)	$12,000.00
10	2732 ROGERS ST	56M	7	0.102	7075	PD-595	$1,560.00
11	4013 ROSELAND AVE	45D	14	157	0602	CR	$274,000.00
12	4149 TRAM DR	43E	6	0.114	7155	R-5(A)	$12,000.00
							$946,060.00



SUBJECT PROPERTIES

October 24, 2018

WHEREAS, the City of Dallas ("City") is the owner of twelve (12) tracts of land located in the City of Dallas, Dallas County, Texas as described on Exhibit "A", attached herein and incorporated by reference, and which are no longer needed for municipal use; and

WHEREAS, said City properties are currently developable and may be disposed of by public auction in accordance with the provisions of Section 2-24.1 of the Dallas City Code, which requires a minimum reserve amount be established, and Sections 253.008 and 272.001 of the Texas Local Government Code, as amended; and

WHEREAS, pursuant to Section 2-24.1(e) of the Dallas City Code, the procedures required by Section 2-24.1 of the Dallas City Code that are not required by state law may be waived; and

WHEREAS, the minimum reserve amount provided for in Section 2-24.1(b) of the Dallas City Code is not required for the sale of property by public auction to proceed pursuant to Section 253.008 and Section 272.001 of the Texas Local Government Code which instead provide that the City may sell its property by public auction where the highest bid received reflects the fair market value of the property; and

WHEREAS, pursuant to Section 2-24.1(e) of the Dallas City Code, in accordance with certain procedures, the City recommends the minimum reserve amount requirement of Section 2-24.1(b) of the Dallas City Code be waived and the sale of said City properties be authorized to instead proceed by public auction without a minimum reserve amount, pursuant to Section 2-24.1 of the Dallas City Code and to Section 253.008 and Section 272.001 of the Texas Local Government Code, where the highest bid received reflects the fair market value of the property.

Now, Therefore,

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

SECTION 1. That the City-owned properties listed on Exhibit "A", attached herein and incorporated by reference are declared unwanted and unneeded by the City Council, that the minimum reserve amount requirement of Section 2-24.1 (b) of the Dallas City Code is hereby waived for the sale of these properties, and the properties are to be advertised for sale and sold by public auction pursuant to law Section 2-24.1 of the Dallas City Code and Sections 253.008 and Section 272.001 of the Texas Local Government Code, without a minimum reserve and where the highest bid received reflects the fair market value of the properties.

SECTION 2. That the Director of Sustainable Development and Construction is authorized to advertise these properties listed on Exhibit "A" for sale by public auction and upon conclusion of the advertising period, conduct the public auction as authorized herein.

SECTION 3. That the advertisement of the properties shall state:

(a) that the sale shall be by Deed Without Warranty in a form approved by the City Attorney;

(b) that the sale shall be subject to the terms, covenants, conditions, reservations, restrictions and exceptions of this authorizing resolution, including without limitation the following:

(i) a restriction prohibiting the placement of industrialized housing on the property;

(ii) reservation by the City of Dallas of all oil, gas and other minerals in and under the property with a waiver of surface access rights relating to said minerals;

(iii) any and all visible and apparent easements and encroachments, whether of record or not;

(iv) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases, or other instruments of record and applicable to the property or any part thereof; and

(v) standby fees, taxes and assessments, if any, by any taxing authority for the year of closing and subsequent years and assessments by any taxing authority for prior years due to changes in land usage or ownership, the payment of said standby fees, taxes, and assessments being assumed by **GRANTEE**.

(c) that, to the maximum extent allowed by law, the sale shall be strictly on an "AS IS, WHERE IS, WITH ALL FAULTS" basis;

(d) that as a material part of the consideration for the sale, the grantee and the City shall acknowledge and agree and provided in any relevant instrument that, to the maximum extent allowed by law, (a) **GRANTEE** is taking the property "AS IS, WHERE IS, WITH ALL FAULTS", (b) the City disclaims responsibility as to the accuracy or completeness of any information relating to the property, (c) **GRANTEE** assumes all responsibility to examine all applicable building codes and zoning ordinances to determine if the property can be used for the purposes desired and to check for outstanding or pending code enforcement actions including but not limited to repair or demolition orders, and (d) the City expressly disclaims and grantee expressly waives, any warranty or representation, express or implied, including without limitation any warranty of condition, habitability, merchantability or fitness for a particular purpose of the property. Without limiting

the foregoing, the City makes no representations of any nature regarding the property and specifically disclaims any warranty, guaranty or representation, oral or written, express or implied, past, present, or future, concerning: (i) the nature and condition of the property, including without limitation, the water, soil and geology, and the suitability thereof and the property for any and all activities and uses which grantee may elect to conduct thereon, and the existence of any environmental substances, hazards or conditions or presence of any endangered or protected species thereon or compliance with all applicable laws, rules or regulations; (ii) the nature and extent of any right-of-way, lease, possession, lien, encumbrance, license, reservation, condition or otherwise; (iii) the compliance of the property or its operation with any law, ordinance or regulation of any federal, state, or local governmental authority; and (iv) whether or not the property can be developed or utilized for any purpose. For purposes hereof, "environmental substances" means the following: (a) any "hazardous substance" under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C.A. Section 9601 et. seq., as amended, (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, Tex. Water Code, Section 26.261, et. seq., as amended, (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubrication oils, (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C.A. Section 651 et. seq., as amended, (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C.A. Section 6901 et. seq., as amended, (f) asbestos, (g) polychlorinated biphenyls, (h) underground storage tanks, whether empty, filled, or partially filled with any substance, (i) any substance, the presence of which is prohibited by federal, state or local laws and regulations, and (j) any other substance which by federal, state or local laws and regulations requires special handling or notification of governmental authorities in its collection, storage, treatment or disposal. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated; and

(e) such other terms and requirements of the sale and/or disclaimers as the City deems necessary, convenient or appropriate.

SECTION 4. That, upon the conclusion of the public auction that has been advertised and conducted pursuant to Section 2-24.1 and state law, as applicable, the highest qualified bid received at such auction for each listed surplus property shall be deemed the sales price and shall be conclusive of the fair market value of such property and shall be accepted by the City.

SECTION 5. That the City Manager or designee is authorized to execute a Purchase and Sales Agreement, approved as to form by the City Attorney, to be entered into with

respect to each such surplus property between the City and the highest qualified bidder for such property at such advertised public auction.

SECTION 6. That, upon receipt of the consideration from the highest bidder, the City Manager or designee is authorized to execute a Deed Without Warranty to be attested by the City Secretary, and other miscellaneous closing documents upon approval as to from by the City Attorney.

SECTION 7. That the sale proceeds shall be deposited into the General Fund, Fund 0001, Department DEV, Balance Sheet 0519, and Department of Sustainable Development and Construction, Real Estate Division shall be reimbursed for the cost of obtaining legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department. DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8118.

SECTION 8. That if a title policy is desired by **GRANTEE**, same shall be at the expense of the **GRANTEE**.

SECTION 9. That the sale shall be subject to standby fees, taxes and assessments, if any, by any taxing authority for the year of the closing and subsequent years and assessments by any taxing authority for prior years due to changes in land usage or ownership, the payment of said standby fees, taxes and assessments being assumed by **GRANTEE**.

SECTION 10. 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.

APPROVED AS TO FORM:
CHRISTOPHER J. CASO, Interim City Attorney

BY _____
Assistant City Attorney

EXHIBIT A

	CITY-OWNED PROPERTY	MAPSCO	COUNCIL DISTRICT	SQ. FT OR ACREAGE	BLOCK	ZONING	DCAD ASSESSED VALUE
	UNIMPROVED LAND						
1	4010 ESMALDA DR	43E	6	0.114	7150	R-5(A)	$12,000.00
2	1805 N HASKELL AVE	45D	14	157	0602	CR	$274,000.00
3	2009 N HASKELL AVE	45D	14	0.143	0608	CR	$156,250.00
4	2011 N HASKELL AVE	45D	14	0.143	0608	CR	$156,250.00
5	4127 KILGORE ST	43E	6	0.114	7155	R-5(A)	$12,000.00
6	4128 KILGORE ST	43E	6	0.114	7155	R-5(A)	$12,000.00
7	4127 LEESBURG ST	43E	6	0.114	7155	NO(A)	$12,000.00
8	4007 PRINGLE DR	43E	6	0.114	7150	R-5(A)	$12,000.00
9	4132 PRINGLE DR	43E	6	0.114	7150	R-5(A)	$12,000.00
10	2732 ROGERS ST	56M	7	0.102	7075	PD-595	$1,560.00
11	4013 ROSELAND AVE	45D	14	157	0602	CR	$274,000.00
12	4149 TRAM DR	43E	6	0.114	7155	R-5(A)	$12,000.00
							$946,060.00