DECEMBER 12, 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 December 12, 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

11/29/18
Date

for Elizabeth Reich
Chief Financial Officer

11/29/18
Date

RECEIVED
2018 NOV 29 PM 4:05
CITY SECRETARY
DALLAS, TEXAS

City of Dallas

1500 Marilla Street
Dallas, Texas 75201

COUNCIL AGENDA

December 12, 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, DECEMBER 12, 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 - 78
	ITEMS FOR INDIVIDUAL CONSIDERATION	
No earlier than 9:15 a.m.		Items 79 - 86
	PUBLIC HEARINGS AND RELATED ACTIONS	
1:00 p.m.		Items 87 - 107

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. 18-1389 Approval of Minutes of the November 28, 2018 City Council Meeting

CONSENT AGENDA

City Attorney's Office

2. 18-1296 Authorize an Interlocal Agreement between the City of Dallas and the Dallas County Public Defender's Office to provide legal representation to participants in the South Dallas Drug Court program - Not to exceed $15,000.00 - Financing: U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration Grant Funds

3. 18-1361 Authorize settlement of the lawsuit styled Jose Villegas v. City of Dallas, Cause No. DC-18-06763 - Not to exceed $50,000.00 - Financing: Risk Management Funds

City Controller's Office

4. 18-1067 A resolution authorizing the preparation of plans and the payment of potential future costs and expenses for the issuance of General Obligation Refunding and Improvement Bonds, Series 2019A in an amount not to exceed $271,020,000.00 - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future cost)

5. 18-1402 A resolution authorizing the preparation of plans and the payment of potential future costs and expenses for the issuance of General Obligation Refunding Bonds, Series 2019B, in an amount not to exceed $174,705,000.00 - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future cost)

Department of Aviation

6. 18-1318 Authorize **(1)** an increase in the annual lease rental rates at Dallas Love Field to **(a)** $0.85 square feet per year for unimproved land; **(b)** $0.95 square feet per year for improved land; **(c)** $4.75 square feet per year for storage hangar; **(d)** $5.50 square feet per year for maintenance hangar space; **(e)** $9.50 square feet per year for office space; **(f)** $10,000.00 per year for fuel operations permit fees for fixed-based operators and $5,000.00 per year for fuel operations permit fees for self-fuelers; **(g)** $40.00 - $55.00 per square foot per year for non-aeronautical commercial and retail use; **(h)** $20.00 - $25.00 per square foot per year for non-aeronautical office use; and **(i)** $8.00 - $10.00 per square foot for non-aeronautical warehouse and storage use, effective February 1, 2019; **(2)** an increase in the annual lease rental rates at Dallas Executive Airport to **(a)** $0.45 square feet per year for unimproved land; **(b)** $0.55 square feet per year for improved land; **(c)** $5.50 - $8.00 square feet per year for general aviation storage and maintenance hangars; **(d)** $375.00 - $400.00 per month for T-hangar space; **(e)** $7.50 square feet per year for office space; and **(f)** $10,000.00 per year for fuel operations permit fees for fixed-based operators and $5,000.00 per year for fuel operations permit fees for self-fuelers, effective February 1, 2019; and **(3)** the annual lease rental rates at Dallas Vertiport of **(a)** $200.00 - $500.00 landing fee; **(b)** $150.00 - $300.00 parking fee; **(c)** $200.00 - $400.00 overnight fee; **(d)** $300.00 per day and $750.00 per week for office space; and **(e)** $400.00 per day and $1,000.00 per week for lobby space, effective February 1, 2019 - Financing: This action has no cost consideration to the City (see Fiscal Information for future revenue impact)

7. 18-1336 Authorize the Eleventh Amendment to the Maintenance Base Lease with Southwest Airlines Co. to add 34,702 square feet (0.797 acres) of land to the leased premises at Dallas Love Field - Financing: No cost consideration to the City

Department of Communication and Information Services

8. 18-1354 Authorize a thirty-month service contract for the continued use of cloud services and support for the budget preparation and management system with Oracle America, Inc., through the Department of Information Resources, State of Texas Cooperative - Not to exceed $375,075.00 - Financing: Data Services Fund (subject to annual appropriations)

Department of Convention and Event Services

9. 18-1387 Authorize appropriations in an amount not to exceed $10,882,465.00 in the Convention Center Hotel Tax Rebate Fund for FY 2018-2019 in order to satisfy the terms of the 2009 Economic Development Agreement with the Dallas Convention Center Hotel Development Corporation - Not to exceed $10,882,465.00 - Financing: Convention Center Hotel Tax Rebate Fund

Department of Human Resources

10. 18-1238 Authorize Supplemental Agreement No. 2 to exercise the second of two, one-year renewal options to the consultant contract with Holmes Murphy & Associates, to provide benefits consulting services and auditing services of medical and pharmacy benefit plans, extending the term from November 1, 2018 through October 31, 2019 - Not to exceed $225,000.00, from $900,000.00 to $1,125,000.00 - Financing: Employee Benefits Fund (subject to annual appropriations)

Department of Public Works

11. 18-1144 Authorize a service agreement with Union Pacific Railroad Company to review and approve the engineer design plan for three proposed grade-separated crossings under the railroad track of Union Pacific Railroad for Herbert, Bataan, and Amonette Streets in the area between Singleton Boulevard and Commerce Street from Sylvan Avenue to Beckley Avenue - Not to exceed $600,000.00 - Financing: Streets and Transportation Improvements Fund (2012 Bond Funds)

12. 18-1334 Authorize a professional services contract with PGAL, Inc. for architectural, engineering design, and construction administration services for the 6th Floor Renovation and Major Maintenance at the J. Erik Jonsson Central Library located at 1515 Young Street - Not to exceed $505,500.00 - Financing: Library Facilities Fund (2006 Bond Funds) ($406,510.40) and Library (E) Fund (2017 Bond Funds) ($98,989.60)

13. 18-1195 Authorize a professional services contract with Pacheco Koch Consulting Engineers, Inc. for the engineering design for the street reconstruction project on Bradford Drive from Maple Springs Boulevard to Hedgerow Drive - Not to exceed $203,037.15 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($171,990.45) and Water Capital Improvement Fund ($31,046.70)

14. 18-1224 Authorize a professional services contract with Kimley-Horn and Associates, Inc. for the engineering design for Complete Street improvements, including bike lanes, on Abrams Road from Gaston Avenue to South Beacon Street - Not to exceed $294,574.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)

15. 18-1225 Authorize a professional services contract with Huitt-Zollars, Inc. for the engineering design for Complete Street improvements, including bike lanes on Columbia Avenue/Main Street from South Beacon Street to Deep Ellum - Not to exceed $369,805.90 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)

16. 18-1226 Authorize a professional services contract with VRX, Inc. for the engineering design of the bridge reconstruction project for the West Red Bird Lane Bridge over Woody Branch Creek Project - Not to exceed $256,636.68 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)

17. 18-1243 Authorize a professional services contract with IEA, Inc. for the engineering design of the Jefferson/Twelfth Connector Lane Diet/Removal Project - Not to exceed $226,278.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($204,278.00) and Water Utilities Capital Construction Funds ($22,000.00)

18. 18-1228 Authorize a professional services contract with Huitt-Zollars, Inc. for the engineering design of Streetscape/Urban Design and Sidewalk Improvements for Project Group 17-1011 (list attached to the Agenda Information Sheet) - Not to exceed $146,575.85 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)

19. 18-1061 Authorize a professional services contract with Freese & Nichols, Inc. for the engineering design of Street Reconstruction Group 17-1020 (list attached to the Agenda Information Sheet) - Not to exceed $382,301.23 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($339,984.23) and Water Utilities Capital Construction Funds ($42,317.00)

20. 18-1229 Authorize a professional services contract with Henry Nguyen Consulting, LLC, for the engineering design of Alley Reconstruction Group 17-1202 (list attached to the Agenda Information Sheet) - Not to exceed $189,166.31 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)

21. 18-1298 Authorize a professional services contract with Lim & Associates, Inc. for the engineering design of Alley Reconstruction Group 17-4001 (list attached to the Agenda Information Sheet) - Not to exceed $232,852.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($211,900.00) and Water Utilities Capital Construction Funds ($20,952.00)

22. 18-1092 Authorize a professional services contract with Walter P. Moore and Associates, Inc. for the engineering design of Target Neighborhood Group 17-5001 (list attached to the Agenda Information Sheet) - Not to exceed $639,023.53 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($565,613.10) and Water Utilities Capital Improvement Funds ($73,410.43)

23. 18-1223 Authorize a professional services contract with WSP USA, Inc. for the engineering design of Street Reconstruction Group 17-8005 (list attached to the Agenda Information Sheet) - Not to exceed $181,176.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($142,301.00) and Water Utilities Capital Construction Funds ($38,875.00)

24. 18-1214 Authorize a professional services contract with Lina T. Ramey and Associates for engineering design of Street Reconstruction Group 17-10005 (list attached to the Agenda Information Sheet) - Not to exceed $228,317.80 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($165,617.80) and Water Utilities Capital Improvement Funds ($62,700.00)

Department of Sustainable Development and Construction

25. 18-1297 Authorize the **(1)** deposit of the amount awarded by the Special Commissioners' in the condemnation proceedings styled City of Dallas v. Holcomb Properties, et al., Cause No. 99109-CC, pending in Kaufman County Court at Law, to acquire approximately 142,093 square feet of land for right-of-way located in Kaufman County for the Lake Tawakoni 144-inch Pipeline Project; and **(2)** settlement of the condemnation proceeding for an amount award - Not to exceed $182,874.00, increased from $68,240.00 ($65,240.00, plus closing costs and title expenses not to exceed $3,000.00) to $182,874.00 ($179,874.00 being the award, plus closing costs and title expenses not to exceed $3,000.00) - Financing: Water Utilities Capital Construction Funds

26. 18-638 Authorize acquisition from The Burlington Northern and Santa Fe Railway Company, of approximately 35 acres of inactive railway corridor and vacant land between Cockrell Hill and Westmoreland Roads for the Chalk Hill Trail Project - Not to exceed $965,000.00 ($950,000.00, plus closing costs and title expenses not to exceed $15,000.00) - Financing: Park and Recreation Facilities (2006 Bond Funds)

27. 18-811 A resolution authorizing the conveyance of a tract of land and Drainage Easement for a total of approximately 268 square feet of unimproved City-owned land to the State of Texas located near the intersection of Woodmeadow Parkway and La Prada Drive - Revenue: $4,000.00

28. 18-635 An ordinance granting renewal of a revocable license to 7-Eleven, Inc., for the use of approximately 11 square feet of aerial space to maintain and utilize an existing blade sign over a portion of Akard Street right-of-way near its intersection with Patterson Street - Revenue: $1,000.00 annually, plus the $20.00 ordinance publication fee

29. 18-634 An ordinance granting renewal of a revocable license to 7-Eleven, Inc., for the use of approximately 36 square feet of aerial space to maintain and utilize an existing blade sign over a portion of Commerce Street near its intersection with Harwood Street - Revenue: $1,000.00 annually, plus the $20.00 ordinance publication fee

30. 18-626 An ordinance abandoning portions of Matilda Street to Lincoln LAG Ltd., the abutting owner, containing a total of approximately 17,212 square feet of land located near the intersection of Matilda Street and Lovers Lane; and authorizing the quitclaim; and providing for the dedication of approximately 8,702 square feet of land needed for a water easement - Revenue: $5,400.00, plus the $20.00 ordinance publication fee

31. 18-1219 An ordinance abandoning a portion of a utility easement to Michelle N. Thomas and Stewart H. Thomas, the abutting owners, containing approximately 750 square feet of land, located near the intersection of Horseshoe Trail and Lilac Lane - Revenue: $5,400.00, plus the $20.00 ordinance publication fee

32. 18-764 Authorize an amendment to an existing lease agreement with KAZ MEYERS PROPERTIES, LLC, d/b/a North Creek Kaz Meyers, LLC, MHNC MEYERS, LLC, SMHNC MEYERS, LLC, YKHKNC MEYERS, LLC, and YTNC MEYERS, LLC to extend the lease agreement for an additional one year for approximately 1,800 square feet of office space located at 9451 Lyndon B. Johnson Freeway, Suite 125 to be used as the Northeast Community Court for the period January 1, 2019 through December 31, 2019 - Not to exceed $23,760.00 - Financing: General Fund

33. 18-597 Authorize an amendment to an existing lease agreement with Texas Solutions Group LLC to extend the lease agreement for an additional twenty-eight months for approximately 192 square feet of office space located at 1303 San Antonio Street, Suite 720, Austin, Texas to be used as the City Attorney's Legislative Office for the period October 1, 2018 through January 31, 2021 - Not to exceed $42,570.08 - Financing: General Fund (subject to annual appropriations)

34. 18-1383 Authorize an addition to Kaufman County Municipal Utility District No. 3 within the City of Dallas' extraterritorial jurisdiction that would include approximately 337 acres on property located in Kaufman County northwest of FM 548 Road - Financing: No cost consideration to the City

Department of Transportation

35. 18-1193 Authorize an eighteen-month agreement, with two one-year renewal options, for traffic signal construction - Durable Specialties, Inc., lowest responsible bidder of three - Not to exceed $5,230,000.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)

Office of Community Care

36. 18-1325 Authorize the **(1)** acceptance of a donation in the amount of $50,000.00 from TXU Energy to provide temporary financial assistance through the West Dallas Multipurpose Center to individuals and families who are experiencing a temporary financial crisis; **(2)** receipt and deposit of funds in an amount not to exceed $50,000.00 in the WDMPC Energy Emergency Assistance Fund; and **(3)** establishment of appropriations in an amount not to exceed $50,000.00 in the WDMPC Energy Emergency Assistance Fund - Not to exceed $50,000.00 - Financing: WDMPC Energy Emergency Assistance Fund

Office of Economic Development

37. 18-1338 Authorize **(1)** the receipt and deposit of a loan repayment from DCAR Properties, Ltd. in an amount not to exceed $6,700,000.00; **(2)** the release of the associated lien on 1407 Main Street; **(3)** an increase in appropriations of $6,700,000.00 in the Public/Private Partnership Fund; **(4)** the transfer of an amount not to exceed $4,575,000.00 from the Public/Private Partnership Fund to the Dallas Housing Trust Fund; **(5)** an increase in appropriations of $4,575,000.00 in the Dallas Housing Trust Fund; **(6)** the receipt and deposit of funds transferred to the Dallas Housing Trust Fund; **(7)** the disbursement of funds from the Dallas Housing Trust Fund; and **(8)** the disbursement to Dallas County in an amount not to exceed $2,125,000.00 - Not to exceed $6,700,000.00 - Financing: Public/Private Partnership Fund

Note: Agenda Item Nos. 38 and 39 must be considered collectively.

38. 18-1340 Authorize an ordinance amending Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) Project and Reinvestment Zone Financing Plan to: **(1)** allow an estimated amount of $424,528.00 of the Affordable Housing Set-Aside Funds to be used outside of the boundaries of the Zone and the greater downtown area; and **(2)** make corresponding modifications to the City Center TIF District Project and Reinvestment Zone Financing Plan - Financing: No cost consideration to the City

39. 18-1339 Authorize **(1)** an increase in appropriations in an estimated amount of $424,528.00 in the City Center Tax Increment Financing (TIF) District Fund (Reinvestment Zone Number Five); **(2)** the transfer of City Center TIF District Funds to the Dallas Housing Trust Fund in an estimated amount of $424,528.00; **(3)** an increase in appropriations in an estimated amount of $424,528.00 in the Dallas Housing Trust Fund; and **(4)** the disbursement of funds from the Dallas Housing Trust Fund in an estimated amount of $424,528.00 - Estimated amount of $424,528.00 - Financing: City Center TIF District Funds

40. 18-1341 Authorize **(1)** an increase in appropriations in an estimated amount of $2,540,080.00 in the Cityplace Area Tax Increment Financing (TIF) District Fund (Reinvestment Zone Number Two); **(2)** consolidation of all Cityplace Area TIF District related Funds cash balances in an estimated amount of $1,955,253.47; **(3)** the transfer of Cityplace Area TIF District Funds to the Dallas Housing Trust Fund in an estimated amount of $828,129.00; **(4)** an increase in appropriations in an estimated amount of $828,129.00 in the Dallas Housing Trust Fund; **(5)** disbursement to other participating taxing jurisdictions in an estimated amount of $1,106,293.00; **(6)** the disbursement of funds from the Dallas Housing Trust Fund in an estimated amount of $828,129.00; and **(7)** the closing of the Cityplace Area TIF District Funds (Reinvestment Zone Number Two) after all city transactions and TIF obligations have been processed - Total estimated amount of $1,934,422.00 - Financing: Cityplace Area TIF District Funds

41. 18-1342 Authorize **(1)** an increase in appropriations in an estimated amount of $1,003,651.00 in the State-Thomas Tax Increment Financing (TIF) District Fund (Reinvestment Zone Number One); **(2)** the transfer of State-Thomas Tax Increment District Funds to the Dallas Housing Trust Fund in an estimated amount of $523,246.00; **(3)** an increase in appropriations in an estimated amount of $523,246.00 in the Dallas Housing Trust Fund; **(4)** disbursement of funds from the Dallas Housing Trust Fund in an estimated amount of $523,246.00; **(5)** disbursement to other participating taxing jurisdictions in an estimated amount of $1,585,436.00; and **(6)** the closing of the State-Thomas TIF District Fund (Reinvestment Zone Number One) after all city transactions and TIF obligations have been processed - Total estimated amount of $2,108,682.00 - Financing: State-Thomas TIF District Funds

Note: Agenda Item Nos. 42 and 43 must be considered collectively.

42. 18-1344 Authorize an ordinance amending Tax Increment Financing Reinvestment Zone Number Nine (Vickery Meadow TIF District) Project and Reinvestment Zone Financing Plan to: **(1)** allow an estimated amount of $649,097.00 from the Vickery Meadow TIF District Fund to be used outside of the boundaries of the Zone for affordable housing; and **(2)** make corresponding modifications to the Vickery Meadow TIF District Project and Reinvestment Zone Financing Plan - Financing: No cost consideration to the City

43. 18-1343 Authorize **(1)** an increase in appropriations in an estimated amount of $649,097.00 in the Vickery Meadow Tax Increment Financing (TIF) District Fund (Reinvestment Zone Number Nine); **(2)** the transfer of Vickery Meadow TIF District Funds to the Dallas Housing Trust Fund in an estimated amount of $649,097.00; **(3)** an increase in appropriations in an estimated amount of $649,097.00 in the Dallas Housing Trust Fund; and **(4)** the disbursement of funds in an estimated amount of $649,097.00 from the Dallas Housing Trust Fund - Estimated amount of $649,097.00 - Financing: Vickery Meadow TIF District Funds

Office of Emergency Management

44. 18-1203 Authorize the **(1)** acceptance of a grant from the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency passed through the Texas Department of Public Safety, Texas Division of Emergency Management has made funding available to the City of Dallas under the FY 2018 Emergency Management Performance Grant Program (Federal/State Award ID No. EMT-2018-EP-00008, Grant No. 18TX-EMPG-0008/CFDA No. 97.042) to fund emergency preparedness operations and planning in an amount not to exceed $148,559.50 for the period October 1, 2017 through March 31, 2019; **(2)** establishment of appropriations in an amount not to exceed $148,559.50 in the DHS-FY 2018 Emergency Management Performance Grant 17-19 Fund; **(3)** receipt and deposit of grant funds in an amount not to exceed $148,559.50 in the DHS-FY 2018 Emergency Management Performance Grant 17-19 Fund; and **(4)** execution of the grant agreement and all documents required by the grant agreement - Not to exceed $148,559.50 - Financing: U.S. Department of Homeland Security Grant Funds

45. 18-1232 Authorize the **(1)** acceptance of a grant from the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency passed through the Texas Office of the Governor-Homeland Security Grants Division for the FY 2018 Homeland Security Grant Program, which includes the Urban Area Security Initiative and the State Homeland Security Grant Program (Federal/State Award ID No. EMW-2018-SS-00022-S01/ Grant Nos. 2980304, 2980704, 3176403, 3321902, 3418202, 3698801/CFDA No. 97.067) to provide funding for activities related to enhancing preparedness and building capacity to prepare for, prevent and respond to complex coordinated terrorist attacks in an amount not to exceed $5,693,850.00 for the period September 1, 2018 through August 31, 2020; **(2)** establishment of appropriations in an amount not to exceed $5,693,850.00 in the DHS-FY18 Homeland Security Grant 18-20 Fund and the DHS-2018 State Homeland Security Grant 18-19 Fund; **(3)** receipt and deposit of grant funds in an amount not to exceed $5,693,850.00 in the DHS-FY18 Homeland Security Grant 18-20 Fund and the DHS-2018 State Homeland Security Grant 18-19 Fund; and **(4)** execution of the grant agreement and all documents required by the grant agreement - Not to exceed $5,693,850.00 - Financing: U.S. Department of Homeland Security Grant Funds

Office of Procurement Services

46. 18-1349 Authorize a two-year service contract for licenses, maintenance, and support for the McAfee VirusScan ® Threat Management Portfolio software - Kudelski Security, Inc., most advantageous proposer of three - Not to exceed $514,138.88 - Financing: Data Services Fund

47. 18-1350 Authorize a three-year service price agreement for citywide overhead door repair, maintenance, parts, and labor - Miner Ltd. dba Overhead Door Co. of Dallas, lowest responsible bidder of two - Not to exceed $4,573,891.92 - Financing: General Fund ($3,796,454.95), Convention and Event Services Fund ($423,086.80), Dallas Water Utilities Fund ($315,072.43), Communication Services Fund ($19,918.90), Aviation Fund ($10,826.84), and Stormwater Drainage Management Fund ($8,532.00)

48. 18-990 Authorize a three-year service price agreement for fire extinguisher and sprinkler system maintenance and repairs - American Fire Protection Group, Inc. in the amount of $5,051,309.56 and Safety Control LLC in the amount of $1,826,503.41, lowest responsible bidders of seven - Total not to exceed $6,877,812.97 - Financing: General Fund ($3,370,512.10), Convention and Event Services Fund ($3,084,187.70), Sanitation Services Fund ($222,302.77), Dallas Water Utilities Fund ($134,042.50), Aviation Fund ($45,643.00), and Communication Service Fund ($21,124.90)

49. 18-1323 Authorize a three-year service price agreement, with one two-year renewal option, for farrier services for the Police Department's Mounted Unit - Frank Schweighart, lowest responsible bidder of three - Not to exceed $141,625.00 - Financing: General Fund

50. 18-1294 Authorize a three-year service contract for ongoing maintenance and support of Orion Communications software applications for the Police Department and Court and Detention Services - Orion Communications, sole source - Not to exceed $473,021.58 - Financing: Data Services Fund ($263,365.29) and Technology Fund ($209,656.29) (subject to annual appropriations)

51. 18-980 Authorize a five-year service price agreement for the rental of uniforms with Cintas Corporation No. 2 through the U.S. Communities Government Purchasing Alliance cooperative agreement, lowest responsible bidder of three - Estimated amount of $2,920,342.10 - Financing: General Fund ($1,763,372.89), Sanitation Services Fund ($906,675.58), and Aviation Fund ($250,293.63)

52. 18-1281 Authorize **(1)** a five-year management contract for the South Dallas/Fair Park Public Improvement District Manager - South Side Quarter Development Corporation, most advantageous proposer of two - Not to exceed 10% of annual assessments, estimated to be $99,419.00 for administrative fees over the five-year term; and **(2)** the establishment of appropriations in the South Dallas/Fair Park PID Fund in an estimated amount of $111,237.00 - Financing: Cost Consideration to Others

53. 18-1292 Authorize a one-year master agreement for the purchase of ozone electrode module assemblies and parts for the Water Utilities Department - Fin-Tek Corporation in the estimated amount of $127,950.00 and Xylem Water Solutions USA, Inc. in the estimated amount of $72,900.00, lowest responsible bidders of two - Total estimated amount of $200,850.00 - Financing: Dallas Water Utilities Fund

54. 18-1291 Authorize a one-year master agreement for large cast iron fittings for the Water Utilities Department - Fortiline, Inc., lowest responsible bidder of three - Estimated amount of $235,000.00 - Financing: Dallas Water Utilities Fund

55. 18-1337 Authorize **(1)** a one-year master agreement for the purchase of **(a)** 109 pieces of fleet vehicles and equipment with Chastang Ford in the amount of $6,349,447.00, Holt Texas, Ltd. in the amount of $3,630,411.00, Austin Truck and Equipment, Ltd. dba Freightliner of Austin in the amount of $1,602,825.00, Sam Pack's Five Star Ford in the amount of $1,288,680.76, Southwest International Trucks, Inc. in the amount of $1,169,307.00, Kirby-Smith Machinery in the amount of $548,135.00, Kinloch Equipment & Supply, Inc. in the amount of $264,106.00, Freedom Chevrolet in the amount of $243,646.50, Rush Truck Centers Of Texas, LP in the amount of $230,142.68, Grande Truck Center in the amount of $144,073.00, BTE Body Co., Inc. in the amount of $117,676.00, and Magnum Trailers dba Magnum Custom Trailer Mfg. Co., Inc. in the amount of $17,608.50 through the Texas Association of School Boards cooperative agreement; **(b)** 73 pieces of fleet vehicles with Sam Pack's Five Star Ford in the amount of $2,866,548.43 through the Texas Smart Buy cooperative agreement; **(c)** 4 pieces of fleet equipment with Dickson Equipment Co., Inc. in the amount of $469,462.71 and Holt Texas, Ltd. in the amount of $85,169.00 through the Sourcewell cooperative agreement; and **(d)** 9 pieces of fleet vehicles with Longhorn Harley-Davidson in the amount of $263,078.46 through the Dallas-Fort Worth Airport Interlocal agreement; **(2)** the establishment of appropriations in an amount not to exceed $2,224,092.00 in the Fleet Capital Purchase Fund; **(3)** the establishment of appropriations in an amount not to exceed $8,000,000.00 in the Sanitation Master Lease-Equipment Fund; and **(4)** an increase in appropriations in an amount not to exceed $602,684.00 in the ISTEA Vehicle Conversion Fund - Total not to exceed $19,290,317.04 - Financing: Sanitation Master Lease-Equipment Fund ($7,990,451.43), Master Lease-Equipment Fund ($4,849,600.31), Sanitation Waste Cell Sinking Fund ($4,553,720.93), Water & Sewer Revenue Fund ($1,264,443.96), Fleet Capital Purchase Fund ($575,455.41), and Airport Revenue Fund ($56,645.00)

56. 18-1290 Authorize a three-year master agreement for the purchase of clamps, couplings, sleeves, and adapters for the Water Utilities Department - Fortiline, Inc. in the estimated amount of $693,015.12, Core & Main, LP in the estimated amount of $199,421.30, and Powerseal Pipeline Products Corp. in the estimated amount of $103,510.76, lowest responsible bidders of four - Total estimated amount of $995,947.18 - Financing: Dallas Water Utilities Fund

57. 18-1246 Authorize a three-year master agreement for the purchase of deicing chemicals for the Department of Aviation - Nachurs Alpine Solutions, LLC in the estimated amount of $793,800.00, Cryotech Deicing Technology in the estimated amount of $379,620.00, The Bargain Source in the estimated amount of $365,909.40, and Berven Industries, LLC dba New Deal Deicing in the estimated amount of $357,840.00, lowest responsible bidders of four - Total estimated amount of $1,897,169.40 - Financing: Aviation Fund

58. 18-1101 Authorize a three-year master agreement for the purchase of electrical supplies - Crawford Electric Supply Co. in the estimated amount of $6,874,091.00, Elliott Electric Supply, Inc. in the estimated amount of $1,448,206.00, Graybar Electric Company, Inc. in the estimated amount of $907,268.00; and Dealers Electrical Supply in the estimated amount of $54,000.00, lowest responsible bidders of eight - Total estimated amount of $9,283,565.00 - Financing: General Fund ($4,178,950.00), Dallas Water Utilities Fund ($4,283,415.00), Aviation Fund ($388,000.00), Stormwater Drainage Management Fund ($313,200.00), and Convention and Event Services Fund ($120,000.00)

59. 18-1293 Authorize a three-year master agreement for oil, grease, and lubricants for citywide use - Western Marketing, Inc. in the amount of $2,106,742.04, NCH Corporation dba Certified Laboratories in the amount of $365,625.85, and Schaeffer Manufacturing Company in the amount of $198,735.77, lowest responsible bidders of three - Total not to exceed $2,671,103.66 - Financing: General Fund ($991,881.97), Dallas Water Utilities Fund ($925,255.61), Equipment and Fleet Management ($432,330.13), Sanitation Services Fund ($161,806.80), Stormwater Drainage Management Fund ($100,169.42), Convention and Event Services Fund ($38,059.19), and Aviation Fund ($21,600.54)

Office of Strategic Partnerships & Government Affairs

Note: Agenda Item Nos. 60 and 61 must be considered collectively.

60. 18-1401 Authorize a personal services contract with Hector Alcalde for federal legislative services regarding water resources, flood control and transportation for the period November 1, 2018 through October 31, 2019 - Not to exceed $53,400.00 - Financing: General Fund

61. 18-1405 Authorize a personal services contract with Paul Schlesinger for federal legislative services regarding water resources, flood control and transportation for the period November 1, 2018 through October 31, 2019 - Not to exceed $31,600.00 - Financing: General Fund

62. 18-1398 Authorize a personal services contract with Kwame Walker for state legislative services for the period November 1, 2018 through October 31, 2019 - Not to exceed $70,000.00 - Financing: General Fund

63. 18-1400 Authorize a personal services contract with Lorena Campos for state legislative services for the period November 1, 2018 through October 31, 2019 - Not to exceed $64,000.00 - Financing: General Fund

64. 18-1399 Authorize a personal services contract with Randy C. Cain for state legislative services for the period November 1, 2018 through October 31, 2019 - Not to exceed $71,000.00 - Financing: General Fund

65. 18-1396 Authorize a professional services contract with CapitalEdge Strategies, LLC to provide federal legislative services to the City for the period November 1, 2018 through October 31, 2019 - Not to exceed $160,000.00 - Financing: General Fund

66. 18-1426 A resolution authorizing approval of the Verizon Place as an Authorized Public Facility Improvement Corporation Project at Dallas/Fort Worth International Airport - Financing: No cost consideration to the City

Park & Recreation Department

67. 18-1218 Authorize a professional services contract with Dunaway Associates, L.P. for schematic design, design development, construction documents, procurement and construction observation phases for the Flag Pole Hill - Phase 1 Master Plan Implementation Project located at 8015 Doran Circle - Not to exceed $168,050.00 - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds)

68. 18-1255 Authorize a professional services contract with Urban Engineers Group, Inc. for schematic design, design development, construction documents, procurement and construction observation phases for Elmwood Trail Phase Three located north of the existing Elmwood Parkway Trail Phase One - Not to exceed $238,815.00 - Financing: Park and Recreation Facilities (B) (2017 Bond Funds)

69. 18-1264 Authorize a twelve-month funding agreement with the Dallas Arboretum and Botanical Society, Inc. to provide services and programs within the city of Dallas for the period October 1, 2018 through September 30, 2019 - Not to exceed $394,098.00 - Financing: General Fund

70. 18-1269 Authorize a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas for the Cedar Ridge Preserve to provide services and programs within the city of Dallas for the period January 1, 2019 through December 31, 2019 - Not to exceed $58,949.00 - Financing: General Fund

71. 18-1258 Authorize a twelve-month funding agreement with Texas Discovery Gardens to provide services and programs within the city of Dallas for the period October 1, 2018 through September 30, 2019 - Not to exceed $145,862.00 - Financing: General Fund

72. 18-1221 Authorize an increase in the construction services contract with A S Con, Inc. to provide additional erosion control on the dam, landscape and lighting modifications at Kidd Springs Park located at 700 West Canty Street - Not to exceed $78,579.48, from $726,578.00 to $805,157.48 - Financing: Park and Recreation Facilities Fund (2006 Bond Funds)

73. 18-1284 Authorize a five-year maintenance agreement, with an automatic one-year extension with Parks for Downtown Dallas for the operation and maintenance of Belo Garden Park located at 1014 Main Street - Financing: This action has no cost consideration to the City (see Fiscal Information)

74. 18-1270 Authorize the sixty-month extension option to the concession contract with IAMJ Enterprises, Inc. for the operation of the banquet facility at Cedar Crest Golf Course - Estimated Annual Revenue: $4,000.00

75. 18-1321 Authorize the sixty-month extension option to five concession contracts for Golf Pro Shop Managers with Bob Smith at Tenison Park Golf Courses in the amount of $1,558,384.00, Mickey Ray Piersall at Luna Vista Golf Course in the amount of $847,876.00, IAMJ Enterprises, Inc. at Cedar Crest Golf Course in the amount of $526,848.00, James R. Henderson at Stevens Park Golf Course in the amount of $1,158,353.00, and Tony Martinez at Grover C. Keeton Park Golf Course in the amount of $469,830.00 - Estimated Annual Revenue: $4,561,291.00

Water Utilities Department

76. 18-1112 Authorize a professional services contract with Gresham Smith to provide engineering services for the evaluation, design, construction administration and start-up of stormwater facilities improvements at the Southside Wastewater Treatment Plant - Not to exceed $1,700,000.00 - Financing: Water Utilities Capital Construction Funds

77. 18-1074 Authorize **(1)** a construction contract for the Trinity Skyline Trail from Sylvan Avenue to the City of Irving's Campion Trail - Texas Standard Construction, Ltd. in an amount not to exceed $5,878,100.25, lowest responsible bidder of ten; and **(2)** payment to the Texas Department of Transportation in an amount not to exceed $180,000.00 - Total not to exceed $6,058,100.25 - Financing: TxDOT Advance Management System Fund - Trinity Skyline Trail ($2,649,163.95), Stormwater Drainage Management Capital Construction Fund ($2,329,439.54), and Street and Transportation Improvements Fund (2012 Bond Funds) ($1,079,496.76)

78. 18-1249 Authorize an increase in the construction services contract with BAR Constructors, Inc. for additional work associated with the construction of the Levee Drainage System - Sump A Improvements, also referred to as the Able No. 3 Pump Station - Not to exceed $255,190.16, from $69,250,327.90 to $69,505,518.06 - Financing: Flood Protection and Storm Drainage Facilities Fund (2012 Bond Funds)

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

79. 18-1390 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)

80. 18-1360 Consideration of appointments to the Dallas/Fort Worth International Airport Board of Directors for Positions 01, 05 and 11 (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.). (List of nominees in the City Secretary's Office)

City Manager's Office

81. 18-1394 Ratify the Amended Meet and Confer Agreement between the City of Dallas and the Meet and Confer Team, made up of the Dallas Black Fire Fighters Association, Black Police Association of Greater Dallas, National Latino Law Enforcement Organization, Dallas Police Association, Dallas Hispanic Fire Fighters Association, and the Dallas Fire Fighter Association; and authorize the City Manager to enter into said Amended Meet and Confer Agreement, to be effective January 9, 2019 through September 30, 2019 - Financing: This action has no cost consideration to the City (see Fiscal Information)

Department of Human Resources

82. 18-1430 Authorize **(1)** approval of revised salary schedules for Police and Fire uniform executive staff, for a 3% adjustment; and **(2)** implementing pay increases for Police and Fire uniform executive staff, effective January 9, 2019 - Financing: This action has no cost consideration to the City

Housing & Neighborhood Revitalization

83. 18-1391 An ordinance amending Chapter 20A, "Fair Housing" of the Dallas City Code by **(1)** adding Sections 20A-22 through 20A-33; **(2)** providing a purpose statement; **(3)** providing the definition of terms; **(4)** providing for a market value analysis category and dwelling unit verification as a precondition of eligibility for the mixed income housing program; **(5)** providing the terms of the mixed income restrictive covenant; **(6)** providing for the administration of the mixed income housing program including requirements related to eligibility verifications, income bands, and affordable rents; **(7)** providing policies for tenant selection and other written policies; **(8)** providing the responsibilities of applicants and eligible households; **(9)** providing that an owner shall not discriminate against holders of housing vouchers, **(10)** providing for compliance and recordkeeping for the mixed income housing program including requirements related to quarterly status reports, affirmative fair housing marketing plans, and audits and inspections; **(11)** providing standard procedures for notifying owners of non-compliance and correcting non-compliance; **(12)** providing a penalty not to exceed $500; **(13)** providing a saving clause; **(14)** providing a severability clause; and **(15)** providing an effective date - Financing: No cost consideration to the City

ITEMS FOR FURTHER CONSIDERATION

Department of Sustainable Development and Construction

84. 18-1431 An ordinance abandoning a portion of an alley (also known as Howland Street) to OR Asset Holdings, L.P., the abutting owner, containing approximately 3,588 square feet of land, located near the intersection of Howland and Routh Streets; and authorizing the quitclaim; and providing for the dedication of approximately 3,651 square feet of land needed for a wastewater easement - Revenue: $640,458.00, plus the $20.00 ordinance publication fee (This item was deferred on November 28, 2018)

Office of Economic Development

85. 18-1209 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 and October 24, 2018)

Park & Recreation Department

86. 18-1440 Authorize **(1)** a development and maintenance agreement with Lincoln LAG LTD. and HEB Grocery Company, LP for the purpose of constructing the Matilda Trail, an enhanced sidewalk, hike and bike trail, and appurtenances located at East Lovers Lane and Matilda Street; **(2)** the establishment of appropriations in an amount not to exceed $30,000.00 in the Mowmentum Park Improvement Fund; **(3)** the receipt and deposit of endowment funds in an amount not to exceed $30,000.00 in the Mowmentum Park Improvement Fund; and **(4)** execution of the development and maintenance agreement - Financing: Revenue: $30,000.00 (This item was deferred on November 28, 2018)

PUBLIC HEARINGS AND RELATED ACTIONS

Department of Sustainable Development and Construction

ZONING CASES - CONSENT

87. 18-1362 A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily Subdistrict on property zoned a P(A) Parking Subdistrict within Planned Development No. 595, the South Dallas/Fair Park Special Purpose District, on the southwest side of Cleveland Street, north of South Lamar Street
Recommendation of Staff and CPC: Approval
Z178-256(CY)

88. 18-1363 A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 823, on the east side of South Lancaster Road, north of 52nd Street
Recommendation of Staff and CPC: Approval, subject to a revised development/landscape plan, a revised traffic management plan, and conditions
Z178-259(JM)

89. 18-1364 A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment limited to a microbrewery, distillery, or winery on property zoned Subdistrict 1A within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on the east side of Express Street, north of Levee Street
Recommendation of Staff and CPC: Approval for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Z178-287(JM)

90. 18-1365 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 R-7.5(A) Single Family District, on the south corner of Fordham Road and Gladewater Road
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions
Z178-310(SM)

91. 18-1366 A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 467, on the north side of Church Road, east of White Rock Trail
Recommendation of Staff and CPC: Approval, subject to a revised development plan, a revised landscape plan, a traffic management plan, and conditions
Z178-317(JM)

92. 18-1367 A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2011 for an alcoholic beverage establishment limited to a microbrewery, microdistillery, or winery on property zoned Conservation District No. 7, the Bishop/Eighth Street Conservation District, on the northwest corner of North Bishop Avenue and West 7th Street
Recommendation of Staff and CPC: Approval for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions
Z178-328(CY)

93. 18-1368 A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2157 for vehicle display, sales, and service use on property zoned Planned Development District No. 629, on the northeast corner of North Central Expressway and Bonner Drive
Recommendation of Staff and CPC: Approval for a five-year period, subject to conditions
Z178-342(CT)

94. 18-1369 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 LO-1-D Limited Office District with a D Liquor Control Overlay, on the southwest corner of East Mockingbird Lane and Norris Street
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z178-344(AM)

95. 18-1370 A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Tract 1G within Planned Development District No. 751 with existing deed restrictions [Z834-368], on the northeast corner of the westbound service road of Lyndon B. Johnson Freeway (IH-20) and Bainbridge Drive
Recommendation of Staff and CPC: Approval, subject to a revised development/conceptual plan and a revised landscape plan
Z178-346(PD)

96. 18-1371 A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2189 for a recycling buy-back center for the collection of household metals and industrial metals on property zoned an IM Industrial Manufacturing District, on the northeast line of South Barry Avenue, north of South Haskell Avenue
Recommendation of Staff and CPC: Approval for a two-year period, subject to conditions
Z178-356(JM)

97. 18-1372 A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for utility or government installation other than listed on property zoned Planned Development District No. 137, on the southwest corner of Interstate Highway 635 (Lyndon B. Johnson Freeway) and Hillcrest Road
Recommendation of Staff and CPC: Approval for a permanent period, subject to site plan and conditions
Z178-362(CY)

98. 18-1373 A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for utility or government installation other than listed and for a microwave tower on property zoned Tract 3 within Planned Development District No. 598, on the west side of South Polk Street, between West Wheatland Road and Interstate Highway 20 (Lyndon B. Johnson Freeway)
Recommendation of Staff and CPC: Approval for a permanent period, subject to site plan and conditions
Z178-363(CY)

ZONING CASES - INDIVIDUAL

99. 18-1374 A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2160 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, on property zoned Subarea 7 within Planned Development District No. 366-D-1, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay, on the northwest corner of South Buckner Boulevard and Scyene Road
Recommendation of Staff: Approval for a three-year period, subject to staff's recommended conditions
Recommendation of CPC: Approval for a two-year period, subject to conditions
Z156-305(SM)

100. 18-1375 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 R-7.5(A) Single Family District and an MF-2(A) Multifamily District, on the south side of West Wheatland Road, east of South Polk Street
Recommendation of Staff: Denial
Recommendation of CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site/elevation plan and conditions
Z178-140(JM)

101. 18-1376 A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for GR General Retail Subdistrict uses on property zoned an MF-2 Multiple Family Subdistrict and an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the north corner of Amelia Street and Maple Avenue

Recommendation of Staff: Approval, subject to a development plan and staff's recommended conditions

Recommendation of CPC: Approval, subject to a development plan and conditions

Z178-282(SM)

102. 18-1377 A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, on property zoned Subdistrict 2 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D Liquor Control Overlay, on the southwest corner of Bruton Road and South Buckner Boulevard

Recommendation of Staff: Approval of a D-1 Liquor Control Overlay; and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and staff's recommended conditions

Recommendation of CPC: Approval of a D-1 Liquor Control Overlay; and approval of a Specific Use Permit for a three-year period, subject to a site plan and conditions

Z178-318(JM)

103. 18-1378 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 a CS Commercial Service District, on the northwest corner of Fletcher Street and South Peak Street

Recommendation of Staff: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and staff's recommended conditions

Recommendation of CPC: Approval for a ten-year period, subject to a site plan and conditions

Z178-331(SM)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

104. 18-1437 A public hearing to receive comments regarding an application for **(1)** an ordinance granting a Planned Development District for R-7.5(A) Single Family District uses on property zoned an NO(A) Neighborhood Office District, a CS Commercial Service District, and an R-7.5(A) Single Family District with Specific Use Permit No. 1781 for a transit passenger station or transfer center on a portion; and **(2)** a resolution terminating the existing deed restrictions, on the south line of Walnut Hill Lane and the west line of White Rock Trail

Recommendation of Staff and CPC: Approval, subject to a conceptual plan, conceptual fence elevation plan, and conditions; and approval of the termination of existing deed restrictions

Z178-238(SM)

Note: This item was considered by the City Council at a public hearing on November 28, 2018, and was held under advisement until December 12, 2018, with the public hearing open

SPECIAL PURPOSE SIGN DISTRICT

105. 18-1379 A public hearing to receive comments regarding an application for and an ordinance granting the creation of a new subdistrict within the Arts District Special Provision Sign District on property zoned Planned Development District No. 145, the Arts District Special Purpose District, in an area generally bounded by Flora Street, Olive Street, Ross Avenue, and North Harwood Street

Recommendation of Staff: Denial

Recommendation of CPC: Approval

SPSD178-003

DEVELOPMENT CODE AMENDMENTS – INDIVIDUAL

106. 18-1380 A public hearing to receive comments regarding consideration of amendments to Chapter 51 and Chapter 51A of the Dallas Development Code to create regulations for mixed income housing development bonuses and an ordinance granting the amendments

Recommendation of Staff: Approval of Economic Development and Housing Committee recommendations

Recommendation of CPC: Approval

DCA 156-008

FLOODPLAIN APPLICATIONS

Water Utilities Department

107. 18-1078 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 0.1 acres of the current 0.80 acres of land located at 9400 Lyndon B. Johnson Freeway, within the floodplain of Jackson Branch, Fill Permit 17-09 - Financing: No cost consideration to the City

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: December 12, 2018

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
1.	N/A	V	N/A	N/A	Approval of Minutes of the November 28, 2018 City Council Meeting
2.	All	C	ATT	GT	Authorize an Interlocal Agreement between the City of Dallas and the Dallas County Public Defender's Office to provide legal representation to participants in the South Dallas Drug Court program - Not to exceed $15,000.00 - Financing: U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration Grant Funds
3.	N/A	C	ATT	$50,000.00	Authorize settlement of the lawsuit styled Jose Villegas v. City of Dallas, Cause No. DC-18-06763 - Not to exceed $50,000.00 - Financing: Risk Management Funds
4.	N/A	C	CON	NC	A resolution authorizing the preparation of plans and the payment of potential future costs and expenses for the issuance of General Obligation Refunding and Improvement Bonds, Series 2019A in an amount not to exceed $271,020,000.00 - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future cost)
5.	N/A	C	CON	NC	A resolution authorizing the preparation of plans and the payment of potential future costs and expenses for the issuance of General Obligation Refunding Bonds, Series 2019B, in an amount not to exceed $174,705,000.00 - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future cost)
6.	2, 3	C	AVI	NC	Authorize (1) an increase in the annual lease rental rates at Dallas Love Field to (a) $0.85 square feet per year for unimproved land; (b) $0.95 square feet per year for improved land; (c) $4.75 square feet per year for storage hangar; (d) $5.50 square feet per year for maintenance hangar space; (e) $9.50 square feet per year for office space; (f) $10,000.00 per year for fuel operations permit fees for fixed-based operators and $5,000.00 per year for fuel operations permit fees for self-fuelers; (g) $40.00 - $55.00 per square foot per year for non-aeronautical commercial and retail use; (h) $20.00 - $25.00 per square foot per year for non-aeronautical office use; and (i) $8.00 - $10.00 per square foot for non-aeronautical warehouse and storage use, effective February 1, 2019; (2) an increase in the annual lease rental rates at Dallas Executive Airport to (a) $0.45 square feet per year for unimproved land; (b) $0.55 square feet per year for improved land; (c) $5.50 - $8.00 square feet per year for general aviation storage and maintenance hangars; (d) $375.00 - $400.00 per month for T-hangar space; (e) $7.50 square feet per year for office space; and (f) $10,000.00 per year for fuel operations

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					permit fees for fixed-based operators and $5,000.00 per year for fuel operations permit fees for self-fuelers, effective February 1, 2019; and (3) the annual lease rental rates at Dallas Vertiport of (a) $200.00 - $500.00 landing fee; (b) $150.00 - $300.00 parking fee; (c) $200.00 - $400.00 overnight fee; (d) $300.00 per day and $750.00 per week for office space; and (e) $400.00 per day and $1,000.00 per week for lobby space, effective February 1, 2019 - Financing: This action has no cost consideration to the City (see Fiscal Information for future revenue impact)
7.	2	C	AVI	NC	Authorize the Eleventh Amendment to the Maintenance Base Lease with Southwest Airlines Co. to add 34,702 square feet (0.797 acres) of land to the leased premises at Dallas Love Field - Financing: No cost consideration to the City
8.	All	C	CIS	$375,075.00	Authorize a thirty-month service contract for the continued use of cloud services and support for the budget preparation and management system with Oracle America, Inc., through the Department of Information Resources, State of Texas Cooperative - Not to exceed $375,075.00 - Financing: Data Services Fund (subject to annual appropriations)
9.	2	C	CES	$10,882,465.00	Authorize appropriations in an amount not to exceed $10,882,465.00 in the Convention Center Hotel Tax Rebate Fund for FY 2018-2019 in order to satisfy the terms of the 2009 Economic Development Agreement with the Dallas Convention Center Hotel Development Corporation - Not to exceed $10,882,465.00 - Financing: Convention Center Hotel Tax Rebate Fund
10.	N/A	C	PER	$225,000.00	Authorize Supplemental Agreement No. 2 to exercise the second of two, one-year renewal options to the consultant contract with Holmes Murphy & Associates, to provide benefits consulting services and auditing services of medical and pharmacy benefit plans, extending the term from November 1, 2018 through October 31, 2019 - Not to exceed $225,000.00, from $900,000.00 to $1,125,000.00 - Financing: Employee Benefits Fund (subject to annual appropriations)
11.	6	C	PBW	$600,000.00	Authorize a service agreement with Union Pacific Railroad Company to review and approve the engineer design plan for three proposed grade-separated crossings under the railroad track of Union Pacific Railroad for Herbert, Bataan, and Amonette Streets in the area between Singleton Boulevard and Commerce Street from Sylvan Avenue to Beckley Avenue - Not to exceed $600,000.00 - Financing: Streets and Transportation Improvements Fund (2012 Bond Funds)
12.	2	C	PBW	$505,500.00	Authorize a professional services contract with PGAL, Inc. for architectural,

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					engineering design, and construction administration services for the 6th Floor Renovation and Major Maintenance at the J. Erik Jonsson Central Library located at 1515 Young Street - Not to exceed $505,500.00 - Financing: Library Facilities Fund (2006 Bond Funds) ($406,510.40) and Library (E) Fund (2017 Bond Funds) ($98,989.60)
13.	2	C	PBW	$203,037.15	Authorize a professional services contract with Pacheco Koch Consulting Engineers, Inc. for the engineering design for the street reconstruction project on Bradford Drive from Maple Springs Boulevard to Hedgerow Drive - Not to exceed $203,037.15 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($171,990.45) and Water Capital Improvement Fund ($31,046.70)
14.	14	C	PBW	$294,574.00	Authorize a professional services contract with Kimley-Horn and Associates, Inc. for the engineering design for Complete Street improvements, including bike lanes, on Abrams Road from Gaston Avenue to South Beacon Street - Not to exceed $294,574.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)
15.	2	C	PBW	$369,805.90	Authorize a professional services contract with Huitt-Zollars, Inc. for the engineering design for Complete Street improvements, including bike lanes on Columbia Avenue/Main Street from South Beacon Street to Deep Ellum - Not to exceed $369,805.90 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)
16.	3	C	PBW	$256,636.68	Authorize a professional services contract with VRX, Inc. for the engineering design of the bridge reconstruction project for the West Red Bird Lane Bridge over Woody Branch Creek Project - Not to exceed $256,636.68 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)
17.	1	C	PBW	$226,278.00	Authorize a professional services contract with IEA, Inc. for the engineering design of the Jefferson/Twelfth Connector Lane Diet/Removal Project - Not to exceed $226,278.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($204,278.00) and Water Utilities Capital Construction Funds ($22,000.00)
18.	1	C	PBW	$146,575.85	Authorize a professional services contract with Huitt-Zollars, Inc. for the engineering design of Streetscape/Urban Design and Sidewalk Improvements for Project Group 17-1011 (list attached to the Agenda Information Sheet) - Not to exceed $146,575.85 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)
19.	1, 9	C	PBW	$382,301.23	Authorize a professional services contract with Freese & Nichols, Inc. for the engineering design of Street Reconstruction Group 17-1020 (list attached to

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					the Agenda Information Sheet) - Not to exceed $382,301.23 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($339,984.23) and Water Utilities Capital Construction Funds ($42,317.00)
20.	12	C	PBW	$189,166.31	Authorize a professional services contract with Henry Nguyen Consulting, LLC, for the engineering design of Alley Reconstruction Group 17-1202 (list attached to the Agenda Information Sheet) - Not to exceed $189,166.31 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)
21.	4	C	PBW	$232,852.00	Authorize a professional services contract with Lim & Associates, Inc. for the engineering design of Alley Reconstruction Group 17-4001 (list attached to the Agenda Information Sheet) - Not to exceed $232,852.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($211,900.00) and Water Utilities Capital Construction Funds ($20,952.00)
22.	5	C	PBW	$639,023.53	Authorize a professional services contract with Walter P. Moore and Associates, Inc. for the engineering design of Target Neighborhood Group 17-5001 (list attached to the Agenda Information Sheet) - Not to exceed $639,023.53 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($565,613.10) and Water Utilities Capital Improvement Funds ($73,410.43)
23.	8	C	PBW	$181,176.00	Authorize a professional services contract with WSP USA, Inc. for the engineering design of Street Reconstruction Group 17-8005 (list attached to the Agenda Information Sheet) - Not to exceed $181,176.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($142,301.00) and Water Utilities Capital Construction Funds ($38,875.00)
24.	10	C	PBW	$228,317.80	Authorize a professional services contract with Lina T. Ramey and Associates for engineering design of Street Reconstruction Group 17-10005 (list attached to the Agenda Information Sheet) - Not to exceed $228,317.80 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($165,617.80) and Water Utilities Capital Improvement Funds ($62,700.00)
25.	Outside	C	DEV	$182,874.00	Authorize the (1) deposit of the amount awarded by the Special Commissioners' in the condemnation proceedings styled City of Dallas v. Holcomb Properties, et al., Cause No. 99109-CC, pending in Kaufman County Court at Law, to acquire approximately 142,093 square feet of land for right-of-way located in Kaufman County for the Lake Tawakoni 144-inch Pipeline Project; and (2) settlement of the condemnation proceeding for an amount award - Not to exceed $182,874.00, increased from $68,240.00 ($65,240.00, plus closing costs and title expenses not to exceed $3,000.00) to $182,874.00 ($179,874.00 being the award, plus closing costs and title

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					expenses not to exceed $3,000.00) - Financing: Water Utilities Capital Construction Funds
26.	3	C	DEV	$965,000.00	Authorize acquisition from The Burlington Northern and Santa Fe Railway Company, of approximately 35 acres of inactive railway corridor and vacant land between Cockrell Hill and Westmoreland Roads for the Chalk Hill Trail Project - Not to exceed $965,000.00 ($950,000.00, plus closing costs and title expenses not to exceed $15,000.00) - Financing: Park and Recreation Facilities (2006 Bond Funds)
27.	9	C	DEV	REV $4,000.00	A resolution authorizing the conveyance of a tract of land and Drainage Easement for a total of approximately 268 square feet of unimproved City-owned land to the State of Texas located near the intersection of Woodmeadow Parkway and La Prada Drive - Revenue: $4,000.00
28.	14	C	DEV	REV $1,000.00	An ordinance granting renewal of a revocable license to 7-Eleven, Inc., for the use of approximately 11 square feet of aerial space to maintain and utilize an existing blade sign over a portion of Akard Street right-of-way near its intersection with Patterson Street - Revenue: $1,000.00 annually, plus the $20.00 ordinance publication fee
29.	14	C	DEV	REV $1,000.00	An ordinance granting renewal of a revocable license to 7-Eleven, Inc., for the use of approximately 36 square feet of aerial space to maintain and utilize an existing blade sign over a portion of Commerce Street near its intersection with Harwood Street - Revenue: $1,000.00 annually, plus the $20.00 ordinance publication fee
30.	14	C	DEV	REV $5,400.00	An ordinance abandoning portions of Matilda Street to Lincoln LAG Ltd., the abutting owner, containing a total of approximately 17,212 square feet of land located near the intersection of Matilda Street and Lovers Lane; and authorizing the quitclaim; and providing for the dedication of approximately 8,702 square feet of land needed for a water easement - Revenue: $5,400.00, plus the $20.00 ordinance publication fee
31.	13	C	DEV	REV $5,400.00	An ordinance abandoning a portion of a utility easement to Michelle N. Thomas and Stewart H. Thomas, the abutting owners, containing approximately 750 square feet of land, located near the intersection of Horseshoe Trail and Lilac Lane - Revenue: $5,400.00, plus the $20.00 ordinance publication fee
32.	10	C	DEV	$23,760.00	Authorize an amendment to an existing lease agreement with KAZ MEYERS PROPERTIES, LLC, d/b/a North Creek Kaz Meyers, LLC, MHNC MEYERS, LLC, SMHNC MEYERS, LLC, YKHKNC MEYERS, LLC, and YTNC MEYERS, LLC to extend the lease agreement for an additional one year for

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					approximately 1,800 square feet of office space located at 9451 Lyndon B. Johnson Freeway, Suite 125 to be used as the Northeast Community Court for the period January 1, 2019 through December 31, 2019 - Not to exceed $23,760.00 - Financing: General Fund
33.	Outside	C	DEV	$42,570.08	Authorize an amendment to an existing lease agreement with Texas Solutions Group LLC to extend the lease agreement for an additional twenty-eight months for approximately 192 square feet of office space located at 1303 San Antonio Street, Suite 720, Austin, Texas to be used as the City Attorney's Legislative Office for the period October 1, 2018 through January 31, 2021 - Not to exceed $42,570.08 - Financing: General Fund (subject to annual appropriations)
34.	Outside	C	DEV	NC	Authorize an addition to Kaufman County Municipal Utility District No. 3 within the City of Dallas' extraterritorial jurisdiction that would include approximately 337 acres on property located in Kaufman County northwest of FM 548 Road - Financing: No cost consideration to the City
35.	All	C	TRN	$5,230,000.00	Authorize an eighteen-month agreement, with two one-year renewal options, for traffic signal construction - Durable Specialties, Inc., lowest responsible bidder of three - Not to exceed $5,230,000.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)
36.	All	C	OCC	GT	Authorize the (1) acceptance of a donation in the amount of $50,000.00 from TXU Energy to provide temporary financial assistance through the West Dallas Multipurpose Center to individuals and families who are experiencing a temporary financial crisis; (2) receipt and deposit of funds in an amount not to exceed $50,000.00 in the WDMPC Energy Emergency Assistance Fund; and (3) establishment of appropriations in an amount not to exceed $50,000.00 in the WDMPC Energy Emergency Assistance Fund - Not to exceed $50,000.00 - Financing: WDMPC Energy Emergency Assistance Fund
37.	All	C	ECO	$6,700,000.00	Authorize (1) the receipt and deposit of a loan repayment from DCAR Properties, Ltd. in an amount not to exceed $6,700,000.00; (2) the release of the associated lien on 1407 Main Street; (3) an increase in appropriations of $6,700,000.00 in the Public/Private Partnership Fund; (4) the transfer of an amount not to exceed $4,575,000.00 from the Public/Private Partnership Fund to the Dallas Housing Trust Fund; (5) an increase in appropriations of $4,575,000.00 in the Dallas Housing Trust Fund; (6) the receipt and deposit of funds transferred to the Dallas Housing Trust Fund; (7) the disbursement of funds from the Dallas Housing Trust Fund; and (8) the disbursement to Dallas County in an amount not to exceed $2,125,000.00 - Not to exceed

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					$6,700,000.00 - Financing: Public/Private Partnership Fund
38.	All	C	ECO	NC	Authorize an ordinance amending Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) Project and Reinvestment Zone Financing Plan to: (1) allow an estimated amount of $424,528.00 of the Affordable Housing Set-Aside Funds to be used outside of the boundaries of the Zone and the greater downtown area; and (2) make corresponding modifications to the City Center TIF District Project and Reinvestment Zone Financing Plan - Financing: No cost consideration to the City
39.	All	C	ECO	$424,528.00	Authorize (1) an increase in appropriations in an estimated amount of $424,528.00 in the City Center Tax Increment Financing (TIF) District Fund (Reinvestment Zone Number Five); (2) the transfer of City Center TIF District Funds to the Dallas Housing Trust Fund in an estimated amount of $424,528.00; (3) an increase in appropriations in an estimated amount of $424,528.00 in the Dallas Housing Trust Fund; and (4) the disbursement of funds from the Dallas Housing Trust Fund in an estimated amount of $424,528.00 - Estimated amount of $424,528.00 - Financing: City Center TIF District Funds
40.	All	C	ECO	$1,934,422.00	Authorize (1) an increase in appropriations in an estimated amount of $2,540,080.00 in the Cityplace Area Tax Increment Financing (TIF) District Fund (Reinvestment Zone Number Two); (2) consolidation of all Cityplace Area TIF District related Funds cash balances in an estimated amount of $1,955,253.47; (3) the transfer of Cityplace Area TIF District Funds to the Dallas Housing Trust Fund in an estimated amount of $828,129.00; (4) an increase in appropriations in an estimated amount of $828,129.00 in the Dallas Housing Trust Fund; (5) disbursement to other participating taxing jurisdictions in an estimated amount of $1,106,293.00; (6) the disbursement of funds from the Dallas Housing Trust Fund in an estimated amount of $828,129.00; and (7) the closing of the Cityplace Area TIF District Funds (Reinvestment Zone Number Two) after all city transactions and TIF obligations have been processed - Total estimated amount of $1,934,422.00 - Financing: Cityplace Area TIF District Funds
41.	All	C	ECO	$2,108,682.00	Authorize (1) an increase in appropriations in an estimated amount of $1,003,651.00 in the State-Thomas Tax Increment Financing (TIF) District Fund (Reinvestment Zone Number One); (2) the transfer of State-Thomas Tax Increment District Funds to the Dallas Housing Trust Fund in an estimated amount of $523,246.00; (3) an increase in appropriations in an estimated amount of $523,246.00 in the Dallas Housing Trust Fund; (4) disbursement of funds from the Dallas Housing Trust Fund in an estimated amount of

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					$523,246.00; (5) disbursement to other participating taxing jurisdictions in an estimated amount of $1,585,436.00; and (6) the closing of the State-Thomas TIF District Fund (Reinvestment Zone Number One) after all city transactions and TIF obligations have been processed - Total estimated amount of $2,108,682.00 - Financing: State-Thomas TIF District Funds
42.	All	C	ECO	NC	Authorize an ordinance amending Tax Increment Financing Reinvestment Zone Number Nine (Vickery Meadow TIF District) Project and Reinvestment Zone Financing Plan to: (1) allow an estimated amount of $649,097.00 from the Vickery Meadow TIF District Fund to be used outside of the boundaries of the Zone for affordable housing; and (2) make corresponding modifications to the Vickery Meadow TIF District Project and Reinvestment Zone Financing Plan - Financing: No cost consideration to the City
43.	All	C	ECO	$649,097.00	Authorize (1) an increase in appropriations in an estimated amount of $649,097.00 in the Vickery Meadow Tax Increment Financing (TIF) District Fund (Reinvestment Zone Number Nine); (2) the transfer of Vickery Meadow TIF District Funds to the Dallas Housing Trust Fund in an estimated amount of $649,097.00; (3) an increase in appropriations in an estimated amount of $649,097.00 in the Dallas Housing Trust Fund; and (4) the disbursement of funds in an estimated amount of $649,097.00 from the Dallas Housing Trust Fund - Estimated amount of $649,097.00 - Financing: Vickery Meadow TIF District Funds
44.	All	C	OEM	GT	Authorize the (1) acceptance of a grant from the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency passed through the Texas Department of Public Safety, Texas Division of Emergency Management has made funding available to the City of Dallas under the FY 2018 Emergency Management Performance Grant Program (Federal/State Award ID No. EMT-2018-EP-00008, Grant No. 18TX-EMPG-0008/CFDA No. 97.042) to fund emergency preparedness operations and planning in an amount not to exceed $148,559.50 for the period October 1, 2017 through March 31, 2019; (2) establishment of appropriations in an amount not to exceed $148,559.50 in the DHS-FY 2018 Emergency Management Performance Grant 17-19 Fund; (3) receipt and deposit of grant funds in an amount not to exceed $148,559.50 in the DHS-FY 2018 Emergency Management Performance Grant 17-19 Fund; and (4) execution of the grant agreement and all documents required by the grant agreement - Not to exceed $148,559.50 - Financing: U.S. Department of Homeland Security Grant Funds
45.	All	C	OEM	GT	Authorize the (1) acceptance of a grant from the U.S. Department of

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Homeland Security (DHS), Federal Emergency Management Agency passed through the Texas Office of the Governor-Homeland Security Grants Division for the FY 2018 Homeland Security Grant Program, which includes the Urban Area Security Initiative and the State Homeland Security Grant Program (Federal/State Award ID No. EMW-2018-SS-00022-S01/ Grant Nos. 2980304, 2980704, 3176403, 3321902, 3418202, 3698801/CFDA No. 97.067) to provide funding for activities related to enhancing preparedness and building capacity to prepare for, prevent and respond to complex coordinated terrorist attacks in an amount not to exceed $5,693,850.00 for the period September 1, 2018 through August 31, 2020; (2) establishment of appropriations in an amount not to exceed $5,693,850.00 in the DHS-FY18 Homeland Security Grant 18-20 Fund and the DHS-2018 State Homeland Security Grant 18-19 Fund; (3) receipt and deposit of grant funds in an amount not to exceed $5,693,850.00 in the DHS-FY18 Homeland Security Grant 18-20 Fund and the DHS-2018 State Homeland Security Grant 18-19 Fund; and (4) execution of the grant agreement and all documents required by the grant agreement - Not to exceed $5,693,850.00 - Financing: U.S. Department of Homeland Security Grant Funds
46.	All	C	PBD	$514,138.88	Authorize a two-year service contract for licenses, maintenance, and support for the McAfee VirusScan ® Threat Management Portfolio software - Kudelski Security, Inc., most advantageous proposer of three - Not to exceed $514,138.88 - Financing: Data Services Fund
47.	All	C	PBD	$4,573,891.92	Authorize a three-year service price agreement for citywide overhead door repair, maintenance, parts, and labor - Miner Ltd. dba Overhead Door Co. of Dallas, lowest responsible bidder of two - Not to exceed $4,573,891.92 - Financing: General Fund ($3,796,454.95), Convention and Event Services Fund ($423,086.80), Dallas Water Utilities Fund ($315,072.43), Communication Services Fund ($19,918.90), Aviation Fund ($10,826.84), and Stormwater Drainage Management Fund ($8,532.00)
48.	All	C	PBD	$6,877,812.97	Authorize a three-year service price agreement for fire extinguisher and sprinkler system maintenance and repairs - American Fire Protection Group, Inc. in the amount of $5,051,309.56 and Safety Control LLC in the amount of $1,826,503.41, lowest responsible bidders of seven - Total not to exceed $6,877,812.97 - Financing: General Fund ($3,370,512.10), Convention and Event Services Fund ($3,084,187.70), Sanitation Services Fund ($222,302.77), Dallas Water Utilities Fund ($134,042.50), Aviation Fund ($45,643.00), and Communication Service Fund ($21,124.90)
49.	All	C	PBD	$141,625.00	Authorize a three-year service price agreement, with one two-year renewal

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					option, for farrier services for the Police Department's Mounted Unit - Frank Schweighart, lowest responsible bidder of three - Not to exceed $141,625.00 - Financing: General Fund
50.	All	C	PBD	$473,021.58	Authorize a three-year service contract for ongoing maintenance and support of Orion Communications software applications for the Police Department and Court and Detention Services - Orion Communications, sole source - Not to exceed $473,021.58 - Financing: Data Services Fund ($263,365.29) and Technology Fund ($209,656.29) (subject to annual appropriations)
51.	All	C	PBD	$2,920,342.10	Authorize a five-year service price agreement for the rental of uniforms with Cintas Corporation No. 2 through the U.S. Communities Government Purchasing Alliance cooperative agreement, lowest responsible bidder of three - Estimated amount of $2,920,342.10 - Financing: General Fund ($1,763,372.89), Sanitation Services Fund ($906,675.58), and Aviation Fund ($250,293.63)
52.	2, 7	C	PBD	$99,419.00	Authorize (1) a five-year management contract for the South Dallas/Fair Park Public Improvement District Manager - South Side Quarter Development Corporation, most advantageous proposer of two - Not to exceed 10% of annual assessments, estimated to be $99,419.00 for administrative fees over the five-year term; and (2) the establishment of appropriations in the South Dallas/Fair Park PID Fund in an estimated amount of $111,237.00 - Financing: Cost Consideration to Others
53.	6, Outside	C	PBD	$200,850.00	Authorize a one-year master agreement for the purchase of ozone electrode module assemblies and parts for the Water Utilities Department - Fin-Tek Corporation in the estimated amount of $127,950.00 and Xylem Water Solutions USA, Inc. in the estimated amount of $72,900.00, lowest responsible bidders of two - Total estimated amount of $200,850.00 - Financing: Dallas Water Utilities Fund
54.	All	C	PBD	$235,000.00	Authorize a one-year master agreement for large cast iron fittings for the Water Utilities Department - Fortiline, Inc., lowest responsible bidder of three - Estimated amount of $235,000.00 - Financing: Dallas Water Utilities Fund
55.	All	C	PBD	$19,290,317.04	Authorize (1) a one-year master agreement for the purchase of (a) 109 pieces of fleet vehicles and equipment with Chastang Ford in the amount of $6,349,447.00, Holt Texas, Ltd. in the amount of $3,630,411.00, Austin Truck and Equipment, Ltd. dba Freightliner of Austin in the amount of $1,602,825.00, Sam Pack's Five Star Ford in the amount of $1,288,680.76, Southwest International Trucks, Inc. in the amount of $1,169,307.00, Kirby-Smith Machinery in the amount of $548,135.00, Kinloch Equipment &

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					Supply, Inc. in the amount of $264,106.00, Freedom Chevrolet in the amount of $243,646.50, Rush Truck Centers Of Texas, LP in the amount of $230,142.68, Grande Truck Center in the amount of $144,073.00, BTE Body Co., Inc. in the amount of $117,676.00, and Magnum Trailers dba Magnum Custom Trailer Mfg. Co., Inc. in the amount of $17,608.50 through the Texas Association of School Boards cooperative agreement; (b) 73 pieces of fleet vehicles with Sam Pack's Five Star Ford in the amount of $2,866,548.43 through the Texas Smart Buy cooperative agreement; (c) 4 pieces of fleet equipment with Dickson Equipment Co., Inc. in the amount of $469,462.71 and Holt Texas, Ltd. in the amount of $85,169.00 through the Sourcewell cooperative agreement; and (d) 9 pieces of fleet vehicles with Longhorn Harley-Davidson in the amount of $263,078.46 through the Dallas-Fort Worth Airport Interlocal agreement; (2) the establishment of appropriations in an amount not to exceed $2,224,092.00 in the Fleet Capital Purchase Fund; (3) the establishment of appropriations in an amount not to exceed $8,000,000.00 in the Sanitation Master Lease-Equipment Fund; and (4) an increase in appropriations in an amount not to exceed $602,684.00 in the ISTEA Vehicle Conversion Fund - Total not to exceed $19,290,317.04 - Financing: Sanitation Master Lease-Equipment Fund ($7,990,451.43), Master Lease-Equipment Fund ($4,849,600.31), Sanitation Waste Cell Sinking Fund ($4,553,720.93), Water & Sewer Revenue Fund ($1,264,443.96), Fleet Capital Purchase Fund ($575,455.41), and Airport Revenue Fund ($56,645.00)
56.	All	C	PBD	$995,947.18	Authorize a three-year master agreement for the purchase of clamps, couplings, sleeves, and adapters for the Water Utilities Department - Fortiline, Inc. in the estimated amount of $693,015.12, Core & Main, LP in the estimated amount of $199,421.30, and Powerseal Pipeline Products Corp. in the estimated amount of $103,510.76, lowest responsible bidders of four - Total estimated amount of $995,947.18 - Financing: Dallas Water Utilities Fund
57.	2, 3	C	PBD	$1,897,169.40	Authorize a three-year master agreement for the purchase of deicing chemicals for the Department of Aviation - Nachurs Alpine Solutions, LLC in the estimated amount of $793,800.00, Cryotech Deicing Technology in the estimated amount of $379,620.00, The Bargain Source in the estimated amount of $365,909.40, and Berven Industries, LLC dba New Deal Deicing in the estimated amount of $357,840.00, lowest responsible bidders of four - Total estimated amount of $1,897,169.40 - Financing: Aviation Fund
58.	All	C	PBD	$9,283,565.00	Authorize a three-year master agreement for the purchase of electrical supplies - Crawford Electric Supply Co. in the estimated amount of

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					$6,874,091.00, Elliott Electric Supply, Inc. in the estimated amount of $1,448,206.00, Graybar Electric Company, Inc. in the estimated amount of $907,268.00; and Dealers Electrical Supply in the estimated amount of $54,000.00, lowest responsible bidders of eight - Total estimated amount of $9,283,565.00 - Financing: General Fund ($4,178,950.00), Dallas Water Utilities Fund ($4,283,415.00), Aviation Fund ($388,000.00), Stormwater Drainage Management Fund ($313,200.00), and Convention and Event Services Fund ($120,000.00)
59.	All	C	PBD	$2,671,103.66	Authorize a three-year master agreement for oil, grease, and lubricants for citywide use - Western Marketing, Inc. in the amount of $2,106,742.04, NCH Corporation dba Certified Laboratories in the amount of $365,625.85, and Schaeffer Manufacturing Company in the amount of $198,735.77, lowest responsible bidders of three - Total not to exceed $2,671,103.66 - Financing: General Fund ($991,881.97), Dallas Water Utilities Fund ($925,255.61), Equipment and Fleet Management ($432,330.13), Sanitation Services Fund ($161,806.80), Stormwater Drainage Management Fund ($100,169.42), Convention and Event Services Fund ($38,059.19), and Aviation Fund ($21,600.54)
60.	All	C	IGS	$53,400.00	Authorize a personal services contract with Hector Alcalde for federal legislative services regarding water resources, flood control and transportation for the period November 1, 2018 through October 31, 2019 - Not to exceed $53,400.00 - Financing: General Fund
61.	All	C	IGS	$31,600.00	Authorize a personal services contract with Paul Schlesinger for federal legislative services regarding water resources, flood control and transportation for the period November 1, 2018 through October 31, 2019 - Not to exceed $31,600.00 - Financing: General Fund
62.	All	C	IGS	$70,000.00	Authorize a personal services contract with Kwame Walker for state legislative services for the period November 1, 2018 through October 31, 2019 - Not to exceed $70,000.00 - Financing: General Fund
63.	All	C	IGS	$64,000.00	Authorize a personal services contract with Lorena Campos for state legislative services for the period November 1, 2018 through October 31, 2019 - Not to exceed $64,000.00 - Financing: General Fund
64.	All	C	IGS	$71,000.00	Authorize a personal services contract with Randy C. Cain for state legislative services for the period November 1, 2018 through October 31, 2019 - Not to exceed $71,000.00 - Financing: General Fund
65.	All	C	IGS	$160,000.00	Authorize a professional services contract with CapitalEdge Strategies, LLC to provide federal legislative services to the City for the period November 1,

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					2018 through October 31, 2019 - Not to exceed $160,000.00 - Financing: General Fund
66.	Outside	C	IGS	NC	A resolution authorizing approval of the Verizon Place as an Authorized Public Facility Improvement Corporation Project at Dallas/Fort Worth International Airport - Financing: No cost consideration to the City
67.	10	C	PKR	$168,050.00	Authorize a professional services contract with Dunaway Associates, L.P. for schematic design, design development, construction documents, procurement and construction observation phases for the Flag Pole Hill - Phase 1 Master Plan Implementation Project located at 8015 Doran Circle - Not to exceed $168,050.00 - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds)
68.	1	C	PKR	$238,815.00	Authorize a professional services contract with Urban Engineers Group, Inc. for schematic design, design development, construction documents, procurement and construction observation phases for Elmwood Trail Phase Three located north of the existing Elmwood Parkway Trail Phase One - Not to exceed $238,815.00 - Financing: Park and Recreation Facilities (B) (2017 Bond Funds)
69.	9	C	PKR	$394,098.00	Authorize a twelve-month funding agreement with the Dallas Arboretum and Botanical Society, Inc. to provide services and programs within the city of Dallas for the period October 1, 2018 through September 30, 2019 - Not to exceed $394,098.00 - Financing: General Fund
70.	3	C	PKR	$58,949.00	Authorize a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas for the Cedar Ridge Preserve to provide services and programs within the city of Dallas for the period January 1, 2019 through December 31, 2019 - Not to exceed $58,949.00 - Financing: General Fund
71.	7	C	PKR	$145,862.00	Authorize a twelve-month funding agreement with Texas Discovery Gardens to provide services and programs within the city of Dallas for the period October 1, 2018 through September 30, 2019 - Not to exceed $145,862.00 - Financing: General Fund
72.	1	C	PKR	$78,579.48	Authorize an increase in the construction services contract with A S Con, Inc. to provide additional erosion control on the dam, landscape and lighting modifications at Kidd Springs Park located at 700 West Canty Street - Not to exceed $78,579.48, from $726,578.00 to $805,157.48 - Financing: Park and Recreation Facilities Fund (2006 Bond Funds)
73.	14	C	PKR	NC	Authorize a five-year maintenance agreement, with an automatic one-year

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					extension with Parks for Downtown Dallas for the operation and maintenance of Belo Garden Park located at 1014 Main Street - Financing: This action has no cost consideration to the City (see Fiscal Information)
74.	4	C	PKR	REV $4,000.00	Authorize the sixty-month extension option to the concession contract with IAMJ Enterprises, Inc. for the operation of the banquet facility at Cedar Crest Golf Course - Estimated Annual Revenue: $4,000.00
75.	1, 2, 4, 5, 6	C	PKR	REV $4,561,291.00	Authorize the sixty-month extension option to five concession contracts for Golf Pro Shop Managers with Bob Smith at Tenison Park Golf Courses in the amount of $1,558,384.00, Mickey Ray Piersall at Luna Vista Golf Course in the amount of $847,876.00, IAMJ Enterprises, Inc. at Cedar Crest Golf Course in the amount of $526,848.00, James R. Henderson at Stevens Park Golf Course in the amount of $1,158,353.00, and Tony Martinez at Grover C. Keeton Park Golf Course in the amount of $469,830.00 - Estimated Annual Revenue: $4,561,291.00
76.	8	C	WTR	$1,700,000.00	Authorize a professional services contract with Gresham Smith to provide engineering services for the evaluation, design, construction administration and start-up of stormwater facilities improvements at the Southside Wastewater Treatment Plant - Not to exceed $1,700,000.00 - Financing: Water Utilities Capital Construction Funds
77.	6	C	WTR	$6,058,100.25	Authorize (1) a construction contract for the Trinity Skyline Trail from Sylvan Avenue to the City of Irving's Campion Trail - Texas Standard Construction, Ltd. in an amount not to exceed $5,878,100.25, lowest responsible bidder of ten; and (2) payment to the Texas Department of Transportation in an amount not to exceed $180,000.00 - Total not to exceed $6,058,100.25 - Financing: TxDOT Advance Management System Fund - Trinity Skyline Trail ($2,649,163.95), Stormwater Drainage Management Capital Construction Fund ($2,329,439.54), and Street and Transportation Improvements Fund (2012 Bond Funds) ($1,079,496.76)
78.	1	C	WTR	$255,190.16	Authorize an increase in the construction services contract with BAR Constructors, Inc. for additional work associated with the construction of the Levee Drainage System - Sump A Improvements, also referred to as the Able No. 3 Pump Station - Not to exceed $255,190.16, from $69,250,327.90 to $69,505,518.06 - Financing: Flood Protection and Storm Drainage Facilities Fund (2012 Bond Funds)
79.	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)

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
80.	N/A	I	SEC	NC	Consideration of appointments to the Dallas/Fort Worth International Airport Board of Directors for Positions 01, 05 and 11 (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.). (List of nominees in the City Secretary's Office)
81.	N/A	I	CMO	NC	Ratify the Amended Meet and Confer Agreement between the City of Dallas and the Meet and Confer Team, made up of the Dallas Black Fire Fighters Association, Black Police Association of Greater Dallas, National Latino Law Enforcement Organization, Dallas Police Association, Dallas Hispanic Fire Fighters Association, and the Dallas Fire Fighter Association; and authorize the City Manager to enter into said Amended Meet and Confer Agreement, to be effective January 9, 2019 through September 30, 2019 - Financing: This action has no cost consideration to the City (see Fiscal Information)
82.	N/A	I	PER	NC	Authorize (1) approval of revised salary schedules for Police and Fire uniform executive staff, for a 3% adjustment; and (2) implementing pay increases for Police and Fire uniform executive staff, effective January 9, 2019 - Financing: This action has no cost consideration to the City
83.	All	I	HOU	NC	An ordinance amending Chapter 20A, “Fair Housing” of the Dallas City Code by (1) adding Sections 20A-22 through 20A-33; (2) providing a purpose statement; (3) providing the definition of terms; (4) providing for a market value analysis category and dwelling unit verification as a precondition of eligibility for the mixed income housing program; (5) providing the terms of the mixed income restrictive covenant; (6) providing for the administration of the mixed income housing program including requirements related to eligibility verifications, income bands, and affordable rents; (7) providing policies for tenant selection and other written policies; (8) providing the responsibilities of applicants and eligible households; (9) providing that an owner shall not discriminate against holders of housing vouchers, (10) providing for compliance and recordkeeping for the mixed income housing program including requirements related to quarterly status reports, affirmative fair housing marketing plans, and audits and inspections; (11) providing standard procedures for notifying owners of non-compliance and correcting non-compliance; (12) providing a penalty not to exceed $500; (13) providing a saving clause; (14) providing a severability clause; and (15) providing an effective date - Financing: No cost consideration to the City
84.	14	I	DEV	REV $640,458.00	An ordinance abandoning a portion of an alley (also known as Howland Street) to OR Asset Holdings, L.P., the abutting owner, containing approximately 3,588 square feet of land, located near the intersection of Howland and Routh Streets; and authorizing the quitclaim; and providing for

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					the dedication of approximately 3,651 square feet of land needed for a wastewater easement - Revenue: $640,458.00, plus the $20.00 ordinance publication fee (This item was deferred on November 28, 2018)
85.	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 and October 24, 2018)
86.	14	I	PKR	REV $30,000.00	Authorize (1) a development and maintenance agreement with Lincoln LAG LTD. and HEB Grocery Company, LP for the purpose of constructing the Matilda Trail, an enhanced sidewalk, hike and bike trail, and appurtenances located at East Lovers Lane and Matilda Street; (2) the establishment of appropriations in an amount not to exceed $30,000.00 in the Mowmentum Park Improvement Fund; (3) the receipt and deposit of endowment funds in an amount not to exceed $30,000.00 in the Mowmentum Park Improvement Fund; and (4) execution of the development and maintenance agreement - Financing: Revenue: $30,000.00 (This item was deferred on November 28, 2018)
87.	7	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an MF-2(A) Multifamily Subdistrict on property zoned a P(A) Parking Subdistrict within Planned Development No. 595, the South Dallas/Fair Park Special Purpose District, on the southwest side of Cleveland Street, north of South Lamar Street Recommendation of Staff and CPC: Approval Z178-256(CY)
88.	3	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 823, on the east side of South Lancaster Road, north of 52nd Street Recommendation of Staff and CPC: Approval, subject to a revised development/landscape plan, a revised traffic management plan, and conditions Z178-259(JM)

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
89.	6	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment limited to a microbrewery, distillery, or winery on property zoned Subdistrict 1A within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on the east side of Express Street, north of Levee Street Recommendation of Staff and CPC: Approval for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions Z178-287(JM)
90.	4	PH	DEV	NC	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 R-7.5(A) Single Family District, on the south corner of Fordham Road and Gladewater Road Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions Z178-310(SM)
91.	10	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 467, on the north side of Church Road, east of White Rock Trail Recommendation of Staff and CPC: Approval, subject to a revised development plan, a revised landscape plan, a traffic management plan, and conditions Z178-317(JM)
92.	1	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2011 for an alcoholic beverage establishment limited to a microbrewery, microdistillery, or winery on property zoned Conservation District No. 7, the Bishop/Eighth Street Conservation District, on the northwest corner of North Bishop Avenue and West 7th Street Recommendation of Staff and CPC: Approval for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions Z178-328(CY)
93.	10	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2157 for vehicle display, sales, and service use on property zoned Planned Development

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					District No. 629, on the northeast corner of North Central Expressway and Bonner Drive Recommendation of Staff and CPC: Approval for a five-year period, subject to conditions Z178-342(CT)
94.	14	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 LO-1-D Limited Office District with a D Liquor Control Overlay, on the southwest corner of East Mockingbird Lane and Norris Street Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant Z178-344(AM)
95.	8	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Tract 1G within Planned Development District No. 751 with existing deed restrictions [Z834-368], on the northeast corner of the westbound service road of Lyndon B. Johnson Freeway (IH-20) and Bainbridge Drive Recommendation of Staff and CPC: Approval, subject to a revised development/conceptual plan and a revised landscape plan Z178-346(PD)
96.	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. 2189 for a recycling buy-back center for the collection of household metals and industrial metals on property zoned an IM Industrial Manufacturing District, on the northeast line of South Barry Avenue, north of South Haskell Avenue Recommendation of Staff and CPC: Approval for a two-year period, subject to conditions Z178-356(JM)
97.	11	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for utility or government installation other than listed on property zoned Planned Development District No. 137, on the southwest corner of Interstate Highway 635 (Lyndon B. Johnson Freeway) and Hillcrest Road Recommendation of Staff and CPC: Approval for a permanent period, subject to site plan and conditions Z178-362(CY)

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
98.	8	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for utility or government installation other than listed and for a microwave tower on property zoned Tract 3 within Planned Development District No. 598, on the west side of South Polk Street, between West Wheatland Road and Interstate Highway 20 (Lyndon B. Johnson Freeway) Recommendation of Staff and CPC: Approval for a permanent period, subject to site plan and conditions Z178-363(CY)
99.	5	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 2160 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, on property zoned Subarea 7 within Planned Development District No. 366-D-1, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay, on the northwest corner of South Buckner Boulevard and Scyene Road Recommendation of Staff: Approval for a three-year period, subject to staff's recommended conditions Recommendation of CPC: Approval for a two-year period, subject to conditions Z156-305(SM)
100.	8	PH	DEV	NC	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 R-7.5(A) Single Family District and an MF-2(A) Multifamily District, on the south side of West Wheatland Road, east of South Polk Street Recommendation of Staff: Denial Recommendation of CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site/elevation plan and conditions Z178-140(JM)
101.	2	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for GR General Retail Subdistrict uses on property zoned an MF-2 Multiple Family Subdistrict and an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the north corner of Amelia Street and Maple Avenue Recommendation of Staff: Approval, subject to a development plan and

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					staff's recommended conditions Recommendation of CPC: Approval, subject to a development plan and conditions Z178-282(SM)
102.	5	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, on property zoned Subdistrict 2 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D Liquor Control Overlay, on the southwest corner of Bruton Road and South Buckner Boulevard Recommendation of Staff: Approval of a D-1 Liquor Control Overlay; and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and staff's recommended conditions Recommendation of CPC: Approval of a D-1 Liquor Control Overlay; and approval of a Specific Use Permit for a three-year period, subject to a site plan and conditions Z178-318(JM)
103.	2	PH	DEV	NC	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 a CS Commercial Service District, on the northwest corner of Fletcher Street and South Peak Street Recommendation of Staff: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and staff's recommended conditions Recommendation of CPC: Approval for a ten-year period, subject to a site plan and conditions Z178-331(SM)
104.	10	PH	DEV	NC	A public hearing to receive comments regarding an application for (1) an ordinance granting a Planned Development District for R-7.5(A) Single Family District uses on property zoned an NO(A) Neighborhood Office District, a CS Commercial Service District, and an R-7.5(A) Single Family District with Specific Use Permit No. 1781 for a transit passenger station or transfer center on a portion; and (2) a resolution terminating the existing deed restrictions, on the south line of Walnut Hill Lane and the west line of White Rock Trail Recommendation of Staff and CPC: Approval, subject to a conceptual plan, conceptual fence elevation plan, and conditions; and approval of the

ITEM #	DISTRICT	TYPE	DEPT	DOLLARS	DESCRIPTION
					termination of existing deed restrictions Z178-238(SM) Note: This item was considered by the City Council at a public hearing on November 28, 2018, and was held under advisement until December 12, 2018, with the public hearing open
105.	14	PH	DEV	NC	A public hearing to receive comments regarding an application for and an ordinance granting the creation of a new subdistrict within the Arts District Special Provision Sign District on property zoned Planned Development District No. 145, the Arts District Special Purpose District, in an area generally bounded by Flora Street, Olive Street, Ross Avenue, and North Harwood Street Recommendation of Staff: Denial Recommendation of CPC: Approval SPSD178-003
106.	All	PH	DEV	NC	A public hearing to receive comments regarding consideration of amendments to Chapter 51 and Chapter 51A of the Dallas Development Code to create regulations for mixed income housing development bonuses and an ordinance granting the amendments Recommendation of Staff: Approval of Economic Development and Housing Committee recommendations Recommendation of CPC: Approval DCA 156-008
107.	10	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 0.1 acres of the current 0.80 acres of land located at 9400 Lyndon B. Johnson Freeway, within the floodplain of Jackson Branch, Fill Permit 17-09 - Financing: No cost consideration to the City

TOTAL $93,970,565.15

Agenda Information Sheet

File #: 18-1389 **Item #:** 1.

SUBJECT

Approval of Minutes of the November 28, 2018 City Council Meeting

Agenda Information Sheet

File #: 18-1296 **Item #:** 2.

STRATEGIC PRIORITY: Human and Social Needs

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: City Attorney's Office

EXECUTIVE: Christopher J. Caso

SUBJECT

Authorize an Interlocal Agreement between the City of Dallas and the Dallas County Public Defender's Office to provide legal representation to participants in the South Dallas Drug Court program - Not to exceed $15,000.00 - Financing: U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration Grant Funds

BACKGROUND

The Substance Abuse and Mental Health Services Administration of the U.S. Department of Health and Human Services awarded the City a five-year grant with the project period from September 30, 2018, through September 29, 2023. The South Dallas Drug Court (SDDC) seeks to identify adults with mental health issues and substance abuse addictions who have been referred to the SDDC for adjudication and processing, and to offer those individuals enhanced program services that include alcohol/drug and mental health treatment, recovery support services, screening, assessment, job placement and training, financial planning, parenting classes, anger management, case management and other related services in lieu of jail time. The SDDC is in the Martin Luther King, Jr. Community Center located at 2922 Martin Luther King, Jr. Boulevard, and serves South Dallas/Fair Park, Jubilee Park, and Pleasant Grove.

The U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, has awarded the City $324,219.00 in support of the SDDC program for year one of the project period.

SDDC uses a non-adversarial approach which promotes public safety and protects the participants' due process rights. Furthermore, the federal grant that the City received for the drug court program requires the participation of a public defender.

Dallas County Public Defender's Office will provide legal representation to participants in the South Dallas Drug Court by providing an Assistant Public Defender and an Administrative Assistant. Said representation will include researching participants' pending cases, advising participants of their

rights, participating in staff and operations meetings, attending the SDDC docket each Wednesday from 4:30 - 7:00 p.m., meeting with participants to address legal issues, meeting with court staff, other service providers/agencies, and family members to address participants' progress or legal issues, maintaining legal files, and time keeping.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 14, 2015, City Council authorized the application and acceptance of the 2014-15 Substance Abuse and Mental Health Services Administration grant from the U.S. Department of Health and Human Services for expansion of the South Dallas Community Court to include the South Dallas Treatment Drug Court for the Adult Treatment Drug Expansion project for the period September 30, 2014, through September 29, 2015; and execution of the grant agreement by Resolution No. 15-0142.

On January 27, 2016, City Council authorized the acceptance of the 2015-16 Substance Abuse and Mental Health Services Administration grant from the U.S. Department of Health and Human Services for expansion of the South Dallas Community Court to include the South Dallas Treatment Drug Court for the Adult Treatment Drug Expansion project for the period September 30, 2015, through September 29, 2016, a three-year grant with the project period from September 30, 2014 to September 29, 2017; and execution of the grant agreement by Resolution No. 16-0164.

On September 14, 2016, City Council authorized the acceptance of 2016-17 Substance Abuse and Mental Health Services Administration grant from the U.S. Department of Health and Human Services for expansion of the South Dallas Community Court to include the South Dallas Treatment Drug Court for the Adult Treatment Drug Expansion project for the period September 30, 2016, through September 29, 2017; approval to create one new full-time position to execute the proposed project; and execution of the grant agreement by Resolution No. 16-1434.

On September 27, 2017, City Council authorized a twelve-month extension to the grant period of the Substance Abuse and Mental Health Services Administration Grant from the U.S. Department of Health and Human Services (HHS) for expansion of the South Dallas Community Court to include the South Dallas Treatment Drug Court for the Adult Treatment Drug Court Expansion project from September 29, 2017, to September 29, 2018; a carry-over of unobligated funds from previous budget years to current year's budget as approved by HHS through the transfer of unobligated appropriations from the SAMHSA-Adult Treatment Drug Court Expansion Project 14-16 Fund to the SAMHSA-Adult Treatment Drug Court Expansion Project 16-17 Fund; and execution of the revised grant agreement by Resolution No. 17-1534.

On September 12, 2018, City Council authorized the acceptance of the Substance Abuse and Mental Health Services Administration (SAMHSA) grant from the U.S. Department of Health and Human Services to expand substance abuse capacity at the existing South Dallas Drug Court for the period September 30, 2018, through September 29, 2019; establishment of appropriations in an amount not to exceed $324,219.00 in the SAMHSA-Adult Treatment Drug Court Expansion Project 18-19 Fund; receipt and deposit of grant funds in an amount not to exceed $324,219.00 in the SAMHSA-Adult Treatment Drug Court Expansion Project 18-19 Fund; and execution of the grant agreement by Resolution No. 18-1234.

City Council will be briefed by memorandum regarding this item on December 7, 2018.

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FISCAL INFORMATION

U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration Grant Funds - $15,000.00

Funding for this item was included in the FY 2018-19 budget.

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WHEREAS, the City of Dallas established an Adult Treatment Drug Court Expansion project that sought to expand the South Dallas Community Drug Court into a Treatment Drug Court that would incorporate alcohol/drug treatment, recovery support services, screening, assessment, case management, and program coordination; and

WHEREAS, the Substance Abuse and Mental Health Services Administration (SAMHSA) of the U.S. Department of Health and Human Services awarded the City a three-year grant with the project period from September 30, 2014, through September 29, 2017; and

WHEREAS, on January 14, 2015, City Council authorized the application and acceptance of the 2014-15 Substance Abuse and Mental Health Services Administration grant from the U.S. Department of Health and Human Services for expansion of the South Dallas Community Court to include the South Dallas Treatment Drug Court for the Adult Treatment Drug Expansion project for the period September 30, 2014, through September 29, 2015; and execution of the grant agreement by Resolution No. 15-0142; and

WHEREAS, on January 27, 2016, City Council authorized the acceptance of the 2015-16 Substance Abuse and Mental Health Services Administration grant from the U.S. Department of Health and Human Services for expansion of the South Dallas Community Court to include the South Dallas Treatment Drug Court for the Adult Treatment Drug Expansion project for the period September 30, 2015, through September 29, 2016; and execution of the grant agreement by Resolution No. 16-0164; and

WHEREAS, on September 14, 2016, City Council authorized the acceptance of the 2016-17 Substance Abuse and Mental Health Services Administration grant from the U.S. Department of Health and Human Services for expansion of the South Dallas Community Court to include the South Dallas Treatment Drug Court for the Adult Treatment Drug Expansion project for the period September 30, 2016, through September 29, 2017; approval to create one new full-time position to execute the proposed project; and execution of the grant agreement by Resolution No. 16-1434; and

WHEREAS, on September 27, 2017, City Council authorized a twelve-month extension to the grant period of the SAMHSA from the U.S. Department of Health and Human Services (HHS) for expansion of the South Dallas Community Court to include the South Dallas Treatment Drug Court for the Adult Treatment Drug Court Expansion project from September 29, 2017, to September 29, 2018; a carry-over of unobligated funds from previous budget years to current year's as approved by HHS through the transfer of unobligated appropriations from the SAMHSA-Adult Treatment Drug Court Expansion Project 14-16 Fund to the SAMHSA-Adult Treatment Drug Court Expansion Project 16-17 Fund; and execution of the revised grant agreement by Resolution No. 17-1534; and

WHEREAS, the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, awarded the City a five-year grant with the project period of September 30, 2018, through September 29, 2023, to offer individuals facing criminal charges for substance abuse and possession an opportunity to enter a substance abuse recovery program in lieu of jail time; and

WHEREAS, such grant funding was awarded to the City on August 8, 2018; and

WHEREAS, on September 12, 2018, City Council authorized acceptance of the 2018-2019 SAMHSA grant (Grant No. 1H79TI081081-01, CFDA No. 93.243) from the U.S. Department of Health and Human Services to expand substance abuse capacity at the existing South Dallas Drug Court for the period September 30, 2018, through September 29, 2019, in an amount not to exceed $324,219.00 for year one of the five-year project period by Resolution No. 18-1234; and

WHEREAS, under this Interlocal Agreement, the Dallas County Public Defender's Office will provide legal representation to participants in the SAMHSA Adult Drug Court Program at South Dallas Drug Court, in an amount not to exceed $15,000.00.

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 Interlocal Agreement with the Dallas County Public Defender's Office, approved as to form by the City Attorney, to provide legal representation to participants in the SAMHSA Adult Drug Court Program at South Dallas Drug Court, in an amount not to exceed $15,000.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $15,000.00 to the Dallas County Public Defender's Office, over the term of the Interlocal Agreement during FY 18-19, from the SAMHSA-Adult Treatment Drug Court Expansion Project 18-19 Fund, Fund F560, Department ATT, Unit 3699, Object 3070, Encumbrance/Contract No. CX-ATT-2019-00008619, Vendor 014003.

SECTION 3. That this contract is designated as Contract No. CX-ATT-2019-00008619.

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 #: 18-1361 **Item #:** 3.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office

EXECUTIVE: Christopher J. Caso

SUBJECT

Authorize settlement of the lawsuit styled Jose Villegas v. City of Dallas, Cause No. DC-18-06763 - Not to exceed $50,000.00 - Financing: Risk Management Funds

BACKGROUND

Plaintiff Jose Villegas filed a lawsuit against the City of Dallas seeking compensation for alleged bodily injuries and other damages sustained in an automobile collision on June 6, 2016, involving a Sanitation Services vehicle. The City and Mr. Villegas have reached a proposed settlement subject to Council approval. Plaintiff is represented by the Herbert Law Group, PLLC.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council was briefed by memorandum regarding this matter on November 15, 2018.

FISCAL INFORMATION

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

Risk Management Funds - $50,000.00

December 12, 2018

WHEREAS, a lawsuit styled Jose Villegas v. City of Dallas, Cause No. DC-18-06763, was filed by Plaintiff Jose Villegas seeking compensation from the City of Dallas for alleged bodily injuries and other damages sustained in an automobile collision on June 6, 2016, involving a Sanitation Services vehicle; and

WHEREAS, the plaintiff has agreed to a settlement of the case whereby the City will pay Jose Villegas and the Herbert Law Group, PLLC, 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 the 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 Jose Villegas v. City of Dallas, Cause No. DC-18-06763, in an amount not to exceed $50,000.00 is hereby approved.

SECTION 2. That the Chief Financial Officer is hereby authorized to pay Jose Villegas and the Herbert Law Group, PLLC, 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 #: 18-1067 **Item #:** 4.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Controller's Office

EXECUTIVE: Elizabeth Reich

SUBJECT

A resolution authorizing the preparation of plans and the payment of potential future costs and expenses for the issuance of General Obligation Refunding and Improvement Bonds, Series 2019A in an amount not to exceed $271,020,000.00 - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future cost)

BACKGROUND

Pursuant to elections held in November 2006, 2012, and 2017, the residents of Dallas voted and authorized the City to issue general obligation bonds for the purpose of providing funds for permanent public improvements. The City's financial advisors recommend: (1) refunding and retirement of commercial paper notes issued for interim financing; and (2) issuance of improvement bonds to finance capital improvement projects at the City, in an amount not to exceed $271,020,000.00.

The City's financial advisors, PFM Financial Advisors LLC, recommend issuing up to $271,020,000.00 in refunding and improvement bonds for the purpose of funding capital improvements, refunding outstanding commercial paper notes, and refunding special obligations of the City. The issuance and sale of the refunding and improvement bonds is contingent upon the City Council's approval of a parameters Ordinance, currently scheduled for consideration and approval by the City Council in April 2019.

ESTIMATED SCHEDULE OF PROJECT

Authorize Preparation for Issuance of Bonds	December 2018
Approval of Parameters Ordinance	April 2019
Pricing	April 2019
Delivery of Proceeds	May 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Government Performance and Financial Management Committee on December 3, 2018.

FISCAL INFORMATION

This action has no cost consideration to the City. The anticipated cost of issuance is $720,000.00 from 2019A General Obligation Refunding & Improvement Bond Funds. See Attachment I.

Attachment I provides an estimate of bond issuance costs for the proposed bonds and the M/WBE participation. Payment of fees and expenses is contingent upon the issuance and sale of the General Obligation Refunding and Improvement Bonds, Series 2019A.

WHEREAS, the adopted Capital Improvement Program, currently underway and scheduled, requires issuance of an amount not to exceed $271,020,000.00 of General Obligation Refunding and Improvement Bonds, Series 2019A (the "Bonds") for the purpose of refunding commercial paper notes issued for interim financing of improvements to the City, and issuance of Improvement bonds to finance capital improvement projects at the City; and

WHEREAS, the City Council hereby finds that, in order to accomplish the Bond issuance in a timely and cost-efficient manner, the City Manager, the City Attorney, the City's Financial Advisors, the City's Co-Bond Counsel, and the City's Disclosure Counsel (collectively, the "Necessary Parties") should be authorized and directed to take such action and prepare documents as necessary in order to accomplish the Bond issuance.

Now, Therefore,

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

SECTION 1. That the Necessary Parties are hereby authorized to take action and prepare documents, including, without limitation, the actions specified in this resolution, needed to accomplish the sale of Series 2019A Bonds, in a principal amount not to exceed $271,020,000.00, with the sale of the Bonds scheduled to occur in a timely manner.

SECTION 2. That the Necessary Parties are hereby authorized and directed to prepare an Official Statement with respect to such obligations and to take such other action and prepare such other documents as are necessary and incidental to the issuance, sale, and delivery of the Bonds.

SECTION 3. That the City Manager is hereby authorized to use the previously contracted professional services of PFM Financial Advisors LLC as financial advisors for the sale of the Bonds. Payment for the advisory services of PFM (Vendor VC16222) is estimated to be $183,350.00 and shall be made from proceeds after delivery of the Bonds.

SECTION 4. That the City Manager is hereby authorized to use the previously contracted professional services of Bracewell L.L.P. and West & Associates, P.C. as co-bond counsel in connection with the sale and delivery of the Bonds. If Bonds are issued, payment for the opinion of Bracewell L.L.P. (Vendor #VS0000056820) shall be at the rate of $0.30 per $1,000.00 increment of obligations issued plus an hourly rate of $150.00 to $475.00 for services rendered by individual attorneys and paralegals (estimated at a combined amount to be $226,000.00), and shall be made from the Bond proceeds.

SECTION 4. (continued)

If Bonds are issued, payment for the opinion of West & Associates L.L.P., P.C. (Vendor 330805) shall be at the rate of $0.20 per $1,000.00 increment of obligations issued plus an hourly rate of $150.00 to $475.00 for services rendered by individual attorneys and paralegals (estimated at a combined amount to be $80,000.00), and shall be made from Bond proceeds.

SECTION 5. That the City Manager is hereby authorized to use contracted professional services of Orrick Herrington & Sutcliffe LLP (Vendor VC18413) as Disclosure Counsel in connection with the sale and delivery of the Bonds. Payment for the opinion of Orrick Herrington & Sutcliffe LLP shall be at the rate of $0.20 per $1,000.00 increment of obligations issued plus an hourly rate of $150.00 to $475.00 for services rendered by individual attorneys and paralegals (estimated at a combined amount to be $80,000.00) and shall be made from the proceeds after delivery of the Bonds.

SECTION 6. That the City Manager is hereby authorized to obtain bond ratings from Fitch Ratings (Vendor VC14720) and from Standard & Poor's, Inc. (Vendor 954974) in connection with the sale of the Bonds. Payment for the bond ratings is estimated to be $130,049.89 and shall be made from proceeds after delivery of the Bonds.

SECTION 7. That the Chief Financial Officer is hereby authorized to use the previously contracted professional services of Grant Thornton L.L.P. to obtain an independent auditor's consent letter in connection with the sale and delivery of the Bonds. Payment for the services of Grant Thornton L.L.P. (Vendor VS0000007921) is estimated to be $7,400.00 and shall be made from the proceeds after delivery of the Bonds.

SECTION 8. That the Chief Financial Officer is hereby authorized to make payments for printing services to print and mail official statements. Payment for printing services is estimated to be $5,000.00 and shall be made from the proceeds after delivery of the Bonds.

SECTION 9. That the Chief Financial Officer is hereby authorized to make payment to UMB Bank, N.A. for services provided as paying agent/registrar with respect to the bonds at an annual cost of $200.00 plus mailing expenses from the General Fund 0001, Department CCO, Unit 1126, Object 3537, (Vendor VS92247) upon issuance of the Bonds.

SECTION 10. That the proceeds received from the sale of the Bonds shall be deposited in 2019A General Obligation Refunding & Improvement Bond Funds, Fund 0681, Department BMS, Unit 1879, Revenue Code 8448. Any accrued interest from these proceeds will be deposited in the Debt Service Fund, Fund 0981, Department BMS, Revenue Code 8438.

SECTION 11. That the City Manager is hereby authorized and directed to file an Official Statement with respect to such Bonds and prepare such other documents as are necessary and incidental to the issuance, sale and delivery of the Bonds with the Attorney General; and that the Chief Financial Officer be and is hereby authorized to make the payment for filing with the Attorney General's office (Vendor 344989) prior to receiving the Bond proceeds. The cost is estimated to be $9,500.00 and shall be made from the General Fund 0001, Department CCO, Unit 1126, Object 3537 and shall be reimbursed from Bond proceeds.

SECTION 12. That the Chief Financial Officer is hereby authorized to make payments for miscellaneous services relating to the sale of the Bonds. Payments for the miscellaneous services are estimated to be $5,900.11 and shall be made after delivery of the Bonds.

SECTION 13. That this resolution shall take effect on December 12, 2018, and it is accordingly so resolved.

Attachment I

Series 2019A
General Obligation Refunding Bonds
$271,020,000

Estimate of Total Bond Issuance Costs and M/WBE Participation

	Fees	Percent of Total Costs
Co-Bond Counsel		
Bracewell (Vendor VS0000056820)	$226,000	31%
West & Associates (Vendor 330805)	$80,000	11%
Disclosure Counsel		
Orrick Herrington & Sutcliffe LLP (Vendor VC18413)	80,000	11%
Financial Advisor		
PFM (Vendor VC16222)	183,350	25%
Printing Fee		
TBD	5,000	1%
Paying Agent Fee		
UMB Bank, N.A. (Vendor VS344989)	200	0%
Rating Agencies		
Fitch Ratings (Vendor VC14720)	60,771	8%
S&P Global (Vendor 954974)	69,279	10%
Attorney General Filing Fee	9,500	1%
Misc. Expenses	$5,900	1%
Total Issuance Costs	$720,000	100%
Total M/WBE Participation as % of Total Issuance Costs:	$85,000	12%

Note: Payment of fees and expenses is contingent upon the issuance and sale of the General Obligation Refunding and Improvement Bonds, Series 2019A.

Agenda Information Sheet

File #: 18-1402 **Item #:** 5.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Controller's Office

EXECUTIVE: Elizabeth Reich

SUBJECT

A resolution authorizing the preparation of plans and the payment of potential future costs and expenses for the issuance of General Obligation Refunding Bonds, Series 2019B, in an amount not to exceed $174,705,000.00 - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future cost)

BACKGROUND

On June 27, 2018, by Resolution 18-0895, the City Council approved settlement of the lawsuits styled Davis S. Martin, et al. v. City of Dallas, Cause No. 1-95-506, and George G. Parker, et al. v. City of Dallas, Cause No. 1-95-107, in an amount not to exceed $173,312,500.00 provided that the plaintiffs and the City mutually agreed on the terms of a written settlement agreement.

The City anticipates that the 382nd District of Rockwall County, Texas will enter a judgment in the above-referenced lawsuits incorporating the terms of the written settlement agreement. The City's financial advisors recommend that the City prepare for an issuance of general obligation refunding bonds in a principal amount not to exceed $174,705,000.00 in satisfaction of the judgment. The ordinance authorizing the sale of the bonds will be presented to City Council for approval after the judgment has been entered.

ESTIMATED SCHEDULE OF PROJECT

Authorize Preparation for Issuance of Bonds	December 2018
Approval of Parameters Ordinance	April 2019
Pricing	April 2019
Delivery of Proceeds	May 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Government Performance and Financial Management Committee on December 3, 2018.

FISCAL INFORMATION

This action has no cost consideration to the City. The anticipated cost of issuance is $515,000.00 from 2019B General Obligation Refunding Bond Funds. See Attachment I.

Attachment I provides an estimate of bond issuance costs for the proposed bonds and the M/WBE participation. Payment of fees and expenses is contingent upon the issuance and sale of the General Obligation Refunding Bonds, Series 2019B.

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WHEREAS, on June 27, 2018, by Resolution 18-0895, the City Council approved settlement of the lawsuits styled Davis S. Martin, et al. v. City of Dallas, Cause No. 1-95-506, and George G. Parker, et al. v. City of Dallas, Cause No. 1-95-107, in an amount not to exceed $173,312,500.00 (the "Settlement Amount") provided that the plaintiffs and the City mutually agreed on the terms of a written settlement agreement; and

WHEREAS, the City anticipates that the 382nd District of Rockwall County, Texas will enter a judgment in the above-referenced lawsuits incorporating and approving the terms of the written settlement agreement and entering an agreed judgment in the Settlement Amount; and

WHEREAS, the City has agreed to fund the Settlement Amount by issuing the City of Dallas, Texas General Obligation Refunding Bonds, Series 2019B (the "Bonds"); and

WHEREAS, the City Council hereby finds that, in order to accomplish the Bond issuance in a timely and cost-efficient manner, the City Manager, the City Attorney, the City's Financial Advisors, the City's Co-Bond Counsel, and the City's Disclosure Counsel (collectively, the "Necessary Parties") should be authorized and directed to take such action and prepare documents as necessary in order to accomplish the Bond issuance.

Now, Therefore,

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

SECTION 1. That the Necessary Parties are hereby authorized to take action and prepare documents, including, without limitation, the actions specified in this resolution, needed to accomplish the sale of the Bonds, in a principal amount not to exceed $174,705,000.00, with the sale of the Bonds scheduled to occur in a timely manner.

SECTION 2. That the Necessary Parties are hereby authorized and directed to prepare an Official Statement with respect to such obligations and to take such other action and prepare such other documents as are necessary and incidental to the issuance, sale, and delivery of the Bonds.

SECTION 3. That the City Manager is hereby authorized to use the previously contracted professional services of PFM as Financial Advisors for the sale of the Bonds. Payment for the advisory services of PFM (Vendor VC16222) is estimated to be $126,350.00 and shall be made from proceeds after delivery of the Bonds.

SECTION 4. That the City Manager is hereby authorized to use the previously contracted professional services of Norton Rose Fulbright US LLP (Vendor VC0000006239) and Mahomes & Bolden PC (Vendor VS0000051822) as Co-Bond Counsel in connection with the sale and delivery of the Bonds. Payment for the opinion of Norton Rose Fulbright US LLP shall be at the rate of $0.30 per $1,000.00 increment of obligations issued plus an

SECTION 4. (continued)

hourly rate of $150.00 to $475.00 for services rendered by individual attorneys and paralegals (estimated at a combined amount not to exceed $130,000.00), and shall be made from the proceeds after delivery of the Bonds. Payment for the opinion of Mahomes & Bolden PC (Vendor VS0000051822) shall be at the rate of $0.30 per $1,000.00 increment of obligations issued plus an hourly rate of $150.00 to $475.00 for services rendered by individual attorneys and paralegals (estimated at a combined amount to be $90,000), and shall be made from the proceeds after delivery of the Bonds.

SECTION 5. That the City Manager is hereby authorized to use contracted professional services of Orrick Herrington & Sutcliffe LLP (Vendor VC18413) as Disclosure Counsel in connection with the sale and delivery of the Bonds. Payment for the opinion of Orrick Herrington & Sutcliffe LLP shall be at the rate of $0.20 per $1,000.00 increment of obligations issued plus an hourly rate of $150.00 to $475.00 for services rendered by individual attorneys and paralegals (estimated at a combined amount to be $60,000.00) and shall be made from the proceeds after delivery of the Bonds.

SECTION 6. That the City Manager is hereby authorized to obtain bond ratings from Fitch Ratings (Vendor VC14720) and from Standard & Poor's, Inc. (Vendor 954974) in connection with the sale of the Bonds. Payment for the bond ratings is estimated to be $83,950.11 and shall be made from proceeds after delivery of the Bonds.

SECTION 7. That the Chief Financial Officer is hereby authorized to use the previously contracted professional services of Grant Thornton L.L.P. to obtain an independent auditor's consent letter in connection with the sale and delivery of the Bonds. Payment for the services of Grant Thornton L.L.P. (Vendor VS0000007921) is estimated to be $7,400.00 and shall be made from the proceeds after delivery of the Bonds.

SECTION 8. That the Chief Financial Officer is hereby authorized to make payments for printing services to print and mail official statements. Payment for printing services is estimated to be $5,000.00 and shall be made from the proceeds after delivery of the Bonds.

SECTION 9. That the Chief Financial Officer is hereby authorized to make payment to UMB Bank, N.A. (“UMB”) for (i) services provided as paying agent/registrar with respect to the Bonds at an annual cost of $200.00 plus mailing expenses from the General Fund 0001, Department CCO, Unit 1126, Object 3537, (Vendor VS92247) upon issuance of the Bonds and (ii) services provided as escrow agent with respect to that portion of the Bond proceeds necessary to fund the Settlement Amount at a one-time cost of $2,500.00 plus expenses from proceeds of the Bonds.

SECTION 10. That the proceeds received from the sale of the Bonds shall be deposited into an escrow fund with UMB in an amount equal to the Settlement Amount and any remaining proceeds after such deposit shall be deposited into General Fund, Fund 0001, Department BMS, Unit 1878, Revenue Code 8448 to pay the costs of issuance of the Bonds. Any accrued interest from Bond proceeds and any remaining proceeds after payment of all costs of issuance will be deposited in 2019B General Obligation Refunding Bond Funds, Fund 0679, Department BMS, Unit 1878, Revenue Code 8438.

SECTION 11. That the City Manager is hereby authorized and directed to file an Official Statement with respect to such Bonds and prepare such other documents as are necessary and incidental to the issuance, sale and delivery of the Bonds with the Attorney General; and that the Chief Financial Officer be and is hereby authorized to make the payment for filing with the Attorney General's office (Vendor 344989) prior to receiving the Bond proceeds. The cost is estimated to be $9,500.00 and shall be made from the General Fund, Fund 0001, Department CCO, Unit 1126, Object 3537 and shall be reimbursed from Bond proceeds.

SECTION 12. That the Chief Financial Officer is hereby authorized to make payments for miscellaneous services relating to the sale of the Bonds. Payments for the miscellaneous services are estimated to be $7,499.89 and shall be made after delivery of the Bonds.

SECTION 13. That this resolution shall take effect on December 12, 2018, and it is accordingly so resolved.

Series 2019B
General Obligation Refunding Bonds
$174,705,000

Estimate of Total Bond Issuance Costs and M/WBE Participation

	Fees	Percent of Total Costs
Co-Bond Counsel		
Norton Rose Fulbright US LLP (Vendor VC0000006239)	$130,000	25%
Mahomes & Bolden PC (Vendor VS0000051822)	$90,000	17%
Disclosure Counsel		
Orrick Herrington & Sutcliffe LLP (Vendor VC18413)	60,000	12%
Financial Advisor		
PFM (Vendor VC16222)	126,350	25%
Paying/Escrow Agent		
UMB Bank, N.A. (Vendor VS92247)	2,700	1%
Printing Fee		
TBD	5,000	1%
Rating Agencies		
Fitch Ratings (Vendor VC14720)	39,229	8%
S&P Global (Vendor 954974)	44,721	9%
Attorney General Filing Fee	9,500	2%
Misc. Expenses	$7,500	1%
Total Issuance Costs	$515,000	100%
Total M/WBE Participation as % of Total Issuance Costs:	$95,000	18%

Note: Payment of fees and expenses is contingent upon the issuance and sale of the General Obligation Refunding Bonds, Series 2019B.

Agenda Information Sheet

File #: 18-1318 **Item #:** 6.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 2, 3

DEPARTMENT: Department of Aviation

EXECUTIVE: Kimberly Bizor Tolbert

SUBJECT

Authorize **(1)** an increase in the annual lease rental rates at Dallas Love Field to **(a)** $0.85 square feet per year for unimproved land; **(b)** $0.95 square feet per year for improved land; **(c)** $4.75 square feet per year for storage hangar; **(d)** $5.50 square feet per year for maintenance hangar space; **(e)** $9.50 square feet per year for office space; **(f)** $10,000.00 per year for fuel operations permit fees for fixed-based operators and $5,000.00 per year for fuel operations permit fees for self-fuelers; **(g)** $40.00 - $55.00 per square foot per year for non-aeronautical commercial and retail use; **(h)** $20.00 - $25.00 per square foot per year for non-aeronautical office use; and **(i)** $8.00 - $10.00 per square foot for non-aeronautical warehouse and storage use, effective February 1, 2019; **(2)** an increase in the annual lease rental rates at Dallas Executive Airport to **(a)** $0.45 square feet per year for unimproved land; **(b)** $0.55 square feet per year for improved land; **(c)** $5.50 - $8.00 square feet per year for general aviation storage and maintenance hangars; **(d)** $375.00 - $400.00 per month for T-hangar space; **(e)** $7.50 square feet per year for office space; and **(f)** $10,000.00 per year for fuel operations permit fees for fixed-based operators and $5,000.00 per year for fuel operations permit fees for self-fuelers, effective February 1, 2019; and **(3)** the annual lease rental rates at Dallas Vertiport of **(a)** $200.00 - $500.00 landing fee; **(b)** $150.00 - $300.00 parking fee; **(c)** $200.00 - $400.00 overnight fee; **(d)** $300.00 per day and $750.00 per week for office space; and **(e)** $400.00 per day and $1,000.00 per week for lobby space, effective February 1, 2019 - Financing: This action has no cost consideration to the City (see Fiscal Information for future revenue impact)

BACKGROUND

On June 18, 2015, in consideration of the expiration and impact of the Wright Amendment on the market at Dallas Love Field and in consideration that there had not been a lease rental rate increase in approximately seven years and the market impact of the runway reconstruction project at Dallas Executive Airport, the Department of Aviation authorized an amended appraisal services contract with Airport Business Solutions, to estimate the annual lease rates for improved land, unimproved land, hangar and office space, excluding the terminal facilities, based on fair market value.

The resulting report recommended an increase in annual lease rates at Dallas Love Field of: $0.80 per square foot for improved ground; $0.65 per square foot per unimproved ground; $4.25 per square foot for storage hangars; $5.00 per square foot for maintenance hangars; and $8.50 per square foot for office space. The resulting report also recommended an increase in annual lease rates at Dallas Executive Airport of: $0.40 per square foot for improved ground; $0.30 per square foot per unimproved ground. These recommendations to increase the annual lease rates were approved by City Council on February 24, 2016, by Resolution No. 16-0324.

From November 2017 through June 2018, the Department of Aviation authorized three amended appraisal services contracts with Airport Business Solutions, to provide updated annual lease rates at Dallas Love Field, Dallas Executive Airport and Dallas Vertiport for improved land, unimproved land, hangar/office space, helicopter landing/parking fees, fuel operations permits, and non-aeronautical land uses, where applicable, based on fair market value.

Currently, all fuelers pay an annual fuel operations permit fee of $1,000.00. Based on the updated market lease rates study, fuel operations permits should be increased to $10,000.00 per year for fixed-based operators and $5,000.00 per year for self-fuelers. This recommended increase shall take effect incrementally over a four-year period.

The Department of Aviation recommends these proposed updated lease rates at Dallas Love Field, Dallas Executive Airport, and the Dallas Vertiport shall be effective on February 1, 2019.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 18, 1981, City Council authorized Rental Rate Revision by Resolution No. 81-0572.

On December 11, 2002, City Council authorized Rental Rate Revision by Resolution No. 02-3525.

On June 13, 2007, City Council authorized the Rates and Charges Study by Resolution No. 07-1722.

On April 23, 2008, City Council authorized contract for Appraisal Services by Resolution No. 08-1225.

On August 27, 2008, City Council authorized Rental Rate Revision by Resolution No. 08-2226.

On February 24, 2016, City Council authorized Rental Rate Revision by Resolution No. 16-0324.

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on December 10, 2018.

FISCAL INFORMATION

This action has no cost consideration to the City. Department anticipates that there will be future revenue that will be identified when future leases are brought to City Council for approval.

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December 12, 2018

WHEREAS, the City Council of the City of Dallas is authorized under Chapter 5, "Aircraft and Airports", of the Dallas City Code, as amended, to impose rental charges for the utilization of City-owned premises at Dallas Love Field Airport, Dallas Executive Airport and Dallas Vertiport in Dallas, Texas; and

WHEREAS, it is deemed advisable that the schedule of fees presently in effect at Dallas Love Field, Dallas Executive Airport and Dallas Vertiport be increased.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to implement the following schedule of fees in connection with the leasing and operation for aviation related uses of property at Dallas Love Field, to be effective as of February 1, 2019:

Unimproved Land	Improved Land	Storage Hangar	Maintenance Hangar	Office Space
$0.85 per square foot per year	$0.95 per square foot per year	$4.75 per square foot per year	$5.50 per square foot per year	$9.50 per square foot per year

Fuel Permits
$10,000.00 per year for Fixed-based operators
$5,000.00 per year for Self-fuelers

Non-aeronautical commercial and retail use
$40.00 - $55.00 per square foot per year

Non-aeronautical office use
$20.00 - $25.00 per square foot per year

Non-aeronautical warehouse and storage use
$8.00 - $10.00 per square foot per year

SECTION 2. That the City Manager is hereby authorized to implement the following schedule of fees in connection with the leasing and operation for aviation related uses of property at Dallas Executive Airport, to be effective as of February 1, 2019:

Unimproved Land	Improved Land	Storage Hangar & Maintenance Hangar	Office Space
$0.45 per square foot per year	$0.55 per square foot per year	$5.00 - $8.00 per square foot per year	$7.50 per square foot per year

T- Hangar
$375.00 - $400.00 per month

Fuel Permits
$10,000.00 per year for Fixed-based operators
$5,000.00 per year for Self-fuelers

SECTION 3. That the City Manager is hereby authorized to implement the following schedule of fees in connection with the leasing and operation for aviation related uses of property at Dallas Vertiport, to be effective as of February 1, 2019:

Landing Fees	Parking Fees	Overnight	Office Space	Lobby Space
$200.00 - $500.00 Per Helicopter	$150.00 - $300.00 Per Helicopter	$200.00 - $400.00 Per Helicopter	$300.00 per day $750.00 per week	$400.00 per day $1,000.00 per week

SECTION 4. That the rental rates provided in this Resolution shall be effective until authority to adjust the rental rates is granted to the City Manager by the Dallas City Council.

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 #: 18-1336 **Item #:** 7.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Aviation

EXECUTIVE: Kimberly Bizor Tolbert

SUBJECT

Authorize the Eleventh Amendment to the Maintenance Base Lease with Southwest Airlines Co. to add 34,702 square feet (0.797 acres) of land to the leased premises at Dallas Love Field - Financing: No cost consideration to the City

BACKGROUND

Southwest Airlines Co. ("Southwest") currently leases approximately 41.12 acres at Dallas Love Field under its Maintenance Base Lease. The primary term of the lease will expire on May 4, 2046. In connection with Southwest's construction of a new parking garage on the Maintenance Base Lease premises, Southwest shall use the additional premises for the development and construction of entry and exit lanes to and from its parking garage and the adjacent public street.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 25, 1977, City Council authorized the Ground Lease by Resolution No. 77-1135.

On December 19, 1979, City Council authorized an Amendment to the Lease by Resolution No. 79-3718.

On July 24, 1985, City Council authorized a Second Amendment to the Lease by Resolution No. 85-2388.

On May 27, 1992, City Council authorized a Third Amendment to the Lease by Resolution No. 92-1949.

On June 23, 1993, City Council authorized a Fourth Amendment to the Lease by Resolution No. 93-2495.

On December 11, 1996, City Council authorized a Fifth Amendment to the Lease by Resolution No.

96-3899.

On October 13, 1999, City Council authorized a Sixth Amendment to the Lease by Resolution No. 99-3346.

On January 24, 2001, City Council authorized a Seventh Amendment to the Lease by Resolution No. 01-0329.

On September 14, 2011, City Council authorized a Ninth Amendment to the Lease by Resolution No. 11-2366.

On October 24, 2012, City Council authorized an Eighth Amendment to the Lease by Resolution No. 12-2696.

On October 14, 2015, City Council authorized a Tenth Amendment to the Lease by Resolution No. 15 -1854.

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on December 10, 2018.

FISCAL INFORMATION

No cost consideration to the City.

OWNER

Southwest Airlines Co.

Gary C. Kelly, Chairman of the Board, President and Chief Executive Officer
Laura H. Wright, Senior Vice President Finance and Chief Financial Officer
Ron Ricks, Executive Vice President Corporate Services and Corporate Secretary

MAP

Attached

DALLAS LOVE FIELD
Southwest Airlines Co.
Existing Maintenance Base Lease
MAPSCO 33G

December 12, 2018

WHEREAS, Southwest Airlines Co. (Lessee) currently leases approximately 41.12 acres of land at Dallas Love Field from the City of Dallas under that one certain lease referred to as the Maintenance Base Lease dated March 1, 1978, as amended; and

WHEREAS, Lessee has seen a tremendous increase in its operations at Dallas Love Field since the expiration of the Wright Amendment and requires additional land to aid in the construction of new improvements on the leased premises; and

WHEREAS, in connection with Lessee's construction of new improvements including a parking garage on the Maintenance Base Lease, Lessee has requested, and the City agrees to lease additional land to provide for entry and exit lanes to and from the parking garage and Shorecrest Drive.

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 Eleventh Amendment to the Maintenance Base Lease with Southwest Airlines Co., approved as to form by the City Attorney, on behalf of the City of Dallas.

SECTION 2. That the Eleventh Amendment to the Southwest Airlines Co. Maintenance Base Lease evidences, among other things, that an additional 34,702 square feet (0.797 acres) of land shall be added to the Leased Premises.

SECTION 3. That the Chief Financial Officer is hereby authorized to deposit all revenues received under the Lease to: Aviation Operating Fund, Fund 0130, Department AVI, Unit 7722, Revenue Code 7814.

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 #: 18-1354 **Item #:** 8.

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	December 12, 2018
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Department of Communication and Information Services
EXECUTIVE:	Elizabeth Reich

SUBJECT

Authorize a thirty-month service contract for the continued use of cloud services and support for the budget preparation and management system with Oracle America, Inc., through the Department of Information Resources, State of Texas Cooperative - Not to exceed $375,075.00 - Financing: Data Services Fund (subject to annual appropriations)

BACKGROUND

This contract will provide continuous use of the budget preparation management system which provides a single application for the development and monitoring of the City's budget. Some additional advantages of this system include:

- Improved forecasting capabilities
- Continuity of business operations
- Improved implementation capability of enhancements to meet business needs
- Significant improvement in the quantity and timeliness of information used in budget decision-making

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 March 25, 2015, City Council authorized an acquisition contract for software, hosting and a five-year service contract for maintenance and support of a budget preparation management system with Entap, Inc. by Resolution No. 15-0477.

On May 25, 2016, City Council authorized the release of funds from Entap, Inc from the previously awarded contract, and authorized a one-year service contract for implementation and a thirty-month service contract for cloud services and support for the budget preparation and management system with Oracle America, Inc. by Resolution No. 16-0800.

The Government Performance & Financial Management Committee will receive this item for consideration on December 3, 2018.

FISCAL INFORMATION

Data Services Fund - $375,075.00

FY 2018-19 $150,030.00
FY 2019-20 $150,030.00 (subject to annual appropriations)
FY 2020-21 $75,015.00 (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 $
$375,075.00	CO-OP	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to Cooperative Purchasing Agreements (CO-OPs).				

OWNER

Oracle America, Inc.

Lawrence J. Ellison, Executive Chairman of the Board and Chief Technology Officer
Safra A. Catz, Chief Executive Officer

WHEREAS, on March 25, 2015, City Council authorized an acquisition contract for software, hosting and a five-year service contract for maintenance and support of a budget preparation management system with Entap, Inc. by Resolution No. 15-0477; and

WHEREAS, on May 25, 2016, City Council authorized the release of funds from Entap, Inc from the previously awarded contract, and authorized a one-year service contract for implementation and a thirty-month service contract for cloud services and support for the budget preparation and management system with Oracle America, Inc. by Resolution No. 16-0800.

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 thirty-month service contract with Oracle America, Inc. (500311) through the State of Texas Department of Information Resources cooperative agreement, approved as to form by the City Attorney, for cloud services and support of the budget preparation and management system, in an amount not to exceed $375,075.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $375,075.00 (subject to annual appropriations) to Oracle America, Inc. from Master Agreement Service Contract No. DSV-2019-00008734.

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 #: 18-1387 **Item #:** 9.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Convention and Event Services

EXECUTIVE: Joey Zapata

SUBJECT

Authorize appropriations in an amount not to exceed $10,882,465.00 in the Convention Center Hotel Tax Rebate Fund for FY 2018-2019 in order to satisfy the terms of the 2009 Economic Development Agreement with the Dallas Convention Center Hotel Development Corporation - Not to exceed $10,882,465.00 - Financing: Convention Center Hotel Tax Rebate Fund

BACKGROUND

On August 1, 2009, the City of Dallas entered into an Economic Development Agreement with the Dallas Convention Center Hotel Development Corporation to provide additional security for the Dallas Convention Center Hotel Development Corporation Hotel Revenue Bonds (Series 2009 Bonds). In the agreement the City adopted an economic development program under Chapter 380 of the Texas Local Government Code to pledge and grant all revenues derived from the 6% State Hotel Occupancy Tax ("HOT") from the Omni Dallas Hotel ("Hotel") during the first ten years after initial occupancy and all revenues derived from the 6.25% State Sales Tax collected at the Hotel, including from all businesses located in the Hotel, during the first ten years after initial occupancy; and, all revenues derived from the 7% Local HOT collected at the Hotel as long as any Series 2009 Bonds (or additional bonds) remain outstanding, along with all revenues from Appropriated Grant Payments, as long as any Series 2009 Bonds (or additional bonds) remain outstanding.

This action allows the City to satisfy the terms of the Economic Development Agreement for Fiscal Year 2018-2019 by adding appropriations for the Convention Center Hotel Tax Rebate Fund.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 29, 2012, City Council appropriated $6,880,300.00 to the Convention Center Hotel Tax Rebate Fund through a mid-year appropriation adjustment by Resolution No. 12-2257; Ordinance No. 28768.

On September 10, 2013, City Council appropriated $9,066,200.00 to the Convention Center Hotel Tax Rebate Fund by Resolution No. 13-1646; Ordinance No. 29146.

On September 17, 2014, City Council appropriated $9,739,400.00 to the Convention Center Hotel Tax Rebate Fund by Resolution No. 14-1568; Ordinance No. 29474.

On September 18, 2015, City Council appropriated $10,234,400.00 to the Convention Center Hotel Tax Rebate Fund by Resolution No. 15-1784; Ordinance No. 29876.

On September 21, 2016, City Council appropriated $10,565,500.00 to the Convention Center Hotel Tax Rebate Fund by Resolution No. 16-1526; Ordinance No. 30178.

On September 20, 2017, City Council appropriated $10,907,600.00 to the Convention Center Hotel Tax Rebate Fund by Resolution No. 17-1505; Ordinance No. 30651.

FISCAL INFORMATION

Convention Center Hotel Tax Rebate Fund - $10,882,465.00

powered by Legistar™

December 12, 2018

WHEREAS, the City of Dallas entered into an Economic Development Agreement with the Dallas Convention Center Hotel Development Corporation on August 1, 2009; and

WHEREAS, the Agreement requires the City to provide additional security for the Series 2009 Bonds used for the construction of the Omni Dallas Hotel by pledging or granting available revenues derived from certain state hotel occupancy taxes and sales, and certain City hotel occupancy taxes; and

WHEREAS, the Agreement defines these annually appropriated revenues as City Tax Revenues derived from the 6% State Hotel Occupancy Tax ("HOT") collected for the Omni Dallas Hotel ("Hotel") during the ten years after the Hotel opened for initial occupancy, revenues derived from the 6.25% State Sales Tax collected at the Hotel during the first ten years after the Hotel opened for occupancy, and revenues derived from the 7% Local HOT collected at the Hotel; and

WHEREAS, it is now desirable to appropriate these City Tax Revenues to the Convention Center Hotel Tax Rebate Fund, in an amount not to exceed $10,882,465.00.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to appropriate an amount not to exceed $10,882,465.00 in the Convention Center Hotel Tax Rebate Fund, Fund 0756, Department CCT, Unit 3674, Object 3019.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $10,882,465.00 to the Dallas Convention Center Hotel Development Corporation in accordance with the terms and conditions of the Economic Development Agreement from Convention Center Hotel Tax Rebate Fund, Fund 0756, Department CCT, Unit 3674, Object 3019.

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 #: 18-1238 **Item #:** 10.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Department of Human Resources

EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize Supplemental Agreement No. 2 to exercise the second of two, one-year renewal options to the consultant contract with Holmes Murphy & Associates, to provide benefits consulting services and auditing services of medical and pharmacy benefit plans, extending the term from November 1, 2018 through October 31, 2019 - Not to exceed $225,000.00, from $900,000.00 to $1,125,000.00 - Financing: Employee Benefits Fund (subject to annual appropriations)

BACKGROUND

This consulting contract provides the City with benefits consulting services and auditing services of medical and pharmacy benefit plans. This Supplemental Agreement will continue to provide the City with assistance in maximizing employee benefits services and to offer advice on options to mitigate costs. Holmes Murphy & Associates, will be responsible for keeping the City's Plan Administrators and City Attorney's Office informed of best practices and advising on any pending legislation that can impact the benefits plan. Additionally, the consultant will perform tasks such as:

- Conduct audits of the medical and pharmacy vendors
- Conduct annual plan evaluations
- Develop funding strategies
- Project plan costs
- Review proposals and provide recommendations
- Conduct benchmark studies and surveys
- Conduct required Governmental Accounting and Standards Board actuarial valuations

The City offers medical, dental and vision coverage to approximately 22,000 participants. These plans are administered through the Benefits Division of the Human Resources Department. The vendor will continue to assist with consulting on these plan options.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 12, 2014, City Council authorized a three-year service contract, with two, one-year renewal options, to provide benefits consulting services and auditing services of medical and pharmacy benefit plans with Holmes Murphy & Associates by Resolution No. 14-1877.

On September 27, 2017, City Council authorized Supplemental Agreement No. 1 to exercise the first of two, one-year renewal options to the consultant contract with Holmes Murphy & Associates, to provide benefits consulting services and auditing services of medical and pharmacy benefit plans by Resolution No. 17-1542.

The Government Performance and Financial Management Committee was briefed by memorandum on November 5, 2018.

FISCAL INFORMATION

Employee Benefits Fund - $225,000.00 (subject to annual appropriations)

Service Contract Award	$ 675,000.00
Supplemental Agreement No. 1	$ 225,000.00
Supplemental Agreement No. 2 (this action)	$ 225,000.00
Total	$1,125,000.00

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 $
$225,000.00	Other Services	23.80%	22.22%	$50,000.00
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				

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WHEREAS, on November 12, 2014, City Council authorized a three-year contract, with two, one-year renewal options, to provide benefits consulting services and auditing services of medical and pharmacy benefit plans with Holmes Murphy & Associates, in an amount not to exceed $675,000.00, by Resolution No. 14-1877; and

WHEREAS, on September 27, 2017, City Council authorized Supplemental Agreement No. 1 to exercise the first of two, one-year renewal options to the consultant contract with Holmes Murphy & Associates, to provide benefits consulting services and auditing services of medical and pharmacy benefit plans, in an amount not to exceed $225,000.00, from $675,000.00 to $900,000.00, by Resolution No. 17-1542.

WHEREAS, it is now necessary to authorize Supplemental Agreement No. 2 to exercise the second of two, one-year renewal options to the consultant contract with Holmes Murphy & Associates to provide benefits consulting services and auditing services of medical and pharmacy benefit plans, extending the term from November 1, 2018 through October 31, 2019, in an amount not to exceed $225,000.00, increasing the contract amount from $900,000.00 to $1,125,000.00

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 Supplemental Agreement No. 2 to exercise the second of two, one-year renewal options to the consultant contract with Holmes Murphy & Associates, approved as to form by the City Attorney, to provide benefits consulting services and auditing services of medical and pharmacy benefit plans, extending the term from November 1, 2018 through October 31, 2019, in an amount not to exceed $225,000.00, increasing the contract amount from $900,000.00 to $1,125,000.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $225,000.00 (subject to annual appropriations) to Holmes Murphy & Associates from the Employee Benefits Current Fund, Fund 0260, Department PER, Unit 7906, Object 3070, Encumbrance CT-PERHM2603070FY18, Vendor VC13667.

SECTION 3. That this contract is designated as Contract No. PER-2017-00002700.

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 #: 18-1144 **Item #:** 11.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 6

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a service agreement with Union Pacific Railroad Company to review and approve the engineer design plan for three proposed grade-separated crossings under the railroad track of Union Pacific Railroad for Herbert, Bataan, and Amonette Streets in the area between Singleton Boulevard and Commerce Street from Sylvan Avenue to Beckley Avenue - Not to exceed $600,000.00 - Financing: Streets and Transportation Improvements Fund (2012 Bond Funds)

BACKGROUND

West Dallas Gateway Project, Phase II is funded by the 2012 Bond Program to extend Herbert Street, Amonette Street, and Bataan Street from Akron Street to Commerce Street. This is to redevelop, spur economic growth, and enhance the connectivity of the area between West Commerce Street and Singleton Boulevard to the north and south and Sylvan Avenue and North Beckley Avenue to the west and east. This project includes three new grade-separated underpasses under the Union Pacific Railroad's (UPRR) tracks. This action will authorize an agreement with UPRR for the engineering design review and approval of the three new grade-separated underpass structures within UPRR's right-of-way for the West Dallas Gateway Project, Phase II.

The West Dallas Gateway Project, Phase II entails extending the existing Herbert Street, Amonette Street, and Bataan Street from Akron Street to West Commerce Street south underneath the UPRR's tracks with a new bridge at each street location. The roadway and bridge section will be two lanes undivided. These three bridges will provide motorists and pedestrians with three grade-separated railroad crossings which will allow uninterrupted flow of traffic while also eliminating the safety threat posed by moving trains. This project will also provide a new traffic signal at the intersection of Herbert Street/West Commerce Street, a traffic roundabout at Bataan Street/West Commerce Street, sidewalks, drainage improvements, and water and wastewater upgrades.

ESTIMATED SCHEDULE OF PROJECT

Began Design	September 2017
Completed Design	August 2019
Begin Construction	December 2019
Complete Construction	December 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 19, 2013, City Council authorized an amendment to the City of Dallas Thoroughfare Plan (Ordinance No. 29045) to add Amonette Street, Herbert Street, and Bataan Street between Singleton Boulevard and Commerce Street by Resolution No. 13-1041.

On January 8, 2014, City Council authorized a professional services contract with URS Corporation for the engineering design of three new street crossings under the Union Pacific Railroad (UPRR) at Bataan Street, Herbert Street and Amonette Street for the West Dallas Gateway Project, Phase I by Resolution No. 14-0117.

On January 25, 2017, City Council authorized approval of the recommended plan for the proposed alignment of Amonette Street from Akron Street to Commerce Street, new construction that will accommodate a two-lane undivided roadway with on-street parking within 54’ of right-of-way by Resolution No. 17-0194.

On January 25, 2017, City Council authorized approval of the proposed alignment of Bataan Street from Singleton Boulevard to the Union Pacific Railroad (UPRR) right-of-way, from its current alignment to the proposed alignment of Bataan Street, and Bataan Street from the UPRR right-of-way to Commerce Street, new construction that will accommodate a two-lane undivided roadway with on-street parking within 54’ of right-of-way for Bataan Street from Singleton Boulevard to Commerce Street by Resolution No. 17-0195.

On January 25, 2017, City Council authorized approval of the recommended plan for the proposed alignment of Herbert Street from Akron Street to Commerce Street, new construction that will accommodate a two-lane undivided roadway with on-street parking within 56’ of right-of-way for Herbert Street from Akron Street to Commerce Street by Resolution No. 17-0196.

On August 9, 2017, City Council authorized Supplemental Agreement No. 4 to the professional services contract for assignment of the contract from URS Corporation to AECOM Technical Services, Inc.; and additional engineering services to complete the design of three new street crossings under the Union Pacific Railroad tracks at Bataan, Herbert and Amonette Streets for the West Dallas Gateway Project, Phase II by Resolution No. 17-1169.

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on December 10, 2018.

FISCAL INFORMATION

Streets and Transportation Improvements Fund (2012 Bond Funds) - $600,000.00

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 $
$600,000.00	CO-OP	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to Cooperative Purchasir Agreements (COOPs).				

OWNER

Union Pacific Railroad Co.

Kevin D. Hicks, Assistant Vice President of Engineering

MAP

Attached

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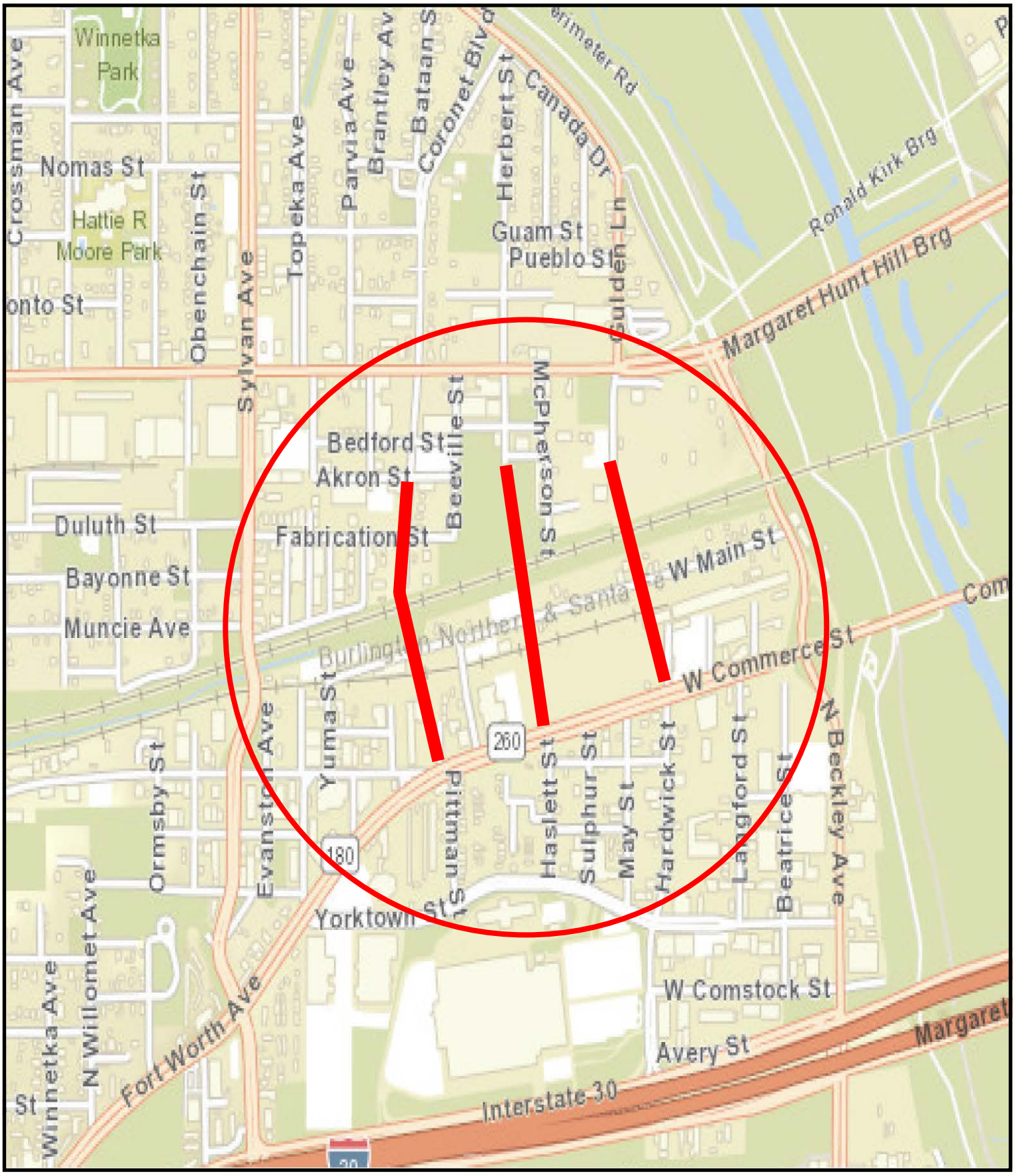
WEST DALLAS GATEWAY PROJECT, PHASE II



COUNCIL DISTRICT 6

WHEREAS, on June 19, 2013, City Council authorized an amendment to the City of Dallas Thoroughfare Plan to add Amonette Street, Herbert Street and Bataan Street between Singleton Boulevard and Commerce Street by Resolution No. 13-1041; and

WHEREAS, on January 8, 2014, City Council authorized a professional services contract with URS Corporation, for the engineering design of three new street crossings under the Union Pacific Railroad (UPRR) at Bataan Street, Herbert Street and Amonette Street for the West Dallas Gateway Project, Phase I, in an amount not to exceed $546,645.00, by Resolution No. 14-0117; and

WHEREAS, on June 26, 2014, Administrative Action No. 14-6387 authorized Supplemental Agreement No. 1 to the professional services contract with URS Corporation, for traffic engineering and cultural resources investigation for the West Dallas Gateway Project, Phase I, in an amount not to exceed $33,058.00, from $546,645.00 to $579,703.00; and

WHEREAS, on August 12, 2015, City Council authorized approval of the recommended plan for the proposed alignment of right-of-way for Amonette Street from Singleton Boulevard to Akron Street, from its current alignment by Resolution No. 15-1386; and

WHEREAS, on August 12, 2015, City Council authorized approval of the recommended plan for the proposed alignment of Herbert Street from Singleton Boulevard to Akron Street, from its current alignment, by Resolution No. 15-1387; and

WHEREAS, on October 20, 2015, Administrative Action No. 15-7072 authorized Supplemental Agreement No. 2 to the professional services contract with URS Corporation, to address changes to the rail structure concept, additional drainage analysis and data collection for the traffic study needed for the West Dallas Gateway Project, Phase I, in an amount not to exceed $16,931.00, from $579,703.00 to $596,634.00; and

WHEREAS, on November 7, 2016, Administrative Action No. 16-6977 authorized Supplemental Agreement No. 3 to the professional services contract with URS Corporation, to provide additional survey services for the West Dallas Gateway Project, Phase I, in an amount not to exceed $27,189.00, from $596,634.00 to $623,823.00; and

WHEREAS, on January 25, 2017, City Council authorized approval of the recommended plan for the proposed alignment of Amonette Street from Akron Street to Commerce Street, new construction from its current alignment, by Resolution No. 17-0194; and

WHEREAS, on January 25, 2017, City Council authorized approval of the recommended plan for the proposed alignment of Bataan Street from Singleton Boulevard to the Union Pacific Railroad (UPRR) right-of-way, from its current alignment to the proposed alignment of Bataan Street, and Bataan Street from the UPRR right-of-way to Commerce Street, new construction by Resolution No. 17-0195; and

WHEREAS, on January 25, 2017, City Council authorized approval of the recommended plan for the proposed alignment of Herbert Street from Akron Street to Commerce Street, new construction, by Resolution No. 17-0196; and

WHEREAS, on August 9, 2017, City Council authorized Supplemental Agreement No. 4 to the professional services contract with AECOM Technical Services, Inc. for assignment of the contract from URS Corporation to AECOM Technical Services, Inc. and for additional engineering services to complete the design of three new street crossings under the Union Pacific Railroad (UPRR) tracks at Bataan, Herbert and Amonette Streets for the West Dallas Gateway Project, Phase II, in an amount not to exceed $3,417,962.64, increasing the contract amount from $623,823.00 to $4,041,785.64, by Resolution No. 17-1169.

WHEREAS, it is now necessary to authorize an agreement with UPRR for the engineering design review and approval of three new grade–separated underpass structures within the UPRR's right-of-way for West Dallas Gateway Project, Phase II at Herbert Street, Bataan Street, and Amonette Street.

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 agreement with Union Pacific Railroad Company (UPRR), approved as to form by the City Attorney, for the engineering design review and approval for three new grade–separated underpass structures within the UPRR's right-of-way for West Dallas Gateway Project, Phase II at Herbert Street, Bataan Street, and Amonette Street, in an amount not to exceed $600,000.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $600,000.00 to UPRR from Street and Transportation Improvements Fund, Fund 4U22, Department PBW, Unit S399, Object 4111, Activity GTWY, Program PB12S399, Encumbrance CX-PBW-2018-00007252, Vendor 266649.

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 #: 18-1334 **Item #:** 12.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with PGAL, Inc. for architectural, engineering design, and construction administration services for the 6th Floor Renovation and Major Maintenance at the J. Erik Jonsson Central Library located at 1515 Young Street - Not to exceed $505,500.00 - Financing: Library Facilities Fund (2006 Bond Funds) ($406,510.40) and Library (E) Fund (2017 Bond Funds) ($98,989.60)

BACKGROUND

PGAL, 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 PGAL, Inc. to provide architectural, engineering design, conditions investigation of roof and elevator systems, construction documents, furniture and fixtures documents, cost estimates, and construction administration services for the 6th floor renovation, passage elevator upgrades, and plumbing and roofing repairs at the J. Erik Jonsson Central Library, located at 1515 Young Street. In this contract, services will include schematic design, design development, conduct assessment of roof and pedestrian elevators, furniture and equipment design, construction documents, bid evaluation, and construction administration.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	January 2019
Complete Design	September 2019
Begin Construction	January 2020
Complete Construction	July 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on December 10, 2018.

FISCAL INFORMATION

Library Facilities Fund (2006 Bond Funds) - $406,510.40
Library (E) Fund (2017 Bond Funds) - $98,989.60

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 $
$505,500.00	Architectural & Engineering	25.66%	59.83%	$302,463.00
• This contract exceeds the M/WBE goal.				

OWNER

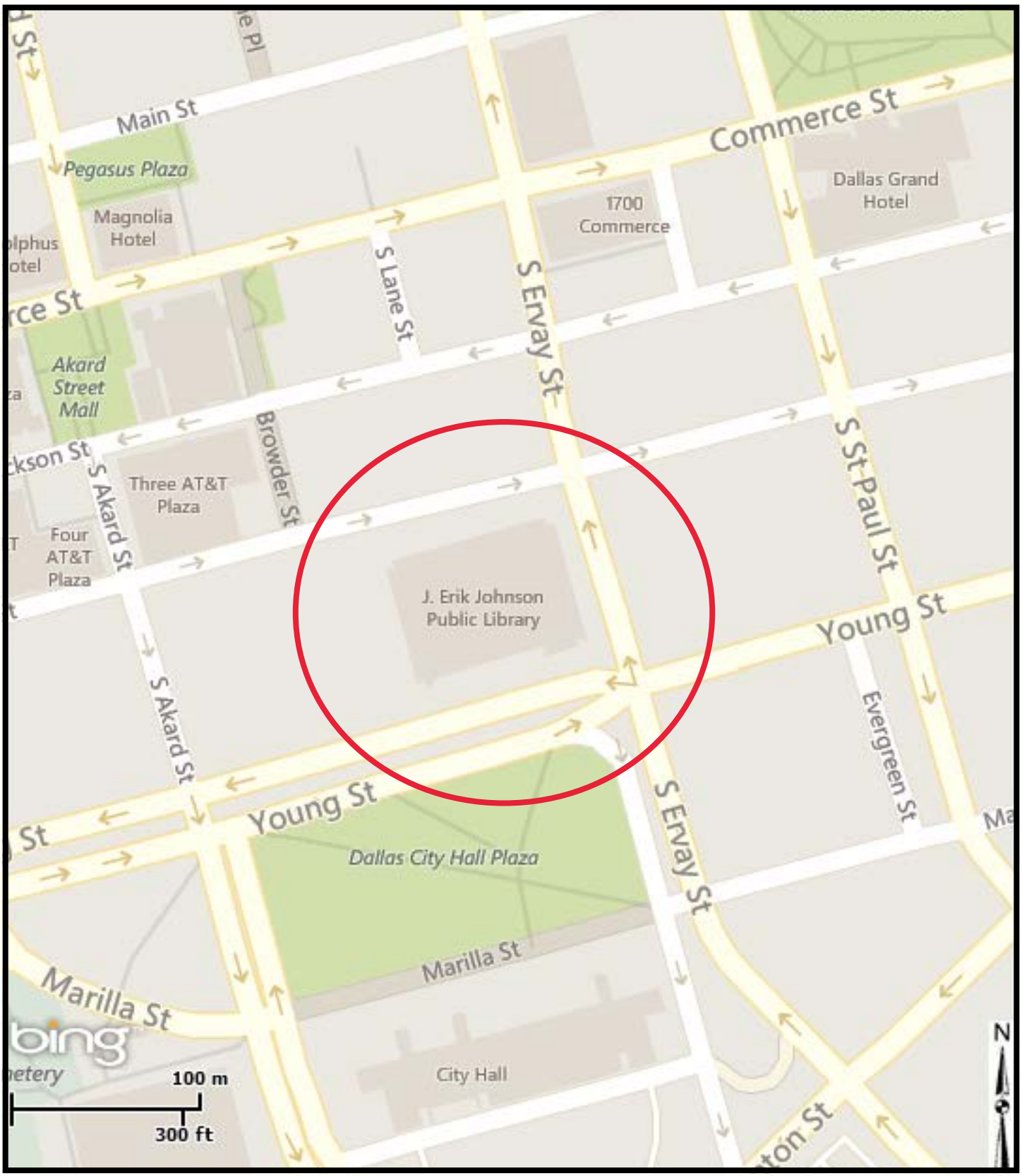
PGAL, Inc.

Jeff Bulla, Principal

MAP

Attached

6TH FLOOR RENOVATION AND MAJOR MAINTENANCE



COUNCIL DISTRICT 2

December 12, 2018

WHEREAS, in the 2017 Bond Program, the citizens of Dallas approved funding for major maintenance, renovations, and improvements at J. Erik Jonsson Central Library located at 1515 Young Street; and

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

WHEREAS, it is now desirable to authorize a professional services contract with PGAL, Inc. for architectural, engineering design, and construction administration services for the improvements at the J. Erik Jonsson Central Library located at 1515 Young Street, in an amount not to exceed $505,500.00.

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 PGAL, Inc., approved as to form by the City Attorney, for architectural, engineering design, and construction administration services for the improvements at the J. Erik Jonsson Central Library located at 1515 Young Street, in an amount not to exceed $505,500.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $505,500.00 to PGAL, Inc. in accordance with the terms and conditions of the contract:

Library (E) Fund Fund 1V42, Department BSD, Unit VE02, Activity LIBF Object 4112, Program EB17VE02 Encumbrance/Contract No. CX-PBW-2019-00008579 Vendor 101237	$ 98,989.60
Library Facilities Fund Fund 2T42, Department BSD, Unit W266, Activity LIBF Object 4112, Program PB06W266 Encumbrance/Contract No. CX-PBW-2019-00008579 Vendor 101237	$406,510.40
Total amount not to exceed	$505,500.00

SECTION 3. That this resolution shall take effect immediately from and after it passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

City of Dallas

1500 Marilla Street
Dallas, Texas 75201

Agenda Information Sheet

File #: 18-1195 **Item #:** 13.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Pacheco Koch Consulting Engineers, Inc. for the engineering design for the street reconstruction project on Bradford Drive from Maple Springs Boulevard to Hedgerow Drive - Not to exceed $203,037.15 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($171,990.45) and Water Capital Improvement Fund ($31,046.70)

BACKGROUND

The Request for Qualifications (CIZ1721) was issued on May 31, 2018 for the 2017 Bond Projects. The consulting firm, Pacheco Koch Consulting 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 Pacheco Koch Consulting Engineers, Inc. for the engineering design of the street reconstruction project on Bradford Drive from Maple Springs Boulevard to Hedgerow Drive.

This project will include replacing the existing 24-foot wide asphalt street with new 26-foot wide reinforced concrete pavement, curb and gutter, sidewalk, and storm drain improvements. This project will also include water main improvements to replace 2,400 linear feet of an existing 4-inch water line with a new 8-inch water line. The estimated total project cost is $2,403,510.15.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	January 2019
Complete Design	December 2019
Begin Construction	April 2020
Complete Construction	April 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on December 10, 2018.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $171,990.45
Water Capital Improvement Fund - $31,046.70

Estimated Future Cost - Construction - $2,200,473.00

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 $
$203,037.15	Architectural & Engineering	25.66%	100.00%	$203,037.15
• This contract exceeds the M/WBE goal.				

OWNER

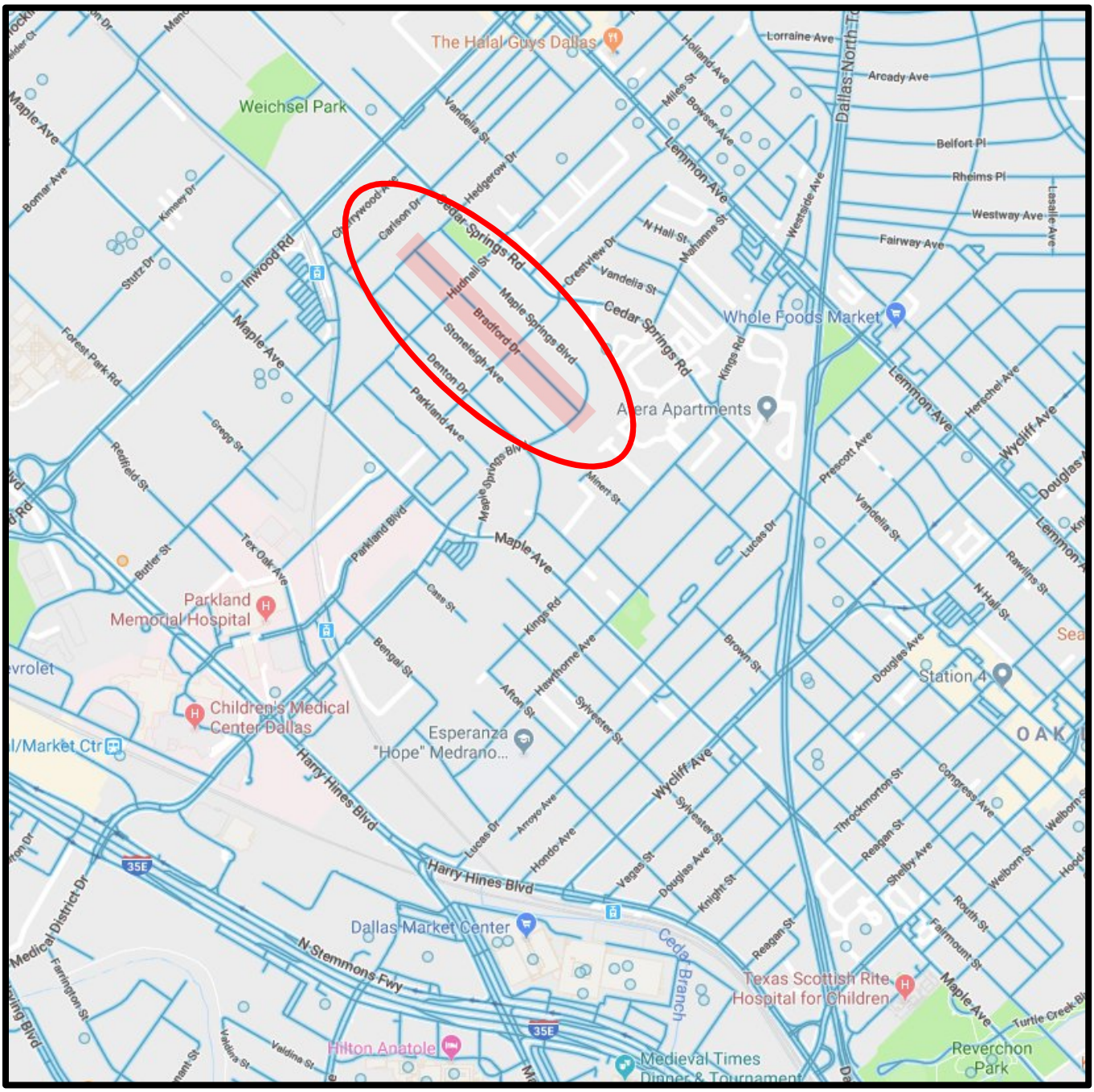
Pacheco Koch Consulting Engineers, Inc.

Mark Pacheco, P. E., Registered Professional Licensed Surveyor, President

MAP

Attached

STREET RECONSTRUCTION PROJECT
BRADFORD DRIVE FROM MAPLE SPRINGS BOULEVARD TO HEDGEROW DRIVE)



COUNCIL DISTRICT 2

December 12, 2018

WHEREAS, Pacheco Koch Consulting Engineers, Inc. was selected to provide engineering design services for the street reconstruction project on Bradford Drive from Maple Springs Boulevard to Hedgerow Drive.

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 Pacheco Koch Consulting Engineers, Inc., approved as to form by the City Attorney, for engineering design for the street reconstruction project on Bradford Drive from Maple Springs Boulevard to Hedgerow Drive, in an amount not to exceed $203,037.15.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $203,037.15 in accordance with the terms and conditions of the contract:

Pacheco Koch Consulting Engineers, Inc. for the engineering design of the street reconstruction project on Bradford Drive from Maple Springs Boulevard to Hedgerow Drive:

Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V194, Activity SREC Object 4111, Program PB17V194 Encumbrance/Contract No. CX-PBW-2019-00008393 Vendor 342980	$171,990.45
Water Capital Improvement Fund Fund 3115, Department DWU, Unit PW42 Object 4111, Program 719105 Encumbrance/Contract No. CX-PBW-2019-00008393 Vendor 342980	$ 31,046.70
Total amount not to exceed	$203,037.15

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 #: 18-1224 **Item #:** 14.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Kimley-Horn and Associates, Inc. for the engineering design for Complete Street improvements, including bike lanes, on Abrams Road from Gaston Avenue to South Beacon Street - Not to exceed $294,574.00 - 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, Kimley-Horn and Associates, 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 Kimley-Horn and Associates, Inc. for the engineering design of the Complete Street improvements, including bike lanes, on Abrams Road from Gaston Avenue to South Beacon Street.

The project will include, but not be limited to, the design of bike lanes, enhanced sidewalks, crosswalks and on-street parking that are aligned with the City of Dallas Complete Streets Manual. The City held two workshops with the affected communities in August 2018 to solicit their vision for the area and developed a scope of work for the professional engineering services for the project based on the community input. The estimated total project cost is $3,487,184.00.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	February 2019
Complete Design	December 2019
Begin Construction	July 2020
Complete Construction	September 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on December 10, 2018.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $294,574.00

Estimated Future Cost - Construction - $3,192,610.00

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 $
$294,574.00	Architectural & Engineering	25.66%	26.11%	$76,900.00
• This contract exceeds the M/WBE goal.				

OWNER

Kimley-Horn and Associates, Inc.

Kevin Hoppers, P.E., Vice President

MAP

Attached

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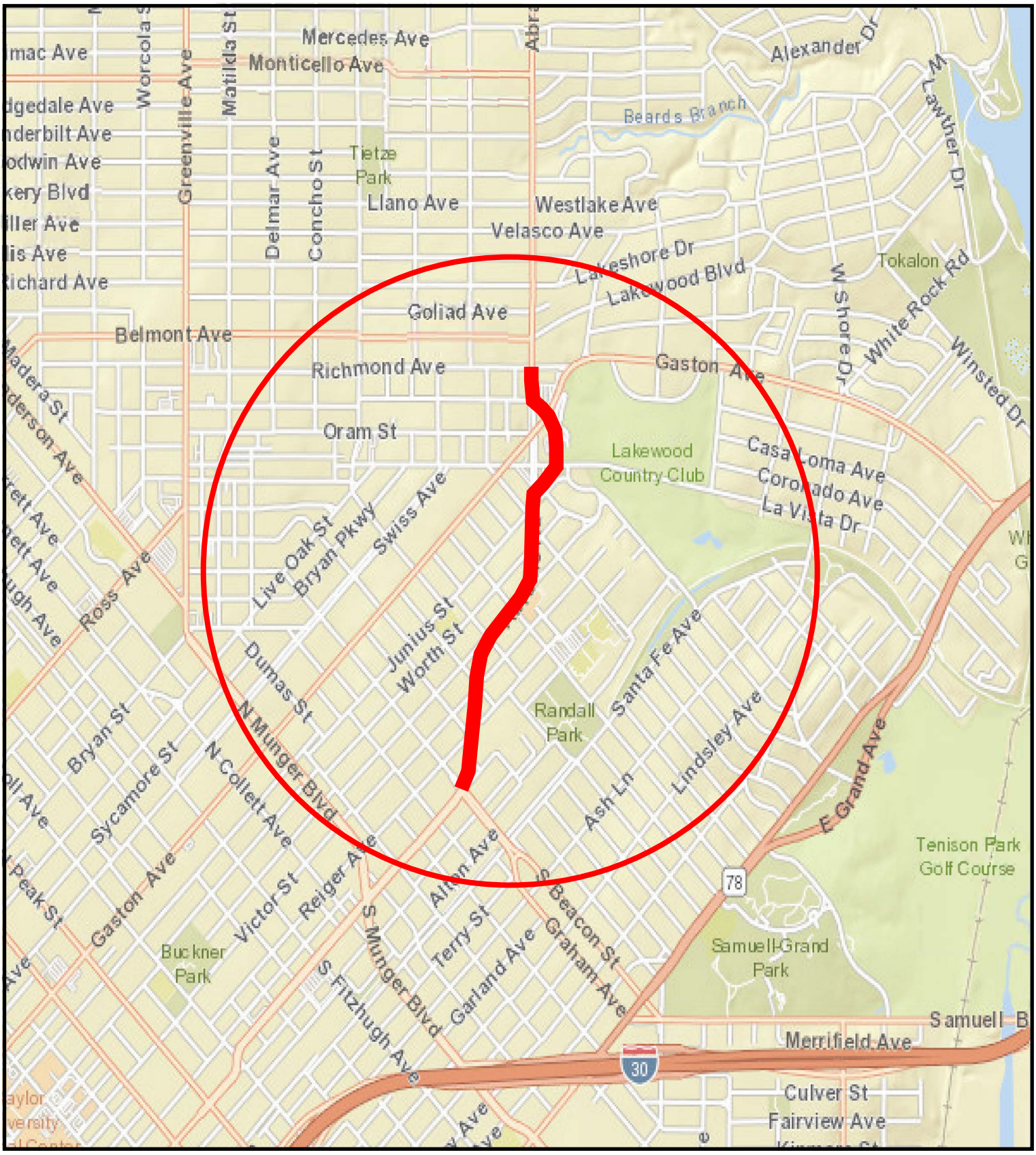
ABRAMS ROAD FROM GASTON AVENUE TO SOUTH BEACON STREET (COMPLETE STREET IMPROVEMENTS INCLUDING BIKE LANES)



COUNCIL DISTRICT 14

December 12, 2018

WHEREAS, Kimley-Horn and Associates, Inc. was selected to provide engineering design for the Complete Street improvements on Abrams Road from Gaston Avenue to South Beacon Street.

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 Kimley-Horn and Associates, Inc., approved as to form by the City Attorney, for engineering design for the Complete Street improvements, including bike lanes, on Abrams Road from Gaston Avenue to South Beacon Street, in an amount not to exceed $294,574.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $294,574.00 to Kimley-Horn and Associates, Inc. in accordance with the terms and conditions of the contract from the Street and Transportation (A) Fund, Fund 1V22, Department PBW, Unit VA14, Activity THRF, Object 4111, Program PB17VA14, Encumbrance/Contract No. CX-PBW-2019-00008490, Vendor 135447.

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 #: 18-1225 **Item #:** 15.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Huitt-Zollars, Inc. for the engineering design for Complete Street improvements, including bike lanes on Columbia Avenue/Main Street from South Beacon Street to Deep Ellum - Not to exceed $369,805.90 - 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, Huitt-Zollars, 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 Huitt-Zollars, Inc. for the engineering design for Complete Street improvements, including bike lanes on Columbia Avenue/Main Street from South Beacon Street to Deep Ellum.

The project will include, but not be limited to, the design of bike lanes, enhanced sidewalks, crosswalks and on-street parking that are aligned with the City of Dallas Complete Streets Manual. The City held two workshops with the affected communities in August 2018 to solicit their vision for the area and developed a scope of work for the professional engineering services for the project based on the community input. The estimated total project cost is $4,076,916.40.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	February 2019
Complete Design	December 2019
Begin Construction	July 2020
Complete Construction	September 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on December 10, 2018.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $369,805.90

Estimated Future Cost -Construction - $3,702,110.50

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 $
$369,805.90	Architectural & Engineering	25.66%	25.80%	$95,400.00
• This contract exceeds the M/WBE goal.				

OWNER

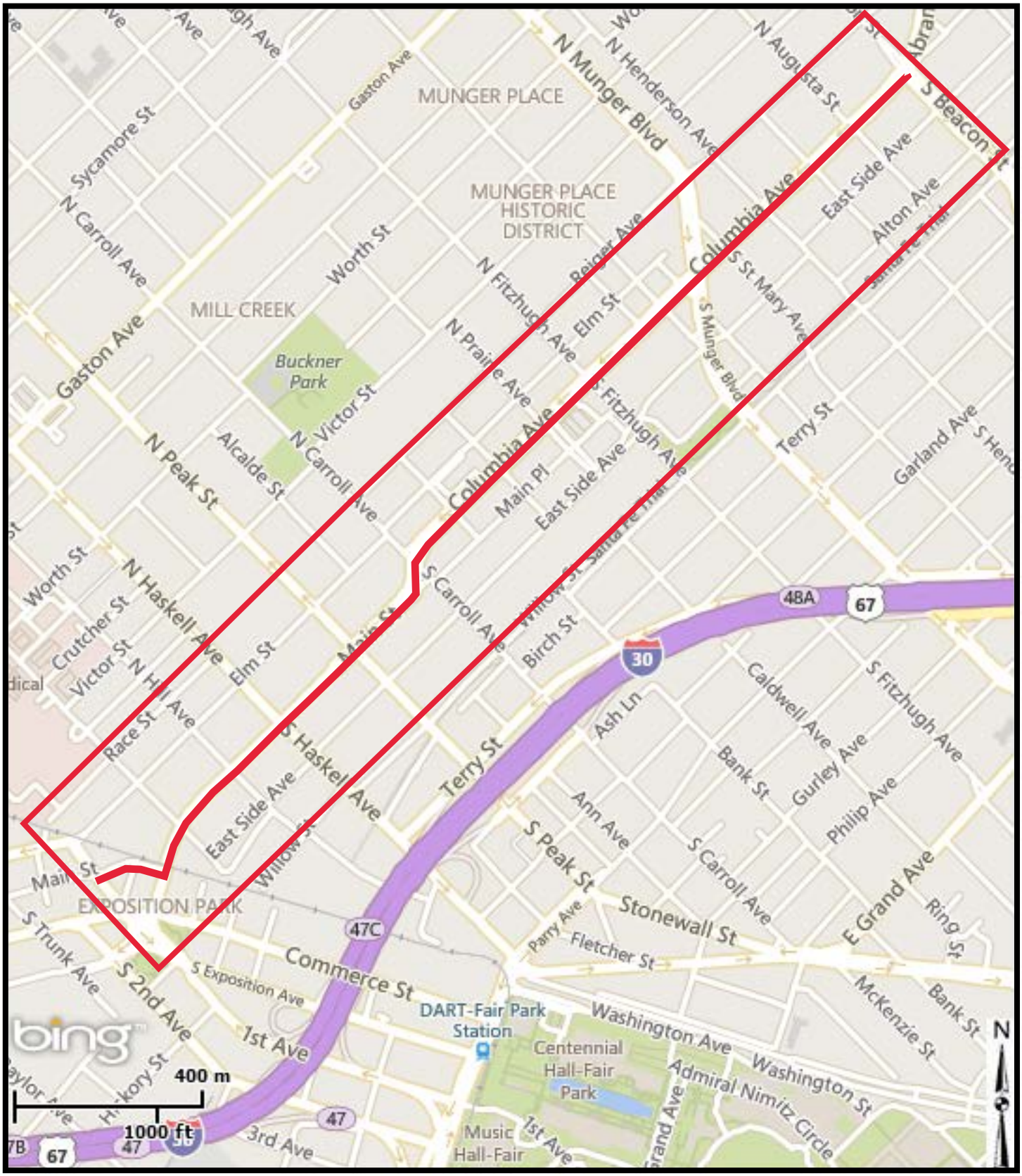
Huitt-Zollars, Inc.

John Anthony Sosebee, P.E., Senior Vice President

MAP

Attached

COLUMBIA AVENUE/MAIN STREET FROM SOUTH BEACON STREET TO DEEP ELLUM



COUNCIL DISTRICT 2

December 12, 2018

WHEREAS, Huitt-Zollars, Inc. was selected to provide engineering design for Complete Street improvements, including bike lanes on Columbia Avenue/Main Street from South Beacon Street to Deep Ellum.

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 Huitt-Zollars, Inc., approved as to form by the City Attorney, for the engineering design for Complete Street improvements, including bike lanes on Columbia Avenue/Main Street from South Beacon Street to Deep Ellum, in an amount not to exceed $369,805.90.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $369,805.90 to Huitt-Zollars, Inc., in accordance with the terms and conditions of the contract from the Street and Transportation (A) Fund, Fund 1V22, Department PBW, Unit VA12, Object 4111, Activity THRF, Program PB17VA12, Encumbrance/Contract No. CX-PBW-2018-00007923, Vendor 090025.

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 #: 18-1226 **Item #:** 16.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	December 12, 2018
COUNCIL DISTRICT(S):	3
DEPARTMENT:	Department of Public Works
EXECUTIVE:	Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with VRX, Inc. for the engineering design of the bridge reconstruction project for the West Red Bird Lane Bridge over Woody Branch Creek Project - Not to exceed $256,636.68 - 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, VRX, 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 VRX, Inc. for the engineering design for the bridge reconstruction project on West Red Bird Lane Bridge over Woody Branch Creek.

The project will include, but not be limited to the reconstruction of the existing West Red Bird Lane Bridge over Woody Branch Creek to raise it above the 100-year flood elevation. It will also include the reconstruction of all necessary street transitions and channel improvements associated with the new bridge. The estimated project cost is $2,998,980.68.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	February 2019
Complete Design	December 2019
Begin Construction	July 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 December 10, 2018.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $256,636.68

Estimated Future Cost - Construction - $2,742,344.00

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 $
$256,636.68	Architecture & Engineering	25.66%	93.33%	$239,526.68
• This contract exceeds the M/WBE goal.				

OWNER

VRX, Inc.

Nawal (Noelle) Ibrahim, P.E., President

MAP

Attached

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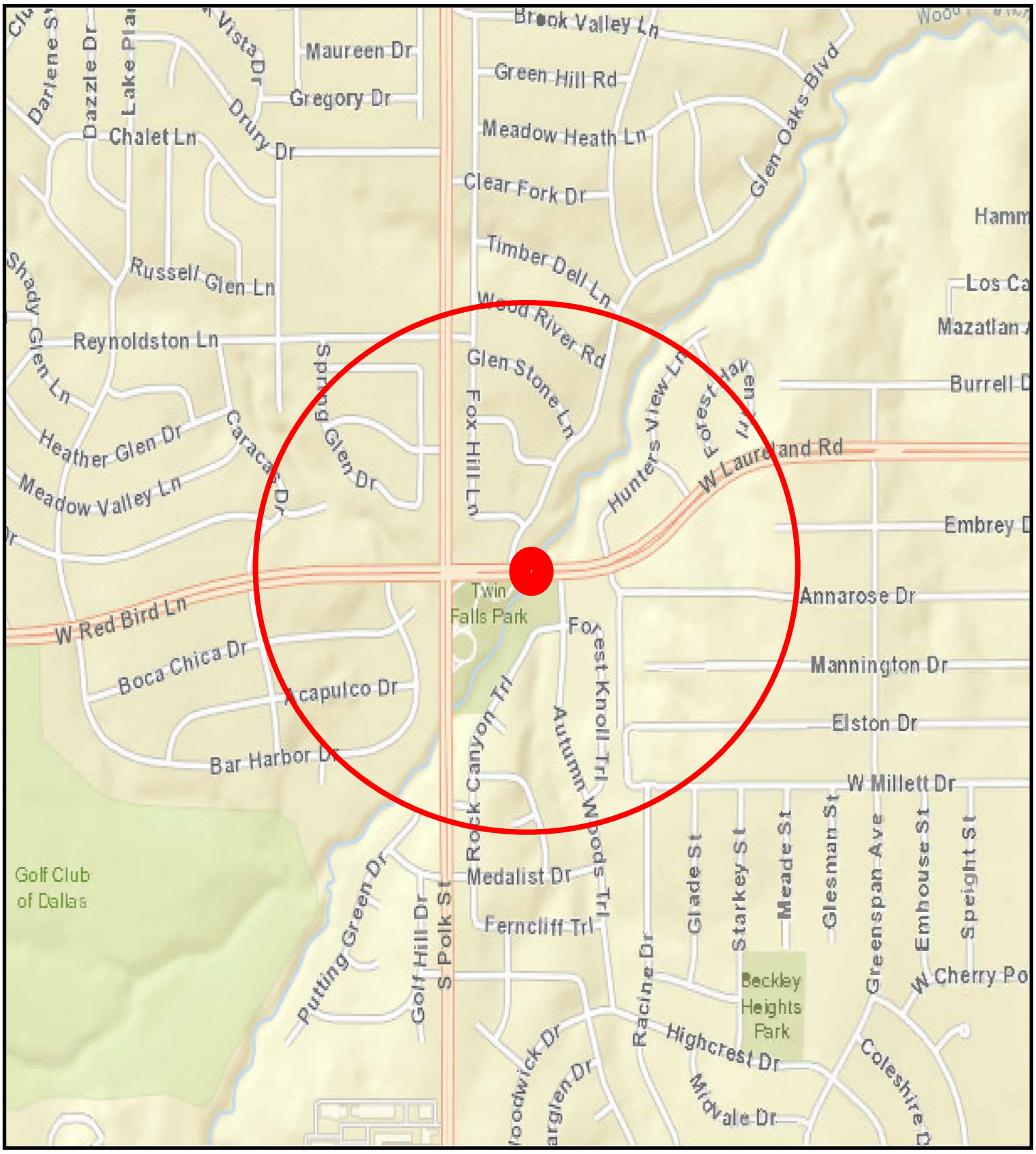
BRIDGE RECONSTRUCTION

WEST RED BIRD LANE BRIDGE OVER WOODY BRANCH CREEK



COUNCIL DISTRICT 3

December 12, 2018

WHEREAS, VRX, Inc. was selected to provide engineering design for the bridge reconstruction on West Red Bird Lane Bridge over Woody Branch Creek.

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 VRX, Inc., approved as to form by the City Attorney, for the engineering design of the bridge reconstruction project for the West Red Bird Lane Bridge over Woody Branch Creek Project, in an amount not to exceed $256,636.68.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $256,636.68 to VRX, Inc., in accordance with the terms and conditions of the contract from the Street and Transportation (A) Fund, Fund 1V22, Department PBW, Unit VA36, Object 4111, Activity BRAM, Program PB17VA36, Encumbrance/Contract No. CX-PBW-2019-00008491, Vendor VS0000017391.

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 #: 18-1243 **Item #:** 17.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 1

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with IEA, Inc. for the engineering design of the Jefferson/Twelfth Connector Lane Diet/Removal Project - Not to exceed $226,278.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($204,278.00) and Water Utilities Capital Construction Funds ($22,000.00)

BACKGROUND

The Request for Qualifications (CIZ1721) was issued on May 31, 2018 for the 2017 Bond Projects. The consulting firm, IEA, 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 IEA, Inc. for the engineering design of the Jefferson/Twelfth Connector Lane Diet/Removal Project.

The project will include, but not be limited to, design of the connector, removal and restoration of the neighborhood grid, street removal, new paving and sidewalks, storm water drainage, and water and wastewater main relocation.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	February 2019
Complete Design	January 2020
Begin Construction	May 2020
Complete Construction	April 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on December 10, 2018.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $204,278.00
Water Utilities Capital Construction Funds - $22,000.00

Estimated Future Cost - Construction - $1,631,155.94

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 $
$226,278.00	Architectural & Engineering	25.66%	89.39%	$202,278.00
• This contract exceeds the M/WBE goal.				

OWNER

IEA, Inc.

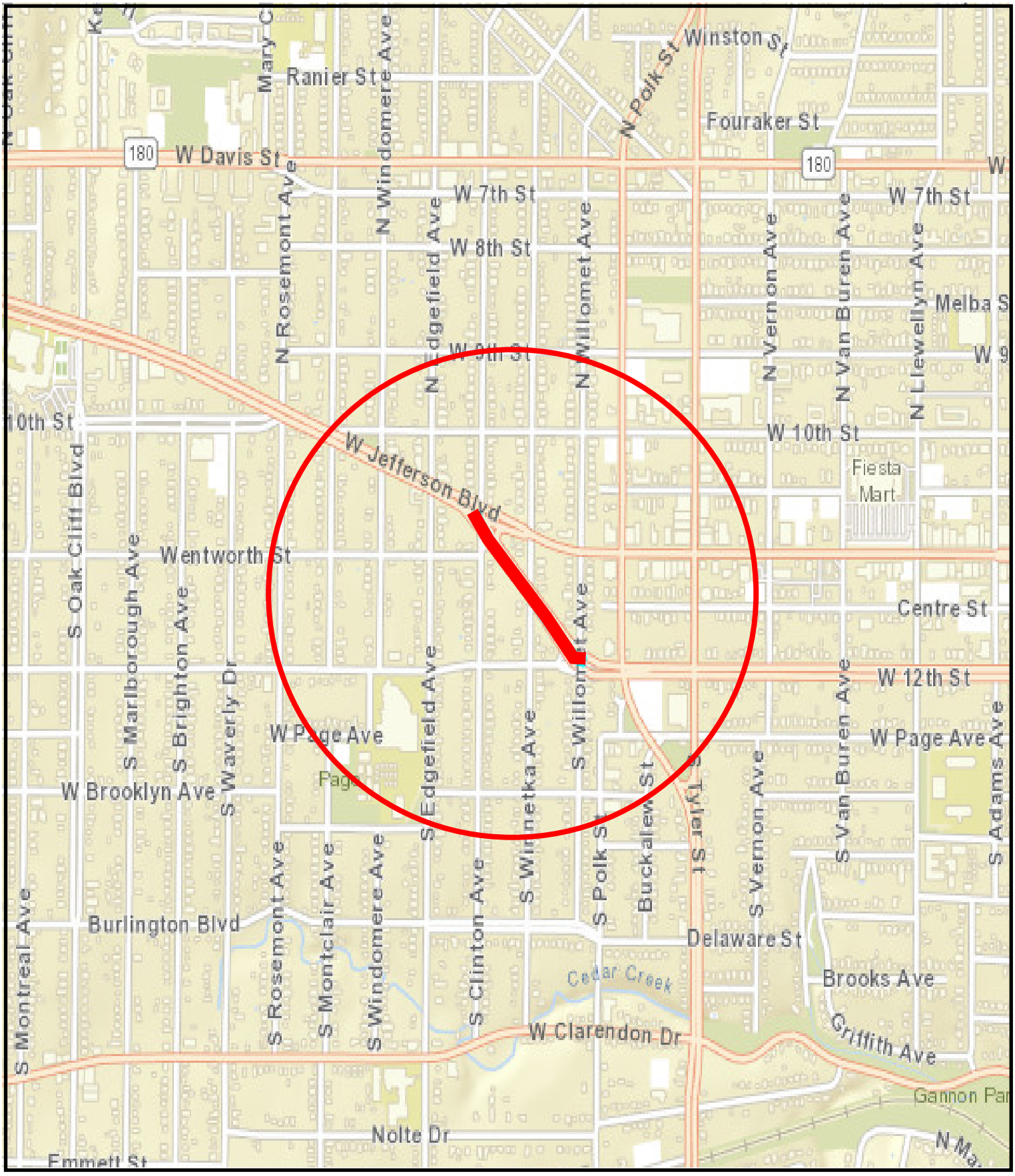
Larry G. Redden, Vice President

MAP

Attached

powered by Legistar™

TARGET NEIGHBORHOOD IMPROVEMENT
JEFFERSON/TWELFTH CONNECTOR
LANE DIET/REMOVAL



COUNCIL DISTRICT 1

December 12, 2018

WHEREAS, IEA, Inc. was selected to provide engineering design of the Jefferson/Twelfth Connector Lane Diet/Removal 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 professional services contract with IEA, Inc., approved as to form by the City Attorney, for engineering design of the Jefferson/Twelfth Connector Lane Diet/Removal Project, in an amount not to exceed $226,278.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $226,278.00 in accordance with the terms and conditions of the contract:

IEA, Inc., for the engineering design of the Jefferson/Twelfth Connector Lane Diet/Removal Project:

Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V990 Object 4111, Activity TGTN, Program PB17V990 Encumbrance/Contract No. CX-PBW-2019-00008341 Vendor VS0000030431	$204,278.00
Water Construction Fund Fund 0102, Department DWU, Unit CW42 Object 4111, Program 719115 Encumbrance/Contract No. CX-PBW-2019-00008341 Vendor VS0000030431	$ 17,600.00
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42 Object 4111, Program 719116 Encumbrance/Contract No. CX-PBW-2019-00008341 Vendor VS0000030431	$ 4,400.00
Total amount not to exceed	$226,278.00

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 #: 18-1228 **Item #:** 18.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 1

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Huitt-Zollars, Inc. for the engineering design of Streetscape/Urban Design and Sidewalk Improvements for Project Group 17-1011 (list attached to the Agenda Information Sheet) - Not to exceed $146,575.85 - 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, Huitt-Zollars, Inc., was selected following a qualifications-based selection process in accordance with the City of Dallas procurement guidelines for Project Group 17-1011.

This action will authorize a professional services contract with Huitt-Zollars, Inc. for the engineering design of Streetscape/Urban Design and Sidewalk Improvement projects as Project Group 17-1011. The scope of work consists of streetscape and urban design improvements of Jefferson Boulevard from Adams Avenue to Polk Street. The improvements will include upgrading sidewalk conditions, curb ramps, planting areas for street and ornamental trees, and pedestrian lighting. The scope also includes sidewalk and curb ramp improvements along the northern side of Wright Street from South Oak Cliff Boulevard to Edgefield Avenue. Both projects will include adjustments to drainage, water and wastewater appurtenances.

Following are the location and design costs for each project:

Streetscape/Urban Design and Sidewalk Improvements

Project	Council District	Amount
Jefferson Boulevard from Adams Avenue to Polk Street	1	$100,717.02

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Wright Street from South Oak Cliff Boulevard to Edgefield Avenue	1	$ 45,858.83

ESTIMATED SCHEDULE OF PROJECT

Begin Design	February 2019
Complete Design	March 2020
Begin Construction	September 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 December 10, 2018.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $146,575.85

Estimated Future Cost - Construction - $1,004,043.70

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 $
$146,575.85	Architectural & Engineering	25.66%	33.72%	$49,420.00
• This contract exceeds the M/WBE goal.				

OWNER

Huitt-Zollars, Inc.

John Anthony Sosebee, P. E., Senior Vice President

MAPS

Attached

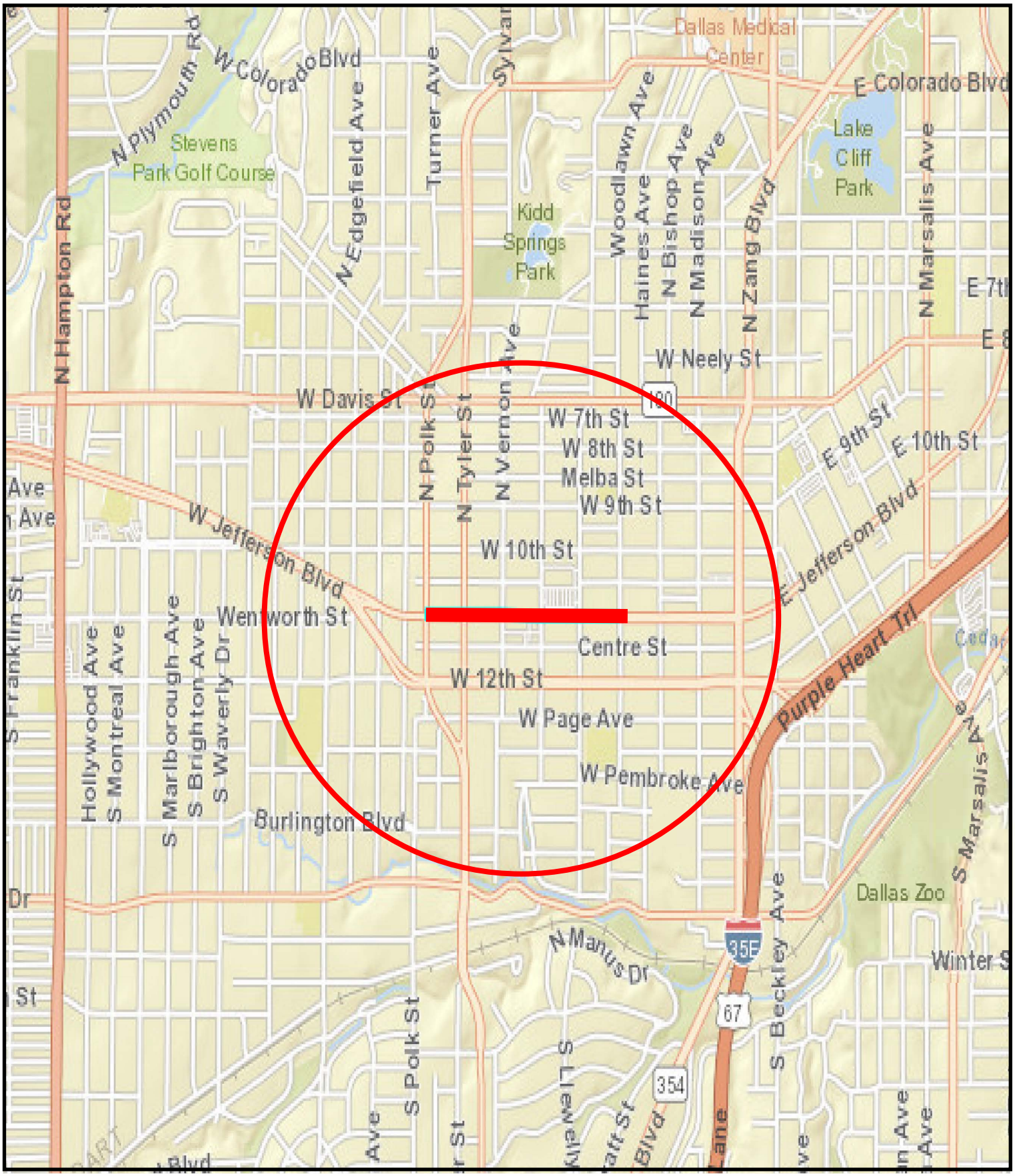
powered by Legistar™

Project Group 17-1011

Streetscape/Urban Design and Sidewalk Improvements

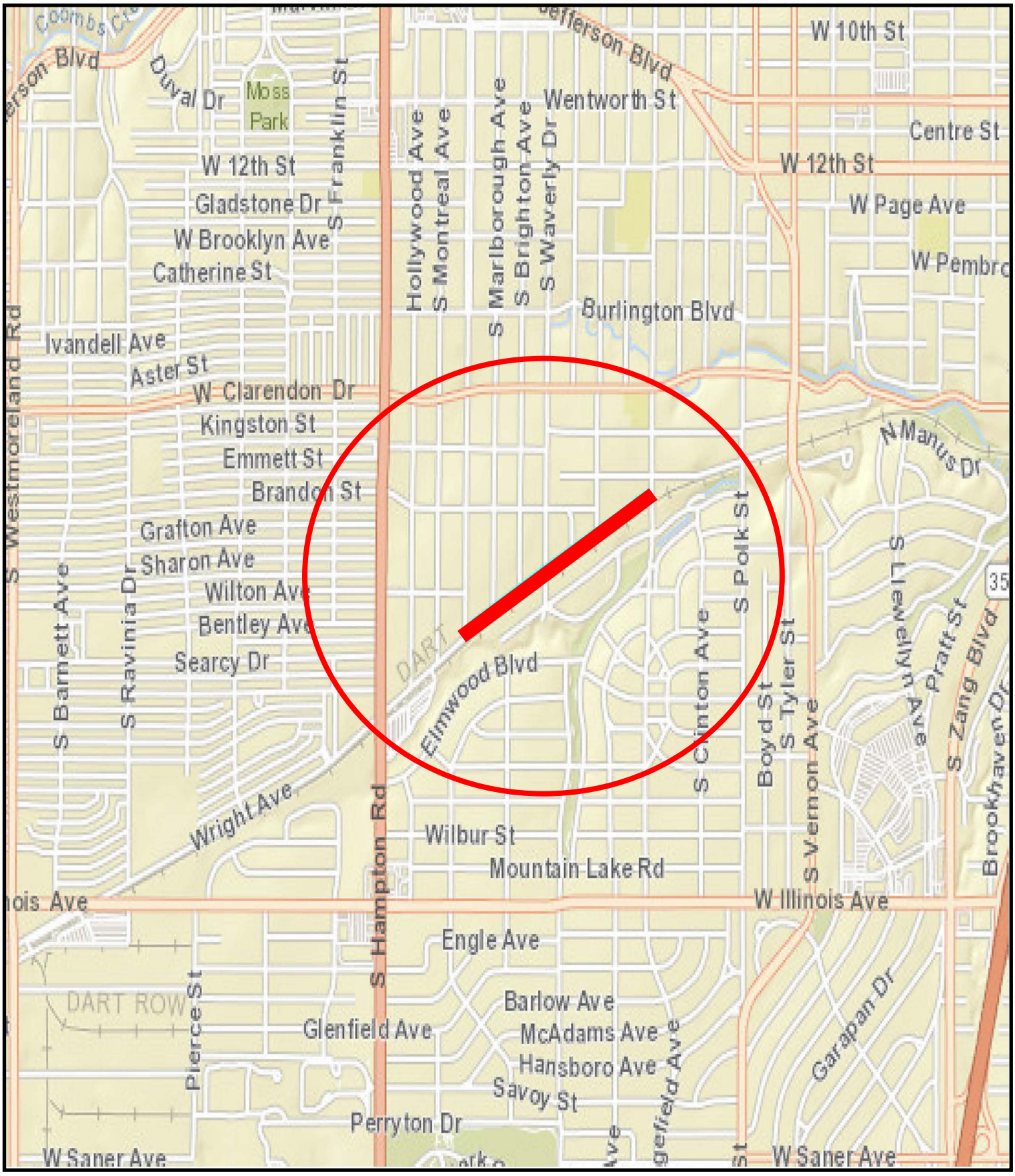
Project	Council District
Jefferson Boulevard from Adams Avenue to Polk Street	1
Wright Street from South Oak Cliff Boulevard to Edgefield Avenue	1

PROJECT GROUP 17-1011
JEFFERSON BOULEVARD FROM ADAMS AVENUE TO POLK STREET



COUNCIL DISTRICT 1

PROJECT GROUP 17-1011
WRIGHT STREET FROM SOUTH OAK CLIFF BOULEVARD TO EDGEFIELD AVENUE



COUNCIL DISTRICT 1

December 12, 2018

WHEREAS, Huitt-Zollars, Inc. was selected to provide engineering design for Streetscape/Urban Design and Sidewalk Improvements Group 17-1011.

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 Huitt-Zollars, Inc., approved as to form by the City Attorney, for engineering design for Streetscape/Urban Design and Sidewalk Improvements for Project Group 17-1011, in an amount not to exceed $146,575.85.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $146,575.85 in accordance with the terms and conditions of the contract:

Huitt-Zollars, Inc., for the Streetscape/Urban Design and Sidewalk Improvements Projects: Jefferson Boulevard from Adams Avenue to Polk Street and Wright Street from South Oak Cliff Boulevard to Edgefield Avenue:

Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V988, Activity SSUD Object 4111, Program PB17V988 Encumbrance/Contract No. CX-PBW-2019-00008343 Vendor 090025	$100,717.02
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V154, Activity SIDI Object 4111, Program PB17V154 Encumbrance/Contract No. CX-PBW-2019-00008343 Vendor 090025	$ 45,858.83
Total amount not to exceed	$146,575.85

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 #: 18-1061 **Item #:** 19.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 1, 9

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Freese & Nichols, Inc. for the engineering design of Street Reconstruction Group 17-1020 (list attached to the Agenda Information Sheet) - Not to exceed $382,301.23 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($339,984.23) and Water Utilities Capital Construction Funds ($42,317.00)

BACKGROUND

The Request for Qualifications (CIZ1721) was issued on May 31, 2018 for the 2017 Bond Projects. The consulting firm, Freese & Nichols, 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 Freese & Nichols, Inc. for the engineering design of two street reconstruction projects of local streets as Street Reconstruction Group 17-1020. The street reconstruction projects will include replacing the existing deteriorating concrete streets with reinforced concrete pavement, curb, gutter, sidewalk, driveway approaches, paving marking, possible replacement of the drainage system and water and wastewater improvements.

Following are the locations and design costs for each project:

Street Reconstruction - Local Streets - Improvements

Project	Council District	Amount
Haines Avenue from West Colorado Boulevard to West Greenbriar Lane	1	$213,433.24

Milhof Drive from Barnes Bridge Road to Plummer Drive	9	$168,867.99

ESTIMATED SCHEDULE OF PROJECT

Begin Design	February 2019
Complete Design	February 2020
Begin Construction	April 2020
Complete Construction	April 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on December 10, 2018.

FISCAL INFORMATION

Street and Transportation (A) Fund 2017 Bond Funds - $339,984.23
Water Utilities Capital Improvement Funds - $42,317.00

Estimated Future Cost - Construction - $3,169,677.42

Council District	Amount
1	$213,433.24
9	$168,867.99
Total	$382,301.23

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 $
$382,301.23	Architectural & Engineering	25.66%	29.57%	$113,045.00
• This contract exceeds the M/WBE goal.				

OWNER

Freese & Nichols, Inc.

Chris Bosco, P.E., Principal/Vice President

MAPS

Attached

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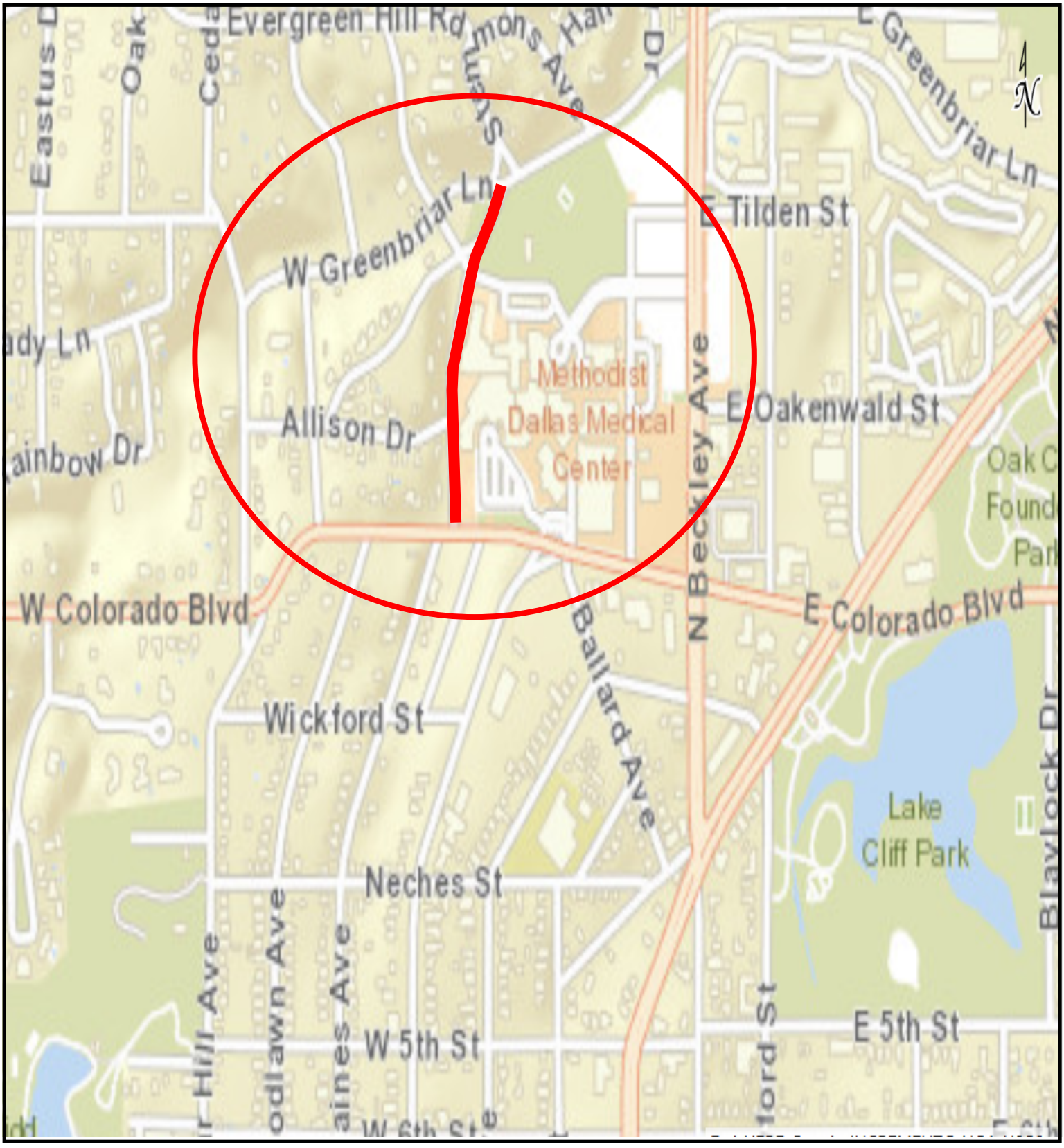
Street Reconstruction Group - 17-1020

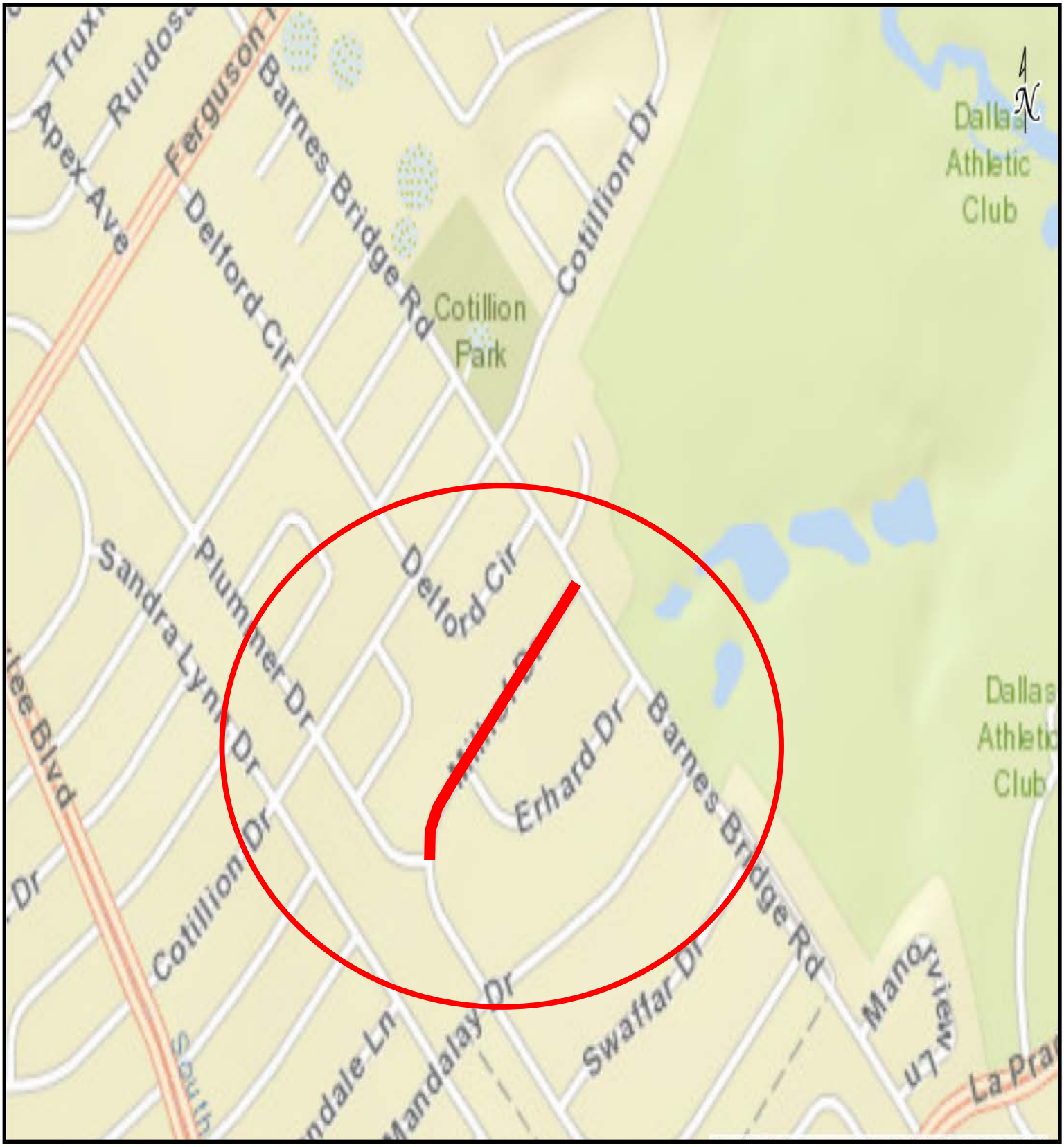
Project	Council District
Haines Avenue from West Colorado Boulevard to West Greenbriar Lane	1
Milhof Drive from Barnes Bridge Road to Plummer Drive	9

STREET RECONSTRUCTION
HAINES AVENUE FROM WEST COLORADO BOULEVARD TO WEST GREENBRIAR LANE



COUNCIL DISTRICT 1

STREET RECONSTRUCTION
MILHOF DRIVE FROM BARNES BRIDGE ROAD TO PLUMMER DRIVE



COUNCIL DISTRICT 9

December 12, 2018

WHEREAS, Freese and Nichols, Inc., was selected to provide engineering design for Street Reconstruction Group 17-1020.

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 Freese and Nichols, Inc., approved as to form by the City Attorney, for engineering design for the indicated projects, in an amount not to exceed $382,301.23.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $382,301.23 in accordance with the terms and conditions of the contract:

Freese and Nichols, Inc. for the engineering design of street reconstruction projects on local streets on: Haines Avenue from West Colorado Boulevard to West Greenbriar Lane and Milhof Drive from Barnes Bridge Road to Plummer Drive:

Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V236, Activity SREC Object 4111, Program PB17V236 Encumbrance/Contract No. CX-PBW-2019-00008549 Vendor 347200	$202,141.77
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V267, Activity SREC Object 4111, Program PB17V267 Encumbrance/Contract No. CX-PBW-2019-00008549 Vendor 347200	$137,842.46
Water Construction Fund Fund 0102, Department DWU, Unit CW42 Object 4111, Program 719129 Encumbrance/Contract No. CX-PBW-2019-00008549 Vendor 347200	$21,715.30
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42 Object 4111, Program 719130 Encumbrance/Contract No. CX-PBW-2019-00008549 Vendor 347200	$20,601.70
Total amount not to exceed	$382,301.23

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 #: 18-1229 **Item #:** 20.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 12

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Henry Nguyen Consulting, LLC, for the engineering design of Alley Reconstruction Group 17-1202 (list attached to the Agenda Information Sheet) - Not to exceed $189,166.31 - 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, Henry Nguyen Consulting, LLC, 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 Henry Nguyen Consulting, LLC for the engineering design of seven alley reconstruction projects as Alley Reconstruction Group 17-1202. The alley reconstruction projects will include replacing the existing deteriorating concrete alleys with new reinforced concrete alley pavement and storm drainage improvements.

Following are the locations and design costs for each project:

Alley Reconstruction Improvements

Project	Council District	Amount
Amador Avenue (18603-18707) and Villa Road (6505-6511)	12	$37,577.05
Bilbrook Lane (19003-19039)	12	$28,454.99
April Hill Lane (2703-2743) and Stevens Point Lane (2710-2750)	12	$24,033.58

Firebrick Lane (4104-4124) and Country Brook Drive (4103-4119)	12	$14,640.91
Timberglen Road (4202-4272) and Lawngate Drive (4203-4231)	12	$19,714.95
Harbor Town Drive (5501-5527) and Tamaron Court (5506-5530)	12	$22,493.31
Fieldstone Drive (6020-6040)	12	$42,251.52

ESTIMATED SCHEDULE OF PROJECT

Begin Design	January 2019
Complete Design	November 2019
Begin Construction	March 2020
Complete Construction	April 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on December 10, 2018.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $189,166.31

Estimated Future Cost - Construction - $1,461,164.76

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 $
$189,166.31	Architectural & Engineering	25.66%	100.00%	$175,255.00
• This contract exceeds the M/WBE goal.				

OWNER

Henry Nguyen Consulting, LLC

Henry Nguyen, P.E., Principal

MAPS

Attached

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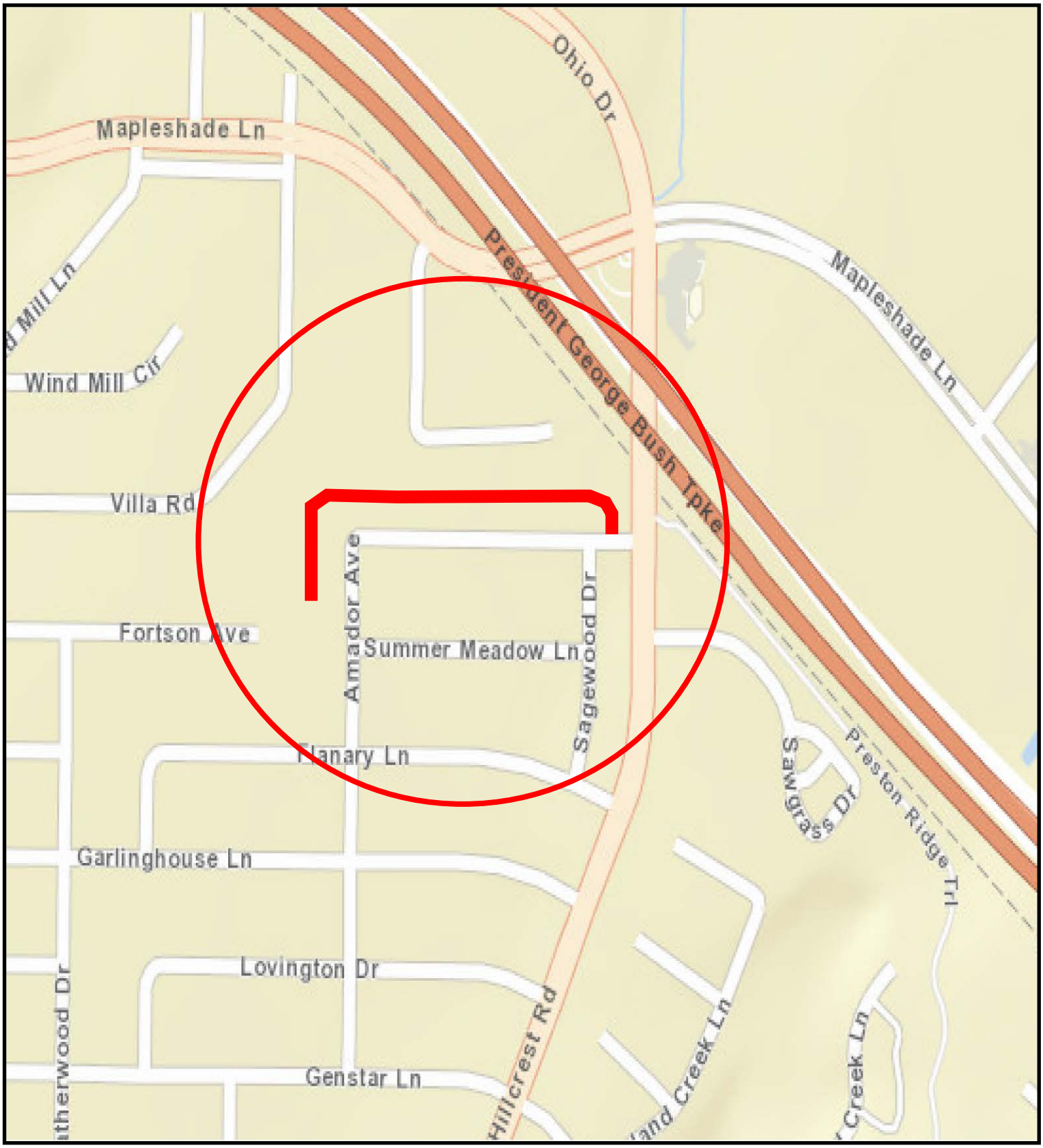
Alley Reconstruction Group 17-1202

Alley Reconstruction Improvements

Project	Council District
Amador Avenue (18603-18707) and Villa Road (6505-6511)	12
Bilbrook Lane (19003-19039)	12
April Hill Lane (2703-2743) and Stevens Point Lane (2710-2750)	12
Firebrick Lane (4104-4124) and Country Brook Drive (4103-4119)	12
Timberglen Road (4202-4272) and Lawngate Drive (4203-4231)	12
Harbor Town Drive (5501-5527) and Tamaron Court (5506-5530)	12
Fieldstone Drive (6020-6040)	12

ALLEY RECONSTRUCTION

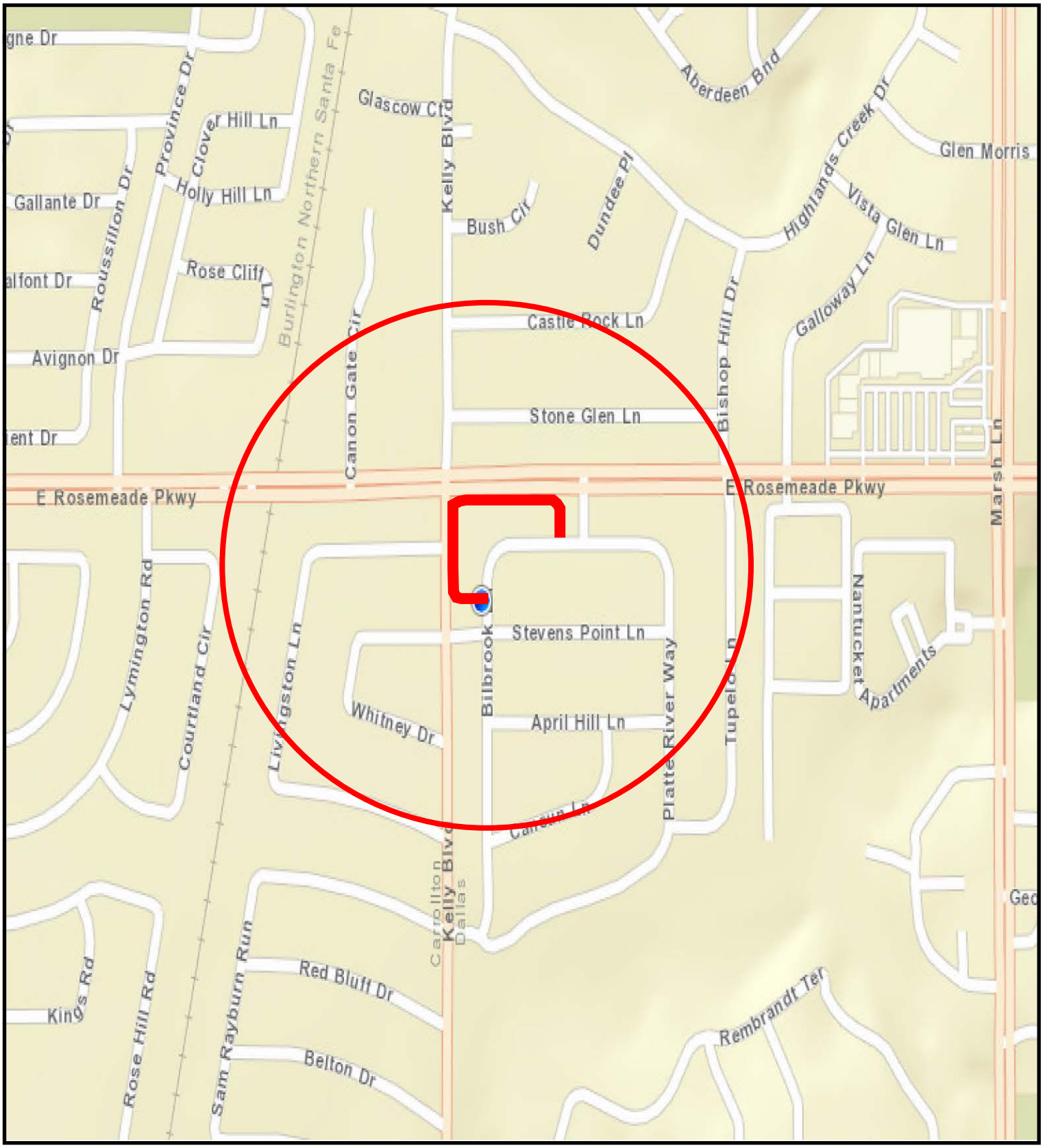
18603-18707 AMADOR AVENUE & 6505-6511 VILLA ROAD



COUNCIL DISTRICT 12

ALLEY RECONSTRUCTION

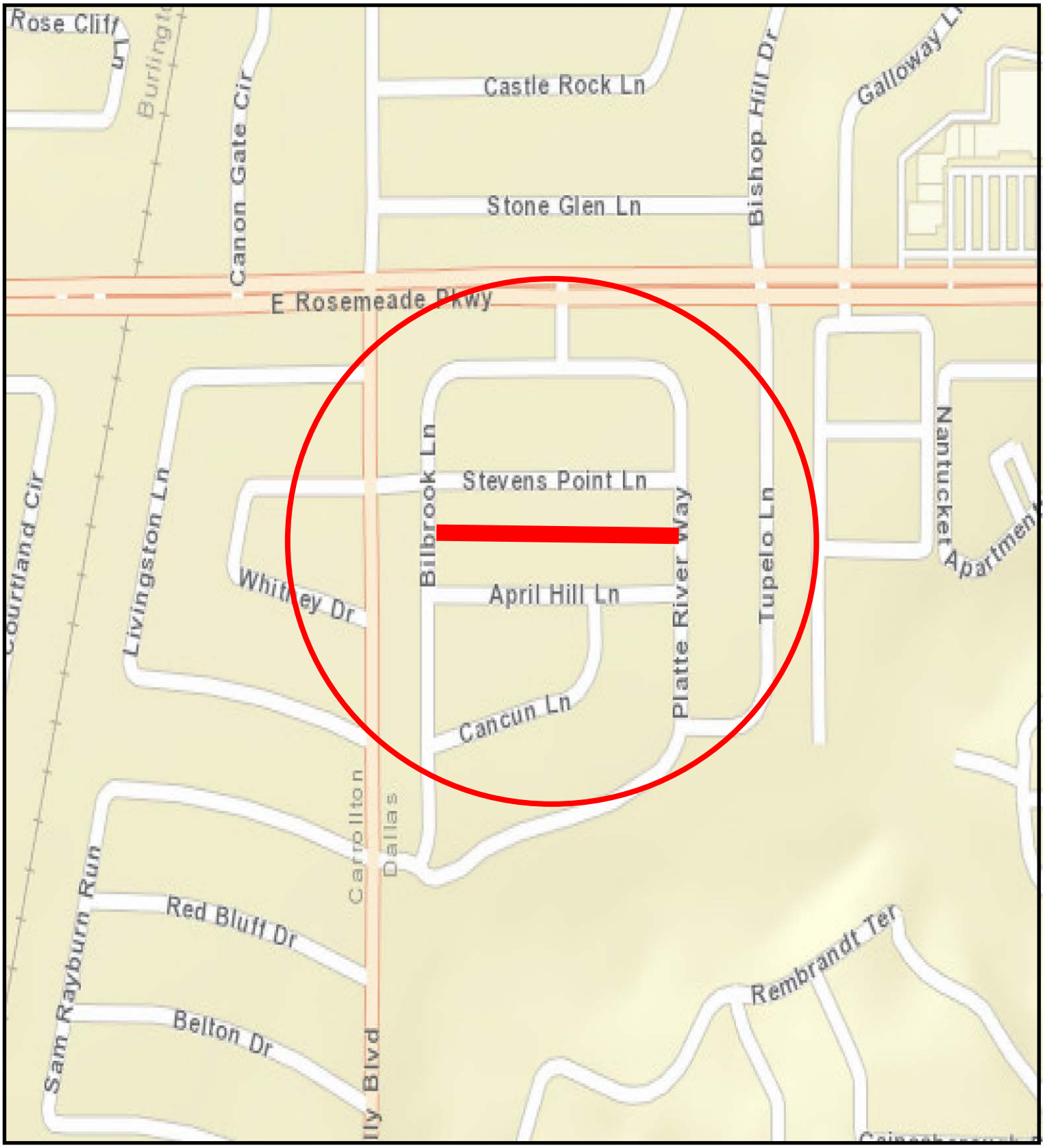
19003-19039 BILBROOK LANE



COUNCIL DISTRICT 12

ALLEY RECONSTRUCTION

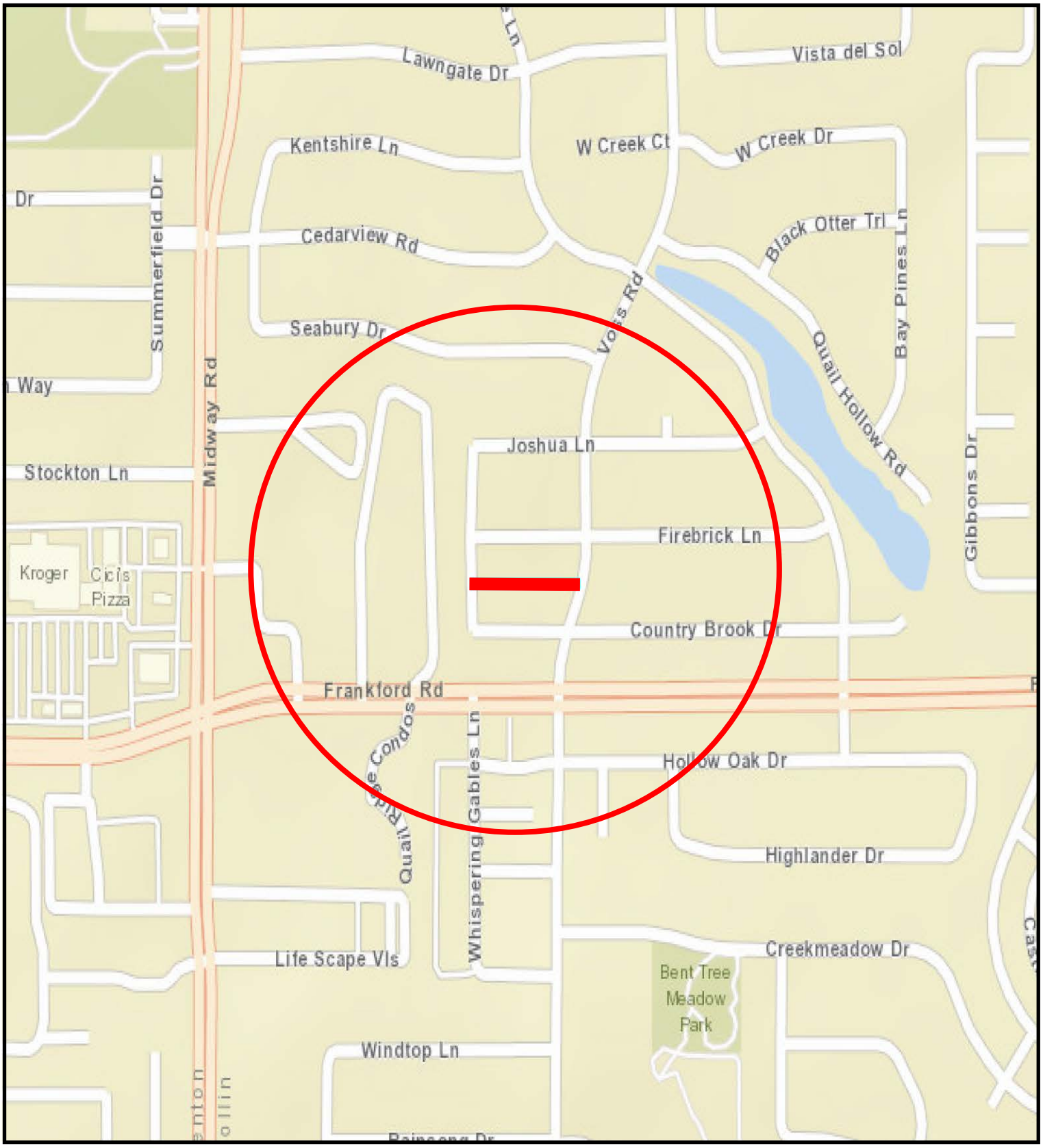
2703-2743 APRIL HILL LANE & 2710-2750 STEVENS POINT LANE



COUNCIL DISTRICT 12

ALLEY RECONSTRUCTION

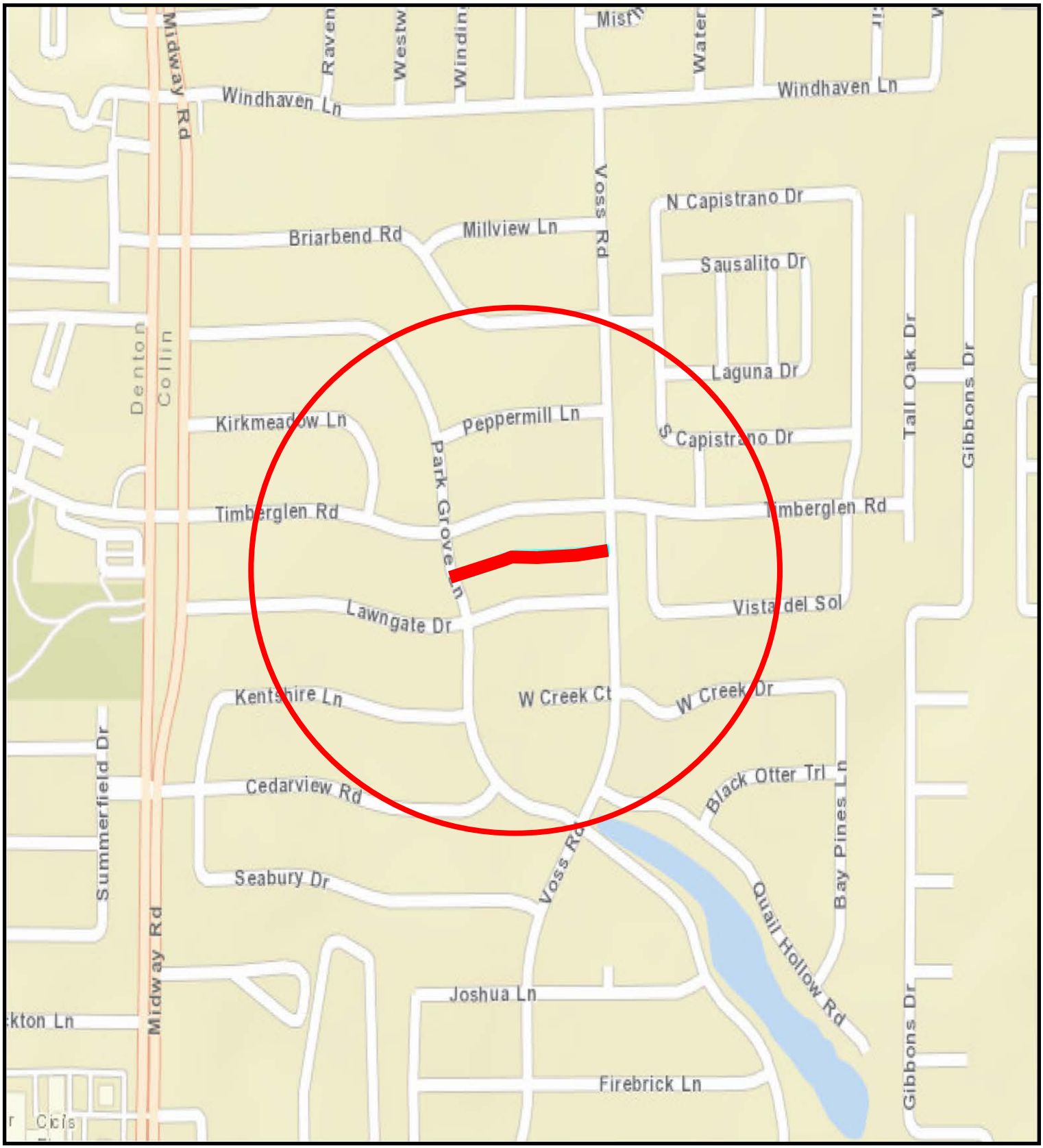
4104-4124 FIREBRICK LANE & 4103-4119 COUNTRY BROOK DRIVE



COUNCIL DISTRICT 12

ALLEY RECONSTRUCTION

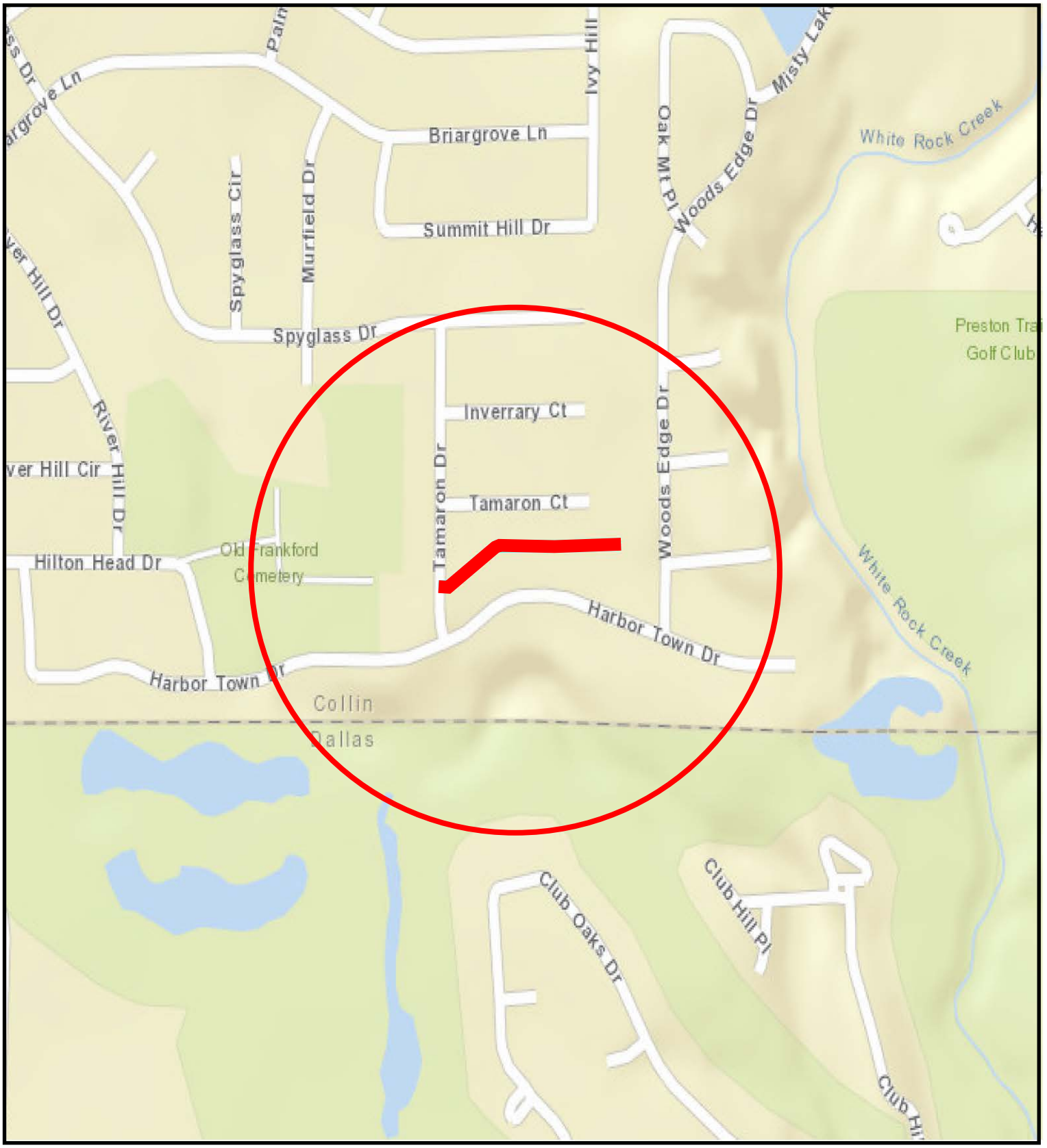
4202-4272 TIMBERGLEN ROAD & 4203-4231 LAWNGATE DRIVE



COUNCIL DISTRICT 12

ALLEY RECONSTRUCTION

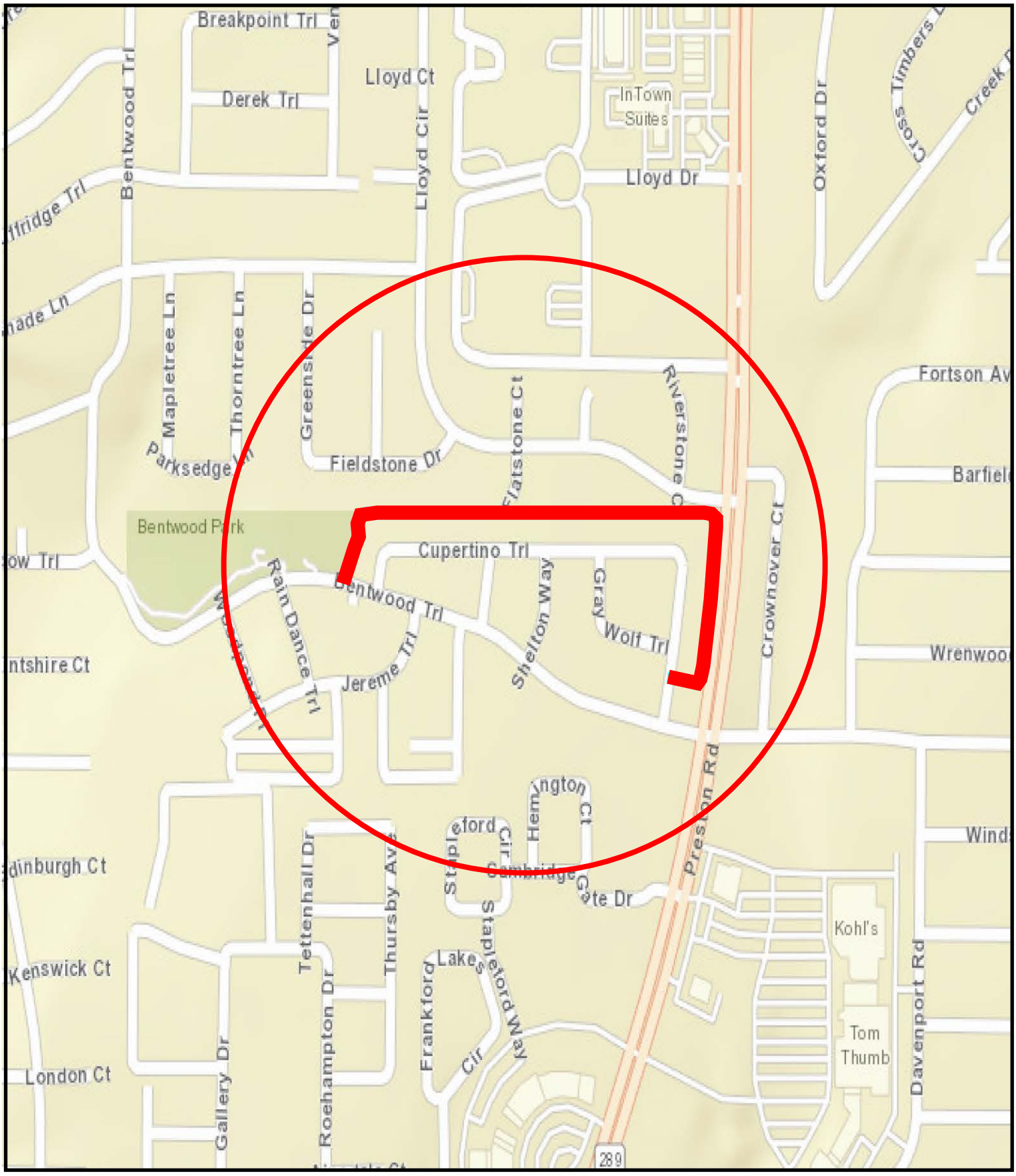
5501-5527 HARBOR TOWN DRIVE & 5506-5530 TAMARON COURT



COUNCIL DISTRICT 12

ALLEY RECONSTRUCTION

6020-6040 FIELDSTONE DRIVE



COUNCIL DISTRICT 12

WHEREAS, Henry Nguyen Consulting, LLC was selected to provide engineering design for Alley Reconstruction Group 17-1202.

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 Henry Nguyen Consulting, LLC, approved as to form by the City Attorney, for the engineering design for the indicated projects, in an amount not to exceed $189,166.31.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $189,166.31 in accordance with the terms and conditions of the contract:

Henry Nguyen Consulting, LLC for the engineering design of alley reconstruction projects on alleys between: Amador Avenue (18603-18707) and Villa Road (6505-6511); Bilbrook Lane (19003-19039); April Hill Lane (2703-2743) and Stevens Point Lane (2710-2750); Firebrick Lane (4104-4124) and Country Brook Drive (4103-4119); Timberglen Road (4202-4272) and Lawngate Drive (4203-4231); Harbor Town Drive (5501-5527) and Tamaron Court (5506-5530); and Fieldstone Drive (6020-6040):

Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V095, Activity AREC Object 4111, Program PB17V095 Encumbrance/Contract No. CX-PBW-2019-00008522 Vendor 289307	$ 37,577.05
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V096, Activity AREC Object 4111, Program PB17V096 Encumbrance/Contract No. CX-PBW-2019-00008522 Vendor 289307	$ 28,454.99
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V097, Activity AREC Object 4111, Program PB17V097 Encumbrance/Contract No. CX-PBW-2019-00008522 Vendor 289307	$ 24,033.58

SECTION 2. (continued)

Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V098, Activity AREC Object 4111, Program PB17V098 Encumbrance/Contract No. CX-PBW-2019-00008522 Vendor 289307	$ 14,640.91
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V099, Activity AREC Object 4111, Program PB17V099 Encumbrance/Contract No. CX-PBW-2019-00008522 Vendor 289307	$ 19,714.95
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V100, Activity AREC Object 4111, Program PB17V100 Encumbrance/Contract No. CX-PBW-2019-00008522 Vendor 289307	$ 22,493.31
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V101, Activity AREC Object 4111, Program PB17V101 Encumbrance/Contract No. CX-PBW-2019-00008522 Vendor 289307	$ 42,251.52
Total amount not to exceed	$189,166.31

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 #: 18-1298 **Item #:** 21.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 4

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Lim & Associates, Inc. for the engineering design of Alley Reconstruction Group 17-4001 (list attached to the Agenda Information Sheet) - Not to exceed $232,852.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($211,900.00) and Water Utilities Capital Construction Funds ($20,952.00)

BACKGROUND

The Request for Qualifications (CIZ1721) was issued on May 31, 2018 for the 2017 Bond Projects. The consulting firm, Lim & Associates, 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 Lim & Associates, Inc. for the engineering design of six alley reconstruction projects as Alley Reconstruction Group 17-4001. 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
West Louisiana Avenue (127-231) and Conrad Street (118-228)	4	$55,710.00
Day Star Drive (1608-1620) and Hanging Cliff Drive (1603-1633)	4	$39,320.00

Windchime Drive (1621-1631) and Vatican Lane (1614-1626)	4	$ 9,133.00
Vatican Lane (1708-1920) and Windchime Drive (1705-1921)	4	$33,404.00
Garapan Drive (2603-2931) and Nicholson Drive (2502-2922)	4	$62,206.00
Treeline Circle (3864-3872)and Five Mile Court (1618-1626)	4	$33,079.00

ESTIMATED SCHEDULE OF PROJECT

Begin Design	January 2019
Complete Design	January 2020
Begin Construction	April 2020
Complete Construction	May 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on December 10, 2018.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $211,900.00
Water Utilities Capital Construction Funds - $20,952.00

Estimated Future Cost - Construction - $1,693,024.78

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 $
$232,852.00	Architectural & Engineering	25.66%	100.00%	$232,852.00
• This contract exceeds the M/WBE goal.				

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OWNER

Lim & Associates, Inc.

Siang W. “Daniel” Lim, P.E., Registered Professional Licensed Surveyor, Certified Floodplain Manager, Principal

MAPS

Attached

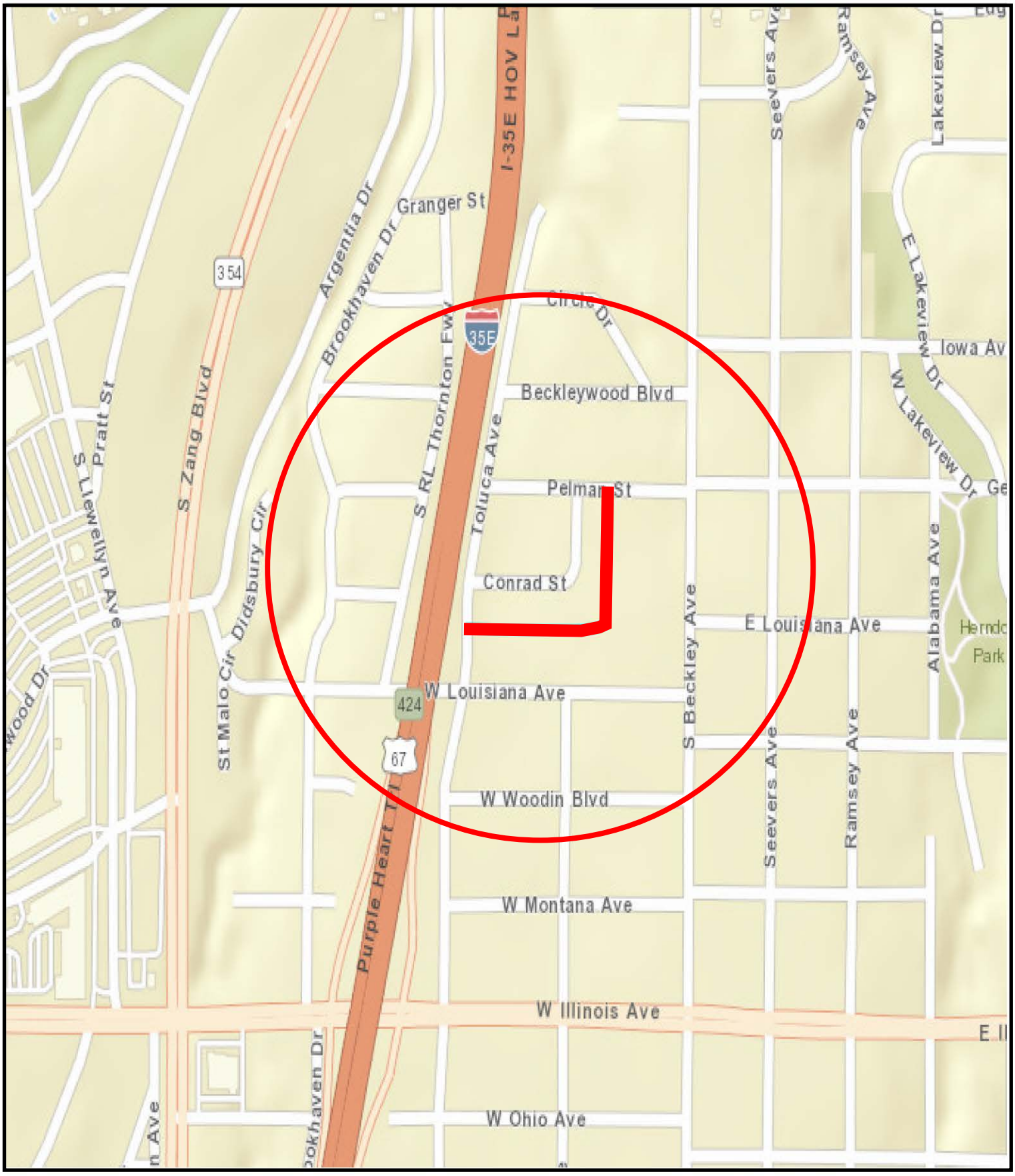
Alley Reconstruction Group 17-4001

Alley Reconstruction Improvements

Project	Council District
West Louisiana Avenue (127-231) and Conrad Street (118-228)	4
Day Star Drive (1608-1620) and Hanging Cliff Drive (1603-1633)	4
Windchime Drive (1621-1631) and Vatican Lane (1614-1626)	4
Vatican Lane (1708-1920) and Windchime Drive (1705-1921)	4
Garapan Drive (2603-2931) and Nicholson Drive (2502-2922)	4
Treeline Circle (3864-3872) and Five Mile Court (1618-1626)	4

ALLEY RECONSTRUCTION

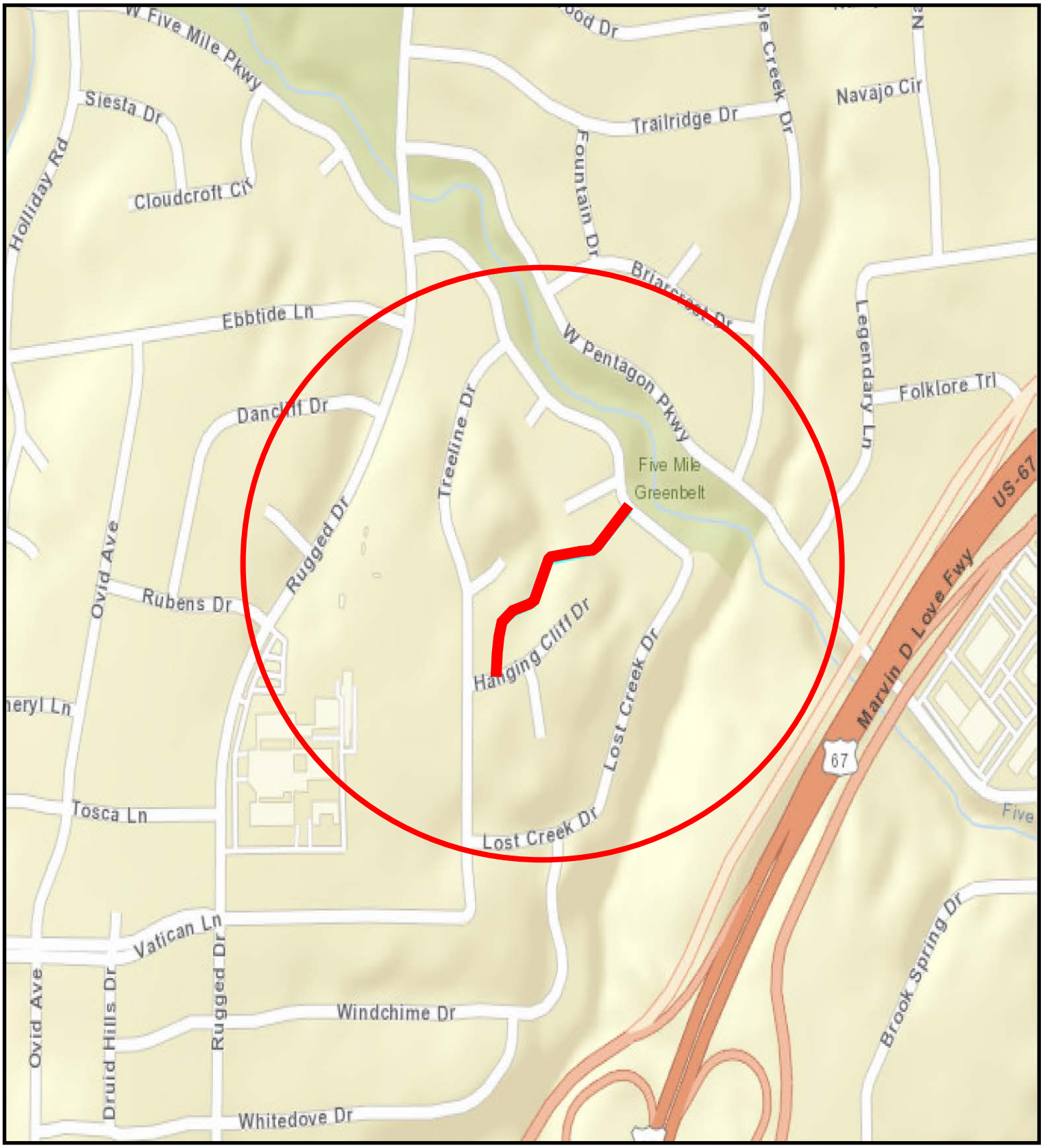
127-231 WEST LOUISIANA AVENUE & 118-228 CONRAD STREET



COUNCIL DISTRICT 4

ALLEY RECONSTRUCTION

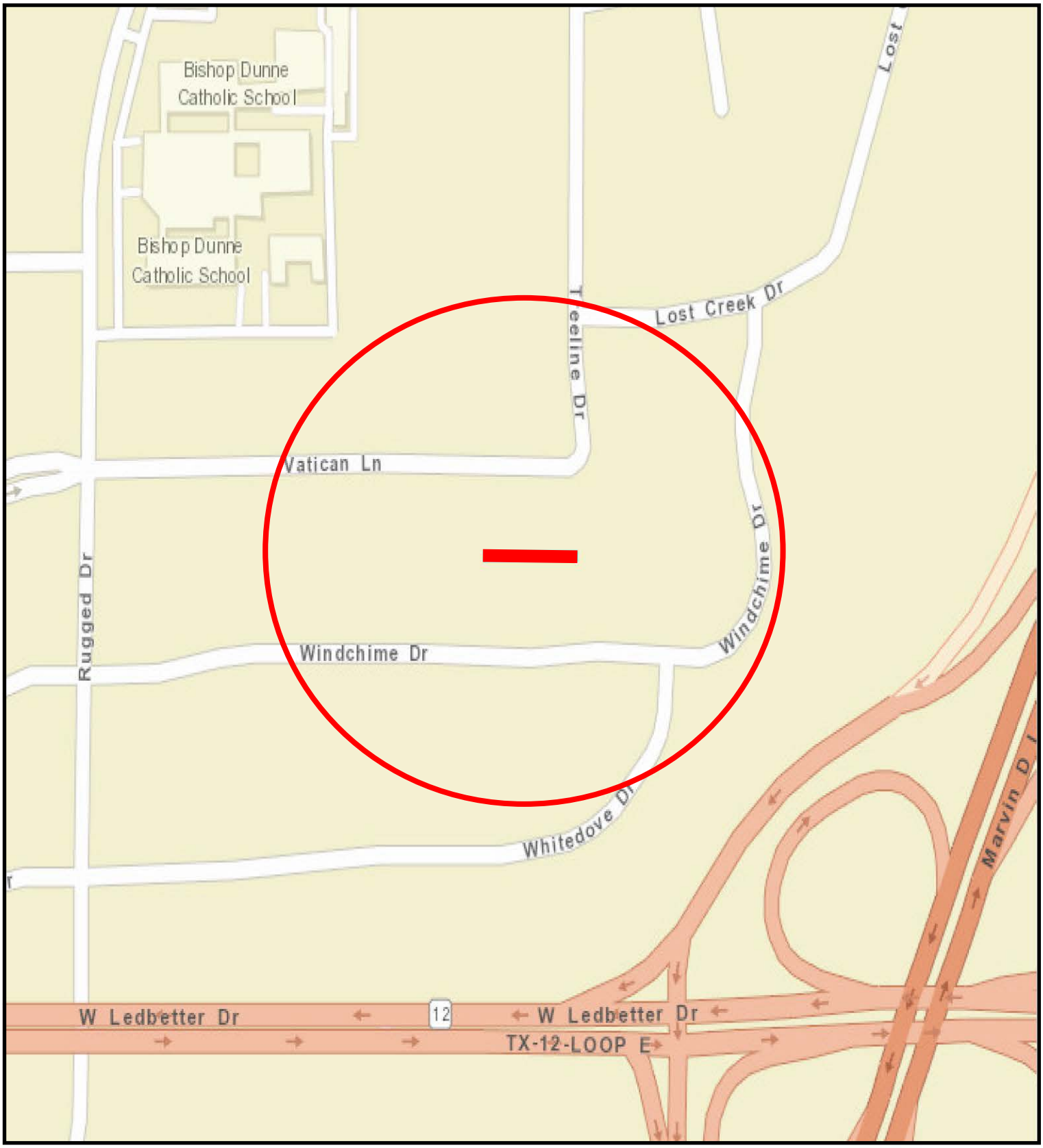
1608-1620 DAY STAR DRIVE & 1603-1633 HANGING CLIFF DRIVE



COUNCIL DISTRICT 4

ALLEY RECONSTRUCTION

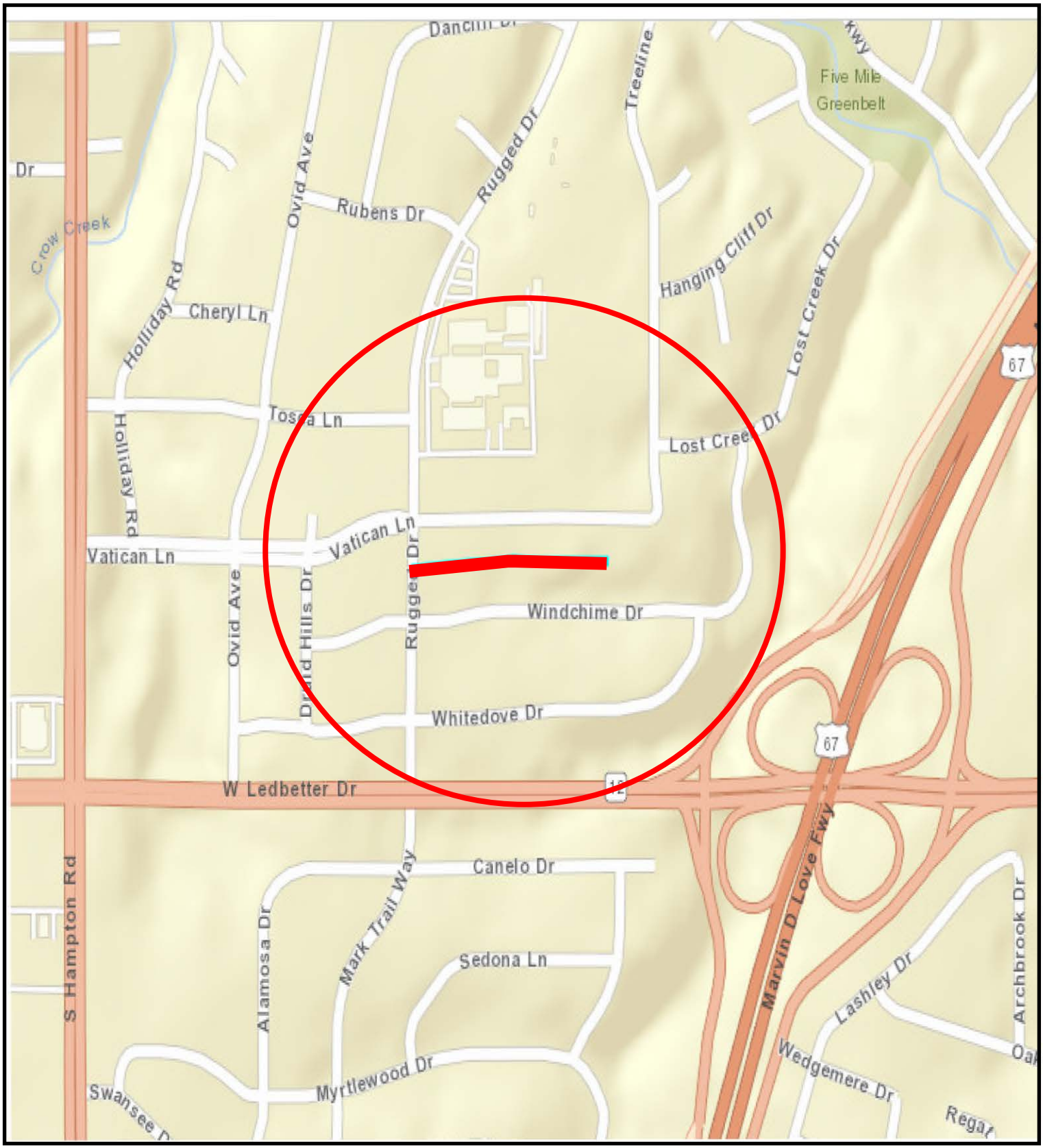
1621-1631 WINDCHIME DRIVE & 1614-1626 VATICAN LANE



COUNCIL DISTRICT 4

ALLEY RECONSTRUCTION

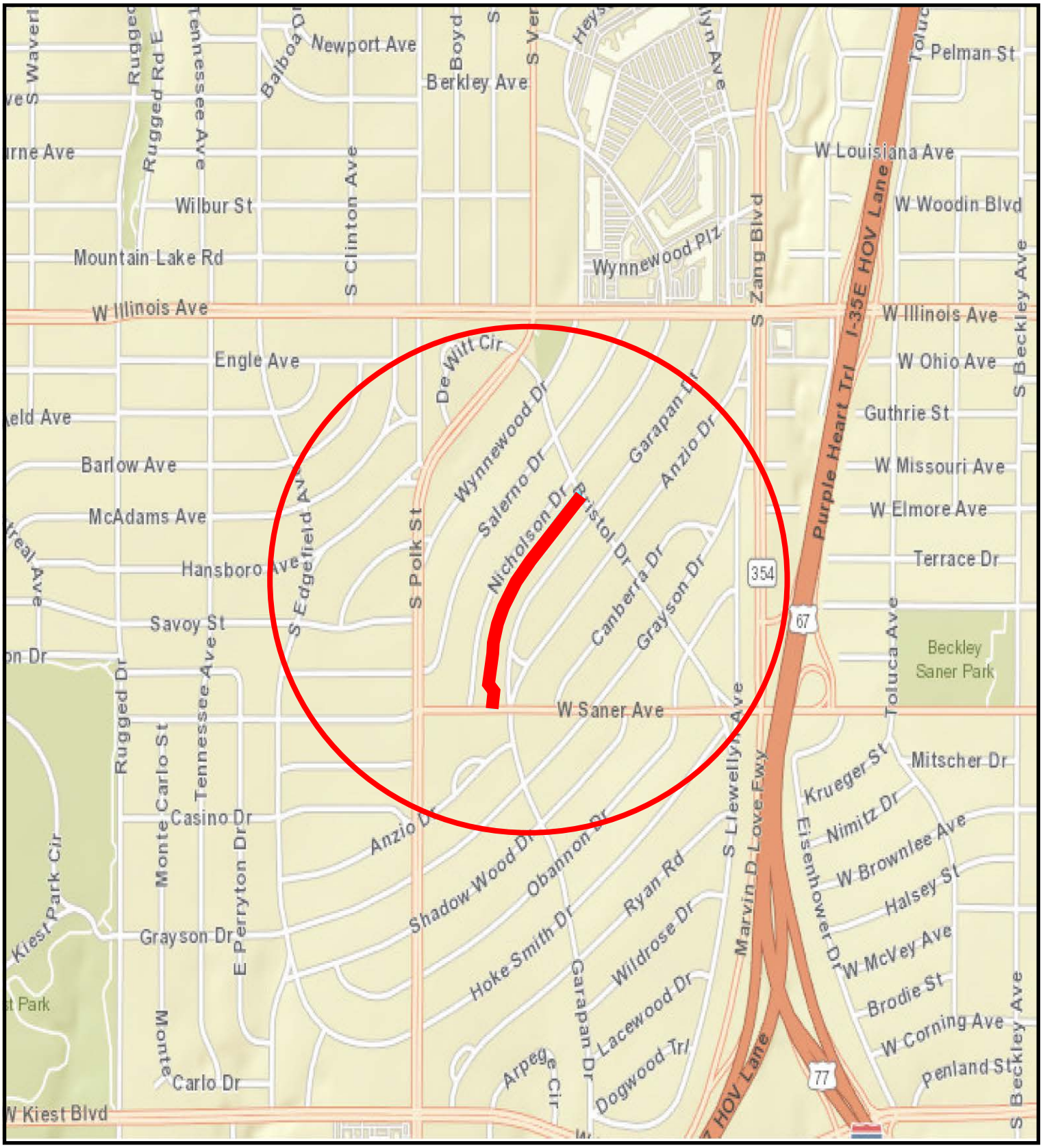
1708-1920 VATICAN LANE & 1705-1921 WINDCHIME DRIVE



COUNCIL DISTRICT 4

ALLEY RECONSTRUCTION

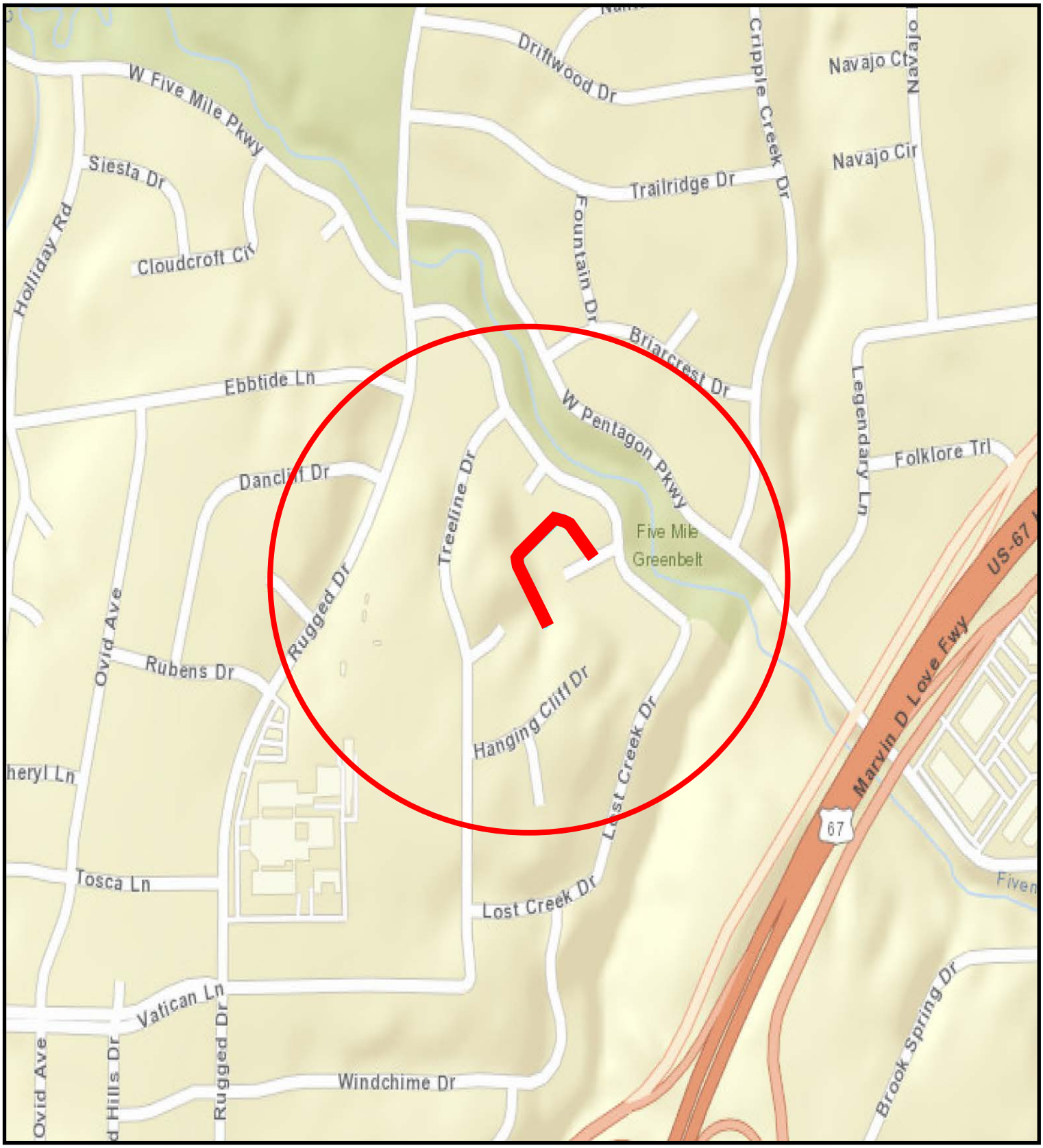
2603-2931 GARAPAN DRIVE & 2502-2922 NICHOLSON DRIVE



COUNCIL DISTRICT 4

ALLEY RECONSTRUCTION

3864-3872 TREELINE CIRCLE & 1618-1626 FIVE MILE COURT



COUNCIL DISTRICT 4

December 12, 2018

WHEREAS, Lim & Associates, Inc. was selected to provide engineering design for Alley Reconstruction Group 17-4001.

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 Lim & Associates, Inc., approved as to form by the City Attorney, for engineering design for the indicated projects, in an amount not to exceed $232,852.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $232,852.00 in accordance with the terms and conditions of the contract:

Lim & Associates, Inc. for the engineering design of alley reconstruction projects on alleys between: West Louisiana Avenue (127-231) and Conrad Street (118-228); Day Star Drive (1608-1620) and Hanging Cliff Drive (1603-1633); Windchime Drive (1621-1631) and Vatican Lane (1614-1626); Vatican Lane (1708-1920) and Windchime Drive (1705-1921); Garapan Drive (2603-2931) and Nicholson Drive (2502-2922); and Treeline Circle (3864-3872) and Five Mile Court (1618-1626):

Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V022, Activity AREC Object 4111, Program PB17V022 Encumbrance/Contract No. CX-PBW-2019-00008500 Vendor 514273	$ 43,484.00
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V023, Activity AREC Object 4111, Program PB17V023 Encumbrance/Contract No. CX-PBW-2019-00008500 Vendor 514273	$ 35,278.00
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V024, Activity AREC Object 4111, Program PB17V024 Encumbrance/Contract No. CX-PBW-2019-00008500 Vendor 514273	$ 9,133.00

SECTION 2. (continued)

Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V025, Activity AREC Object 4111, Program PB17V025 Encumbrance/Contract No. CX-PBW-2019-00008500 Vendor 514273	$ 32,562.00
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V028, Activity AREC Object 4111, Program PB17V028 Encumbrance/Contract No. CX-PBW-2019-00008500 Vendor 514273	$ 62,206.00
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V030, Activity AREC Object 4111, Program PB17V030 Encumbrance/Contract No. CX-PBW-2019-00008500 Vendor 514273	$ 29,237.00
Water Construction Fund Fund 0102, Department DWU, Unit CW42, Object 4111, Program 719111 Encumbrance/Contract No. CX-PBW-2019-00008500 Vendor 514273	$ 842.00
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42, Object 4111, Program 719112 Encumbrance/Contract No. CX-PBW-2019-00008500 Vendor 514273	$ 20,110.00
Total amount not to exceed	$232,582.00

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 #: 18-1092 **Item #:** 22.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 5

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Walter P. Moore and Associates, Inc. for the engineering design of Target Neighborhood Group 17-5001 (list attached to the Agenda Information Sheet) - Not to exceed $639,023.53 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($565,613.10) and Water Utilities Capital Improvement Funds ($73,410.43)

BACKGROUND

The Request for Qualifications (CIZ1721) was issued on May 31, 2018 for the 2017 Bond Projects. The consulting firm, Walter P. Moore and Associates, 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 Walter P. Moore and Associates, Inc. for the engineering design of two street improvements as Target Neighborhood Group 17-5001. These target neighborhood improvements will include replacing the existing deteriorating street asphalt pavement with reinforced concrete pavement, curb, gutter, sidewalk, driveway approaches, paving marking, possible replacement of the drainage system, and water and wastewater improvements.

Following are the locations and design costs for each project:

Target Neighborhood Group 17-5001

Street Improvements

Project	Council District	Amount
Rosemont Road from South Buckner Boulevard to Hillburn Drive	5	$166,017.54

Rosemont Road from Hillburn Drive to North Jim Miller Road	5	$473,005.99

ESTIMATED SCHEDULE OF PROJECT

Begin Design	February 2019
Complete Design	February 2020
Begin Construction	April 2020
Complete Construction	April 2022

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on December 10, 2018.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $565,613.10
Water Utilities Capital Improvement Funds - $73,410.43

Estimated Future Cost - Construction - $6,390,458.39

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 $
$639,023.53	Architectural & Engineering	25.66%	25.91%	$165,579.00
• This contract exceeds the M/WBE goal.				

OWNER

Walter P. Moore and Associates, Inc.

Ernest L. Fields, P.E., Managing Director/Principal

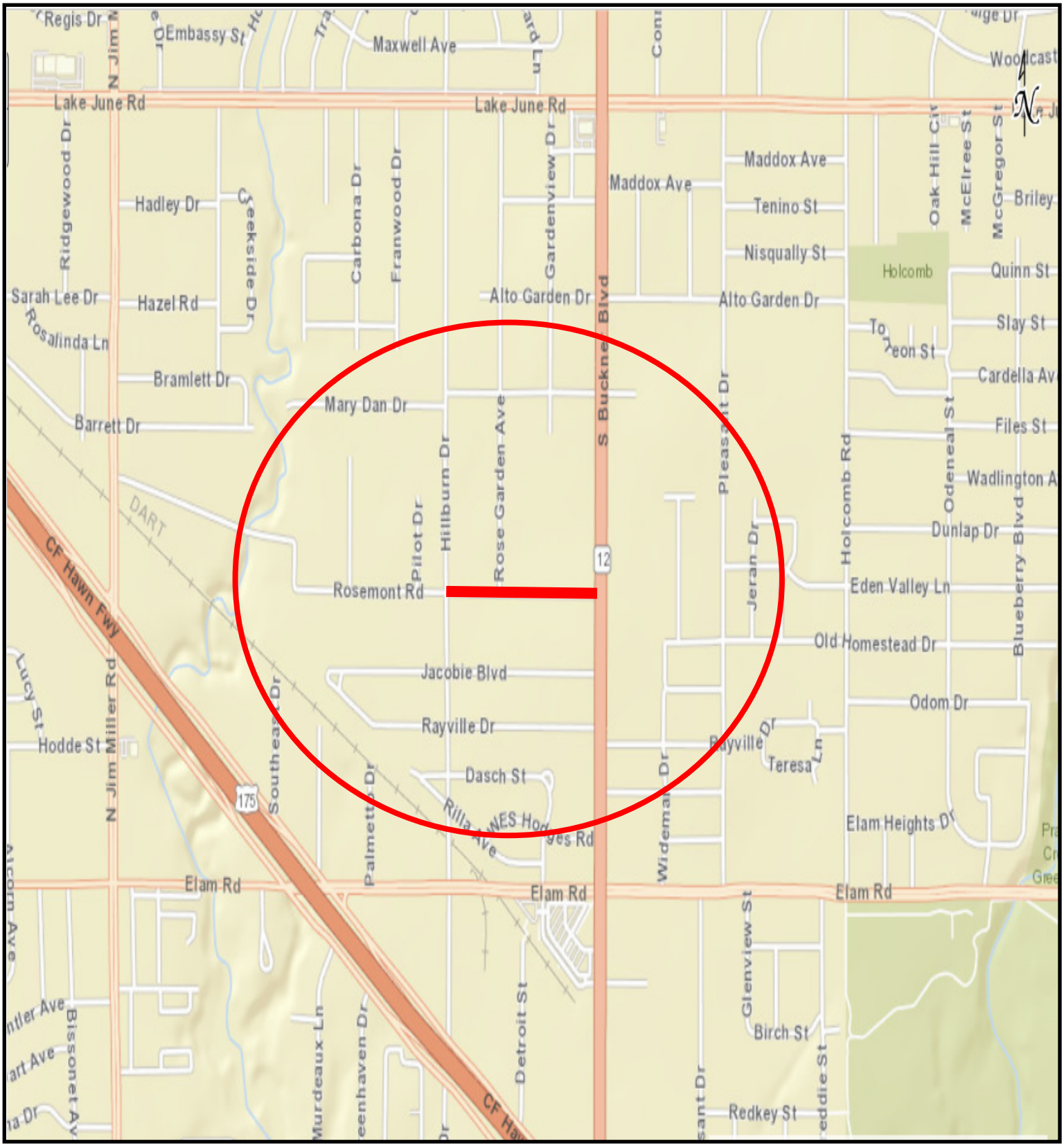
MAPS

Attached

Target Neighborhood Group 17-5001

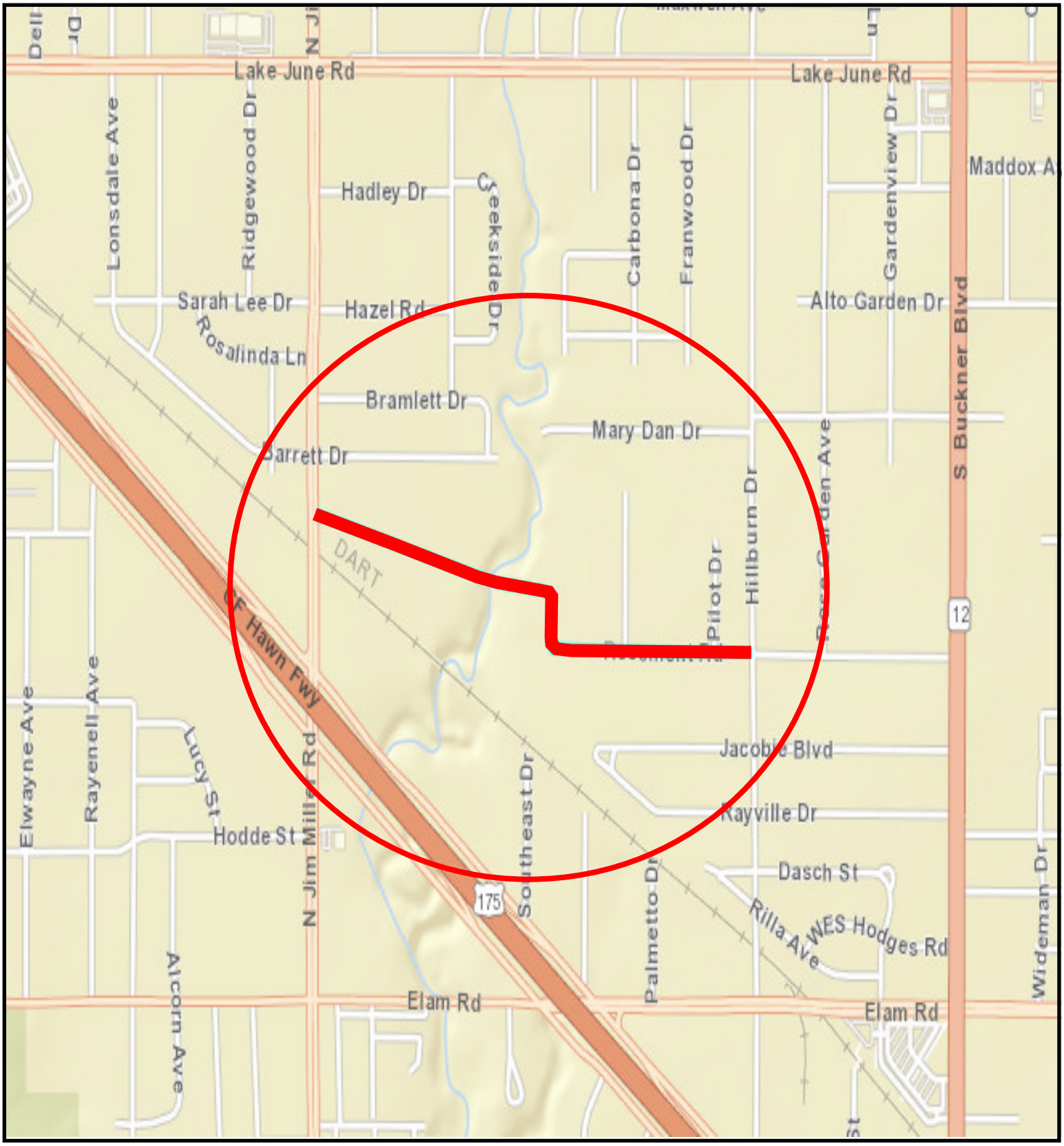
Project	**Council District**
Street Improvements	
Rosemont Road from South Buckner Boulevard to Hillburn Drive	5
Rosemont Road from Hillburn Drive to North Jim Miller Road	5

STREET RECONSTRUCTION
ROSEMONT ROAD FROM SOUTH BUCKNER BOULEVARD TO HILLBURN DRIVE



COUNCIL DISTRICT 5

STREET RECONSTRUCTION
ROSEMONT ROAD FROM HILLBURN DRIVE
TO NORTH JIM MILLER ROAD



COUNCIL DISTRICT 5

December 12, 2018

WHEREAS, Walter P. Moore and Associates, Inc. was selected to provide engineering design for Target Neighborhood Group 17-5001.

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 Walter P. Moore and Associates, Inc., approved as to form by the City Attorney, for engineering design for the indicated projects, in an amount not to exceed $639,023.53.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $639,023.53 in accordance with the terms and conditions of the contract:

Walter P. Moore and Associates, Inc. for the engineering design of Target Neighborhood Improvement Projects as follows: Street Improvements - Rosemont Road from South Buckner Boulevard to Hillburn Drive and Rosemont Road from Hillburn Drive to North Jim Miller Road:

Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V996, Activity TGTN Object 4111, Program PB17V996 Encumbrance/Contract No. CX-PBW-2018-00008102 Vendor 501930	$159,386.90
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V997, Activity TGTN Object 4111, Program PB17V997 Encumbrance/Contract No. CX-PBW-2018-00008102 Vendor 501930	$406,226.20
Water Capital Improvement Fund Fund 3115, Department DWU, Unit PW42 Object 4111, Program 719125 Encumbrance/Contract No. CX-PBW-2018-00008102 Vendor 501930	$ 34,126.72
Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS42 Object 4111, Program 719126 Encumbrance/Contract No. CX-PBW-2018-00008102 Vendor 501930	$ 39,283.71
Total amount not to exceed	$639,023.53

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 #: 18-1223 **Item #:** 23.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 8

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with WSP USA, Inc. for the engineering design of Street Reconstruction Group 17-8005 (list attached to the Agenda Information Sheet) - Not to exceed $181,176.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($142,301.00) and Water Utilities Capital Construction Funds ($38,875.00)

BACKGROUND

The Request for Qualifications (CIZ1721) was issued on May 31, 2018 for the 2017 Bond Projects. The consulting firm, WSP USA, 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 WSP USA, Inc. for the engineering design of two street reconstruction projects of local streets as Street Reconstruction Group 17-8005. The street reconstruction projects will include replacing the existing deteriorating concrete streets with reinforced concrete pavement, curb, gutter, sidewalk, driveway approaches, paving marking, possible replacement of the drainage system, and water and wastewater improvements.

Following are the locations and design costs for each project:

Street Reconstruction - Local Streets - Improvements

Project	Council District	Amount
Arborcrest Drive from Bluewood Drive to Partridge Drive	8	$124,750.00
Woodwick Drive from West Camp Wisdom Road to Clearwood Drive	8	$ 56,426.00

ESTIMATED SCHEDULE OF PROJECT

Begin Design	February 2019
Complete Design	February 2020
Begin Construction	April 2020
Complete Construction	April 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on December 10, 2018.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $142,301.00
Water Utilities Capital Construction Funds - $38,875.00

Estimated Future Cost - Construction - $1,584,128.02

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 $
$181,176.00	Architectural & Engineering	25.66%	65.27%	$118,247.00
• This contract exceeds the M/WBE goal.				

OWNER

WSP USA, Inc.

Robert M. Brown, Area Manager

MAPS

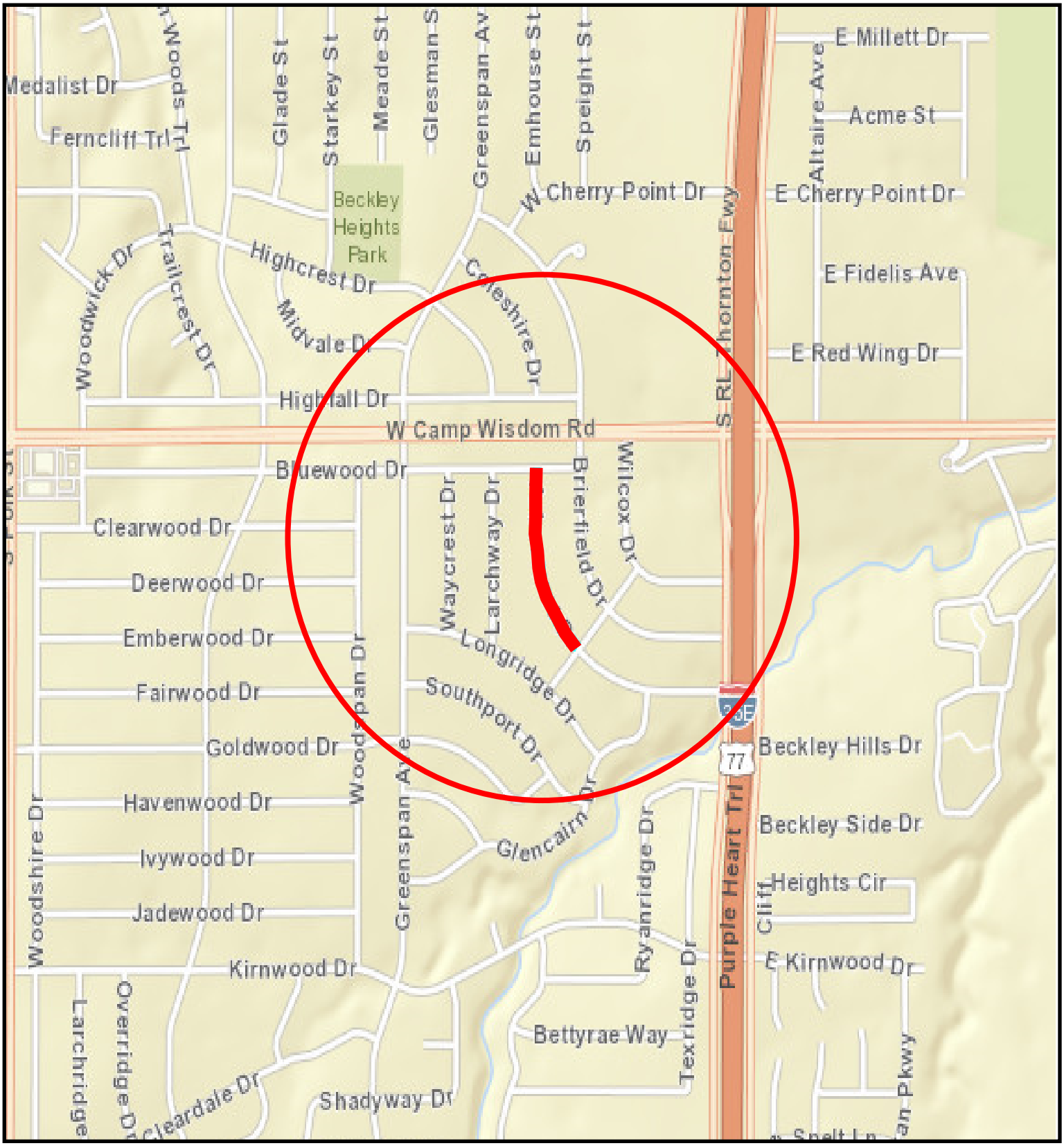
Attached

Street Reconstruction Group 17-8005

Street Reconstruction - Local Streets – Improvements

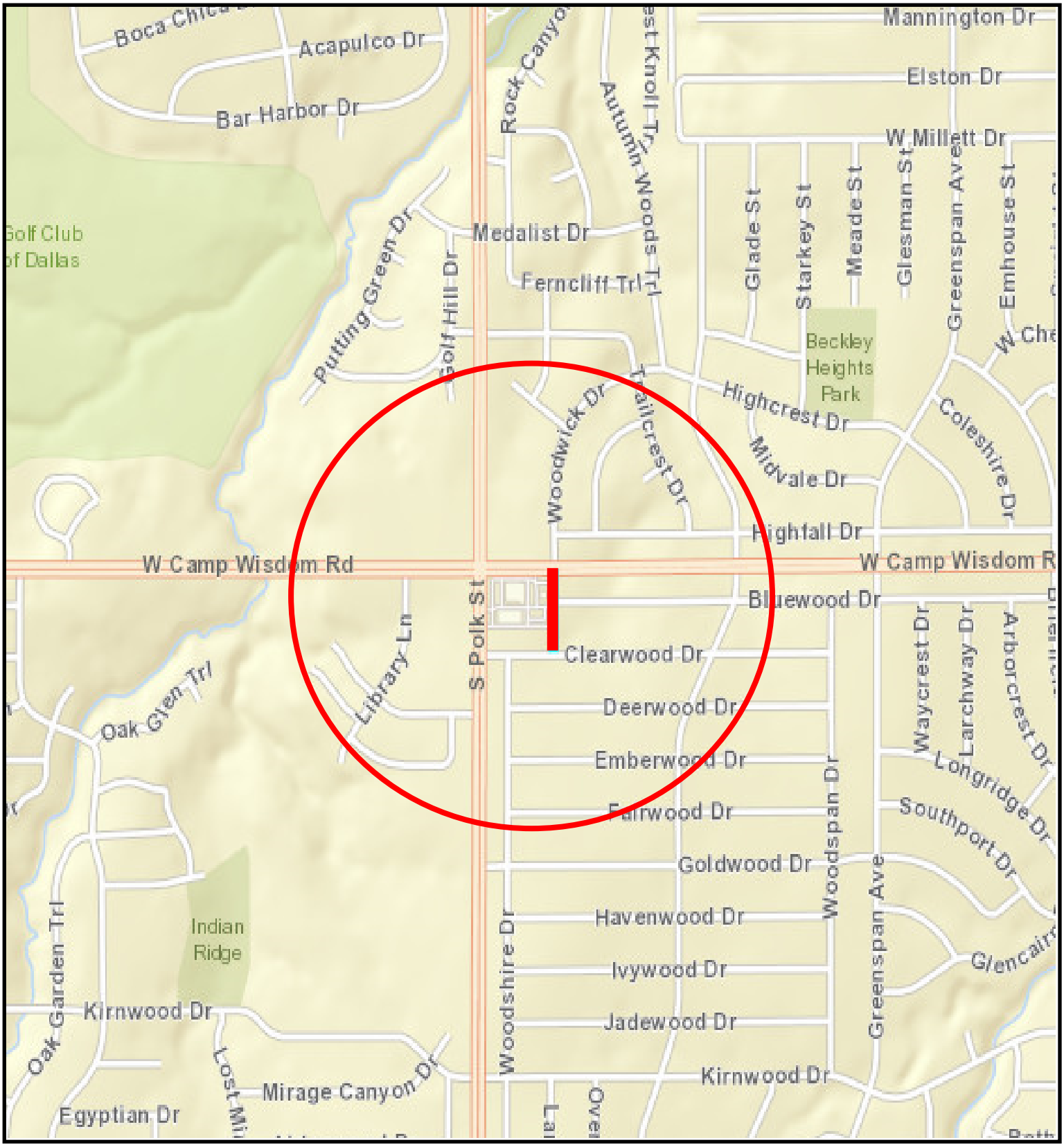
Project	**Council District**
Arborcrest Drive from Bluewood Drive to Partridge Drive	8
Woodwick Drive from West Camp Wisdom Road to Clearwood Drive	8

STREET RECONSTRUCTION
ARBORCREST DRIVE FROM BLUEWOOD DRIVE TO PARTRIDGE DRIVE



COUNCIL DISTRICT 8

STREET RECONSTRUCTION
WOODWICK DRIVE FROM WEST CAMP WISDOM ROAD TO CLEARWOOD DRIVE



COUNCIL DISTRICT 8

December 12, 2018

WHEREAS, WSP USA, Inc. was selected to provide engineering design for Street Reconstruction Group 17-8005.

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 WSP USA, Inc., approved as to form by the City Attorney, for engineering design services for the indicated projects, in an amount not to exceed $181,176.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $181,176.00 in accordance with the terms and conditions of the contract:

WSP USA, Inc. for the engineering design of street reconstruction projects on local streets on: Arborcrest Drive from Bluewood Drive to Partridge Drive and Woodwick Drive from West Camp Wisdom Road to Clearwood Drive:

Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V262, Activity SREC Object 4111, Program PB17V262 Encumbrance/Contract No. CX-PBW-2019-00008371 Vendor 134356	$ 93,610.00
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V266, Activity SREC Object 4111, Program PB17V266 Encumbrance/Contract No. CX-PBW-2019-00008371 Vendor 134356	$ 48,691.00
Water Construction Fund Fund 0102, Department DWU, Unit CW42 Object 4111, Program 719117 Encumbrance/Contract No. CX-PBW-2019-00008371 Vendor 134356	$ 23,966.29
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42 Object 4111, Program 719118 Encumbrance/Contract No. CX-PBW-2019-00008371 Vendor 134356	$ 14,908.71
Total amount not to exceed	$181,176.00

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 #: 18-1214 **Item #:** 24.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 10

DEPARTMENT: Department of Public Works

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Lina T. Ramey and Associates for engineering design of Street Reconstruction Group 17-10005 (list attached to the Agenda Information Sheet) - Not to exceed $228,317.80 - Financing: Street and Transportation (A) Fund (2017 Bond Funds) ($165,617.80) and Water Utilities Capital Improvement Funds ($62,700.00)

BACKGROUND

The Request for Qualification (CIZ1721) was issued on May 31, 2018 for the 2017 Bond Projects. The consulting firm, Lina T. Ramey and Associates, was selected following a qualifications-based process in accordance with the City of Dallas procurement guidelines.

This action will authorize a professional services contract with Lina T. Ramey and Associates for engineering design of five street reconstruction projects of local streets as Street Reconstruction Group 17-10005. The street reconstruction projects will include replacing the existing deteriorating concrete streets with new reinforced concrete pavement, curb, gutter, sidewalk, driveway approaches, paving marking, possible replacement of the drainage system, water and wastewater improvements.

Following are the locations and design costs for each project:

Street Reconstruction - Local Streets - Improvements

Project	Council District	Amount
Boundbrook Avenue from Greenville Avenue to Woodbrook Drive	10	$59,261.12
Westfield Drive from Gladwood Lane to Clearwater Drive	10	$63,959.92

Westfield Drive from Woodbrook Drive to Gladwood Lane	10	$60,333.67
Woodbrook Drive from Clearwater Drive to Graywood Drive	10	$20,341.32
Woodbrook Drive from Graywood Drive to Westfield Drive	10	$24,421.77

ESTIMATED SCHEDULE OF PROJECT

Begin Design	February 2019
Complete Design	February 2020
Begin Construction	April 2020
Complete Construction	April 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on December 10, 2018.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $165,617.80
Water Utilities Capital Improvement Funds - $62,700.00

Estimated Future Cost - Construction - $2,107,869.54

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 $
$228,317.80	Architectural & Engineering	25.66%	100.00%	$228,317.80
• This contract exceeds the M/WBE goal.				

OWNER

Lina T. Ramey and Associates

Lina T. Ramey, P.E., President

MAPS

Attached

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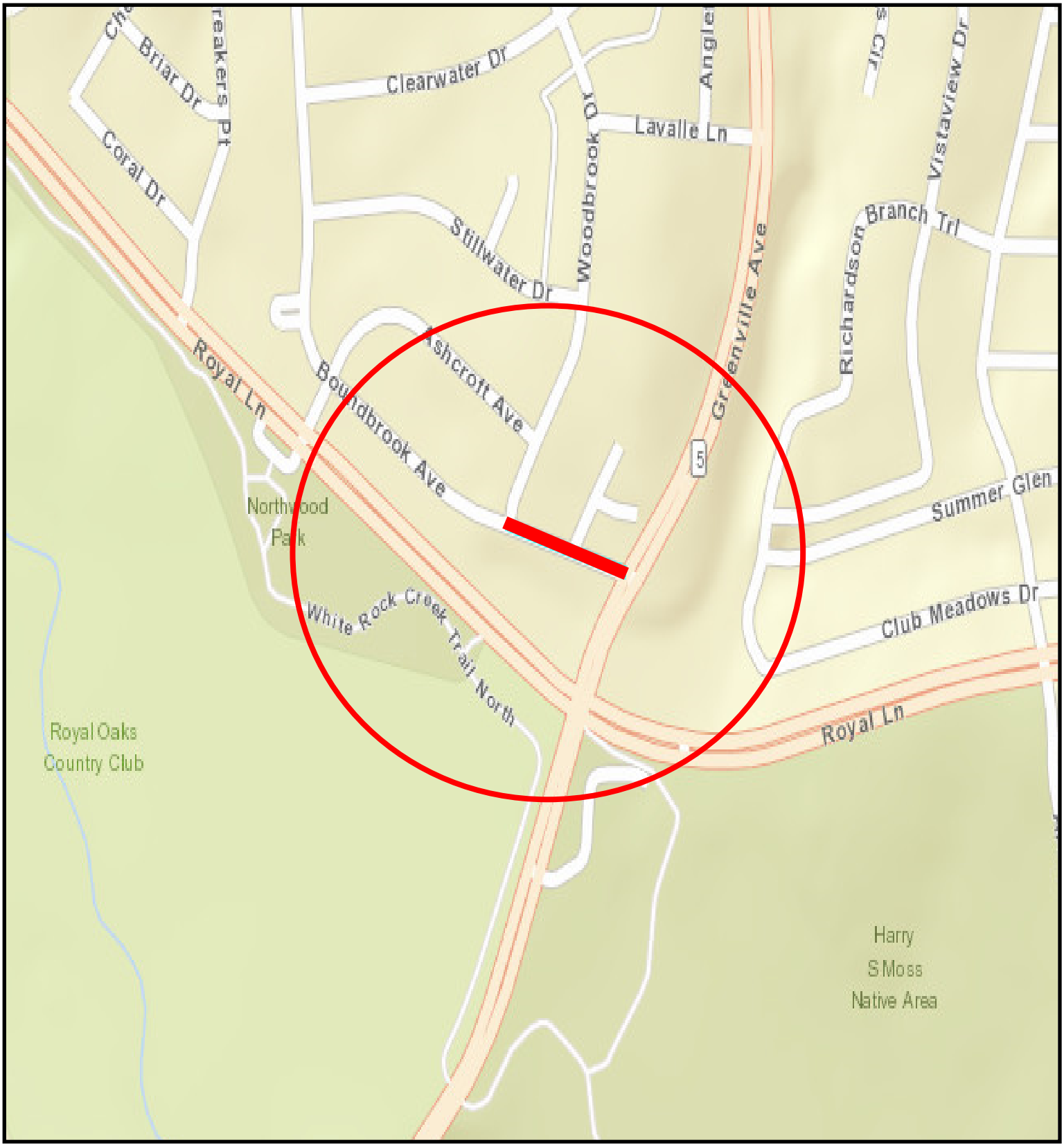
Street Reconstruction Group 17-10005

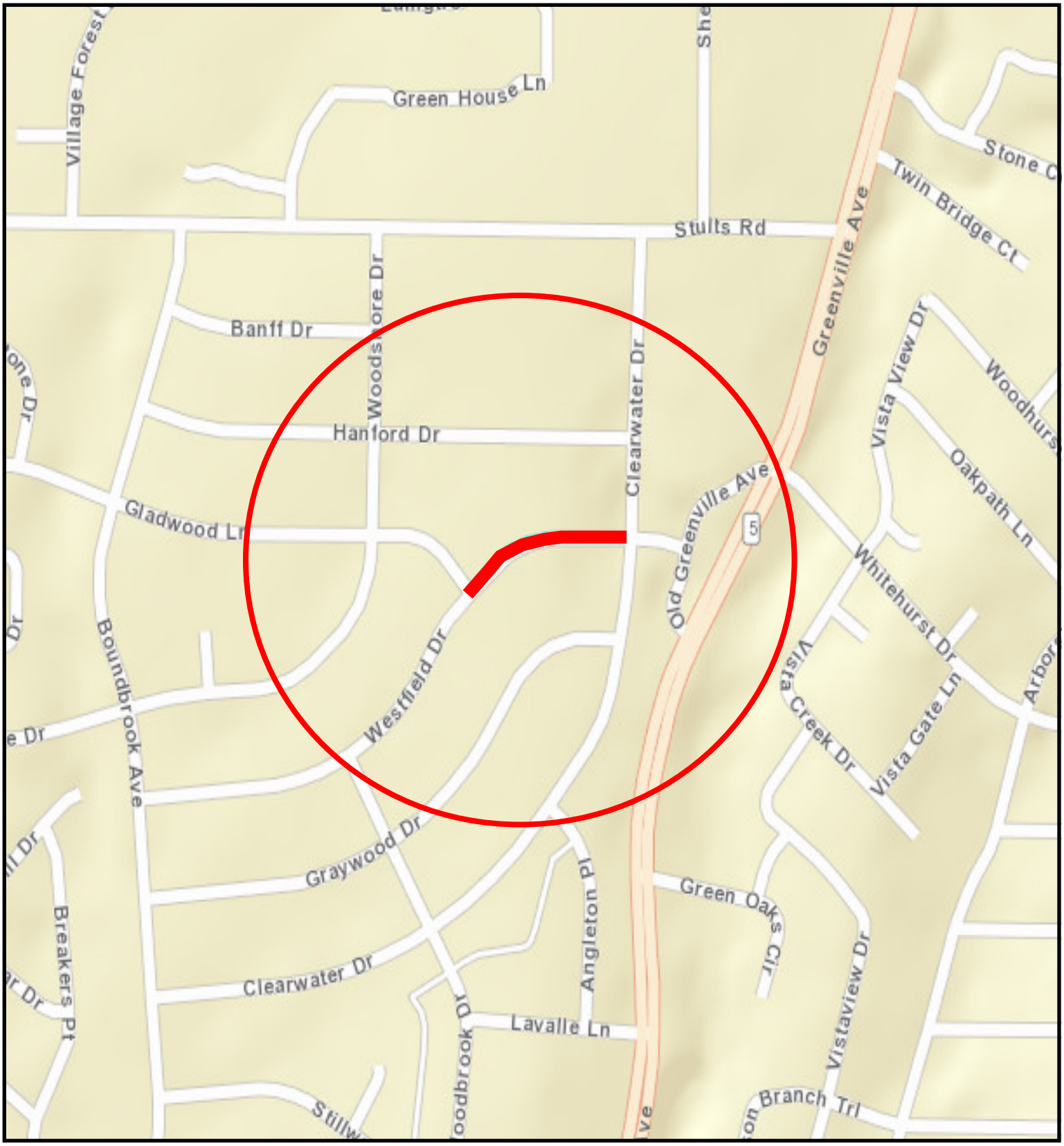
Project	Council District
Boundbrook Avenue from Greenville Avenue to Woodbrook Drive	10
Westfield Drive from Gladwood Lane to Clearwater Drive	10
Westfield Drive from Woodbrook Drive to Gladwood Lane	10
Woodbrook Drive from Clearwater Drive to Graywood Drive	10
Woodbrook Drive from Graywood Drive to Westfield Drive	10

STREET RECONSTRUCTION
BOUNDBROOK AVENUE FROM GREENVILLE AVENUE TO WOODBROOK DRIVE



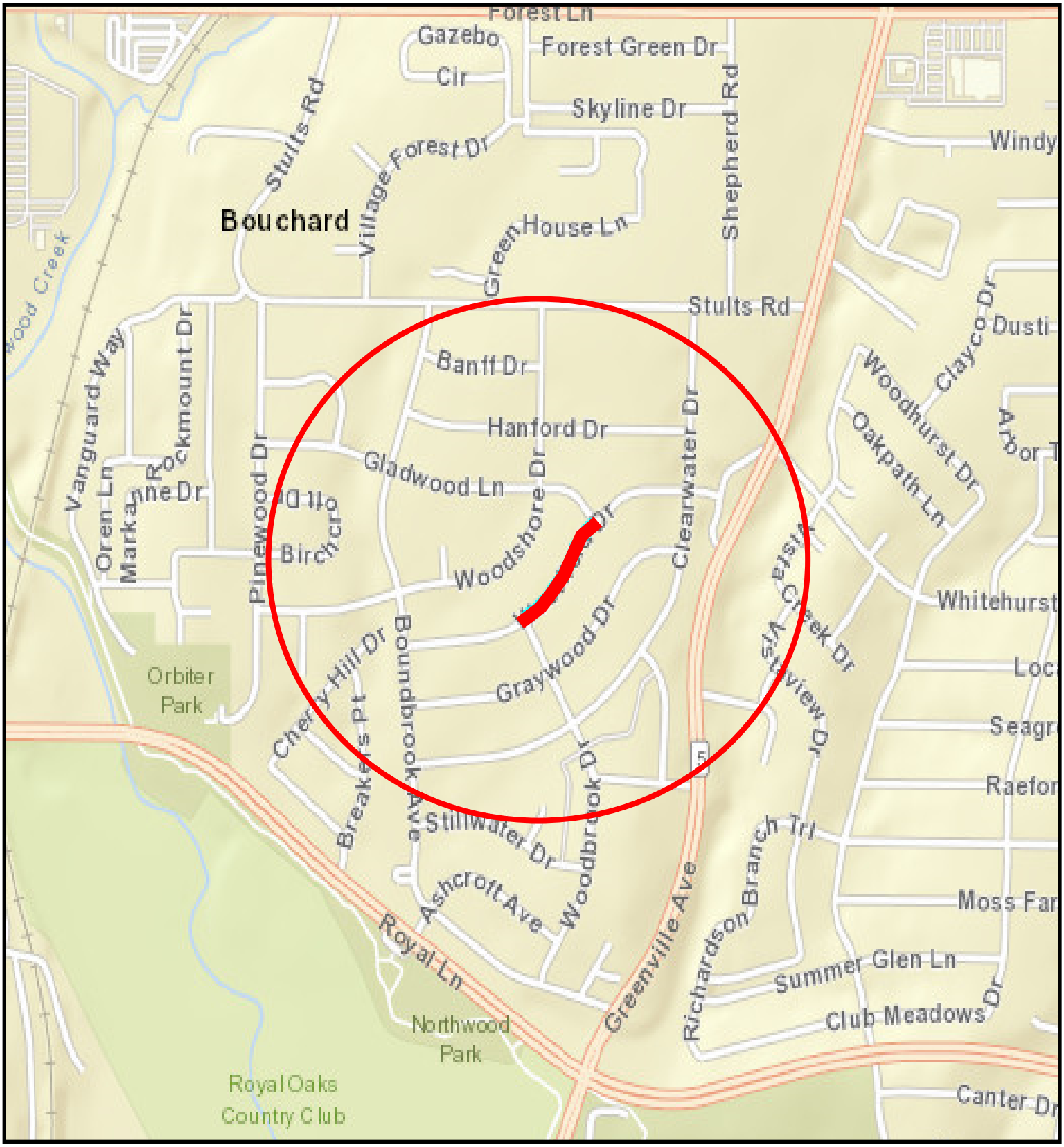
COUNCIL DISTRICT 10

STREET RECONSTRUCTION
WESTFIELD DRIVE FROM GLADWOOD LANE
TO CLEARWATER DRIVE



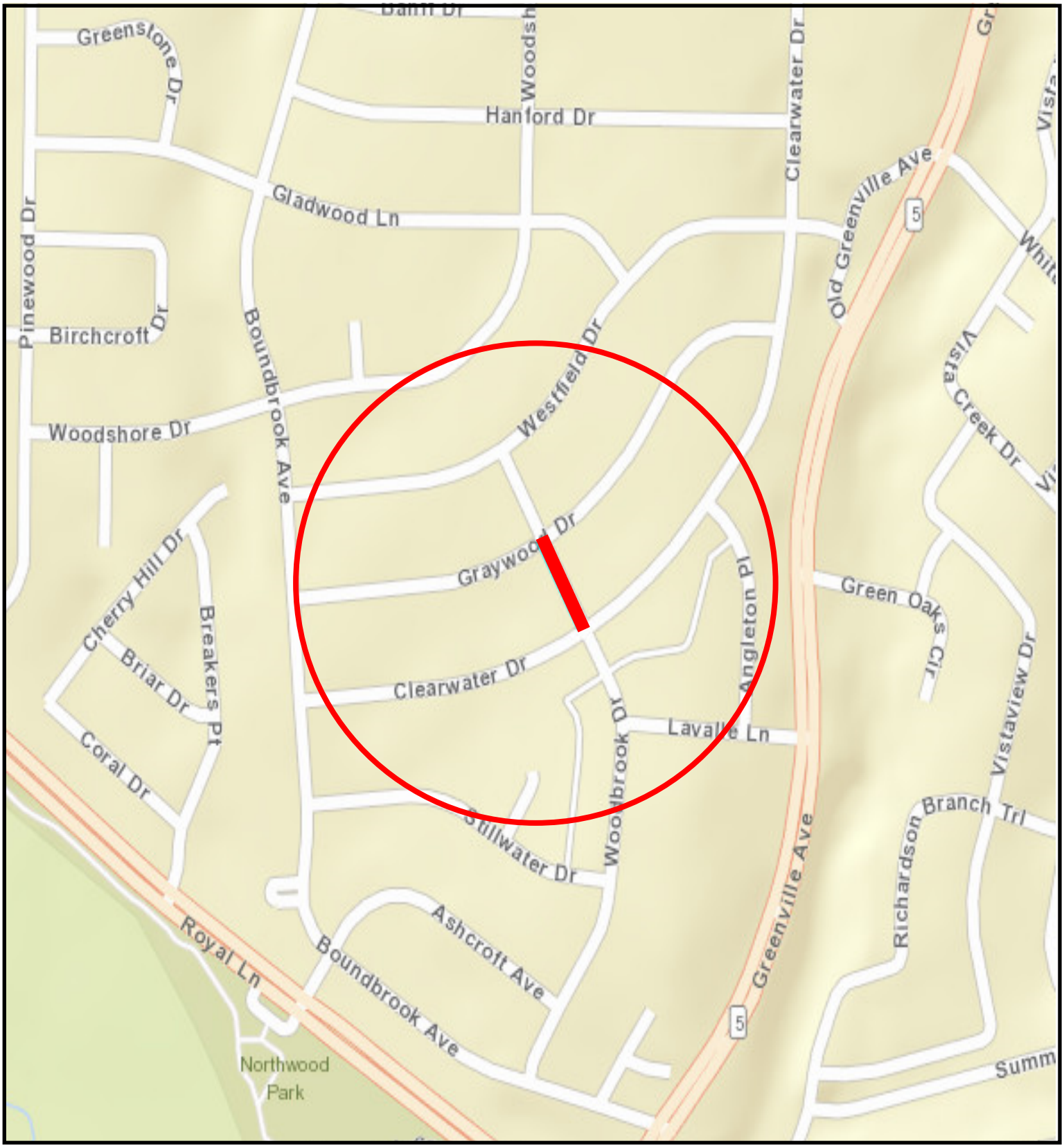
COUNCIL DISTRICT 10

STREET RECONSTRUCTION
WESTFIELD DRIVE FROM WOODBROOK DRIVE
TO GLADWOOD LANE



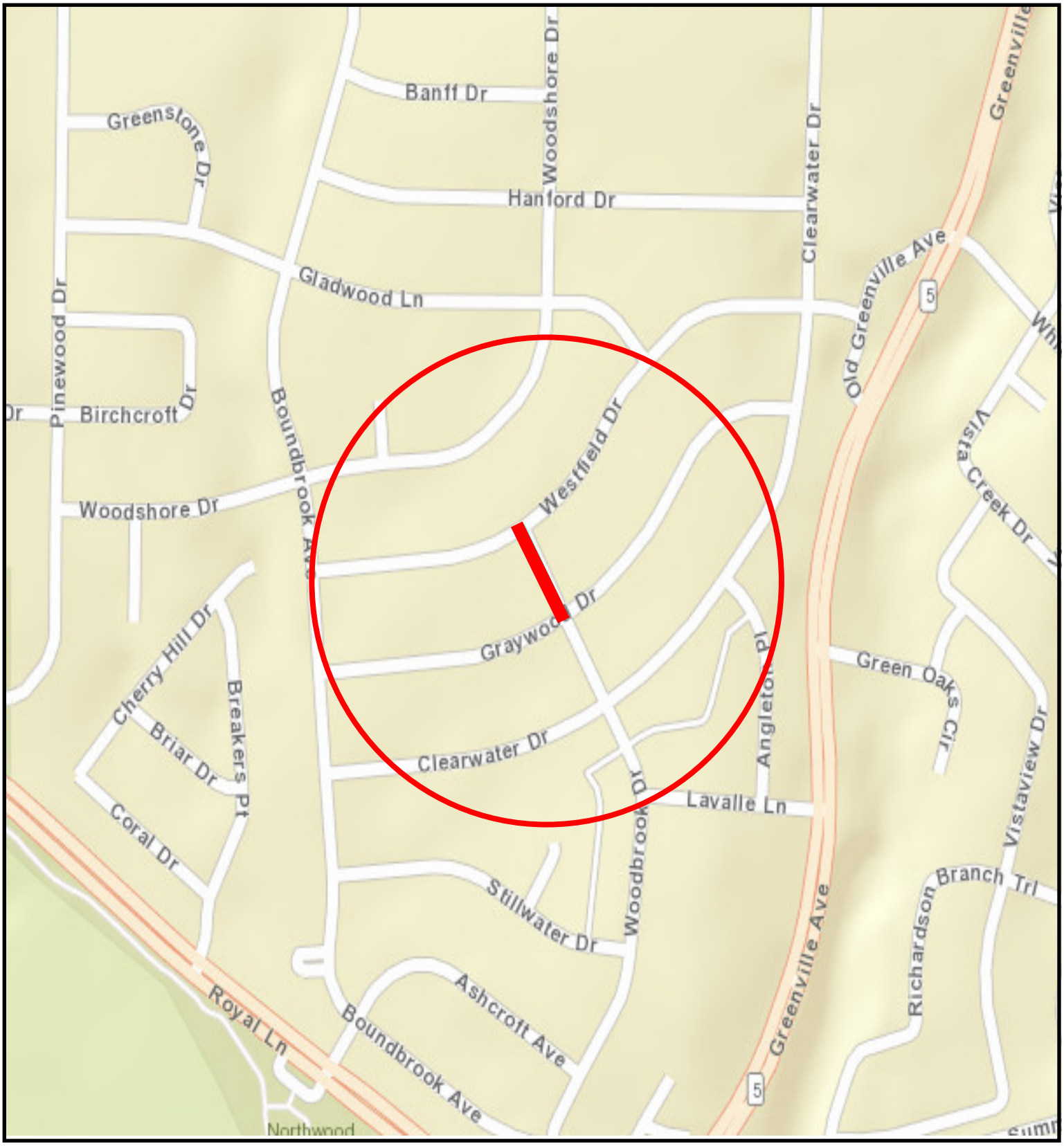
COUNCIL DISTRICT 10

STREET RECONSTRUCTION
WOODBROOK DRIVE FROM CLEARWATER DRIVE TO GRAYWOOD DRIVE



COUNCIL DISTRICT 10

STREET RECONSTRUCTION
WOODBROOK DRIVE FROM GRAYWOOD DRIVE TO WESTFIELD DRIVE



COUNCIL DISTRICT 10

December 12, 2018

WHEREAS, Lina T. Ramey and Associates was selected to provide engineering design for Street Reconstruction Group 17-10005.

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 Lina T. Ramey and Associates, approved as to form by the City Attorney, for engineering design for the indicated projects, in an amount not to exceed $228,317.80.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $228,317.80 in accordance with the terms and conditions of the contract:

Lina T. Ramey and Associates for the engineering design of street reconstruction projects on local streets on: Boundbrook Avenue from Greenville Avenue to Woodbrook Drive; Westfield Drive from Gladwood Lane to Clearwater Drive; Westfield Drive from Woodbrook Drive to Gladwood Lane; Woodbrook Drive from Clearwater Drive to Graywood Drive; and Woodbrook Drive from Graywood Drive to Westfield Drive:

Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V221, Activity SREC Object 4111, Program PB17V221 Encumbrance/Contract No. CX-PBW-2019-00008488 Vendor 356668	$ 38,735.92
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V268, Activity SREC Object 4111, Program PB17V268 Encumbrance/Contract No. CX-PBW-2019-00008488 Vendor 356668	$ 41,197.12
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V272, Activity SREC Object 4111, Program PB17V272 Encumbrance/Contract No. CX-PBW-2019-00008488 Vendor 356668	$ 44,852.12

SECTION 2. (continued)

Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V273, Activity SREC Object 4111, Program PB17V273 Encumbrance/Contract No. CX-PBW-2019-00008488 Vendor 356668	$ 20,491.32
Street and Transportation (A) Fund Fund 1V22, Department PBW, Unit V274, Activity SREC Object 4111, Program PB17V274 Encumbrance/Contract No. CX-PBW-2019-00008488 Vendor 356668	$20,341.32
Water Capital Improvement Fund Fund 3115, Department DWU, Unit PW42 Object 4111, Program 719107 Encumbrance/Contract No. CX-PBW-2019-00008488 Vendor 356668	$ 33,315.22
Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS42 Object 4111, Program 719108 Encumbrance/Contract No. CX-PBW-2019-00008488 Vendor 356668	$ 29,384.78
Total amount not to exceed	$228,317.80

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 #: 18-1297 **Item #:** 25.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize the **(1)** deposit of the amount awarded by the Special Commissioners' in the condemnation proceedings styled City of Dallas v. Holcomb Properties, et al., Cause No. 99109-CC, pending in Kaufman County Court at Law, to acquire approximately 142,093 square feet of land for right-of-way located in Kaufman County for the Lake Tawakoni 144-inch Pipeline Project; and **(2)** settlement of the condemnation proceeding for an amount award - Not to exceed $182,874.00, increased from $68,240.00 ($65,240.00, plus closing costs and title expenses not to exceed $3,000.00) to $182,874.00 ($179,874.00 being the award, plus closing costs and title expenses not to exceed $3,000.00) - Financing: Water Utilities Capital Construction Funds

BACKGROUND

On April 8, 2015, City Council authorized acquisition through the use of condemnation by Resolution No. 15-0679. The property owner was offered $65,240.00, plus closing costs and title expenses not to exceed $3,000.00, which was based on a appraisal from an independent certified appraiser. The property owner did not accept the offer and the City filed an eminent domain proceeding to acquire the property. After a hearing on May 7, 2018, the Special Commissioners' awarded the property owner $179,874.00.

This item authorizes deposit of the amount awarded by the Special Commissioners' for the property, which is $114,634.00 more than the City Council originally authorized for this acquisition.

The City has no control over the Special Commissioners' appointed by the judge or any award that is subsequently rendered by the Special Commissioners'. The City, in order to acquire possession of the property and proceed with its improvements, must deposit the amount awarded by the Special Commissioners' in the registry of the Court.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 8, 2015, City Council authorized acquisition, including the exercise of the right of eminent

domain, if such became necessary, from Holcomb Properties, et al., of approximately 142,093 square feet of land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline Project by Resolution No. 15-0679.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on December 10, 2018.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - $182,874.00

Resolution No. 15-0679	$ 68,240.00
Additional Amount (this action)	$114,634.00
Total Authorized Amount	$182,874.00

OWNER

Holcomb Properties, et al.

MAP

Attached

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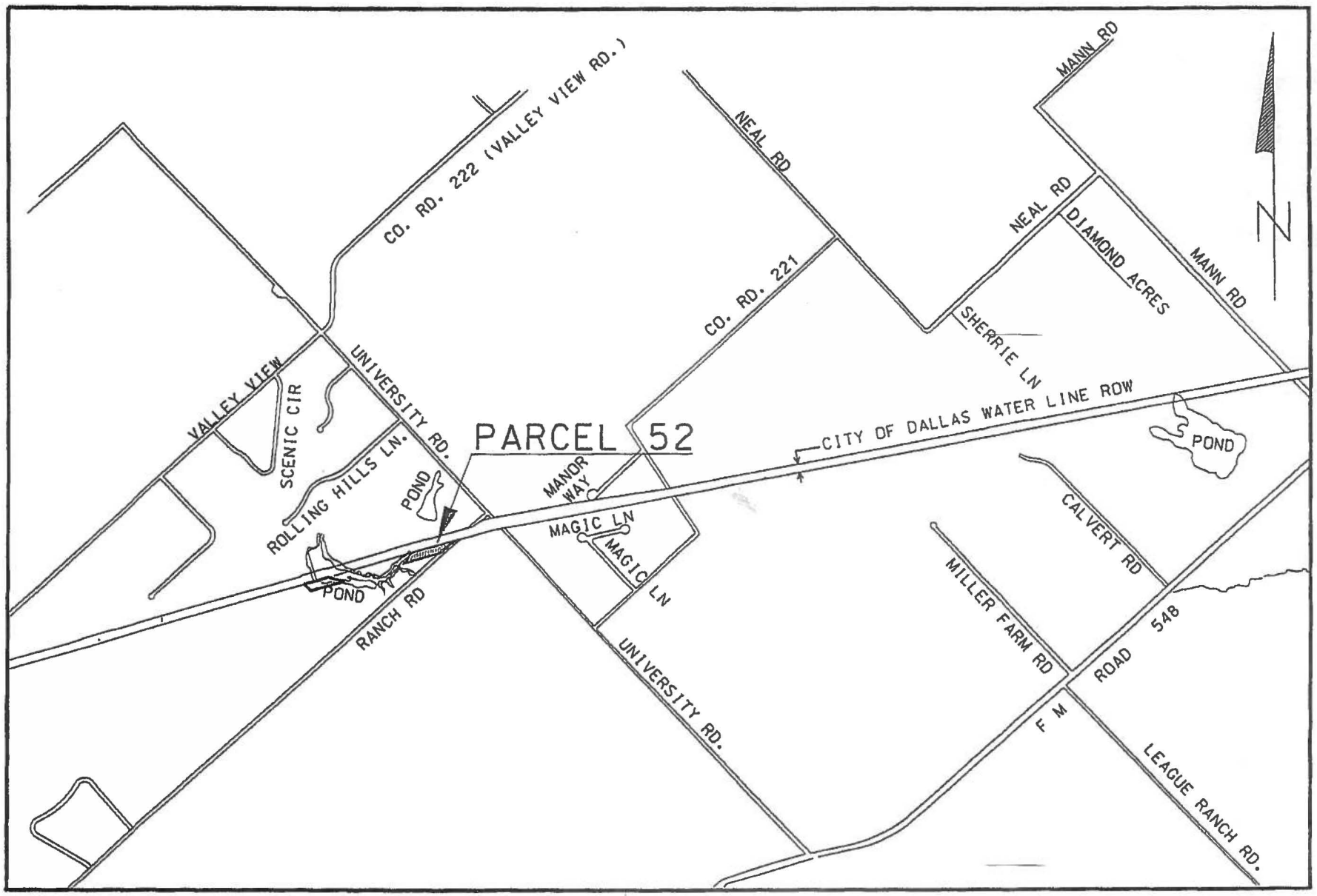


VICINITY MAP

APPROXIMATE SCALE 1" = 2000'

P:\0515-Lewisville\Parcel\Parcel52\vm_52.dgn Plotted on 6/26/2013 at 11:20:47 AM By: jason Project:City_01_Dsgn_Prof Driver: dwg to pdf.pltcfg Pen Table: stdpen.tbl

December 12, 2018

A RESOLUTION AUTHORIZING THE DEPOSIT OF A SPECIAL COMMISSIONERS' AWARD AND SETTLEMENT OF A CONDEMNATION PROCEEDING, AND IF OBJECTIONS ARE FILED, SETTLEMENT OF A CONDEMNATION LAWSUIT, FOR AN AMOUNT NOT TO EXCEED THE AWARD.

All said capitalized terms are defined in Section 1 below.

WHEREAS, OWNER refused to sell the PROPERTY INTEREST in and to the PROPERTY to CITY for the OFFICIAL OFFER AMOUNT contained in the FIRST RESOLUTION; and

WHEREAS, the City Attorney filed a CONDEMNATION PROCEEDING for the acquisition of the PROPERTY INTEREST in and to the PROPERTY for the PROJECT pursuant to said RESOLUTION; and

WHEREAS, the Special Commissioners' appointed by the Court in the CONDEMNATION PROCEEDING rendered the SPECIAL COMMISSIONERS' AWARD AMOUNT, which the City Council wishes to deposit with the County Clerk of Kaufman County, Texas, so that CITY may take possession of the PROPERTY INTEREST in and to the PROPERTY; and

WHEREAS, the Dallas City Council desires to authorize the City Attorney to settle the CONDEMNATION PROCEEDING, and if objections are filed, the CONDEMNATION LAWSUIT, for an amount not to exceed the SPECIAL COMMISSIONERS' AWARD AMOUNT.

Now, Therefore,

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

SECTION 1. For the purposes of this resolution, the following definitions shall apply:

"CITY": The City of Dallas

"FIRST RESOLUTION": Resolution No. 15-0679 approved by the Dallas City Council on April 8, 2015, authorized filing of a condemnation proceeding, which is incorporated herein by reference.

"CONDEMNATION PROCEEDING/LAWSUIT": Cause No. 99109-CC, in Kaufman County Court at Law, and styled City of Dallas v. Holcomb Properties, et al., filed pursuant to City Council Resolution No. 15-0679.

"PROPERTY": Approximately 142,093 square feet of land located in Kaufman County, Texas, as described in the CONDEMNATION PROCEEDING.

"PROPERTY INTEREST": Fee Simple Title

"PROJECT": Lake Tawakoni 144-inch Pipeline Project

"USE": The installation, use, and maintenance of a pipeline or lines for the transmission of treated water together with such appurtenant facilities as may be necessary, provided, however, to the extent fee title to the property is acquired, such title and the property shall not be limited to or otherwise deemed restricted to the use herein provided.

"OFFICIAL OFFER AMOUNT": $65,240.00

"SPECIAL COMMISSIONERS' AWARD AMOUNT": $179,874.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $3,000.00

"AUTHORIZED AMOUNT": Not to exceed $182,874.00 (SPECIAL COMMISSIONERS' AWARD plus CLOSING COSTS AND TITLE EXPENSES)

"DESIGNATED FUNDS":

$68,240 from Water Capital Construction Fund, Fund 0102, Department DWU, Unit CW20, Program 704041, Object 4210, Encumbrance/Contract No. CX-DWU-2019-00008614.

$114,634 from Water Capital Construction Fund, Fund 0102, Department DWU, Unit CW20, Program 704041, Object 4210, Encumbrance/Contract No. CX-DWU-2019-00008614.

SECTION 2. That the City Attorney is hereby authorized to acquire the PROPERTY INTEREST in and to the PROPERTY by instrument, or judgment, for the SPECIAL COMMISSIONERS' AWARD AMOUNT. If the PROPERTY INTEREST in and to the PROPERTY is being acquired by instrument, the Chief Financial Officer is hereby authorized to issue a check, to be paid out of and charged to the DESIGNATED FUNDS, in an amount not to exceed the SPECIAL COMMISSIONERS' AWARD AMOUNT, made payable to OWNER, or the then current owner(s) of record, or to the title company insuring the transaction described herein. If the PROPERTY INTEREST in and to the PROPERTY is not being acquired through instrument, the Chief Financial Officer is hereby authorized to issue a check, to be paid out of and charged to the DESIGNATED FUNDS, in an amount not to exceed the SPECIAL COMMISSIONERS' AWARD AMOUNT, made payable to the County Clerk of Dallas County, Texas, to be deposited into the registry of the Court, to enable CITY to take possession of the PROPERTY INTEREST in and to the PROPERTY without further action of the Dallas City Council. The Chief Financial Officer is further authorized and directed to issue another check, to be paid out of and charged

to the DESIGNATED FUNDS, in the amount of the CLOSING COSTS AND TITLE EXPENSES, made payable to the title company insuring the transaction described herein. The SPECIAL COMMISSIONERS' AWARD AMOUNT and the CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 3. That the City Attorney is authorized to settle the CONDEMNATION PROCEEDING, and if objections are filed, the CONDEMNATION LAWSUIT, for an amount not to exceed the SPECIAL COMMISSIONERS' AWARD AMOUNT.

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.

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

BY: _____
Assistant City Attorney

Agenda Information Sheet

File #: 18-638 **Item #:** 26.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	December 12, 2018
COUNCIL DISTRICT(S):	3
DEPARTMENT:	Department of Sustainable Development and Construction
EXECUTIVE:	Majed Al-Ghafry

SUBJECT

Authorize acquisition from The Burlington Northern and Santa Fe Railway Company, of approximately 35 acres of inactive railway corridor and vacant land between Cockrell Hill and Westmoreland Roads for the Chalk Hill Trail Project - Not to exceed $965,000.00 ($950,000.00, plus closing costs and title expenses not to exceed $15,000.00) - Financing: Park and Recreation Facilities (2006 Bond Funds)

BACKGROUND

This item authorizes the acquisition from The Burlington Northern and Santa Fe Railway Company of approximately 35 acres of inactive railroad corridor and vacant land between Cockrell Hill and Westmoreland Roads. This land represents the final acquisition to accommodate the future 4.3-mile hike and bike trail that will connect the Pinnacle Park area to the Five Mile Creek Greenbelt Trail system at the Westmoreland DART light rail station. The consideration for this acquisition is based on independent appraisal.

The dedication of this property as officially park land is not recommended to occur until such time it is developed for park purposes.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 2, 2018, the Park and Recreation Board authorized the acquisition.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee December 10, 2018.

FISCAL INFORMATION

Park and Recreation Facilities (2006 Bond Funds) - $965,000.00 ($950,000.00, plus closing costs and title expenses not to exceed $15,000.00)

OWNER

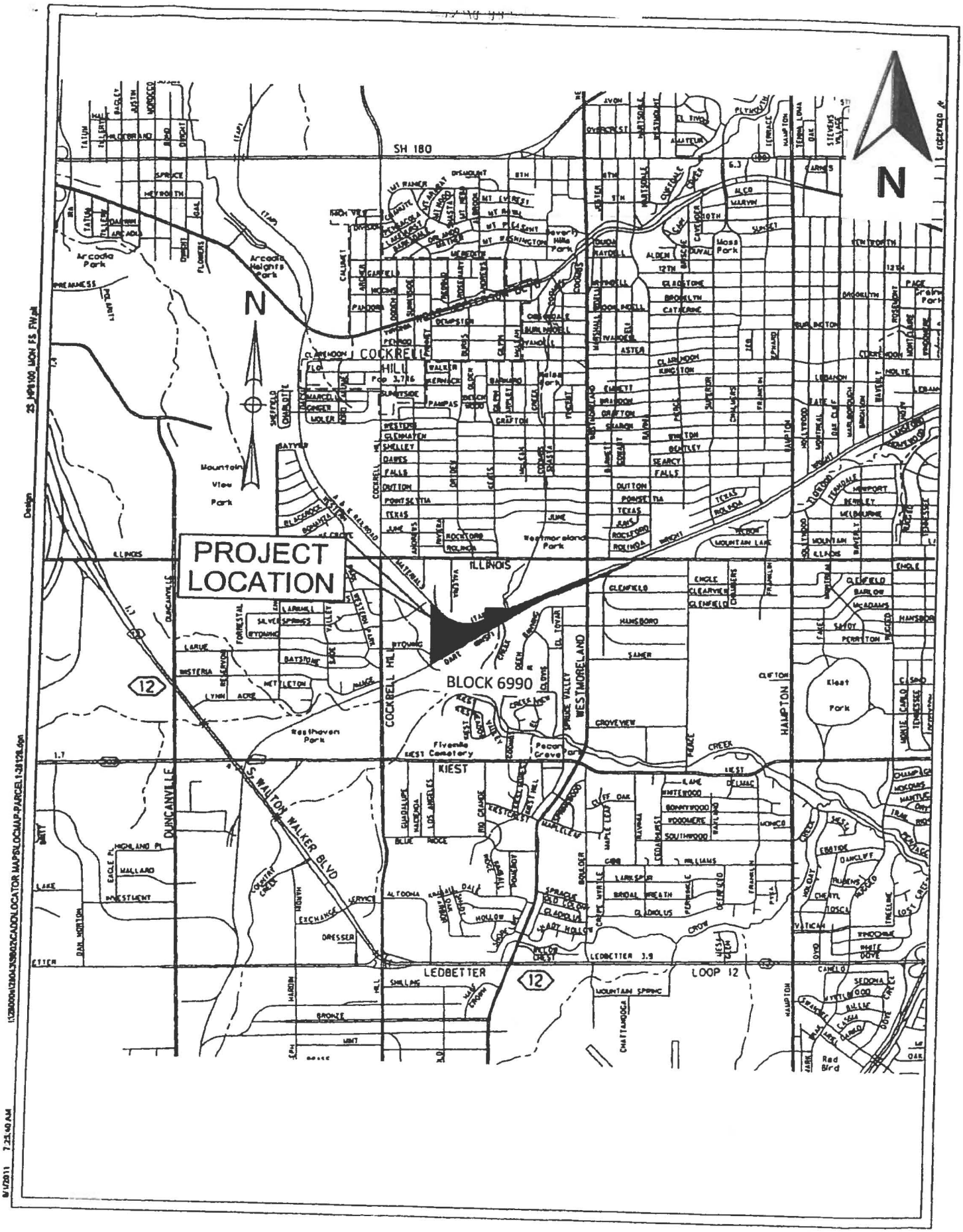
The Burlington Northern and Santa Fe Railway Company

Mark Ude, AVP Corporate Real Estate Development

MAP

Attached

powered by Legistar™


PROJECT LOCATION
BLOCK 6990
N
SH 180
ILLINOIS
COCKRELL HILL
KIEST
LEDBETTER
LOOP 12
DUNCANVILLE
S. WALTON WALKER BLVD
WESTMORELAND
HAMPTON
Arcadia Park
Arcadia Heights Park
Mountain View Park
Rosthaven Park
Westmoreland Park
Kleat Park
Red Bird
Pecan Grove Park
Flowmo West Cemetery
Moss Park
Beverly Hills Park
Walter Park
Page Park
Mountain Spring

December 12, 2018

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS PURCHASE FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 35 acres of land located in Dallas County, Texas, and being the same property more particularly described in Exhibit "A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": Chalk Hill Trail Project

"USE": The construction and maintenance of a trail as park property provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE herein provided. The property is not officially dedicated as municipal parkland and shall be dedicated as such time the property is developed for park purpose.

"PROPERTY INTEREST": Fee Simple title subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the form instrument more particularly described in Exhibit "B" attached hereto and made a part hereof for all purposes.

"OWNER": Burlington Northern and Santa Fe Railway Company, a Delaware corporation, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"PURCHASE AMOUNT": $950,000.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed $15,000.00

"AUTHORIZED AMOUNT": Not to exceed $965,000.00

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

SECTION 1. That the USE of the PROPERTY for the PROJECT is a public use.

SECTION 2. That public necessity requires that CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That the City Manager, and/or the City Manager's designees, is hereby authorized and directed to consummate and accept the purchase, grant, and conveyance to CITY of the PROPERTY INTEREST in and to the PROPERTY pursuant to the conveyancing instrument substantially in the form described in Exhibit "B", attached hereto and made a part hereof for all purposes, and approved as to form by the City Attorney and to execute, deliver and receive such other usual and customary documents necessary, appropriate and convenient to consummating this transaction.

SECTION 4. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION 5. That OWNER has been provided with a copy of the Landowner's Bill of Rights as contemplated by applicable state statute.

SECTION 6. That in the event this acquisition closes, the Chief Financial Officer is hereby authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the PURCHASE AMOUNT payable as follows:

$104,488.00 from Park and Recreation Facilities Fund (2006 Bond Funds), Fund 7T00, Department PKR, Unit T038, Activity PKLA, Program PK06T038, Object 4210.

$517,000.00 from Park and Recreation Facilities Fund (2006 Bond Funds), Fund 8T00, Department PKR, Unit T038, Activity PKLA, Program PK06T038, Object 4210.

$328,512.00 from Park and Recreation Facilities Fund (2006 Bond Funds), Fund 4T00, Department PKR, Unit T038, Activity PKLA, Program PK06T038, Object 4210.

CLOSING COSTS AND TITLE EXPENSES payable out of Park and Recreation Facilities Fund (2006 Bond Funds): $15,000.00, Fund 7T00, Department PKR, Unit T038, Activity PKLA, Program PK06T038, Object 4210, Encumbrance/Contract No. CX-PKR-2019-00008367. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 7. That CITY is to have possession and/or use, as applicable, of the PROPERTY at closing; and CITY will pay any title expenses and closing costs. All costs and expenses described in this section shall be paid from the previously described funds.

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

FIELD NOTES DESCRIBING 34.47 ACRES (1,501,512 SQUARE FEET)
PART OF OFFICIAL CITY OF DALLAS BLOCK NUMBER 6990
TO BE ACQUIRED FOR PARK
FROM BURLINGTON NORTHERN
IN THE ABRAHAM BAST SURVEY, ABSTRACT NUMBER 109,
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY DRAWING NUMBER 043D-12

EXHIBIT A

FIELD NOTES O.K.
D.E. Romack 11-3-11

BEING a 34.47 acre (1,501,512 square feet) tract of land situated in the Abraham Bast Survey, Abstract Number 109, City of Dallas, Dallas County, Texas, and being part of Official City of Dallas Block Number 6990, and being all of a called 12.3 acre tract of land described in Warranty Deed to Gulf, Colorado and Santa Fe Railway Company, (GC&SF RY Co.) as recorded in Volume 1021, Page 618, of the Deed Records of Dallas County, Texas, (D.R.D.C.T.), and being all of a called 7.17 acre tract of land described in Warranty Deed to said GC&SF RY Co., as recorded in Volume 1001, Page 516, D.R.D.C.T., and being all of a called 4 acre tract of land described in Warranty Deeds to said GC&SF RY Co., as recorded in Volume 1017, Page 292, and Volume 1023, Page 441, D.R.D.C.T., and being all of a called 10.05 acre tract of land described in Warranty Deed to said GC&SF RY Co., as recorded in Volume 1020, Page 432, D.R.D.C.T., and being all of a called 0.91 acre tract of land described in Warranty Deeds to said GC&SF RY Co., as recorded in Volume 1051, Page 600, Volume 1051, Page 457, Volume 1053, Page 426, Volume 1057, Page 456, Volume 1069, Page 430, Volume 1071, Page 357, Volume 1081, Page 201, and Volume 1822, Page 561, D.R.D.C.T., said tract being hereinafter referred to as (GC&SF Hale Cement tract), and being more particularly described as follows:

COMMENCING at a calculated point located at the intersection of the west right-of-way line of Westmoreland Road (a variable width right-of-way) with the north right-of-way line of Westmoreland Avenue (a 40 foot wide right-of-way), same being the south line of Block 1 (Block 1/6624 official City of Dallas Block Numbers), said point also being the southeast corner of Lot 3, Block 1/6624 as dedicated by Acreage Estates Number 2, an addtion to the City of Dallas, Texas, as recorded in Volume 8, Page 152, Map Records of Dallas County, Texas, (M.R.D.C.T.) from which point a found 60D nail for witness bears North 39 degrees 01 minute 02 seconds East, 1.79 feet, and a 1/2-inch found iron rod for witness bears South 89 degrees 22 minutes 34 seconds West, 218.37 feet, and a 1/2-inch found iron rod for witness bears South 89 degrees 22 minutes 34 seconds West, 796.47 feet;

FIELD NOTES DESCRIBING 34.47 ACRES (1,501,512 SQUARE FEET)
PART OF OFFICIAL CITY OF DALLAS BLOCK NUMBER 6990
TO BE ACQUIRED FOR PARK
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IN THE ABRAHAM BAST SURVEY, ABSTRACT NUMBER 109,
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CITY DRAWING NUMBER 043D-12

EXHIBIT A

FIELD NOTES C... 2012 11-3-11

THENCE North 00 degrees 55 minutes 19 seconds West, departing said north right-of-way line and with the common west right-of-way line of said Westmoreland Road and the east line of said City of Dallas Block 1/6624 and the east line of said addition, passing at a distance of 587.49 feet the north corner of said addition and the southeast corner of City of Dallas Block 6990, and continuing with said west right-of-way line in all, a total distance of 695.88 feet to a calculated point for the POINT OF BEGINNING of the herein described tract of land, from which point a set PK nail with shiner stamped "HALFF" for witness bears North 00 degrees 46 minutes 37 seconds West, 8.55 feet, said point also being at the intersection of said west right-of-way line with the common north right-of-way line of a called 100 foot wide strip of land described by Warranty Deeds to the Chicago, Texas and Mexican Central Railway Company, (CT&MC RY Co.) as recorded in Volume 51, Page 381, Volume 51, Page 368, and Volume 51, Page 390, D.R.D.C.T., known as BNSF Railway Company (currently owned and operated by BNSF), and the south line of said GC&SF Hale Cement tract;

THENCE South 66 degrees 23 minutes 11 seconds West, departing the west right-of-way line of said Westmoreland Road and with the common south line of said GC&SF Hale Cement tract and the north right-of-way line of said BNSF, a distance of 1,079.27 feet to a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for the point of curvature of a tangent circular curve to the left having a radius of 2,914.93 feet, whose chord bears South 62 degrees 16 minutes 41 seconds West, a distance of 417.67 feet;

THENCE Southwesterly, continuing with said common line and along said curve, through a central angle of 08 degrees 13 minutes 00 seconds, an arc distance of 418.02 feet to a 1/2-inch set iron rod with cap for the point of tangency;

THENCE South 58 degrees 10 minutes 11 seconds West, continuing with said common line, a distance of 2,952.60 feet to a calculated point for the southwest corner of said GC&SF Hale Cement tract and the easterly southeast corner of City of Dallas Block 2/6983 Highland Road Village, an addition to the City of Dallas, Texas, as recorded in Volume 68019, Page 326, D.R.D.C.T., from which point a 1/2-inch found iron rod for witness bears North 01 degree 59 minutes 51 seconds East, 0.22 of a foot;

FIELD NOTES DESCRIBING 34.47 ACRES (1,501,512 SQUARE FEET)
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CITY DRAWING NUMBER 043D-12

EXHIBIT A

FIELD NOTES O.K. DGR 11-3-11

THENCE North 01 degree 03 minutes 01 second West, departing the north right-of-way line of said BNSF and with the common east line of said Highland Road Village addition and the west line of said GC&SF Hale Cement tract, a distance of 790.97 feet to a calculated point for corner, same point being the northeast corner City of Dallas Block Number 2/6983 and also being the southeast corner of Lot 1, Block A/6983, Village Green Number 2, an addition to the City of Dallas, Texas, as recorded in Volume 70239, Page 1255, D.R.D.C.T., from which point a 1/2-inch found iron rod for witness bears North 52 degrees 29 minutes 56 seconds West, 0.16 of a foot;

THENCE North 00 degrees 47 minutes 23 seconds West, with the common east line of said Village Green Number 2 addition and the west line of said GC&SF Hale Cement tract, passing at a distance of 608.84 feet the northeast corner of said Lot 1, Block A/6983, same being the southeast corner of that tract of land described in Special Warranty Deed to the City of Dallas, Texas, as recorded in Instrument Number 200900071519 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and continuing with the common east line of said City of Dallas tract and the west line of said GC&SF Hale Cement tract in all, a total distance of 712.82 feet to a 1/2-inch set iron rod with cap for corner, same point being the most westerly northwest corner of said GC&SF Hale Cement tract and the most easterly northeast corner of said City of Dallas tract, and also being the south corner of that tract of land described by Deed to the City of Dallas, Texas, as recorded in Volume 75041, Page 427, D.R.D.C.T., and also being the southwest corner of that tract of land described as Tract 3 by Warranty Deed to the City of Dallas, Texas, as recorded in Volume 4124, Page 266, D.R.D.C.T., and also being in the common south line of City of Dallas Block 6114 and the north line of City of Dallas Block 6990;

THENCE South 43 degrees 41 minutes 23 seconds East, with the common northerly line of said GC&SF Hale Cement tract and southerly line of said City of Dallas Tract 3 and with said common Block line, a distance of 267.99 feet to a 1/2-inch set iron rod with cap for the point of curvature of a tangent circular curve to the left having a radius of 917.87 feet, whose chord bears South 78 degrees 35 minutes 23 seconds East, a distance of 1,050.31 feet;

FIELD NOTES DESCRIBING 34.47 ACRES (1,501,512 SQUARE FEET)
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CITY DRAWING NUMBER 043D-12

EXHIBIT A

FIELD NOTES O.K. DER 11-3-11

THENCE Southeasterly, continuing with said common line and along said curve, passing a 1/2-inch set iron rod with cap at an arc distance of 366.43 feet for the southeast corner of said Tract 3 and the southwest corner of a tract of land described as Tract 8 by Warranty Deed to the City of Dallas, Texas, as recorded in Volume 4240, Page 416, D.R.D.C.T., and continuing with said common line and along said curve, passing a calculated point at a cumulative arc distance of 618.15 feet for the southeast corner of said Tract 8 and the southwest corner of a tract of land described as Tract 9 to 3912 West Illinois Avenue, L.P. by Warranty Deed as recorded in Volume 2001015, Page 4317, D.R.D.C.T., from which point a 5/8-inch found iron pipe for witness bears North 63 degrees 19 minutes 28 seconds West, 3.49 feet, and continuing with said common line and along said curve through a central angle of 69 degrees 48 minutes 00 seconds, in all, a total arc distance of 1,118.18 feet to a calculated point for the point of tangency, from which point a 3-inch found brass disk for witness bears North 60 degrees 23 minutes 45 seconds East, 3.87 feet;

THENCE North 66 degrees 30 minutes 37 seconds East, continuing with said common line, a distance of 129.13 feet to a calculated point for corner, from which point a 1/2-inch found iron pipe for witness bears North 18 degrees 48 minutes 21 seconds West, 0.57 of a foot;

THENCE North 00 degrees 39 minutes 33 seconds West, continuing with said common line, a distance of 282.10 feet to a calculated point for corner, from which point a 3-inch found brass disk for witness bears North 67 degrees 30 minutes 46 seconds West, 0.53 of a foot, and a 1-inch found iron pipe for witness bears North 71 degrees 42 minutes 15 seconds West, 0.44 of a foot, said point also being on the common south line of Lot 3, Block 6114, Polo Acres, an addition to the City of Dallas, Texas, as recorded in Volume 2005074, Page 191, O.P.R.D.C.T;

THENCE North 89 degrees 11 minutes 35 seconds East, continuing with said common line, passing at a distance of 319.15 feet the southeast corner of said Lot 3 and the southwest corner of a tract of land described to the City of Dallas, as recorded in Volume 97098, Page 2767, D.R.D.C.T., and continuing with said common line in all, a total distance of 438.47 feet to 1/2-inch found iron rod with plastic cap stamped "Fugate Surveying" for corner, said point also being on the west right-of-way line of Coombs Creek Drive (a called 100-foot wide right-of-way);

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EXHIBIT A

FIELD NOTES O.K. JER 11-3-11

THENCE South 88 degrees 32 minutes 00 seconds East, continuing with said common line, over and across said Coombs Creek Drive, a distance of 109.91 feet to a calculated point for corner on the east right-of-way line of said Coombs Creek Drive, said point being the most westerly southwest corner of that tract of land described in Special Warranty Deed to the City of Dallas, Texas, as recorded in Volume 97043, Page 6493, D.R.D.C.T., from which point a 5/8-inch found iron pipe for witness bears North 23 degrees 07 minutes 49 seconds West, 2.15 feet,

THENCE North 89 degrees 15 minutes 14 seconds East, continuing with said common line, a distance of 61.00 feet to a 1/2-inch set iron rod with cap for corner;

THENCE North 66 degrees 30 minutes 14 seconds East, continuing with said common line, a distance of 35.55 feet to a calculated point for the southeast corner of said City of Dallas tract and the south corner of Lot 7, Block A/6115, Sierra Vista, an addition to the City of Dallas, Texas, as recorded in Volume 2004122, Page 5257, O.P.R.D.C.T, from which point a 1/2-inch found iron rod with cap stamped "Pacheco Koch" for witness bears North 43 degrees 07 minutes 36 seconds West, 0.67 of a foot;

THENCE North 66 degrees 19 minutes 30 seconds East, with the common south line of said addition and north line of said GC&SF Hale Cement tract, same being the common north line of City of Dallas Block 6990 and the south line of City of Dallas Block A/6115, a distance of 1,156.45 feet to a calculated point for corner, from which point a 1/2-inch found iron rod with cap stamped "Pacheco Koch" for witness bears North 31 degrees 07 minutes 36 seconds West, 0.67 of a foot;

THENCE North 88 degrees 59 minutes 30 seconds East, continuing with said common line, a distance of 90.82 feet to a calculated point for corner, from which point a 1/2-inch found iron rod with cap stamped "Pacheco Koch" for witness bears North 73 degrees 10 minutes 18 seconds West, 0.24 of a foot;

THENCE North 66 degrees 19 minutes 30 seconds East, continuing with said common line, a distance of 98.30 feet to a calculated point for corner, from which point a 1/2-inch found iron rod with cap stamped "Pacheco Koch" for witness bears North 42 degrees 23 minutes 30 seconds West, 0.28 of a foot;

THENCE North 01 degree 00 minutes 30 seconds West, continuing with said common line, a distance of 37.93 feet to a 1/2-inch found iron rod with cap stamped "Pacheco Koch" for corner;

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EXHIBIT A

FIELD NOTES O.K. DGR 11-3-11

THENCE North 66 degrees 19 minutes 30 seconds East, continuing with said common line, a distance of 491.33 feet to a calculated point for the southeast corner of City of Dallas Block A/6115 and the southwest corner of City of Dallas Block 6115, same point being the southwest corner of a tract of land described by Warranty Deed to Long John Silver's Inc., as recorded in Volume 93032, Page 4525, D.R.D.C.T., from which point a 3/8-inch found iron rod bears North 83 degrees 44 minutes 35 seconds West, 0.26 of a foot, and a disturbed 1/2-inch found iron rod bears North 39 degrees 53 minutes 43 seconds East, 0.25 of a foot;

THENCE North 66 degrees 19 minutes 30 seconds East, continuing with the common south line of City of Dallas Block 6115 and the north line of City of Dallas Block 6990, passing a calculated point at a distance of 212.93 feet, same point being the southeast corner of said Long John Silver's Inc. tract, from which point a 1/2-inch found iron rod bears South 23 degrees 27 minutes 48 seconds East, 1.61 feet, and continuing with said common line in all, a total distance of 249.74 feet to a set "X" in concrete for the most easterly northeast common corner of said City of Dallas Block 6990 and said GC&SF Hale Cement tract on the west right-of-way line of said Westmoreland Road;

THENCE South 00 degrees 55 minutes 19 seconds East, departing said common Block line and with the common east line of City of Dallas Block 6990 and said GC&SF Hale Cement tract and the west right-of-way line of said Westmoreland Road, a distance of 111.03 feet to the POINT OF BEGINNING AND CONTAINING 1,501,512 square feet or 34.47 acres of land, more or less, of which approximately 42,014 square feet of land is in the roadway of Coombs Creek Drive, to which no warranty is made hereunder, but all of which land is herein conveyed.

FIELD NOTES DESCRIBING 34.47 ACRES (1,501,512 SQUARE FEET)
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EXHIBIT A

"Basis of Bearing is NAD 83 (NSRS2007) Texas State Plane North Central Zone 4202 as observed by GPS on Julian day 097 of 2011 from Western Data Systems network station "DUNP". Convergence angle at "DUNP" is +00 degrees 56 minutes 34.23759 seconds."

FIELD NOTES O.K. 11-3-11

I, Colin J. Henry, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this Survey correctly reflects the location of the property lines and other matters of record. This map is the result of an on-the-ground Survey, conducted by me or under my supervision, during the month of July, 2011, and substantially complies with the current Texas Society of Professional Surveyor's Standards and Specifications for a Category 1A, Condition II survey.

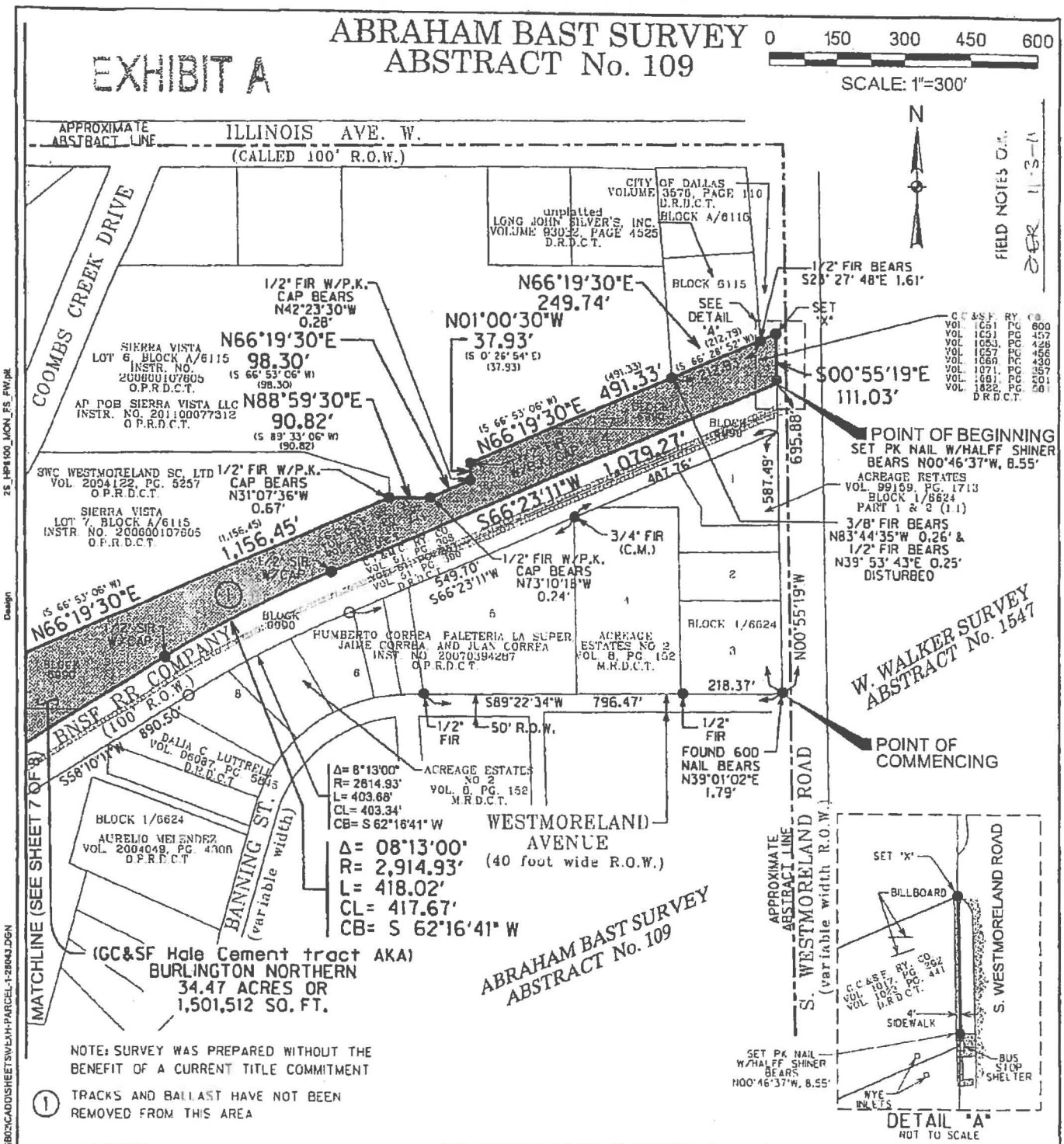
8/1/2011

Colin J. Henry, R.P.L.S. Date
Registered Professional Land Surveyor
Texas Registration No. 5230
Halff Associates, Inc.,
1201 North Bowser Rd.
Richardson, Texas 75081
214-346-6212

STATE OF TEXAS REGISTERED COLIN J. HENRY 5230 PROFESSIONAL LAND SURVEYOR

EXHIBIT A

ABRAHAM BAST SURVEY
ABSTRACT No. 109



NOTE: SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT

(1) TRACKS AND BALLAST HAVE NOT BEEN REMOVED FROM THIS AREA

LEGEND

R.O.W.	RIGHT-OF-WAY
C.M.	CONTROLLING MONUMENT
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
INSTR. NO.	INSTRUMENT NUMBER
½" FIR W/P.K. CAP	ONE HALF INCH FOUND IRON ROD WITH PACHECO KOCH CAP
F.I.R.	FOUND IRON ROD
F.I.P.	FOUND IRON PIPE
FCP	FENCE CORNER POST

FIELD NOTES DESCRIBING 34.47 ACRES (1,501,512 SQUARE FEET)
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043D-12

HALFF
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE: JULY, 2011
AVO.: 28043

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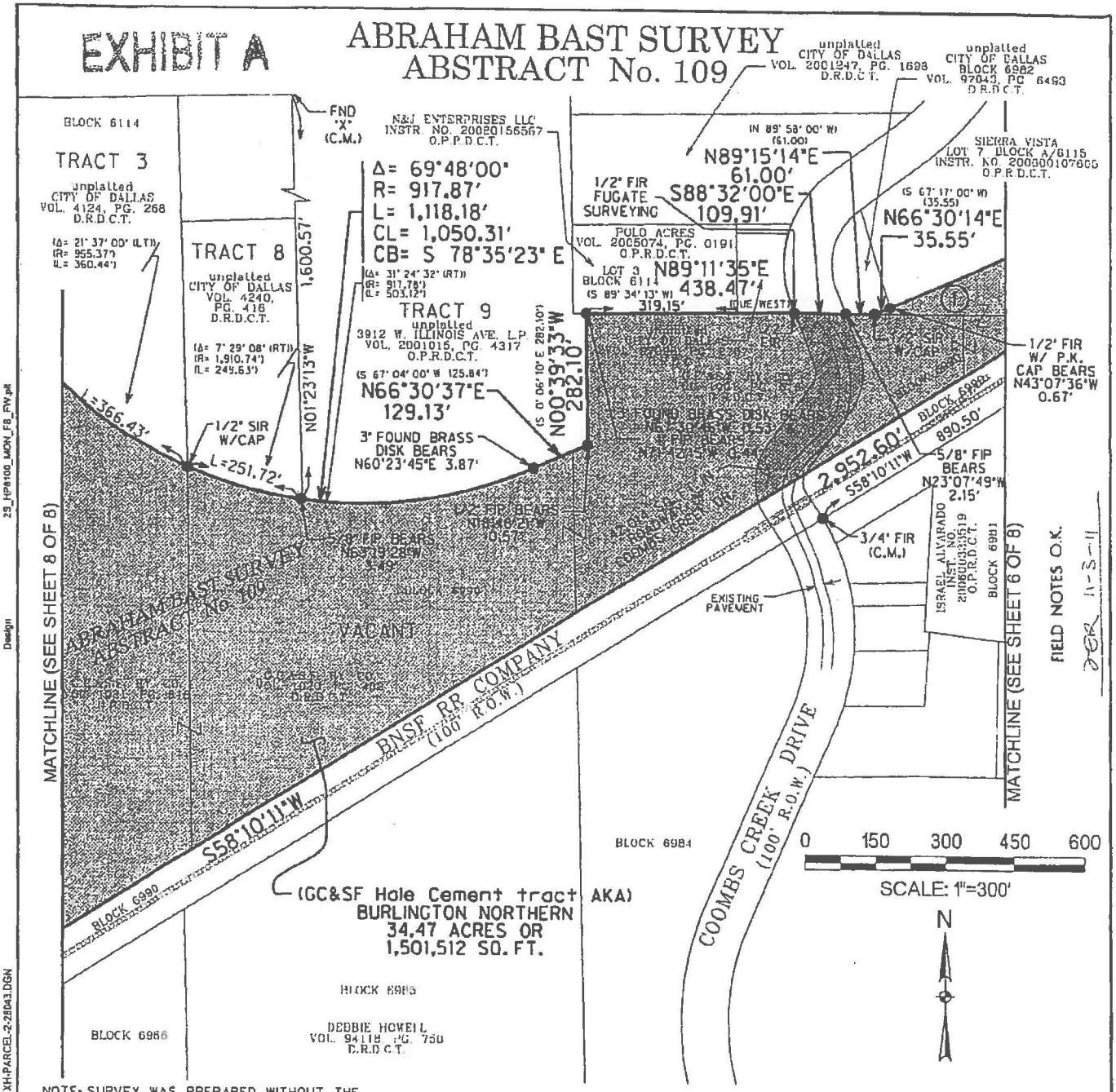
EXHIBIT A

ABRAHAM BAST SURVEY
ABSTRACT No. 109



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1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE: JULY, 2011
AVO.: 28043

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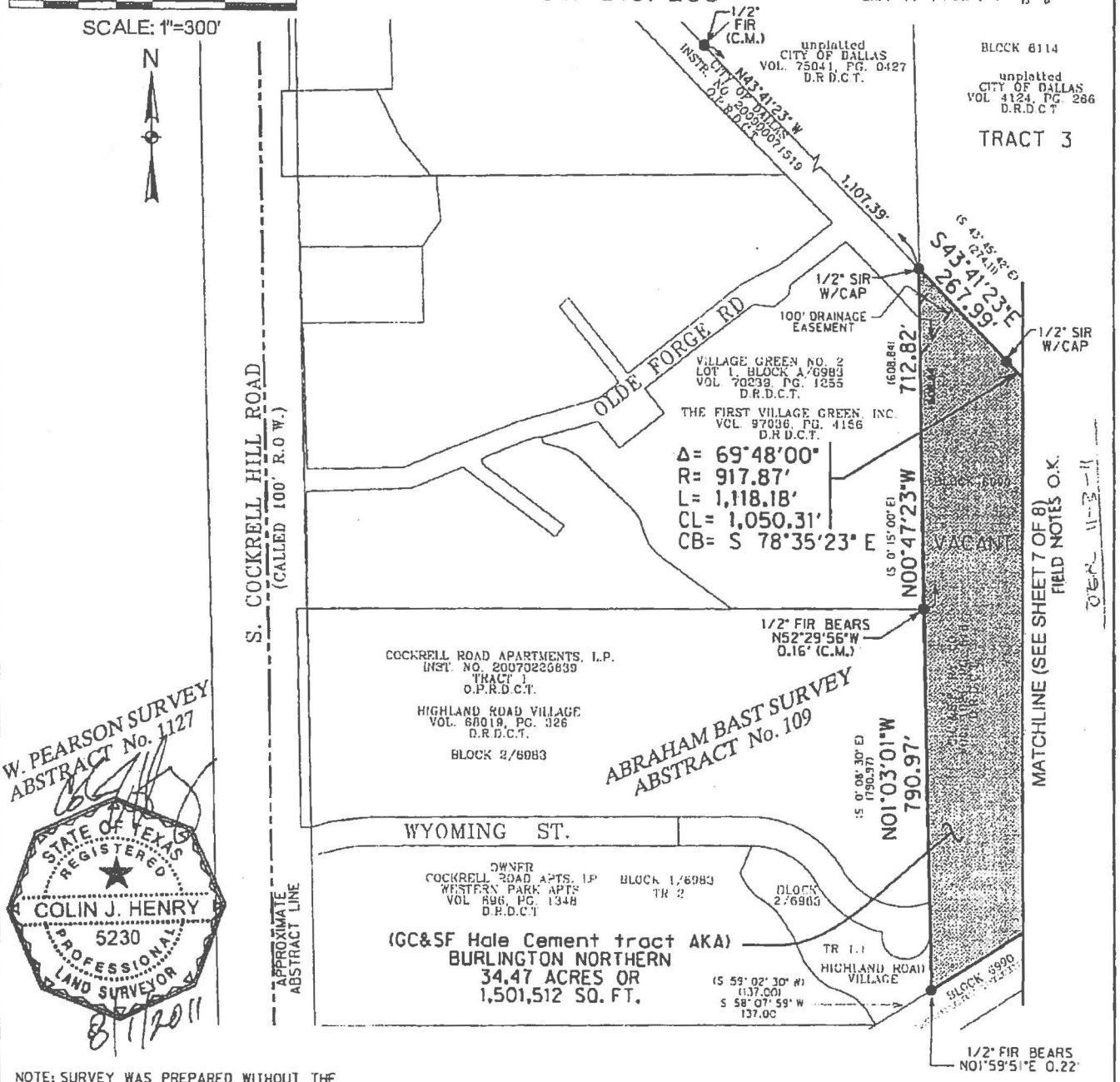
ABRAHAM BAST SURVEY
ABSTRACT No. 109

EXHIBIT A



NOTE: SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT

LEGEND

R.O.W.	RIGHT-OF-WAY
C.M.	CONTROLLING MONUMENT
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D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
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HALFF
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE: JULY, 2011
AVO.: 28043

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EXHIBIT B

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

THE STATE OF TEXAS §
§ KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF DALLAS §

That Burlington Northern and Santa Fe Railway Company, a Delaware corporation, (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Dallas, State of Texas, for and in consideration of the sum of NINE HUNDRED AND FIFTY THOUSAND AND 00/100 DOLLARS ($950,000.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas, 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has granted, sold and conveyed and does hereby grant, sell and convey unto City, its successors and assigns, all of the property described in Exhibit "A", attached hereto and made a part hereof by reference for all purposes.

SPECIAL PROVISIONS: None

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto City, its successors and assigns forever, and Grantor binds Grantor and Grantor's heirs, executors, administrators or successors, to Warrant and Forever Defend all and singular the said premises unto City, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this _____ day of _____, _____.

Burlington Northern and Santa Fe Railway Company,
a Delaware corporation

By _____
Mark Ude, Assistant Vice President

EXHIBIT B

* *

STATE OF DELAWARE '
COUNTY OF _____ '

This instrument was acknowledged before me on _____

by Mark Ude, Assistant Vice President of Burlington Northern and Santa Fe Railway Company, a Delaware corporation, on behalf of said corporation.

_____
Notary Public, State of DELAWARE

* *

After recording return to:
City of Dallas
Department of Sustainable Development and Construction
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: Shaun Davis

Warranty Deed Log No. 38420

FIELD NOTES DESCRIBING 34.47 ACRES (1,501,512 SQUARE FEET)
PART OF OFFICIAL CITY OF DALLAS BLOCK NUMBER 6990
TO BE ACQUIRED FOR PARK
FROM BURLINGTON NORTHERN
IN THE ABRAHAM BAST SURVEY, ABSTRACT NUMBER 109,
CITY OF DALLAS, DALLAS COUNTY, TEXAS
CITY DRAWING NUMBER 043D-12

EXHIBIT A

FIELD NOTES O.K.
DE. Ramsey 11-3-11

BEING a 34.47 acre (1,501,512 square feet) tract of land situated in the Abraham Bast Survey, Abstract Number 109, City of Dallas, Dallas County, Texas, and being part of Official City of Dallas Block Number 6990, and being all of a called 12.3 acre tract of land described in Warranty Deed to Gulf, Colorado and Santa Fe Railway Company, (GC&SF RY Co.) as recorded in Volume 1021, Page 618, of the Deed Records of Dallas County, Texas, (D.R.D.C.T.), and being all of a called 7.17 acre tract of land described in Warranty Deed to said GC&SF RY Co., as recorded in Volume 1001, Page 516, D.R.D.C.T., and being all of a called 4 acre tract of land described in Warranty Deeds to said GC&SF RY Co., as recorded in Volume 1017, Page 292, and Volume 1023, Page 441, D.R.D.C.T., and being all of a called 10.05 acre tract of land described in Warranty Deed to said GC&SF RY Co., as recorded in Volume 1020, Page 432, D.R.D.C.T., and being all of a called 0.91 acre tract of land described in Warranty Deeds to said GC&SF RY Co., as recorded in Volume 1051, Page 600, Volume 1051, Page 457, Volume 1053, Page 426, Volume 1057, Page 456, Volume 1069, Page 430, Volume 1071, Page 357, Volume 1081, Page 201, and Volume 1822, Page 561, D.R.D.C.T., said tract being hereinafter referred to as (GC&SF Hale Cement tract), and being more particularly described as follows:

COMMENCING at a calculated point located at the intersection of the west right-of-way line of Westmoreland Road (a variable width right-of-way) with the north right-of-way line of Westmoreland Avenue (a 40 foot wide right-of-way), same being the south line of Block 1 (Block 1/6624 official City of Dallas Block Numbers), said point also being the southeast corner of Lot 3, Block 1/6624 as dedicated by Acreage Estates Number 2, an addtion to the City of Dallas, Texas, as recorded in Volume 8, Page 152, Map Records of Dallas County, Texas, (M.R.D.C.T.) from which point a found 60D nail for witness bears North 39 degrees 01 minute 02 seconds East, 1.79 feet, and a 1/2-inch found iron rod for witness bears South 89 degrees 22 minutes 34 seconds West, 218.37 feet, and a 1/2-inch found iron rod for witness bears South 89 degrees 22 minutes 34 seconds West, 796.47 feet;

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FIELD NOTES C 11-3-11

THENCE North 00 degrees 55 minutes 19 seconds West, departing said north right-of-way line and with the common west right-of-way line of said Westmoreland Road and the east line of said City of Dallas Block 1/6624 and the east line of said addition, passing at a distance of 587.49 feet the north corner of said addition and the southeast corner of City of Dallas Block 6990, and continuing with said west right-of-way line in all, a total distance of 695.88 feet to a calculated point for the POINT OF BEGINNING of the herein described tract of land, from which point a set PK nail with shiner stamped "HALFF" for witness bears North 00 degrees 46 minutes 37 seconds West, 8.55 feet, said point also being at the intersection of said west right-of-way line with the common north right-of-way line of a called 100 foot wide strip of land described by Warranty Deeds to the Chicago, Texas and Mexican Central Railway Company, (CT&MC RY Co.) as recorded in Volume 51, Page 381, Volume 51, Page 368, and Volume 51, Page 390, D.R.D.C.T., known as BNSF Railway Company (currently owned and operated by BNSF), and the south line of said GC&SF Hale Cement tract;

THENCE South 66 degrees 23 minutes 11 seconds West, departing the west right-of-way line of said Westmoreland Road and with the common south line of said GC&SF Hale Cement tract and the north right-of-way line of said BNSF, a distance of 1,079.27 feet to a 1/2-inch set iron rod with yellow plastic cap stamped "HALFF" (hereinafter referred to as "with cap") for the point of curvature of a tangent circular curve to the left having a radius of 2,914.93 feet, whose chord bears South 62 degrees 16 minutes 41 seconds West, a distance of 417.67 feet;

THENCE Southwesterly, continuing with said common line and along said curve, through a central angle of 08 degrees 13 minutes 00 seconds, an arc distance of 418.02 feet to a 1/2-inch set iron rod with cap for the point of tangency;

THENCE South 58 degrees 10 minutes 11 seconds West, continuing with said common line, a distance of 2,952.60 feet to a calculated point for the southwest corner of said GC&SF Hale Cement tract and the easterly southeast corner of City of Dallas Block 2/6983 Highland Road Village, an addition to the City of Dallas, Texas, as recorded in Volume 68019, Page 326, D.R.D.C.T., from which point a 1/2-inch found iron rod for witness bears North 01 degree 59 minutes 51 seconds East, 0.22 of a foot;

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EXHIBIT

FIELD NOTES O.K.
DGR 11-3-11

THENCE North 01 degree 03 minutes 01 second West, departing the north right-of-way line of said BNSF and with the common east line of said Highland Road Village addition and the west line of said GC&SF Hale Cement tract, a distance of 790.97 feet to a calculated point for corner, same point being the northeast corner City of Dallas Block Number 2/6983 and also being the southeast corner of Lot 1, Block A/6983, Village Green Number 2, an addition to the City of Dallas, Texas, as recorded in Volume 70239, Page 1255, D.R.D.C.T., from which point a 1/2-inch found iron rod for witness bears North 52 degrees 29 minutes 56 seconds West, 0.16 of a foot;

THENCE North 00 degrees 47 minutes 23 seconds West, with the common east line of said Village Green Number 2 addition and the west line of said GC&SF Hale Cement tract, passing at a distance of 608.84 feet the northeast corner of said Lot 1, Block A/6983, same being the southeast corner of that tract of land described in Special Warranty Deed to the City of Dallas, Texas, as recorded in Instrument Number 200900071519 of the Official Public Records of Dallas County, Texas (O.P.R.D.C.T.), and continuing with the common east line of said City of Dallas tract and the west line of said GC&SF Hale Cement tract in all, a total distance of 712.82 feet to a 1/2-inch set iron rod with cap for corner, same point being the most westerly northwest corner of said GC&SF Hale Cement tract and the most easterly northeast corner of said City of Dallas tract, and also being the south corner of that tract of land described by Deed to the City of Dallas, Texas, as recorded in Volume 75041, Page 427, D.R.D.C.T., and also being the southwest corner of that tract of land described as Tract 3 by Warranty Deed to the City of Dallas, Texas, as recorded in Volume 4124, Page 266, D.R.D.C.T., and also being in the common south line of City of Dallas Block 6114 and the north line of City of Dallas Block 6990;

THENCE South 43 degrees 41 minutes 23 seconds East, with the common northerly line of said GC&SF Hale Cement tract and southerly line of said City of Dallas Tract 3 and with said common Block line, a distance of 267.99 feet to a 1/2-inch set iron rod with cap for the point of curvature of a tangent circular curve to the left having a radius of 917.87 feet, whose chord bears South 78 degrees 35 minutes 23 seconds East, a distance of 1,050.31 feet;

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FIELD NOTES O.K. DER 11-3-11

THENCE Southeasterly, continuing with said common line and along said curve, passing a 1/2-inch set iron rod with cap at an arc distance of 366.43 feet for the southeast corner of said Tract 3 and the southwest corner of a tract of land described as Tract 8 by Warranty Deed to the City of Dallas, Texas, as recorded in Volume 4240, Page 416, D.R.D.C.T., and continuing with said common line and along said curve, passing a calculated point at a cumulative arc distance of 618.15 feet for the southeast corner of said Tract 8 and the southwest corner of a tract of land described as Tract 9 to 3912 West Illinois Avenue, L.P. by Warranty Deed as recorded in Volume 2001015, Page 4317, D.R.D.C.T., from which point a 5/8-inch found iron pipe for witness bears North 63 degrees 19 minutes 28 seconds West, 3.49 feet, and continuing with said common line and along said curve through a central angle of 69 degrees 48 minutes 00 seconds, in all, a total arc distance of 1,118.18 feet to a calculated point for the point of tangency, from which point a 3-inch found brass disk for witness bears North 60 degrees 23 minutes 45 seconds East, 3.87 feet;

THENCE North 66 degrees 30 minutes 37 seconds East, continuing with said common line, a distance of 129.13 feet to a calculated point for corner, from which point a 1/2-inch found iron pipe for witness bears North 18 degrees 48 minutes 21 seconds West, 0.57 of a foot;

THENCE North 00 degrees 39 minutes 33 seconds West, continuing with said common line, a distance of 282.10 feet to a calculated point for corner, from which point a 3-inch found brass disk for witness bears North 67 degrees 30 minutes 46 seconds West, 0.53 of a foot, and a 1-inch found iron pipe for witness bears North 71 degrees 42 minutes 15 seconds West, 0.44 of a foot, said point also being on the common south line of Lot 3, Block 6114, Polo Acres, an addition to the City of Dallas, Texas, as recorded in Volume 2005074, Page 191, O.P.R.D.C.T;

THENCE North 89 degrees 11 minutes 35 seconds East, continuing with said common line, passing at a distance of 319.15 feet the southeast corner of said Lot 3 and the southwest corner of a tract of land described to the City of Dallas, as recorded in Volume 97098, Page 2767, D.R.D.C.T., and continuing with said common line in all, a total distance of 438.47 feet to 1/2-inch found iron rod with plastic cap stamped "Fugate Surveying" for corner, said point also being on the west right-of-way line of Coombs Creek Drive (a called 100-foot wide right-of-way);

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FIELD NOTES O.K. DER 11-3-11

THENCE South 88 degrees 32 minutes 00 seconds East, continuing with said common line, over and across said Coombs Creek Drive, a distance of 109.91 feet to a calculated point for corner on the east right-of-way line of said Coombs Creek Drive, said point being the most westerly southwest corner of that tract of land described in Special Warranty Deed to the City of Dallas, Texas, as recorded in Volume 97043, Page 6493, D.R.D.C.T., from which point a 5/8-inch found iron pipe for witness bears North 23 degrees 07 minutes 49 seconds West, 2.15 feet,

THENCE North 89 degrees 15 minutes 14 seconds East, continuing with said common line, a distance of 61.00 feet to a 1/2-inch set iron rod with cap for corner;

THENCE North 66 degrees 30 minutes 14 seconds East, continuing with said common line, a distance of 35.55 feet to a calculated point for the southeast corner of said City of Dallas tract and the south corner of Lot 7, Block A/6115, Sierra Vista, an addition to the City of Dallas, Texas, as recorded in Volume 2004122, Page 5257, O.P.R.D.C.T, from which point a 1/2-inch found iron rod with cap stamped "Pacheco Koch" for witness bears North 43 degrees 07 minutes 36 seconds West, 0.67 of a foot;

THENCE North 66 degrees 19 minutes 30 seconds East, with the common south line of said addition and north line of said GC&SF Hale Cement tract, same being the common north line of City of Dallas Block 6990 and the south line of City of Dallas Block A/6115, a distance of 1,156.45 feet to a calculated point for corner, from which point a 1/2-inch found iron rod with cap stamped "Pacheco Koch" for witness bears North 31 degrees 07 minutes 36 seconds West, 0.67 of a foot;

THENCE North 88 degrees 59 minutes 30 seconds East, continuing with said common line, a distance of 90.82 feet to a calculated point for corner, from which point a 1/2-inch found iron rod with cap stamped "Pacheco Koch" for witness bears North 73 degrees 10 minutes 18 seconds West, 0.24 of a foot;

THENCE North 66 degrees 19 minutes 30 seconds East, continuing with said common line, a distance of 98.30 feet to a calculated point for corner, from which point a 1/2-inch found iron rod with cap stamped "Pacheco Koch" for witness bears North 42 degrees 23 minutes 30 seconds West, 0.28 of a foot;

THENCE North 01 degree 00 minutes 30 seconds West, continuing with said common line, a distance of 37.93 feet to a 1/2-inch found iron rod with cap stamped "Pacheco Koch" for corner;

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EXHIBIT A

FIELD NOTES O.K. DGR 11-3-11

THENCE North 66 degrees 19 minutes 30 seconds East, continuing with said common line, a distance of 491.33 feet to a calculated point for the southeast corner of City of Dallas Block A/6115 and the southwest corner of City of Dallas Block 6115, same point being the southwest corner of a tract of land described by Warranty Deed to Long John Silver's Inc., as recorded in Volume 93032, Page 4525, D.R.D.C.T., from which point a 3/8-inch found iron rod bears North 83 degrees 44 minutes 35 seconds West, 0.26 of a foot, and a disturbed 1/2-inch found iron rod bears North 39 degrees 53 minutes 43 seconds East, 0.25 of a foot;

THENCE North 66 degrees 19 minutes 30 seconds East, continuing with the common south line of City of Dallas Block 6115 and the north line of City of Dallas Block 6990, passing a calculated point at a distance of 212.93 feet, same point being the southeast corner of said Long John Silver's Inc. tract, from which point a 1/2-inch found iron rod bears South 23 degrees 27 minutes 48 seconds East, 1.61 feet, and continuing with said common line in all, a total distance of 249.74 feet to a set "X" in concrete for the most easterly northeast common corner of said City of Dallas Block 6990 and said GC&SF Hale Cement tract on the west right-of-way line of said Westmoreland Road;

THENCE South 00 degrees 55 minutes 19 seconds East, departing said common Block line and with the common east line of City of Dallas Block 6990 and said GC&SF Hale Cement tract and the west right-of-way line of said Westmoreland Road, a distance of 111.03 feet to the POINT OF BEGINNING AND CONTAINING 1,501,512 square feet or 34.47 acres of land, more or less, of which approximately 42,014 square feet of land is in the roadway of Coombs Creek Drive, to which no warranty is made hereunder, but all of which land is herein conveyed.

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EXHIBIT A

FIELD NOTES O.K. 11-3-11

"Basis of Bearing is NAD 83 (NSRS2007) Texas State Plane North Central Zone 4202 as observed by GPS on Julian day 097 of 2011 from Western Data Systems network station "DUNP". Convergence angle at "DUNP" is +00 degrees 56 minutes 34.23759 seconds."

I, Colin J. Henry, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this Survey correctly reflects the location of the property lines and other matters of record. This map is the result of an on-the-ground Survey, conducted by me or under my supervision, during the month of July, 2011, and substantially complies with the current Texas Society of Professional Surveyor's Standards and Specifications for a Category 1A, Condition II survey.

8/1/2011

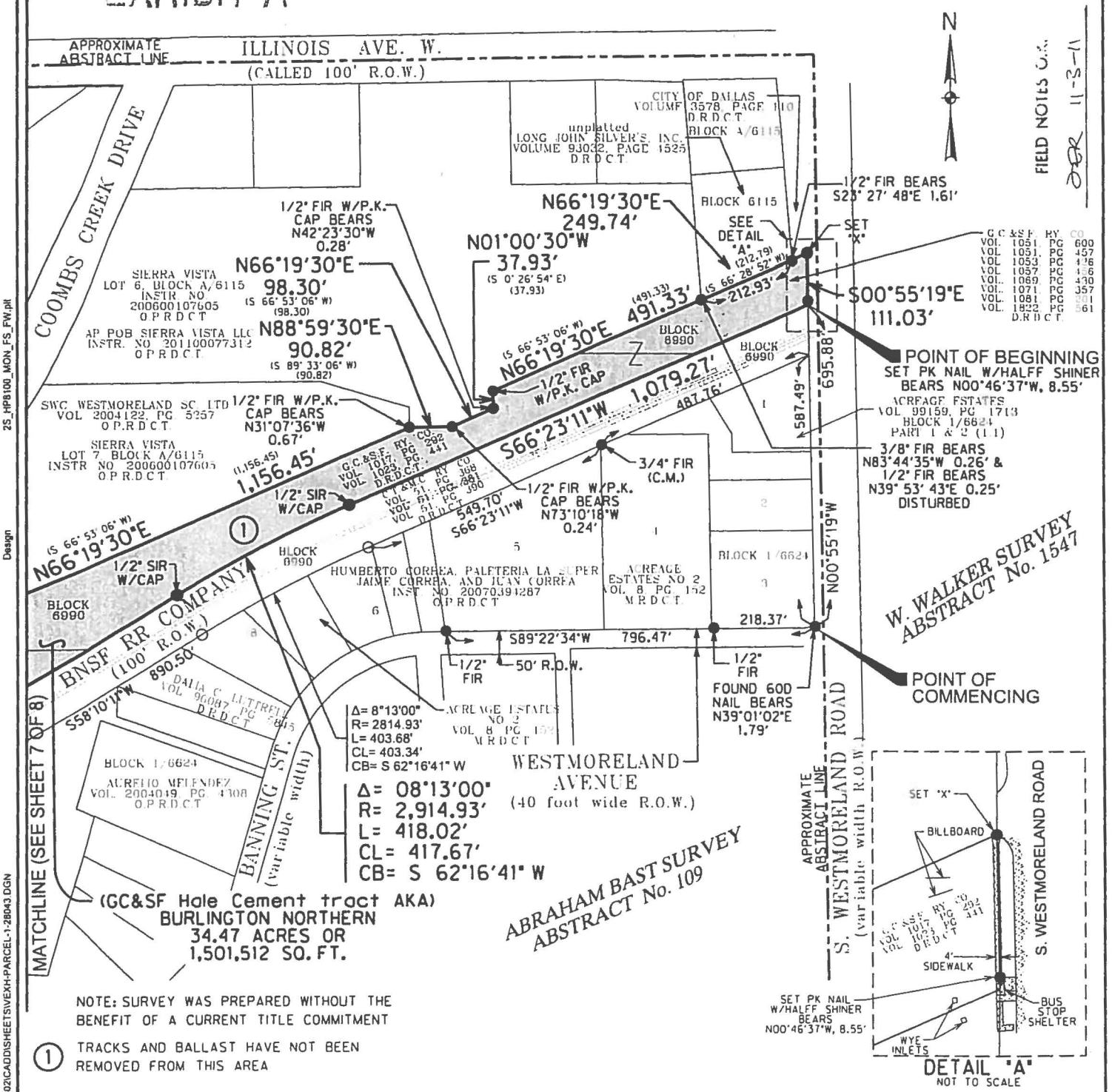
Colin J. Henry, R.P.L.S. Date
Registered Professional Land Surveyor
Texas Registration No. 5230
Halff Associates, Inc.,
1201 North Bowser Rd.
Richardson, Texas 75081
214-346-6212

EXHIBIT A

ABRAHAM BAST SURVEY
ABSTRACT No. 109

0 150 300 450 600

SCALE: 1"=300'



NOTE: SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT

(1) TRACKS AND BALLAST HAVE NOT BEEN REMOVED FROM THIS AREA

LEGEND

R.O.W.	RIGHT-OF-WAY
C.M.	CONTROLLING MONUMENT
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
INSTR. NO.	INSTRUMENT NUMBER
1/2" FIR W/P.K. CAP	ONE HALF INCH FOUND IRON ROD WITH PACHECO KOCH CAP
F.I.R.	FOUND IRON ROD
F.I.P.	FOUND IRON PIPE
FCP	FENCE CORNER POST

FIELD NOTES DESCRIBING 34.47 ACRES (1,501,512 SQUARE FEET) PART OF OFFICIAL CITY OF DALLAS BLOCK NUMBER 6990 TO BE ACQUIRED FOR PARK FROM BURLINGTON NORTHERN IN THE ABRAHAM BAST SURVEY, ABSTRACT NUMBER 109 CITY OF DALLAS, DALLAS COUNTY, TEXAS 043D-12

HALFF
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE: JULY, 2011

AVO.: 28043

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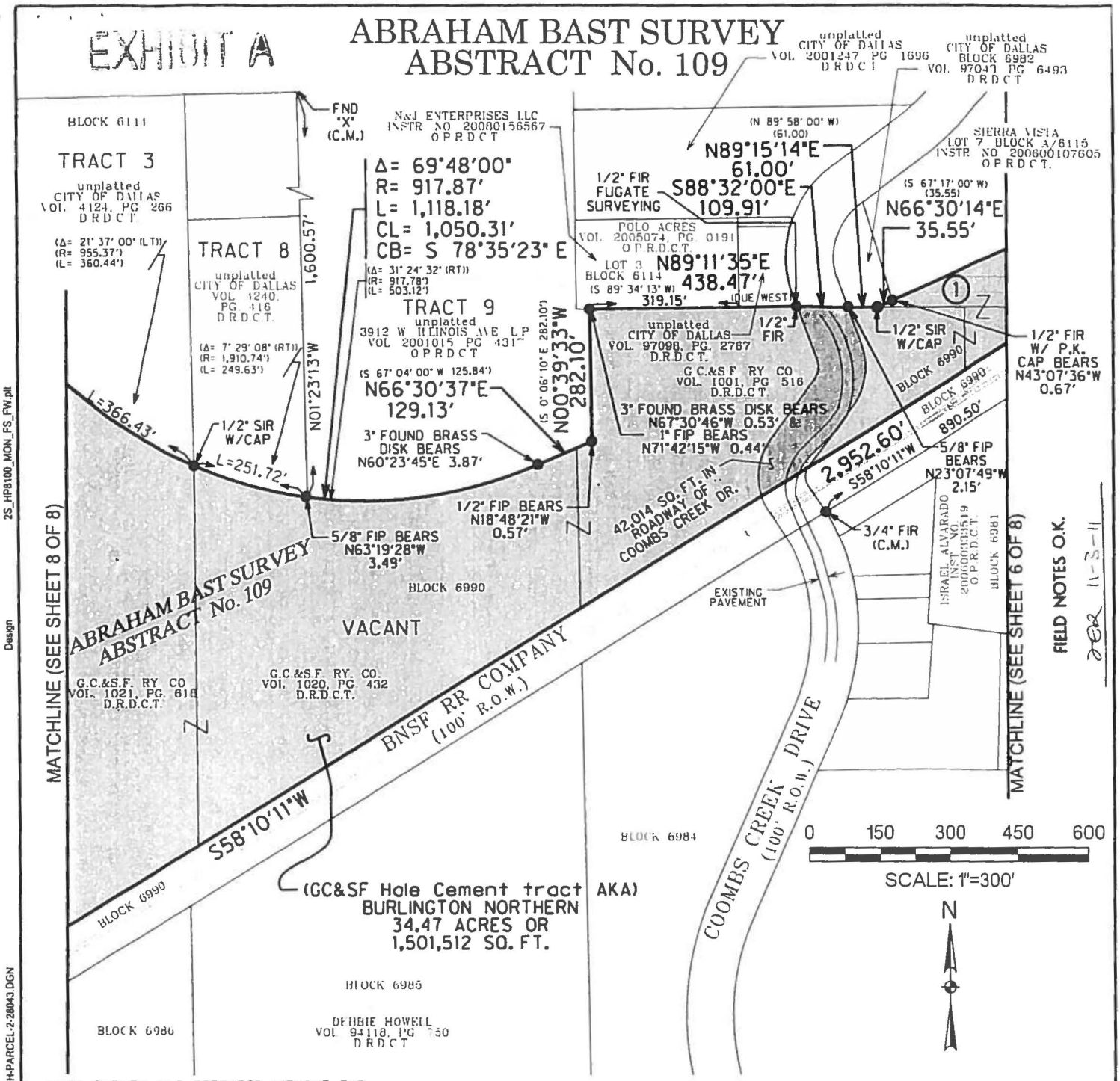
EXHIBIT A

ABRAHAM BAST SURVEY
ABSTRACT No. 109



NOTE: SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT

(1) TRACKS AND BALLAST HAVE NOT BEEN REMOVED FROM THIS AREA

LEGEND

R.O.W.	RIGHT-OF-WAY
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M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
INSTR. NO.	INSTRUMENT NUMBER
½" FIR W/P.K. CAP	ONE HALF INCH FOUND IRON ROD WITH PACHECO KOCH CAP
F.I.R.	FOUND IRON ROD
F.I.P.	FOUND IRON PIPE
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1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE: JULY, 2011
AVO.: 28043

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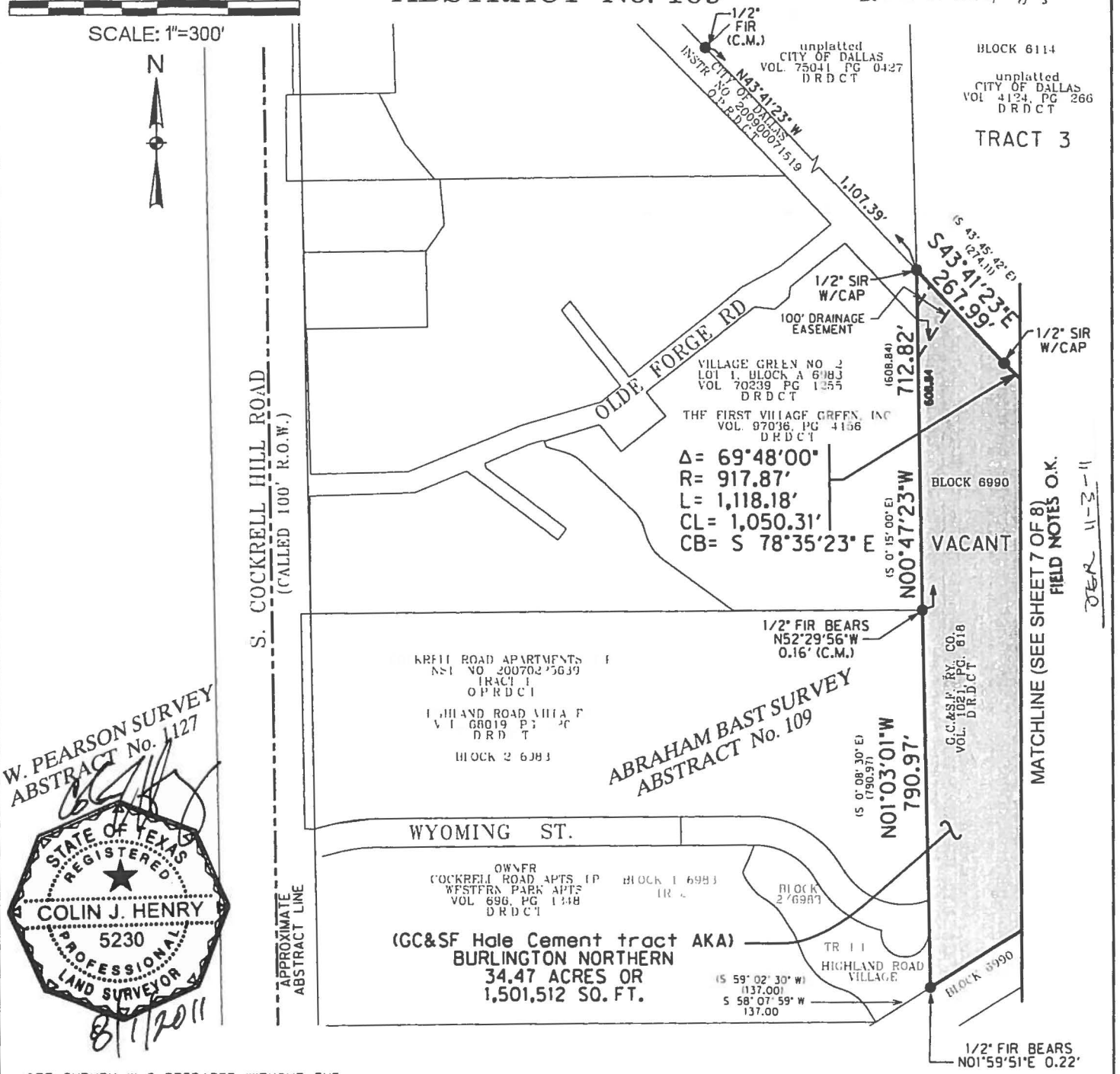
ABRAHAM BAST SURVEY
ABSTRACT No. 109

EXHIBIT A



NOTE: SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT

LEGEND

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C.M.	CONTROLLING MONUMENT
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HALFF
1201 N. BOWSER ROAD RICHARDSON, TEXAS 75081
TELE. (214)346-6200 FAX (214)739-0095

DATE: JULY, 2011
AVO.: 28043

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Agenda Information Sheet

File #: 18-811 **Item #:** 27.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 9

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A resolution authorizing the conveyance of a tract of land and Drainage Easement for a total of approximately 268 square feet of unimproved City-owned land to the State of Texas located near the intersection of Woodmeadow Parkway and La Prada Drive - Revenue: $4,000.00

BACKGROUND

This item authorizes the conveyance of a tract of land and Drainage Easement for a total of approximately 268 square feet of unimproved City-owned land to the State of Texas located near the intersection of Woodmeadow Parkway and La Prada Drive, for the redevelopment and improvement of Interstate Highway 635 Right-of-Way Project. The State of Texas is an entity with the power of eminent domain. The City may sell or exchange its property to a governmental entity that has the power of eminent domain without complying with the notice and bid requirements pursuant to Chapter 272 of the Local Government Code. The purchase price of $4,000.00 is based on an independent appraisal.

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

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on December 10, 2018.

FISCAL INFORMATION

Revenue: $4,000.00

MAP

Attached

powered by Legistar™

SURPLUS PROPERTY: 10600 WOODMEADOW PKWY

Tract of Land (Parcel 96)

Drainage Easement (Parcel 96E)

December 12, 2018

WHEREAS, the City of Dallas ("City") is the owner of a tract of land containing approximately 268 square feet of land, being in Block M/8579, Dallas, Dallas County, Texas, (the "Property"), and is located near the intersection of Woodmeadow Parkway and La Prada Drive, which is no longer needed for municipal use; and

WHEREAS, the Texas Department of Transportation, a State of Texas agency, has the power of eminent domain and proposes to acquire said property at fair market value for a state highway project for Interstate Highway 635; and

WHEREAS, the City of Dallas may sell or exchange its property to a governmental entity that has the power of eminent domain, for fair market value as determined by an appraisal, without complying with the notice and bidding requirements for the sale of public lands provided for in Chapter 272, Section 272.001 of the Texas Local Government Code; and

WHEREAS, certain provisions of Section 2-24 of the Dallas City Code do not apply to the sale of land by the City of Dallas to other governmental entities as contemplated and authorized herein.

Now, Therefore,

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

SECTION 1. That upon receipt of **FOUR THOUSAND AND NO/100 DOLLARS ($4,000.00)** from the State of Texas, acting by and through the Texas Transportation Commission, the City Manager or designee is authorized to execute a Deed Without Warranty and a Drainage Easement to be attested by the City Secretary, approved as to form by the City Attorney, said Deed Without Warranty and Drainage Easement are subject to the conditions contained in Section 2.

SECTION 2. That the Deed Without Warranty and a Drainage Easement shall provide that the conveyance to the State of Texas, acting by and through the Texas Transportation Commission, (**"GRANTEE"**) are subject to the following:

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

(b) 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

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

(d) 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

(e) 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

(f) 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. 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.

(g) 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 Services-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 the 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 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 designated for City purposes as Contract No. DEV-2018-00006993.

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-TRACT 1

County: Dallas
Highway: IH 635
Parcel 96
STA. 935+57.77 to STA. 936+36.89
ROW CSJ: 2374-02-115

December 2017
Revision No. 2-May 11, 2018

Description for Parcel 96

BEING 178 square feet of land situated in the Theophalus Thomas Survey, Abstract Number 1461, City of Dallas, Dallas County, Texas, being a part of a called 0.296 acre tract of land dedicated as Floodway Management Area on the plat of in Block M/8579 CREEKSIDE VILLAGE, an addition to the City of Dallas, Texas as recorded in Volume 82218, Page 1758 D.R.D.C.T., said 178 square feet (0.0041 of one acre) of land being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8-inch found iron rod with cap stamped "GSES,INC. RPLS 4804" (controlling monument) being at the point of reverse curvature of a circular curve to the right, having a radius of 635.98 feet, whose chord bears South 51 degrees 53 minutes 10 seconds East, a distance of 140.31 feet, and being on the existing northeasterly right-of-way line of Woodmeadow Parkway (variable width right-of-way, as dedicated to the City of Dallas, and shown on the plat of said Creekside Village) and the south line of Lot 4 of said CREEKSIDE VILLAGE;

THENCE Southeasterly, along said existing northeasterly right-of-way line of Woodmeadow Parkway and the south line of Lot 4 of said CREEKSIDE VILLAGE and along said circular curve to the right, through a central angle of 12 degrees 40 minutes 00 seconds, an arc length of 140.60 feet to a point for corner;

THENCE South 45 degrees 33 minutes 10 seconds East, continuing along the existing northeasterly right-of-way line of said Woodmeadow Parkway and the south line of said Lot 4, a distance of 1,065.42 feet to a 5/8-inch found iron rod with an unreadable cap (controlling monument) for the POINT OF BEGINNING at Station 935+57.77, 475.16 feet Right, having Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (NAD83) 2011 Adjustment, Epoch 2010.00 surface coordinates of North=6,995,988.69 feet, East=2,541,064.91 feet, and being the common southwest corner of said Lot 4 and northwest corner of said called Floodway Management Area;

1) THENCE North 65 degrees 10 minutes 51 seconds East, departing the existing northeasterly right-of-way line of said Woodmeadow Parkway, and along the common line between the north line of said Floodway Management Area and the south line of said Lot 4, a distance of 6.55 feet to a 5/8-inch set iron rod with a pink plastic cap marked "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT", at Station 935+58.82, 468.67 feet Right, being on the new northeasterly right-of-way line of Woodmeadow Parkway (variable width right-of-way), and being on a circular curve to the right, not being tangent to the preceding course, having a radius of 843.00 feet, whose chord bears South 38 degrees 36 minutes 22 seconds East, a distance of 14.12 feet;

FIELD NOTES APPROVED:
JVC 6-20-2018

2) THENCE Southeasterly, departing said common line between the north line of said Floodway Management Area and the south line of said Lot 4, with the new northeasterly right-of-way line of said Woodmeadow Parkway, and along said circular curve to the right, through a central angle of 00 degrees 57 minutes 34 seconds, an arc length of 14.12 feet to a 5/8-inch set iron rod with a pink plastic cap marked "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT", at Station 935+74.81, 467.24 feet Right, for the point of reverse curvature of a circular curve to the left, having a radius of 558.00 feet, whose chord bears South 40 degrees 57 minutes 52 seconds East, a distance of 55.25 feet;**

3) THENCE Southeasterly, continuing with the new northeasterly right-of-way line of said Woodmeadow Parkway, and along said circular curve to the left, through a central angle of 05 degrees 40 minutes 33 seconds, an arc length of 55.28 feet to a 5/8-inch set iron rod with a pink plastic cap marked "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT", at Station 936+36.89, 458.82 feet Right, for corner, being the point of intersection of the new northeasterly right-of-way line of said Woodmeadow Parkway and the existing northeasterly right-of-way line of said Woodmeadow Parkway;**

4) THENCE North 45 degrees 33 minutes 10 seconds West, departing the new northeasterly right-of-way line of said Woodmeadow Parkway and along the existing northeasterly right-of-way line of said Woodmeadow Parkway, a distance of 71.41 feet to the POINT OF BEGINNING AND CONTAINING 178 square feet (0.0041 of one acre) of land, more or less.

** The monument described in this call, if destroyed or damaged during construction, may be replaced with a TxDOT Type II Right-of-Way Marker upon the completion of the highway construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

FIELD NOTES APPROVED: JVC 6-20-2018

County: Dallas
Highway: IH 635
Parcel 96
STA. 935+57.77 to STA. 936+36.89
ROW CSJ: 2374-02-115

December 2017
Revision No. 2-May 11, 2018

NOTES:

1. Abstracting completed by Courthouse Research Specialist between May 2017 and October 2017.

2. Field surveys were performed between May 2017 and December 2017.

3. The Basis of Bearing is the Texas Coordinate System of 1983, North Central Zone (4202), TxDOT Virtual Reference System (VRS) RTK Network.

4. All coordinates and distances are US Survey Feet, displayed in surface values and may be converted to grid by dividing by the combined adjustment factor of 1.000136506 (TxDOT Dallas County Scale Factor).

5. Project control was established by others and provided by TxDOT.

6. The Station and Offset information refers to the baselines described in the Project Schematic which received environmental clearance on 4/24/2017; Project Control-Section-Job: 2374-02-053

7. A survey plat of even date accompanies this legal description.

05/11/2018

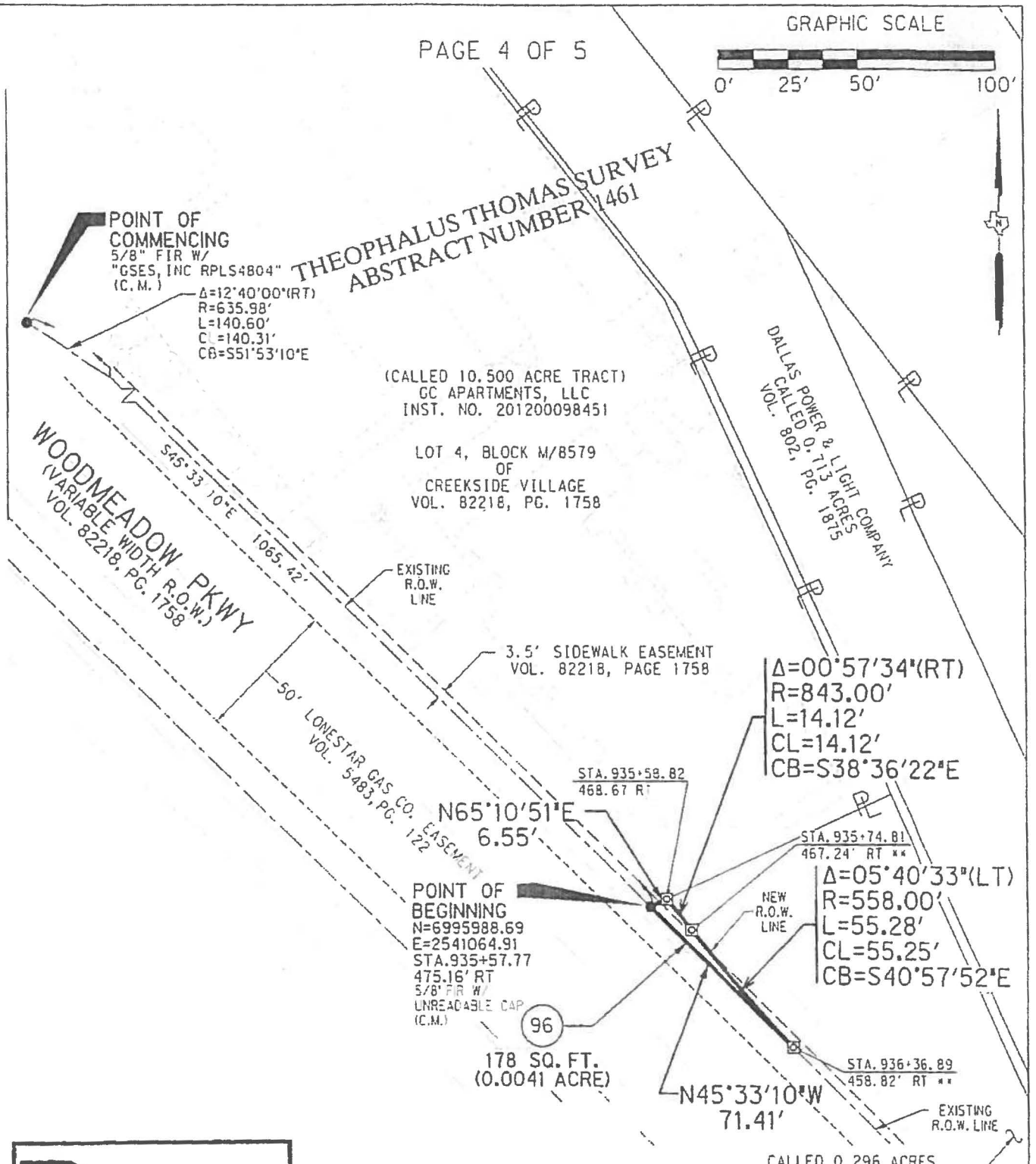
W. R. Wolfram III, R.P.L.S. Date
Texas Registration No. 6244

HALFF ASSOCIATES, INC.
14800 St. Mary's Lane, Suite 160
Houston, TEXAS 77079
TEL (713) 588-2450
TBPLS FIRM NO. 10029606

STATE OF TEXAS
REGISTERED
W. R. WOLFRAM, III
6244
PROFESSIONAL
LAND SURVEYOR

FIELD NOTES APPROVED:
6-20-2018

EXHIBIT A-TRACT 1



FIELD NOTES APPROVED: JVC 6-20-2018

A PLAT OF A SURVEY OF
PARCEL 96
FOR IH 635
RIGHT OF WAY RCSJ: 2374-02-115
178 SQ. FT. (0.0041 AC.)
IN THE THEOPHALUS THOMAS SURVEY
ABSTRACT NUMBER 1461
CITY OF DALLAS,
DALLAS COUNTY, TEXAS
DECEMBER 2017

REVISION NO. 2 - MAY 11, 2018

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EXHIBIT "A"
PAGE 5 OF 5

LEGEND

EXISTING RIGHT OF WAY LINE
RIGHT OF WAY DEED LINE
PARCEL BOUNDARY
NEW BASELINE
CONTINUOUS OWNERSHIP PER DEEDS AND UNITY OF USE
PROPERTY LINE
NEW ACCESS DENIAL LINE
EXISTING ACCESS DENIAL LINE
SURVEY LINE
CITY LIMITS
EXISTING EASEMENT LINE
EXISTING EASEMENT LINE
EXISTING EASEMENT LINE
NEW EASEMENT LINE
EXISTING VISIBLE IMPROVEMENTS

VOL. = VOLUME
PG. = PAGE
CAB. = CABINET
FIR = FOUND IRON ROD
FIP = FOUND IRON PIPE
(C.M.) = CONTROLLING MONUMENT
INST. NO. = INSTRUMENT NUMBER
MON. = MONUMENT
R.O.W. = RIGHT-OF-WAY
F.K.A. = FORMERLY KNOWN AS

⊡ = 5/8-INCH SET IRON ROD WITH A PINK PLASTIC CAP MARKED 'TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT'

□ = 5/8-INCH SET IRON ROD WITH AN ALUMINUM CAP STAMPED 'TXDOT ACCESS DENIAL POINT'

△ = SET 'X' (UNLESS NOTED)

● = FOUND MONUMENT (AS NOTED)

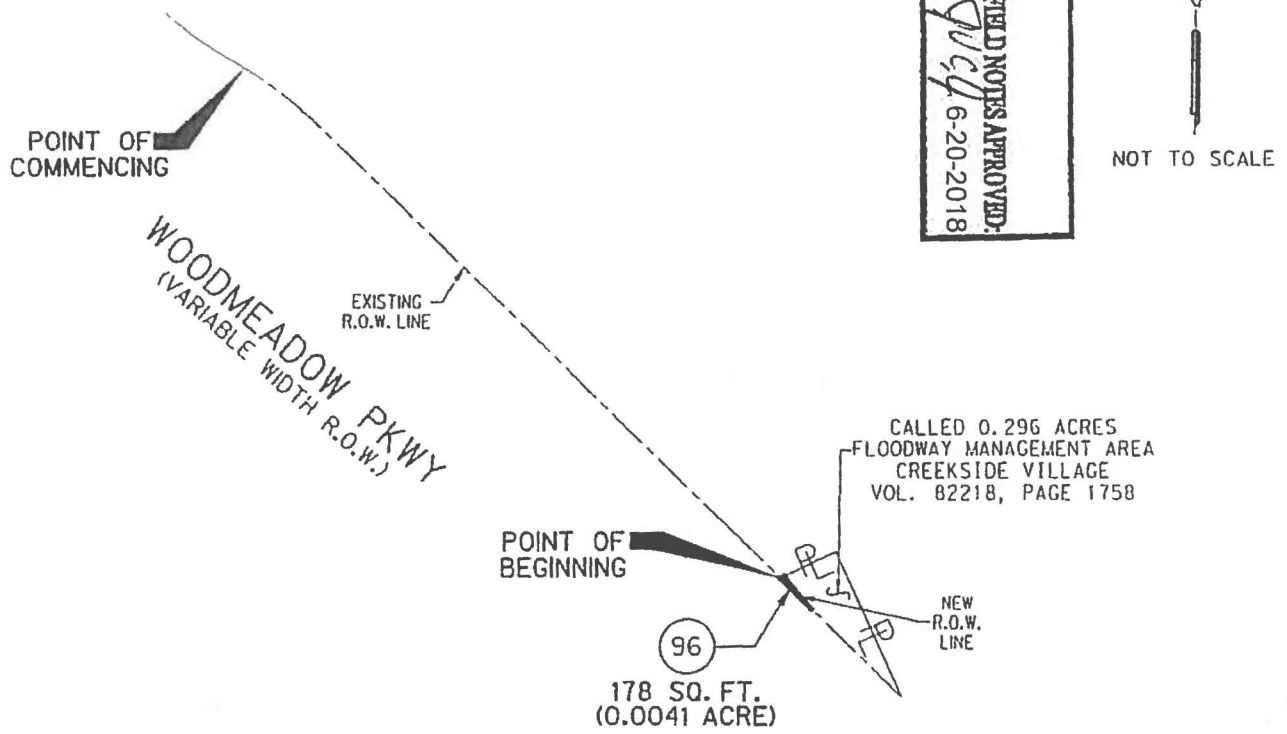
(1) = PARCEL NUMBER

** THE MONUMENT DESCRIBED IN THIS CALL, IF DESTROYED OR DAMAGED DURING CONSTRUCTION, MAY BE REPLACED WITH A TXDOT TYPE II RIGHT-OF-WAY MARKER UPON THE COMPLETION OF THE HIGHWAY CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.

GENERAL NOTES:
1. ABSTRACTING COMPLETED BY COURTHOUSE RESEARCH SPECIALIST BETWEEN JUNE 2017 AND JULY 2017.
2. FIELD SURVEYS WERE PERFORMED BETWEEN MAY 2017 AND DECEMBER 2017.
3. THE BASIS OF BEARING IS THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (4202), TxDOT VIRTUAL REFERENCE SYSTEM (VRS) RTK NETWORK.
4. ALL COORDINATES AND DISTANCES ARE US SURVEY FEET, DISPLAYED IN SURFACE VALUES AND MAY BE CONVERTED TO GRID BY DIVIDING BY THE COMBINED ADJUSTMENT FACTOR OF 1.000136506 (TxDOT DALLAS COUNTY SCALE FACTOR).
5. PROJECT CONTROL WAS ESTABLISHED BY OTHERS AND PROVIDED BY TxDOT.
6. THE STATION AND OFFSET INFORMATION REFERS TO THE BASELINE DESCRIBED IN THE PROJECT SCHEMATIC WHICH RECEIVED ENVIRONMENTAL CLEARANCE ON 4/24/2017; PROJECT CONTROL-SECTION-JOB: 2374-02-053.
7. A LEGAL DESCRIPTION OF EVEN DATE ACCOMPANIES THIS SURVEY PLAT.
8. VOLUME & PAGES AND INSTRUMENT NUMBERS SHOWN HEREON ARE REFERENCED TO THE DALLAS COUNTY CLERK'S RECORDS.

FIELD NOTES APPROVED
6-20-2018

NOT TO SCALE



PARENT TRACT INSET

PARCEL REMAINDER AREA

PARENT TRACT AREA (PLAT)	ACQUISITION AREA	CALC. REMAINDER AREA (RIGHT)
0.296 AC. (12,894 SQ. FT.)	0.0041 AC. (178 SQ. FT.)	0.2919 AC. (12,716 FT.)

(PLAT) = PLAT CALLED

A PLAT OF A SURVEY OF
PARCEL 96
FOR IH 635
RIGHT OF WAY RCSJ: 2374-02-115
178 SQ. FT. (0.0041 AC.)
IN THE THEOPHALUS THOMAS SURVEY
ABSTRACT NUMBER 1461
CITY OF DALLAS, DALLAS COUNTY, TEXAS
DECEMBER 2017

REVISION NO. 2 - MAY 11, 2018

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EXHIBIT A-TRACT 2

County: Dallas
Highway: III 635
Parcel 96 (E)
STA. 938+23.40 to STA. 938+49.19
ROW CSJ: 2374-02-115

December 2017
Revision No. 1-May 25, 2018

Description for Parcel 96 (E)

BEING 90 square feet of land situated in the Theophalus Thomas Survey, Abstract Number 1461, City of Dallas, Dallas County, Texas, being a part of a called 0.296 acre tract of land dedicated as Floodway Management Area on the plat of in Block M/8579 CREEKSIDE VILLAGE, an addition to the City of Dallas, Texas as recorded in Volume 82218, Page 1758 D.R.D.C.T., said 90 square feet (0.0021 of one acre) of land being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8-inch found iron rod with cap stamped "GSES,INC. RPLS 4804" (controlling monument) being at the point of reverse curvature of a circular curve to the right, having a radius of 635.98 feet, whose chord bears South 51 degrees 53 minutes 10 seconds East, a distance of 140.31 feet, and being on the existing northeasterly right-of-way line of Woodmeadow Parkway (variable width right-of-way as dedicated to the City of Dallas, and shown on the plat of said CREEKSIDE VILLAGE) and the south line of Lot 4 of said CREEKSIDE VILLAGE;

THENCE Southeasterly, along the existing northeasterly right-of-way line of said Woodmeadow Parkway and the south line of Lot 4 of said CREEKSIDE VILLAGE and along said circular curve to the right, through a central angle of 12 degrees 40 minutes 00 seconds, an arc length of 140.60 feet to an angle point on the south line of said Lot 4;

THENCE South 45 degrees 33 minutes 10 seconds East, continuing along the existing northeasterly right-of-way line of said Woodmeadow Creek passing at a distance of 1,065.42 feet a 5/8-inch found iron rod with an unreadable cap (controlling monument) for the south corner of Lot 4 of said CREEKSIDE VILLAGE and the northeast corner of said Floodway Management Area, continuing along the existing northeasterly right-of-way line of said Woodmeadow Creek, with the south line of said Floodway Management Area, in all, a total distance of 1,310.66 feet to a 5/8-inch set iron rod with a pink plastic cap marked "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT", at Station 938+26.06, 413.18 feet Right, for the POINT OF BEGINNING having Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983 (NAD83) 2011 Adjustment, Epoch 2010.00 surface coordinates of North=6,995,816.96 feet, East=2,541.239.99 feet;

1) THENCE North 44 degrees 24 minutes 45 seconds East, departing the existing northeasterly right-of-way line of said Woodmeadow Parkway, over and across said Floodway Management Area, a distance of 8.30 feet to a 5/8-inch set iron rod with a pink plastic cap marked "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT", at Station 938+23.40, 405.23 feet Right, for corner on the common east line of said Floodway Management Area and the west line of a called 5.369 acre tract of land described in Warranty Deed to Dallas Power & Light Company as recorded in Volume 75129, Page 1142 D.R.D.C.T.;

FIELD NOTES APPROVED: JVC 6-21-2018

EXHIBIT A-TRACT 2

2) THENCE South 24 degrees 31 minutes 57 seconds East, with said common line between said Floodway Management Area and the west line of the called 5.369 acre tract, a distance of 23.13 feet to a 5/8-inch set iron rod with a pink plastic cap marked "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT", at Station 938+49.19, 406.94 feet Right on the existing northeasterly right-of-way line of said Woodmeadow Parkway;

3) THENCE North 45 degrees 33 minutes 10 seconds West, departing said common line between said Floodway Management Area and the west line of the called 5.369 acre tract, and along the existing northeasterly right-of-way line of said Woodmeadow Parkway, a distance of 21.59 feet to the POINT OF BEGINNING AND CONTAINING 90 square feet (0.0021 of one acre) of land, more or less.

NOTES:

1. Abstracting completed by Courthouse Research Specialist between May 2017 and October 2017.

2. Field surveys were performed between May 2017 and December 2017.

3. The Basis of Bearing is the Texas Coordinate System of 1983, North Central Zone (4202), TxDOT Virtual Reference System (VRS) RTK Network.

4. All coordinates and distances are US Survey Feet, displayed in surface values and may be converted to grid by dividing by the combined adjustment factor of 1.000136506 (TxDOT Dallas County Scale Factor).

5. Project control was established by others and provided by TxDOT.

6. The Station and Offset information refers to the baselines described in the Project Schematic which received environmental clearance on 4/24/2017; Project Control-Section-Job: 2374-02-053

7. A survey plat of even date accompanies this legal description.

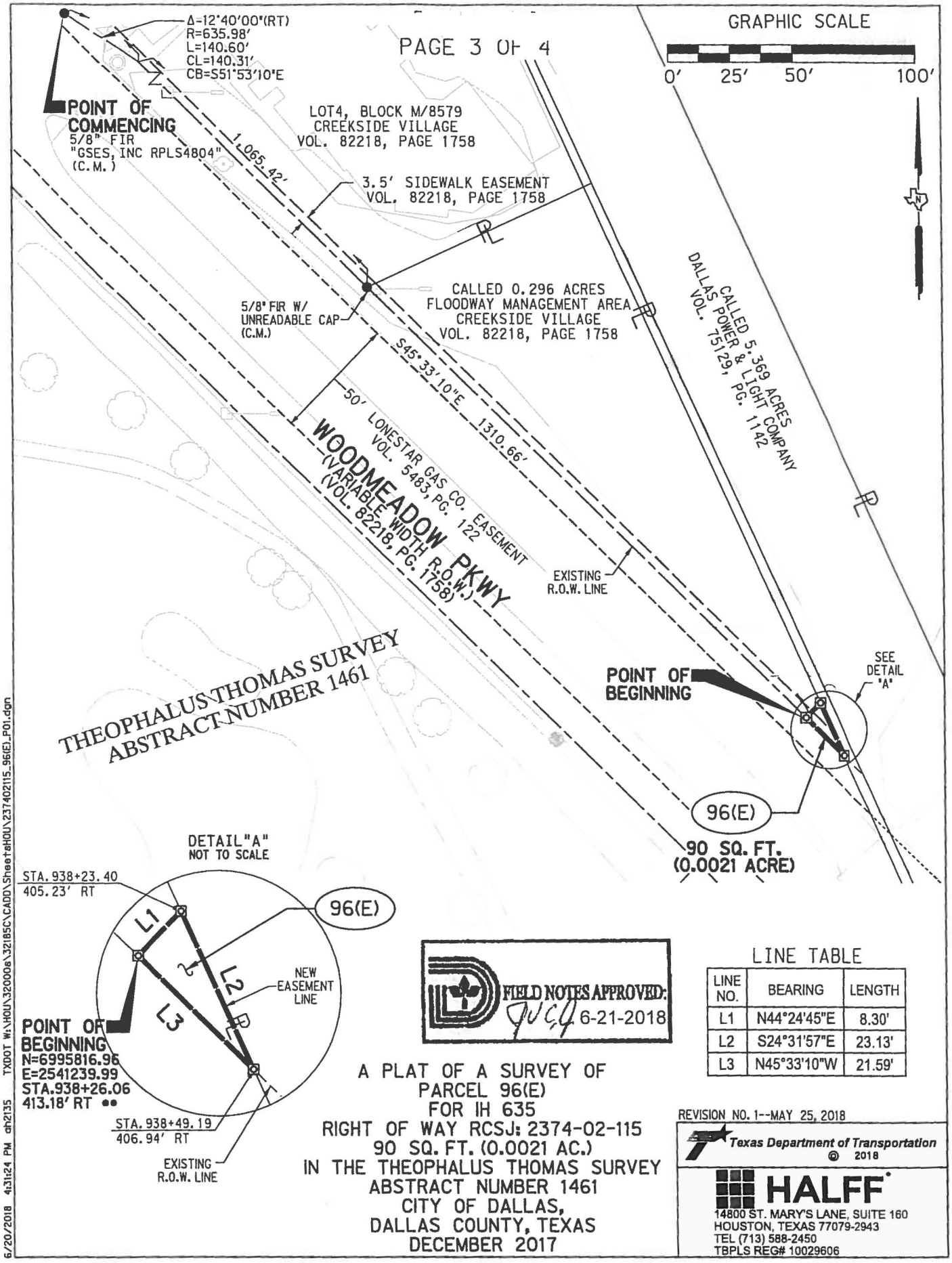
05/25/2018

W. R. Wolfram III, R.P.L.S. Date
Texas Registration No. 6244

HALFF ASSOCIATES, INC.
14800 St. Mary's Lane, Suite 160
Houston, TEXAS 77079
TEL (713) 588-2450
TBPLS FIRM NO. 10029606

FIELD NOTES APPROVED:
6-21-2018

EXHIBIT A-TRACT E



FIELD NOTES APPROVED: JVC 6-21-2018

LINE TABLE

LINE NO.	BEARING	LENGTH
L1	N44°24'45"E	8.30'
L2	S24°31'57"E	23.13'
L3	N45°33'10"W	21.59'

A PLAT OF A SURVEY OF
PARCEL 96(E)
FOR IH 635
RIGHT OF WAY RCSJ: 2374-02-115
90 SQ. FT. (0.0021 AC.)
IN THE THEOPHALUS THOMAS SURVEY
ABSTRACT NUMBER 1461
CITY OF DALLAS,
DALLAS COUNTY, TEXAS
DECEMBER 2017

REVISION NO. 1--MAY 25, 2018

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EXHIBIT "A"
PAGE 4 OF 4

EXHIBIT A-TRACT 2

LEGEND

EXISTING RIGHT OF WAY LINE
RIGHT OF WAY DEED LINE
PARCEL BOUNDARY
NEW BASELINE
CONTINUOUS OWNERSHIP PER DEEDS AND UNITY OF USE
PROPERTY LINE
NEW ACCESS DENIAL LINE
EXISTING ACCESS DENIAL LINE
SURVEY LINE
CITY LIMITS
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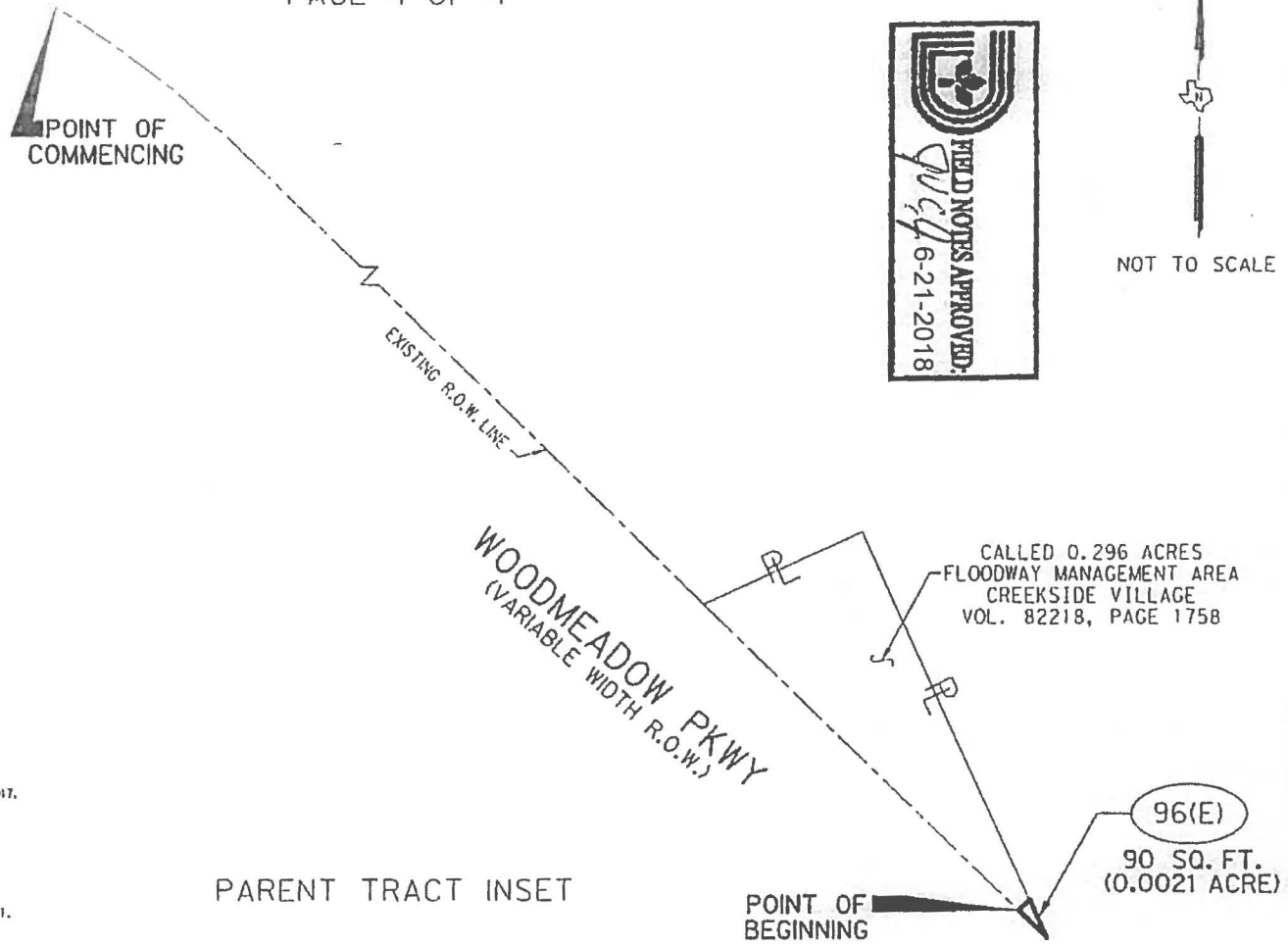
INST. NO. = INSTRUMENT NUMBER
MON. = MONUMENT
R.O.W. = RIGHT-OF-WAY
F.K.A. = FORMERLY KNOWN AS
⊡ = 5/8-INCH SET IRON ROD WITH A PINK PLASTIC CAP MARKED 'TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT'
□ = 5/8-INCH SET IRON ROD WITH AN ALUMINUM CAP STAMPED 'TXDOT ACCESS DENIAL POINT'
△ = SET "X" (UNLESS NOTED)
● = FOUND MONUMENT (AS NOTED)
(1) = PARCEL NUMBER



FIELD NOTES APPROVED
6-21-2018

NOT TO SCALE

GENERAL NOTES:
1. ABSTRACTING COMPLETED BY COURTHOUSE RESEARCH SPECIALIST BETWEEN JUNE 2017 AND JULY 2017.
2. FIELD SURVEYS WERE PERFORMED BETWEEN MAY 2017 AND SEPTEMBER 2017.
3. THE BASIS OF BEARING IS THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE (4202), TxDOT VIRTUAL REFERENCE SYSTEM (VRS) RTK NETWORK.
4. ALL COORDINATES AND DISTANCES ARE US SURVEY FEET, DISPLAYED IN SURFACE VALUES AND MAY BE CONVERTED TO GRID BY DIVIDING BY THE COMBINED ADJUSTMENT FACTOR OF 1.000136506 (TxDOT DALLAS COUNTY SCALE FACTOR).
5. PROJECT CONTROL WAS ESTABLISHED BY OTHERS AND PROVIDED BY TxDOT.
6. THE STATION AND OFFSET INFORMATION REFERS TO THE BASELINE DESCRIBED IN THE PROJECT SCHEMATIC WHICH RECEIVED ENVIRONMENTAL CLEARANCE ON 4/24/2017; PROJECT CONTROL-SECTION-JOB: 2374-01-137.
7. A LEGAL DESCRIPTION OF EVEN DATE ACCOMPANIES THIS SURVEY PLAT.
8. VOLUME & PAGES AND INSTRUMENT NUMBERS SHOWN HEREON ARE REFERENCED TO THE DALLAS COUNTY CLERK'S RECORDS.

PARCEL REMAINDER AREA

PARENT TRACT AREA (PLAT)	ACQUISITION AREA	CALC. REMAINDER AREA (RIGHT)
0.296 AC. (12,894 SQ. FT.)	0.0021 AC. (90 SQ. FT.)	0.2960 AC. (12,894 SQ. FT.)

A PLAT OF A SURVEY OF
PARCEL 96(E)
FOR IH 635
RIGHT OF WAY RCSJ: 2374-02-115
90 SQ. FT. (0.0021 AC.)
IN THE THEOPHALUS THOMAS SURVEY
ABSTRACT NUMBER 1461
CITY OF DALLAS, DALLAS COUNTY, TEXAS
DECEMBER 2017

REVISION NO. 1--MAY 25, 2018

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TBPLS REG# 10029606

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Agenda Information Sheet

File #: 18-635 **Item #:** 28.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

An ordinance granting renewal of a revocable license to 7-Eleven, Inc., for the use of approximately 11 square feet of aerial space to maintain and utilize an existing blade sign over a portion of Akard Street right-of-way near its intersection with Patterson Street - Revenue: $1,000.00 annually, plus the $20.00 ordinance publication fee

BACKGROUND

This item grants renewal of a revocable license to 7-Eleven, Inc., for the use of approximately 11 square feet of aerial space to maintain and utilize an existing blade sign over a portion of Akard Street right-of-way near its intersection with Patterson Street. This ordinance renews the rights previously granted by Ordinance No. 28986. 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)

On May 22, 2013, City Council authorized a revocable license to 7-Eleven, Inc. for the use of approximately 11 square feet of aerial space to install and maintain one projecting attached blade sign over a portion of Akard Street located near its intersection with Patterson Street by Resolution No. 13-0846; Ordinance No. 28986.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on December 10, 2018.

FISCAL INFORMATION

Revenue: $1,000.00 annually, plus the $20.00 ordinance publication fee

OWNER

7-Eleven, Inc.

Joseph M. Depinto, President

MAP

Attached

powered by Legistar™

This product is for informational purposes only 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.

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LICENSE AREA

ORDINANCE NO. _____

An ordinance granting renewal of a revocable license to 7-Eleven, Inc. to occupy, maintain and utilize a portion of Akard Street right-of-way located near the intersection of Akard and Patterson Streets adjacent to City Block A/230 within the limits hereinafter more fully described, for the purpose of maintaining and utilizing an existing blade sign; 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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WHEREAS, on May 22, 2013, the City Council of the City of Dallas passed Ordinance No. 28986, thereby granting 7-Eleven, Inc. the right, privilege and franchise to utilize a portion of Akard Street right-of-way for the maintenance and use of one projecting attached blade sign; and

WHEREAS, the rights granted by said ordinance have expired; and

WHEREAS, 7-Eleven, Inc. has requested renewal of the rights granted by said ordinance; and

WHEREAS, the City Council of the City of Dallas is of the opinion that a license should be granted to 7-Eleven, Inc. to continue to use this public property for said purpose, subject to the conditions hereinafter more fully set out.

Now, Therefore,

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 7-Eleven, Inc., a Texas corporation, 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 two (2) years, unless sooner terminated according to other terms and provisions herein contained.

SECTION 3. That for and in monetary consideration of **ONE THOUSAND AND NO/100 DOLLARS ($1,000.00)** annually for the license herein granted, following the effective date of ordinance, 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 **ONE THOUSAND AND NO/100 DOLLARS ($1,000.00)** shall be paid prior to the final passage of this ordinance and shall cover the consideration for 2019. 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 Sustainable Development and Construction, or his designee, may terminate this license. All sums payable to the City of Dallas hereunder shall be paid to the City Financial Officer of the City of Dallas and deposited in the 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 Sustainable Development and Construction of the City of Dallas: maintaining and utilizing an existing blade sign.

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 duly 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. In the event of either 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 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 Sustainable Development and Construction.

SECTION 7. That the license is subject to the following conditions, terms and reservations:

(a) **GRANTEE** must maintain the right-of-way in order to facilitate City of Dallas Fire and Rescue emergency response. A height clearance of a minimum of twelve (12 feet) is required for emergency equipment.

SECTION 8. That upon the effectiveness of this ordinance, the Director of Development Services, 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 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 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, a copy of the assignment, along with the assignee's written acceptance of the provisions of this ordinance, to the Director of Sustainable Development and Construction within ten (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 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 Sustainable Development and Construction, or designee. Upon receipt of the fee for the year 2019, an acceptable certificate of insurance and the fee for publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Sustainable Development and Construction, or designee, shall deliver to **GRANTEE** the certified copy of this ordinance. The Director of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one (1) year after its passage.

SECTION 12. That this ordinance is also designated for City purposes as Contract No. DEV-2018-00005984.

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

KRIS SWECKARD, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

EXHIBIT A

AERIAL LICENSE AGREEMENT
BETWEEN THE ELEVATIONS OF 477.76 FEET AND 483.26 FEET MEAN SEA LEVEL
A PORTION OF AKARD STREET
ADJACENT TO CITY BLOCK A/230

BEING 11 square feet of land situated in the John Grigsby Survey, Abstract No. 495, being a portion of Akard Street (a 60' Right-of-Way), adjacent to Lot 1, Block A/230, Akard Walk Addition, an Addition in the City of Dallas, Texas according to the Plat thereof recorded in Instrument No. 200900129236, Official Public Records, Dallas County, Texas and adjacent to that certain tract of land conveyed to Akard Walk Commercial, LLC by Special Warranty Deed recorded in Instrument No. 20080256880, Official Public Records, Dallas County, Texas and being more particularly described as follows:

COMMENCING at a cross found at the East end of a corner clip at the intersection of the Southeast Right-of-Way line of San Jacinto Street (a 48.25' Right-of-Way) with the Southwest Right-of-Way line of Akard Street (a 60' Right-of-Way), and being at the Northeast corner of Lot 2 of said Block A/230, Akard Walk Addition;

THENCE: South 14 degrees 00 minutes 00 seconds East, along the Southwest Right-of-Way line of said Akard Street and the Northeast line of said Lot 2, Block A/230, at a distance of 108.25 feet passing the Southeast corner of said Lot 2 and the Northeast corner of said Lot 1, Block A/230, continuing along the Southwest Right-of-Way line of Akard Street and Northeast line of said Lot 1, a total distance of 146.90 feet to a point for corner and being the POINT OF BEGINNING;

THENCE: North 76 degrees 00 minutes 00 seconds East, departing the Southwest Right-of-Way line of said Akard Street and the Northeast line of said Lot 1, Block A/230, a distance of 5.50 feet to a point for corner;

THENCE: South 14 degrees 00 minutes 00 seconds East, parallel to the Southwest Right-of-Way line of said Akard Street and the Northeast line of said Lot 1, Block A/230, a distance of 2.00 feet to a point for corner;

THENCE: South 76 degrees 00 minutes 00 seconds West, a distance of 5.50 feet to a point for corner in the Southwest Right-of-Way line of said Akard Street and the Northeast line of said Lot 1, Block A/230;

THENCE: North 14 degrees 00 minutes 00 seconds West, along the Southwest Right-of-Way line of Akard Street and the Northeast line of said Lot 1, Block A/230, a distance of 2.00 feet to the POINT OF BEGINNING and containing 11 square feet of land, more or less.

June 11, 2012
Revised: June 22, 2012

STATE OF TEXAS REGISTERED J.L. LANE 2509 PROFESSIONAL SURVEYOR

J. L. LANE
REGISTERED PROFESSIONAL LAND SURVEYOR No. 2509

BASIS OF BEARINGS:
The Southwest Right-of-Way line of Akard Street by Plat recorded in Inst. No. 200900129236, O.P.R.D.C.T. S 14° 00' 00" E.

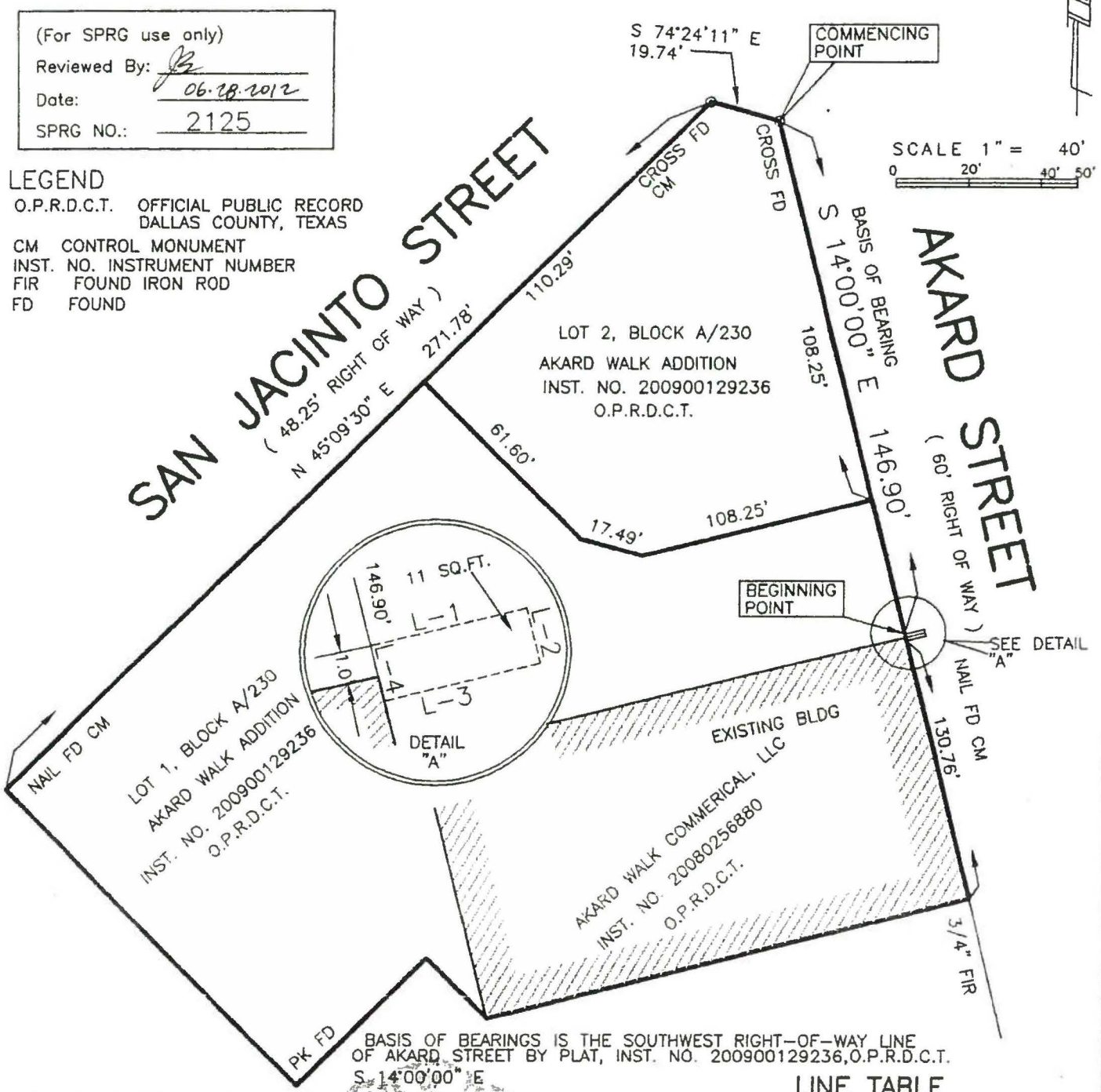
(For SPRG use only)
Reviewed By:
Date: 06.28.2012
SPRG NO.: 2125

EXHIBIT A

AERIAL LICENSE AGREEMENT

BETWEEN THE ELEVATIONS OF 477.76 FEET AND 483.26 FEET MEAN SEA LEVEL
A PORTION OF AKARD STREET
ADJACENT TO CITY BLOCK A/230

(For SPRG use only)
Reviewed By: JB
Date: 06.28.2012
SPRG NO.: 2125



LEGEND

O.P.R.D.C.T. OFFICIAL PUBLIC RECORD DALLAS COUNTY, TEXAS
CM CONTROL MONUMENT
INST. NO. INSTRUMENT NUMBER
FIR FOUND IRON ROD
FD FOUND

BASIS OF BEARINGS IS THE SOUTHWEST RIGHT-OF-WAY LINE OF AKARD STREET BY PLAT, INST. NO. 200900129236, O.P.R.D.C.T.
S 14°00'00" E

LINE TABLE

L-1	N 76°00'00" E	5.50'
L-2	S 14°00'00" E	2.00'
L-3	S 76°00'00" W	5.50'
L-4	N 14°00'00" W	2.00'

LANE'S SOUTHWEST SURVEYING INC.
2717 MOTLEY DR. SUIT B
MESQUITE, TEXAS 75150
PH 972-681-4442
EMAIL - JLTLKH@EARTHLINK.NET

REGISTERED J.L. LANE 2509 PROFESSIONAL

J.L. LANE RPLS 2509 JUNE 11, 2012 REVISED JUNE 22, 2012

FILE W04901...JL

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 #: 18-634 **Item #:** 29.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

An ordinance granting renewal of a revocable license to 7-Eleven, Inc., for the use of approximately 36 square feet of aerial space to maintain and utilize an existing blade sign over a portion of Commerce Street near its intersection with Harwood Street - Revenue: $1,000.00 annually, plus the $20.00 ordinance publication fee

BACKGROUND

This item grants renewal of a revocable license to 7-Eleven, Inc., for the use of approximately 36 square feet of aerial space to maintain and utilize an existing blade sign over a portion of Commerce Street right-of-way near its intersection with Harwood Street. This renews the rights previously granted by Ordinance No. 28242. 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)

On June 22, 2011, City Council authorized a revocable license to 7-Eleven, Inc. for the use of approximately 36 square feet of aerial space to install and maintain one projecting attached blade sign over a portion of Commerce Street located near its intersection with Harwood Street by Resolution No. 11-1723; Ordinance No. 28242.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on December 10, 2018.

FISCAL INFORMATION

Revenue: $1,000.00 annually, plus the $20.00 ordinance publication fee

OWNER

7-Eleven, Inc.

Joseph M. Depinto, President

MAP

Attached

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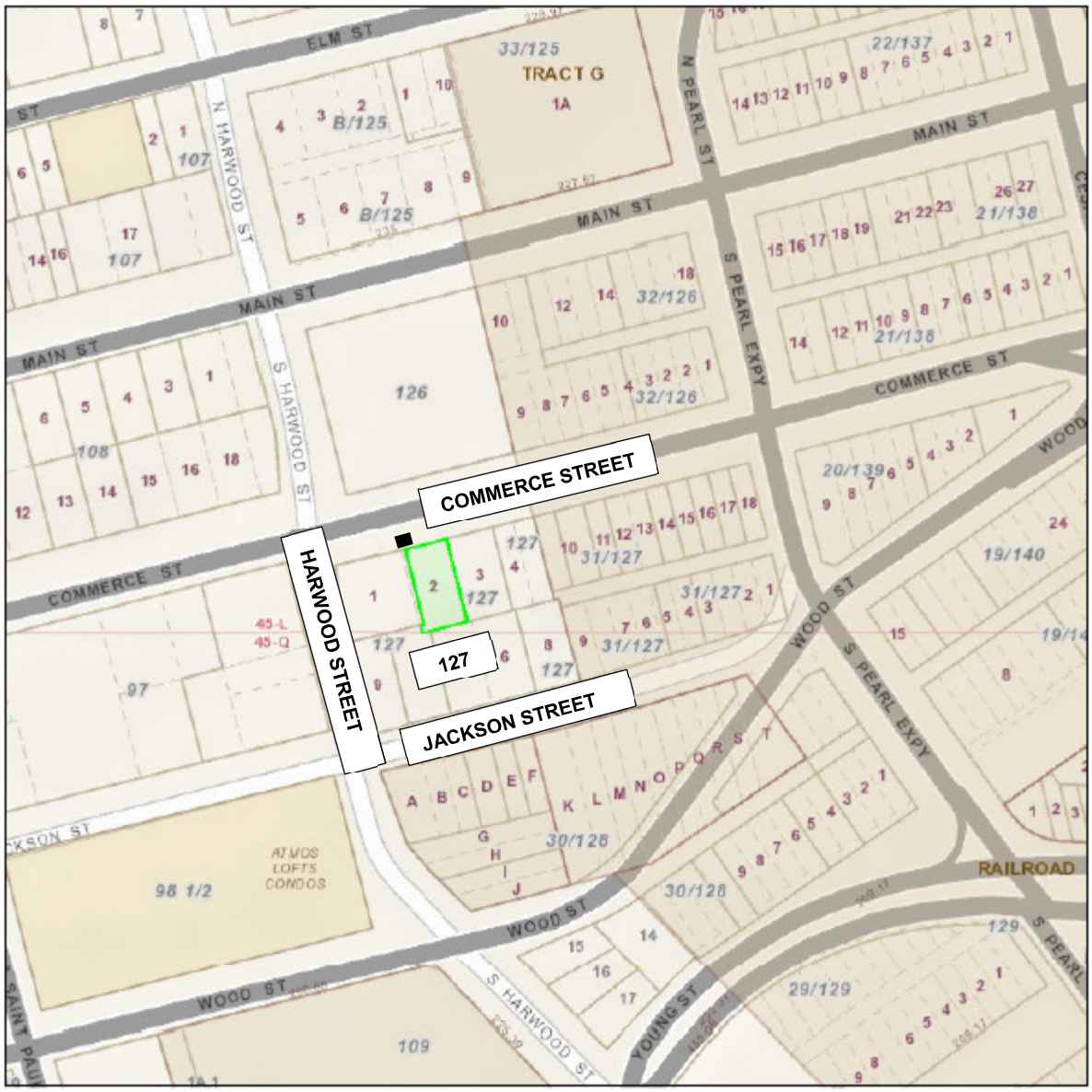

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LICENSE AREA

ORDINANCE NO. _____

An ordinance granting renewal of a revocable license to 7-Eleven, Inc. to occupy, maintain and utilize a portion of Commerce Street right-of-way located near the intersection of Commerce and Harwood Streets adjacent to City Block 127 within the limits hereinafter more fully described, for the purpose of maintaining and utilizing an existing blade sign; 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.

ooo0ooo

WHEREAS, on June 22, 2011, the City Council of the City of Dallas passed Ordinance No. 28242 thereby granting 7-Eleven, Inc. the right, privilege and franchise to utilize Commerce Street right-of-way for the maintenance and use of one projecting attached blade sign; and

WHEREAS, the rights granted by said ordinance have expired; and

WHEREAS, 7-Eleven, Inc. has requested renewal of the rights granted by said ordinance; and

WHEREAS, the City Council of the City of Dallas is of the opinion that a license should be granted to 7-Eleven, Inc. to continue to use this public property for said purpose, subject to the conditions hereinafter more fully set out.

Now, Therefore,

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 7-Eleven, Inc., a Texas corporation, 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 two (2) years, unless sooner terminated according to other terms and provisions herein contained.

SECTION 3. That for and in monetary consideration of **ONE THOUSAND AND NO/100 DOLLARS ($1,000.00)** annually for the license herein granted, following the effective date of ordinance, 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 **ONE THOUSAND AND NO/100 DOLLARS ($1,000.00)** shall be paid prior to the final passage of this ordinance and shall cover the consideration for 2019. 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 Department of Sustainable Development and Construction, or designee, may terminate this license. All sums payable to the City of Dallas hereunder shall be paid to the City 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: maintaining and utilizing an existing blade sign.

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 duly 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. In the event of either 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 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** must maintain the right-of-way in order to facilitate City of Dallas Fire and Rescue emergency response. A height clearance of a minimum of twelve (12) feet is required for the emergency equipment.

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, 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 ten (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 for the year 2019, 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 (1) year after its passage.

SECTION 12. That this ordinance is also designated for City purposes as Contract No. DEV- 2018-00005985.

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

KRIS SWECKARD, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

LICENSE AGREEMENT

COMMERCE STREET
BETWEEN THE ELEVATIONS OF 466 FT. AND
472 FT. MEAN SEA LEVEL OR BETWEEN
9 FT. AND 15 FT. AT
NORTHWEST CORNER OF PROPERTY
ADJACENT TO BLOCK 127
CITY OF DALLAS, DALLAS COUNTY, TEXAS

EXHIBIT A

Being 36 square feet in the John Grigsby Survey, Abstract No. 495, City of Dallas, Dallas County, Texas and in Commerce Street (a called 78.7 foot right-of-way) adjacent to City Block 127, in the James Bentley's Subdivision, an addition to the City of Dallas, Dallas County, Texas, according to the plat thereof recorded in Volume AA, Page 213, Deed Records, Dallas County, Texas, and being adjacent to that certain tract of land conveyed by Special Warranty Deed to ASC-Harcom Investments, LLC, by deed recorded in Volume 2004018, Page 6576, Deed Records, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at an 'X' cut found for the northwest corner of that certain tract of land conveyed to Allright Parking System, Inc., by deed recorded in Volume 5938, Page 506, said Deed Records, same being the southeast intersection of the south right-of-way line of said Commerce Street (a 78.67 right-of-way) with the east right-of-way line of Harwood Street (a called 60 foot right-of-way);

THENCE North 76 deg. 00 min. 00 sec. East, along the common line of said Allright Parking System tract, and the south right-of-way line of said Commerce Street, a distance of 83.97 feet to a point for the northeast corner of said Allright Parking System tract, same being the northwest corner of aforesaid ASC-Harcom Investments tract, same being the POINT OF BEGINNING;

THENCE through the interior of said Commerce Street as follows:

North 14 deg. 00 min. 00 sec. West, a distance of 6.00 feet to a point for corner;
North 76 deg. 00 min. 00 sec. East, a distance of 6.00 feet to a point for corner;
South 14 deg. 00 min. 00 sec. East, a distance of 6.00 feet to a point for corner, said point being in the south right-of-way line of said Commerce Street, same being in the north line of said ASC-Harcom Investments tract;

THENCE South 76 deg. 00 min. 00 sec. West, along the common line of said ASC-Harcom Investments tract, and the south right-of-way line of said Commerce Street, a distance of 6.00 feet to the POINT OF BEGINNING and containing 36 square feet of computed land.

A survey plat of even survey date herewith accompanies this description.

A legal description of even survey date herewith accompanies this plat of survey.

The undersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the easement tract described.

BEARINGS ARE BASED ON THE NORTH LINE (NORTH 76 DEG. 00 MIN. 00 SEC. EAST) OF THAT CERTAIN TRACT OF LAND TO ASC-HARCOM INVESTMENT, LLC, BY DEED THEREOF RECORDED IN VOLUME 2004018, PAGE 6576, OF THE OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS.

(for SPRG use only)
Reviewed By: DBF
Date: 03.11.2011
SPRG NO: 2005

STATE OF TEXAS
REGISTERED
TIMOTHY R. MANKIN
6122
PROFESSIONAL
LAND SURVEYOR

TIMOTHY R. MANKIN
Registered Professional Land Surveyor No. 6122

JOB NO. P-4675	PEISER SURVEYING CO.
DATE: 09/13/2010	www.peisersurveying.com
REV: 02/14/2011	
SCALE: N.T.S.	623 E. DALLAS DRIVE
DRAWN BY: T.R.M.	GRAPEVINE, TX 76051
	817-481-1806 (O)
	817-481-1809 (F)

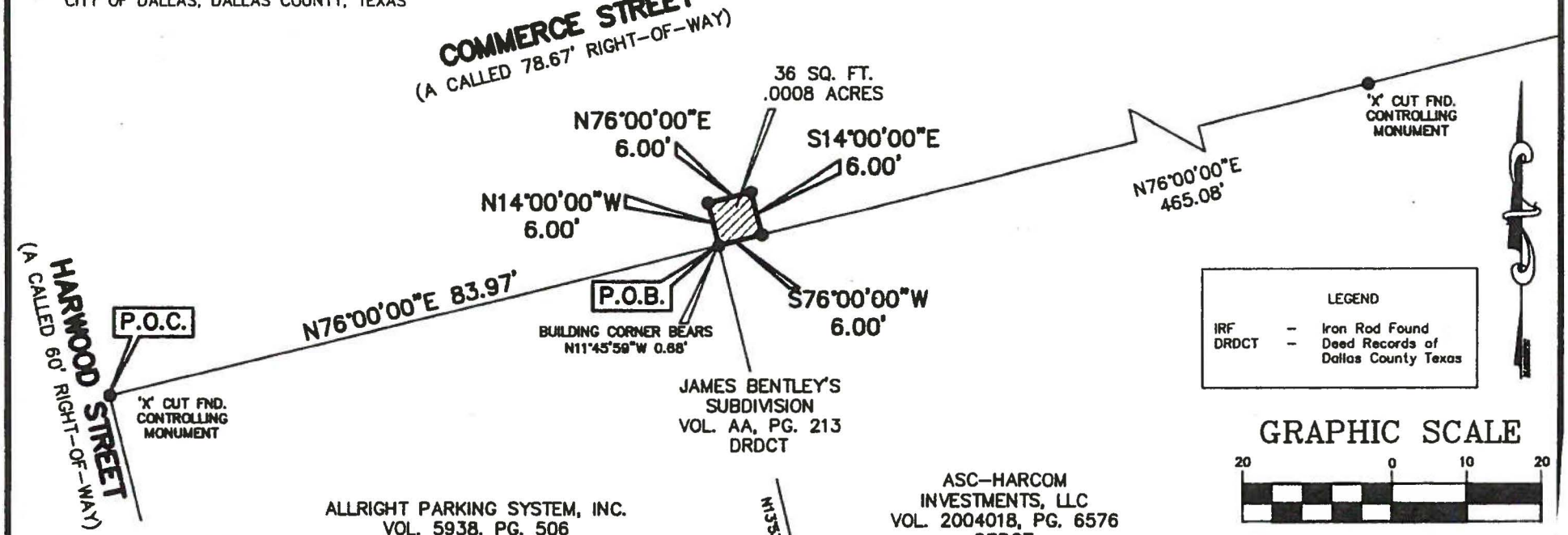
Texas Society of Professional Surveyors
Member Since 1977

COMMERCIAL • RESIDENTIAL
BOUNDARIES • TOPOGRAPHY
MORTGAGE

LICENSE AGREEMENT

COMMERCE STREET
BETWEEN THE ELEVATIONS OF 466 FT. AND 472 FT. MEAN SEA LEVEL OR BETWEEN 9 FT. AND 15 FT. AT NORTHWEST CORNER OF PROPERTY ADJACENT TO BLOCK 127
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEARINGS ARE BASED ON THE NORTH LINE (NORTH 76 DEG. 00 MIN. 00 SEC. EAST) OF THAT CERTAIN TRACT OF LAND TO ASC-HARCOM INVESTMENT, LLC, BY DEED THEREOF RECORDED IN VOLUME 2004018, PAGE 6576, OF THE OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS.



LEGEND

IRF	–	Iron Rod Found
DRDCT	–	Deed Records of Dallas County Texas

EXHIBIT A

GRAPHIC SCALE

20 0 10 20

(IN FEET)
1 inch = 20 ft.

JOB NO.	P-4675
DATE:	09/13/2010
REV:	02/14/2011
SCALE:	1" = 20'
DRAWN BY:	T.R.M.

(for SPRG use only)
Reviewed By: DBE
Date: 03-11-2011
SPRG NO: 2005

PAGE 2 OF 2

A legal description of even survey date herewith accompanies this plat of survey.

ndersigned, Registered Professional Land Surveyor, hereby certifies that this plat of survey accurately sets out the metes and bounds of the easement tract described.

STATE OF TEXAS
REGISTERED
TIMOTHY R. MANKIN
6122
PROFESSIONAL
SURVEYOR

TIMOTHY R. MANKIN
Registered Professional Land Surveyor No. 6122

PEISER SURVEYING CO.
www.peisersurveying.com

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Member Since 1977

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BOUNDARIES • TOPOGRAPHY
MORTGAGE

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 #: 18-626 **Item #:** 30.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

An ordinance abandoning portions of Matilda Street to Lincoln LAG Ltd., the abutting owner, containing a total of approximately 17,212 square feet of land located near the intersection of Matilda Street and Lovers Lane; and authorizing the quitclaim; and providing for the dedication of approximately 8,702 square feet of land needed for a water easement - Revenue: $5,400.00, plus the $20.00 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of portions of Matilda Street to Lincoln LAG Ltd., the abutting owner. The area will be included with the property of the abutting owner to expand parking for HEB Central Market grocery store. The owner will dedicate approximately 8,702 square feet of land needed for a water easement. Pursuant to a Development Agreement, the abandonment fee is offset by future performance of Pedestrian Trail, Hike and Bike and necessary Park Improvements.

Notices were sent to 68 property owners 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 December 10, 2018.

FISCAL INFORMATION

Revenue: $5,400.00, plus the $20.00 ordinance publication fee

OWNER

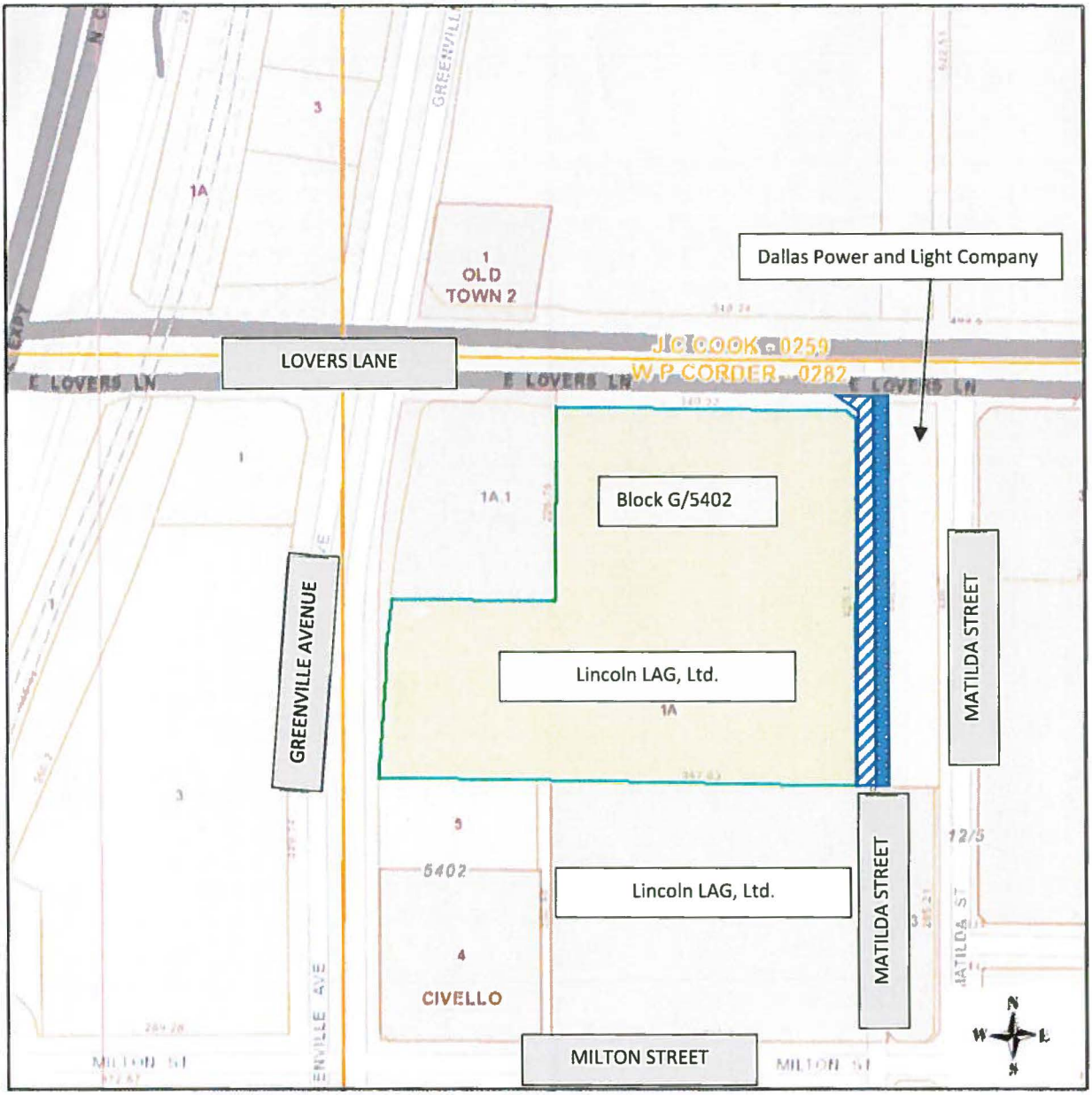
Lincoln LAG, Ltd.

Akard Ervay, Inc., General Partner

William C. Duvall, President

MAP

Attached



Abandonment Area:

Dedication Area:
(Water Easement)

ORDINANCE NO. _____

An ordinance providing for the abandonment of a portion of Matilda Street and street corner clip located adjacent to City Block G/5402 in the City of Dallas and County of Dallas, Texas; subject to a reverter; providing for the quitclaim thereof to Lincoln LAG Ltd.; 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 Lincoln LAG Ltd., a Texas limited partnership, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim, subject to a reverter, the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions and reverter herein provided, said portion of Matilda Street and street corner clip are 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 tracts 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 1) a **FIVE THOUSAND FOUR HUNDRED AND NO/100 DOLLARS ($5,400.00)** processing fee as required under 2-26.2(g)(1) of the Dallas City Code and 2) the sum of **THREE HUNDRED SIXTY-THREE THOUSAND FOUR HUNDRED TWO AND NO/100 DOLLARS ($363,402.00)** which shall be due, owing and paid by **GRANTEE**, only upon default or nonperformance of Section 11, and the further consideration described in Sections 8, 9, 10, 11, 12 and 14, 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 tracts 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 hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General 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 areas 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 areas set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the areas 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 areas 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 record a final replat of the tracts of land quitclaimed herein as part of **GRANTEE's** adjoining property within 18 months of the effective date of this ordinance. 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. 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 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, the City of Dallas shall retain air rights commencing at 40 feet above ground level beginning at an elevation of 612.1 above mean sea level and extending to an elevation of 652.1 above mean sea level over the abandonment area described in Exhibit A. **GRANTEE** shall be prohibited from building a structure that extends beyond the height of air rights being retained by the City. Failure to comply with the terms of this section shall render this ordinance null and void and no further effect.

SECTION 11. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall:

(a) Execute a Development Agreement (hereinafter referred to as "Agreement") with the City for the Matilda Trail to construct, maintain a pedestrian trail, hike and bike trail and park improvements pursuant to the instrument substantially in the form described in Exhibit D, attached hereto and made a part hereof for all purposes, approved as to form by the City Attorney and in accordance with the plans and specifications approved by the Director of Dallas Park and Recreation Department.

(b) Construct and complete the improvements per the Agreement within 24 months from the date of commencement of construction. **GRANTEE** has 18 months from the date of execution of the agreement to commence construction. Failure to complete the pedestrian trail, hike and bike trail and park improvements as required under the Agreement shall reinstate the original abandonment fee of $363,402.00 which amount shall constitute a lien on tracts of land described in Exhibit A until such time as performance due under the Agreement is completed.

(c) Obtain approval of plans and specifications from the Director of the Department of Sustainable Development regarding any proposed site lighting improvements within the area described in Exhibit A.

Failure to satisfy the terms in this Section 11 shall render this ordinance null and void and of no further effect.

SECTION 12. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall convey to the City of Dallas a water easement, within 180 days of the effective date of this ordinance, in, under, through, across and along certain properties located in City Blocks G/5402 and 12/5406 as part consideration for the property herein abandoned by the City of Dallas and QUITCLAIMED to **GRANTEE**. Said property to be conveyed shall be acceptable to the Director of Department of Sustainable Development and Construction of the City of Dallas and contain approximately 8,702 square feet of land, a description of which is attached hereto and made a part hereof as Exhibit C. Failure to convey the above described property as set forth shall render this ordinance null and void and of no further effect.

SECTION 13. That at such time as the instrument described in Section 12 above is executed and delivered to the City of Dallas and has been approved as to form by the City Attorney it be accepted, and thereafter, the Director of Department of Sustainable Development and Construction is authorized and directed to record said instrument in the official real property records of the county in which the subject property is located and the recorded instrument shall be forwarded to the City Secretary for permanent record.

SECTION 14. 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 abandonment, 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 15. 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 9, and completion of the dedication set forth in Section 12, 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 16. That this ordinance is also designated for City purposes as Contract No. DEV-2016-00000108.

SECTION 17. 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: B. M. L. H.
Assistant City Attorney

KRIS SWECKARD, Director
Department of Sustainable Development and Construction

BY: Laura Williams
SDK Assistant Director

Passed _____.

EXHIBIT A-TRACT 1

STREET EASEMENT ABANDONMENT
MATILDA STREET
ADJACENT TO BLOCK G/5402
WILLIAM P. CARDER SURVEY, ABSTRACT NO. 282
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 17,162 square feet (0.394 acre) tract of land situated in the William P. Carder Survey, Abstract No. 282, City of Dallas, Dallas County, Texas, and being a portion of a Street Easement, called Matilda Street, as created in Volume 5149, Page 0314 of the Deed Records of Dallas County, Texas (D.R.D.C.T.) located between the east line of Lot 1A, Block G/5402 of Lincoln L.A.G., an Addition to the City of Dallas, Texas, according to the Map or Plat thereof recorded in Volume 2002023, Page 00035, D.R.D.C.T. and a tract of land conveyed to Dallas Power & Light Company as recorded in Volume 3188, Page 0618, D.R.D.C.T., and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch "RLG" capped iron rod found for an inner ell corner of said Lot 1A, Block G/5402, same being the southeast corner of a called 4.4957 acre tract of land conveyed to Lincoln LAG, Ltd. as evidenced in a Special Warranty Deed recorded in Volume 2002019, Page 00046, D.R.D.C.T, the northeast corner of a called "Tract 1" (2.457 acres) conveyed to Lincoln LAG, Ltd., as evidenced in a Special Warranty Deed with Vendor's Lien recorded in Instrument Number 201400120831 of the Official Public Records of Dallas County, Texas, and the northwest corner of a portion of Matilda Street as described in an Abandonment, with easements retained, by City of Dallas Ordinance No. 24702, also being the northwest corner of a called "Tract 2" (0.263 acre) of the aforementioned deed recorded in Instrument Number 201400120831, said iron rod also being on the west right-of-way line of Matilda Street as described in said Volume 5149, Page 0314;

THENCE North 00°02'20" West, along the east line of said Lot 1A, Block G/5402 and the west right-of-way line of said Matilda Street, passing at a distance of 425.10 feet, a 1/2-inch "RLG" capped iron rod found for the southerly corner of a 10' x 10' corner clip right-of-way dedication as depicted on said Lincoln L.A.G. addition, continuing along the east line of said corner clip right-of-way dedication for a total distance of 435.10 feet to an "X" cut set for the northeast corner of said corner clip right-of-way dedication, same being on the south right-of-way line of Lovers Lane (a 100' wide public right-of-way);

THENCE South 89°16'00" East, departing the northeast corner of said corner clip right-of-way dedication, along the extension of the north line of said Lot 1A and crossing said Matilda Street, a distance of 40.00 feet to an "X" cut set for corner on the east line of said Matilda Street, from said corner, a found "X" cut bears North 05°25' West, 1.50 feet, said corner also being on the west line of aforesaid Dallas Power & Light Company tract;

THENCE South 00°06'28" West, along the east right-of-way line of said Matilda Street and the west line of said Dallas Power & Light Company tract, a distance of 435.10 feet to an "X" cut set for corner same being the northeast corner of the Matilda Street Abandonment as described in said City Ordinance No. 24702, from said corner, a found "X" cut bears North 02°57' East, 1.45 feet;

THENCE North 89°15'00" West, along the northerly line of said Lot 1A, Block G/5402, the north line of said "Tract 2" and the north line of said Matilda Street Abandonment, a distance of 38.89 feet to the **POINT OF BEGINNING** and containing 17,162 square feet (0.394 of an acre) of land, more or less.

NOTE:

Bearing system of this survey is based on the monumented east line of Lot 1A, Block G/5402, Lincoln L.A.G. addition, recorded in Volume 2002023, Page 00035, Deed Records, Dallas County, Texas, said bearing being South 00°02'20" East.

1/12/15

(for SPRG use only)
Reviewed By: JB
Date: 01.13.2015
SPRG NO: 3152

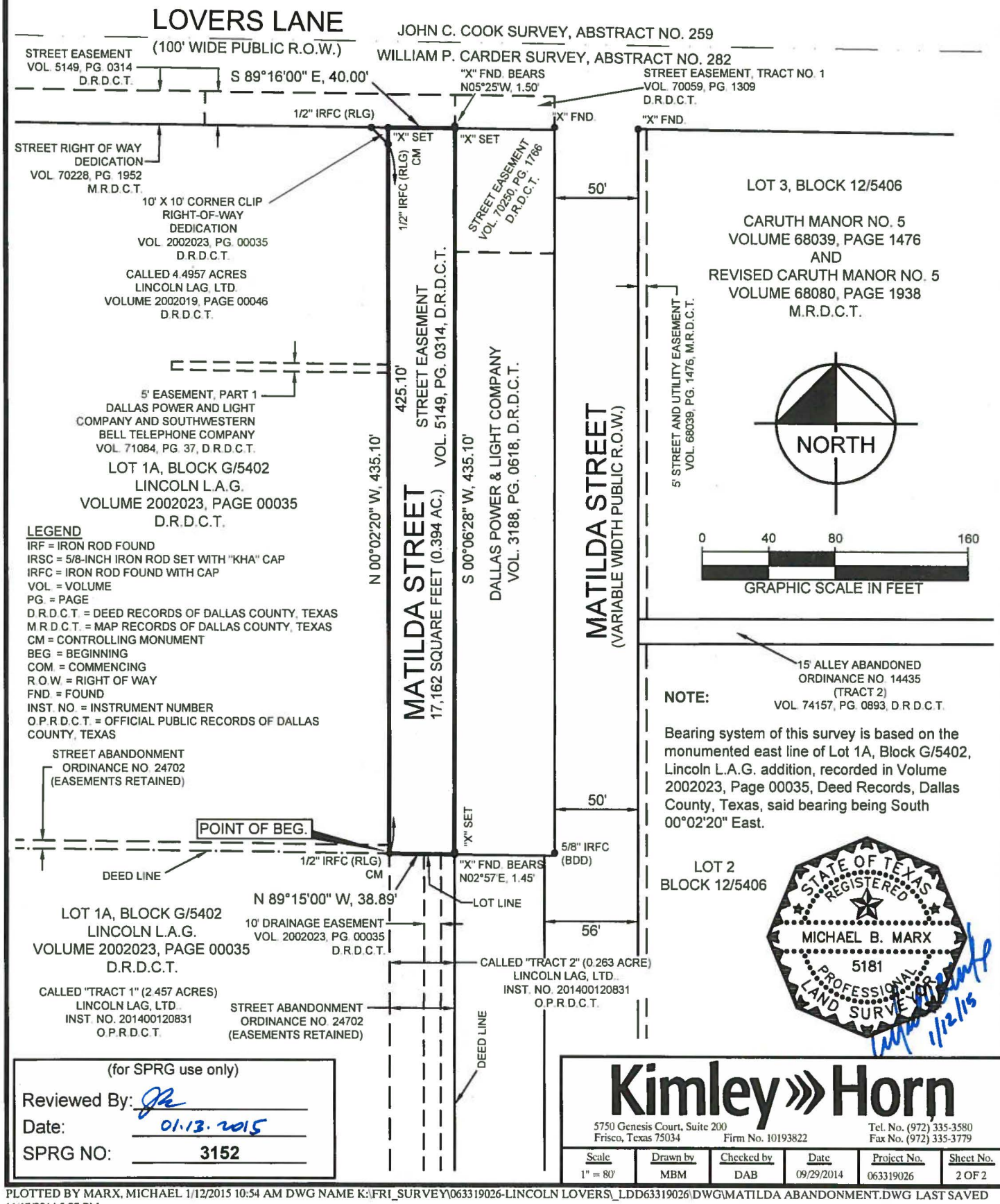
Kimley»Horn
5750 Genesis Court, Suite 200
Frisco, Texas 75034
Firm No. 10193822
Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
NONE	MBM	DAB	09/29/2014	063319026	1 OF 2

PLOTTED BY MARX, MICHAEL 1/12/2015 10:52 AM DWG NAME K:\FRI_SURVEY\063319026-LINCOLN LOVERS_LDD63319026\DWG\MATILDA ABANDONMENT.DWG LAST SAVED 11/17/2014 5:27 PM

EXHIBIT A, TRACT 1

STREET EASEMENT ABANDONMENT
MATILDA STREET
ADJACENT TO BLOCK G/5402
WILLIAM P. CARDER SURVEY, ABSTRACT NO. 282
CITY OF DALLAS, DALLAS COUNTY, TEXAS



(for SPRG use only)

Reviewed By: JR

Date: 01.13.2015

SPRG NO: 3152

Kimley»Horn

5750 Genesis Court, Suite 200
Frisco, Texas 75034
Firm No. 10193822

Tel. No. (972) 335-3580
Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 80'	MBM	DAB	09/29/2014	063319026	2 OF 2

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EXHIBIT A-TRACT 2

STREET RIGHT-OF-WAY ABANDONMENT
MATILDA STREET
ADJACENT TO BLOCK G/5402
W. P. CARDER SURVEY, ABSTRACT 282
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING a 50 square feet (0.001 acre) tract of land situated in the William P. Carder Survey, Abstract No. 282, City of Dallas, Dallas County, Texas, and being all of a 10' X 10' Cornerclip Right-of-Way dedication as depicted on the final plat of Lot 1A, Block G/5402 of Lincoln L.A.G. Addition, an Addition to the City of Dallas, Texas, according to the Map or Plat thereof recorded in Volume 2002023, Page 0035, Deed Records of Dallas County, Texas (D.R.D.C.T.), and formerly being a portion of a called 4.4957 acre tract of land, conveyed to Lincoln LAG, Ltd. as evidenced in a Special Warranty Deed recorded in Volume 2002019, Page 0046, D.R.D.C.T, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch "RLG" capped iron rod found for the most northerly, northeast corner of said Lot 1A, same being the northwest corner of said 10' x 10' Cornerclip Right-of-Way dedication, said corner also being on the north line of said 4.4957 acre tract and the south right-of-way line of Lovers Lane, a variable width right-of-way, as described in a Street Easement recorded in Volume 5149, Page 0314, D.R.D.C.T.;

THENCE South 89°16'00" East, along the north line of said 10' x 10' Cornerclip Right-of-Way dedication, the former north line of said 4.4957 acre tract and the south right-of-way line of said Lovers Lane, a distance of 10.00 feet to an "X" cut set for the northeast corner of said 10' x 10' Cornerclip Right-of-Way dedication and said 4.4957 acre tract, same being the intersection of the south right-of-way line of said Lovers Lane with the west right-of-way line of Matilda Street, a variable width right-of-way, as described in said Volume 5149, Page 0314;

THENCE South 00°02'20" East, along the east line of said 10' x 10' Cornerclip Right-of-Way dedication, the former east line of said 4.4957 acre tract and the west right-of-way line of said Matilda Street, a distance of 10.00 feet to a 1/2-inch "RLG" capped iron rod found for the southeast corner of said 10' x 10' Cornerclip Right-of-Way dedication, same being the most easterly, northeast corner of aforesaid Lot 1A;

THENCE North 44°39'10" West, departing the west line of said Matilda Street and the east line of said 4.4957 acre tract, along the southwest line of said 10' x 10' Cornerclip Right-of-Way dedication and along the easterly line of said Lot 1A, a distance of 14.24 feet to the **POINT OF BEGINNING** and containing 50 square feet (0.001 of an acre) of land, more or less.

STATE OF TEXAS
REGISTERED
MICHAEL B. MARX
5181
PROFESSIONAL
LAND SURVEYOR

6/3/10

NOTE:

Bearing system of this survey is based on the monumented east line of Lot 1A, Block G/5402, Lincoln L.A.G. Addition, recorded in Volume 2002023, Page 0035, Deed Records, Dallas County, Texas, said bearing being South 00°02'20" East.

(for SPRG use only)
Reviewed By: JR
Date: 06.03.2010
SPRG NO: 1888

Kimley-Horn and Associates, Inc.
12700 Park Central Drive, Suite 1800
Dallas, Texas 75251
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
NONE	MBM	DAB	03/17/2010	063319026	1 OF 2

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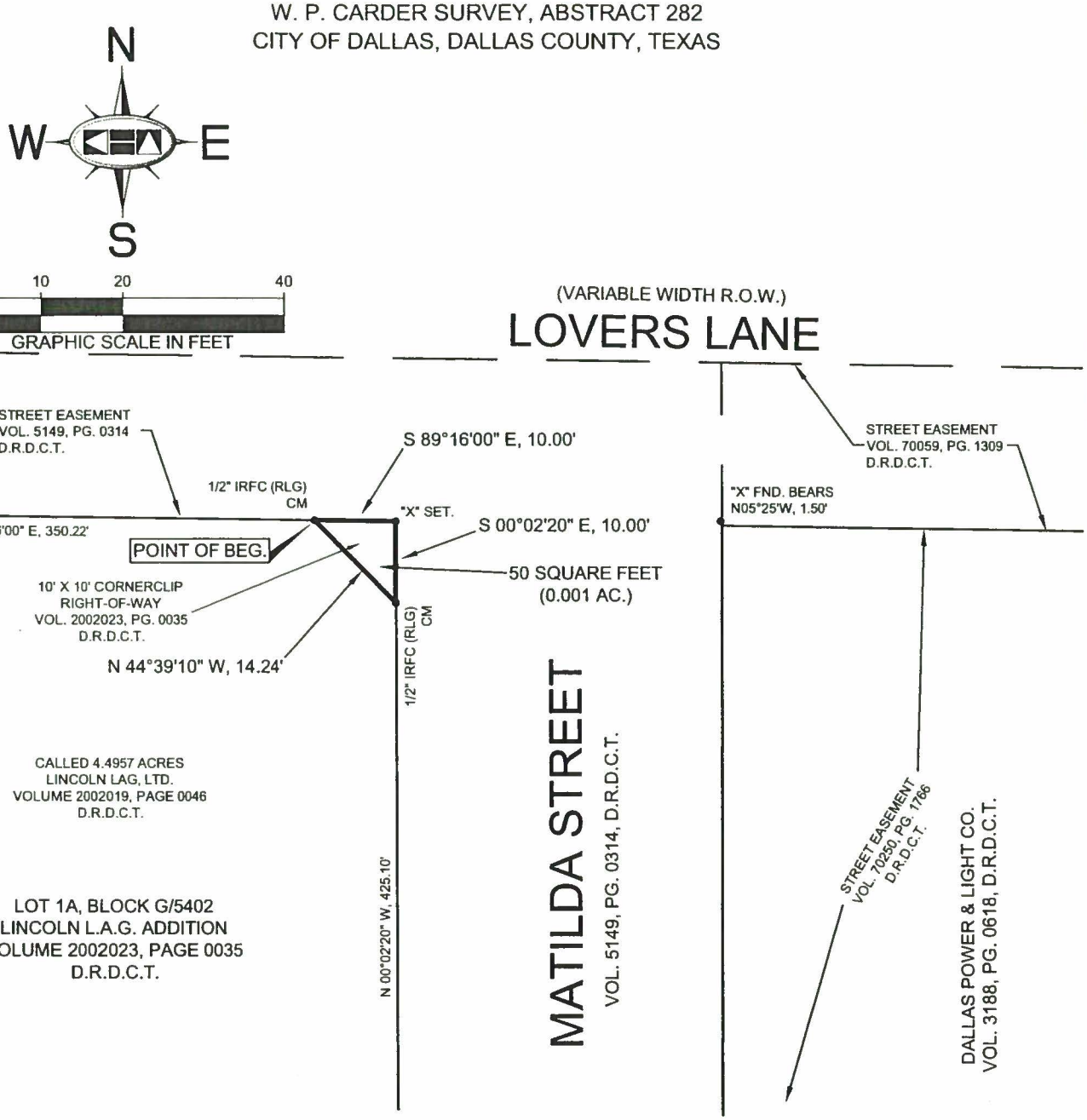
LAST SAVED 5/10/2010 3:18 PM

EXHIBIT A-TRACT 2

STREET RIGHT-OF-WAY ABANDONMENT
MATILDA STREET
ADJACENT TO BLOCK G/5402
W. P. CARDER SURVEY, ABSTRACT 282
CITY OF DALLAS, DALLAS COUNTY, TEXAS



LEGEND
IRF = IRON ROD FOUND
IRSC = 5/8-INCH IRON ROD SET WITH "KHA" CAP
IRFC = 5/8-INCH IRON ROD FOUND WITH CAP
ESMT. = EASEMENT
VOL. = VOLUME
PG. = PAGE
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
C.M. = CONTROLLING MONUMENT

STATE OF TEXAS
REGISTERED
MICHAEL B. MARX
5181
PROFESSIONAL
LAND SURVEYOR

6/3/10

NOTE:

Bearing system of this survey is based on the monumented east line of Lot 1A, Block G/5402, Lincoln L.A.G. Addition, recorded in Volume 2002023, Page 0035, Deed Records, Dallas County, Texas, said bearing being South 00°02'20" East.

(for SPRG use only)
Reviewed By:
Date: 06.03.2010
SPRG NO: 1888

Kimley-Horn and Associates, Inc.
12700 Park Central Drive, Suite 1800
Dallas, Texas 75251
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 20'	MBM	DAB	03/17/2010	063319026	2 OF 2

PLOTTED BY MARX, MICHAEL 6/3/2010 10:27 AM DWG NAME K:\DAL_SURVEY\63319026-LINCOLN LOVERS_LDD63319026\DWG\LINCOLN LAG MATILDA ABANDONMENT.DWG
LAST SAVED 5/10/2010 3:18 PM

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.

Exhibit C

20' WATER EASEMENT
MATILDA STREET
BETWEEN BLOCK G/5402 AND BLOCK 12/5406
W.P. CARDER SURVEY, ABSTRACT NO. 282
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Being a 8,702 square foot (0.1998 acres) tract of land situated in the W. P. Carder Survey, Abstract No. 282, City of Dallas, Dallas County, Texas, being part of Matilda Street, a variable width street easement conveyed to the City of Dallas by deed recorded in Volume 5149, Page 314, Deed Records, Dallas County, Texas, between block G/5402 and Block 12/5406, and being more particularly described as follows:

COMMENCING at a 1/2" iron rod with yellow plastic cap stamped "RLG INC" found for the northeast interior ell corner of Lot 1A, Block G/5402, Lincoln L.A.G. Addition, an addition to the City of Dallas according to the plat recorded in Volume 2002023, Page 35, Deed Records, Dallas County, Texas, said rod being the southwest corner of said Matilda Street (street easement), the southeast corner of a 4.4957 acre tract of land conveyed to Lincoln LAG, Ltd. by Special Warranty Deed recorded in Volume 2002019, Page 46, Deed Records, Dallas County, Texas, the northeast corner of Tract 1 and the northwest corner of Tract 2 as conveyed to Lincoln LAG, Ltd. by Special Warranty Deed recorded in Instrument No. 201400120831, Official Public Records, Dallas County, Texas;

THENCE North 00° 02' 20" West, along the east line of said Lot 1A and the west line of said Matilda Street (street easement), passing at a distance of 425.10 feet a 1/2" iron rod with yellow plastic cap stamped "RLG INC" found for the southerly northeast corner said Lot 1A and the south corner of a right-of-way dedication recorded in Volume 2002023, Page 35, Deed Records, Dallas County, Texas, continuing along the east line of said right-of-way dedication a total distance of 435.10 feet to a MAG nail found for the northeast corner of said right-of-way dedication at the ell corner of said street easement;

THENCE South 89° 16' 00" East, along the eastward projection of the north line of said Lot 1A and the south line of said street easement, a distance of 20.00' to a chiseled "X" in concrete set for corner, said corner being the **POINT OF BEGINNING**;

THENCE South 89° 16' 00" East, continuing along the eastward projection of the north line of said Lot 1A and the south line of said street easement for a total distance of 20.00' to a chiseled "X" in concrete set on the east line of said street easement and the west line of a tract of land (Tract 2) conveyed to Dallas Power & Light by deed recorded in Volume 3188, Page 618, Deed Records, Dallas County, Texas, being the northwest corner of a street easement recorded in Volume 70250, page 1766, Deed Records, Dallas County, Texas and the southwest corner of a street easement recorded in Volume 70059, page 1309, Deed Records, Dallas County, Texas;

THENCE South 00° 06' 08" West, along the west line of said Dallas Power & Light tract and the east line of said Matilda Street (street easement), a distance of 435.09 feet to a 1/2" iron rod with yellow plastic cap stamped "RLG INC" set for corner at the southeast corner of said Matilda Street (street easement) and in a north line of said Lot 1A, from which a PK nail found for the most easterly northeast corner of said Lot 1A bears South 89° 15' 00" East, a distance of 54.00 feet;

(For SPRG use only)
Reviewed By: G.S.
Date: 11-2-18
SPRG NO.: 4670

20' WATER EASEMENT
MATILDA STREET
BETWEEN BLOCK G/5402 AND BLOCK 12/5406
W.P. CARDER SURVEY, ABSTRACT NO. 282
CITY OF DALLAS, DALLAS COUNTY, TEXAS

THENCE North 89° 15' 00" West, along the north line of said Lot 1A and the south terminus of said Matilda Street (street easement), a distance of 20.00 feet to a chiseled "X" in concrete set for corner;

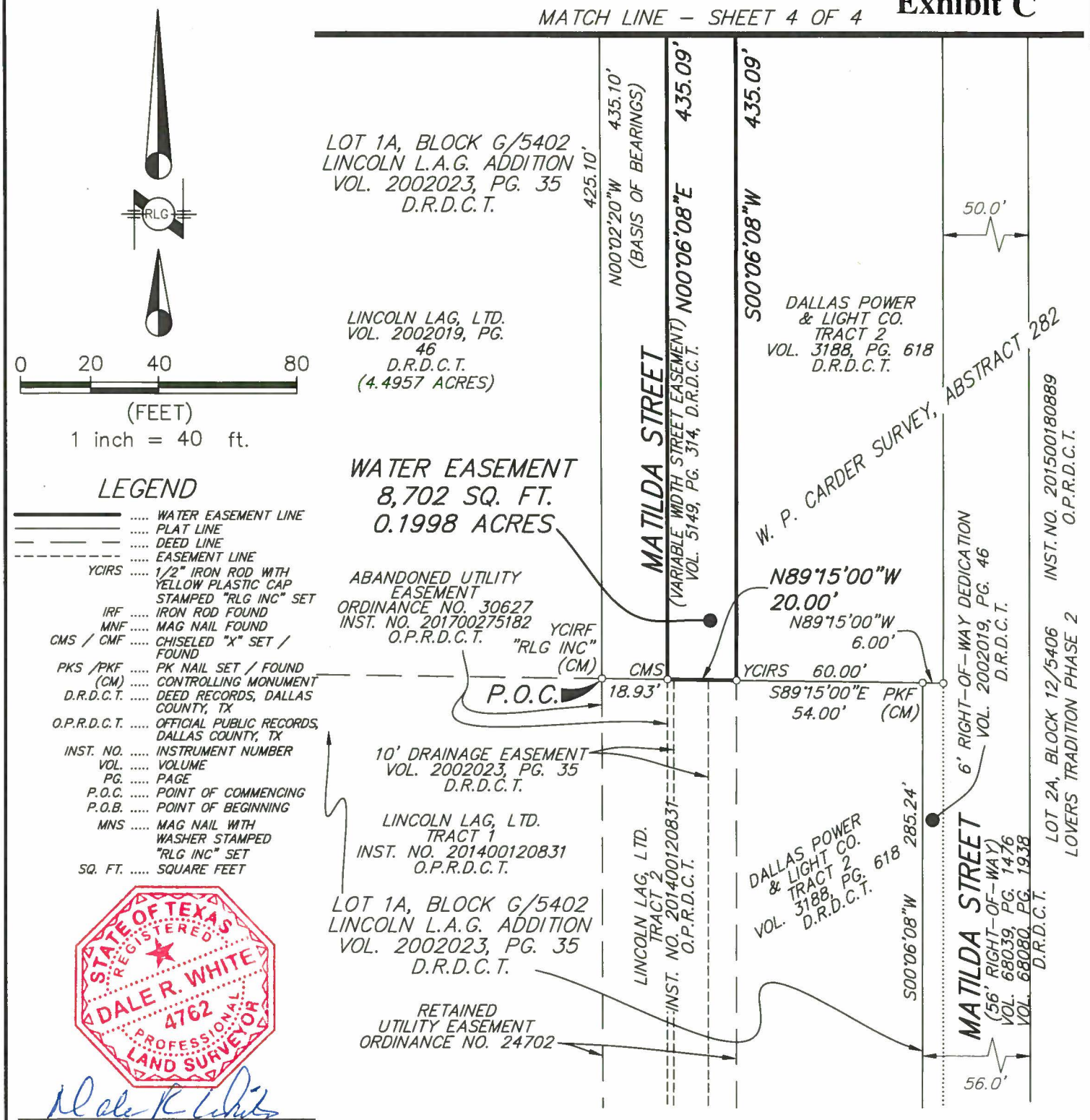
THENCE North 00°06'08" East, departing the north line of said Lot 1A and the south terminus said Matilda Street (street easement) a distance of 435.09 feet to the **POINT OF BEGINNING** and containing 8,702 square feet or 0.1998 acres, more or less.

Basis of Bearings: The east line of said Lot 1A, Block G/5402, Lincoln L.A.G. Addition (S 00° 02' 20" E) as shown on plat of Lot 1A, Block G/5402, Lincoln L.A.G. Addition, recorded in Volume 2002023, Page 35, Deed Records, Dallas County, Texas.

Dale R. White R.P.L.S. No. 4762
10/04/2018

(For SPRG use only)
Reviewed By: G.S.
Date: 11-2-18
SPRG NO.: 4670

Exhibit C



LEGEND

- ..... WATER EASEMENT LINE
- ..... PLAT LINE
- ..... DEED LINE
- ..... EASEMENT LINE
- YCIRS ..... 1/2" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "RLG INC" SET
- IRF ..... IRON ROD FOUND
- MNF ..... MAG NAIL FOUND
- CMS / CMF ..... CHISELED "X" SET / FOUND
- PKS /PKF ..... PK NAIL SET / FOUND
- (CM) ..... CONTROLLING MONUMENT
- D.R.D.C.T. ..... DEED RECORDS, DALLAS COUNTY, TX
- O.P.R.D.C.T. ..... OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TX
- INST. NO. ..... INSTRUMENT NUMBER
- VOL. ..... VOLUME
- PG. ..... PAGE
- P.O.C. ..... POINT OF COMMENCING
- P.O.B. ..... POINT OF BEGINNING
- MNS ..... MAG NAIL WITH WASHER STAMPED "RLG INC" SET
- SQ. FT. ..... SQUARE FEET

STATE OF TEXAS
REGISTERED
DALE R. WHITE
4762
PROFESSIONAL
LAND SURVEYOR

Dale R. White R.P.L.S. No. 4762
10/04/2018

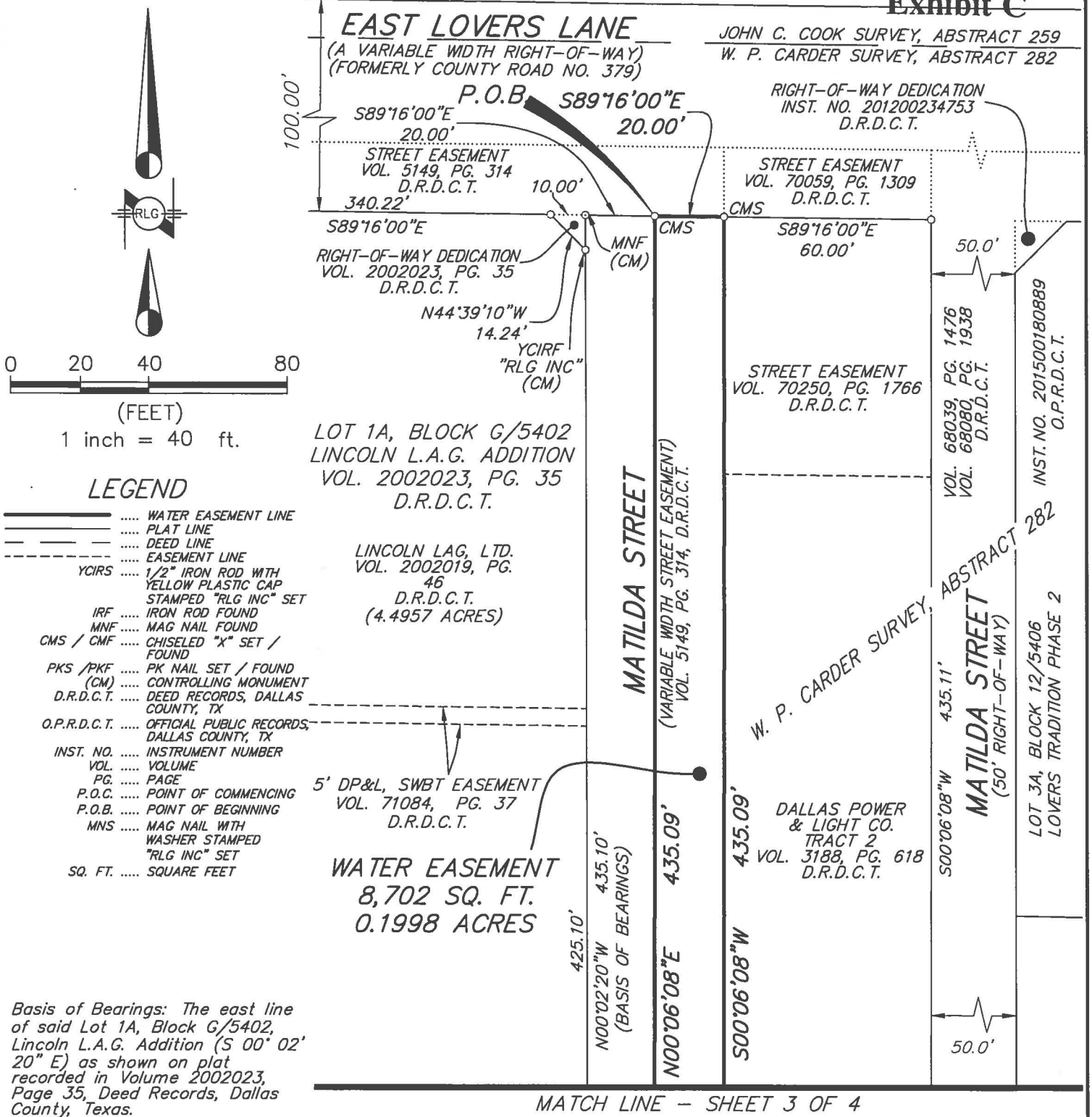
RAYMOND L. GOODSON JR., INC.
12001 N. CENTRAL EXPY, STE 300
DALLAS, TX. 75243
214-739-8100
rlg@rlginc.com
TEXAS PE REG #F-493
TBPLS REG #100341-00

20' WATER EASEMENT
MATILDA STREET
BETWEEN BLOCK G/5402 & BLOCK 12/5406
W. P. CARDER SURVEY, ABSTRACT NO. 282
CITY OF DALLAS, DALLAS COUNTY, TEXAS

(For SPRG use only)
Reviewed By: G.S.
Date: 11-2-18
SPRG NO.: 4670

SCALE	1" = 40'	DATE	10/04/2018	SHEET	3 OF 4
JOB NO.	1711.049.002	E-FILE	1711.049.002ex	DWG NO.	26,792X

Exhibit C



0 20 40 80

(FEET)

1 inch = 40 ft.

LEGEND

- ..... WATER EASEMENT LINE
- ..... PLAT LINE
- ..... DEED LINE
- ..... EASEMENT LINE
- YCIRS ..... 1/2" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "RLG INC" SET
- IRF ..... IRON ROD FOUND
- MNF ..... MAG NAIL FOUND
- CMS / CMF ..... CHISELED "X" SET / FOUND
- PKS /PKF ..... PK NAIL SET / FOUND
- (CM) ..... CONTROLLING MONUMENT
- D.R.D.C.T. ..... DEED RECORDS, DALLAS COUNTY, TX
- O.P.R.D.C.T. ..... OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TX
- INST. NO. ..... INSTRUMENT NUMBER
- VOL. ..... VOLUME
- PG. ..... PAGE
- P.O.C. ..... POINT OF COMMENCING
- P.O.B. ..... POINT OF BEGINNING
- MNS ..... MAG NAIL WITH WASHER STAMPED "RLG INC" SET
- SQ. FT. ..... SQUARE FEET

Basis of Bearings: The east line of said Lot 1A, Block G/5402, Lincoln L.A.G. Addition (S 00° 02' 20" E) as shown on plat recorded in Volume 2002023, Page 35, Deed Records, Dallas County, Texas.

Controlling Monuments: As shown.

RAYMOND L. GOODSON JR., INC.
12001 N. CENTRAL EXPY, STE 300
DALLAS, TX. 75243
214-739-8100
rlg@rlginc.com
TEXAS PE REG #F-493
TBPLS REG #100341-00

20' WATER EASEMENT
MATILDA STREET
BETWEEN BLOCK G/5402 & BLOCK 12/5406
W. P. CARDER SURVEY, ABSTRACT NO. 282
CITY OF DALLAS, DALLAS COUNTY, TEXAS

(For SPRG use only)
Reviewed By: G.S.
Date: 11-2-18
SPRG NO.: 4670

SCALE	1" = 40'	DATE	10/04/2018	SHEET	4 OF 4
JOB NO.	1711.049.002	E-FILE	1711.049.002ex	DWG NO.	26,792X

EXHIBIT D

- D R A F T -

This Agreement ("***Agreement***") for the construction, development, and maintenance of a sidewalk, hike and bike trail, and other landscape improvements, is entered into this _____day of _____, 2018, between the CITY OF DALLAS, a Texas municipal corporation ("***City***"), acting by and through its PARK AND RECREATION BOARD ("Board"), Lincoln LAG Ltd., a Texas corporation ("***Lincoln***"), and HEB Grocery Company, LP, a Texas limited partnership ("***HEB***") (the City, Lincoln and HEB sometimes each individually referred to herein as a "***Party***" and collectively as the "***Parties***").

WHEREAS, Lincoln is owner of certain property as shown on the attached Exhibit A (the "***Lincoln Property***") that is located adjacent to Matilda Street;

WHEREAS, Oncor Electrical Delivery Company LLC ("***Oncor***") is owner of certain property as shown on the attached Exhibit A (the "***Oncor Property***") that is also located adjacent to Matilda Street;

WHEREAS, a portion of Matilda Street as shown on the attached Exhibit A (the "***Abandoned ROW***") has been abandoned by the City, acting in its municipal capacity, pursuant to Ordinance No. _____ (the "***Abandonment Ordinance***"), thereby vesting ownership, control and use of such Abandoned ROW in Lincoln as the owner of the Abandoned ROW underlying fee subject to the limitations set forth in the Abandonment Ordinance; and

WHEREAS, the Ordinance requires that Lincoln grant a hike and bike trail easement on the Abandoned ROW and further construct or cause to be constructed a sidewalk, hike and bike trail, and other landscape improvements (collectively, the "***Trail Improvements***") on the Premises, as hereinafter defined, as consideration for the waiver of the abandoned fee that would otherwise be charged for the Abandoned ROW;

WHEREAS, the Trail Improvements will be located partially within an area as shown on the attached **Exhibit A** (collectively, the "***Premises***") comprised of a portion of the Oncor Property and a portion of the Abandoned ROW;

WHEREAS, concurrent with this Agreement, Oncor has granted a license agreement to the City of Dallas (the "***Oncor License***") permitting the use of the portion of the Premises located on the Oncor Property for development and use of the Trail Improvements; and

WHEREAS, concurrent with this Agreement, Lincoln has dedicated to the City (and HEB has approved) an easement permitting the use of the portion of the Premises on the Lincoln Property for the Trail Improvements; and

WHEREAS, HEB has a current leasehold interest in the Lincoln Property and currently operates a grocery store thereon;

WHEREAS, it is the desire of Lincoln that HEB undertake its obligations set forth under the Abandonment Ordinance; and

EXHIBIT D

-DRAFT-

WHEREAS, HEB is willing to undertake Lincoln's obligations under the Abandonment Ordinance for so long as HEB maintains its leasehold interest on Lincoln's Property; and

WHEREAS, City accepts HEB's commitment to perform the obligations under the Abandonment Ordinance on behalf of Lincoln; and

WHEREAS, for purposes of this Agreement whenever Lincoln is mentioned, the obligations shall include HEB as the performing party; and

WHEREAS, HEB has agreed to design and construct the Trail Improvements on the Premises (the design and construction of the Trail Improvements sometimes referred to herein as the "***Project***") at its sole cost and expense on behalf of Lincoln and in consideration for the waiver of the fee that would otherwise be charged for the Abandoned ROW;

NOW, THEREFORE, the Parties, in consideration of the mutual covenants, terms and conditions contained in this Agreement, and for other good and valuable consideration, do hereby agree as follows:

Agenda Information Sheet

File #: 18-1219 **Item #:** 31.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 13

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

An ordinance abandoning a portion of a utility easement to Michelle N. Thomas and Stewart H. Thomas, the abutting owners, containing approximately 750 square feet of land, located near the intersection of Horseshoe Trail and Lilac Lane - Revenue: $5,400.00, plus the $20.00 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of a utility easement to Michelle N. Thomas and Stewart H. Thomas, the abutting owners. The area will be included with the property of the abutting owners for the construction of a new residence. 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 December 10, 2018.

FISCAL INFORMATION

Revenue: $5,400.00, plus the $20.00 ordinance publication fee

OWNERS

Michelle N. Thomas

Stewart H. Thomas

MAP

Attached

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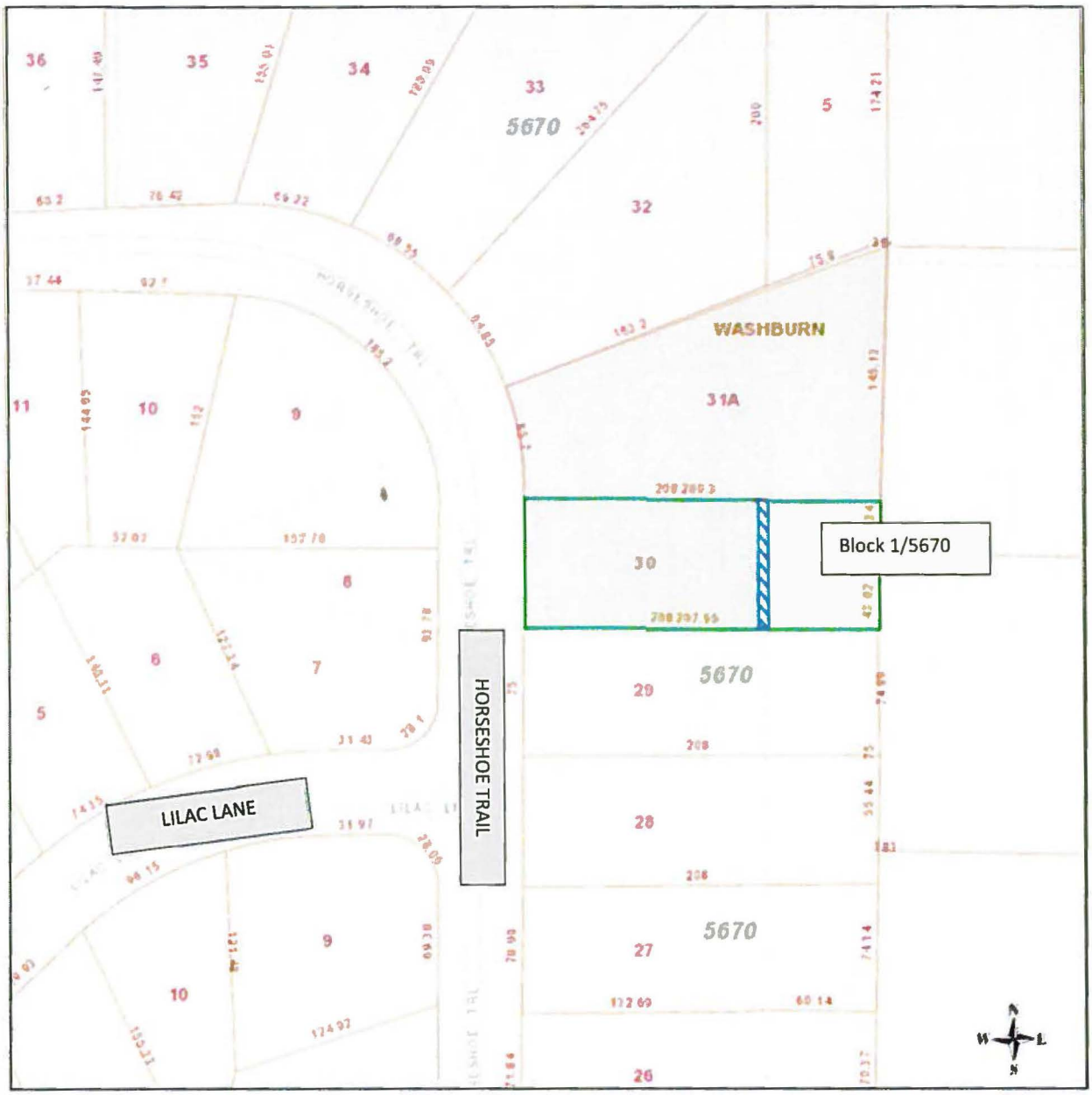


Abandonment Area

ORDINANCE NO. _____

An ordinance providing for the abandonment and relinquishment of a portion of a utility easement, located in City Block 1/5670 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Michelle N. Thomas and Stewart H. Thomas; 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.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Michelle N. Thomas and Stewart H. Thomas, a married couple; hereinafter referred to 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 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 2, 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-2018-00007998.

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

KRIS SWECKARD, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

10' UTILITY EASEMENT ABANDONMENT

Exhibit A

COLONY RIDGE ADDITION
PORTION OF LOT 30, CITY OF DALLAS BLOCK 1/5670
ALEXANDER HARWOOD SURVEY, ABSTRACT NO. 582
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Being a 750 square foot (0.02 acre) tract of land situated in the Alexander Harwood Survey, Abstract Number 582 and being a 10 foot utility easement out of Lot 30, City of Dallas Block Number 1/5670 of the Colony Ridge Addition, in the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 6, Page 115, Map Records, Dallas County, Texas, same being a portion of that tract of land conveyed to Michelle N. Thomas and Stewart H. Thomas, by General Warranty Deed recorded in Instrument Number 201800210957, Official Public Records, Dallas County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8 inch iron rod found for corner, said corner being the Southwest corner of Lot 31, Block 1/5670 of Washburn Addition, according to the Plat thereof recorded in Volume 200206, Page 3508, Deed Records, Dallas County, Texas and being the Northwest corner of said Thomas tract, and being in the East line of Horseshoe Trail (50 foot right-of-way, Colony Ridge Addition, Volume 6, Page 115), from which a 1 inch iron pipe found bears South 00 degrees 29 minutes 37 seconds East, a distance of 75 feet for witness;

THENCE North 89 degrees 30 minutes 00 seconds East along the South line of said Lot 31, a distance of 140.00 feet to a point for corner, said corner being the Point of Beginning of that tract herein described;

THENCE South 00 degrees 30 minutes 00 seconds East, a distance of 75.00 feet to a point for corner, said corner being in the North line of that tract of land conveyed to James E. Swift, Jr. by General Warranty Deed recorded in Instrument Number 201200083021, Official Public Records, Dallas County, Texas and being the Northeast corner of Lot 29, Block 1/5670 of Colony Ridge Addition;

THENCE South 89 degrees 30 minutes 00 seconds West, along the North line of said Lot 29, a distance of 10.00 feet to a point of for corner;

THENCE North 00 degrees 30 minutes 00 seconds West, a distance of 75.00 feet to a point for corner, said corner being in the South line of said Lot 31;

THENCE North 89 degrees 30 minutes 00 seconds East, a distance of 10.00 feet to the POINT OF BEGINNING and containing 750 square feet or 0.02 acres of land.

GENERAL NOTES:

1) BASIS OF BEARING IS THE NORTH LINE OF THOMAS TRACT, BEING NORTH 89 DEGREES 30 MINUTES 00 SECONDS, AS RECORDED IN INST. NO. 201800210957.

(For SPRG use only)	
Reviewed By:	G.S.
Date:	10-9-18
SPRG No.:	4649

STATE OF TEXAS
REGISTERED
BRYAN CONNALLY
5513
PROFESSIONAL
LAND SURVEYOR

BRYAN CONNALLY
R.P.L.S. NO. 5513
10/08/18

CBG Surveying Texas LLC

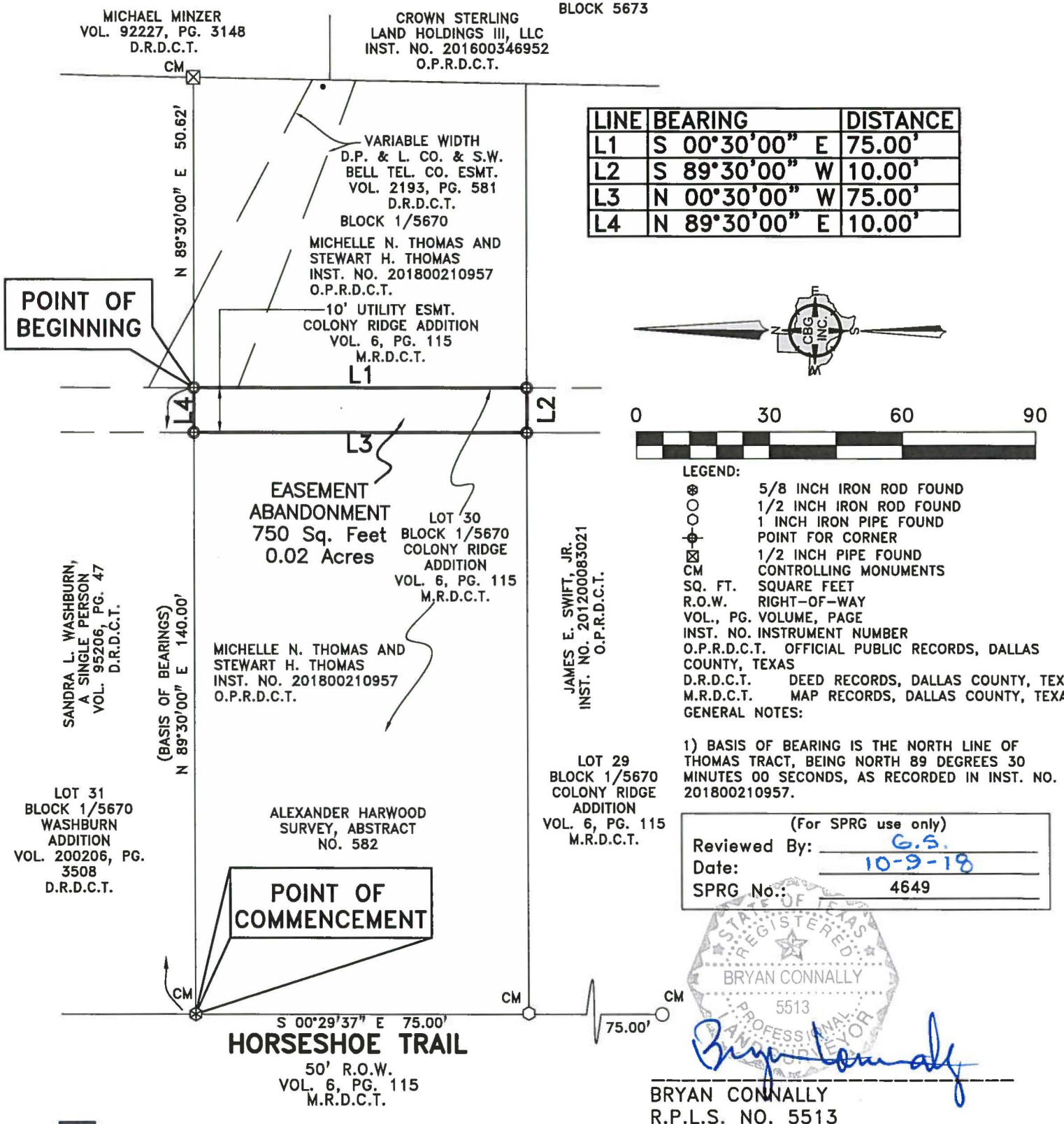
PLANNING SURVEYING
12025 Shiloh Road · Suite 230 Dallas, Texas 75228
P 214.349.9485 F 214.349.2216
Firm No. 10168800
www.cbgdfw.com

SHEET 1 OF 2
JOB NO. 1508350-04
DRAWN BY: BG

10' UTILITY EASEMENT ABANDONMENT

Exhibit A

COLONY RIDGE ADDITION
PORTION OF LOT 30, CITY OF DALLAS BLOCK 1/5670
ALEXANDER HARWOOD SURVEY, ABSTRACT NO. 582
CITY OF DALLAS, DALLAS COUNTY, TEXAS



LINE	BEARING	DISTANCE
L1	S 00°30'00" E	75.00'
L2	S 89°30'00" W	10.00'
L3	N 00°30'00" W	75.00'
L4	N 89°30'00" E	10.00'

LEGEND:

⊛	5/8 INCH IRON ROD FOUND
○	1/2 INCH IRON ROD FOUND
○	1 INCH IRON PIPE FOUND
⊕	POINT FOR CORNER
⊠	1/2 INCH PIPE FOUND
CM	CONTROLLING MONUMENTS
SQ. FT.	SQUARE FEET
R.O.W.	RIGHT-OF-WAY
VOL., PG.	VOLUME, PAGE
INST. NO.	INSTRUMENT NUMBER
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS
D.R.D.C.T.	DEED RECORDS, DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS, DALLAS COUNTY, TEXAS

GENERAL NOTES:

1) BASIS OF BEARING IS THE NORTH LINE OF THOMAS TRACT, BEING NORTH 89 DEGREES 30 MINUTES 00 SECONDS, AS RECORDED IN INST. NO. 201800210957.

(For SPRG use only)
Reviewed By: G.S.
Date: 10-9-18
SPRG No.: 4649

STATE OF TEXAS
REGISTERED
BRYAN CONNALLY
5513
PROFESSIONAL
LAND SURVEYOR

BRYAN CONNALLY
R.P.L.S. NO. 5513
10/08/18

CBG Surveying Texas LLC
PLANNING · SURVEYING
12025 Shiloh Road · Suite 230 · Dallas, Texas 75228
P 214.349.9485 · F 214.349.2216
Firm No. 10168800
www.cbgdfw.com

SHEET 2 OF 2
JOB NO. 1508350-04
DRAWN BY: BG

Agenda Information Sheet

File #: 18-764 **Item #:** 32.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	December 12, 2018
COUNCIL DISTRICT(S):	10
DEPARTMENT:	Department of Sustainable Development and Construction
EXECUTIVE:	Majed Al-Ghafry

SUBJECT

Authorize an amendment to an existing lease agreement with KAZ MEYERS PROPERTIES, LLC, d/b/a North Creek Kaz Meyers, LLC, MHNC MEYERS, LLC, SMHNC MEYERS, LLC, YKHKNC MEYERS, LLC, and YTNC MEYERS, LLC to extend the lease agreement for an additional one year for approximately 1,800 square feet of office space located at 9451 Lyndon B. Johnson Freeway, Suite 125 to be used as the Northeast Community Court for the period January 1, 2019 through December 31, 2019 - Not to exceed $23,760.00 - Financing: General Fund

BACKGROUND

This item authorizes an amendment to an existing lease agreement with KAZ MEYERS PROPERTIES, LLC, d/b/a North Creek Kaz Meyers, LLC, MHNC MEYERS, LLC, SMHNC MEYERS, LLC, YKHKNC MEYERS, LLC, and YTNC MEYERS, LLC to extend the lease agreement for an additional one year for approximately 1,800 square feet of office space located at 9451 Lyndon B. Johnson Freeway. Suite 125. The one-year extension will provide for the continued use of the Northeast Community Court.

The community court focuses on rehabilitating the defendant and restoring the community. Persons arrested for ‘quality of life’, Class C misdemeanor crimes within a community court’s geographical service area are brought swiftly before the community court judge. Defendants who plead guilty or no contest may be ordered to perform community service restitution in the neighborhood or the judge can also require the defendant to attend rehabilitative and educational programs. Typical offenses heard by the judge include assaults, manifestation of prostitution, and possession of drug paraphernalia, illegal dumping, and code violations. Community prosecutors serve as the prosecutors in the community court to provide services that include the intake of contractor’s registration, review, and processing of permit applications and inspections by the City of Dallas.

The one-year extension will begin on January 1, 2019 through December 31, 2019.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 24, 2016, City Council authorized a two-year lease agreement with Shawnee, Inc. for approximately 1,800 square feet of office space located at 9451 Lyndon B. Johnson Freeway, Suite 125, to be used as a Northeast Community Court for the period January 1, 2017 through December 31, 2018, by Resolution No. 16-1348.

Information about this item will be provided to the Mobility Solutions Infrastructure & Sustainability Committee on December 10, 2018.

FISCAL INFORMATION

General Fund - $23,760.00

OWNERS

KAZ MEYERS PROPERTIES, LLC d/b/a North Creek Kaz Meyers, LLC

Half Plains Equity, LLC

MHNC MEYERS, LLC

SMHNC MEYERS, LLC

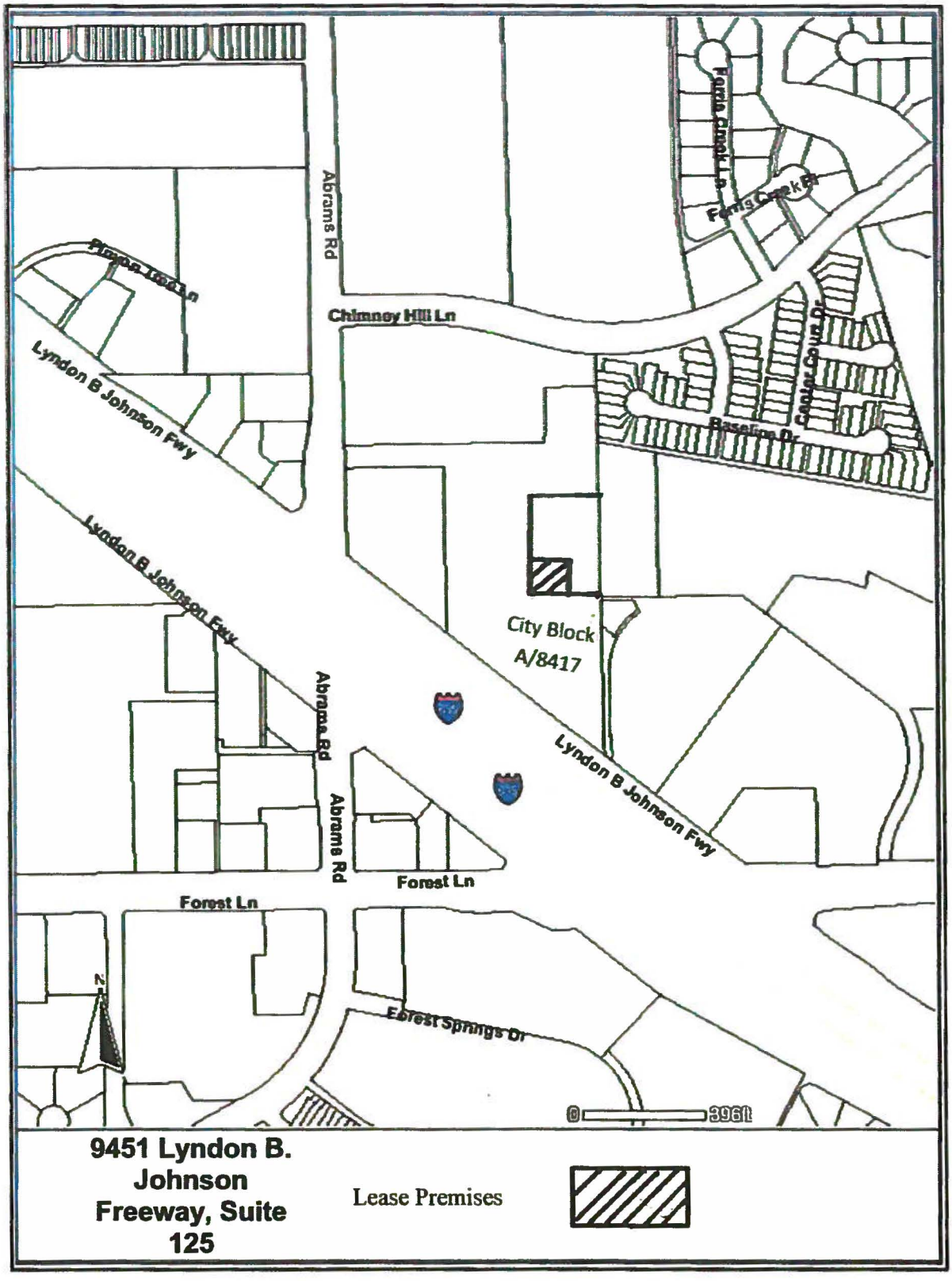
YKHKNC MEYERS, LLC

YTNC MEYERS, LLC

Steven Flint, Governing Person

MAP

Attached


Abrams Rd
Chimney Hill Ln
Lyndon B Johnson Fwy
Lyndon B Johnson Fwy
Lyndon B Johnson Fwy
Abrams Rd
Abrams Rd
Forest Ln
Forest Ln
Forest Springs Dr
Baseline Dr
City Block
A/8417
0
396ft
9451 Lyndon B. Johnson Freeway, Suite 125
Lease Premises

December 12, 2018

WHEREAS, on August 24, 2016, by Resolution 16-1348, the City Council of Dallas authorized a two-year lease agreement dated September 16, 2016, ("the Lease") with Shawnee, Inc., a Texas corporation, as landlord, ("Landlord") and City of Dallas ("City"), as tenant for approximately 1,800 square feet of office space, located at 9451 Lyndon B. Johnson Freeway, Suite 125, Dallas, Dallas County, Texas (the "Premises") to be used by the Northeast Community Court; and

WHEREAS, KAZ MEYERS PROPERTIES, LLC, a Delaware limited liability company, d/b/a North Creek Kaz Meyers, LLC, MHNC MEYERS, LLC, a Delaware limited liability company, SMHNC MEYERS, LLC, a Delaware limited liability company, YKHKNC MEYERS, LLC, a Delaware limited liability company, and YTNC MEYERS, LLC, a Delaware limited liability company has purchased the property including the Premises and succeeded to and assumed the Lease as landlord (hereinafter "Landlord); and

WHEREAS, the Lease expires by its own terms on December 31, 2018; and

WHEREAS, the parties desire to renew, extend, modify and/or amend the Lease term to provide for an additional one-year term ("Extension Term").

Now, Therefore,

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

SECTION 1. That the City Manager, upon approval as to form by the City Attorney be and is hereby authorized to sign a First Amendment to the Lease Agreement between KAZ MEYERS PROPERTIES, LLC, a Delaware limited liability company, d/b/a North Creek Kaz Meyers, LLC, MHNC MEYERS, LLC, a Delaware limited liability company, SMHNC MEYERS, LLC, a Delaware limited liability company, YKHKNC MEYERS, LLC, a Delaware limited liability company, and YTNC MEYERS, LLC, a Delaware limited liability company and the City of Dallas.

SECTION 2. That the special terms and conditions of the First Amendment to the Lease Agreement are:

(a) The term of the Lease is hereby extended for an additional one (1) year, beginning January 1, 2019 and ending December 31, 2019, provided however, that City and Landlord retain the right to terminate the Lease as provided elsewhere therein.

(b) Monthly Rental Payment payments during the Extension Term shall be as follows: (subject to annual appropriations)

January 1, 2019 – December 31, 2019:	$1,980.00 per month

(c) All other terms and conditions of the Lease, not expressly amended hereby shall remain in full force and effect.

SECTION 3. That the Chief Financial Officer be and is hereby authorized to draw warrants payable to Landlord, or its successors and assigns on the first day of each month in advance during the lease term beginning January 1, 2019 in the amount specified below:

January 1, 2019 – December 31, 2019 (subject to annual appropriations)	$1,980 per month

SECTION 4. That the payments will be charged as follows:

January 1, 2019 – December 31, 2019: General Fund, Fund 0001, Department ATT, Unit 2747, Object 3330, Encumbrance/Contract No. CX-ATT-2018-00007513, Commodity 97145, Vendor VS99525.

SECTION 5. That the Chief Financial Officer is hereby authorized to draw warrants payable to the respective telephone, communications, utility and janitorial and security companies upon receipt of a bill for services or other applicable charges throughout the term of the lease.

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.

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

BY: _____
Assistant City Attorney

Agenda Information Sheet

File #: 18-597 **Item #:** 33.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	December 12, 2018
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Department of Sustainable Development and Construction
EXECUTIVE:	Majed Al-Ghafry

SUBJECT

Authorize an amendment to an existing lease agreement with Texas Solutions Group LLC to extend the lease agreement for an additional twenty-eight months for approximately 192 square feet of office space located at 1303 San Antonio Street, Suite 720, Austin, Texas to be used as the City Attorney's Legislative Office for the period October 1, 2018 through January 31, 2021 - Not to exceed $42,570.08 - Financing: General Fund (subject to annual appropriations)

BACKGROUND

This item authorizes an amendment to an existing lease agreement with Texas Solutions Group LLC to extend the lease agreement an additional twenty-eight months for approximately 192 square feet of office space located at 1303 San Antonio Street, Suite 720, Austin, Texas. The twenty-eight month extension will provide for the continued use of the City Attorney's Legislative Office.

The twenty-eight month extension will begin on October 1, 2018 through January 31, 2021.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on December 10, 2018.

FISCAL INFORMATION

General Fund - $42,570.08 (subject to annual appropriations)

OWNER

Texas Solutions Group LLC

Jeffrey Heckler, General Manager

MAP

Attached

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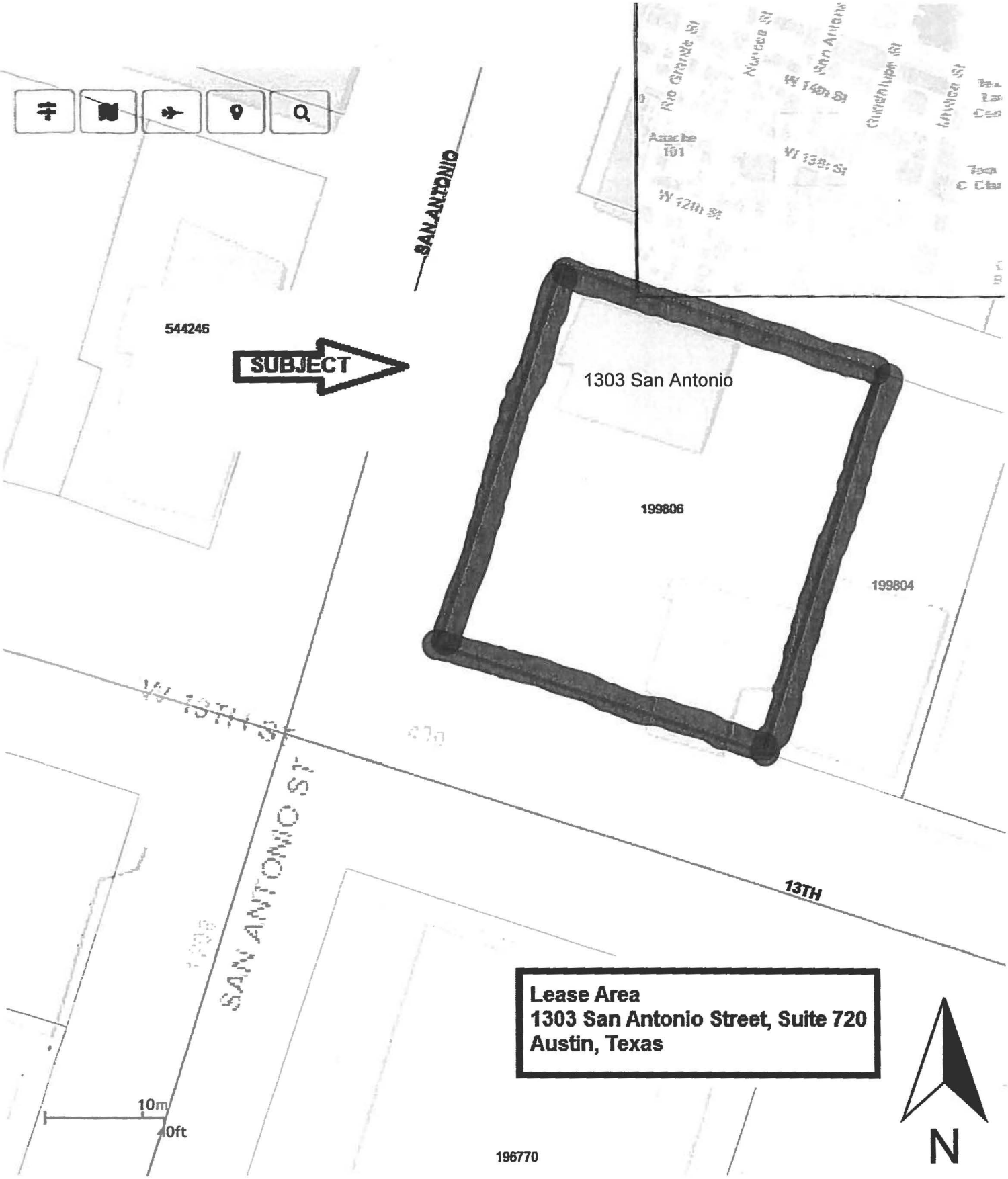

SAN ANTONIO
544246
SUBJECT
1303 San Antonio
199806
199804
W 13th St
13TH
SAN ANTONIO ST
10m
0ft
196770
Lease Area
1303 San Antonio Street, Suite 720
Austin, Texas
N

December 12, 2018

WHEREAS, on April 1, 2018, as authorized by Section 2-11.2, 1960 Revised Dallas Code, as amended by Ordinance No. 20951, City Manager entered into a six-month Commercial Sublease Agreement ("Lease") between Texas Solutions Group, as sublandlord, ("Landlord") and the City of Dallas, as tenant, for approximately 192 square feet of office space located in an office suite, having a street address of 1303 San Antonio Street, Suite 720, Austin, Travis County, Texas (the "Premises"); and

WHEREAS, the Lease expired by its own terms on October 1, 2018, and the City is currently in a holdover tenant status; and

WHEREAS, the parties desire to renew, extend, modify and/or amend the Lease to provide for an additional twenty-eight (28) months ("Extension Term"); upon certain amended terms as provided below.

Now, Therefore,

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

SECTION 1. That the City Manager upon approval as to form by the City Attorney, is hereby authorized to execute a First Amendment to Commercial Sublease Agreement between Texas Solutions Group LLC, a New Mexico limited liability company, and the City of Dallas.

SECTION 2. That the special terms and conditions of the First Amendment to Commercial Sublease Agreement are:

(a) The term of the Lease is hereby extended the term for an additional twenty-eight (28) months, beginning October 1, 2018 and ending January 31, 2021, provided however, that City and Landlord retain the right to terminate the Lease as provided elsewhere therein.

(b) The City shall pay Landlord as the "Monthly Rental Payment" during the Extension Term, the rental payment in the following amount (subject to annual appropriations):

October 1, 2018 – January 31, 2021:	$1,350.00 per month

(c) The City shall pay "Utilities" as defined as cable and internet fee to the Landlord as "Additional Rental". Additional monthly rental payments shall be as follows, (subject to annual appropriations):

October 1, 2018 – January 31, 2021:	$170.36 per month

(d) The City reserves the right to terminate with a thirty (30) day notice.

(e) The City reserves the right to terminate the Lease on the last day of any current fiscal year due to non-appropriations of funds.

(f) All other terms of the Lease, not expressly amended hereby shall remain in full force and effect.

SECTION 3. That the Chief Financial Officer be and is hereby authorized to draw warrants payable to Texas Solutions Group LLC, or its successors and assigns on the first day of each month in advance during the lease term beginning October 1, 2018 in the amount specified below:

October 1, 2018 – January 31, 2021: (subject to annual appropriations)	$1,520.36 per month

SECTION 4. That the payments will be charged as follows:

October 1, 2018 – January 31, 2021: General Fund, Fund 0001, Department BMS, Unit 1978, Object 3330, Encumbrance/Contract No. CX-BMS-2018-00004515, Commodity 97145, Vendor VC18478.

SECTION 5. That the Chief Financial Officer is hereby authorized to draw warrants payable to the respective telephone, communications, utility and janitorial and security companies upon receipt of a bill for such services or other applicable charges throughout the lease term.

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.

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

BY: _____
Assistant City Attorney

Agenda Information Sheet

File #: 18-1383 **Item #:** 34.

STRATEGIC PRIORITY:	Mobility Solutions, Infrastructure, and Sustainability
AGENDA DATE:	December 12, 2018
COUNCIL DISTRICT(S):	Outside City Limits
DEPARTMENT:	Department of Sustainable Development and Construction
EXECUTIVE:	Majed Al-Ghafry

SUBJECT

Authorize an addition to Kaufman County Municipal Utility District No. 3 within the City of Dallas' extraterritorial jurisdiction that would include approximately 337 acres on property located in Kaufman County northwest of FM 548 Road - Financing: No cost consideration to the City

BACKGROUND

The City of Dallas has been petitioned by Forney Ranch Road, LLC, Crockett & West, LLC, Amy West Hillman GST Trust, and Andrew West GST Trust, represented by Mindy L. Koehne with Coats Rose PLLC, owners of approximately 337 acres on northwest of FM 548 Road in Kaufman County, for the annexation of the 337 acres into the Kaufman County Municipal Utility District (MUD) No. 3 (See the attached request.). The property lies within the City of Dallas' extraterritorial jurisdiction (ETJ). MUD No. 3, was originally consented to on October 8, 2003, by Resolution No. 03-2751.

City of Dallas consent for an addition to the MUD is required in accordance with Section 54.016 of the Texas Water Code and Section 42.042 of the Texas Local Government Code, because the land to be located within the expanded MUD would have the ability to issue tax exempt bonds to finance public water supply and conveyance, wastewater collection and treatment, and storm drainage facilities in accordance with the rules of the Texas Commission on Environmental Quality. The expansion area is contiguous to Kaufman County MUD No. 3 and Kaufman County MUD No. 4. The representative indicates intended compliance with all applicable development regulations of the City of Dallas for all portions of the property within Dallas' ETJ. The applicants are not requesting the City of Dallas to pay for or provide any utility services to the property.

The expansion is proposed to consist of approximately 2,192 single family homes consistent with the surrounding development. The expansion of the MUD will provide financing to allow for the development of the necessary infrastructure and the construction of homes. The estimated development costs for utilities, paving and grading are $27,300,000.00. The implementation of the MUD expansion allows the property to be developed without cost consideration to the City of Dallas.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on December 10, 2018.

FISCAL INFORMATION

No cost consideration to the City.

OWNER

Forney Ranch Road, LLC

M. Joe Dempsey, President
Gary W. Beene, Vice President and Secretary

Crockett & West, LLC

Carolyn C. West, President and Secretary
Andrew L. West, Vice President

Amy West Hillman GST Trust

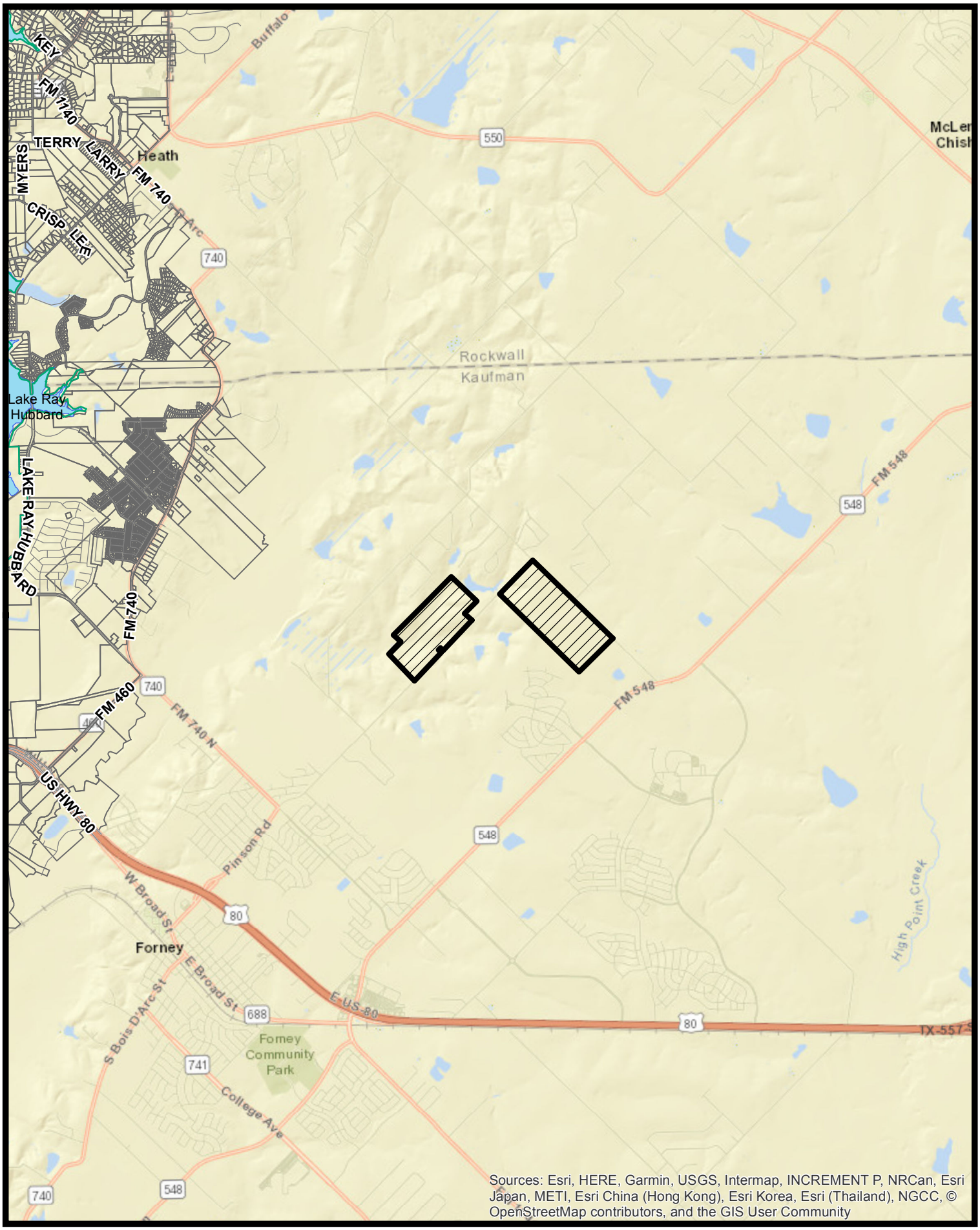
Carolyn Crockett West and R. Ken Hines, Sole Trustees

Andrew West GST Trust

Carolyn Crockett West and R. Ken Hines, Sole Trustees

MAP

Attached



1:60,000

Proposed Kaufman County MUD No. 3 Expansion
General Location Map

COATS | ROSE

A PROFESSIONAL CORPORATION

JOSHUA A. BETHKE
ASSOCIATE

JBETHKE@COATSROSE.COM
DIRECT: (972) 982-8454
FAX: (972) 702-8451

September 26, 2018

City of Dallas
Office of Sustainable Development and Construction
Dallas City Hall
1500 Marilla Street, Suite 5BN
Dallas, Texas 75201

Re: Request for Consent to Annexation of 337.892 Acres of Land into Kaufman County Municipal Utility District No. 3

Ms. Neva Dean:

The purpose of this letter is to provide some information regarding a proposed annexation by Kaufman County Municipal Utility District No. 3 (the "District") of adjacent 337.892 acres of land that is located in the extraterritorial jurisdiction of the City of Dallas, Texas (the "City") and to request that the City consent to the proposed annexation.

The City does not provide services to the proposed areas to be annexed such as water, sewer, fire protection, police, emergency medical services, etc. The developer of the District facilitates and pays for the construction, maintenance and operation of a waterworks system, a sanitary sewer collection and disposal system, roads and additional facilities, systems, plants and enterprises (the "Facilities") that have been or will be extended to the District and the annexed land.

The anticipated number of homes to be built in the District is approximately 2,192.

A property description of the land that is the subject of the proposed annexation is attached hereto as Exhibit "A."

A map showing the existing boundaries of the District as well as the land that is subject of the proposed annexation is attached hereto as Exhibit "B."

Very truly yours,

Joshua A. Bethke

JB: Enclosures

PETITION FOR CONSENT TO ADDITION OF LAND
TO A MUNICIPAL UTILITY DISTRICT

THE STATE OF TEXAS §

COUNTY OF DALLAS §

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF DALLAS, TEXAS:

The undersigned, Forney Ranch Road, LLC, (the "Property Owner") and Kaufman County Municipal Utility District No. 3 (the "District"), respectfully petition the City of Dallas, Texas for its consent to the addition of land to the District. In support of this Petition, the District would show the following:

I.

The lands sought to be added to the District (the "Tracts") are described by metes and bounds in Exhibit "A" and Exhibit "B," attached hereto and made a part hereof for all purposes.

II.

The Tracts lie within Kaufman County, and not within the boundaries of any incorporated city or town. The Tracts lie wholly within the exclusive extraterritorial jurisdiction of the City of Dallas, Texas, as such term is determined pursuant to Chapter 42 V.T.C.A. Local Government Code.

III.

The Property Owner is the holder of title to the Tracts as shown by the Kaufman County Tax Rolls and conveyances of record. Legacy Land Bank, FLCA holds a lien on the Tracts.

IV.

The District was organized, created and established pursuant to an Order of the Texas Commission on Environmental Quality dated April 12, 2005, in accordance with Article XVI, Section 59 of the Texas Constitution and operates pursuant to Chapters 49 and 54, Texas Water Code, as amended. The District generally is empowered and authorized to purchase, construct, acquire, own, operate, maintain, repair, improve, or extend inside and outside its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary to accomplish the purposes of its creation.

V.

The general nature of the work to be done by and within the Tracts at the present time is the construction, maintenance and operation of a waterworks system for residential and commercial purposes; the construction, maintenance and operation of a sanitary sewer collection system and sewage disposal plant; the control, abatement and amendment of the harmful excess of waters and the reclamation and drainage of overflowed lands within the lands to be included within the District; and the construction of roads and of such additional facilities, systems, plants and enterprises as shall be consonant with the purposes for which the District is organized.

VI.

There is a necessity for the improvements above described because the Tracts are located within an area that is experiencing substantial and sustained residential and commercial growth, is urban in nature and is not supplied with adequate water, sanitary sewer and drainage facilities and roads. The health and welfare of the future inhabitants of the Tracts require the acquisition and installation of an adequate waterworks, sanitary sewer and storm drainage system and roads. The purchase, construction, extension, improvement, maintenance and operation of such waterworks system and storm and sanitary sewer collection and disposal systems and roads will conserve and preserve the natural resources of this State by promoting and protecting the purity and sanitary condition of the State's waters and will promote and protect the public health and welfare of the community; therefore, a public necessity exists for the inclusion of the Tracts within the District.

VII.

Said proposed improvements are practicable and feasible, in that the terrain of the Tracts is of such a nature that a waterworks system and sanitary and storm sewer systems and roads can be constructed at a reasonable cost; and said land will be rapidly developed for commercial, multi-family and residential purposes.

VIII.

A preliminary investigation has been instituted to determine the cost of the project attributable to the Tracts, and it is now estimated by the District, from such information as it has at this time, that the ultimate cost of the development contemplated will be approximately $11,793,600.

WHEREFORE, the undersigned respectfully pray that this Petition be granted in all respects and that the City Council of the City of Dallas, Texas, adopt a resolution giving its written consent to the addition of the Tract to the District.

[SIGNATURES ON THE FOLLOWING PAGES]

"DISTRICT"

KAUFMAN COUNTY MUNICIPAL UTILITY DISTRICT NO. 3

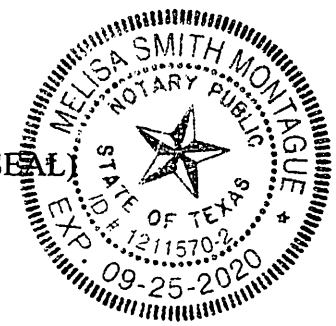
By: _____
President, Board of Directors

THE STATE OF TEXAS §

COUNTY OF DALLAS §

This instrument was acknowledged before me on the 31st day of July, 2018, by J. Cullen Aderhold, President of the Board of Directors of Kaufman County Municipal Utility District No. 3, a political subdivision, on behalf of said political subdivision.

(NOTARY SEAL)



_____
Notary Public in and for the State of T E X A S

"PROPERTY OWNER"

FORNEY RANCH ROAD, LLC,
a Texas limited liability company

By: _____ 8-22-18
Name: M. JOE DEMPSEY
Title: MANAGING PARTNER

By: _____ 8-22-18
Name: GARY BEANE
Title: MANAGING PARTNER

THE STATE OF TEXAS §

COUNTY OF DALLAS §

This instrument was acknowledged before me on the 22ND day of AUGUST, 2018, by M. JOE DEMPSEY & GARY BEANE, MANAGING PARTNERS of Forney Ranch Road, LLC, a limited liability company, in the capacity herein stated.

_____
Notary Public in and for the State of T E X A S

(NOTARY SEAL)
LINDA BEANE
My Notary ID # 2953502
Expires April 15, 2022

The undersigned, Legacy Land Bank, FLCA, consents to the addition of the property described in the Petition (but only as to such property against which Legacy Land Bank, FLCA holds a lien) to the Kaufman County Municipal Utility District No. 3. No other consent, express or implied, is given by Legacy Land Bank, FLCA. Nothing set forth herein shall impair, remove, release, prejudice, subordinate or in any other manner affect the nature, extent, validity or priority of Legacy Land Bank, FLCA's liens and security interests against such property.

LEGACY LAND BANK, FLCA

By: _____
Thomas P. Weisenberger
Vice President

STATE OF TEXAS
COUNTY OF KAUFMAN

This instrument was acknowledged before me, Notary, on the 30th day of August, 2018 by Thomas P. Weisenberger, Vice President of Legacy Land Bank, FLCA, in the capacity herein stated.

_____
Notary Public in and for the State of Texas

(NOTARY SEAL)

EXHIBIT "A"

LEGAL DESCRIPTION
TRACT ONE – FORNEY RANCH TRACT
10.834 ACRES

BEING a tract of land situated in the JUAN LOPEZ SURVEY, ABSTRACT NO. 286, Kaufman County, Texas and being all of that tract of land described as Tract I in Deed to Forney Ranch Road, LLC, as recorded in Volume 3252, Page 380, Deed Records, Kaufman County, Texas and being more particularly described as follows:

BEGINNING at a 3-inch aluminum disk stamped "CITY OF DALLAS" found for the common southwest corner of said Tract I and northwest corner of that tract of land described in Deed to City of Dallas, as recorded in Volume 442, Page 193, Deed Records, Kaufman County, Texas;

THENCE North 44 degrees 21 minutes 50 seconds East, a distance of 1,391.54 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the north corner of said Tract I;

THENCE South 46 degrees 40 minutes 47 seconds East, a distance of 678.40 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the common southeast corner of said Tract I and northeast corner of said City of Dallas tract;

THENCE South 70 degrees 09 minutes 04 seconds West, a distance of 1,559.16 feet to the **POINT OF BEGINNING** and containing 10.834 acres of land, more or less.

EXHIBIT "B"
LEGAL DESCRIPTION
TRACT TWO – FORNEY RANCH TRACT
135.123 ACRES

BEING a tract of land situated in the JUAN LOPEZ SURVEY, ABSTRACT NO. 286, Kaufman County, Texas and being all of that tract of land described as Tract II in Deed to Forney Ranch Road, LLC, as recorded in Volume 3252, Page 380, Deed Records, Kaufman County, Texas and being more particularly described as follows:

BEGINNING at a 3-inch aluminum disk stamped "CITY OF DALLAS" found for the common northeast corner of said Tract II and most easterly southeast corner of that tract of land described in Deed to City of Dallas, as recorded in Volume 442, Page 193, Deed Records, Kaufman County, Texas;

THENCE South 46 degrees 40 minutes 47 seconds East, a distance of 624.41 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the common north corner of that tract of land described in Deed to Kimberly Jean Criswell, as recorded in Volume 1953, Page 313, Deed Records, Kaufman County, Texas and most easterly southeast corner of said Tract II;

THENCE South 44 degrees 48 minutes 38 seconds West, a distance of 753.45 feet to a 3/8 inch iron rod found for the common west corner of that tract of land described in Deed to Mehdi Mahdavi and Jackie Mahdavi, recorded in Volume 3443, Page 545, Deed Records, Kaufman County, Texas and an interior ell corner of said Tract II;

THENCE South 45 degrees 19 minutes 04 seconds East, a distance of 403.68 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set in the northwest line of Ranch Road, a 60 foot right-of-way, for the common south corner of said Mehdi Mahdavi and Jackie Mahdavi tract and an exterior ell corner of said Tract II;

THENCE South 44 degrees 10 minutes 59 seconds West, with said northwest line, a distance of 1,613.44 feet to a 1/2 inch iron rod found for the common east corner of that tract of land described in Deed to High Point Water Supply Corporation, as recorded in Volume 1607, Page 135, Deed Records, Kaufman County, Texas and an exterior ell corner of said Tract II;

THENCE North 46 degrees 02 minutes 49 seconds West, leaving said northwest line, a distance of 147.08 feet to a 1/2 inch iron rod found for the common north corner of said High Point Water Supply Corporation and an interior ell corner of said Tract II;

THENCE South 45 degrees 09 minutes 36 seconds West, a distance of 147.42 feet to a 1/2 inch iron rod with a yellow plastic cap found for the common west corner of said High Point Water Supply Corporation and an interior ell corner of said Tract II;

THENCE South 45 degrees 22 minutes 40 seconds East, a distance of 149.60 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set in the northwest line of the above

mentioned Ranch Road for the common south corner of said High Point Water Supply Corporation tract and an exterior ell corner of said Tract II;

THENCE South 44 degrees 10 minutes 59 seconds West, with said northwest line, a distance of 1,067.29 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the most southerly southwest corner of said Tract II;

THENCE North 45 degrees 19 minutes 57 seconds West, leaving said northwest line, a distance of 652.22 feet to a 3/8 iron rod found for an interior ell corner of said Tract II;

THENCE South 34 degrees 40 minutes 44 seconds West, a distance of 448.18 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for an exterior ell corner of said Tract II;

THENCE North 45 degrees 24 minutes 32 seconds West, a distance of 929.76 feet to a 1/2 inch iron rod with a yellow plastic stamped "JVC" set for an exterior ell corner of said Tract II;

THENCE North 44 degrees 30 minutes 58 seconds East, a distance of 676.55 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for an interior ell corner of said Tract II;

THENCE North 45 degrees 29 minutes 02 seconds West, a distance of 344.62 feet to a 1/2 inch iron rod found for an exterior ell corner of said Tract II;

THENCE North 44 degrees 21 minutes 50 seconds East, a distance of 1,637.57 feet to a 3-inch aluminum disk stamped "CITY OF DALLAS" found for the common southwest corner of the above mentioned City of Dallas tract and an exterior ell corner of said Tract II;

THENCE North 70 degrees 09 minutes 04 seconds East, a distance of 1,881.11 feet to the **POINT OF BEGINNING** and containing 135.123 acres of land, more or less.

CERTIFICATE OF COMPANY RESOLUTION

THE STATE OF TEXAS §
COUNTY OF DALLAS §

I, the undersigned officer of Forney Ranch Road, LLC, a Texas limited liability company, hereby certifies that on August 22, 2018, Gary Beene and Joe Dempsey were Managing Partners of Forney Ranch Road, LLC, and that in such capacity they executed a Petition for Consent to Annex Land Into a Municipal Utility District as the owner of the land to be created and described on Exhibit "A," and that the execution of said petition by Gary Beene and Joe Dempsey in the capacity therein stated has been authorized, approved, ratified, and confirmed by official action of the Board of Directors of Forney Ranch Road, LLC, duly adopted in conformity with its Articles of Incorporation and Bylaws.

WITNESS MY HAND this 22 day of AUGUST, 2018.

FORNEY RANCH ROAD, LLC
a Texas limited liability company

By: _____
Name: M. JOE DEMPSEY
Title: MANAGING PARTNER

By: _____
Name: GARY BEENE
Title: MANAGING PARTNER

THE STATE OF TEXAS §
§
COUNTY OF DALLAS §

BEFORE ME, the undersigned, on this day personally appeared M. JOE DEMPSY & GARY BEENE as MANAGING PARTNERS of Forney Ranch Road, LLC, a Texas limited liability company, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 22ND day of August, 2018.

_____
Notary Public in and for the State of Texas

LINDA BEANE
NOTARY PUBLIC ID # 2953502
Expires April 15, 2022

005725.000001\4828-9747-9278.v1

EXHIBIT "A"

LEGAL DESCRIPTION
TRACT ONE – FORNEY RANCH TRACT
10.834 ACRES

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THENCE South 70 degrees 09 minutes 04 seconds West, a distance of 1,559.16 feet to the **POINT OF BEGINNING** and containing 10.834 acres of land, more or less.

EXHIBIT "B"
LEGAL DESCRIPTION
TRACT TWO – FORNEY RANCH TRACT
135.123 ACRES

BEING a tract of land situated in the JUAN LOPEZ SURVEY, ABSTRACT NO. 286, Kaufman County, Texas and being all of that tract of land described as Tract II in Deed to Forney Ranch Road, LLC, as recorded in Volume 3252, Page 380, Deed Records, Kaufman County, Texas and being more particularly described as follows:

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PETITION FOR CONSENT TO ADDITION OF LAND
TO A MUNICIPAL UTILITY DISTRICT

THE STATE OF TEXAS §

COUNTY OF DALLAS §

TO THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF DALLAS, TEXAS:

The undersigned, Crockett & West, LLC, Amy West Hillman GST Trust, and Andrew West GST Trust (collectively referred to as "Property Owners"); and Kaufman County Municipal Utility District No. 3 (the "District"), respectfully petition the City of Dallas, Texas for its consent to the addition of land to the District. In support of this Petition, the District would show the following:

I.

The lands sought to be added to the District (the "Tracts") are described by metes and bounds in Exhibit "A" and Exhibit "B," attached hereto and made a part hereof for all purposes.

II.

The Tracts lie within Kaufman County, and not within the boundaries of any incorporated city or town. The Tracts lie wholly within the exclusive extraterritorial jurisdiction of the City of Dallas, Texas, as such term is determined pursuant to Chapter 42 V.T.C.A. Local Government Code.

III.

The Property Owners are the holders of title to the Tracts as shown by the Kaufman County Tax Rolls and conveyances of record. There are no lienholders on the Tracts.

IV.

The District was organized, created and established pursuant to an Order of the Texas Commission on Environmental Quality dated April 12, 2005, in accordance with Article XVI, Section 59 of the Texas Constitution and operates pursuant to Chapters 49 and 54, Texas Water Code, as amended. The District generally is empowered and authorized to purchase, construct, acquire, own, operate, maintain, repair, improve, or extend inside and outside its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary to accomplish the purposes of its creation.

V.

The general nature of the work to be done by and within the Tracts at the present time is the construction, maintenance and operation of a waterworks system for residential and commercial purposes; the construction, maintenance and operation of a sanitary sewer collection system and sewage disposal plant; the control, abatement and amendment of the harmful excess of waters and the reclamation and drainage of overflowed lands within the lands to be included within the District; and the construction of roads and of such additional facilities, systems, plants and enterprises as shall be consonant with the purposes for which the District is organized.

VI.

There is a necessity for the improvements above described because the Tracts are located within an area that is experiencing substantial and sustained residential and commercial growth, is urban in nature and is not supplied with adequate water, sanitary sewer and drainage facilities and roads. The health and welfare of the future inhabitants of the Tracts require the acquisition and installation of an adequate waterworks, sanitary sewer and storm drainage system and roads. The purchase, construction, extension, improvement, maintenance and operation of such waterworks system and storm and sanitary sewer collection and disposal systems and roads will conserve and preserve the natural resources of this State by promoting and protecting the purity and sanitary condition of the State's waters and will promote and protect the public health and welfare of the community; therefore, a public necessity exists for the inclusion of the Tracts within the District.

VII.

Said proposed improvements are practicable and feasible, in that the terrain of the Tracts is of such a nature that a waterworks system and sanitary and storm sewer systems and roads can be constructed at a reasonable cost; and said land will be rapidly developed for commercial, multi-family and residential purposes.

VIII.

A preliminary investigation has been instituted to determine the cost of the project attributable to the Tracts, and it is now estimated by the District, from such information as it has at this time, that the ultimate cost of the development contemplated will be approximately $15,506,400.

WHEREFORE, the undersigned respectfully pray that this Petition be granted in all respects and that the City Council of the City of Dallas, Texas, adopt a resolution giving its written consent to the addition of the Tracts to the District.

[SIGNATURES ON THE FOLLOWING PAGES]

"DISTRICT"

KAUFMAN COUNTY MUNICIPAL UTILITY DISTRICT NO. 3

By: _____
President, Board of Directors

THE STATE OF TEXAS §

COUNTY OF DALLAS §

This instrument was acknowledged before me on the 31st day of July, 2018, by J. Cullen Aderhold, President of the Board of Directors of Kaufman County Municipal Utility District No. 3, a political subdivision, on behalf of said political subdivision.

(NOTARY SEAL)

MELISA SMITH MONTAGUE NOTARY PUBLIC STATE OF TEXAS ID # 12115702 EXP. 09-25-2020

_____
Notary Public in and for the State of TEXAS

"PROPERTY OWNER"

CROCKETT & WEST, LLC,
a Texas limited liability company

By: Carolyn Crockett West
Name: Carolyn Crockett West
Title: President

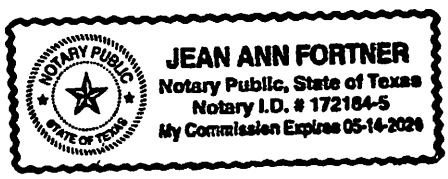
THE STATE OF TEXAS §

COUNTY OF WICHITA §

This instrument was acknowledged before me on the 11th day of September, 2018, by Carolyn Crockett West, President of Crockett & West, LLC, a Texas limited liability company in the capacity herein stated.

Jean Ann Fortner
Notary Public in and for the State of T E X A S

(NOTARY SEAL)



"PROPERTY OWNER"

AMY WEST HILLMAN GST TRUST

By: Carolyn Crockett West
Carolyn Crockett West, Trustee

By: R. Ken Hines
R. Ken Hines, Trustee

THE STATE OF TEXAS §

COUNTY OF WICHITA §

This instrument was acknowledged before me on the 11th day of September, 2018, by Carolyn Crockett West in the capacity herein stated.

Jean Ann Fortner
Notary Public in and for the State of T E X A S

(NOTARY SEAL)

JEAN ANN FORTNER
Notary Public, State of Texas
Notary I.D. # 172184-5
My Commission Expires 05-14-2020

THE STATE OF TEXAS §

COUNTY OF WICHITA §

This instrument was acknowledged before me on the 11th day of September, 2018, by R. Ken Hines in the capacity herein stated.

Jean Ann Fortner
Notary Public in and for the State of T E X A S

(NOTARY SEAL)

JEAN ANN FORTNER
Notary Public, State of Texas
Notary I.D. # 172184-5
My Commission Expires 05-14-2020

"PROPERTY OWNER"

ANDREW WEST GST TRUST

By: Carolyn Crockett West
Carolyn Crockett West, Trustee

By: R. Ken Hines
R. Ken Hines, Trustee

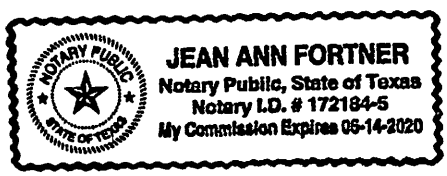
THE STATE OF TEXAS §

COUNTY OF WICHITA §

This instrument was acknowledged before me on the 11th day of September, 2018, by Carolyn Crockett West in the capacity herein stated.

Jean Ann Fortner
Notary Public in and for the State of T E X A S

(NOTARY SEAL)



THE STATE OF TEXAS §

COUNTY OF WICHITA §

This instrument was acknowledged before me on the 11th day of September, 2018, by R. Ken Hines in the capacity herein stated.

Jean Ann Fortner
Notary Public in and for the State of T E X A S

(NOTARY SEAL)

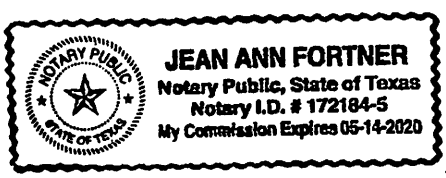


EXHIBIT "A"
LEGAL DESCRIPTION
TRACT ONE
191.864 ACRES

BEING a tract of land situated in the JUAN LOPEZ SURVEY, ABSTRACT NO. 286, Kaufman County, Texas and being part of that tract of land described in Deed to Crockett & West, LLC, as recorded in Volume 4262, Page 553, Deed Records, Kaufman County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set in the southeast line of Ranch Road, a variable width right-of-way, for the north corner of that tract of land described as Tract 2 in Deed to Devonshire (Dallas) ASLI VIII, LLC, as recorded in Document No. 2017-0001848, Deed Records, Kaufman County, Texas;

THENCE North 44 degrees 08 minutes 23 seconds East, with said southeast line, a distance of 1,065.05 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the southwest corner of that tract of land described in Deed to City of Dallas, as recorded in Volume 5158, Page 110, Deed Records, Kaufman County, Texas;

THENCE North 70 degrees 16 minutes 24 seconds East, leaving said southeast line, a distance of 734.92 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE North 75 degrees 54 minutes 54 seconds East, a distance of 205.76 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner in the southwest line of University Drive, a variable width right-of-way;

THENCE South 45 degrees 20 minutes 03 seconds East, with said southwest line, a distance of 862.85 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 45 degrees 43 minutes 22 seconds East, continuing with said southwest line, a distance of 3,195.33 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 44 degrees 16 minutes 38 seconds West, leaving said southwest line, a distance of 1,904.43 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set in the northeast line of DEVONSHIRE PHASE 2B, an Addition to Kaufman County, Texas according to the Plat thereof recorded in Document No. 2016-0015991, Map Records, Kaufman County, Texas;

THENCE North 45 degrees 36 minutes 06 seconds West, a distance of 4,485.67 feet to the **POINT OF BEGINNING** and containing 191.864 acres of land, more or less.

EXHIBIT "B"

LEGAL DESCRIPTION
TRACT TWO
0.071 ACRES

BEING a tract of land situated in the JUAN LOPEZ SURVEY, ABSTRACT NO. 286, Kaufman County, Texas and being part of that tract of land described in Deed to Crockett & West, LLC, as recorded in Volume 4262, Page 553, Deed Records, Kaufman County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set at the intersection of the southwest line of University Drive, a variable width right-of-way, with the southeast line of Ranch Road, a variable width right-of-way;

THENCE South 45 degrees 20 minutes 03 seconds East, with said southwest line, a distance of 57.73 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner in the north line of that tract of land described in Deed to City of Dallas, as recorded in Volume 442, Page 127, Deed Records, Kaufman County, Texas;

THENCE South 75 degrees 53 minutes 52 seconds West, leaving said southwest line, a distance of 27.47 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 70 degrees 15 minutes 22 seconds West, a distance of 98.30 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner in the southeast line of the above mentioned Ranch Road;

THENCE North 44 degrees 08 minutes 23 seconds East, with said southeast line, a distance of 112.15 feet to the **POINT OF BEGINNING** and containing 3,105 square feet or 0.071 acres of land more or less.

DEVONSHIRE

KAUFMAN COUNTY, TEXAS

NOVEMBER 2018

Avanti Properties Group

Haynes Development Company

J. VOLK consulting

830 Central Parkway East, Suite 300
Plano, Texas 75074
972.201.3100 Texas Registration No. F-11962

LIST OF OFFICERS OF ENTITIES REQUESTING ANNEXATION

Kaufman County Municipal Utility District No. 3:

President: J. Cullen Aderhold
Vice President: Carrol Walcher
Secretary: Patrick Allen
Assistant Secretary: Deren Wilcox
Assistant Secretary: Sharon R. Caswell

Forney Ranch Road, LLC:

President: M. Joe Dempsey
Vice President and Secretary: Gary W. Beene

Crockett & West, LLC:

President and Secretary: Carolyn C. West
Vice President: Andrew L. West

Amy West Hillman GST Trust:

Sole Trustees: Carolyn Crockett West and R. Ken Hines
No Officers

Andrew West GST Trust:

Sole Trustees: Carolyn Crockett West and R. Ken Hines
No Officers

WHEREAS, in 1975, the City of Dallas annexed property for the development of Lake Ray Hubbard which expanded the City of Dallas' extraterritorial jurisdiction east and south of the lake property into Rockwall and Kaufman Counties; and

WHEREAS, Kaufman County Municipal Utility District No. 3, was originally consented to by City Council on October 8, 2003, by Resolution No. 03-2751; and

WHEREAS, Section 54.016 of the Texas Water Code and Section 42.042 of the Texas Local Government Code require an applicant to request municipal consent to expand a Municipal Utility District within a city's extraterritorial jurisdiction; and

WHEREAS, Section 51A-8.105 of the Dallas Development Code extends plat regulations to all applicable development activity within the extraterritorial jurisdiction of the City; and

WHEREAS, on October 3, 2018, the property owners, Forney Ranch Road, LLC; Crockett & West, LLC; Amy West Hillman GST Trust; and Andrew West GST Trust filed the necessary application/petition with the Sustainable Development and Construction Department requesting the city's consent for the addition of approximately 337 acres into the Kaufman County Municipal Utility District No. 3 within Dallas' extraterritorial jurisdiction northwest of FM Road 548.

Now, Therefore,

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

SECTION 1. That the City of Dallas hereby consents to and the City Manager is instructed to create such documents, if any, as required to evidence the City of Dallas' consent to the addition of approximately 337 acres to the Kaufman County Municipal Utility District No. 3, as depicted on the attached property description (Exhibit A), within the City of Dallas' extraterritorial jurisdiction northwest of FM Road 548 in Kaufman County.

SECTION 2. That consent to the addition of the Kaufman County Municipal Utility District No. 3 within the City of Dallas' extraterritorial jurisdiction includes the requirement that all development must comply with Article VIII, "Plat Regulations," of the Dallas Development Code.

SECTION 3. That as a condition of the consent given by the City of Dallas, pursuant to Texas Water Code Section 54.016(e) and (g), the Municipal Utility District shall be subject to the following terms and provisions:

(a) That the Municipal Utility District must construct all facilities in accordance with plans and specification which have been approved by the City of Dallas.

(b) That the City of Dallas shall have the right to inspect all facilities being constructed by the Municipal Utility District.

(c) That the Municipal Utility District may only issue bonds for the purchase, construction, acquisition, repair, extension, and improvement of land, easements, works, improvements, facilities, plants, equipment, and appliances necessary to:

  (i) provide a water supply for municipal uses, domestic uses, and commercial purposes;

  (ii) collect, transport, process, dispose of, and control all domestic, industrial, or communal wastes whether in fluid, solid, or composite state;

  (iii) gather, conduct, divert, and control local storm water or other local harmful excesses of water in the district;

  (iv) provide roadway improvements; and

  (v) provide payment of organization expenses, operation expenses during construction, and interest during construction.

(d) That the City of Dallas shall be entitled to injunctive relief or a writ of mandamus issued by a court of competent jurisdiction restraining, compelling, or requiring the Municipal Utility District and its officials to observe and comply with the terms and provisions prescribed by this resolution.

SECTION 4. That the City Council further hereby notifies the Municipal Utility District, its residents, and property owners that the Texas Local Government Code allows the City of Dallas to annex any portion of the district located within the City of Dallas' extraterritorial jurisdiction, and the City of Dallas hereby requests that the Municipal Utility District includes a statement in the form required under Section 49.452 of the Texas Water Code reflecting the possibility of annexation by the City of Dallas.

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.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, Interim City Attorney

By:_____
Assistant City Attorney

Passed_____

Exhibit A
Tract 1A

EXHIBIT "A"
LEGAL DESCRIPTION
TRACT ONE – FORNEY RANCH TRACT
10.834 ACRES

BEING a tract of land situated in the JUAN LOPEZ SURVEY, ABSTRACT NO. 286, Kaufman County, Texas and being all of that tract of land described as Tract I in Deed to Forney Ranch Road, LLC, as recorded in Volume 3252, Page 380, Deed Records, Kaufman County, Texas and being more particularly described as follows:

BEGINNING at a 3-inch aluminum disk stamped "CITY OF DALLAS" found for the common southwest corner of said Tract I and northwest corner of that tract of land described in Deed to City of Dallas, as recorded in Volume 442, Page 193, Deed Records, Kaufman County, Texas;

THENCE North 44 degrees 21 minutes 50 seconds East, a distance of 1,391.54 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the north corner of said Tract I;

THENCE South 46 degrees 40 minutes 47 seconds East, a distance of 678.40 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the common southeast corner of said Tract I and northeast corner of said City of Dallas tract;

THENCE South 70 degrees 09 minutes 04 seconds West, a distance of 1,559.16 feet to the **POINT OF BEGINNING** and containing 10.834 acres of land, more or less.

Exhibit A
Tract 1B

LEGAL DESCRIPTION
135.123 ACRES

BEING a tract of land situated in the JUAN LOPEZ SURVEY, ABSTRACT NO. 286, Kaufman County, Texas and being all of that tract of land described as Tract II in Deed to Forney Ranch Road, LLC, as recorded in Volume 3252, Page 380, Deed Records, Kaufman County, Texas and being more particularly described as follows:

BEGINNING at a 3-inch aluminum disk stamped "CITY OF DALLAS" found for the common northeast corner of said Tract II and most easterly southeast corner of that tract of land described in Deed to City of Dallas, as recorded in Volume 442, Page 193, Deed Records, Kaufman County, Texas;

THENCE South 46 degrees 40 minutes 47 seconds East, a distance of 624.41 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the common north corner of that tract of land described in Deed to Kimberly Jean Criswell, as recorded in Volume 1953, Page 313, Deed Records, Kaufman County, Texas and most easterly southeast corner of said Tract II;

THENCE South 44 degrees 48 minutes 38 seconds West, a distance of 753.45 feet to a 3/8 inch iron rod found for the common west corner of that tract of land described in Deed to Mehdi Mahdavi and Jackie Mahdavi, recorded in Volume 3443, Page 545, Deed Records, Kaufman County, Texas and an interior ell corner of said Tract II;

THENCE South 45 degrees 19 minutes 04 seconds East, a distance of 403.68 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set in the northwest line of Ranch Road, a 60 foot right-of-way, for the common south corner of said Mehdi Mahdavi and Jackie Mahdavi tract and an exterior ell corner of said Tract II;

THENCE South 44 degrees 10 minutes 59 seconds West, with said northwest line, a distance of 1,613.44 feet to a 1/2 inch iron rod found for the common east corner of that tract of land described in Deed to High Point Water Supply Corporation, as recorded in Volume 1607, Page 135, Deed Records, Kaufman County, Texas and an exterior ell corner of said Tract II;

THENCE North 46 degrees 02 minutes 49 seconds West, leaving said northwest line, a distance of 147.08 feet to a 1/2 inch iron rod found for the common north corner of said High Point Water Supply Corporation and an interior ell corner of said Tract II;

THENCE South 45 degrees 09 minutes 36 seconds West, a distance of 147.42 feet to a 1/2 inch iron rod with a yellow plastic cap found for the common west corner of said High Point Water Supply Corporation and an interior ell corner of said Tract II;

THENCE South 45 degrees 22 minutes 40 seconds East, a distance of 149.60 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set in the northwest line of the above mentioned Ranch Road for the common south corner of said High Point Water Supply Corporation tract and an exterior ell corner of said Tract II;

THENCE South 44 degrees 10 minutes 59 seconds West, with said northwest line, a distance of 1,067.29 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the most southerly southwest corner of said Tract II;

THENCE North 45 degrees 19 minutes 57 seconds West, leaving said northwest line, a distance of 652.22 feet to a 3/8 iron rod found for an interior ell corner of said Tract II;

THENCE South 34 degrees 40 minutes 44 seconds West, a distance of 448.18 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for an exterior ell corner of said Tract II;

THENCE North 45 degrees 24 minutes 32 seconds West, a distance of 929.76 feet to a 1/2 inch iron rod with a yellow plastic stamped "JVC" set for an exterior ell corner of said Tract II;

THENCE North 44 degrees 30 minutes 58 seconds East, a distance of 676.55 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for an interior ell corner of said Tract II;

THENCE North 45 degrees 29 minutes 02 seconds West, a distance of 344.62 feet to a 1/2 inch iron rod found for an exterior ell corner of said Tract II;

THENCE North 44 degrees 21 minutes 50 seconds East, a distance of 1,637.57 feet to a 3-inch aluminum disk stamped "CITY OF DALLAS" found for the common southwest corner of the above mentioned City of Dallas tract and an exterior ell corner of said Tract II;

THENCE North 70 degrees 09 minutes 04 seconds East, a distance of 1,881.11 feet to the **POINT OF BEGINNING** and containing 135.123 acres of land, more or less.

Exhibit A
Tract 2A

LEGAL DESCRIPTION
TRACT TWO
191.864 ACRES

BEING a tract of land situated in the JUAN LOPEZ SURVEY, ABSTRACT NO. 286, Kaufman County, Texas and being part of that tract of land described in Deed to Crockett & West, LLC, as recorded in Volume 4262, Page 553, Deed Records, Kaufman County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set in the southeast line of Ranch Road, a variable width right-of-way, for the north corner of that tract of land described as Tract 2 in Deed to Devonshire (Dallas) ASLI VIII, LLC, as recorded in Document No. 2017-0001848, Deed Records, Kaufman County, Texas;

THENCE North 44 degrees 08 minutes 23 seconds East, with said southeast line, a distance of 1,065.05 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for the southwest corner of that tract of land described in Deed to City of Dallas, as recorded in Volume 5158, Page 110, Deed Records, Kaufman County, Texas;

THENCE North 70 degrees 16 minutes 24 seconds East, leaving said southeast line, a distance of 734.92 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE North 75 degrees 54 minutes 54 seconds East, a distance of 205.76 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner in the southwest line of University Drive, a variable width right-of-way;

THENCE South 45 degrees 20 minutes 03 seconds East, with said southwest line, a distance of 862.85 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 45 degrees 43 minutes 22 seconds East, continuing with said southwest line, a distance of 3,195.33 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 44 degrees 16 minutes 38 seconds West, leaving said southwest line, a distance of 1,904.43 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set in the northeast line of DEVONSHIRE PHASE 2B, an Addition to Kaufman County, Texas according to the Plat thereof recorded in Document No. 2016-0015991, Map Records, Kaufman County, Texas;

THENCE North 45 degrees 36 minutes 06 seconds West, a distance of 4,485.67 feet to the **POINT OF BEGINNING** and containing 191.864 acres of land, more or less.

Exhibit A

Tract 2B

LEGAL DESCRIPTION
0.071 ACRES

BEING a tract of land situated in the JUAN LOPEZ SURVEY, ABSTRACT NO. 286, Kaufman County, Texas and being part of that tract of land described in Deed to Crockett & West, LLC, as recorded in Volume 4262, Page 553, Deed Records, Kaufman County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set at the intersection of the southwest line of University Drive, a variable width right-of-way, with the southeast line of Ranch Road, a variable width right-of-way;

THENCE South 45 degrees 20 minutes 03 seconds East, with said southwest line, a distance of 57.73 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner in the north line of that tract of land described in Deed to City of Dallas, as recorded in Volume 442, Page 127, Deed Records, Kaufman County, Texas;

THENCE South 75 degrees 53 minutes 52 seconds West, leaving said southwest line, a distance of 27.47 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner;

THENCE South 70 degrees 15 minutes 22 seconds West, a distance of 98.30 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "JVC" set for corner in the southeast line of the above mentioned Ranch Road;

THENCE North 44 degrees 08 minutes 23 seconds East, with said southeast line, a distance of 112.15 feet to the **POINT OF BEGINNING** and containing 3,105 square feet or 0.071 acres of land more or less.

DEVONSHIRE

KAUFMAN COUNTY, TEXAS

NOVEMBER 2018

Avanti Properties Group

Haynes Development Company

J. VOLK consulting

830 Central Parkway East, Suite 300
Plano, Texas 75074
972.201.3100 Texas Registration No. F-11962

Agenda Information Sheet

File #: 18-1193 **Item #:** 35.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Department of Transportation

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize an eighteen-month agreement, with two one-year renewal options, for traffic signal construction - Durable Specialties, Inc., lowest responsible bidder of three - Not to exceed $5,230,000.00 - Financing: Street and Transportation (A) Fund (2017 Bond Funds)

BACKGROUND

This action does not encumber funds; the purpose is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis.

This agreement will provide for on-call traffic signal construction services on a work order basis. These services include construction of both new and upgraded traffic signals, as well as both major and minor signal repairs and modifications.

In this solicitation, the Office of Procurement Services required bidders to submit a response using unit pricing. This bid resulted in a 52.48 percent increase over comparable prices for the bid awarded in 2015. However, this increase is consistent with recent construction bid tabulations for traffic signal construction in the Dallas area.

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 35 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 835 registered M/WBE vendors 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 June 17, 2015, City Council authorized a three-year contract for traffic signal construction services with Roadway Solutions, Inc. by Resolution No. 15-1174.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on December 10, 2018.

FISCAL INFORMATION

Street and Transportation (A) Fund (2017 Bond Funds) - $5,230,000.00

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 $
$5,230,000.00	Other Services	25.00%	11.91%	$623,330.00
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

The Office of Procurement Services received the following bids from solicitation number CIZ1763. We opened them on September 18, 2018. We recommend the City Council award this agreement to the lowest responsive and responsible bidder.

*Denotes successful bidder

Bidders	Address	Amount
*Durable Specialties, Inc.	P.O. Box 535969 Grand Prairie, TX 75053	$5,230,000.00
Roadway Solutions, Inc.	1425 Crescent Drive Carrollton, TX 75006	$5,596,900.00
Highway Intelligent Traffic Solutions, Inc.	1500 High Meadows Way Cedar Hill, TX 75104	$7,855,997.70

powered by Legistar™

OWNER

Durable Specialties, Inc.

Patrick Bryan, President

powered by Legistar™

December 12, 2018

WHEREAS, on June 17, 2015, City Council authorized a three-year contract for traffic signal construction services in an amount not to exceed $4,759,853.50, by Resolution No. 15-1174.

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 agreement with Durable Specialties, Inc. (254727), approved as to form by the City Attorney, for traffic signal construction services for a term of eighteen months, with two one-year renewal options, in an amount not to exceed $5,230,000.00. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Durable Specialties Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Durable Specialties Inc. under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $5,230,000.00 to Durable Specialties, Inc. from Encumbrance/Contract No. TRN- 2018-00008423.

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 #: 18-1325 **Item #:** 36.

STRATEGIC PRIORITY: Human and Social Needs

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Community Care

EXECUTIVE: Nadia Chandler-Hardy

SUBJECT

Authorize the **(1)** acceptance of a donation in the amount of $50,000.00 from TXU Energy to provide temporary financial assistance through the West Dallas Multipurpose Center to individuals and families who are experiencing a temporary financial crisis; **(2)** receipt and deposit of funds in an amount not to exceed $50,000.00 in the WDMPC Energy Emergency Assistance Fund; and **(3)** establishment of appropriations in an amount not to exceed $50,000.00 in the WDMPC Energy Emergency Assistance Fund - Not to exceed $50,000.00 - Financing: WDMPC Energy Emergency Assistance Fund

BACKGROUND

TXU Energy and the City of Dallas recognized the need for providing charitable energy assistance to persons in financial distress to help reduce energy related costs essential to their health and welfare. TXU Energy developed the TXU Energy Aid Program as a supplement to government and community aid programs designed to assist individuals in financial distress to reduce energy related costs.

In March 2010, TXU Energy entered into an Energy Aid Agreement with the West Dallas Multipurpose Center and the Martin Luther King, Jr. Community Center to provide charitable assistance to individuals that are TXU Energy customers needing energy efficiency assistance services. Energy Aid will be delivered as a component of the emergency financial assistance services available through the Social Services Programs at the West Dallas Multipurpose Center and Martin Luther King, Jr. Community Center.

TXU Energy provides grant funds, or in certain cases, products in lieu of grant funds to both Centers. The TXU Energy Aid Program is funded by voluntary contributions from TXU Energy. Through this program, the average assistance per client for utility bill payments will be $700.00 - $900.00 with approximately 628 persons served.

To participate in the program, the client must be a current TXU Energy customer and have a TXU

Energy bill that is past due. There are no income limits or age restrictions to receive assistance.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 22, 2014, City Council accepted a donation from TXU Energy to provide temporary financial assistance to individuals and families who are experiencing a temporary financial crisis by Resolution No. 14-0245.

On January 13, 2016, City Council accepted a donation from TXU Energy, to provide temporary financial assistance through the West Dallas Multipurpose Center and the Martin Luther King, Jr. Community Center, to individuals and families who are experiencing a temporary financial crisis by Resolution No. 16-0078.

Information about this item will be provided to the Human and Social Needs Committee on December 3, 2018.

FISCAL INFORMATION

WDMPC Energy Emergency Assistance Fund - $50,000.00

December 12, 2018

WHEREAS, there is a need to provide temporary financial assistance to families in need of utility assistance; and

WHEREAS, the West Dallas Multipurpose Center and the Martin Luther King, Jr. Community Center have developed a partnership with TXU Energy to provide financial assistance through the TXU Energy Aid Program.

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 a donation in the amount of $50,000.00 from TXU Energy to provide temporary financial assistance through the West Dallas Multipurpose Center to individuals and families who are experiencing a temporary financial crisis.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit funds from TXU Energy in an amount not to exceed $50,000.00 in the WDMPC Energy Emergency Assistance Fund, Fund 0T76, Department MGT, Unit 4283, Revenue Code 8411.

SECTION 3. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $50,000.00 in the WDMPC Energy Emergency Assistance Fund, Fund 0T76, Department MGT, Unit 4283, Object 3099.

SECTION 4. That this contract is designated as Contract No. MGT-2019-00008702.

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 #: 18-1338 **Item #:** 37.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize **(1)** the receipt and deposit of a loan repayment from DCAR Properties, Ltd. in an amount not to exceed $6,700,000.00; **(2)** the release of the associated lien on 1407 Main Street; **(3)** an increase in appropriations of $6,700,000.00 in the Public/Private Partnership Fund; **(4)** the transfer of an amount not to exceed $4,575,000.00 from the Public/Private Partnership Fund to the Dallas Housing Trust Fund; **(5)** an increase in appropriations of $4,575,000.00 in the Dallas Housing Trust Fund; **(6)** the receipt and deposit of funds transferred to the Dallas Housing Trust Fund; **(7)** the disbursement of funds from the Dallas Housing Trust Fund; and **(8)** the disbursement to Dallas County in an amount not to exceed $2,125,000.00 - Not to exceed $6,700,000.00 - Financing: Public/Private Partnership Fund

BACKGROUND

In 2003, City Council amended the City Center TIF District Project Plan and Reinvestment Zone Financing Plan to release $12,500,000.00 in City Center TIF District funds to create a loan and grant program to encourage the provision of public, short-term parking in the downtown core area and to provide financial incentives for new retail endeavors in the downtown core.

On October 13, 2004, City Council authorized a loan agreement with DLD Properties, LTD (Brian Bergersen) in compliance with the City of Dallas Main Street District Initiative Loan and Grant Program, in an amount not to exceed $8,500,000.00, for the construction of a mixed-use development with 370 short-term, low-cost public parking spaces located at 1407 Main Street, by Resolution No. 04-2967. The funds were provided in the form of a no-interest loan in which the City would be re-paid $6,375,000.00 and Dallas County would be re-paid $2,125,000.00 ten years from the Project's Certificate of Occupancy (CO) date.

On October 12, 2005, City Council authorized amendments to the construction loan documents with DCAR Properties, Ltd., (a new entity created by the same owner and for the same project), to accept pre-payment and a reduction of the City's portion of the loan in the amount of $1,800,000.00, from $6,375,000.00 to $4,575,000.00, by Resolution No. 05-2957. The subsequent City Council item on

the October 12, 2005 agenda (Resolution No. 05-2958), authorized the "pre-payment" to be used as a $1,800,000.00 grant for the redevelopment of the adjacent 1414 Elm Street building. Because the $1,800,000.00 loan "pre-payment" was used a grant, the City did not receive or deposit the funds and the $1,800,000.00 was forgiven.

The authorizing City Council items specified that the City's portion of the loan would be re-paid to the City but did not commit the funds to any project or initiative. The items also provided that Dallas County's loan repayment would be paid to the City and subsequently disbursed to the County on a pro-rata basis. Dallas County has provided the developer wire instructions and this City Council item permits Dallas County to receive its portion of the loan repayment, in the amount of $2,125,000.00, directly, rather than the City receiving and disbursing the funds.

On May 9, 2018, City Council adopted the Dallas Comprehensive Housing Policy to create and maintain affordable housing throughout Dallas; promote greater fair housing choices; and overcome patterns of segregation and concentrations of poverty through incentives and requirements. The Policy calls for the establishment of a Dallas Housing Trust Fund (DHTF) to support the production goals of the Policy. The Policy states that a portion of the DHTF should be sought from a one-time transfer of a minimum of $7 million in unencumbered fund balances from high-performing TIF Districts by Resolution No. 18-0704.

Staff has identified $7 million in available funds that could be used to seed the Dallas Housing Trust Fund. The funds will not be released from the newly established account until DHTF program details are established.

The Economic Development and Housing Committee has been briefed on the following possible sources of funds to seed the DHTF:

$4,575,000.00	1407 Main Street Loan Repayment
$ 523,246.00	State-Thomas TIF District Close-Out
$ 828,129.00	Cityplace TIF District Close-Out
$ 649,097.00	Vickery Meadows TIF District fee in lieu of affordable housing payment
$ 424,528.00	City Center TIF District Affordable Housing Set-Aside Funds
$7,000,000.00	Total

The 1407 Main Street loan is now due and the City's portion of the loan repayment in the amount of $4,575,000.00 may be used to provide seed funds for the DHTF. The City will release the lien held on 1407 Main Street when the loan repayment has been received.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 22, 2003, City Council authorized amending the City Center TIF District Project Plan and Reinvestment Zone Financing Plan to release $12,500,000 in City Center TIF District funds to create a loan and grant program to encourage the provision of public, short-term parking in the downtown core area and to provide financial incentives for new retail endeavors in the downtown core by Resolution No. 03-2883; Ordinance No. 25426.

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On October 22, 2003, City Council authorized the establishment of the City of Dallas Main Street District Initiative Loan and Grant Program pursuant to Chapter 380 of the Texas Local Government Code by Resolution No. 03-2884.

On October 13, 2004, City Council authorized a loan agreement with DLD Properties, LTD (Brian Bergersen) in compliance with the City of Dallas Main Street District Initiative Loan and Grant Program pursuant to Chapter 380, in an amount not to exceed $8,500,000, for the construction of a mixed-use development with 370 short-term, low-cost public parking spaces located at 1407 Main Street by Resolution No. 04-2967.

On October 12, 2005, City Council authorized amendments to the construction loan documents with DCAR Properties, Ltd., (a new entity created by the same owner and for the same project) approved on October 13, 2004, to accept pre-payment and a reduction of the City's portion of the loan in the amount of $1,800,000.00, from $6,375,000.00 to $4,575,000.00, along with other minor modifications to the project terms by Resolution No. 05-2957.

On October 12, 2005, City Council authorized an amendment to the Interlocal Agreement with Dallas County, previously approved on October 22, 2003 by Resolution No. 03-2885, to delete the pro rata sharing requirement for any repayment of the loan with DCAR Properties, Ltd. for a public, short-term parking garage located at 1407 Main Street in the City of Dallas Main Street District Initiative Loan and Grant Program area by Resolution No. 05-2959.

On May 9, 2018, City Council adopted the Dallas Comprehensive Housing Policy (the "Policy") to create and maintain affordable housing throughout Dallas; promote greater fair housing choices; and overcome patterns of segregation and concentrations of poverty through incentives and requirements by Resolution No. 18-0704.

The Economic Development and Housing Committee was briefed regarding this item on November 5, 2018.

FISCAL INFORMATION

Closeout Balance Entity	Amount
City of Dallas: transfer from Public/Private Partnership Fund to Dallas Housing Trust Fund	$4,575,000.00
Dallas County	$2,125,000.00
Total	$6,700,000.00

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WHEREAS, on October 22, 2003, City Council authorized amending the City Center TIF District Project Plan and Reinvestment Zone Financing Plan to release $12,500,000.00 in City Center TIF District funds to create a loan and grant program to encourage the provision of public, short-term parking in the downtown core area and to provide financial incentives for new retail endeavors in the downtown core by Resolution No. 03-2883; Ordinance No. 25426; and

WHEREAS, on October 22, 2003, City Council authorized the establishment of the City of Dallas Main Street District Initiative Loan and Grant Program pursuant to Chapter 380 of the Texas Local Government Code by Resolution No. 03-2884; and

WHEREAS, on October 13, 2004, City Council authorized a loan agreement with DLD Properties, LTD (Brian Bergersen) in compliance with the City of Dallas Main Street District Initiative Loan and Grant Program (deployed pursuant to Chapter 380 of the Texas Local Government Code), in an amount not to exceed $8,500,000.00, for the construction of a $23 million mixed-use development (the "Project") with 370 short-term, low-cost public parking spaces located at 1407 Main Street by Resolution No. 04-2967; and

WHEREAS, $8,500,000.00 was provided in the form of a no-interest loan in which the City would be repaid $6,375,000.00 and Dallas County would be repaid $2,125,000.00 ten years from the Project's Certificate of Occupancy (CO) date; and

WHEREAS, on October 12, 2005, City Council authorized an amendment to the construction loan documents with DCAR Properties, Ltd. (an affiliated entity created by Brian Bergersen for the Project) to accept pre-payment and reduce the City's portion of the loan in the amount of $1,800,000.00, from $6,700,000.00 to $4,575,000.00, along with other minor modifications to the project terms by Resolution No. 05-2957; and

WHEREAS, on October 12, 2005, City Council authorized the pre-payment to be used as a $1,800,000.00 grant for the redevelopment of the adjacent 1414 Elm Street building, by Resolution No. 05-2958; and

WHEREAS, City Council acknowledges that $1,800,000.00 of the loan was used as a grant for 1414 Elm Street, and, therefore, the City did not receive or deposit the $1,800,000.00 loan pre-payment; and

WHEREAS, Resolution Nos. 05-2957 and 05-2958 specified that the City's portion of the loan would be repaid to the City and provided that Dallas County's loan repayment would be paid to the City and subsequently disbursed to the County on a pro-rata basis; and

WHEREAS, pursuant to Resolution No. 05-2959, authorized on October 12, 2005, the City of Dallas executed an amendment to the Interlocal Agreement (ILA) with Dallas County to document the County's portion of the loan repayment from the developer in the amount of $2,125,000.00 (the initial ILA described the repayment to the two jurisdictions as percentages and therefore an amended ILA was executed to establish new percentages based on the City's loan repayment reduction); and

WHEREAS, the 1407 Main Street CO date was August 8, 2008 and the terms of the construction loan and all conditions of the ten-year low-cost, public parking spaces have been met; and

WHEREAS, on May 9, 2018, City Council adopted the Dallas Comprehensive Housing Policy (the "Policy") to create and maintain affordable housing throughout Dallas; promote greater fair housing choices; and overcome patterns of segregation and concentrations of poverty through incentives and requirements by Resolution No. 18-0704; and

WHEREAS, the Policy calls for the establishment of a Dallas Housing Trust Fund (the "DHTF") to support the production goals of the Policy; and

WHEREAS, the Policy states that a portion of the DHTF should be sought from a one-time transfer of a minimum of $7 million in unencumbered fund balances from high-performing Tax Increment Financing Districts; and

WHEREAS, the City's portion of the loan repayment, in the amount of $4,575,000.00, has been recommended to help capitalize the DHTF.

Now, Therefore,

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

SECTION 1. That the Chief Financial Officer is hereby authorized to receive and deposit the loan repayment of $6,700,000.00 from DCAR Properties, Ltd. into the Public/Private Partnership Fund, Fund 0352, Department ECO, Unit P151, Revenue Code 847G.

SECTION 2. That the City Manager is hereby authorized to release the associated lien on 1407 Main Street upon receipt and deposit of the $6,700,000.00 loan repayment.

SECTION 3. That the City Manager is hereby authorized to increase appropriations by $6,700,000.00 in the Public/Private Partnership Fund, Fund 0352, Department ECO, Unit P151, Object 3690.

SECTION 4. That the Chief Financial Officer is hereby authorized to reduce the receivable balance in Fund 0352, Balance Sheet Account 023D by $6,700,000.00 upon confirmation the loan repayment funds have been received from DCAR Properties, Ltd. and that said funds are in the City's possession in accordance with all terms of the loan documents and as set forth in Resolution Nos. 04-2967, 05-2957, 05-2958 and 05-2959.

SECTION 5. That the Chief Financial Officer is hereby authorized to transfer an amount not to exceed $4,575,000.00 to the Dallas Housing Trust Fund from the Public/Private Partnership Fund, Fund 0352, Department ECO, Unit P151, Object 3690.

SECTION 6. That the City Manager is hereby authorized to increase appropriations by $4,575,000.00 in the Dallas Housing Trust Fund, Fund 9P16, Department ECO, Unit 1870, various Object Codes.

SECTION 7. That the Chief Financial Officer is hereby authorized to receive and deposit funds transferred from the Pubic Private Partnership fund in SECTION 5 to the Dallas Housing Trust Fund, Fund 9P16, Department ECO, Unit 1870, Revenue Code 9201.

SECTION 8. That the Chief Financial Officer is hereby authorized to disburse funds from the Dallas Housing Trust Fund, Fund 9P16, Department ECO, Unit 1870, various Object Codes.

SECTION 9. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $2,125,000.00 to Dallas County from the Public/Private Partnership Fund, Fund 0352, Department ECO, Balance Sheet Liability Account 0760, Vendor 014003.

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.

Agenda Information Sheet

File #: 18-1340 **Item #:** 38.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize an ordinance amending Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) Project and Reinvestment Zone Financing Plan to: **(1)** allow an estimated amount of $424,528.00 of the Affordable Housing Set-Aside Funds to be used outside of the boundaries of the Zone and the greater downtown area; and **(2)** make corresponding modifications to the City Center TIF District Project and Reinvestment Zone Financing Plan - Financing: No cost consideration to the City

BACKGROUND

On May 9, 2018, City Council adopted the Dallas Comprehensive Housing Policy (the “Policy”) to create and maintain affordable housing throughout Dallas; promote greater fair housing choices; and overcome patterns of segregation and concentrations of poverty through incentives and requirements. The Policy calls for the establishment of a Dallas Housing Trust Fund (“DHTF”) to support the production goals of the Policy. The Policy states that a portion of the DHTF should be sought from a one-time transfer of a minimum of $7 million in unencumbered fund balances from high -performing Tax Increment Financing Districts by Resolution No. 18-0704.

Staff has identified $7 million in available funds to seed the DHTF. The funds will not be released from the newly established account until DHTF program details are established.

On November 5, 2018, the Economic Development and Housing Committee was briefed regarding the following recommended sources of funds to seed the DHTF:

$4,575,000.00	1407 Main Street Loan Repayment
$ 523,246.00	State-Thomas TIF District Close-Out
$ 828,129.00	Cityplace TIF District Close-Out
$ 649,097.00	Vickery Meadow TIF District fee in lieu of affordable housing payment
$ 424,528.00	City Center TIF District Affordable Housing Set-Aside Funds
$7,000,000.00	Total

Note: the account balances for State-Thomas, Cityplace and Vickery Meadow TIF Districts are of October 10, 2018 and may accrue additional interest prior to transferring funds to the new DHTF account. The City Center TIF District Board of Directors' agenda was posted prior to receiving updated balances and therefore the City Center TIF District Affordable Housing Set-Aside Funds to be used for the DHTF (which makes up the gap to reach $7,000,000.00) was slightly higher when the TIF Board took action than what is now needed.

The City Center TIF District budget has an Affordable Housing Set-Aside in an amount not to exceed $6.50 million, of which $2.49 million has been collected to date ($4,577,916.00 has been approved for the Flora Lofts project from this Set-Aside, subject to project performance). While TIF increment may be spent outside of the District boundaries for affordable housing in accordance with Chapter 311 of the Texas Tax Code, the City Center TIF District Project and Financing Plan states that the Affordable Housing Set-Aside Funds shall be used to "offset the costs of providing affordable housing in the boundaries of this Zone and the greater downtown area only". This Plan amendment would allow an amount not to exceed $424,528.00 of the City Center TIF District Set-Aside Funds to be used outside of the City Center TIF District Boundary and the greater downtown area for affordable housing. A companion item on the agenda will authorize the transfer of an amount not to exceed $424,528.00 from the City Center TIF District Set-Aside Fund to the DHTF.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 26, 1996, City Council authorized the establishment of the Zone in accordance with the Tax Increment Financing Act, as amended, V.T.C.A Texas Tax Code, Chapter 311 (the "Act") to promote development and redevelopment in the Zone through the use of tax increment financing by Ordinance No. 22802, as amended.

On February 12, 1997, City Council authorized the Project and Reinvestment Zone Financing Plans for the Zone by Resolution No. 97-0484; Ordinance No. 23034, as amended.

On November 14, 2012, City Council in accordance with the Tax Increment Financing Act, as amended, V.T.C.A Texas Tax Code, (Chapter 311), called a public hearing to be held on December 12, 2012, to hear citizen comments and concerns regarding the proposed City Center TIF District amendments and amended Project Plan and Reinvestment Zone Financing Plan for the District by Resolution No. 12-2780. That public hearing was duly held and closed.

On December 12, 2012, City Council authorized amendments to the City Center TIF District and the Project and Reinvestment Zone Financing Plans for the City Center TIF District to: (1) create two sub -districts within the City Center TIF District: (a) City Center Sub-district (original district boundary) and (b) Lamar Corridor/West End Sub-district; (2) increase the geographic area of the City Center TIF District to add approximately 27.14 acres to create the Lamar Corridor/West End Sub-district; (3) Extend the current termination date of the City Center TIF District from December 31, 2012, to December 31, 2022, for the City Center Sub-district and establish a termination date for the Lamar Corridor/West End Sub-district of December 31, 2037; (4) decrease the percentage of tax increment contributed by the City of Dallas during the extended term of the TIF District and establish other taxing jurisdictions participation percentages; (5) increase the City Center TIF District's budget from $87,567,717.00 total dollars to $151,968,546.00 total dollars, an increase of $76,272,293.00; and (6) make corresponding modifications to the City Center TIF District boundary, budget and Project and

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Reinvestment Zone Financing Plans by Resolution No. 12-3040; Ordinance No. 28865.

On August 28, 2013, City Council in accordance with the Tax Increment Financing Act, as amended, V.T.C.A Texas Tax Code, (Chapter 311), called a public hearing to be held on September 11, 2013, to hear citizen comments and concerns regarding the proposed City Center TIF District amendments and amended Project Plan and Reinvestment Zone Financing Plan for the District by Resolution No. 13-1434. That public hearing was duly held and closed.

On September 11, 2013, City Council authorized amendments to the City Center TIF District and the Project and Reinvestment Zone Financing Plans for the City Center TIF District to amend the City Center Sub-district's boundary to remove a portion of the property addressed as 350 North St. Paul Street, approximately 4,950 square feet; amend the City Center Sub-district's boundary to add the property addressed as 600 South Harwood Street, approximately 19,471 square feet; and make corresponding modifications to the City Center TIF District boundary map, and Project and Reinvestment Zone Financing Plans and any other necessary adjustments to implement the Plan amendments by Resolution No. 13-1614; Ordinance No. 29142.

On November 12, 2014, City Council held a public hearing to receive comments on boundary amendments to the City Center TIF District (the "Zone") to remove certain properties from the City Center Subdistrict of the Zone, thereby reducing the tax increment base of the City Center Subdistrict and increasing city general fund contributions to the Zone over the remaining term; and make such other corresponding adjustments to the ordinances creating the zone and approving the project and financing plans, Ordinance Nos. 22802 and 23034, approved on June 26, 1996 and February 17, 1997, respectively, necessary to accommodate the boundary amendments by Resolution 14-1967 and approved an ordinance amending Ordinance No. 22802, as amended, previously approved on June 26, 1996, and Ordinance No. 23034, as amended, previously approved February 12, 1997, by Resolution No. 14-1967; Ordinance No. 29542.

On May 9, 2018, City Council adopted the Comprehensive Housing Policy (the "Policy") to create and maintain affordable housing throughout Dallas; promote greater fair housing choices; and overcome patterns of segregation and concentrations of poverty through incentives and requirements. The Policy calls for the establishment of a Dallas Housing Trust Fund ("DHTF") to support the production goals of the Policy. The Policy states that a portion of the DHTF should be sought from a one-time transfer of a minimum of $7 million in unencumbered fund balances from high-performing Tax Increment Financing Districts by Resolution No. 18-0704.

On October 11, 2018, the City Center TIF District Board of Directors approved forwarding to City Council an amendment to the City Center TIF District Project Plan and Reinvestment Zone Financing Plan to allow an amount not to exceed $432,014.00 of the $6.5 million Affordable Housing Set-Aside budget to be used outside of the boundaries of the Zone and greater downtown area.

The Economic Development and Housing Committee was briefed regarding this item on November 5, 2018.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

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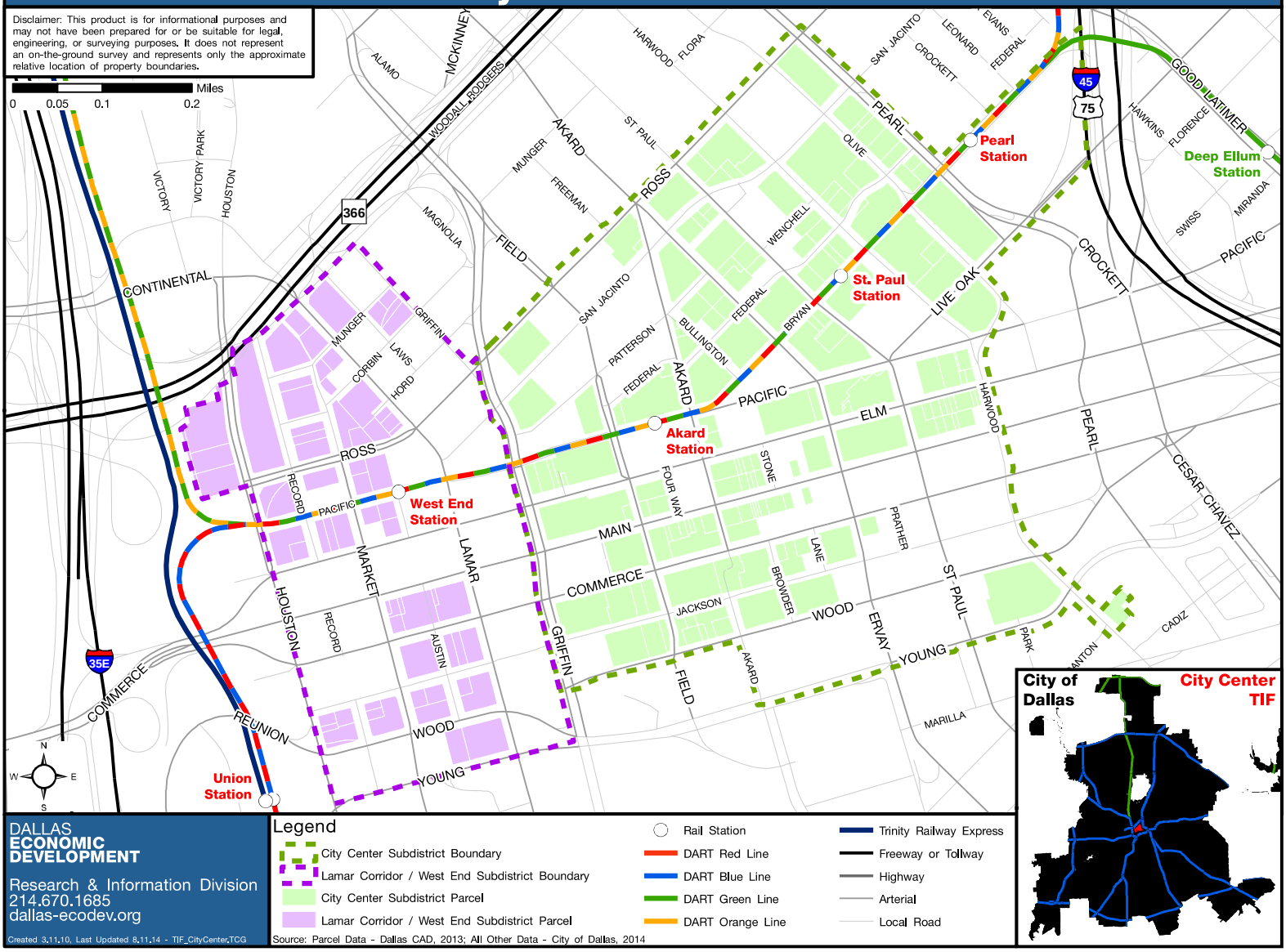
City Center TIF District



DALLAS
ECONOMIC DEVELOPMENT

Research & Information Division
214.670.1685
dallas-ecodev.org

Created 3.11.10, Last Updated 8.11.14 - TIF_CityCenter.TCG

Legend

- City Center Subdistrict Boundary
- Lamar Corridor / West End Subdistrict Boundary
- City Center Subdistrict Parcel
- Lamar Corridor / West End Subdistrict Parcel
- Rail Station
- DART Red Line
- DART Blue Line
- DART Green Line
- DART Orange Line
- Trinity Railway Express
- Freeway or Tollway
- Highway
- Arterial
- Local Road

Source: Parcel Data - Dallas CAD, 2013; All Other Data - City of Dallas, 2014

ORDINANCE NO. _____

AN ORDINANCE AMENDING TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER FIVE (CITY CENTER TIF DISTRICT) PROJECT AND REINVESTMENT ZONE FINANCING PLAN TO: (1) ALLOW AN ESTIMATED AMOUNT OF $424,528.00 OF THE AFFORDABLE HOUSING SET-ASIDE FUNDS TO BE USED OUTSIDE OF THE BOUNDARIES OF THE ZONE AND THE GREATER DOWNTOWN AREA AND (2) MAKE CORRESPONDING MODIFICATIONS TO THE CITY CENTER TIF DISTRICT PROJECT AND REINVESTMENT ZONE FINANCING PLAN; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND ORDAINING OTHER MATTERS RELATING THERETO.

WHEREAS, on June 26, 1996, City Council authorized the establishment of the Zone in accordance with the Tax Increment Financing Act, as amended, V.T.C.A Texas Tax Code, Chapter 311 (the "Act") to promote development and redevelopment in the Zone through the use of tax increment financing by Ordinance No. 22802, as amended; and

WHEREAS, on February 12, 1997, City Council authorized the Project and Reinvestment Zone Financing Plans for the Zone by Ordinance No. 23034, as amended; and

WHEREAS, on December 12, 2012, City Council authorized amendments to the City Center TIF District and the Project and Reinvestment Zone Financing Plans for the City Center TIF District to: (1) create two sub-districts within the City Center TIF District: (a) City Center Sub-district (original district boundary) and (b) Lamar Corridor/West End Sub-district; (2) Increase the geographic area of the City Center TIF District to add approximately 27.14 acres to create the Lamar Corridor/West End Sub-district; (3) Extend the current termination date of the City Center TIF District from December 31, 2012, to December 31, 2022, for the City Center Sub-district and establish a termination date for the Lamar Corridor/West End Sub-district of December 31, 2037; (4) decrease the percentage of tax increment contributed by the City of Dallas during the extended term of the TIF District and establish other taxing jurisdictions participation percentages; (5) Increase the City Center TIF District's budget from $87,567,717 total dollars to $151,968,546 total dollars, an increase of $76,272,293; and (6) make corresponding modifications to the City Center TIF District boundary, budget and Project and Reinvestment Zone Financing Plans by Resolution No. 12-3040; Ordinance No. 28865; and

WHEREAS, on August 28, 2013, City Council in accordance with the Tax Increment Financing Act, as amended, V.T.C.A Texas Tax Code, (Chapter 311), called a public hearing to be held on September 11, 2013, to hear citizen comments and concerns regarding the proposed City Center TIF District amendments and amended Project Plan and Reinvestment Zone Financing Plan for the District by Resolution No. 13-1434. That public hearing was duly held and closed; and

WHEREAS, on September 11, 2013, City Council authorized amendments to the City Center TIF District and the Project and Reinvestment Zone Financing Plans for the City Center TIF District to: (1) amend the City Center Sub-district's boundary to remove a portion of the property addressed as 350 North St. Paul Street, approximately 4,950 square feet; (2) amend the City Center Sub-district's boundary to add the property addressed as 600 South Harwood Street, approximately 19,471 square feet; and (3) make corresponding modifications to the City Center TIF District boundary map, and Project and Reinvestment Zone Financing Plans and any other necessary adjustments to implement the Plan amendments by Resolution No. 13-1619; Ordinance No. 29142; and

WHEREAS, on November 12, 2014, City Council held a public hearing to receive comments on boundary amendments to the City Center TIF District (the "Zone") to: (1) remove certain properties from the City Center Subdistrict of the Zone, thereby reducing the tax increment base of the City Center Subdistrict and increasing city general fund contributions to the Zone over the remaining term; and (2) make such other corresponding adjustments to the ordinances creating the zone and approving the project and financing plans, Ordinance Nos. 22802 and 23034, approved on June 26, 1996 and February 17, 1997, respectively, necessary to accommodate the boundary amendments - Financing: No cost consideration to the City, by Resolution No. 14-1967 and approved an ordinance amending Ordinance No. 22802, as amended, previously approved on June 26, 1996, and Ordinance No. 23034, as amended, previously approved February 12, 1997, by Resolution No. 14-1967, Ordinance No. 29542; and

WHEREAS, on May 9, 2018, City Council adopted the Dallas Comprehensive Housing Policy (the "Policy") to create and maintain affordable housing throughout Dallas; promote greater fair housing choices; and overcome patterns of segregation and concentrations of poverty through incentives and requirements. The Policy calls for the establishment of a Dallas Housing Trust Fund ("DHTF") to support the production goals of the Policy. The Policy states that a portion of the DHTF should be sought from a one-time transfer of a minimum of $7 million in unencumbered fund balances from high-performing Tax Increment Financing Districts by Resolution No. 18-0704; and

WHEREAS, the Policy calls for the establishment of a Dallas Housing Trust Fund (the "DHTF") to support the production goals of the Policy; and

WHEREAS, the Policy states that a portion of the DHTF should be sought from a one-time transfer of a minimum of $7 million in unencumbered fund balances from high-performing Tax Increment Financing Districts; and

WHEREAS, this City Center TIF District Project and Reinvestment Zone Financing Plan amendment allows for a portion of the Zone's Affordable Housing Set-Aside to be used outside of the downtown area in anticipation of those funds to be available for the DHTF; and

WHEREAS, on October 11, 2018, the City Center TIF District Board of Directors approved forwarding to City Council an amendment to the City Center TIF District Project Plan and Reinvestment Zone Financing Plan to allow an amount not to exceed $432,014.00 of the $6.50 million Affordable Housing Set-Aside to be used outside of the boundaries of the Zone and greater downtown area; and

WHEREAS, the City Council finds that the commitment of tax increment payments from high-performing TIF Districts to the DHTF and in furtherance of the Housing Policy's goals and objectives of creating affordable housing, promoting fair housing choices and overcoming patterns of segregation and concentrations of poverty are necessary and convenient to the implementation of the Project Plan and Reinvestment Zone Financing Plan for the City Center TIF District.

Now, Therefore,

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

SECTION 1. That Ordinance Nos. 22802 and 23034, originally approved June 26, 1996, and February 12, 1997, as amended, are hereby amended to: (1) allow an estimated amount of $424,528.00 of the Affordable Housing Set-Aside Funds to be used outside of the boundaries of the Zone and the greater downtown area; and (2) make corresponding modifications to the City Center TIF District's Project and Reinvestment Zone Financing Plans, consistent with the requirements and limitations of the Act, attached hereto as **Exhibits A.**

SECTION 2. That the facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct.

SECTION 3. That Ordinance Nos. 22802 and 23034, as amended, will remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. That if any section, paragraph, clause or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or un-enforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

SECTION 5. 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

Passed: _____

Exhibit A

City Center

Tax Increment Financing District

(Comprised of Downtown Core, Historic West End and Lamar Corridor)

Amended and Restated Project Plan
And
Reinvestment Zone Financing Plan

Adopted	**February 12, 1997**
Amended	**February 11, 2009**
	December 12, 2012
	September 11, 2013
	November 12, 2014
	December 12, 2018

Acknowledgements

The City Center TIF District Project Plan and Reinvestment Zone Financing Plan was originally prepared in 1996. This amended and restated plan was prepared by the City of Dallas, Office of Economic Development. The Office of Economic Development wishes to acknowledge the efforts of everyone who contributed to the development of this plan, including the following organizations and individuals:

City of Dallas

T.C Broadnax	City Manager
Courtney Pogue	Director, Office of Economic Development (OED)
Kevin Spath	Assistant Director, OED
Dorcy Clark	Economic Development Senior Coordinator, OED
Barbara Martinez	Assistant City Attorney, City Attorney's Office

Current Dallas City Council

Mayor Mike Rawlings
Mayor Pro Tem Casey Thomas II
Deputy Mayor Pro Tem Adam Medrano
Scott Griggs
Rickey D. Callahan
Omar Narvaez
Kevin Felder
Tennell Atkins
Mark Clayton
B. Adam McGough
Lee Kleinman
Sandy Greyson
Jennifer Staubach Gates
Philip T. Kingston

City Center TIF District Board of Directors

Larry M. James
Evan L. Beattie
John Perry
Orlando Alameda
Rick Loessberg
Jasmond Anderson

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Section 1:
Amended and Restated Project Plan

Background

The Dallas City Council (the "Council") designated Tax Increment Financing Reinvestment Zone Number Five, City of Dallas, Texas (the "Zone") by City Ordinance 22802 on June 26, 1996. The City Center TIF District, also called the Zone, was created to develop an attractive, sustainable urban core by generating cash to reimburse costs of public improvements and redevelopment of vacant or underutilized buildings downtown. Creation of the City Center TIF District helped to protect major investment in downtown and encourage redevelopment of the cores' assets, as its land use mix transitioned from at one time a heavy concentration of office space to an increasing concentration of residential, hotel, restaurants and retail. Such development or redevelopment would not have occurred solely through private investment.

The City Center TIF District has been authorized by the City of Dallas, pursuant to Section 311.005 of the Texas Tax Code, because the City Council found that the Zone substantially impaired the sound growth of Dallas, retards the provision of housing accommodations, constitutes an economic and social liability, and is a menace to the public welfare due to a substantial number of substandard, deteriorating, and deteriorated structures and infrastructure. This amended and restated plan ("Amended Plan"), including the district boundaries, project plan, and financing plan, is the result of the collaborative effort of property owners and City staff.

Less than 10 percent of property in the District is currently being used for residential use with fewer than five living units.

The Council approved a project plan and financing plan for the Zone on February 12, 1997 (the "Original Plan"), by Ordinance Number 23034. The Dallas County Commissioners Court voted on December 17, 1996, to cause Dallas County (the "County") and Dallas County Hospital District (the "Hospital District") to participate in the Zone by agreeing to contribute to the tax increment fund for the Zone (the "TIF Fund") 100 percent of each of their tax increments generated in the Zone, for the life of the Zone or 15 years, whichever is shorter. On July 9, 2002, the Dallas County Commissioners Court amended its participation in the Zone from 100 percent to 53 percent and extended its participation subject to the termination of such contributions upon the earlier of (a) the end of the 2011 tax year, or (b) such contributions post 2001 totals $9.7 million. The participation amendment was conditioned on the County receiving $3 million in funding from the City of Dallas by 2007, for improvements to the County's downtown court house plaza. The Board of Trustees of Dallas Independent School District ("DISD") voted to cause DISD to participate in the Zone. The Dallas County Hospital District also participated in the Zone.

Beginning in the late 1970's, dramatic high-rise building projects began to develop in downtown Dallas. The City Center area enjoyed strong occupancy with growing demand that contributed to high lease rates. With the development of suburban office parks such as Las Colinas in Irving, Legacy in Plano and growing office corridors such as North Central Expressway and LBJ/Tollway, the Central Business District office occupancy began to decline.

In the mid-1980's, the Central Business District realized an exodus of companies from their downtown Dallas locations to newer, campus-type suburban corporate office developments. In October 1989, Dallas City Council authorized the City's Public/Private Financial Incentive Guidelines and Criteria to be administered by the Economic Development Department with a special emphasis on retaining and attracting investment to downtown Dallas. The program resulted in a new emphasis by the Central Dallas Association, now Downtown Dallas Inc., to join with the City to develop programs that will increase the marketability of downtown Dallas.

In 1990, the City isolated downtown values from the City tax roll to display the real property value annually. The trend in downtown values through the 1995 tax roll, released in July 1995 reflecting the market as of January 1, 1995, was still down, although 1995 marked the first year since 1990 that the percentage of decline was in single digits.

From 1996, the creation of the City Center TIF District, to 2000, the property value increased within the Zone. In 2000, the value was up approximately 70 percent from the 1996 base year. The majority of the Zone's increase in value took place between 1997 and 1998, over 49 percent, as a result of increased office occupancy.

Beginning in 2001 and continuing through 2005, the Zone's value declined an average of 4.5 percent annually. The Zone continued to fluctuate between periods of growth from 2006 to 2008 (averaging approximately 7 percent annually) attributable to the completion of vacant office building conversions to residential within the Zone and declines from 2009 to 2011 (averaging approximately 7 percent annually) due to the country's recession.

In 2011, City Council adopted the Downtown 360 Area Plan, a shared vision for Downtown's future that provided implementation actions for achieving the vision. The plan is a long-term, strategic guide to ensure Downtown Dallas is a vibrant urban center, by providing clear, targeted recommendations. The recommendations and concepts presented in the plan are intended to be considered when reviewing development, considering public investments and making development decisions.

The big picture ideas, or Transformative Strategies outlined in the plan serve as building blocks for a successful downtown Dallas, guiding and steering public and private investments. The five Transformative Strategies are: (1) Expand Transit

and Realize TOD Potential; (2) Create Vibrant Streets and Public Spaces; (3) Ensure Great Urban Design; (4) Diversify and Grow Housing; and (5) Reform the Approach to Parking.

The Downtown 360 Area Plan also explored focus areas within the downtown core that have the potential to transform a currently underperforming part of downtown. The Lamar Corridor and Main Street District retail activation area were two of the five focus areas highlighted in the plan. The Lamar Corridor focus area design and development concept emphases infill development and an improved public realm to solidify the connection between the Dallas Convention Center and Historic West End. The Main Street District retail activation area is the City's heart of culture and commerce. The plan encourages creating a one of a kind retail district in the heart of downtown.

The plan's strategies for implementing its bold ideas include extending the terms of the downtown TIFs, specifically the City Center and Farmers Market TIF Districts. The plan recommends extending the districts' terms as a means to fund downtown initiatives such as retail revitalization, Farmer's Market revitalization, affordable housing, transit financing, parks and open space and strong urban design. The plan also recommended modification of an existing TIF district's boundary to encourage redevelopment of the Lamar Corridor. As a result the plan's recommendations and growing redevelopment interest in and around the plan's focus areas highlighted above, the City has evaluated an extension of the term of the City Center TIF District.

The purpose of this Amended Plan (2012 amendment) is to: (1) expand the downtown core and redevelopment momentum to the West End; (2) provide a means of facilitating the redevelopment of the Lamar Corridor and Historic West End area; (3) upgrade the public realm along the Lamar Corridor to create an attractive corridor linking key destinations within the City; (4) fill in gaps in redevelopment with in the downtown core by redeveloping last remaining vacant buildings; (5) continue to provide a source of funding for affordable housing, parking and retail activation; (6) create a funding source for improvement and maintenance of infrastructure in the West End, district wide improvements, and improved pedestrian connectivity from the Dallas County, City and Community College offices through the West End to the Victory Park Area; (7) provide a source of funding to assist under parked downtown office buildings to add structured parking and (8) fund outstanding reimbursement obligations of the City Center TIF District.

The 2012 amendments revised the Zone's Original Plan to achieve the following: (1) extend the term of the Zone from December 31, 2012, to December 31, 2022 for the City Center Sub-district (original TIF boundary) and provide a termination date for the Lamar Corridor/West End Sub-district of December 31, 2037; (2) decrease the percentage of tax increment contributed by the City of Dallas during the extended term and establish tax increment percentages for the participating taxing jurisdictions for the Lamar Corridor/West End Sub-district; (3) increase the

boundaries of the Zone to include property in the Lamar Corridor/West End Sub-districts and set the base value for the sub-district; (4) update and modify development and revenue forecasts for the Zone; (5) contemplate the County's participation rate for both sub-districts; and (6) increase the budget for the Zone**.**

On September 11, 2013, the TIF District's boundary was amended to (1) remove a portion of the property addressed as 350 N. St. Paul Street, approximately 4,950 square feet and (2) add the property addressed as 600 S. Harwood Street, approximately 19,471 square feet.

One Dallas Center, addressed as 350 N. St Paul, is located in the City Center TIF District. The City of Dallas owns approximately 3.5 acres of land designated as the future Pacific Plaza Park by the Downtown Parks Master Plan. The proposed park is located in the Downtown Connection TIF District.

A land swap between the City of Dallas and the owner of the One Dallas Center property (St. Paul Holdings, LP) to facilitate construction of a turnaround and small parking lot for the One Dallas Center building as part of the more than $40 million redevelopment of the building. In order to facilitate the land swap, the boundaries of the City Center and Downtown Connection TIF Districts were amended to remove a portion of the One Dallas Center property from the City Center TIF District. City Council also approved an amendment to the Downtown Connection TIF District to add the property removed from the City Center TIF District. These amendments did not change the total land area of the future Pacific Plaza Park. The land exchange was coordinated with the Park and Recreation Department.

The property addressed as 600 South Harwood was added to the Zone to provide TIF reimbursement for a project that would relocate a historic building to the property. As part of the Cesar Chavez street improvement project, the building was condemned and planned to be demolished by the City for right of way needed to widen the north-south thoroughfare. Relocation of the historic building was costly and the project benefited from being in the City Center TIF District.

On November 12, 2014, City Council approved an amendment to the TIF District's boundary to remove various properties from the City Center Sub-district of the Zone. A list of the properties removed is below. Redevelopment of these properties is not anticipated or would not occur during the remaining term of the sub-district. Additionally the sub-district does not have the financial capacity to support redevelopment of any of the properties, especially in the case of the Adolphus Hotel. For these reasons the properties were removed from the Zone.

DCAD Account Number	Owner Name	Property Address
00000100445000000	BINYAN REALTY LP	1201 ELM ST
00000100445000100	SUHGERS DONALD TRUST THE	1201 ELM ST
00000100748009900	SOUTHWESTERN BELL	311 S AKARD ST
00000100762000000	SOUTHWESTERN BELL	301 S AKARD ST
00000101086000000	SOUTHWESTERN BELL TELEPHONE	208 S AKARD ST
00000101131000000	SOUTHWESTERN BELL	308 S AKARD ST
00000101542000000	1910 PACIFIC LP	1910 PACIFIC AVE
00000104717000000	BINYAN GARAGE LLC	1201 PACIFIC AVE
00000110712009900	OLYMBEC USA LLC	1700 PACIFIC AVE
000070000A01A9900	RBP ADOLPHUS LLC	1315 COMMERCE ST
000070000A01A0400	RBP ADOLPHUS LLC	1315 COMMERCE ST
000070000A01A0500	RBP ADOLPHUS LLC	1315 COMMERCE ST

Term of Zone

The ordinance creating the City Center TIF District provided for a December 31, 2012, termination date. The term of the City Center Sub-district (original TIF boundary) will be extended by 10 years to December 31, 2022, unless terminated prior to such date.

The Lamar Corridor/West End Sub-district term is 25 years, January 1, 2012 to December 31, 2037, unless any Sub-district is terminated prior to such date.

The term of the Zone may terminate at an earlier time designated by a subsequent City ordinance or at such time that all project costs and interest thereon, if any, have been paid in full. Tax increments from levies in 2022 (for the City Center Sub-district) and 2037 (for the Lamar Corridor/West End Sub-district) will flow to the TIF Fund in 2023 and 2038, respectively, unless the Zone has been terminated before such date.

Zone Tax Increment Base

A taxing unit's tax increment for a particular year during the term of the Zone is calculated by reference to the appraised value of real property in the Zone for such year compared to the "tax increment base" for such tax unit with respect to the Zone. The "tax increment base" for a tax unit with respect to the Zone is the appraised value of all real property in the Zone that is taxable by the tax unit for the year in which the Zone was created (i.e., 1996).

The adjusted 2014 appraised value of all real property in the City Center Sub-district shall be called the "Base Year Value." The base year value for each taxing unit contributing to the TIF Fund was identified to be $577,655,884, see **Appendix A**. There were no known exemptions or abatements for taxable real property in the Zone, so the tax increment base year value for each taxing unit is the same.

The taxable base year value for the Lamar Corridor/West End Sub-district will be the value of all property in the sub-district as of January 1, 2012. The base year

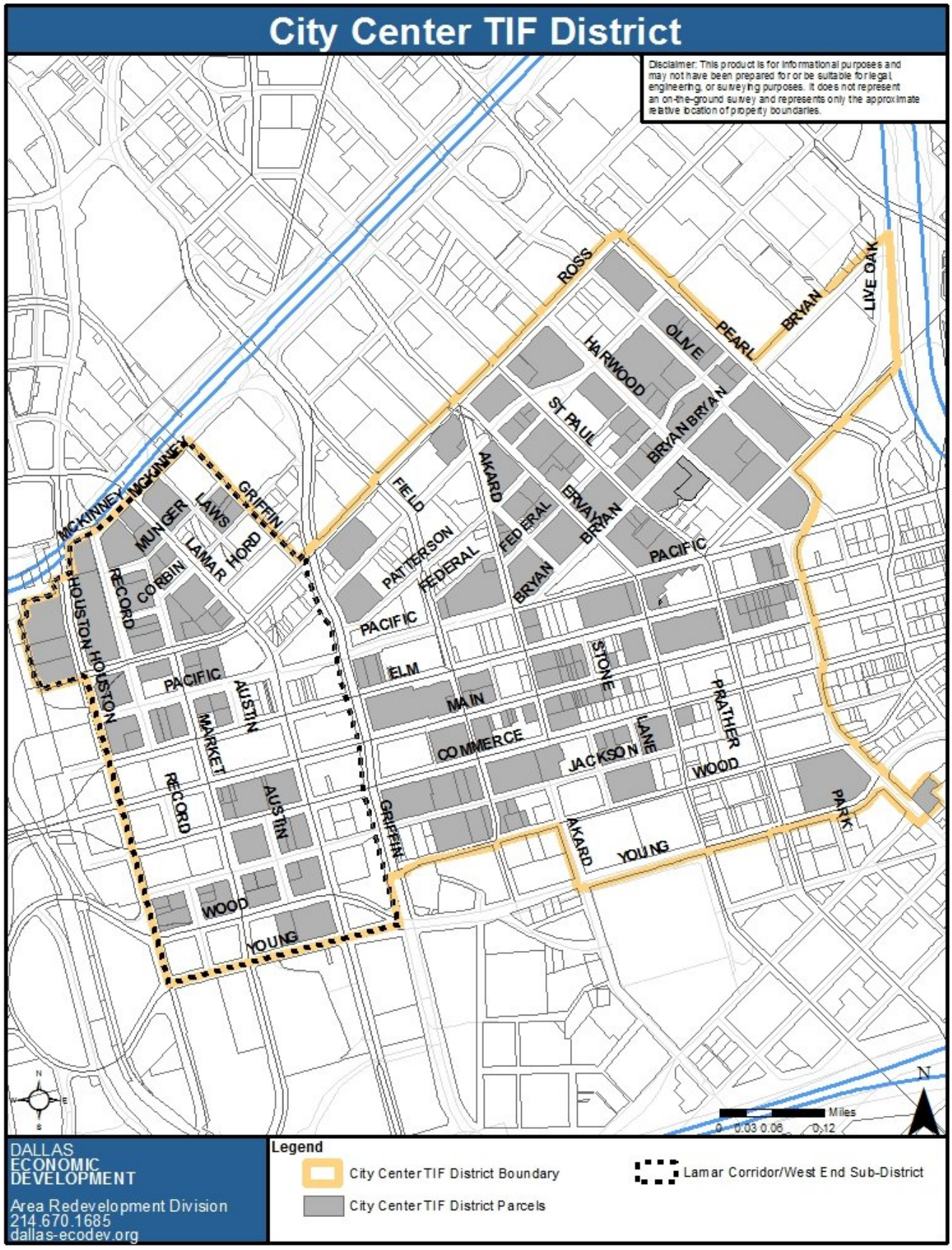
value for the Lamar Corridor/West End Sub-district is estimated to be $97,095,610, based on a review of current property values in the sub-district, see **Appendix B**.

Zone and Sub-district Boundaries

Exhibit A, on the following page**,** is a map of the amended Zone boundaries inclusive of all boundary amendments. The City Center and Lamar Corridor/West End Sub-districts' boundaries are highlighted.

Unless defined otherwise by a relevant City Ordinance, Zone boundaries include all rights-of-way immediately adjacent to real property within the Zone, extending to the far sides of the rights-of-way, and are not limited by the centerline.

Exhibit A


City Center TIF District
Disclaimer: 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.
ROSS
PEARL
BRYAN
LIVE OAK
OLIVE
HARWOOD
ST PAUL
BRYAN
FIELD
AKARD
FEDERAL
PATTERSON
PACIFIC
MCKINNEY
GRIFFIN
MUNGER
LAWS
LAMAR
HORD
RECORD
CORBIN
HOUSTON
ELM
MAIN
COMMERCE
STONE
LANE
JACKSON
PRATHER
WOOD
PARK
MARKET
AUSTIN
YOUNG
N
Miles
0 0.03 0.06 0.12
DALLAS
ECONOMIC
DEVELOPMENT
Area Redevelopment Division
214.670.1685
dallas-ecodev.org
Legend
City Center TIF District Boundary
City Center TIF District Parcels
Lamar Corridor/West End Sub-District

Development Goals and Objectives

The following development goals will meet the specific needs of the City Center TIF District:

- Make the district a safer place to live and work.
- Improve access to the downtown core, Historic West End and adjacent downtown destinations.
- Improve the image of the district.
- Support redevelopment of the existing building stock in both sub-districts.
- Develop a more diverse mixture of land uses within the district.
- Increase recreational opportunities in the district.

The following specific objectives set the framework for the planned public improvements within the City Center TIF District:

Original Objectives:

- Improve the pedestrian environment through landscaping, lighting and design standards.

- Provide public parking to encourage redevelopment of underutilized downtown office space and create retail opportunities.

- Ensure that new construction is compatible with surrounding historic buildings.

- Coordinate linkages to DART light rail stations in the Zone.

- Direct overall development in the Zone through the application of design standards for public improvements and design guidelines for private development.

- Encourage development of residential housing, including conversions of existing office space.

- Encourage development of street-front retail.

- Complement and protect existing historic structures.

Additional Objectives (2012)

- Create additional taxable value attributable to new private investment in projects in the City Center TIF District totaling over $517,000,000 over the term of the Zone.

- Expand the downtown core toward the West End Historic district.

- Support redevelopment of the Lamar Corridor.

- Support redevelopment of properties near the Omni Convention Center Hotel.

- Support linkages to the Farmers Market and Victory areas.

Section 2:
Tax Increment Financing Explained

Tax increment financing ("TIF") is a tool Texas local governments use to encourage redevelopment within a defined area. TIF funds can be used to fund a variety of improvements that benefit the public. These TIF financial contributions are intended to attract new investment to the defined area in an effort to increase property value. The primary statute governing tax increment financing is codified in Chapter 311 of the Texas Tax Code, as amended.

A municipality makes an area eligible for tax increment financing by designating a reinvestment zone (e.g., the Zone). Costs of specified improvements/grants within a reinvestment zone may be paid or reimbursed by property tax revenues generated from appreciated real property in the reinvestment zone. The additional tax dollars generated by growth of real property values in a reinvestment zone are called the "tax increment." The tax increment flows to a tax increment fund (e.g., the TIF Fund) for a specified term of years. For the Zone, tax increments on real property levied through December 31, 2028 will flow to the TIF Fund. Money flowing to the TIF Fund each year will be disbursed according to this Amended Plan and agreements approved by the Board of Directors of the Zone (the "TIF Board") and adopted by the City.

Exhibit B generally shows how tax revenues from real properties in a reinvestment zone flow to taxing units and the tax increment fund. **Exhibit B** assumes real property values in the reinvestment zone rise after the reinvestment zone's designation.

Under certain TIF programs, cash accumulates in the tax increment fund and is used to purchase public improvements on a "pay-as-you-go" basis. More commonly, as with the Zone, a private developer or a public agency will provide cash to construct public improvements, with the tax increment fund eventually reimbursing the private developer or public agency for its costs plus reasonable interest.

Exhibit B: TIF Financial Impact

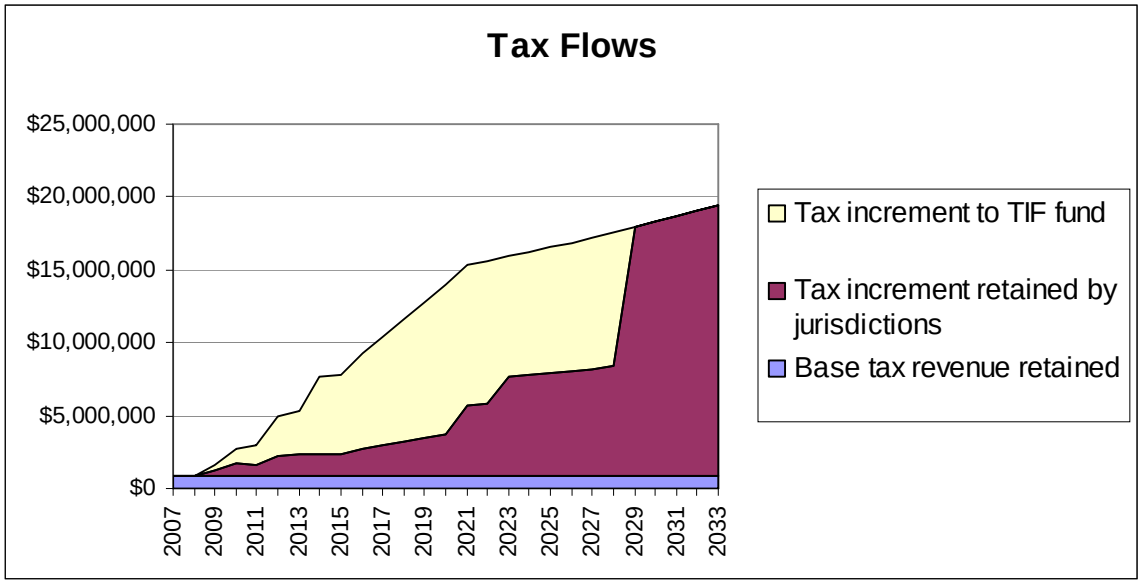


***Chart for illustrative purposes – does not match specific TIF projections**

Municipalities may create reinvestment zones for tax increment financing. Once created, school districts, counties, hospital districts and college districts may participate in TIF programs. Each taxing unit may choose to dedicate to the tax increment fund all, a portion or none of the additional tax revenue attributable to increased real property value in the reinvestment zone.

Inclusion of a property in a reinvestment zone does not change the property tax rate for such property. Tax rates in a reinvestment zone are the same as tax rates outside the reinvestment zone, within the same set of taxing jurisdictions.

Section 3:
Project Plan Improvements

Original Plan Improvements

The original public improvements for the Zone included streetscape improvements, pedestrian linkages, façade easements, educational/training facilities, acquisition and restoration of historic sites, environmental remediation, interior and exterior demolition and historic façade restoration. The total budget for these improvements was $87.6 million. With 2012's increment collection, approximately $76 million of the $87.6 million budgeted for the Zone will have been collected.

The public improvements funded through the Zone have supported the following original development program goals:

- 2,500 residential units

    - *2,336 residential units have been built in the City Center TIF District, representing approximately 93% of the development program goal. See **Exhibit C***

Exhibit C

CITY CENTER – COMPLETED RESIDENTIAL UNITS			
PROJECT	LOCATION	UNITS	YEAR COMPLETED
1900 Elm (Titche-Goettinger)	1900 Elm Street	129	1997
SoCo Lofts	1122 Jackson Street	205	2000
The Kirby – Residences on Main	1509 Main Street	156	2000
Wilson Building	1623 Main Street	135	2000
Residences on Jackson	1300 Jackson Street	8	2002
Davis Building	1309 Main Street	183	2003
1505 Elm Street Condominiums	1505 Elm Street	65	2004
Interurban Building	1500 Jackson Street	134	2005
Dallas Power & Light	1506-12 Commerce Street	154	2005
Gulf States Building	1415 Main Street	64	2007
Gables at Republic Center	325 N. St. Paul, Tower I	227	2007
Fidelity Union Life Towers (Mosaic)	Pacific/Bryan/Akard	440	2007
Metropolitan	1200 Main Street	273	2007
1407 Main Street	1407 Main Street	85	2008
U.S. Post Office Building	400 N. Ervay Street	78	2011
TOTAL RESIDENTAL UNITS COMPLETED		2,336	

- Absorption of 3.5 million square feet of vacant office space in the district

    - *To date, 5.1 million square feet of previously vacant office space located within the City Center TIF District has been renovated representing 149% of the development goal.*

    - *Completed projects include Santa Fe II, 2020 Live Oak, Sheraton Hotel, Majestic Lofts, Kirby Building, Wilson Building, Magnolia Building, Hart Furniture, 1505 Elm, Davis Building, Dallas Power and Light, Interurban Building, Jackson Building, Republic Tower, 1530 Main Street, Gulf States, 1217 Main Street, Mosaic, 1200 Main Street, Magnolia Hotel, Sheraton Hotel, 1516 Elm Street, Hart Furniture, and the Joule Hotel.*

The Zone also funded programs targeting public parking and retail. The City Park Program funded by the Zone provided public, short-term parking space in garages in the downtown retail core in support of retail redevelopment efforts within the core. The CityPark program ended in 2010, but provided $1,027,818 over six years for the conversion of existing private garages to public use through equipment signage, marketing and the use of the City's public parking rates.

Although the term of the CityPark program has expired, the City is currently leasing 150 low cost, transient parking spaces at the Dalpark Garage to assist with retail efforts. The Dalpark Garage lease will expire June 30, 2015. Additionally, the developer of the Third Rail Lofts (1407 Main Street) received an $8.5 million loan with a forgivable interest component to construct a parking garage providing 370 public parking spaces for 10 years, parking for adjacent residential projects and assist in the development of 20,000 square feet of retail space. The Davis lot garage lease will expire 2016.

Amended and Restated Improvements

In the fifteen years since the adoption of the Original Plan, significant private investment has occurred in the City Center Sub-district of the Zone, but there are remaining deficiencies. While larger vacant buildings within the Zone have been repurposed, some vacant buildings still remain. Vacant ground floors of occupied buildings coupled with scattered and disconnected retail detract from all of the redevelopment that has occurred in the last fifteen years. The lack of street-level vitality is compounded by the real and perceived lack of parking in the downtown core.

The Lamar Corridor/West End Sub-district includes a restaurant district, office space, public offices and some vacant and underutilized buildings and properties in the West End Historic District, as well as along the Lamar Corridor adjacent to the Omni Convention Center Hotel. The Lamar Corridor is a primary connection between key downtown destinations and facilities, stretching from Cedars/South Side to Victory Park. Infill redevelopment along the Lamar Corridor is vital to creating a contiguous development pattern extending north from the Cedars, Convention Center area, through the West End, ending in the Victory Park area.

Occupancy rates in the Historic West End has declined over the years with very little redevelopment activity or momentum until recently. Development of surface parking lots, redevelopment of vacant or mostly vacant buildings is possible with some public investment. This effort is needed to expand the downtown core district.

The following specific goals are intended to set the framework for the planned amended and restated improvements within the City Center TIF District:

- Encourage development of new residential, retail, office, and mixed-use developments

- Provide TIF incentives to upgrade basic infrastructure including streetscape improvements, utilities, storm drainage, and water/wastewater lines to support new development the Zone.

- Provide TIF incentives to encourage adaptive reuse of existing buildings in the Zone, including historic façade restoration.

- Provide TIF Incentives to improve the pedestrian environment through plaza and sidewalk improvements, landscaping, lighting, design standards, wayfinding and burial of overhead utilities, including improved pedestrian connections throughout the Zone and between adjacent key destinations such as the Convention Center area, Victory Park and Uptown.

- Provide TIF incentives to encourage redevelopment of property in the Zone through the provision for infrastructure, environmental remediation, interior and exterior demolition**.**

- Provide TIF incentives to offset the costs of providing affordable housing, encouraging the development of mixed income housing within the Zone and surrounding downtown area.

- Provide TIF incentives to make strategic parking investments for the Zone that will:

    - Secure adequate affordable visitor parking in the downtown core and West End area; and
    - Provide financing mechanisms to encourage development of additional parking for underserved downtown office buildings.

- Provide TIF incentives to fund a ground floor activation program based on the recommendations of the Downtown 360 Plan's retail activation strategy.

- Provide funding to pay administrative costs, including reasonable charges for the time spent by employees of the municipality and/or employees associated with any non-profit groups established to assist with implementation within the City Center TIF District, will be eligible for reimbursement as project costs, upon approval by the TIF Board and in connection with the implementation of the Amended Plan. Other related administrative expenses including legal fees and consulting fees of the City, management expenses, meeting expenditures, and equipment are included in this category.

- Use Economic Development Grants to achieve the goals of the Amended Plan. Legislation allows the City to make economic development loans or grants for the public purposes of developing and diversifying the economy of the City Center TIF District. Projects receiving such loans or grants must:

    - Comply with the grant program previously adopted by the Zone;
    - Be consistent with the goals and objectives of this Amended Plan; and
    - Be subject to specific project agreements requiring City Council approval.

Taxable Private Improvements

The Zone's anticipated private development in the City Center Sub-district is expected to fill in gaps in redevelopment within the downtown core. As a result of the Zone and the Downtown Connection TIF District many of the large vacant buildings have been converted to residential and mixed uses. The vacant buildings that remain are smaller historic buildings that visually detract from all of the redevelopment progress made in the core.

In addition to small vacant buildings, renovation of underperforming landmark properties is expected to occur within the City Center Sub-district during the extension. In total, over the next ten years, it is estimated that an additional $257,000,000 in new private investment will occur within the sub-district's boundaries.

Most the Zone's redevelopment activity is expected to occur within the Lamar Corridor/West End Sub-district. The Historic West End area has vacant and mostly vacant buildings that are in need of redevelopment along with numerous surface parking lots. Over the 25 year term of the sub-district, approximately $260,000,000 in new private development is expected to occur within its boundaries.

Development along the Lamar Corridor, north of Young Street will be stimulated by the development that has taken place along the corridor south of Young Street. The Omni Convention Center Hotel completed in 2011 has been very successful. Plans for additional private development and parking in front of the hotel adjacent to Lamar are underway. In 2012, the City in conjunction with North Central Texas Council of Governments completed streetscape improvements on Lamar Street from Ross to the Convention Center. These public improvements in conjunction with private development in the Cedars area, including the South Side residential lofts, The Beat and Buzz condos, construction of the Dallas Police Headquarters and entertainment and restaurant venues has created development momentum along the Lamar Corridor.

The projected development within the Zone is expected to accomplish the following:

City Center Sub-district

- Add residential units to complete original goal of 2,500 residential units.
- Activate 300,000 square feet of vacant ground floor and/or retail space in the downtown core.
- Absorb of 1,000,000 square feet of vacant office space in the sub-district.

Lamar Corridor/West End Sub-district

- Add 2,500 residential units to the sub-district.
- Activate 500,000 square feet of vacant ground floor and/or retail space in the sub-district.
- Absorb of vacant office space in the sub-district.

See **Exhibit D** for a list of anticipated development in the City Center TIF District and **Exhibit E** for the location of the projects listed in Exhibit D within the Zone.

TIF revenue projections anticipate an overall 2 percent appreciation rate for property in the Zone over terms of both sub-districts. It is anticipated that if the improvements and private investment described in this Amended Plan occur in a timely basis, property values within the Zone will increase to be commiserate with property values in the core of downtown.

Exhibit D
Anticipated Development

City Center Sub-District Anticipated Development Projects

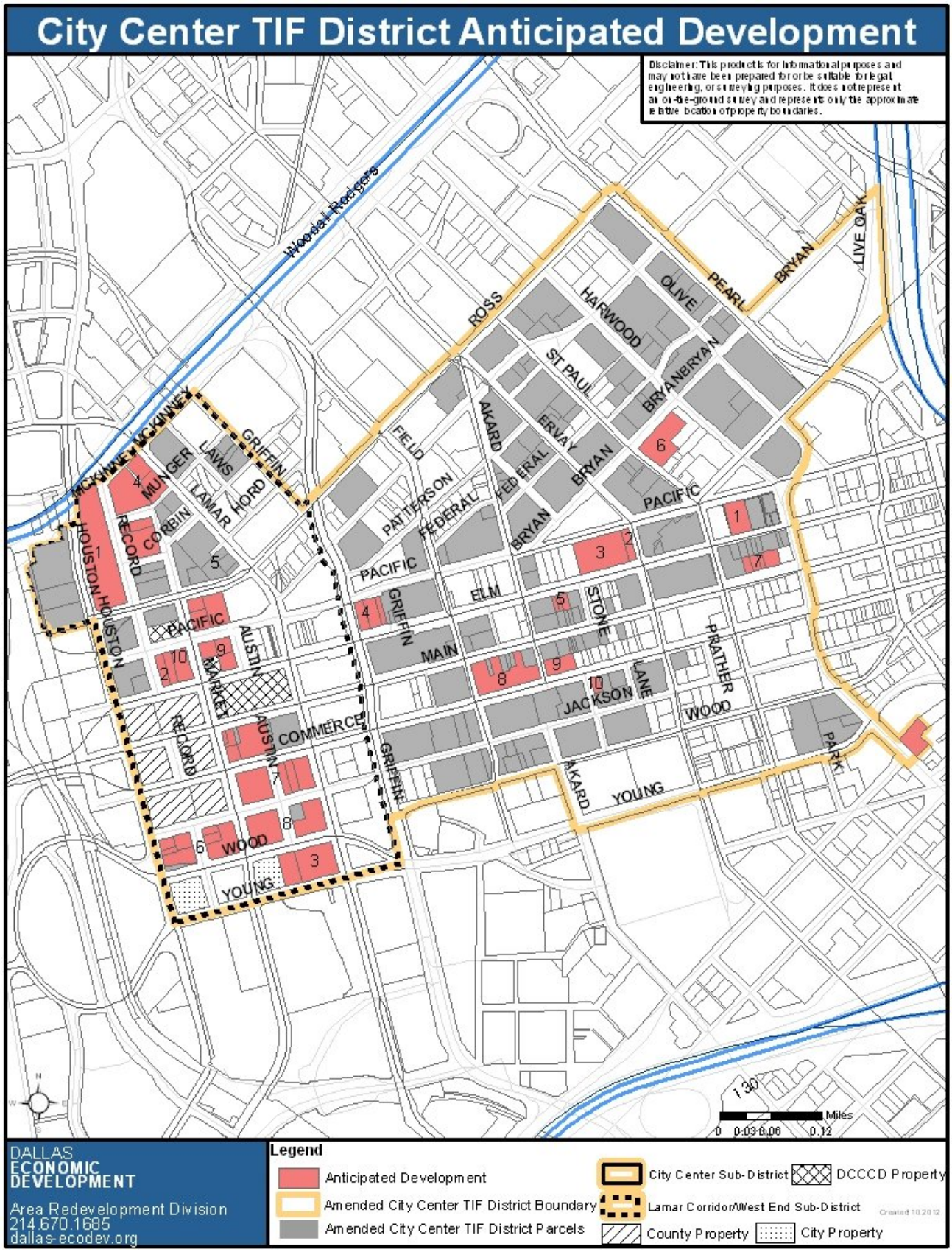
Map #	Project Name	Private Investment	Estimated Completion Date
6	Patriot Tower Office	$67,200,000	2013
4	1025 Elm Street	$21,000,000	2013
5	Elm Street Buildings	$8,750,000	2014
9	Magnolia Hotel	$3,000,000	2014
7	Universities Center Renovation	$25,000,000	2014
10	Browder Street Retail	$2,500,000	2015
3	Thanksgiving Tower	$25,000,000	2016
8	Adolphus Hotel	$20,000,000	2017
1	211 N. Ervay	$40,000,000	2018
2	Pacific Place	$45,000,000	2020
		$257,450,000	

West End Sub-District Potential Development Projects

Map #	Project Name	Private Investment	Estimated Completion Date
1	West End Residential Bldg	$44,000,000	2015
2	West End Residential Bldg	$16,000,000	2015
3	NWC Young and Lamar	$35,000,000	2017
4	603 Munger	$20,000,000	2017
5	NWC Lamar and Ross	$25,000,000	2019
6	NWC Market and Wood	$30,000,000	2019
7	NWC Lamar and Jackson	$25,000,000	2021
8	NEC Market and Wood	$35,000,000	2023
9	NEC Market and Elm	$15,000,000	2025
10	NWC Market and Elm	$15,000,000	2025
		$260,000,000	

Total **$517,450,000**

Exhibit E


City Center TIF District Anticipated Development
Disclaimer: 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.
Woodall Rodgers
ROSS
HARWOOD
OLIVE
PEARL
BRYAN
LIVE OAK
ST PAUL
BRYAN
MCKINNEY
GRIFFIN
FIELD
AKARD
ERVAY
FEDERAL
PATTERSON
MUNGER
LAWS
LAMAR
HORD
CORBIN
RECORD
HOUSTON
PACIFIC
ELM
MAIN
STONE
PRATHER
LANE
JACKSON
WOOD
AUSTIN
MARKET
COMMERCE
YOUNG
PARK
1
2
3
4
5
6
7
8
9
10
0 0.03 0.06 0.12 Miles
DALLAS
ECONOMIC
DEVELOPMENT
Area Redevelopment Division
214.670.1685
dallas-ecodev.org
Legend
Anticipated Development
Amended City Center TIF District Boundary
Amended City Center TIF District Parcels
City Center Sub-District
Lamar Corridor/West End Sub-District
County Property
DCCCD Property
City Property

Section 4:
Amended and Restated Financing Plan

Financing Plan

The following is the budget of the Amended Plan (See Appendix C for Original Budget):

Exhibit F: City Center TIF District Improvements Budget for Additional Revenue

(See **Appendices D and E** for Individual Sub-District Budgets)

Project costs are public improvements and grants paid or reimbursed by TIF. Project costs may be changed in subsequent project and financing plans.

Category	Estimated TIF Expenditure*
Original City Center TIF Collections**	**$75,696,253**
Public Infrastructure Improvements *Streetscape Improvements, Pedestrian Linkages, Lighting, Utility Burial, Utility Upgrades*	**$8,500,182**
Parking	**$5,500,000**
Redevelopment/Development Projects *Environmental Remediation, Interior & Exterior Demolition, Façade Improvements/Restoration, TIF Grants*	**$40,972,111**
District Wide Improvements	**$4,000,000**
Affordable Housing	**$6,500,000**
Ground Floor Activation *(in the form of a TIF Grant)*	**$8,300,000**
Plan Implementation/Administration	**$2,500,000**
Total	**$151,968,546**

**Estimated TIF Expenditure reflects actual project collections for the district.*

***Only $75,696,253 will be collected by 2012, the remaining funds have been reallocated in the budget for the extended term.*

Project Costs

The following describes the City Center TIF District's eligible TIF Project Costs, for which the developer will be reimbursed by the City:

Public Infrastructure Improvements – This category includes TIF eligible expenditures for design, engineering and construction of streetscape improvements, pedestrian linkages, lighting, utility burial, utility upgrades and TIF Grants. The funds in this category are for improvements listed in association with a development/redevelopment project.

Approximately **$8.5** million has been allocated to this line item in the Zone's budget.

Redevelopment/Development Projects – This category includes TIF eligible expenditures for design, engineering and construction costs for environmental remediation, interior and exterior demolition, façade improvements, historic façade restoration and TIF Grants for TIF projects in the Zone.

Approximately **$40.9** million has been allocated to the line item in the Zone's budget.

Affordable Housing – This category supports the Zone's mixed income housing requirement for residential projects. A minimum of 10 percent of the total number of residential units developed in the Zone must meet 80% of the area median income. The funds in this line item may be used to offset the costs of providing affordable housing within the boundaries of this Zone and the greater downtown area only, with the exception of an amount up to $424,528 which may be used outside of the downtown area for the sole purpose of affordable housing as part of the Dallas Housing Trust Fund to support the City's Comprehensive Housing Policy adopted on May 9, 2018 by Resolution 18-0704.

Approximately **$6.5** million has been allocated to the line item in the Zone's budget.

Parking Initiatives – This category supports expansion of the downtown parking supply by providing adequate parking in the Zone that will support current and additional retail, residential, office and visitor activity. These funds will be used to pay the current lease of short term public parking in the Dalpark garage and fund the potential extension of the leases of parking in the Third Rail Lofts and Dalpark garages upon their expiration. The funds may also be used to acquire or lease other parking spaces in the Zone or the greater downtown area if it benefits the Zone. Parking funds may be used to incentivize the construction of private parking garages that provide public parking by either over building the garage to include public spaces or dedicating spaces in the garage for public use. Wayfinding and signage that directs the public to public parking is a TIF eligible expenditure included in this category.

Approximately **$5.5** million has been allocated to the line item in the Zone's budget.

Ground Floor Activation Initiative – This category supports ground floor activation or occupancy that is contiguous by filling vacant gaps at the ground floor plane and will be in the form of a TIF Grant. The use of funds in this category will be guided by the Downtown 360 Plan's Main Street Activation Strategy which provides recommendations for street level vibrancy, including retail activation, tenant mix, branding and design. These

funds will be used in the Zone and the greater downtown area, if it benefits the Zone.

Approximately **$8.3** million has been allocated to the line item in the Zone's budget.

District Wide Improvements – This category supports improvements that are not specific to a single development site or project such as gateways, trails, open space, pedestrian connectivity linking the Zone to other downtown destinations, or utility/streetscape improvements benefiting Zone.

Pedestrian connectivity improvements enhancing the connection between the Lamar Corridor/West End Sub-district and Victory Park area shall be first in priority for expenditure of funds in this category.

Approximately **$4** million has been allocated to the line item in the Zone's budget.

Administration and Implementation – Administration costs, including reasonable charges for time spent by the municipality's employees, will be eligible for reimbursement as project costs, in connection with the implementation of the Amended Plan. Other TIF-related administrative expenses are included in this category.

Approximately **$2.5** million has been allocated to the line item in the Zone's budget.

Cash available in the TIF Fund for reimbursement will be paid promptly upon completion of TIF projects and receipt and review of proper documentation of expenses, as set forth in the applicable reimbursement agreements between the developers and the City and the District's Increment Allocation Policy, upon adoption by the TIF Board.

The following percentages shall be set aside annually for the following budget line items until they are completely funded, beginning with fiscal year 2013's increment, collected June 2014.

Affordable Housing – 12.55 percent for the first 5 years of the extension; 10 percent for the remaining years or until approximately $6.5 million has been collected.

Parking Initiative – 8 percent for the first 10 years of the extension; 10 percent for the remaining years of the Zone or until approximately $5.5 million has been collected.

Ground Floor/Retail Activation Initiative – 15 percent for the first 5 years of the extension; 10 percent for the remaining years of the Zone or until approximately $8.3 million has been collected.

District Wide Improvements Initiative – 8 percent for the first 5 years of the extension; 5 percent for the remaining years of the Zone until approximated $4 million has been collected.

TIF District Policy Considerations

Mixed Income Housing Policy. Ten percent of all housing units provided by projects using TIF funds must meet the City and County established criteria for affordable housing. Affordable housing units are those which are affordable to a household earning 80 percent or below of the median family income for the Dallas metropolitan area. A developer may, subject to City and County approval, and subject to the City Center TIF District Mixed Income Housing Policy, propose an alternative means of fulfilling the City's and County's affordable housing requirement. If the Policy allows affordable housing outside the City Center TIF District, and those units are placed within the boundaries of another TIF district, the developer must also secure approval for the affordable housing units within the respective district's boundaries from the respective TIF district's board of directors unless that board formally declines to review the project.

Business Inclusion and Development (BID) Plan. All TIF-funded projects must follow the City's adopted Business Inclusion and Development Plan. This policy outlines goals for certified Minority and Women-Owned Business (M/WBE) participation in publicly funded infrastructure projects. The BID Plan goal is 25 percent for construction of public improvements. The goal for private improvements is negotiated in the development agreement. The process for BID compliance and City oversight will be negotiated with City staff and included in the development agreement for each individual project.

Creating Permanent Jobs for Area Residents. TIF applicants must agree to sponsor job fairs or other programs to attract neighborhood residents to any permanent jobs created in the development.

Design Review/Peer Review Process. All new projects developed in the district shall be required to follow this review process. Conformance to design standards for non-TIF funded projects is voluntary but strongly encouraged to maintain the design focus of the implementation of the City Center TIF Plan. TIF District Design Guidelines for new development and redevelopment in the City Center TIF District will be modified to address design goals of the Lamar Corridor/West End Sub-district and subsequently adopted by the City Center TIF District board.

Existing Resident Displacement. The Act requires that existing resident displacement be minimized.

Financial Assumptions

The key factors influencing the financial feasibility study and its conclusions are the financial assumptions that have been adopted.

Inflation. The generally accepted inflation for construction costs and the value of improvements is 2 percent per annum. Based on current market rates, net present values of the tax increment were calculated at a discount rate of 5.75 percent per annum the Zone.

Appreciation. Property appreciation is assumed to be 2 percent per annum for the entire Zone.

Tax Rate Changes. Although tax rates will likely increase during the development period, the financial plan conservatively assumes that the 2012 tax rate will remain constant for the life of the City Center TIF District, except to incorporate tax rate changes when known.

Remittance to the TIF Fund. The City Center Sub-district the Zone is expected to terminate December 31, 2022. The Lamar Corridor/West End Sub-district is expected to terminate December 31, 2037. TIF collections will terminate for the entire Zone once the TIF budget has been collected or December 31, 2037, whichever occurs first. Based on current development projections, the TIF budget is expected to be reached in 2037.

Annual percentages of collected annual tax increments invested in the TIF fund by the City of Dallas will be 80 percent of total collected incremental revenue for the City Center Sub-district and 90 percent for the Lamar Corridor/West End Sub-district.

Provided Dallas County agrees to participate during the extended term of the Zone, 53 percent of the total collected County incremental revenue for the City Center Sub-district shall be allocated to that sub-district for 5 years beginning FY 2013, and the Lamar Corridor/West End Sub-district for 20 years beginning FY 2013. County participation will be pursuant to a participation agreement by the Dallas County Commissioners Court.

Early termination. The Council may terminate the City Center Sub-district of the City Center TIF District earlier than 2022 and the Lamar Corridor/West End Sub-districts earlier than 2037, if all obligations of the TIF have been satisfied. The Council may also terminate the City Center TIF District within three years after adoption of this Amended and Restated Plan if there are no financial obligations, or within five years after adoption if an investment of at least $100,000,000 does not occur.

Exhibit G: Increment Projections

City Center Sub-District Increment Chart

Tax Year	Property Value Estimate	Property Value Growth	Cum. Property Value Growth	Anticipated Captured Value	Tax Increment Revenue *City*	Tax Increment Revenue *Dallas County*	Tax Increment Revenue *DISD*	Tax Increment Revenue *DCCCD*	Tax Increment Revenue *DCHD*	Anticipated Increment Revenue	Anticipated Accumulated Revenue (NPV)
1996	**$901,942,389**	Original Base Year Value									
1997	$994,337,840	10.2%	10.2%	$92,395,451	$573,933	$185,715	$850,131	$46,198	$171,643	$1,102,462	$1,728,245
1998	$1,485,213,930	49.4%	64.7%	$583,271,541	$3,786,016	$1,150,211	$5,366,681	$291,636	$1,049,306	$10,918,693	$12,140,285
1999	$1,522,128,601	2.5%	68.8%	$620,186,212	$4,139,743	$1,215,565	$5,706,333	$310,093	$1,215,565	$11,862,142	$22,783,956
2000	$1,530,156,630	0.5%	69.7%	$628,214,241	$4,193,330	$1,204,648	$5,780,199	$314,107	$1,595,664	$12,362,791	$33,249,217
2001	$1,526,243,120	-0.3%	69.2%	$478,340,500	$3,251,187	$954,656	$4,481,524	$292,242	$1,237,156	$9,491,608	$40,974,449
2002	$1,378,252,371	-9.7%	52.8%	$476,309,982	$2,040,890	$478,123	$0	$0	$0	$1,793,856	$42,775,592
2003	$1,257,003,421	-8.8%	39.4%	$355,061,032	$1,450,081	$408,304	$0	$0	$0	$1,133,227	$44,032,122
2004	$1,264,050,073	0.6%	40.1%	$362,107,684	$1,566,373	$393,441	$0	$0	$0	$1,286,165	$45,318,115
2005	**$876,220,931**	Adjusted Base Year Value									
2005	$1,207,149,977	-4.5%	37.8%	$330,929,046	$1,474,804	$435,779	$0	$0	$0	$1,910,583	$46,458,950
2006	$1,267,355,318	5.0%	44.6%	$391,134,387	$2,544,584	$489,587	$0	$0	$0	$3,034,171	$48,084,980
2007	**$876,190,065**	Adjusted Base Year Value					$0	$0	$0		
2007	$1,463,525,217	15.5%	67.0%	$587,335,152	$3,895,625	$816,275	$0	$0	$0	$4,711,900	$50,341,509
2008	$1,486,707,434	1.6%	69.7%	$610,517,369	$4,023,480	$666,236	$0	$0	$0	$4,689,716	$52,353,256
2009	**$866,044,996**	Adjusted Base Year Value									
2009	$1,250,305,641	-15.9%	44.4%	$384,260,645	$2,475,667	$463,915	$0	$0	$0	$2,939,582	$53,479,873
2010	$1,184,712,114	-5.2%	36.8%	$318,667,118	$2,285,799	$484,617	$0	$0	$0	$2,770,416	$54,428,439
2011	$1,170,176,925	-1.2%	35.1%	$304,131,929	$2,181,538	$443,026	$0	$0	$0	$2,624,564	$55,232,270
2012	$1,184,283,553	1.2%	36.7%	$318,238,557	$2,282,725	$0	$0	$0	$0	$2,282,725	$55,863,234
2013	**$866,458,756**	Adjusted Base Year Value									
2013	$1,161,581,704	-1.9%	34.1%	$295,536,708	$1,820,497	$327,832	$0	$0	$0	$2,148,329	$56,424,763
2014	**$577,655,884**	Adjusted Base Year Value									
2014	$1,059,194,672	-8.8%	22.3%	$481,538,788	$3,070,291	$526,779	$0	$0	$0	$3,597,071	$57,313,840
2015	$1,080,378,565	2.0%	24.7%	$502,722,681	$3,205,360	$549,953	$0	$0	$0	$3,755,313	$58,191,561
2016	$1,119,986,137	3.7%	29.3%	$542,330,253	$3,457,898	$593,282	$0	$0	$0	$4,051,180	$59,086,949
2017	$1,148,948,359	2.6%	32.7%	$571,292,475	$3,642,561	$624,965	$0	$0	$0	$4,267,526	$59,978,869
2018	$1,241,927,327	8.1%	43.4%	$664,271,443	$4,235,395	$0	$0	$0	$0	$4,235,395	$60,815,941
2019	$1,268,640,873	2.2%	46.5%	$690,984,989	$4,405,720	$0	$0	$0	$0	$4,405,720	$61,639,331
2020	$1,294,013,691	2.0%	49.4%	$716,357,807	$4,567,497	$0	$0	$0	$0	$4,567,497	$62,446,541
2021	$1,319,893,964	2.0%	52.4%	$742,238,080	$4,732,510	$0	$0	$0	$0	$4,732,510	$63,237,438
2022	$1,346,291,844	2.0%	55.5%	$768,635,960	$4,900,823	$0	$0	$0	$0	$4,900,823	$64,011,929
Totals					$80,204,327	$12,412,910	$22,184,869	$1,254,276	$5,269,334	$115,575,966	$64,011,929

Lamar Corridor/West End Sub-District Increment Chart

Tax Year	Property Value Estimate	Property Value Growth	Cum. Value Growth	Anticipated Captured Value	Tax Increment Revenue *City*	Tax Increment Revenue *Dallas County*	Total Anticipated Increment Revenue	Total Anticipated Accumulated Revenue (NPV)
2012	**$97,095,610**	**Base Year Value**						
2013	$102,720,790	5.8%	5.8%	$5,625,180	$40,349		$47,272	$44,702
County	**$102,720,790**	**5.8%**	**5.8%**	**$5,625,180**		**$6,923**		
2014	$110,942,720	8.0%	14.3%	$13,847,110	$99,325	$17,841	$117,166	$149,473
2015	$113,161,574	2.0%	16.5%	$16,065,964	$115,241	$20,700	$135,941	$264,423
2016	$115,424,806	2.0%	18.9%	$72,041,416	$516,753	$92,820	$609,573	$751,845
2017	$172,519,766	49.5%	77.7%	$75,424,156	$541,017	$97,179	$638,196	$1,234,406
2018	$175,970,162	2.0%	81.2%	$116,824,552	$837,983	$150,520	$988,503	$1,941,204
2019	$218,198,565	24.0%	124.7%	$121,102,955	$868,671	$156,033	$1,024,704	$2,634,049
2020	$222,562,536	2.0%	129.2%	$163,416,926	$1,172,190	$210,551	$1,382,741	$3,518,142
2021	$265,722,787	19.4%	173.7%	$168,627,177	$1,209,563	$217,264	$1,426,827	$4,380,818
2022	$271,037,243	2.0%	179.1%	$191,191,633	$1,371,418	$246,337	$1,617,755	$5,305,748
2023	$294,052,988	8.5%	202.8%	$196,957,378	$1,412,775	$253,766	$1,666,541	$6,206,763
2024	$299,934,047	2.0%	208.9%	$226,988,437	$1,628,188	$292,459	$1,920,647	$7,188,698
2025	$330,565,728	10.2%	240.5%	$233,470,118	$1,674,681	$300,810	$1,975,491	$8,143,757
2026	$337,177,043	2.0%	247.3%	$260,781,433	$1,870,585	$335,999	$2,206,584	$9,152,534
2027	$365,034,584	8.3%	276.0%	$267,938,974	$1,921,926	$345,221	$2,267,147	$10,132,643
2028	$372,335,275	2.0%	283.5%	$275,239,665	$1,974,294	$354,627	$2,328,921	$11,084,712
2029	$379,781,981	2.0%	291.1%	$282,686,371	$2,027,709	$364,222	$2,391,931	$12,009,373
2030	$387,377,621	2.0%	299.0%	$290,282,011	$2,082,193	$374,008	$2,456,201	$12,907,250
2031	$395,125,173	2.0%	306.9%	$298,029,563	$2,137,766	$383,990	$2,521,756	$13,778,968
2032	$403,027,676	2.0%	315.1%	$305,932,066	$2,194,451	$394,172	$2,588,623	$14,625,145
2033	$411,088,230	2.0%	323.4%	$313,992,620	$2,252,269	$0	$2,252,269	$15,321,343
2034	$419,309,995	2.0%	331.9%	$322,214,385	$2,311,244	$0	$2,311,244	$15,996,924
2035	$427,696,194	2.0%	340.5%	$330,600,584	$2,371,398	$0	$1,516,546	$16,416,110
2036	$436,250,118	2.0%	349.3%	$339,154,508	$0	$0	$0	$16,416,110
2037	$444,975,121	2.0%	358.3%	$347,879,511	$0	$0	$0	$16,416,110
Totals				**$347,879,511**	**$32,675,707**	**$4,622,108**	**$36,392,580**	**$16,416,110**

Financial Feasibility

The private development plans, public improvement program, general financing strategy, and financial assumptions were all included in a preliminary assessment prepared by the City of Dallas, Office of Economic Development. The study is intended to be used as part of the economic feasibility study for the District in accordance with the provisions of Section 311.011, Texas Tax Code, and is available upon request.

Cumulative private development is expected to increase property value to approximately $1,614,353,316 in the City Center Sub-district and $415,171,194 in the Lamar Corridor/West End Sub-district during the term of the Zone.

If revenues are received at the predicted rate, increment collections will be reached and final project improvements completed during the TIF term.

On a strict “pay-as-you-go” basis, the progress of the public improvements portion of the development program is a direct result of the revenues received and matched by the City’s contributions. Therefore, if revenues exceed these projections, then the public improvements can be completed ahead of schedule. If revenues do not meet expectations, then the pace of public improvements will be slowed or discontinued altogether based upon the recommendation of the TIF Board and approval of Council.

Based upon a set of TIF district assumptions and analysis, this Amended Plan is feasible.

Financial Policies

General financial policies are governed by the City of Dallas Public/Private Partnership Program, as amended. This program provides a framework for development incentives in a variety of areas. Within this framework, the TIF Board has adopted specific policies for the City Center TIF District:

Public improvements will be phased at a pace that coincides with private development.

Private developers desiring City participation in sharing the costs of infrastructure improvements needed for their projects must obtain TIF Board recommendation and Council approval for and sign a Development Agreement with the City.

Reimbursement priorities and the method of apportioning available increment will be set forth in the Development Agreement.

Each Development Agreement is mutually exclusive - that is, the nature and extent of support from public funds may change over time as the District becomes more developed.

If a developer requests funding for infrastructure improvements at a time when sufficient funds are not available in the TIF Reserve Fund, then improvements may be:

- deferred until funds are available
- constructed at the sole expense of the developer
- constructed at developer expense, with the City reimbursing the developer as funds become available

Should project costs be paid that directly benefit the developer of a project, such as grants made to a developer as permitted by Chapter 311 of the Texas Tax Code, the City will enact and implement controls sufficient to ensure that any grant funds provided will be used to fulfill the public purposes of developing and diversifying the economy of the City Center TIF District, eliminating unemployment or underemployment in the City Center TIF District, and developing or expanding transportation, business, and commercial activity in the City Center TIF District.

The TIF Board may from time-to-time recommend amendments to these financial policies which will affect the operations of the City Center TIF District.

Appendix A: DCAD Real Property Account in the City Center Sub-district (reflects boundary amendments)

ACCOUNT NUMBER	OWNER NAME	PROPERTY ADDRESS	YEARS ELIGIBLE	BASE TAXABLE
00000100363000000	APPLE TEN HOSPITALITY	1025 ELM ST	1997 - 2022	$1,028,158
00000100366000000	APPLE TEN HOSPITALITY	200 N GRIFFIN ST	1997 - 2022	$266,449
00000100445000200	APPLE TEN HOSPITALITY	1029 ELM ST	1997 - 2022	$236,987
00000100489000000	ONE MAIN PLACE LLC	1201 MAIN ST	1997 - 2022	$21,000,000
00000100501000000	U S GOVERNMENT	1100 COMMERCE ST	1997 - 2022	$0
00000100528000000	DAVIS MRS HELEN BOUCHE	1208 COMMERCE ST	1997 - 2022	$660,000
00000100534000000	U S A VETERANS ADM	1201 JACKSON ST	1997 - 2022	$0
00000100570000000	SOUTHWESTERN BELL	1212 JACKSON ST	1997 - 2022	$2,853,760
00000100648000000	1309 MAIN STREET APARTMENTS LLC	1302 ELM ST	1997 - 2022	$3,900,000
00000100651000000	NAYEB FAMILY LP	1301 MAIN ST	1997 - 2022	$600,000
00000100656000000	1309 MAIN STREET APARTMENTS LLC	1309 MAIN ST	1997 - 2022	$1,100,000
00000100660000000	FWS GROUP DALLAS LLC	1217 MAIN ST	1997 - 2022	$396,940
00000100696000000	FOSTER BRYAN S	1400 MAIN ST	1997 - 2022	$255,000
00000100714000000	1404 MAIN BUILDING LLC	1404 MAIN ST	1997 - 2022	$200,200
00000100735000000	BRAMA COMMERCE STREET LTD	1208 COMMERCE ST	1997 - 2022	$851,210
00000100737009900	BRAMA COMMERCE STREET LTD	1222 COMMERCE ST	1997 - 2022	$1,988,790
00000100741000000	SOUTHWESTERN BELL	211 S AKARD ST	1997 - 2022	$23,081,520
00000100746009800	SOUTHWESTERN BELL	211 S AKARD ST	1997 - 2022	$30,480
00000100747000000	WRIGHT GILBERT G JR ET AL	311 S AKARD ST	1997 - 2022	$305,730
00000100753000000	SW BELL TELEPHONE CO LESSEE	1321 WOOD ST	1997 - 2022	$103,080
00000100756000000	SOUTHWESTERN BELL	1312 JACKSON ST	1997 - 2022	$176,340
00000100756000100	CVH 918 LLC	1311 WOOD ST	1997 - 2022	$295,500
00000100759000000	SOUTHWESTERN BELL	1310 JACKSON ST	1997 - 2022	$236,160
00000100849000000	ALTERRA 211 NORTH ERVAY LLC	211 N ERVAY ST	1997 - 2022	$418,420
00000100885000000	MZEIN HOLDINGS LP	208 N AKARD ST	1997 - 2022	$480,000
00000100912000000	FONBERG PETER D TR ET AL	1517 MAIN ST	1997 - 2022	$127,500
00000100933000000	RREAF HOLDINGS MID ELM LLC	1514 ELM ST	1997 - 2022	$116,400
00000100936000000	ROMAN CATH DIOCESE DALLAS	1521 MAIN ST	1997 - 2022	$0
00000100942000000	RREAF HOLDINGS MID ELM LLC	1516 ELM ST	1997 - 2022	$562,600
00000100945000000	1519 MAIN LP	1519 MAIN ST	1997 - 2022	$137,080
00000100948009900	RREAF HOLDINGS MID ELM LLC	1512 ELM ST	1997 - 2022	$114,650
00000100951009900	RREAF HOLDINGS MID ELM LLC	1512 ELM ST	1997 - 2022	$114,650
00000100954000000	LEGAL AID OF NORTHWEST TE	1515 MAIN ST	1997 - 2022	$0
00000100978000000	FC WP BUILDING LLC	1623 MAIN ST	1997 - 2022	$730,000
00000100993000000	ELM AT STONEPLACE HOLDINGS LLC	1611 MAIN ST	1997 - 2022	$174,000
00000101014000000	1600 MAIN STREET HOLDINGS LP	1608 MAIN ST	1997 - 2022	$247,500
00000101020000000	1600 MAIN STREET HOLDINGS LP	1600 MAIN ST	1997 - 2022	$317,420
00000101026000000	MAIN STREET INVESTORS JV	1520 MAIN ST	1997 - 2022	$168,300
00000101029000000	DALLAS CITY OF	1518 MAIN ST	1997 - 2022	$0
00000101032000000	DALLAS CITY OF	1516 MAIN ST	1997 - 2022	$0
00000101035000000	DALLAS CITY OF	1516 MAIN ST	1997 - 2022	$0
00000101038000000	DALLAS CITY OF	1510 MAIN ST	1997 - 2022	$0
00000101041000000	DALLAS CITY OF	1500 MAIN ST	1997 - 2022	$0
00000101044000000	HOLTZE MAGNOLIA LLLP	1401 COMMERCE ST	1997 - 2022	$0
00000101086000100	IEP DALLAS LLC	208 S AKARD ST	1997 - 2022	$1,409,207
00000101098000000	DPL LOAN HOLDINGS LLC	1512 COMMERCE ST	1997 - 2022	$0
00000101101000000	DALPARK LAND LEASE LTD	1600 COMMERCE ST	1997 - 2022	$1,752,080
00000101104000000	DPL LOAN HOLDINGS LLC	1506 COMMERCE ST	1997 - 2022	$0
00000101107000000	DPL LAND LLC	1500 COMMERCE ST	1997 - 2022	$176,000
00000101110000000	DPL LOAN HOLDINGS LLC	1517 JACKSON ST	1997 - 2022	$240,000
00000101112009800	SOUTHWESTERN BELL	1400 JACKSON ST	1997 - 2022	$22,500
00000101122000000	BRIDGE-NATIONAL PTNRS LP	1500 JACKSON ST	1997 - 2022	$850,000
00000101131009700	SOUTHWESTERN BELL	308 S AKARD ST	1997 - 2022	$0
00000101131009900	SOUTHWESTERN BELL	308 S AKARD ST	1997 - 2022	$0
00000101533000000	PACIFIC ELM BUILDING LLC	1933 ELM ST	1997 - 2022	$0
00000101536000000	PACIFIC ELM BUILDING LLC	1929 ELM ST	1997 - 2022	$0
00000101539000000	PACIFIC ELM BUILDING LLC	1930 PACIFIC AVE	1997 - 2022	$0
00000101542009700	BERKELEY FIRST CITY LP	1910 PACIFIC AVE	1997 - 2022	$0
00000101542009900	BERKELEY FIRST CITY LP	1910 PACIFIC AVE	1997 - 2022	$0
00000101566000000	DALLAS CITY OF	1925 ELM ST	1997 - 2022	$0
00000101569000000	DALLAS CITY OF	1926 PACIFIC AVE	1997 - 2022	$0
00000101578000000	1717 TOWER OWNER LP	1717 MAIN ST	1997 - 2022	$84,000,000
00000101704000000	1700 COMMERCE STREET LP	1700 COMMERCE ST	1997 - 2022	$575,000
00000101935000000	UNIVERSITY OF NORTH TEXAS SYSTEM	1900 ELM ST	1997 - 2022	$0

Appendix A: DCAD Real Property Account in the City Center Sub-district (reflects boundary amendments) (Continued)

ACCOUNT NUMBER	OWNER NAME	PROPERTY ADDRESS	YEARS ELIGIBLE	BASE TAXABLE
00000101938000000	BERKELEY FIRST CITY LP	1916 ELM ST	1997 - 2022	$61,320
00000101941000000	1920 ELM LTD	1920 ELM ST	1997 - 2022	$755,000
00000101947000000	BERKELEY FIRST CITY LP	1932 ELM ST	1997 - 2022	$91,500
00000101950000000	PHELAN RICHARD W JR ET AL	1927 MAIN ST	1997 - 2022	$0
00000101953000000	BERKELEY FIRST CITY LP	1914 ELM ST	1997 - 2022	$61,320
00000101956000000	BERKELEY FIRST CITY LP	1918 ELM ST	1997 - 2022	$61,320
00000101959000000	F A SCHLUTER 1818 1882 FOUNDATION	1915 MAIN ST	1997 - 2022	$0
00000101959009900	UNIVERSITY OF NORTH TEXAS SYSTEM	1915 MAIN ST	1997 - 2022	$0
00000101962000000	UNIVERSITY OF NORTH TEXAS SYSTEM	1911 MAIN ST	1997 - 2022	$0
00000101962000100	UNIVERSITY NORTH TEX SYST	1928 ELM ST	1997 - 2022	$0
00000101962009900	DALLAS COUNTY COMMUNITY	1911 MAIN ST	1997 - 2022	$150,000
00000101965000000	UNIVERSITY OF NORTH TEXAS SYSTEM	1921 MAIN ST	1997 - 2022	$0
00000101965009900	DALLAS COUNTY COMMUNITY	1921 MAIN ST	1997 - 2022	$0
00000101968000000	BERKELEY FIRST CITY LP	1928 ELM ST	1997 - 2022	$40,000
00000101971000000	JARVIS BARNEY W JR TR &	1908 ELM ST	1997 - 2022	$0
00000104555000000	DALLAS FORT WORTH ARGYLE	1109 PATTERSON AVE	1997 - 2022	$3,198,140
00000104677000000	HEADINGTON REALTY & CAPITAL LLC	1200 ROSS AVE	1997 - 2022	$4,775,000
00000104785000000	YMCA OF METRO DALLAS	1516 ROSS AVE	1997 - 2022	$0
00000104785000100	KOHMANN KATHERINE ANN &	1520 ROSS AVE	1997 - 2022	$60,370
00000104974000000	J & D MERRIMAN LTD	1307 PACIFIC AVE	1997 - 2022	$625,000
00000104977000000	DALLAS AREA RAPID TRANSIT	1401 PACIFIC AVE	1997 - 2022	$0
00000104980000000	319 NORTH AKARD LLC	319 N AKARD ST	1997 - 2022	$196,500
00000104992000000	HOUSEMAN BUILDING LLC	400 N AKARD ST	1997 - 2022	$392,600
00000104992009700	HOUSEMAN BUILDING LLC	400 N AKARD ST	1997 - 2022	$0
00000104992009900	HOUSEMAN BUILDING LLC	400 N AKARD ST	1997 - 2022	$0
00000104995000000	DALLAS CITY OF	410 N AKARD ST	1997 - 2022	$0
00000104998000000	DALLAS CITY OF	509 BULLINGTON ST	1997 - 2022	$107,400
00000105028009900	FIRST BAPTIST CHURCH OF	1608 PATTERSON AVE	1997 - 2022	$0
00000105031000000	TEXAS UTILITIES ELEC CO	1607 FEDERAL ST	1997 - 2022	$367,630
00000105040009900	JAGGI LEWIS L JR MRS	510 BULLINGTON ST	1997 - 2022	$8,940
00000105043009900	JAGGI ROBBYE O	1603 FEDERAL ST	1997 - 2022	$38,500
00000105049000000	TEXAS UTILITIES PPTIES	1601 FEDERAL ST	1997 - 2022	$62,210
00000105052000000	FIRST BAPTIST CHURCH OF	1606 PATTERSON AVE	1997 - 2022	$0
00000105052000100	FIRST BAPTIST CHURCH OF	1610 PATTERSON AVE	1997 - 2022	$0
00000105055000000	FIRST BAPTIST CHURCH OF	505 N ERVAY ST	1997 - 2022	$0
00000105058009900	THORNE ELIZABETH ORAM TR	510 BULLINGTON ST	1997 - 2022	$8,940
00000105061009900	THORNE L S MRS	1603 FEDERAL ST	1997 - 2022	$38,500
00000105067000000	STATE ST BK & TR CO CT TR	1601 BRYAN ST	1997 - 2022	$38,155,230
00000105109000000	FIRST BAPTIST CHURCH OF	1801 SAN JACINTO ST	1997 - 2022	$0
00000105112000000	FIRST BAPTIST CHURCH OF	705 S ST PAUL ST	1997 - 2022	$0
00000105116000000	FIRST BAPTIST CHURCH OF	701 S ST PAUL ST	1997 - 2022	$0
00000105118000000	CALIFORNIA STATE TEACHERS	1806 ROSS AVE	1997 - 2022	$3,368,900
00000105124000000	FIRST BAPTIST CHURCH OF	1707 SAN JACINTO ST	1997 - 2022	$0
00000105127000000	FIRST BAPTIST CHURCH OF	606 N ERVAY ST	1997 - 2022	$0
00000105133000000	FIRST BAPTIST CHURCH OF	1700 PATTERSON AVE	1997 - 2022	$0
00000105137000000	FIRST BAPTIST CHURCH OF	515 N ST PAUL ST	1997 - 2022	$0
00000105139000000	FIRST BAPTIST CHURCH OF	510 N ERVAY ST	1997 - 2022	$0
00000105142000000	FIRST BAPTIST CHURCH OF	1801 FEDERAL ST	1997 - 2022	$0
00000105145000000	FIRST BAPTIST CHURCH OF	508 N ERVAY ST	1997 - 2022	$0
00000105151000000	FIRST BAPTIST CHURCH OF	1707 FEDERAL ST	1997 - 2022	$0
00000105154000000	POST OFFICE MASTER LANDLORD LP	400 N ERVAY ST	1997 - 2022	$0
00000105172000000	ST PAUL PL ACQUISITION	750 N ST PAUL ST	1997 - 2022	$10,000,000
00000105178000000	WC 717 N HARWOOD PROPERTY LLC	717 N HARWOOD ST	1997 - 2022	$28,750,680
00000105178009900	WC 717 N HARWOOD PROPERTY LLC	717 N HARWOOD ST	1997 - 2022	$0
00000105188009700	WC 717 N HARWOOD PROPERTY LLC	717 N HARWOOD ST	1997 - 2022	$0
00000105199000000	FPG DMT HARWOOD LP	601 N HARWOOD ST	1997 - 2022	$389,610
00000105202000000	MAHER PROPERTIES TWO	609 N HARWOOD ST	1997 - 2022	$1,500,000
00000105211000000	ST PAUL HOLDINGS LP	1800 FEDERAL ST	1997 - 2022	$410,410
00000105214259700	ST PAUL HOLDINGS LP	1802 FEDERAL ST	1997 - 2022	$135,030
00000105214509700	FPG-DMT HARWOOD LP	1801 FEDERAL ST	1997 - 2022	$130,490
00000105214759700	1999 ASSOCIATES LTD	1803 FEDERAL ST	1997 - 2022	$91,830
00000105217000000	DALLAS HARTFORD LLC	400 N ST PAUL ST	1997 - 2022	$3,000,000
00000105220000000	ST PAUL HOLDINGS LP	1917 BRYAN ST	1997 - 2022	$3,756,580
00000105226000000	1999 ASSOC LTD	1923 BRYAN ST	1997 - 2022	$216,968
00000105226000100	FPG-DMT HARWOOD LP	1923 BRYAN ST	1997 - 2022	$3,772

Appendix A: DCAD Real Property Account in the City Center Sub-district (reflects boundary amendments) (Continued)

ACCOUNT NUMBER	OWNER NAME	PROPERTY ADDRESS	YEARS ELIGIBLE	BASE TAXABLE
00000105227009900	FPG DMT HARWOOD LP	1999 BRYAN ST	1997 - 2022	$40,340,590
00000105232000000	1999 PROPERTY CORP	509 N HARWOOD ST	1997 - 2022	$437,229
00000105232000100	FPG-DMT HARWOOD LP	509 N HARWOOD ST	1997 - 2022	$1,711
00000105232259700	ST PAUL HOLDINGS LP	1909 BRYAN ST	1997 - 2022	$11,420
00000105269000000	POLLOCK REALTY CORP	704 N HARWOOD ST	1997 - 2022	$4,808,330
00000105269009900	BRYAN TOWER LP	704 N HARWOOD ST	1997 - 2022	$0
00000105270000000	FROST NATL BANK TRUSTEE	606 N HARWOOD ST	1997 - 2022	$231,330
00000105283000000	BT PARKS LP	605 OLIVE ST	1997 - 2022	$538,000
00000105310000000	BT PARKS L P	600 N HARWOOD ST	1997 - 2022	$73,560
00000105313000000	BT PARKS L P	604 N HARWOOD ST	1997 - 2022	$338,190
00000105316000000	BRYAN TOWER II LP	2001 BRYAN ST	1997 - 2022	$33,541,670
00000105316000100	POLLOCK REALTY CORP	2000 FEDERAL ST	1997 - 2022	$83,600
00000105316009900	BRYAN TOWER LP	2001 BRYAN ST	1997 - 2022	$0
00000105391500000	UNIFIED 2020 REALTY	2020 LIVE OAK ST	1997 - 2022	$1,391,830
00000105412000000	CP 2100 ROSS LLC	2100 ROSS AVE	1997 - 2022	$44,036,000
00000105419009800	CP 2100 ROSS LLC	2002 ROSS AVE	1997 - 2022	$16,240
00000105420009800	CP 2100 ROSS LLC	801 PEARL ST	1997 - 2022	$44,240
00000105433000000	OLIVE PEARL PARK LP	711 PEARL ST	1997 - 2022	$449,990
00000105442000000	OLIVE PEARL PARK LP	723 N PEARL ST	1997 - 2022	$380,770
00000105454000000	MCCLAIN CAROLYN	708 OLIVE ST	1997 - 2022	$56,140
00000105457000000	MCCLAIN CAROLYN	723 PEARL ST	1997 - 2022	$79,280
00000105481000000	DALLAS CITY OF	613 PEARL ST	1997 - 2022	$0
00000105484000000	DALLAS CITY OF	2107 BRYAN ST	1997 - 2022	$0
00000105486000000	DALLAS CITY OF	500 OLIVE ST	1997 - 2022	$0
00000105487009700	STEVENS CREEK ASSOC	2101 BRYAN ST	1997 - 2022	$26,637
00000105487009900	STEVENS CREEK ASSOC	2101 BRYAN ST	1997 - 2022	$1,513,753
00000110712500000	BERKELEY FIRST CITY LP	1705 ELM ST	1997 - 2022	$127,240
00000110712500100	DALLAS CITY OF	1707 ELM ST	1997 - 2022	$0
00000110712750000	BERKELEY FIRST CITY LP	1702 ELM ST	1997 - 2022	$2,204,320
00000110712759700	BERKELEY FIRST CITY LP	1702 ELM ST	1997 - 2022	$0
00000110712759900	BERKELEY FIRST CITY LP	1702 ELM ST	1997 - 2022	$0
00000110713000000	DALLAS CITY OF	1701 PACIFIC AVE	1997 - 2022	$0
00000110740000000	TOOLE ALBERT J SR ET AL	325 N ST PAUL ST	1997 - 2022	$133,720
00000110740000100	FOUR POINT STAR LP PS	325 N ST PAUL ST	1997 - 2022	$617,610
00000110740000200	HOWARD CORP THE	325 N ST PAUL ST	1997 - 2022	$51,850
00000110740000300	FOUR POINT STAR LP	325 N ST PAUL ST	1997 - 2022	$204,710
00000110740000400	FOUR POINT STAR LP	325 N ST PAUL ST	1997 - 2022	$5,399,930
00000110740099400	ERVAY RESIDENTIAL LTD PS	350 N ERVAY ST	1997 - 2022	$0
00000110837000100	DALLAS CITY OF	350 N ST PAUL ST	1997 - 2022	$1,771,504
00000110837009900	ST PAUL HOLDINGS LP	1917 BRYAN ST	1997 - 2022	$0
000070000A0020000	BN 1412 MAIN LP	1412 MAIN ST	1997 - 2022	$5,984,178
000070000A01A0000	RBP ADOLPHUS LLC	1300 MAIN ST	1997 - 2022	$0
000070000A01A0100	TIER DEVELOPMENT GROUP LC	1402 MAIN ST	1997 - 2022	$396,348
000070000A01A0200	RASANSKY MITCHELL	1306 MAIN ST	1997 - 2022	$130,492
000076000A0010100	BVF-II KIRBY LIMITED PARTNERSHIP	1509 MAIN ST	1997 - 2022	$902,700
000076000A0020000	STONE PLACE MALL INV1 LTD	1520 ELM ST	1997 - 2022	$416,890
000077000008A0000	DUNHILL 1530 MAIN LP	1530 MAIN ST	1997 - 2022	$247,500
00009500000010000	DALLAS CITY OF	1701 ELM ST	1997 - 2022	$0
000109000001A0000	FIRST PRESBYTERIAN CHURCH	1835 YOUNG ST	1997 - 2022	$0
000114206902A0000	DLD PROPERTIES	1407 MAIN ST	1997 - 2022	$690,423
000114206902A9800	DRED PROPERTIES LTD	1407 MAIN ST	1997 - 2022	$64,439
000114206902A9900	DCAR PROPERTIES LTD	1407 MAIN ST	1997 - 2022	$165,701
000114206908A0000	GS RENAISSANCE LTD PS	1415 MAIN ST	1997 - 2022	$915,754
000233000001A0000	WLK MOSAIC OWNER LP	318 N AKARD ST	1997 - 2022	$2,473,820
00023400000010000	CALIFORNIA STATE TEACHERS	600 N AKARD ST	1997 - 2022	$836,690
00023500000010000	CALIFORNIA STATE TEACHERS	500 N AKARD ST	1997 - 2022	$65,022,580
00023500000010100	ONE LINCOLN PLAZA JV	700 N ERVAY ST	1997 - 2022	$51,280
00023500000019700	CALIFORNIA STATE TEACHERS	500 N AKARD ST	1997 - 2022	$0
00023500000019900	CALIFORNIA STATE TEACHERS	500 N AKARD ST	1997 - 2022	$0
00023600000009700	FIRST BAPTIST CHURCH OF	509 N ERVAY ST	1997 - 2022	$0
00023600000009900	FIRST BAPTIST CHURCH OF	509 N ERVAY ST	1997 - 2022	$87,550
000242000A0010000	FIRST UNITED METHODIST	1928 ROSS AVE	1997 - 2022	$400,000
00024300020010000	FPG-DMT HARWOOD LP	600 N HARWOOD ST	1997 - 2022	$17,170
00025200000010000	HINES REIT 2200 ROSS AVE LP	720 OLIVE ST	1997 - 2022	$574,090
00025200000120000	OLIVE PEARL PARK LP	701 PEARL ST	1997 - 2022	$31,924

Appendix A: DCAD Real Property Account in the City Center Sub-district (reflects boundary amendments) (Continued)

ACCOUNT NUMBER	OWNER NAME	PROPERTY ADDRESS	YEARS ELIGIBLE	BASE TAXABLE
0002520000012D200	OLIVE PEARL PARK LP	701 PEARL ST	1997 - 2022	$195,537
0002520000012D300	OLIVE PEARL PARK LP	701 PEARL ST	1997 - 2022	$23,930
0002520000012D400	OLIVE PEARL PARK LP	701 PEARL ST	1997 - 2022	$23,930
0002520000012D800	OLIVE PEARL PARK LP	701 PEARL ST	1997 - 2022	$11,980
0004750A000009800	BERKELEY FIRST CITY LP	200 S ST PAUL ST	1997 - 2022	$6,310
000475A0000009800	BERKELEY FIRST CITY LP	1701 PACIFIC AVE	1997 - 2022	$451,120
00C18160000000000	CHRISTIAN LARRY &	1505 ELM ST	1997 - 2022	$140,786
00C18160000000201	DUCOTEY WARREN 2002 TR	1505 ELM ST	1997 - 2022	$13,391
00C18160000000202	JOBE REAGAN V	1505 ELM ST	1997 - 2022	$17,198
00C18160000000203	KEY SEAN	1505 ELM ST	1997 - 2022	$22,936
00C18160000000204	BUTLER KELLY A LIVING TRUST	1505 ELM ST	1997 - 2022	$17,329
00C18160000000205	DELEON JOSE & ALMA FLORES	1505 ELM ST	1997 - 2022	$23,845
00C18160000000301	NORRIS SONJA	1505 ELM ST	1997 - 2022	$13,881
00C18160000000302	WONG ERIK JEFFREY	1505 ELM ST	1997 - 2022	$17,198
00C18160000000303	LANGAN PATRICK	1505 ELM ST	1997 - 2022	$20,423
00C18160000000304	LEAVERTON KEVIN O	1505 ELM ST	1997 - 2022	$17,329
00C18160000000305	MENDEZPEREZ JAIME & FANNY	1505 ELM ST	1997 - 2022	$23,845
00C18160000000401	SCHMIDT MICHAEL	1505 ELM ST	1997 - 2022	$14,236
00C18160000000402	HARTLINEDIAZ PATRICIA	1505 ELM ST	1997 - 2022	$17,638
00C18160000000403	BREWER STEPHEN D &	1505 ELM ST	1997 - 2022	$20,945
00C18160000000404	BECKMAN JAMIE W	1505 ELM ST	1997 - 2022	$17,773
00C18160000000405	SYMPHONY PROPERTIES LLC	1505 ELM ST	1997 - 2022	$24,454
00C18160000000501	HIRSCHHEIMER JOSHUA DAVID	1505 ELM ST	1997 - 2022	$14,691
00C18160000000502	KILANOWSKI KATHLEEN	1505 ELM ST	1997 - 2022	$18,201
00C18160000000503	EDMONDSON ROY M	1505 ELM ST	1997 - 2022	$21,614
00C18160000000504	HAGGARD SCOTT JR	1505 ELM ST	1997 - 2022	$18,339
00C18160000000505	ALLIANT PROPERTIES LLC SERIES D	1505 ELM ST	1997 - 2022	$23,845
00C18160000000601	PIGG CHRISTINE	1505 ELM ST	1997 - 2022	$17,405
00C18160000000602	BUSBY MELINDA Z	1505 ELM ST	1997 - 2022	$21,195
00C18160000000603	BASSAMPOUR FATEMAH &	1505 ELM ST	1997 - 2022	$27,785
00C18160000000604	IKER GREGORY MARK	1505 ELM ST	1997 - 2022	$21,195
00C18160000000605	SONNETT JOHN	1505 ELM ST	1997 - 2022	$18,935
00C18160000000701	BRAIR GHASSAN B	1505 ELM ST	1997 - 2022	$17,927
00C18160000000702	MAGAN NAVIN	1505 ELM ST	1997 - 2022	$21,831
00C18160000000703	MENDENHALL MYLES E & KATHERINE M	1505 ELM ST	1997 - 2022	$28,619
00C18160000000704	STEVENS KATHERINE A	1505 ELM ST	1997 - 2022	$21,831
00C18160000000705	POTTER BRITON J III &	1505 ELM ST	1997 - 2022	$18,762
00C18160000000801	MUNK FLORENCE	1505 ELM ST	1997 - 2022	$18,449
00C18160000000802	SCHMIDT MICHAEL L	1505 ELM ST	1997 - 2022	$22,467
00C18160000000803	SINGER ARTURO	1505 ELM ST	1997 - 2022	$29,452
00C18160000000804	JONES REBECCA J	1505 ELM ST	1997 - 2022	$22,467
00C18160000000805	YELLOTT JAY D	1505 ELM ST	1997 - 2022	$18,529
00C18160000000901	SCHWARTZ DEBORAH	1505 ELM ST	1997 - 2022	$17,868
00C18160000000902	RICHARD C WERNON	1505 ELM ST	1997 - 2022	$23,103
00C18160000000903	KEDRON LUCEA SUZAN	1505 ELM ST	1997 - 2022	$30,286
00C18160000000904	ANTERHAUS ROBERT H &	1505 ELM ST	1997 - 2022	$20,847
00C18160000000905	MUNOZ ROLANDO & DONNA W	1505 ELM ST	1997 - 2022	$20,640
00C18160000001001	MCKNIGHT BILLY REA	1505 ELM ST	1997 - 2022	$19,494
00C18160000001002	DILENA R J	1505 ELM ST	1997 - 2022	$19,410
00C18160000001003	L & M PROPERTY MGMT LLC	1505 ELM ST	1997 - 2022	$31,119
00C18160000001004	HOLLOWAY MICHAEL S &	1505 ELM ST	1997 - 2022	$23,738
00C18160000001005	FRAZEE STEVEN K	1505 ELM ST	1997 - 2022	$20,146
00C18160000001101	DANE EUGENE	1505 ELM ST	1997 - 2022	$20,016
00C18160000001102	LARA JOHN COOPER	1505 ELM ST	1997 - 2022	$24,375
00C18160000001103	MCLAIN WILLIAM T &	1505 ELM ST	1997 - 2022	$31,953
00C18160000001104	MITTELSTET STEPHEN K	1505 ELM ST	1997 - 2022	$24,375
00C18160000001105	ABENDSCHEIN FREDERICK	1505 ELM ST	1997 - 2022	$21,776
00C18160000001201	ROBERTSON RON & DONNA	1505 ELM ST	1997 - 2022	$20,494
00C18160000001202	EDWARDS GARY DON & JANIE FAY	1505 ELM ST	1997 - 2022	$22,347
00C18160000001203	COLLETT BRIAN J TR LIFE EST & CHERYL TR LIFE EST	1505 ELM ST	1997 - 2022	$32,786
00C18160000001204	NIENDORFF CARL A IV	1505 ELM ST	1997 - 2022	$25,010
00C18160000001205	HALL MICHAEL D	1505 ELM ST	1997 - 2022	$22,344
00C18160000001401	PATTERSON J R JR & BILLIE JO PUD	1505 ELM ST	1997 - 2022	$34,050
00C18160000001402	HARVEY BARBARA ANN & EDWARD BRUCE	1505 ELM ST	1997 - 2022	$28,514
00C18160000001403	AKIN LARRY D & CAROL D	1505 ELM ST	1997 - 2022	$30,680

Appendix A: DCAD Real Property Account in the City Center Sub-district (reflects boundary amendments) (Continued)

ACCOUNT NUMBER	OWNER NAME	PROPERTY ADDRESS	YEARS ELIGIBLE	BASE TAXABLE
00C18160000001404	SPIEGEL ROSS ADAM	1505 ELM ST	1997 - 2022	$35,238
00C18160000001501	BOLDEN PAUL &	1505 ELM ST	1997 - 2022	$34,873
00C18160000001502	ROBERTS FINES OLIVER	1505 ELM ST	1997 - 2022	$32,345
00C18160000001503	STANLEY ROGER &	1505 ELM ST	1997 - 2022	$31,423
00C18160000001504	DUNNAHOO WILLIAM MICHAEL & PATRICIA DUNNAHOO	1505 ELM ST	1997 - 2022	$36,091
00C18160000001601	SCARLET PEGASUS GROUP LP	1505 ELM ST	1997 - 2022	$35,698
00C18160000001602	WILSON ADDISON G IV	1505 ELM ST	1997 - 2022	$33,076
00C18160000001603	SCRIPPS FREDERIC SCOTT	1505 ELM ST	1997 - 2022	$32,165
00C18160000001604	BLUE STAR MORTGAGE INC	1505 ELM ST	1997 - 2022	$36,944
00C46200000000201	BELLINGHAUSEN WIL J	1200 MAIN ST	1997 - 2022	$48,283
00C46200000000202	NEWMAN PAULETTE E	1200 MAIN ST	1997 - 2022	$19,407
00C46200000000203	1621 ERVAY LTD	1200 MAIN ST	1997 - 2022	$22,260
00C46200000000204	BRANAMAN MICHAEL S &	1200 MAIN ST	1997 - 2022	$34,373
00C46200000000205	SHAH VINAY	1200 MAIN ST	1997 - 2022	$22,260
00C46200000000206	DIXON GLORIA D	1200 MAIN ST	1997 - 2022	$40,548
00C46200000000207	ORTIZ GUILLERMINA	1200 MAIN ST	1997 - 2022	$25,876
00C46200000000208	FONTENOT TOMMY JAMES	1200 MAIN ST	1997 - 2022	$45,958
00C46200000000209	RAFF GEORGE JR	1200 MAIN ST	1997 - 2022	$42,577
00C46200000000301	SMITH DANIEL E & HERMA A	1200 MAIN ST	1997 - 2022	$48,283
00C46200000000302	BRANSTETTER ROBERT M & CAROL SHELTON	1200 MAIN ST	1997 - 2022	$19,407
00C46200000000303	FREEMAN SCOTT	1200 MAIN ST	1997 - 2022	$22,260
00C46200000000304	BOYD CURTIS W & GLENNA HALVORSON	1200 MAIN ST	1997 - 2022	$34,373
00C46200000000305	JUAREZ GERARDO	1200 MAIN ST	1997 - 2022	$22,260
00C46200000000306	MCARDLE PATRICIA	1200 MAIN ST	1997 - 2022	$40,548
00C46200000000307	AMONGKOL JITTADA KITTY	1200 MAIN ST	1997 - 2022	$25,876
00C46200000000308	HART STANLEY L &	1200 MAIN ST	1997 - 2022	$45,958
00C46200000000309	SMITH SHERIA D	1200 MAIN ST	1997 - 2022	$42,577
00C46200000000401	CRIST EUGENE SCOTT	1200 MAIN ST	1997 - 2022	$48,283
00C46200000000402	TERESI MARK A &	1200 MAIN ST	1997 - 2022	$19,407
00C46200000000403	HERNDON CYNTHIA A	1200 MAIN ST	1997 - 2022	$22,260
00C46200000000404	KISLING MISTY	1200 MAIN ST	1997 - 2022	$34,373
00C46200000000405	SANADI NISAR & THU NGUYET	1200 MAIN ST	1997 - 2022	$22,260
00C46200000000406	CARPENTER ROBIN N	1200 MAIN ST	1997 - 2022	$40,548
00C46200000000407	MASTAGLIO LINDA R	1200 MAIN ST	1997 - 2022	$25,876
00C46200000000408	LOPEZ DENNIS A	1200 MAIN ST	1997 - 2022	$45,958
00C46200000000409	WOMBLE JOHN M & GINGER A	1200 MAIN ST	1997 - 2022	$42,577
00C46200000000501	BAILEY PETER & MARY	1200 MAIN ST	1997 - 2022	$48,283
00C46200000000502	PERRI ANTHONY J &	1200 MAIN ST	1997 - 2022	$19,407
00C46200000000503	RATH OMKAR R &	1200 MAIN ST	1997 - 2022	$22,260
00C46200000000504	FAYE WILLIS DESIGNS INC	1200 MAIN ST	1997 - 2022	$34,373
00C46200000000505	BAGARIA SAPNA & SURESH	1200 MAIN ST	1997 - 2022	$22,260
00C46200000000506	PARKER RUBY	1200 MAIN ST	1997 - 2022	$40,548
00C46200000000507	ABDULKHAALIQ ANWAAR	1200 MAIN ST	1997 - 2022	$25,876
00C46200000000508	ARAUJO JOSEPH	1200 MAIN ST	1997 - 2022	$45,958
00C46200000000509	CHATTERJEE ARUNABHA	1200 MAIN ST	1997 - 2022	$42,577
00C46200000000601	CRIST EUGENE SCOTT	1200 MAIN ST	1997 - 2022	$48,283
00C46200000000602	SALVANT WAYNE	1200 MAIN ST	1997 - 2022	$19,407
00C46200000000603	ELLER KELLEY	1200 MAIN ST	1997 - 2022	$22,260
00C46200000000604	MASSEY LINDA	1200 MAIN ST	1997 - 2022	$34,373
00C46200000000605	DASH PRIYARANJAN &	1200 MAIN ST	1997 - 2022	$22,260
00C46200000000606	MUEHLENWEG ROBERT J &	1200 MAIN ST	1997 - 2022	$40,548
00C46200000000607	CUEVAS ISRAEL F	1200 MAIN ST	1997 - 2022	$25,876
00C46200000000608	EDWARDS JAMES & BARBARA	1200 MAIN ST	1997 - 2022	$45,958
00C46200000000609	SCOTT DARIAN D	1200 MAIN ST	1997 - 2022	$42,577
00C46200000000701	ATV TEXAS VENTURES IV LP	1200 MAIN ST	1997 - 2022	$45,607
00C46200000000702	CRIST EUGENE SCOTT	1200 MAIN ST	1997 - 2022	$19,407
00C46200000000703	KADAN PROPERTIES LP	1200 MAIN ST	1997 - 2022	$22,260
00C46200000000704	CAMPOS EDWARD	1200 MAIN ST	1997 - 2022	$34,373
00C46200000000705	ADAMS WILHELMINA J	1200 MAIN ST	1997 - 2022	$22,260
00C46200000000706	COMBS DAMETIA	1200 MAIN ST	1997 - 2022	$40,548
00C46200000000707	BEVERS MARC	1200 MAIN ST	1997 - 2022	$25,876
00C46200000000708	WHITE JESSICA	1200 MAIN ST	1997 - 2022	$25,876
00C46200000000709	HERICKS JAMES &	1200 MAIN ST	1997 - 2022	$40,548
00C46200000000710	BAKER WILLIAM H III	1200 MAIN ST	1997 - 2022	$32,432
00C46200000000711	SPRING TRUMAN E JR	1200 MAIN ST	1997 - 2022	$35,843

Appendix A: DCAD Real Property Account in the City Center Sub-district (reflects boundary amendments) (Continued)

ACCOUNT NUMBER	OWNER NAME	PROPERTY ADDRESS	YEARS ELIGIBLE	BASE TAXABLE
00C46200000000712	TITTLE CYNTHIA LARK	1200 MAIN ST	1997 - 2022	$19,407
00C46200000000713	DANIEC MONICA	1200 MAIN ST	1997 - 2022	$42,753
00C46200000000801	BLACK PAUL	1200 MAIN ST	1997 - 2022	$45,607
00C46200000000802	HAQUE NAZ &	1200 MAIN ST	1997 - 2022	$19,407
00C46200000000803	SCHNAPPAUF MICHAEL	1200 MAIN ST	1997 - 2022	$22,260
00C46200000000804	ALANIZ GEORGE R JR & ANEESA T HOJAT	1200 MAIN ST	1997 - 2022	$34,373
00C46200000000805	CHANEY GARY WAYNE 1992 FAMILY TRUST	1200 MAIN ST	1997 - 2022	$22,260
00C46200000000806	NGUYEN MICHAEL	1200 MAIN ST	1997 - 2022	$40,548
00C46200000000807	BENEVENTI MARK FRANCIS	1200 MAIN ST	1997 - 2022	$25,876
00C46200000000808	DU YALI	1200 MAIN ST	1997 - 2022	$25,876
00C46200000000809	PATOINE TERESA SUSAN	1200 MAIN ST	1997 - 2022	$40,548
00C46200000000810	SAIED ANNA M	1200 MAIN ST	1997 - 2022	$32,432
00C46200000000811	FAIRCHILD MELISSA	1200 MAIN ST	1997 - 2022	$35,843
00C46200000000812	BURNS CHRISTOPHER J	1200 MAIN ST	1997 - 2022	$19,407
00C46200000000813	CRIST EUGENE SCOTT	1200 MAIN ST	1997 - 2022	$42,753
00C46200000000901	HARRIS KENDRICK LASALLE	1200 MAIN ST	1997 - 2022	$45,607
00C46200000000902	CRIST EUGENE SCOTT	1200 MAIN ST	1997 - 2022	$19,407
00C46200000000903	PATEL JAYSHREE &	1200 MAIN ST	1997 - 2022	$22,260
00C46200000000904	ALSUP LAUREN BRITTANY	1200 MAIN ST	1997 - 2022	$34,373
00C46200000000905	ELLER TOM & ROBYN	1200 MAIN ST	1997 - 2022	$22,260
00C46200000000906	KAHANE DENNIS SPENCER	1200 MAIN ST	1997 - 2022	$40,548
00C46200000000907	SULLIVANMCMULLEN DAVID	1200 MAIN ST	1997 - 2022	$25,876
00C46200000000908	SALEEM ADEEL	1200 MAIN ST	1997 - 2022	$25,876
00C46200000000909	PARK STEPHEN	1200 MAIN ST	1997 - 2022	$40,548
00C46200000000910	MOBLEY HENRY B JR	1200 MAIN ST	1997 - 2022	$32,432
00C46200000000911	COWAN MICHAEL & MARTHA	1200 MAIN ST	1997 - 2022	$35,843
00C46200000000912	THEIS LANGSTON	1200 MAIN ST	1997 - 2022	$19,407
00C46200000000913	CAREY GABRIELLE	1200 MAIN ST	1997 - 2022	$42,753
00C46200000001001	IPPOLITO MARTA	1200 MAIN ST	1997 - 2022	$45,607
00C46200000001002	CIN ALBERTO DAL	1200 MAIN ST	1997 - 2022	$19,407
00C46200000001003	BROWN GLENN ALAN	1200 MAIN ST	1997 - 2022	$22,260
00C46200000001004	ROMERO GERALD & LOURDES	1200 MAIN ST	1997 - 2022	$34,376
00C46200000001005	PATRA DEEPAK	1200 MAIN ST	1997 - 2022	$22,260
00C46200000001006	SCARBOROUGH DONALD D	1200 MAIN ST	1997 - 2022	$40,548
00C46200000001007	KEANE JUSTIN SCOTT &	1200 MAIN ST	1997 - 2022	$25,876
00C46200000001008	COMMUNITY BANK & TRUST	1200 MAIN ST	1997 - 2022	$25,876
00C46200000001009	LUMME DONALD GUY JR	1200 MAIN ST	1997 - 2022	$40,548
00C46200000001010	XIE JIMIN	1200 MAIN ST	1997 - 2022	$32,432
00C46200000001011	OROZCO CARLOS A	1200 MAIN ST	1997 - 2022	$35,843
00C46200000001012	SALVANT BRIAN	1200 MAIN ST	1997 - 2022	$19,407
00C46200000001013	DOMINGUEZ JOSE R &	1200 MAIN ST	1997 - 2022	$42,753
00C46200000001101	GRIEGO MANUEL R JR &	1200 MAIN ST	1997 - 2022	$45,607
00C46200000001102	KEATON JULIAN E II	1200 MAIN ST	1997 - 2022	$19,407
00C46200000001103	MA MAU & JUYEI	1200 MAIN ST	1997 - 2022	$22,260
00C46200000001104	THOMAS BIJU	1200 MAIN ST	1997 - 2022	$34,373
00C46200000001105	PATRO LOKANATH	1200 MAIN ST	1997 - 2022	$22,260
00C46200000001106	IPPOLITO DAVIDE MICHAEL	1200 MAIN ST	1997 - 2022	$40,548
00C46200000001107	MADDERRA RHONDA & FARON	1200 MAIN ST	1997 - 2022	$25,876
00C46200000001108	LIN JEFF P	1200 MAIN ST	1997 - 2022	$25,876
00C46200000001109	SENDKER JAN	1200 MAIN ST	1997 - 2022	$40,548
00C46200000001110	BALUCH HOLDINGS LLC	1200 MAIN ST	1997 - 2022	$32,432
00C46200000001111	RADFORD TRACI	1200 MAIN ST	1997 - 2022	$35,843
00C46200000001112	ROMIG RANDALL	1200 MAIN ST	1997 - 2022	$19,407
00C46200000001113	BRAUM EARL E JR	1200 MAIN ST	1997 - 2022	$42,753
00C46200000001201	QUACH LINH	1200 MAIN ST	1997 - 2022	$45,607
00C46200000001202	MORAIS JUSTIN	1200 MAIN ST	1997 - 2022	$19,407
00C46200000001203	MATHEWS AMIT &	1200 MAIN ST	1997 - 2022	$22,260
00C46200000001204	MCCANS WILLIAM	1200 MAIN ST	1997 - 2022	$34,373
00C46200000001205	HOSID KEVIN M & PEGGY S	1200 MAIN ST	1997 - 2022	$22,260
00C46200000001206	JUDAH JOHN K & BETTY JO	1200 MAIN ST	1997 - 2022	$40,548
00C46200000001207	BARGANIER NORA D & MICHAEL G	1200 MAIN ST	1997 - 2022	$25,876
00C46200000001208	MORENO KRISTINE M	1200 MAIN ST	1997 - 2022	$25,876
00C46200000001209	BAKER ARIANNE &	1200 MAIN ST	1997 - 2022	$40,548
00C46200000001210	LITTLE STERLING	1200 MAIN ST	1997 - 2022	$32,432
00C46200000001211	LIN XIEQING	1200 MAIN ST	1997 - 2022	$35,843

Appendix A: DCAD Real Property Account in the City Center Sub-district (reflects boundary amendments) (Continued)

ACCOUNT NUMBER	OWNER NAME	PROPERTY ADDRESS	YEARS ELIGIBLE	BASE TAXABLE
00C46200000001212	ASHON HASSEB &	1200 MAIN ST	1997 - 2022	$19,407
00C46200000001213	WEBER DANIEL T & GAIL G	1200 MAIN ST	1997 - 2022	$42,753
00C46200000001401	FUNG DAVID KARL & KATHY LEE FUNG	1200 MAIN ST	1997 - 2022	$45,607
00C46200000001402	KHUNTIA ASHOK	1200 MAIN ST	1997 - 2022	$19,407
00C46200000001403	LI LIETAO	1200 MAIN ST	1997 - 2022	$22,260
00C46200000001404	TINSLEY GARY A	1200 MAIN ST	1997 - 2022	$34,373
00C46200000001405	JC GOODMAN INVESTMENT GROUP INC	1200 MAIN ST	1997 - 2022	$22,260
00C46200000001406	MICHULKA GEORGE &	1200 MAIN ST	1997 - 2022	$40,548
00C46200000001407	BYRUM TADD A &	1200 MAIN ST	1997 - 2022	$22,935
00C46200000001408	HUTCHINSON ANDREW F II	1200 MAIN ST	1997 - 2022	$22,935
00C46200000001409	DAO BAO D	1200 MAIN ST	1997 - 2022	$40,548
00C46200000001410	THOMAS MONA	1200 MAIN ST	1997 - 2022	$32,432
00C46200000001411	BENTLEY BRIAN D	1200 MAIN ST	1997 - 2022	$35,843
00C46200000001412	MURRAY RORY GALLAGHER	1200 MAIN ST	1997 - 2022	$19,407
00C46200000001413	GREEN KAREN S	1200 MAIN ST	1997 - 2022	$42,753
00C46200000001501	ZANDER GREG W	1200 MAIN ST	1997 - 2022	$45,607
00C46200000001502	SALVANT WAYNE F &	1200 MAIN ST	1997 - 2022	$19,407
00C46200000001503	YATES RALPH & FAYE	1200 MAIN ST	1997 - 2022	$22,260
00C46200000001504	HILL DANIEL &	1200 MAIN ST	1997 - 2022	$34,373
00C46200000001505	HIBSID 1 LLC	1200 MAIN ST	1997 - 2022	$22,260
00C46200000001506	TRIPP THOMAS	1200 MAIN ST	1997 - 2022	$40,548
00C46200000001507	KOKES KEVIN K &	1200 MAIN ST	1997 - 2022	$25,876
00C46200000001508	BOHAN STEPHANIE D	1200 MAIN ST	1997 - 2022	$25,876
00C46200000001509	JAIN NEHA	1200 MAIN ST	1997 - 2022	$40,548
00C46200000001510	METROPOLITAN 1510 LLC	1200 MAIN ST	1997 - 2022	$32,432
00C46200000001511	BRYANT CHRIS	1200 MAIN ST	1997 - 2022	$35,843
00C46200000001512	KHAN MOIN	1200 MAIN ST	1997 - 2022	$19,407
00C46200000001513	KLAMM CYNTHIA B &	1200 MAIN ST	1997 - 2022	$42,753
00C46200000001601	DAVIS STEPHEN J	1200 MAIN ST	1997 - 2022	$45,607
00C46200000001602	COBB DONNA MARIE &	1200 MAIN ST	1997 - 2022	$19,407
00C46200000001603	COWDEN PETER	1200 MAIN ST	1997 - 2022	$22,260
00C46200000001604	NARAN ASHOK	1200 MAIN ST	1997 - 2022	$34,373
00C46200000001605	LANCASTER PHILLIP & IRENE	1200 MAIN ST	1997 - 2022	$22,260
00C46200000001606	OWNER WITHHELD	1200 MAIN ST	1997 - 2022	$40,548
00C46200000001607	KOERBER ELLEN &	1200 MAIN ST	1997 - 2022	$25,876
00C46200000001608	POLANCO PAUL	1200 MAIN ST	1997 - 2022	$25,876
00C46200000001609	DAMANI ANIRUDH A	1200 MAIN ST	1997 - 2022	$40,548
00C46200000001610	DOCKTER BRYAN	1200 MAIN ST	1997 - 2022	$0
00C46200000001611	UNDERHILL JAMES S	1200 MAIN ST	1997 - 2022	$35,843
00C46200000001612	SOLE GARY &	1200 MAIN ST	1997 - 2022	$19,407
00C46200000001613	PATTERSON JEFF	1200 MAIN ST	1997 - 2022	$42,753
00C46200000001701	STRINGER CHRISTOPHER & KATIE	1200 MAIN ST	1997 - 2022	$48,283
00C46200000001702	STROTHMAN RHONDA K	1200 MAIN ST	1997 - 2022	$19,407
00C46200000001703	REMPHREY BRYAN S	1200 MAIN ST	1997 - 2022	$22,260
00C46200000001704	DANIEL SAM	1200 MAIN ST	1997 - 2022	$34,373
00C46200000001705	BROWNELL SUSAN K &	1200 MAIN ST	1997 - 2022	$22,260
00C46200000001706	ALVAREZ DAVID &	1200 MAIN ST	1997 - 2022	$40,548
00C46200000001707	HOLLANDER KEVIN J & BETH A	1200 MAIN ST	1997 - 2022	$25,786
00C46200000001708	AHUMADA MUCIO	1200 MAIN ST	1997 - 2022	$25,876
00C46200000001709	LESTER MARY C	1200 MAIN ST	1997 - 2022	$40,548
00C46200000001710	MOORE ARROYO AYSHA	1200 MAIN ST	1997 - 2022	$32,432
00C46200000001711	FUENTE JOSE ANTONIO DE LA	1200 MAIN ST	1997 - 2022	$35,843
00C46200000001712	MOORE ROBERT W	1200 MAIN ST	1997 - 2022	$61,779
00C46200000001713	CHAFFIN LYNDAL A	1200 MAIN ST	1997 - 2022	$42,753
00C46200000001801	HUMES EDUARDO	1200 MAIN ST	1997 - 2022	$48,283
00C46200000001802	VIRANI ASIF	1200 MAIN ST	1997 - 2022	$19,407
00C46200000001803	JACKSON JILL A	1200 MAIN ST	1997 - 2022	$22,260
00C46200000001804	DIXON ADAM	1200 MAIN ST	1997 - 2022	$34,373
00C46200000001805	BADMAND HOLDINGS LLC	1200 MAIN ST	1997 - 2022	$22,260
00C46200000001806	CURE NANCY A & WILLIAM E	1200 MAIN ST	1997 - 2022	$40,549
00C46200000001807	ABDULWAHAB MANNIE	1200 MAIN ST	1997 - 2022	$25,876
00C46200000001808	LIN JAMES	1200 MAIN ST	1997 - 2022	$25,876
00C46200000001809	TRAVELSTEAD GARY LYNN &	1200 MAIN ST	1997 - 2022	$40,548
00C46200000001810	ZOLLER ROBERT W	1200 MAIN ST	1997 - 2022	$32,432
00C46200000001811	HOWARD KENNETH ROBERT	1200 MAIN ST	1997 - 2022	$35,843

Appendix A: DCAD Real Property Account in the City Center Sub-district (reflects boundary amendments) (Continued)

ACCOUNT NUMBER	OWNER NAME	PROPERTY ADDRESS	YEARS ELIGIBLE	BASE TAXABLE
00C46200000001812	KOERBER ELLEN &	1200 MAIN ST	1997 - 2022	$61,779
00C46200000001901	ATV TEXAS VENTURES IV LP	1200 MAIN ST	1997 - 2022	$48,283
00C46200000001902	RICHARDS GILL & ELIZABETH ANN	1200 MAIN ST	1997 - 2022	$19,407
00C46200000001903	CWALINO PETER	1200 MAIN ST	1997 - 2022	$22,260
00C46200000001904	NATHAL JULIO	1200 MAIN ST	1997 - 2022	$34,373
00C46200000001905	SINGERMAN ALEXANDER	1200 MAIN ST	1997 - 2022	$22,260
00C46200000001906	SLAUGHTER JUSTIN	1200 MAIN ST	1997 - 2022	$40,549
00C46200000001907	POON PHILIP	1200 MAIN ST	1997 - 2022	$25,876
00C46200000001908	BEATS JAMES & ANAMARIA	1200 MAIN ST	1997 - 2022	$25,876
00C46200000001909	ROMERO ROBERT R &	1200 MAIN ST	1997 - 2022	$40,548
00C46200000001910	HAYES MONIQUE C	1200 MAIN ST	1997 - 2022	$32,432
00C46200000001911	RICHARDS GILL & ELIZABETH ANN	1200 MAIN ST	1997 - 2022	$35,843
00C46200000001912	HAGLER TRENT L	1200 MAIN ST	1997 - 2022	$61,779
00C46200000002001	REVELLE ANIEL W III & CAROL L	1200 MAIN ST	1997 - 2022	$48,283
00C46200000002002	CRIST EUGENE SCOTT	1200 MAIN ST	1997 - 2022	$19,407
00C46200000002003	MUEHLENWEG ROBERT J & CHRISTINE	1200 MAIN ST	1997 - 2022	$22,260
00C46200000002004	JC GOODMAN INVESTMENT GROUP INC	1200 MAIN ST	1997 - 2022	$34,373
00C46200000002005	OLTMAN GREGG	1200 MAIN ST	1997 - 2022	$22,260
00C46200000002006	FERNANDEZ GUSTAVO A & DAGMAR SCHMAUTZ	1200 MAIN ST	1997 - 2022	$40,548
00C46200000002007	CHANG LAWRENCE SHEYLUN	1200 MAIN ST	1997 - 2022	$25,876
00C46200000002008	FARTHING DANIEL	1200 MAIN ST	1997 - 2022	$25,876
00C46200000002009	FICKEL MATTHEW & MARY BETH	1200 MAIN ST	1997 - 2022	$40,548
00C46200000002010	SHAFFNER GLORIA	1200 MAIN ST	1997 - 2022	$32,432
00C46200000002011	GOLNABI ROSITA NINA & NEIMA	1200 MAIN ST	1997 - 2022	$35,843
00C46200000002012	VALENTIS VENTURES LLC	1200 MAIN ST	1997 - 2022	$61,779
00C46200000002101	HENSLEY DALLAS W & VIRGINIA K	1200 MAIN ST	1997 - 2022	$48,283
00C46200000002102	MCCLAIN JONI L MD FAMILY TRUST	1200 MAIN ST	1997 - 2022	$19,407
00C46200000002103	CRIST EUGENE SCOTT	1200 MAIN ST	1997 - 2022	$22,260
00C46200000002104	REVIS MARK	1200 MAIN ST	1997 - 2022	$34,373
00C46200000002105	TARVER CHRISTOPHER T &	1200 MAIN ST	1997 - 2022	$22,260
00C46200000002106	YING KEN W	1200 MAIN ST	1997 - 2022	$40,548
00C46200000002107	HWANG HELEN	1200 MAIN ST	1997 - 2022	$25,876
00C46200000002108	MOVVA SATYANARAYANA	1200 MAIN ST	1997 - 2022	$25,876
00C46200000002109	SCHUMANN KEITH &	1200 MAIN ST	1997 - 2022	$40,548
00C46200000002110	FOX JEFFREY L	1200 MAIN ST	1997 - 2022	$32,432
00C46200000002111	BODLEY GABRIELLE	1200 MAIN ST	1997 - 2022	$35,843
00C46200000002112	QUINN CRAIN A & NATALIE L	1200 MAIN ST	1997 - 2022	$61,779
00C46200000002201	GATES MARTIN E II & JUDY M	1200 MAIN ST	1997 - 2022	$48,283
00C46200000002202	DURRA OMAR	1200 MAIN ST	1997 - 2022	$19,407
00C46200000002203	PHILLIPS DAVID G	1200 MAIN ST	1997 - 2022	$22,260
00C46200000002204	WARREN BLAKE T &	1200 MAIN ST	1997 - 2022	$34,373
00C46200000002205	MARKHOFF STEVEN	1200 MAIN ST	1997 - 2022	$22,260
00C46200000002206	GRANT JASON A & MARIA	1200 MAIN ST	1997 - 2022	$40,548
00C46200000002207	COOKSEY CHARLES N	1200 MAIN ST	1997 - 2022	$25,876
00C46200000002208	CUNNINGHAM THOMAS G	1200 MAIN ST	1997 - 2022	$25,876
00C46200000002209	POWERS A MARKS	1200 MAIN ST	1997 - 2022	$40,548
00C46200000002210	ARNOLD NANCY E WEINTRAUB	1200 MAIN ST	1997 - 2022	$32,432
00C46200000002211	BERMAN DANIEL	1200 MAIN ST	1997 - 2022	$35,843
00C46200000002212	PERRI VINEYARDS & REAL ESTATE	1200 MAIN ST	1997 - 2022	$61,779
00C46200000002301	RANDOLPH HEATHER ELAINE &	1200 MAIN ST	1997 - 2022	$48,283
00C46200000002302	HIBSID 1 LLC	1200 MAIN ST	1997 - 2022	$19,407
00C46200000002303	LUDWIG CURTIS A	1200 MAIN ST	1997 - 2022	$22,260
00C46200000002304	PATEL AMIR B	1200 MAIN ST	1997 - 2022	$34,373
00C46200000002305	KNIPE LUTHER DASSON III	1200 MAIN ST	1997 - 2022	$22,260
00C46200000002306	IPPOLITO ESTER	1200 MAIN ST	1997 - 2022	$40,548
00C46200000002307	PATKOVIC MARIJANA	1200 MAIN ST	1997 - 2022	$25,876
00C46200000002308	BASH DAMIEN	1200 MAIN ST	1997 - 2022	$25,876
00C46200000002309	BOWENS BARRY C	1200 MAIN ST	1997 - 2022	$40,548
00C46200000002310	KRIDER SUE E	1200 MAIN ST	1997 - 2022	$32,432
00C46200000002311	SHIPP RONALD B	1200 MAIN ST	1997 - 2022	$35,843
00C46200000002312	ENGRAM AARON	1200 MAIN ST	1997 - 2022	$61,779
00C46200000002401	COX JOHN VERNON TR & GAY GAYLE TR	1200 MAIN ST	1997 - 2022	$48,283
00C46200000002402	COX JOHN VERNON TR &	1200 MAIN ST	1997 - 2022	$19,407
00C46200000002403	SMITH LAURA	1200 MAIN ST	1997 - 2022	$22,260
00C46200000002404	BALUCH AMIR	1200 MAIN ST	1997 - 2022	$34,373

Appendix A: DCAD Real Property Account in the City Center Sub-district (reflects boundary amendments) (Continued)

ACCOUNT NUMBER	OWNER NAME	PROPERTY ADDRESS	YEARS ELIGIBLE	BASE TAXABLE
00C46200000002405	ONU ADISA M	1200 MAIN ST	1997 - 2022	$22,260
00C46200000002406	BIERI MATTHEW B & REBECCA	1200 MAIN ST	1997 - 2022	$40,548
00C46200000002407	MAYORGA LUIS A	1200 MAIN ST	1997 - 2022	$25,876
00C46200000002408	MUSABASIC MEMSUD	1200 MAIN ST	1997 - 2022	$25,876
00C46200000002409	GILMAN ALEX	1200 MAIN ST	1997 - 2022	$40,548
00C46200000002410	SLIGER STEPHEN H & GWENNY L	1200 MAIN ST	1997 - 2022	$32,432
00C46200000002411	MOTGI GURU & SHASHI	1200 MAIN ST	1997 - 2022	$35,843
00C46200000002412	MOTGI GURUBASAPPA V & SHASHI R MOTGI	1200 MAIN ST	1997 - 2022	$61,779
00C46200000002501	SARDARABADI ABDOL M &	1200 MAIN ST	1997 - 2022	$48,283
00C46200000002502	THOMAS BIJU	1200 MAIN ST	1997 - 2022	$19,407
00C46200000002503	ACKER PARLEY E III	1200 MAIN ST	1997 - 2022	$22,260
00C46200000002504	WATTS FAMILY TRUST	1200 MAIN ST	1997 - 2022	$34,373
00C46200000002505	LIN XIA	1200 MAIN ST	1997 - 2022	$22,260
00C46200000002506	TRAMMELL DUANE &	1200 MAIN ST	1997 - 2022	$40,548
00C46200000002507	DUNCAN ROBERT J &	1200 MAIN ST	1997 - 2022	$25,876
00C46200000002508	CORCORAN SHAWN M & CARRIE A	1200 MAIN ST	1997 - 2022	$25,876
00C46200000002509	MAURER IAN S	1200 MAIN ST	1997 - 2022	$40,548
00C46200000002510	MERCHANT REHAN I &	1200 MAIN ST	1997 - 2022	$32,432
00C46200000002511	REAGANS KIMBERLY	1200 MAIN ST	1997 - 2022	$35,843
00C46200000002512	KRISHNA SHAILENDRA &	1200 MAIN ST	1997 - 2022	$61,779
00C46200000002601	PONZIO JOHN &	1200 MAIN ST	1997 - 2022	$48,283
00C46200000002602	BARBADILLO OSCAR JR	1200 MAIN ST	1997 - 2022	$19,407
00C46200000002603	DAVIS WALKER L	1200 MAIN ST	1997 - 2022	$22,260
00C46200000002604	YATES RALPH A & FAYE	1200 MAIN ST	1997 - 2022	$34,373
00C46200000002605	PERRI VINEYARDS &	1200 MAIN ST	1997 - 2022	$22,260
00C46200000002606	PERRI VINEYARDS &	1200 MAIN ST	1997 - 2022	$40,548
00C46200000002607	GARCIA CASSANDRA	1200 MAIN ST	1997 - 2022	$25,876
00C46200000002608	BARBATO CRISTINA COSTA	1200 MAIN ST	1997 - 2022	$25,876
00C46200000002609	BOWLES NEAL A & CARLA D WATSON	1200 MAIN ST	1997 - 2022	$40,548
00C46200000002610	LUFKIN ROGER W	1200 MAIN ST	1997 - 2022	$32,432
00C46200000002611	WILKINSON EARL J	1200 MAIN ST	1997 - 2022	$35,843
00C46200000002612	CALDWELL ROGER W & KIMBERLY S	1200 MAIN ST	1997 - 2022	$61,779
00C462000RETAIL00	BELGAUM LLC	1200 MAIN ST	1997 - 2022	$100,011
00C5371T9500OFC00	ST PAUL HOLDINGS LP	350 N ST PAUL ST	1997 - 2022	$6,903,194
00C5371T950RESI00	ST PAUL HOLDINGS II LP	350 N ST PAUL ST	1997 - 2022	$8,268,662
00C61310000000000	1300 JACKSON STREET	1300 JACKSON ST	1997 - 2022	$19,742
00C61310000000001	FRACKT RENA L	1300 JACKSON ST	1997 - 2022	$28,665
00C61310000000002	POE BRIAN	1300 JACKSON ST	1997 - 2022	$23,399
00C61310000000003	BRAZZEL ZACHARY L	1300 JACKSON ST	1997 - 2022	$17,068
00C61310000000004	HOPE MARK A	1300 JACKSON ST	1997 - 2022	$27,361
00C61310000000005	WASHINGTON DAVID CHASE	1300 JACKSON ST	1997 - 2022	$28,190
00C61310000000006	KOLANDER KAMELA	1300 JACKSON ST	1997 - 2022	$23,007
00C61310000000007	EVANS SCOTT	1300 JACKSON ST	1997 - 2022	$25,217
00C61310000000008	SLAWOMIR LESZINSKI LIVING	1300 JACKSON ST	1997 - 2022	$24,270
00C68930000000202	HIBBARD CHRISTIAN	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000203	MIDBOE MATTHEW L	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000204	PILON JASON	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000205	SPARKS KIMBERLY	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000206	MORIARTY SONIA	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000207	WHITTEN THOMAS A & LAURA J	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000208	POPE WILLIAM	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000209	WEBER WILLIAM R	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000210	MARTINEZ JONATHAN R	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000211	COOLEY BRIAN K	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000212	DURANT BODHI	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000213	GORDON JULIANNE E	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000214	KEMBERY ROBERT	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000215	HISHINUMA ROBIN A &	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000216	WHITE JARED	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000217	UNDERWOOD GUTHRIE B JR &	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000218	COOPER THOMAS STEELE	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000219	SMITH JASON DEWAYNE & KIMMIE FARRAR	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000220	YATES JOEL	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000301	ELAM KYLE P	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000302	CARRANZA RAMIRO & LATOYA	1122 JACKSON ST	1997 - 2022	$4,727

Appendix A: DCAD Real Property Account in the City Center Sub-district (reflects boundary amendments) (Continued)

ACCOUNT NUMBER	OWNER NAME	PROPERTY ADDRESS	YEARS ELIGIBLE	BASE TAXABLE
00C68930000000303	FREEMAN ISAAC	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000304	MILLIGAN MOLLIE	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000305	TRI MARY	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000306	SEGOVIA MARIA	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000307	ADAMS CHRISTIAN R	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000308	ARCHBOLD EDWIN	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000309	MAXWELL YVONNE & THOMAS	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000310	BUTTINE THOMAS C	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000311	URRUTIA AUDRICK L	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000312	PARKER PENNY LYNN	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000313	WOELKE FAMILY LIMITED PARTNERSHIP	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000314	CHAMBERS JARED P &	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000315	DUGAS EARL J	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000316	GUERRA JOSE ARNOLDO	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000317	HACKETT RANDY	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000318	LU HUIRU &	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000319	BJELICA ADAM	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000320	CONSEMIU REYMUNDO JR	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000321	FARROW PATRICIA	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000322	WALKER JONATHAN	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000401	NWANKWO ADIAH	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000402	REDUS VANESSA	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000403	JAMES KAREN K	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000404	REAVIS BEN & KRISTI	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000405	CRAIG EDWARD LIVING TRUST	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000406	WREN OIL & GAS LLC	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000407	STAFFORD STEPHANIE E	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000408	CALDWELL BRYANN	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000409	OWNER WITHHELD	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000410	PARMELE MICHAEL	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000411	DILL MICHAEL K	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000412	WREN JUSTIN	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000413	SHEPARD GREGORY	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000414	PEAK JASON L	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000415	SMITH BRENDA KAY	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000416	WYATT ALAN K	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000417	SHIGEMATSU KEN	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000418	SQUIRES MICHAEL K	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000419	FROH DANIEL LYNN	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000420	WARTON JAMES	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000421	SWEET OCEAN T	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000422	THOMASON ADAM CLARK	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000501	MCCOWN CRISTEN & WIESLAWA	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000502	MARASCO LAWRENCE P III	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000503	BETHEL SUSAN	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000504	ABBATI JOSEPH L	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000505	GIBBS JAMES M LIFE ESTATE	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000506	DUDEK JAKUB	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000507	STEWART COREY F	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000508	BERNSTEIN CAMI	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000509	NICHOLSON STEVEN W	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000510	ELLIOTT NATALIE	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000511	BASINGER GREGORY LEROY	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000512	LANGER BRUCE & JEAN	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000513	REED THOMAS J &	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000514	RIDEN LAVONNE	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000515	ACEVEDO MAGDALENA	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000516	BAEZ SUZETTE	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000517	WHEELIS JONATHAN	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000518	CARTER JASON &	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000519	WALPOLE JOHN	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000520	BEIHOFF DAVID	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000521	ETTER CHRISTOPHER W	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000522	TUCKER JOB ALEXANDER	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000601	KNAUS ROBERT	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000602	NAVARRO JOHN	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000603	BOWERS JOEL B	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000604	STEPHENS TAMMY L	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000605	PATTON JERRE W	1122 JACKSON ST	1997 - 2022	$4,727

Appendix A: DCAD Real Property Account in the City Center Sub-district (reflects boundary amendments) (Continued)

ACCOUNT NUMBER	OWNER NAME	PROPERTY ADDRESS	YEARS ELIGIBLE	BASE TAXABLE
00C68930000000606	NEWHAM ANDREA RODRIGUEZ	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000607	QUINT BERNARD T	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000608	GONZALEZ JINNI	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000609	LUNSFORD WALKER	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000610	BRAMMER JANE E	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000611	DURKIN BRETT T & SHIRLEY	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000612	WILSON DAMON	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000613	HALL JACQUELINE R &	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000614	BOYCE MOLLIE	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000615	CHOWDHURY RYAN R	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000616	MORRIS DOUGLAS A & VIRSIE N	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000617	MCGUFFEY THOMAS J	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000618	2008 CONDO PROPERTIES LLC	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000619	ALLELO JOHN G	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000620	KNIGHT SHAWN P	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000621	WATTERS MELODY & EDWARD	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000622	CLARKSON ROBERT A	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000701	TOONY JEFFREY D & ELIZABETH A	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000702	DILLON CRAIG L	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000703	KEAN MICHELLE	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000704	MURRAY CAROLYN M REVOCABLE	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000705	BONNIN MATTHEW E	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000706	NADIR NIDA	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000707	MUELLER ANDREW	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000708	BATES SAM IV	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000709	PAINE KELSEY	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000710	ADAMS JOHN & JEAN	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000711	VANPELT DANIEL	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000712	ONEAL MARK	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000713	SMITH JOAN D	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000714	ROJASRESTREPO OLGA L	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000715	CHOE DAVID	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000716	ADAMS SUSAN E	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000717	STAPLES NATHAN	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000718	2008 CONDO PROPERTIES LLC	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000719	HENDERSON MICHAEL BENFORD	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000720	ESCANILLA DINNAH	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000721	BONANNO CAROLINA	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000722	TUCKER JOB ALEXANDER	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000801	MAHONEY LAURIE & JOHN	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000802	FARKAS JANOS	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000803	FOREMAN ROSEMARY &	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000804	BIEDENHAM JOSEPH A III	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000805	YOUNG ADAM KEITH	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000806	WOJCIECHOWSKI MARZENA &	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000807	MURILLO LESLIE N	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000808	ADROVIC ARMIN	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000809	JONES CHRISTOPHER &	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000810	HILL JAMES C	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000811	LENOX ANDREW	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000812	ONEAL MARK	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000813	ALAVI REZA & MONA	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000814	ALAVI REZA & MONA	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000815	ELAM KYLE P	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000816	ANDERSON PHILLIP H	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000817	EHLE JOEL & TONI	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000818	PATTI MARIE A TRUST	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000819	ATKINS SHARON K	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000820	GOODWIN JEFF ANDERSON &	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000821	CAMP JUSTIN	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000822	KNIGHT LAURA C	1122 JACKSON ST	1997 - 2022	$4,727

Appendix A: DCAD Real Property Account in the City Center Sub-district (reflects boundary amendments) (Continued)

ACCOUNT NUMBER	OWNER NAME	PROPERTY ADDRESS	YEARS ELIGIBLE	BASE TAXABLE
00C68930000000901	EFURD ROBERT	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000902	BUSTAMANTE NIRMA D	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000903	LUSTIG CHARLES HUGH &	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000904	MAISEL WILLIAM L &	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000905	HALL JAMES L & JANET E	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000906	GONZALEZ RAUL	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000907	KIENAST AILEEN	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000908	DUBOIS THOMAS	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000910	WANCHO FRANK W	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000911	GROVES RYAN LANE &	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000912	SCHROTBERGER LUKE A	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000913	MITCHELL ANN	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000914	PATTI MARIE A TRUST	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000915	FRANK NATHAN A	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000916	INIGO RALPH R	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000917	CHERAMIE TREVOR	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000918	2008 CONDO PROPERTIES LLC	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000919	TUCKER JOB ALEXANDER	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000920	BLEVINS JESSE & ALISON	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000921	EVANS HEATHER	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000000922	STRONG GERI & JON GRINALDI	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001001	DAVIS ANGELA L	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001002	EVANS BRIAN K	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001003	HUESTON JANIE G	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001004	ORILEY PATRICIA ANN	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001005	KELLER JAY EDWARD	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001006	COOK JUSTIN P & LINDSEY A	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001007	HEHMANN BRYAN A	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001008	GLASS JOHN D	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001009	RICE LEWIS S JR	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001010	WHITE COREY	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001011	ROBERTSON EMILY ELIZABETH	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001012	STARK DAREN	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001013	ADDAGATLA BABU & VAJRA S	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001014	CLARK JOHN	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001015	BESCO JANIS A	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001016	RIGHETTI MARCO &	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001017	BROWN BRITNEY NOEL	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001018	PRIKRYL SARAH GRACE	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001019	WATSON ORA LEE SIMPSON &	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001020	PESINA EDWARD	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001022	ALLIE STEVEN CHARLES & KIMBERLY TODD	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001101	DUNCAN ELIZABETH	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001102	BARRETO WARREN	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001103	CLANCY MELANIE JARRETT &	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001104	THURSTON MARSHALLYN	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001105	COSBY LAWRENCE	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001106	AISLING KATHLEEN A	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001107	GOLARZ SCOTT R	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001108	KIENAST AILEEN D	1122 JACKSON ST	1997 - 2022	$4,727
00C68930000001109	FORSTENZER ANDREW P	1122 JACKSON ST	1997 - 2022	$4,796
00C71970000100100	1601 ELM HOLDINGS LP	1601 ELM ST	1997 - 2022	$77,463,790
000130000A0010000	PRESERVE LIBERTY LLC	600 S HARWOOD ST	2013-2022	$413,760
		Adjusted Base Year Value		$577,655,884

Appendix B: DCAD Real Property Account in the Lamar Corridor/West End Sub-district – 2012 Boundary Amendment Accounts

ACCOUNT NUMBER	OWNER NAME	PROPERTY ADDRESS	YEARS ELIGIBLE	BASE TAXABLE
00000100039000100	DORBET INC	302 N HOUSTON ST	2012 - 2027	$1,199,273
00000100039000200	CORDOVAN VENTURERS &	401 N HOUSTON ST	2012 - 2027	$3,607,620
00000100039000400	401 NORTH HOUSTON LP	401 N HOUSTON ST	2012 - 2027	$1,766,820
00000100039000500	FAIRFIELD AT ROSS LLC	302 N HOUSTON ST	2012 - 2027	$4,400,727
00000100111000000	PACE CAROLINA JOLLIFF	512 JACKSON ST	2012 - 2027	$599,000
00000100114000000	ADMIRAL REALTY CO	306 S HOUSTON ST	2012 - 2027	$240,000
00000100117000000	BMR DALLAS DOWNTOWN INVESTMENTS LLC	302 S HOUSTON ST	2012 - 2027	$3,744,110
00000100132000000	USRP FUNDING 2001 A LP	1815 N MARKET ST	2012 - 2027	$1,367,000
00000100138000000	BLACKLAND	1709 N MARKET ST	2012 - 2027	$1,638,860
00000100141000000	MARKET ROSS LTD ET AL	1713 N MARKET ST	2012 - 2027	$1,043,840
00000100144000000	MARKET ROSS LTD ETAL	1701 N MARKET ST	2012 - 2027	$2,617,300
00000100147000000	MARKET STREET L P	311 N MARKET ST	2012 - 2027	$1,608,720
00000100153000000	7223 L P	611 ELM ST	2012 - 2027	$1,200,000
00000100156000000	PACE CAROLINA JOLLIFF	605 ELM ST	2012 - 2027	$583,200
00000100156000100	PRESERVE PURSE LLC	605 ELM ST	2012 - 2027	$17,800
00000100159000000	PRESERVE PURSE LLC	601 ELM ST	2012 - 2027	$1,387,000
00000100180500000	RICHMAN TRUSTS	304 S RECORD ST	2012 - 2027	$762,000
00000100184300000	RICHMAN TRUSTS	600 JACKSON ST	2012 - 2027	$379,000
00000100192000000	MARKET ROSS LTD	701 ROSS AVE	2012 - 2027	$1,750,000
00000100195000000	VIC AND RALPH LP	705 ROSS AVE	2012 - 2027	$750,000
00000100201000000	708 ROSS INV PS LP	710 ROSS AVE	2012 - 2027	$1,253,000
00000100204000000	JSS ROSS LP	704 ROSS AVE	2012 - 2027	$1,152,000
00000100207000000	RMC MOLINE LP	302 N MARKET ST	2012 - 2027	$2,000,000
00000100213000000	CARROLL JILL LP	211 N AUSTIN ST	2012 - 2027	$600,000
00000100216000000	AVERY B F & SONS LTD	208 N MARKET ST	2012 - 2027	$4,286,140
00000100225000000	SANDCAP 711 ELM PARTNERS LP	711 ELM ST	2012 - 2027	$1,159,000
00000100231000000	DALLAS MAIN LP	710 MAIN ST	2012 - 2027	$1,929,700
00000100234000000	701 KATY BUILDING LP	702 MAIN ST	2012 - 2027	$302,500
00000100237000000	LAWYERS BLDG OF DALLAS	706 MAIN ST	2012 - 2027	$399,640
00000100240000000	701 KAY BUILDING LP	700 MAIN ST	2012 - 2027	$110,000
00000100243000000	701 KATY BUILDING LP	701 COMMERCE ST	2012 - 2027	$1,566,600
00000100249000000	AHC DALLAS PROPERTIES LLC	712 COMMERCE ST	2012 - 2027	$2,200,000
00000100264000000	AHC DALLAS PROPERTIES LLC	714 JACKSON ST	2012 - 2027	$2,204,130
00000100273000000	BELO INVESTMENT	701 YOUNG ST	2012 - 2027	$1,053,950
00000100318000000	GREYHOUND LINES INC	205 S LAMAR ST	2012 - 2027	$1,850,000
00000100321000000	GREYHOUND LINES INC	804 COMMERCE ST	2012 - 2027	$648,500
00000100324000000	GREYHOUND BUS LINES INC	801 JACKSON ST	2012 - 2027	$950,000
00000100330000000	ACTION JACKSON LP	800 JACKSON ST	2012 - 2027	$1,498,950
00000100333000000	AHC DALLAS PROPERTIES LLC	311 S LAMAR ST	2012 - 2027	$1,787,500
00000100336000000	BELO INVESTMENT	401 S LAMAR ST	2012 - 2027	$2,401,100
00000104308000000	ARENA PARTNERS LP	2019 N LAMAR ST	2012 - 2027	$1,046,760
00000104323000000	MARKET STREET DEV LTD	603 MUNGER AVE	2012 - 2027	$2,501,790
00000104332000000	WEST END API LTD	1911 N LAMAR ST	2012 - 2027	$818,650
00000104347000000	ARI LANDMARK CENTER LP	1801 N LAMAR ST	2012 - 2027	$7,751,590
00000104351000000	ARI LANDMARK CENTER LP	803 ROSS AVE	2012 - 2027	$120,000
00000104354000000	ARI LANDMARK CENTER LP	1709 N LAMAR ST	2012 - 2027	$377,100
00000104356000000	ARILANDMARK CENTER LP	1715 N LAMAR ST	2012 - 2027	$240,000
00000104359000000	ARI LANDMARK CENTER LP	801 ROSS AVE	2012 - 2027	$642,250
00000104371000000	2020 GARAGE LAND LP	2020 N LAMAR ST	2012 - 2027	$2,510,820
00000104440000100	DARYL RICHARDSON GOURMET CATERING INC	1909 N GRIFFIN ST	2012 - 2027	$261,350
00000104443000000	DARYL RICHARDSON GOURMET CATERING INC	1911 N GRIFFIN ST	2012 - 2027	$575,200
00000104446000000	DARYL RICHARDSON GOURMET CATERING INC	1000 MUNGER AVE	2012 - 2027	$713,730
000020002701A0000	DALLAS HOLOCAUST MUSEUM CENTER FOR	515 ROSS AVE	2012 - 2027	$1,868,950
00002400220000000	PACE CAROLINA JOLLIFF	500 WOOD ST	2012 - 2027	$10,000
000024002205A0000	EQUITY HOTEL GROUP LLC	310 S HOUSTON ST	2012 - 2027	$910,360
000027006505A0000	LAZ LA III TX 1 LP	607 CORBIN ST	2012 - 2027	$1,869,950
000034002101A0000	AHC DALLAS PROPERTIES LLC	309 S MARKET ST	2012 - 2027	$1,799,120
00004800330010000	DALLAS MAIN LP	800 MAIN ST	2012 - 2027	$5,952,000
00004800330040000	INTERFIRST BANK DALLAS	800 MAIN ST	2012 - 2027	$125,000
00006300070000000	TRANSCONTINENTAL REALTY INV	300 N HOUSTON ST	2012 - 2027	$15,000
00006300070000100	CORDOVAN VENTURERS	300 N HOUSTON ST	2012 - 2027	$214,610
000204000004A0000	703 MCKINNEY LP	2001 N LAMAR ST	2012 - 2027	$3,200,000
00020500030020000	SOUTHWEST ADVISORY SERVICES LLC	1802 N MARKET ST	2012 - 2027	$800,000
00020500030030000	SOUTHWEST ADVISORY SERVICES LLC	1800 N MARKET ST	2012 - 2027	$446,400
00021400130010000	RICHARDSON DARYL GOURMET	1909 N GRIFFIN ST	2012 - 2027	$2,310,000
		Base Year Value		$97,095,610

Appendix C: City Center TIF District Original Budget

City Center TIF District Original Budget

Category	Original Budget
Public Infrastructure Improvements *Streetscape Improvements, Pedestrian Linkages, Lighting, Utility Burial, Utility Upgrades*	$12,339,598
Facade Easements	$2,000,000
Educational Training Facilities	$2,236,550
Parking	$2,525,154
Acquisition & Restoration of Historic Sites	$4,022,486
Redevelopment/Development Projects *Environmental Remediation, Interior & Exterior Demolition, Façade Improvements/Restoration, TIF Grants*	$54,451,027
Public Use Improvements	$207,500
Areas of Public Assembly *Open Space Improvements, Park Acquisition and Improvements*	$2,625,000
Affordable Housing	$5,000,000
Ground Floor Activation	$0
Plan Implementation/Administration	$2,160,402
Total	**$87,567,717**

**Estimated TIF Expenditure reflects actual project collections for the district.*

Appendix D: City Center TIF Sub-District Budget

City Center Sub-District Budget

Category	Estimated TIF Expenditure*
Public Infrastructure Improvements *Streetscape Improvements, Pedestrian Linkages, Lighting, Utility Burial, Utility Upgrades*	**$4,000,000**
Parking	**$3,000,000**
Redevelopment/Development Projects *Environmental Remediation, Interior & Exterior Demolition, Façade Improvements/Restoration, TIF Grants*	**$21,546,111**
District Wide Improvements	**$2,000,000**
Affordable Housing	**$3,500,000**
Ground Floor Activation *(in the form of a TIF Grant)*	**$4,300,000**
Plan Implementation/Administration	**$750,000**
Total	**$39,096,111**

**Estimated TIF Expenditure reflects anticipated project collections for the sub-district.*

Appendix E: Lamar Corridor/West End Sub-District Budget

Lamar Corridor/West End Sub-District Budget

Category	Estimated TIF Expenditure*
Public Infrastructure Improvements *Streetscape Improvements, Pedestrian Linkages, Lighting, Utility Burial, Utility Upgrades*	**$4,500,182**
Parking	**$2,500,000**
Redevelopment/Development Projects *Environmental Remediation, Interior & Exterior Demolition, Façade Improvements/Restoration, TIF Grants*	**$19,426,000**
District Wide Improvements	**$2,000,000**
Affordable Housing	**$3,000,000**
Ground Floor Activation *(in the form of a TIF Grant)*	**$4,000,000**
Plan Implementation/Administration	**$1,750,000**
Total	**$37,176,182**

**Estimated TIF Expenditure reflects anticipated project collections for the sub-district.*

Agenda Information Sheet

File #: 18-1339 **Item #:** 39.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize **(1)** an increase in appropriations in an estimated amount of $424,528.00 in the City Center Tax Increment Financing (TIF) District Fund (Reinvestment Zone Number Five); **(2)** the transfer of City Center TIF District Funds to the Dallas Housing Trust Fund in an estimated amount of $424,528.00; **(3)** an increase in appropriations in an estimated amount of $424,528.00 in the Dallas Housing Trust Fund; and **(4)** the disbursement of funds from the Dallas Housing Trust Fund in an estimated amount of $424,528.00 - Estimated amount of $424,528.00 - Financing: City Center TIF District Funds

BACKGROUND

On May 9, 2018, City Council adopted the Dallas Comprehensive Housing Policy (the "Policy") to create and maintain affordable housing throughout Dallas; promote greater fair housing choices; and overcome patterns of segregation and concentrations of poverty through incentives and requirements. The Policy calls for the establishment of a Dallas Housing Trust Fund ("DHTF") to support the production goals of the Policy. The Policy states that a portion of the DHTF should be sought from a one-time transfer of a minimum of $7 million in unencumbered fund balances from high -performing Tax Increment Financing Districts by Resolution No. 18-0704.

Staff has identified $7 million in available funds to seed the DHTF. The funds will not be released from the newly established account until DHTF program details are established.

On November 5, 2018, the Economic Development and Housing Committee was briefed regarding the following recommended sources of funds to seed the DHTF:

$4,575,000.00	1407 Main Street Loan Repayment
$ 523,246.00	State-Thomas TIF District Close-Out
$ 828,129.00	Cityplace TIF District Close-Out
$ 649,097.00	Vickery Meadow TIF District fee in lieu of affordable housing payment
$ 424,528.00	City Center TIF District Affordable Housing Set-Aside Funds

$7,000,000.00 Total

Note: the account balances for State-Thomas, Cityplace and Vickery Meadow TIF Districts are of October 10, 2018 and may accrue additional interest prior to transferring funds to the new DHTF account. The City Center TIF District Board of Directors' agenda was posted prior to receiving updated balances and therefore the City Center TIF District Affordable Housing Set-Aside Funds to be used for the DHTF (which makes up the gap to reach $7,000,000.00) was slightly higher when the TIF Board took action than what is now needed.

The City Center TIF District budget has an Affordable Housing Set-Aside in an amount not to exceed $6.50 million, of which $2.49 million has been collected to date ($4,577,916.00 has been approved for the Flora Lofts project from this Set-Aside, subject to project performance). A prior action on this agenda approves an amendment to the City Center TIF District Plan, allowing an amount not to exceed $424,528.00 of the City Center TIF District Set-Aside Funds to be used outside of the City Center TIF District Boundary and the greater downtown area for affordable housing. This companion item authorizes the transfer of an amount not to exceed $424,528.00 from the City Center TIF District Set-Aside Fund to the DHTF.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 26, 1996, City Council authorized the establishment of the Zone in accordance with the Tax Increment Financing Act, as amended ,V.T.C.A Texas Tax Code, Chapter 311 (the "Act") to promote development and redevelopment in the Zone through the use of tax increment financing by Ordinance No. 22802, as amended.

On February 12, 1997, City Council authorized the Project and Reinvestment Zone Financing Plans for the Zone by Resolution No. 97-0484; Ordinance No. 23034, as amended.

On November 14, 2012, City Council in accordance with the Tax Increment Financing Act, as amended, V.T.C.A Texas Tax Code, (Chapter 311), called a public hearing to be held on December 12, 2012, to hear citizen comments and concerns regarding the proposed City Center TIF District amendments and amended Project Plan and Reinvestment Zone Financing Plan for the District by Resolution No. 12-2780. That public hearing was duly held and closed.

On December 12, 2012, City Council authorized amendments to the City Center TIF District and the Project and Reinvestment Zone Financing Plans for the City Center TIF District to: (1) create two sub -districts within the City Center TIF District: (a) City Center Sub-district (original district boundary) and (b) Lamar Corridor/West End Sub-district; (2) Increase the geographic area of the City Center TIF District to add approximately 27.14 acres to create the Lamar Corridor/West End Sub-district; (3) Extend the current termination date of the City Center TIF District from December 31, 2012, to December 31, 2022, for the City Center Sub-district and establish a termination date for the Lamar Corridor/West End Sub-district of December 31, 2037; (4) decrease the percentage of tax increment contributed by the City of Dallas during the extended term of the TIF District and establish other taxing jurisdictions participation percentages; (5) Increase the City Center TIF District's budget from $87,567,717 total dollars to $151,968,546 total dollars, an increase of $76,272,293; and (6) make corresponding modifications to the City Center TIF District boundary, budget and Project and Reinvestment Zone Financing Plans by Resolution No. 12-3040; Ordinance No. 28865.

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On August 28, 2013, City Council in accordance with the Tax Increment Financing Act, as amended, V.T.C.A Texas Tax Code, (Chapter 311), called a public hearing to be held on September 11, 2013, to hear citizen comments and concerns regarding the proposed City Center TIF District amendments and amended Project Plan and Reinvestment Zone Financing Plan for the District by Resolution No. 13-1434. That public hearing was duly held and closed.

On September 11, 2013, City Council authorized amendments to the City Center TIF District and the Project and Reinvestment Zone Financing Plans for the City Center TIF District to amend the City Center Sub-district's boundary to remove a portion of the property addressed as 350 North St. Paul Street, approximately 4,950 square feet; amend the City Center Sub-district's boundary to add the property addressed as 600 South Harwood Street, approximately 19,471 square feet; and make corresponding modifications to the City Center TIF District boundary map, and Project and Reinvestment Zone Financing Plans and any other necessary adjustments to implement the Plan amendments by Resolution No. 13-1619; Ordinance No. 29142.

On November 12, 2014, City Council held a public hearing to receive comments on boundary amendments to the City Center TIF District (the "Zone") to remove certain properties from the City Center Subdistrict of the Zone, thereby reducing the tax increment base of the City Center Subdistrict and increasing city general fund contributions to the Zone over the remaining term; and make such other corresponding adjustments to the ordinances creating the zone and approving the project and financing plans, Ordinance Nos. 22802 and 23034, approved on June 26, 1996 and February 17, 1997, respectively, necessary to accommodate the boundary; and approved an ordinance amending Ordinance No. 22802, as amended, previously approved on June 26, 1996, and Ordinance No. 23034, as amended, previously approved February 12, 1997, by Resolution No. 14-1967, Ordinance No. 29542.

On May 9, 2018, City Council adopted the Dallas Comprehensive Housing Policy (the "Policy") to create and maintain affordable housing throughout Dallas; promote greater fair housing choices; and overcome patterns of segregation and concentrations of poverty through incentives and requirements by Resolution No. 18-0704.

On October 11, 2018, the City Center TIF District Board of Directors approved forwarding to City Council an amendment to the City Center TIF District Project Plan and Reinvestment Zone Financing Plan to allow an amount not to exceed $432,014.00 of the $6.50 million Affordable Housing Set-Aside budget to be used outside of the boundaries of the Zone and greater downtown area.

The Economic Development and Housing Committee was briefed regarding this item on November 5, 2018.

FISCAL INFORMATION

City Center TIF District Funds - $424,528.00 transfer to Dallas Housing Trust Fund

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WHEREAS, on June 26, 1996, City Council authorized the establishment of the Zone in accordance with the Tax Increment Financing Act, as amended, V.T.C.A Texas Tax Code, Chapter 311 (the "Act") to promote development and redevelopment in the Zone through the use of tax increment financing by Ordinance No. 22802, as amended; and

WHEREAS, on February 12, 1997, City Council authorized the Project and Reinvestment Zone Financing Plans for the Zone by Ordinance No.23034, as amended; and

WHEREAS, on December 12, 2012, City Council authorized amendments to the City Center TIF District and the Project and Reinvestment Zone Financing Plans for the City Center TIF District to: (1) create two sub-districts within the City Center TIF District: (a) City Center Sub-district (original district boundary) and (b) Lamar Corridor/West End Sub-district; (2) Increase the geographic area of the City Center TIF District to add approximately 27.14 acres to create the Lamar Corridor/West End Sub-district; (3) Extend the current termination date of the City Center TIF District from December 31, 2012, to December 31, 2022, for the City Center Sub-district and establish a termination date for the Lamar Corridor/West End Sub-district of December 31, 2037; (4) decrease the percentage of tax increment contributed by the City of Dallas during the extended term of the TIF District and establish other taxing jurisdictions participation percentages; (5) Increase the City Center TIF District's budget from $87,567,717 total dollars to $151,968,546 total dollars, an increase of $76,272,293; and (6) make corresponding modifications to the City Center TIF District boundary, budget and Project and Reinvestment Zone Financing Plans by Resolution No. 12-3040; Ordinance No. 28865; and

WHEREAS, on August 28, 2013, City Council in accordance with the Tax Increment Financing Act, as amended, V.T.C.A Texas Tax Code, (Chapter 311), called a public hearing to be held on September 11, 2013, to hear citizen comments and concerns regarding the proposed City Center TIF District amendments and amended Project Plan and Reinvestment Zone Financing Plan for the District by Resolution No. 13-1434. That public hearing was duly held and closed; and

WHEREAS, on September 11, 2013, City Council authorized amendments to the City Center TIF District and the Project and Reinvestment Zone Financing Plans for the City Center TIF District to amend the City Center Sub-district's boundary to remove a portion of the property addressed as 350 North St. Paul Street, approximately 4,950 square feet; amend the City Center Sub-district's boundary to add the property addressed as 600 South Harwood Street, approximately 19,471 square feet; and make corresponding modifications to the City Center TIF District boundary map, and Project and Reinvestment Zone Financing Plans and any other necessary adjustments to implement the Plan amendments by Resolution No. 13-1619; Ordinance No. 29142; and

WHEREAS, on November 12, 2014, City Council held a public hearing to receive comments on boundary amendments to the City Center TIF District (the "Zone") to remove certain properties from the City Center Subdistrict of the Zone, thereby reducing the tax increment base of the City Center Subdistrict and increasing city general fund contributions to the Zone over the remaining term; and make such other corresponding adjustments to the ordinances creating the zone and approving the project and financing plans, Ordinance Nos. 22802 and 23034, approved on June 26, 1996 and February 17, 1997, respectively, necessary to accommodate the boundary amendments - Financing: No cost consideration to the City, by Resolution No. 14-1967 and approved an ordinance amending Ordinance No. 22802, as amended, previously approved on June 26, 1996, and Ordinance No. 23034, as amended, previously approved February 12, 1997, by Resolution No. 14-1967, Ordinance No. 29542; and

WHEREAS, on May 9, 2018, City Council adopted the Dallas Comprehensive Housing Policy (the "Policy") to create and maintain affordable housing throughout Dallas; promote greater fair housing choices; and overcome patterns of segregation and concentrations of poverty through incentives and requirements. The Policy calls for the establishment of a Dallas Housing Trust Fund ("DHTF") to support the production goals of the Policy. The Policy states that a portion of the DHTF should be sought from a one-time transfer of a minimum of $7 million in unencumbered fund balances from high-performing Tax Increment Financing Districts by Resolution No. 18-0704; and

WHEREAS, the Policy calls for the establishment of a Dallas Housing Trust Fund (the "DHTF") to support the production goals of the Policy; and

WHEREAS, the Policy states that a portion of the DHTF should be sought from a one-time transfer of a minimum of $7 million in unencumbered fund balances from high-performing Tax Increment Financing Districts; and

WHEREAS, on October 11, 2018, the City Center TIF District Board of Directors approved forwarding to City Council an amendment to the City Center TIF District Project Plan and Reinvestment Zone Financing Plan to allow an amount not to exceed $432,014.00 of the $6.50 million Affordable Housing Set-Aside budget to be used outside of the boundaries of the Zone and greater downtown area; and

WHEREAS, on October 11, 2018, the City Center TIF District Board of Directors also approved forwarding to City Council a transfer in an amount not to exceed $432,014.00 from the City Center TIF District Affordable Housing Set-Aside Fund to the City's Housing Trust Fund, in support of the City of Dallas Comprehensive Housing Policy; and

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to increase appropriations in an estimated amount of $424,528.00 in the City Center TIF District Fund, Fund 0035, Department ECO, Unit 9912, Object 3690.

SECTION 2 . That the Chief Financial Officer is hereby authorized to transfer an amount estimated of $424,528.00 from the City Center TIF District Fund, Fund 0035, Department ECO, Unit 9912, Object 3690, to the Dallas Housing Trust Fund, Fund 9P16, Department ECO, Unit 1870, Revenue Code 9201.

SECTION 3. That the City Manager is hereby authorized to increase appropriations in an estimated amount of $424,528.00 in the Dallas Housing Trust Fund, Fund 9P16, Department ECO, Unit 1870, Various Object Codes.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of $424,528.00 from the Dallas Housing Trust Fund, Fund 9P16, Department ECO, Unit 1870, Various Object Codes.

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 #: 18-1341 **Item #:** 40.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize **(1)** an increase in appropriations in an estimated amount of $2,540,080.00 in the Cityplace Area Tax Increment Financing (TIF) District Fund (Reinvestment Zone Number Two); **(2)** consolidation of all Cityplace Area TIF District related Funds cash balances in an estimated amount of $1,955,253.47; **(3)** the transfer of Cityplace Area TIF District Funds to the Dallas Housing Trust Fund in an estimated amount of $828,129.00; **(4)** an increase in appropriations in an estimated amount of $828,129.00 in the Dallas Housing Trust Fund; **(5)** disbursement to other participating taxing jurisdictions in an estimated amount of $1,106,293.00; **(6)** the disbursement of funds from the Dallas Housing Trust Fund in an estimated amount of $828,129.00; and **(7)** the closing of the Cityplace Area TIF District Funds (Reinvestment Zone Number Two) after all city transactions and TIF obligations have been processed - Total estimated amount of $1,934,422.00 - Financing: Cityplace Area TIF District Funds

BACKGROUND

City Council authorized the establishment of the Cityplace Area TIF District in 1992. The term of the Cityplace Area TIF District expired on December 31, 2012. The Cityplace Area TIF District value has increased $1.193 billion from the base year, yielding annually approximately $9 million in real property taxes to the City's General Fund.

Since 2009, due to reaching the budget maximum for the Cityplace Area TIF District, real property taxes generated within the TIF District have flowed to the City's General Fund. However, the Cityplace Area TIF District Fund was never closed out and there remains a balance due back to the City of Dallas and to the other taxing jurisdictions (Dallas Independent School District (DISD), Dallas County Community College District (DCCCD), Dallas County, and the Dallas County Hospital District (DCHD)/Parkland Health and Hospital System) that participated in the Cityplace Area TIF District.

As of October 2018, the balance in the Cityplace Area TIF District Fund is $1,934,422.00. Of that amount, $828,129.00 is tax increment contributed by the City of Dallas.

The Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, states in Section 311.014(d) that "After all project costs, all tax increment bonds or notes issued for a reinvestment zone, and any other obligations incurred for the zone have been paid, and subject to any agreement with bondholders, any money remaining in the tax increment fund shall be paid to the municipality or county that created the zone and other taxing units levying taxes on property in the zone in proportion to the municipality's or county's and each other unit's respective share of the total amount of tax increments derived from taxable real property in the zone that were deposited in the fund during the fund's existence." The remainder of the balance ($1,106,293.00) is due to the other participating taxing jurisdictions as follows (the actual balance should be paid in full and may vary slightly due to interest earnings upon disbursement):

Dallas County:	$244,248.00
DISD:	$495,821.00
DCCCD:	$ 83,224.00
DCHD:	$283,000.00

This agenda item authorizes the formal close-out of the Cityplace Area Tax TIF District Fund and authorizes the payments to each of the other participating taxing jurisdictions.

Additionally, staff is recommending using the City's share ($828,129.00) of the balance in the Cityplace Area TIF District Fund to help capitalize the Dallas Housing Trust Fund.

On May 9, 2018, City Council adopted the Dallas Comprehensive Housing Policy (the "Policy") to create and maintain affordable housing throughout Dallas; promote greater fair housing choices; and overcome patterns of segregation and concentrations of poverty through incentives and requirements. The Policy calls for the establishment of a Dallas Housing Trust Fund ("DHTF") to support the production goals of the Policy. The Policy states that a portion of the DHTF should be sought from a one-time transfer of a minimum of $7 million in unencumbered fund balances from high -performing Tax Increment Financing Districts by Resolution No. 18-0704.

Staff has identified $7 million in available funds to seed the DHTF. The funds will not be released from the newly established account until DHTF program details are established.

On November 5, 2018, the Economic Development and Housing Committee was briefed regarding the following recommended sources of funds to seed the DHTF:

$4,575,000.00	1407 Main Street Loan Repayment
$ 523,246.00	State-Thomas TIF District Close-Out
$ 828,129.00	Cityplace Area TIF District Close-Out
$ 649,097.00	Vickery Meadow TIF District fee in lieu of affordable housing payment
$ 424,528.00	City Center TIF District Affordable Housing Set-Aside Funds
$7,000,000.00	Total

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 11, 1992, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Two (Cityplace Area TIF District) by Ordinance No. 21465.

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On August 11, 1993, City Council authorized the Final Project Plan and Reinvestment Zone Financing Plan for the Cityplace Area TIF District by Ordinance No. 21769, as amended.

On December 31, 2012, the Cityplace TIF District terminated due to the term expiring.

On May 9, 2018, City Council adopted the Dallas Comprehensive Housing Policy (the "Policy") to create and maintain affordable housing throughout Dallas; promote greater fair housing choices; and overcome patterns of segregation and concentrations of poverty through incentives and requirements. The Policy calls for the establishment of a Dallas Housing Trust Fund ("DHTF") to support the production goals of the Policy. The Policy states that a portion of the DHTF should be sought from a one-time transfer of a minimum of $7 million in unencumbered fund balances from high -performing Tax Increment Financing Districts by Resolution No. 18-0704.

The Economic Development and Housing Committee was briefed regarding this item on November 5, 2018.

FISCAL INFORMATION

Closeout Balance Entity	Amount
Amount to transfer from Cityplace Area TIF District Fund to Housing Trust Fund	$ 828,129.00
Dallas County	$ 244,248.00
DISD	$ 495,821.00
DCCCD	$ 83,224.00
DCHD	$ 283,000.00
Total	$1,934,422.00

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WHEREAS, on November 11, 1992, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Two (Cityplace Area TIF District) by Ordinance No. 21465; and

WHEREAS, on August 11, 1993, City Council authorized the Final Project Plan and Reinvestment Zone Financing Plan for the Cityplace Area TIF District by Ordinance No. 21769, as amended; and

WHEREAS, on December 31, 2012, the Cityplace Area TIF District terminated due to the term expiring; and

WHEREAS, the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, states in Section 311.014(d): "After all project costs, all tax increment bonds or notes issued for a reinvestment zone, and any other obligations incurred for the zone have been paid, and subject to any agreement with bondholders, any money remaining in the tax increment fund shall be paid to the municipality or county that created the zone and other taxing units levying taxes on property in the zone in proportion to the municipality's or county's and each other unit's respective share of the total amount of tax increments derived from taxable real property in the zone that were deposited in the fund during the fund's existence"; and

WHEREAS, on May 9, 2018, City Council adopted the Dallas Comprehensive Housing Policy (the "Policy") to create and maintain affordable housing throughout Dallas; promote greater fair housing choices; and overcome patterns of segregation and concentrations of poverty through incentives and requirements. The Policy calls for the establishment of a Dallas Housing Trust Fund ("DHTF") to support the production goals of the Policy. The Policy states that a portion of the DHTF should be sought from a one-time transfer of a minimum of $7 million in unencumbered fund balances from high-performing Tax Increment Financing Districts by Resolution No. 18-0704; and

WHEREAS, the Policy calls for the establishment of a Dallas Housing Trust Fund (the "DHTF") to support the production goals of the Policy; and

WHEREAS, the Policy states that a portion of the DHTF should be sought from a one-time transfer of a minimum of $7 million in unencumbered fund balances from high-performing Tax Increment Financing Districts.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to increase appropriations in an estimated amount of $2,540,080.00 in the Cityplace Area TIF District Fund, Fund 0030, Department ECO, Unit 9941, various Object Codes.

SECTION 2. That the Chief Financial Officer is hereby authorized to consolidate Cityplace Area TIF District Funds into Fund 0030, Department ECO, Balance Sheet account 0001 from Fund 0040, Department ECO, Fund 0041, Department ECO, Fund 0042 Department ECO and Fund 0043, Department ECO in an estimated consolidated cash amount of $1,955,253.47.

SECTION 3. That the Chief Financial Officer is hereby authorized to transfer an estimated amount of $828,129.00 from the Cityplace Area TIF District Fund, Fund 0030, Department ECO, Unit 9941, Object 3690, to the Dallas Housing Trust Fund, Fund 9P16, Department ECO, Unit 1870, Revenue Source 9201.

SECTION 4. That the City Manager is hereby authorized to increase appropriations in an estimated amount of $828,129.00 in the Dallas Housing Trust Fund, Fund 9P16, Department ECO, Unit 1870, various Object Codes.

SECTION 5. That the Chief Financial Officer is hereby authorized to disburse funds from the Dallas Housing Trust Fund, Fund 9P16, Department ECO, Unit 1870, various Object Codes, in an estimated amount of $828,129.00.

SECTION 6. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of $244,248.00 to Dallas County from the Cityplace Area TIF District Fund, Fund 0030, Department ECO, Unit 9941, Object 3570, Vendor 014003.

SECTION 7. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of $495,821.00 to the Dallas Independent School District (DISD) from the Cityplace Area TIF District Fund, Fund 0030, Department ECO, Unit 9941, Object 3570, Vendor VC0000004937.

SECTION 8. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of $83,224.00 to the Dallas County Community College District (DCCCD) from the Cityplace Area TIF District Fund, Fund 0030, Department ECO, Unit 9941, Object 3570, Vendor 256009.

SECTION 9. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of $283,000.00 to the Dallas County Hospital District (DCHD) from the Cityplace Area TIF District Fund, Fund 0030, Department ECO, Unit 9941, Object 3570, Vendor 900498.

SECTION 10. That the Chief Financial Officer is hereby authorized to close the Cityplace Area TIF District Funds after all City transactions and TIF obligations, including administrative cost reimbursements to the City, have been processed.

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 #: 18-1342 **Item #:** 41.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize **(1)** an increase in appropriations in an estimated amount of $1,003,651.00 in the State-Thomas Tax Increment Financing (TIF) District Fund (Reinvestment Zone Number One); **(2)** the transfer of State-Thomas Tax Increment District Funds to the Dallas Housing Trust Fund in an estimated amount of $523,246.00; **(3)** an increase in appropriations in an estimated amount of $523,246.00 in the Dallas Housing Trust Fund; **(4)** disbursement of funds from the Dallas Housing Trust Fund in an estimated amount of $523,246.00; **(5)** disbursement to other participating taxing jurisdictions in an estimated amount of $1,585,436.00; and **(6)** the closing of the State-Thomas TIF District Fund (Reinvestment Zone Number One) after all city transactions and TIF obligations have been processed - Total estimated amount of $2,108,682.00 - Financing: State-Thomas TIF District Funds

BACKGROUND

City Council authorized the establishment of the State-Thomas TIF District in 1988. The term of the State-Thomas TIF District expired on December 31, 2008. The State-Thomas TIF District value has increased $662 million from the base year, yielding annually approximately $5 million in real property taxes to the City's General Fund.

Since 2004, due to reaching the budget maximum for the State-Thomas TIF District, real property taxes generated within the TIF District have flowed to the City's General Fund. However, the State-Thomas TIF District Fund was never closed out and there remains a balance due back to the City of Dallas and to the other taxing jurisdictions (Dallas Independent School District (DISD), Dallas County Community College District (DCCCD), Dallas County, and the Dallas County Hospital District (DCHD)/Parkland Health and Hospital System) that participated in the State-Thomas TIF District.

As of October 2018, the balance in the State-Thomas TIF District Fund is $2,108,682.00. Of that amount, $523,246.00 is tax increment contributed by the City of Dallas.

The Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, states in Section 311.014(d)

that “After all project costs, all tax increment bonds or notes issued for a reinvestment zone, and any other obligations incurred for the zone have been paid, and subject to any agreement with bondholders, any money remaining in the tax increment fund shall be paid to the municipality or county that created the zone and other taxing units levying taxes on property in the zone in proportion to the municipality’s or county’s and each other unit’s respective share of the total amount of tax increments derived from taxable real property in the zone that were deposited in the fund during the fund’s existence.” The remainder of the balance ($1,585,436.00) is due to the other participating taxing jurisdictions as follows (the actual balance should be paid in full and may vary slightly due to interest earnings upon disbursement):

Dallas County:	$ 157,821.00
DISD:	$1,200,946.00
DCCCD:	$ 46,816.00
DCHD:	$ 179,853.00

This agenda item authorizes the formal close-out of the State-Thomas TIF District Fund and authorizes the payments to each of the other participating taxing jurisdictions.

Additionally, staff is recommending using the City’s share ($523,246.00) of the balance in the State-Thomas TIF District Fund to help capitalize the Dallas Housing Trust Fund.

On May 9, 2018, City Council adopted the Dallas Comprehensive Housing Policy (the “Policy”) to create and maintain affordable housing throughout Dallas; promote greater fair housing choices; and overcome patterns of segregation and concentrations of poverty through incentives and requirements. The Policy calls for the establishment of a Dallas Housing Trust Fund (“DHTF”) to support the production goals of the Policy. The Policy states that a portion of the DHTF should be sought from a one-time transfer of a minimum of $7 million in unencumbered fund balances from high-performing Tax Increment Financing Districts by Resolution No. 18-0704.

Staff has identified $7 million in available funds to seed the DHTF. The funds will not be released from the newly established account until DHTF program details are established.

On November 5, 2018, the Economic Development and Housing Committee was briefed regarding the following recommended sources of funds to seed the DHTF:

$4,575,000.00	1407 Main Street Loan Repayment
$ 523,246.00	State-Thomas TIF District Close-Out
$ 828,129.00	Cityplace Area TIF District Close-Out
$ 649,097.00	Vickery Meadows TIF District fee in lieu of affordable housing payment
$ 424,528.00	City Center TIF District Affordable Housing Set-Aside Funds
$7,000,000.00	Total

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 14, 1988, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number One (State-Thomas TIF District) by Ordinance No. 20160.

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On December 13, 1989, City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the State-Thomas TIF District by Ordinance No. 20530, as amended.

On December 31, 2008, the State-Thomas TIF District terminated due to the term expiring.

On May 9, 2018, City Council adopted the Dallas Comprehensive Housing Policy (the "Policy") to create and maintain affordable housing throughout Dallas; promote greater fair housing choices; and overcome patterns of segregation and concentrations of poverty through incentives and requirements. The Policy calls for the establishment of a Dallas Housing Trust Fund ("DHTF") to support the production goals of the Policy. The Policy states that a portion of the DHTF should be sought from a one-time transfer of a minimum of $7 million in unencumbered fund balances from high -performing Tax Increment Financing Districts by Resolution No. 18-0704.

The Economic Development and Housing Committee was briefed regarding this item on November 5, 2018.

FISCAL INFORMATION

Closeout Balance Entity	Amount
Amount to transfer from State-Thomas TIF District Funds to Housing Trust Fund	$ 523,246.00
Dallas County:	$ 157,821.00
DISD:	$1,200,946.00
DCCCD:	$ 46,816.00
DCHD:	$ 179,853.00
Total	$2,108,682.00

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WHEREAS, on December 14, 1988, City Council authorized the establishment of Tax Increment Financing (TIF) Reinvestment Zone Number One (State-Thomas TIF District) by Ordinance No. 20160; and

WHEREAS, on December 13, 1989, City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the State-Thomas TIF District by Ordinance No. 20530, as amended; and

WHEREAS, on December 31, 2008, the State-Thomas TIF District terminated due to the term expiring; and

WHEREAS, the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, states in Section 311.014(d): "After all project costs, all tax increment bonds or notes issued for a reinvestment zone, and any other obligations incurred for the zone have been paid, and subject to any agreement with bondholders, any money remaining in the tax increment fund shall be paid to the municipality or county that created the zone and other taxing units levying taxes on property in the zone in proportion to the municipality's or county's and each other unit's respective share of the total amount of tax increments derived from taxable real property in the zone that were deposited in the fund during the fund's existence"; and

WHEREAS, on May 9, 2018, City Council adopted the Dallas Comprehensive Housing Policy (the "Policy") to create and maintain affordable housing throughout Dallas; promote greater fair housing choices; and overcome patterns of segregation and concentrations of poverty through incentives and requirements. The Policy calls for the establishment of a Dallas Housing Trust Fund ("DHTF") to support the production goals of the Policy. The Policy states that a portion of the DHTF should be sought from a one-time transfer of a minimum of $7 million in unencumbered fund balances from high-performing Tax Increment Financing Districts by Resolution No. 18-0704; and

WHEREAS, the Policy calls for the establishment of a Dallas Housing Trust Fund (the "DHTF") to support the production goals of the Policy; and

WHEREAS, the Policy states that a portion of the DHTF should be sought from a one-time transfer of a minimum of $7 million in unencumbered fund balances from high-performing TIFs.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to increase appropriations in an estimated amount of $1,003,651.00 in the State-Thomas TIF District Fund, Fund 0032, Department ECO, Unit P145, Various Object Codes.

SECTION 2. That the Chief Financial Officer is hereby authorized to transfer an estimated amount of $523,246.00 from State-Thomas TIF District Fund, Fund 0032, Department ECO, Unit P145, Object 3690, to the Dallas Housing Trust Fund, Fund 9P16, Department ECO, Unit 1870, Revenue Code 9201.

SECTION 3. That the City Manager is hereby authorized to increase appropriations in the estimated amount of $523,246.00 in the Dallas Housing Trust Fund, Fund 9P16, Department ECO, Unit 1870, Various Object Codes.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds from the Dallas Housing Trust Fund, Fund 9P16, Department ECO, Unit 1870, Various Object Codes in an estimated amount of $523,246.00.

SECTION 5. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of $157,821.00 to Dallas County from the State-Thomas TIF District Fund, Fund 0032, Department ECO, Unit P145, Object 3570, Vendor 014003.

SECTION 6. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of $1,200,946.00 to Dallas Independent School District (DISD) from the State-Thomas TIF District Fund, Fund 0032, Department ECO, Unit P145, Object 3570, Vendor VC0000004937.

SECTION 7. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of $46,816.00 to the Dallas County Community College District (DCCCD) from the State-Thomas TIF District Fund, Fund 0032, Department ECO, Unit P145, Object 3570, Vendor 256009.

SECTION 8. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of $179,853.00 to the Dallas County Hospital District (DCHD) from the State-Thomas TIF District Fund, Fund 0032, Department ECO, Unit P145, Object 3570, Vendor 900498.

SECTION 9. That the Chief Financial Officer is hereby authorized to close the State-Thomas TIF District Fund after all City transactions and TIF obligations, including administrative cost reimbursements to the City, have been processed.

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.

Agenda Information Sheet

File #: 18-1344 **Item #:** 42.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize an ordinance amending Tax Increment Financing Reinvestment Zone Number Nine (Vickery Meadow TIF District) Project and Reinvestment Zone Financing Plan to: **(1)** allow an estimated amount of $649,097.00 from the Vickery Meadow TIF District Fund to be used outside of the boundaries of the Zone for affordable housing; and **(2)** make corresponding modifications to the Vickery Meadow TIF District Project and Reinvestment Zone Financing Plan - Financing: No cost consideration to the City

BACKGROUND

On May 9, 2018, City Council adopted the Dallas Comprehensive Housing Policy (the “Policy”) to create and maintain affordable housing throughout Dallas; promote greater fair housing choices; and overcome patterns of segregation and concentrations of poverty through incentives and requirements. The Policy calls for the establishment of a Dallas Housing Trust Fund (“DHTF”) to support the production goals of the Policy. The Policy states that a portion of the DHTF should be sought from a one-time transfer of a minimum of $7 million in unencumbered fund balances from high -performing Tax Increment Financing Districts by Resolution No. 18-0704.

Staff has identified $7 million in available funds to seed the DHTF. The funds will not be released from the newly established account until DHTF program details are established.

On November 5, 2018, the Economic Development and Housing Committee was briefed regarding the following recommended sources of funds to seed the DHTF:

$4,575,000.00	1407 Main Street Loan Repayment
$ 523,246.00	State-Thomas TIF District Close-Out
$ 828,129.00	Cityplace TIF District Close-Out
$ 649,097.00	Vickery Meadow TIF District fee in lieu of affordable housing payment
$ 424,528.00	City Center TIF District Affordable Housing Set-Aside Funds

$7,000,000.00 Total

Note: the account balances for State-Thomas, Cityplace and Vickery Meadow TIF Districts are of October 10, 2018 and may accrue additional interest prior to transferring funds to the new DHTF account.

In 2007, $1,000,000.00 was deposited into the Vickery Meadow TIF District Fund by the developer of the Shops of Park Lane project to support affordable housing development in lieu of the developer constructing affordable housing units with the project. In 2013, $445,000.00 of the $1,000,000.00 was authorized by City Council to be used as the required matching funds for the City's HUD Sustainable Communities Challenge Grant to support planning and preconstruction efforts for the development of affordable housing in five transit-oriented neighborhoods throughout the City, including the Vickery Meadow neighborhood.

As of October 10, 2018, $649,097.00 of the $1,000,000.00 remains unencumbered in the Vickery Meadow TIF District Fund. While TIF funds may be spent outside of TIF District boundaries for affordable housing in accordance with Chapter 311 of the Texas Tax Code, this amendment to the Vickery Meadow TIF District Project and Financing Plan is needed to expressly state that Vickery Meadow TIF District Funds (and the unencumbered $649,097.00) are allowed to be used outside of the boundaries of the TIF District for affordable housing. A companion item on the agenda will authorize the transfer of an amount not to exceed $649,097.00 from the Vickery Meadow TIF District Fund to the DHTF.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 27, 2005, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Nine, the Vickery Meadow TIF District, by Resolution No. 05-1360; Ordinance No. 25964, as amended.

On December 14, 2005, City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Vickery Meadow TIF District by Resolution No. 05-3542; Ordinance No. 26181, as amended.

On May 9, 2018, City Council adopted the Dallas Comprehensive Housing Policy (the "Policy") to create and maintain affordable housing throughout Dallas; promote greater fair housing choices; and overcome patterns of segregation and concentrations of poverty through incentives and requirements by Resolution No. 18-0704.

On October 30, 2018, the Vickery Meadow TIF District Board of Directors approved forwarding to City Council an amendment to the Vickery Meadow TIF District Project Plan and Reinvestment Zone Financing Plan to allow an amount not to exceed $649,097.00 from the Vickery Meadow TIF District Fund to be used outside of the boundaries of the TIF District for affordable housing.

The Economic Development and Housing Committee was briefed regarding this item on November 5, 2018.

FISCAL INFORMATION

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No cost consideration to the City.

MAP

Attached

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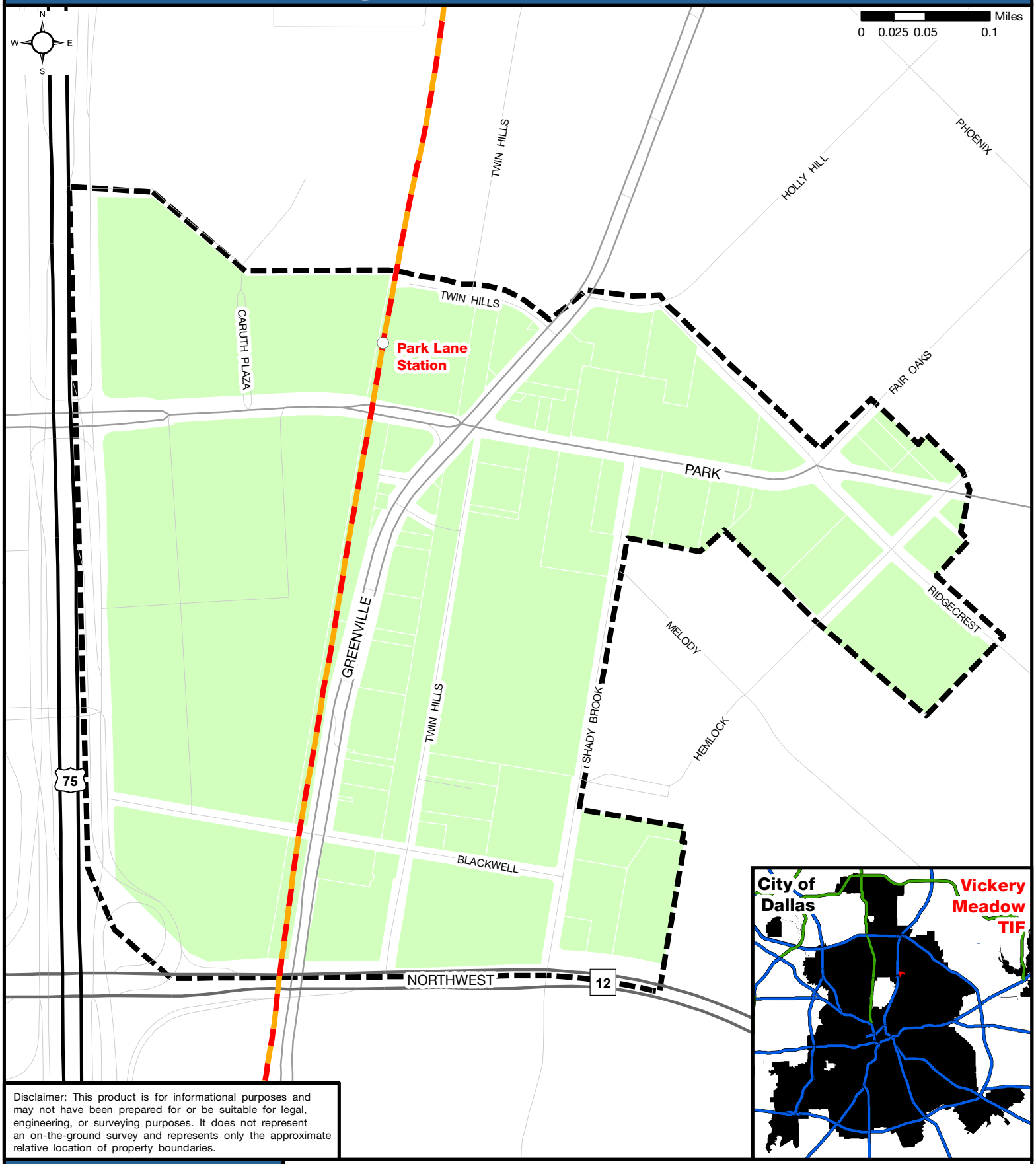
Vickery Meadow TIF District



Disclaimer: 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.

DALLAS
ECONOMIC DEVELOPMENT

Research & Information Division
214.670.1685
dallas-ecodev.org

Created 3.16.10, Updated 7.29.14 - TIF_VickeryMeadow_NewBnd.TCG

Legend

- Vickery Meadow TIF Parcel
- Vickery Meadow TIF Boundary
- Rail Station
- DART Red Line
- DART Orange Line
- Freeway or Tollway
- Highway
- Arterial
- Local Road

Source: Parcels - DCAD, 2014; All Other Data - City of Dallas, 2014

ORDINANCE NO. _____

AUTHORIZE AN ORDINANCE AMENDING TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER NINE (VICKERY MEADOW TIF DISTRICT) PROJECT AND REINVESTMENT ZONE FINANCING PLAN TO: (1) ALLOW AN ESTIMATED AMOUNT OF $649,097.00 FROM THE VICKERY MEADOW TIF DISTRICT FUND TO BE USED OUTSIDE OF THE BOUNDARIES OF THE ZONE FOR AFFORDABLE HOUSING, AND (2) MAKE CORRESPONDING MODIFICATIONS TO THE VICKERY MEADOW TIF DISTRICT PROJECT AND REINVESTMENT ZONE FINANCING PLAN; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND ORDAINING OTHER MATTERS RELATING THERETO.

WHEREAS, the City has established Tax Increment Financing Reinvestment Zone Number Nine, (Vickery Meadow TIF District or District) and established a Board of Directors for the District to promote development or redevelopment in the Vickery Meadow area pursuant to Ordinance No. 25964, authorized by the City Council on April 27, 2005, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, as amended; and

WHEREAS, on December 14, 2005, City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Vickery Meadow TIF District by Resolution No. 05-3542; Ordinance No. 26181, as amended; and

WHEREAS, on May 9, 2018, City Council adopted the Dallas Comprehensive Housing Policy (the "Policy") to create and maintain affordable housing throughout Dallas; promote greater fair housing choices; and overcome patterns of segregation and concentrations of poverty through incentives and requirements. The Policy calls for the establishment of a Dallas Housing Trust Fund ("DHTF") to support the production goals of the Policy. The Policy states that a portion of the DHTF should be sought from a one-time transfer of a minimum of $7 million in unencumbered fund balances from high-performing Tax Increment Financing Districts by Resolution No. 18-0704; and

WHEREAS, the Policy calls for the establishment of a Dallas Housing Trust Fund (the "DHTF") to support the production goals of the Policy; and

WHEREAS, the Policy states that a portion of the DHTF should be sought from a one-time transfer of a minimum of $7 million in unencumbered fund balances from high-performing Tax Increment Financing Districts; and

WHEREAS, this amendment to the Vickery Meadow TIF District Project and Reinvestment Zone Financing Plan allows an estimated amount of $649,097.00 from the Vickery Meadow TIF District Fund to be used outside of the boundaries of the Vickery Meadow TIF District for affordable housing; and

WHEREAS, on October 30, 2018, the Vickery Meadow TIF District Board of Directors approved forwarding to City Council an amendment to the Vickery Meadow TIF District Project and Reinvestment Zone Financing Plan to amount not to exceed $649,097 from the Vickery Meadow TIF District Fund to be used outside of the boundaries of the Vickery Meadow TIF District for affordable housing.

Now, Therefore,

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

SECTION 1. That Ordinance Nos. 25964 and 26181, originally approved April 27, 2005, and December 14, 2005, as amended, are hereby amended to: (1) allow an estimated amount of $649,097.00 from the Vickery Meadow TIF District Fund to be used outside of the boundaries of the Zone for affordable housing and (2) make corresponding modifications to the Vickery Meadow TIF District Project and Reinvestment Zone Financing Plan, attached as **Exhibits A.**

SECTION 2. That the facts and recitations contained in the preamble of this ordinance are hereby found and declared to be true and correct.

SECTION 3. That Ordinance Nos. 25964 and 26181, as amended, will remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. That if any section, paragraph, clause or provision of this ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or un-enforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this ordinance.

SECTION 5. 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

Passed: _____

EXHIBIT A

VICKERY MEADOW
TAX INCREMENT FINANCING DISTRICT

PROJECT PLAN
&
REINVESTMENT ZONE FINANCING PLAN

Approved December 14, 2005 (Ordinance No. 26181)
Amended September 10, 2014 (Ordinance No. 29468)
Amended December 12, 2018

Acknowledgements

The Vickery Meadow TIF District Project Plan and Reinvestment Zone Financing Plan was prepared by the City of Dallas, Office of Economic Development, based on a preliminary plan prepared by Stein Planning and Management. The Office of Economic Development wishes to acknowledge the efforts of everyone who contributed to the development of this plan, including the following organizations and individuals:

City of Dallas

A. C. Gonzalez	City Manager
Ryan Evans	Assistant City Manager
Karl Zavitkovsky	Director, Office of Economic Development
Hammond Perot	Asst. Director, Office of Economic Development
Karl Stundins	Area Redevelopment Manager, Office of Economic Development
Sue Hounsel	Office of Economic Development
Telemachus Evans	Office of Economic Development
Barbara Martinez	City Attorney's Office
Ian Fredrickson	City Attorney's Office
Del Crouser	Public Works and Transportation

Previous City of Dallas

Mary Suhm	City Manager
David Levitan	Office of Economic Development

Dallas City Council

Mayor Mike Rawlings
Mayor Pro Tem Tennell Atkins
Deputy Mayor Pro Tem Monica R. Alonzo
Scott Griggs
Adam Medrano
Vonciel Jones Hill
Dwaine R. Caraway
Rick Callahan
Carolyn R. Davis
Sheffie Kadane
Jerry R. Allen
Lee M. Kleinman
Sandy Greyson
Jennifer Staubach Gates
Philip T. Kingston

Previous Dallas City Council

Mayor Laura Miller
Mayor Pro Tem Donald W. Hill
Deputy Mayor Pro Tem Dr. Elba Garcia
Pauline Medrano
Ed Oakley
Dr. Maxine Thornton-Reese
Steve Salazar
Leo V. Chaney, Jr.
James L. Fantroy
Gary Griffith
Bill Blaydes
Linda Koop
Ron Natinsky
Mitchell Rasansky
Angela Hunt

Vickery Meadow TIF District Board of Directors

City of Dallas	Gay W. Donnell
	Michon Fulgham
	Raj Narayanan
	Douglas J. Lattner
Dallas County	Rick Loessberg

Previous Vickery Meadow TIF District Board of Directors

City of Dallas	Judy Jacks
	Frank Nuchereno
	Sharon Simmons
	Beverly Tobian
	Kevin Felder
Dallas Independent School District	Larry Oliver
	David Rastellini
	Orlando Alameda

Private Sector

Tod Ruble	Harvest Partners
Blaine Lee	Harvest Partners
Barry Knight	Winstead Sechrest & Minick
Mark Stein	Stein Planning

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Section 1:
Project Plan

Background

The Vickery Meadow Tax Increment Financing (TIF) District represents the outgrowth of the City of Dallas' effort to provide a model for redeveloping urban corridors to take full advantage of the expanding DART light rail system, to promote transit oriented development and to implement appropriate urban design standards.

The Vickery Meadow TIF District is located east of Central Expressway, along Park Lane. It contains two primary areas - the "Five-Points" area, located generally around the intersection of Park Lane, Ridgecrest Road, Fair Oaks Avenue and adjacent property and the "Park Lane" site, a large tract of land bounded by Central Expressway, Park Lane, Greenville Avenue and Blackwell Street. A map of the Vickery Meadow TIF District is included below (see Exhibit A). The District's original geographic area contained approximately 134 acres (excluding rights-of-way). On August 28, 2014, the District's geographic area was amended to include selected adjacent properties at 5905 E. Northwest Hwy, 5915 E. Northwest Hwy, 5929 E. Northwest Hwy and 6730 Shady Brook. The properties that comprise the boundary amendment have a total land area of approximately 5.70 acres. As a result, its total acreage is currently 139.7 acres. Boundaries that follow public streets and highways shall be construed to extend to the far sides of such rights-of-way. Boundaries that approximate property lines shall be construed as following such property lines.

The Vickery Meadow TIF District contains deteriorated structures; a predominance of inadequate sidewalks and streets; faulty lot layouts in relation to size, adequacy, accessibility, and usefulness; unsanitary or unsafe conditions; and deteriorated site improvements. These conditions substantially impair the sound growth of property within the area.

Photos of Park Lane and cross streets in the District show deteriorated public infrastructure and building stock (see Exhibit B). Much of the housing in the District was built in the 1970s. Streets and utilities are now over 40 years old and are inadequate for new development. By the late 1990s, several of the apartment buildings in the area exhibited signs of deterioration and neglect. Tenants who could afford better homes moved out and tenants with smaller budgets, many with larger families, moved in. Census information from 2000 indicates that over 75% of residents resided in the area for less than five years.

Each of the five census tracts lying partly within the proposed zone has a median household income of less than $40,000 (Source: North Central Texas Council of Governments), an amount well below the Dallas median family income of $66,500. The percentage of people at or below the poverty level in these census tracts is at least 20%.

Property owners in Vickery Meadow organized a Public Improvement District (PID) in 1993 to help revitalize the area. The PID has paid for enhanced security patrols, a child care center and other services.

DART has invested in Vickery Meadow with the Park Lane light rail station and transfer facility at Park Lane within the last five years. This station is currently carrying approximately 2,200 riders per weekday (Source: DART, LRT Weekday Ridership).

DART - Park Lane Light Rail Station

The Dallas Independent School District purchased and razed several apartment buildings and is building a neighborhood elementary school and middle school in the Five-Points area near the intersection of Park Lane, Fair Oaks and Ridgecrest.

These are significant investments for the neighborhood, but insufficient to change the real estate market in the area.

On April 27, 2005, the Dallas City Council created Tax Increment Financing Reinvestment Zone Number Nine, (the "Vickery Meadow TIF District"), to provide a source of funding for public infrastructure improvements anticipated to enhance the real estate market for the Vickery Meadow TIF District.

The economic catalyst for the Vickery Meadow TIF District will be the redevelopment of the "Park Lane" site. Bordered by Park Lane, Greenville Avenue, Blackwell Street and North Central Expressway, the site currently includes three underused office buildings (one completely vacant), a former theater and a large amount of surface parking. It has suffered from limited public improvements and requires re-configuration of the entire site, new infrastructure, including utilities, and a local street and pedestrian accessibility system. Harvest Partners, a Dallas-based developer, proposes to develop the site as a transit oriented, sustainable development with a mix of land uses, including approximately

750,000 square feet of retail space, an upscale full-service hotel, office space, the Dallas Art Institute and residential uses, all connected to the DART Park Lane light rail station.

In the summer of 2004, Harvest Partners determined that an urban specialty retail center (characterized by pedestrian-friendly streets, well landscaped sidewalks, stores on both sides, multiple levels and upscale restaurants) at "Park Lane" would produce significantly more in City taxes than would a conventional low density retail center of anchor stores, a retail strip and several restaurant pads. The City of Dallas, Office of Economic Development has estimated that the proposed "Park Lane" development would produce over $58 million (net present value) more in City taxes than the alternative of a low density center. Harvest Partners will require incentives of approximately $20 million from the Vickery Meadow TIF District for the proposed "Park Lane" development.

This specialty retail center is projected to generate, within twenty years, enough tax increment revenue to cover the project costs related to the "Park Lane" development and generate an additional $10 million of incremental revenue to fund the public improvements needed for the redevelopment of the Five-Points area. An additional public benefit of this project is the significant amount of sales tax revenue generated by retail sales from this project. The City and DART are each estimated to receive nearly $37 million (net present value) in incremental sales tax revenue from this development during the term of the TIF District.

The second major component of the Vickery Meadow TIF Project Plan and Reinvestment Zone Financing Plan (the "Project Plan") relates to the redevelopment of the Five-Points area. The Five-Points area includes portions of the TIF District outside of the "Park Lane" site. The City of Dallas Office of Economic Development and Public Works Department personnel drafted a preliminary plan to replace the confusing, unsightly and hazardous five-point intersection with one-way circulation around a newly created rectangular block (see Exhibit C). The street improvement plan creates a potential neighborhood center as a by-product with a traffic pattern similar to many Texas courthouse squares. It is undetermined whether the rectangle inside these roadways should be a park, a building, or a combination of both. Exhibit C represents a preliminary plan to address traffic issues in the area and may be modified as additional research and plan development is completed.

Five-Points Intersection – Existing Conditions

The projected duration of the Vickery Meadow TIF District is 22 years, beginning on January 1, 2006. It is scheduled to terminate December 31, 2027 (including collection of the 2027 increment in calendar year 2028 and any related matters to be concluded in 2028) or when the budget of $32.2 million (2006 dollars) has been collected, whichever occurs first. The City's participation is 0% in 2006 and 2007 and will increase to 80% in 2008 and thereafter. Based on current development projections, the TIF budget is expected to be reached in 2027, after twenty years of collections.

Exhibit A
Vickery Meadow TIF District Map

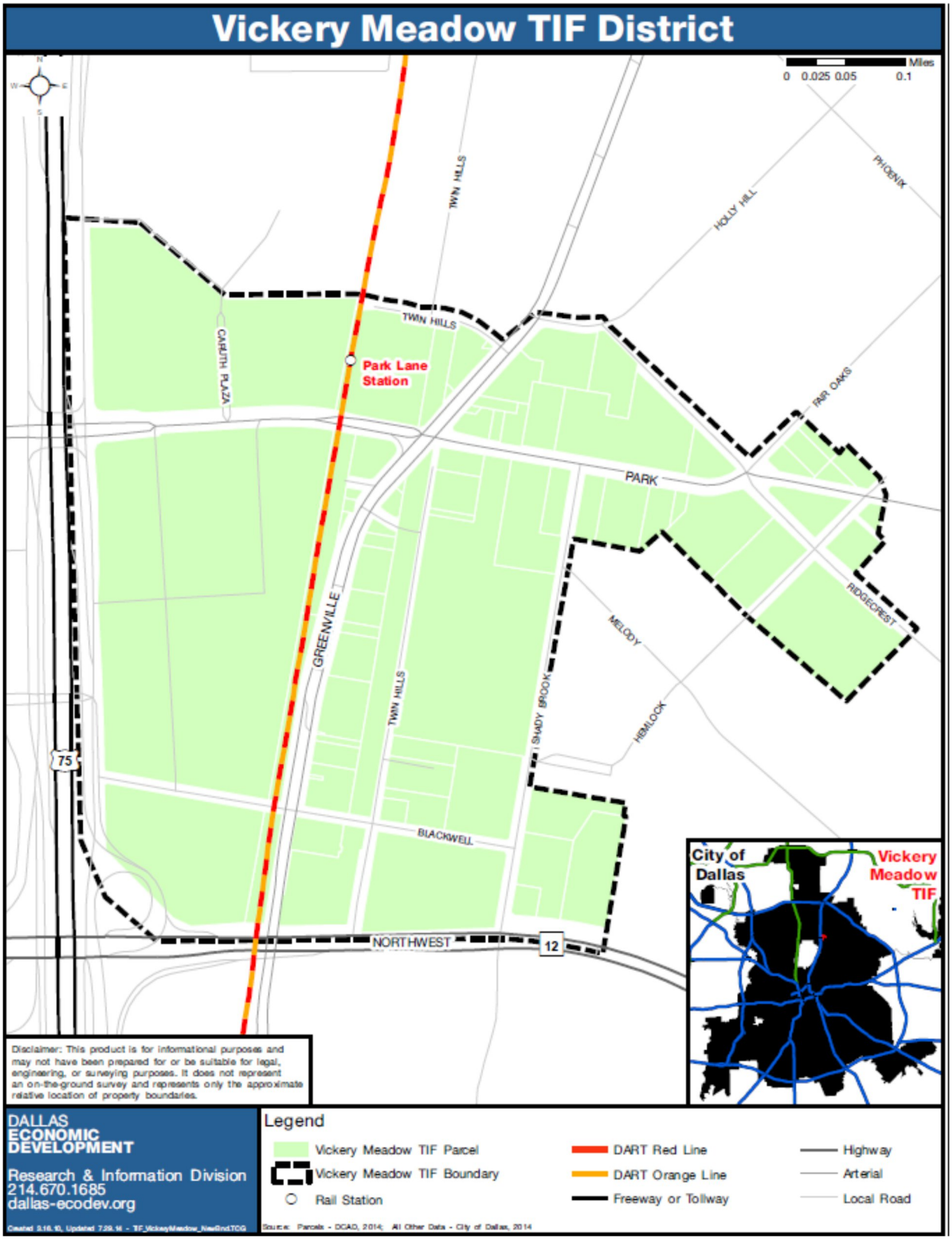


Exhibit B
Vickery Meadow TIF District Existing Conditions

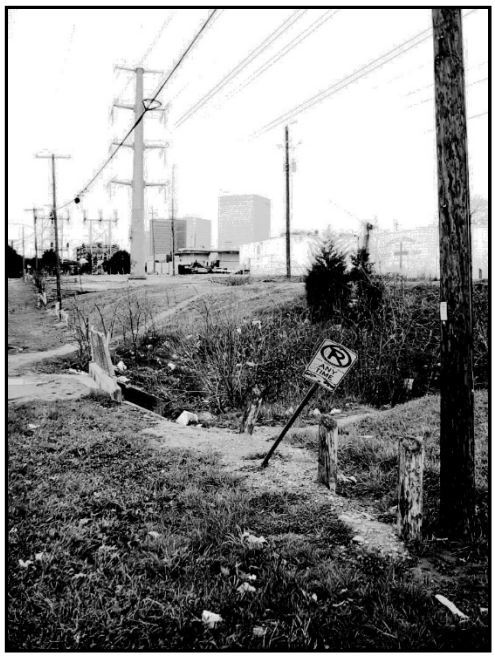
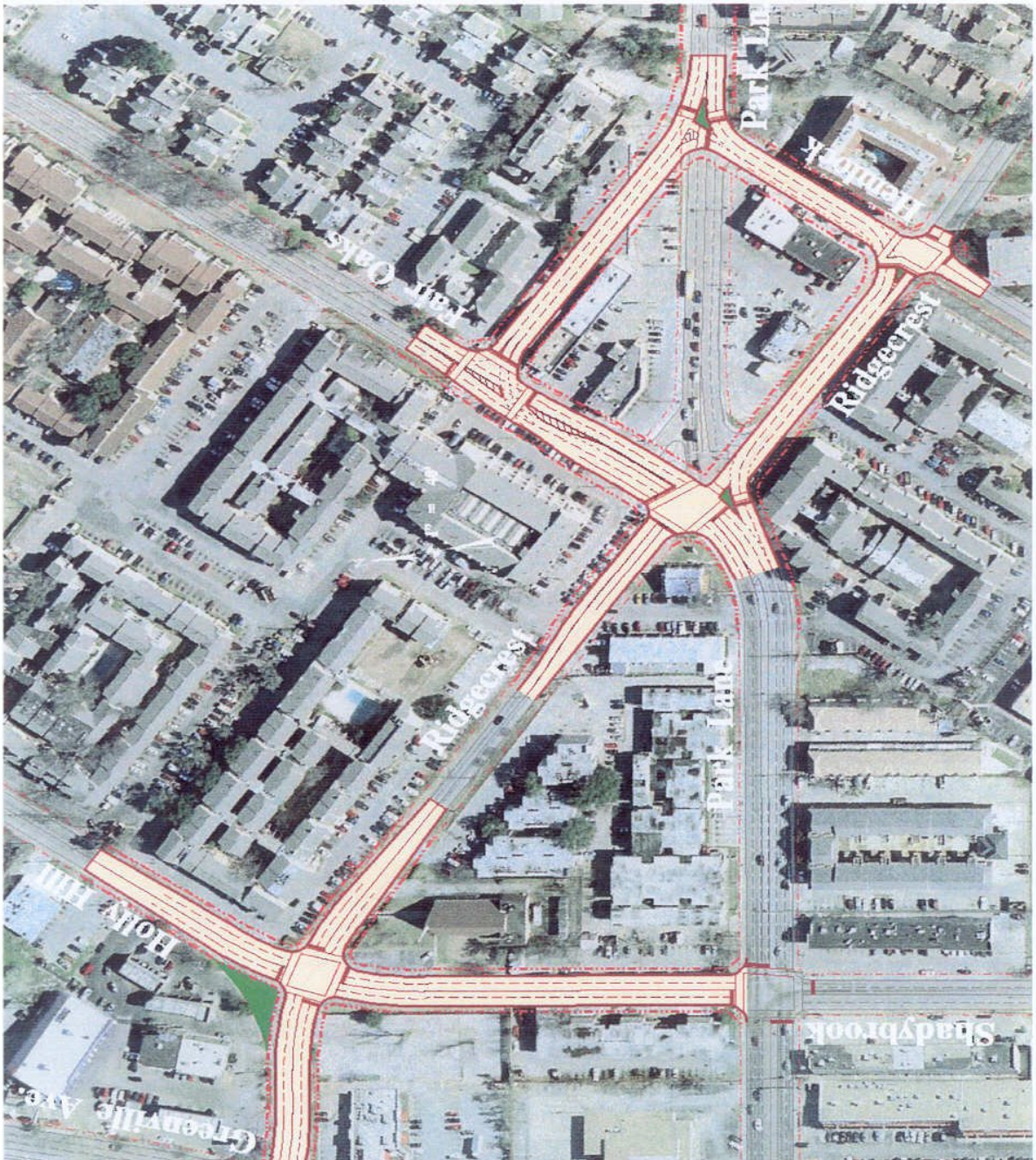


Exhibit C

Preliminary Traffic Improvement Plan for the Five-Points Area



Development Goals and Objectives

The following development goals will meet the specific needs of the Vickery Meadow TIF District:

- Goal 1 – Facilitate private development within the Vickery Meadow TIF District for the public purpose of developing and diversifying the economy of the District, eliminating unemployment or underemployment in the District, and developing or expanding transportation, business, and commercial activity in the District.

- Goal 2 – The Vickery Meadow TIF District shall focus predominantly on encouraging the redevelopment of the "Park Lane" site and improving pedestrian connections between the existing DART Park Lane light rail station to increase density and provide enhanced urban design for the District.

- Goal 3 – The Vickery Meadow TIF District should, as funds accrue and can be supplemented with non-TIF sources, focus on traffic improvements and redevelopment of properties in the Five-Points area.

- Goal 4 – Additional taxable value attributed to new private investment in projects in the Vickery Meadow TIF District shall total approximately $322 million. A map and list of anticipated development projects is attached (see Exhibits D-1 and D-2).

- Goal 5 – New private development in the Vickery Meadow TIF District shall add a total of approximately: 850,000 square feet of retail space, 200 hotel rooms, 900 residential units including both rental and owner occupied units, and 336,000 square feet of office space.

- Goal 6 – Ridership at the DART Park Lane light rail station shall increase from 2,200 riders per weekday to 3,500 riders per day by 2011, three years after the anticipated completion of the "Park Lane" development.

- Goal 7 – The Vickery Meadow TIF District will generate approximately $32.2 million in increment over 20 years.

The following specific objectives set the framework for the planned public improvements within the Vickery Meadow TIF District:

- Improve pedestrian lighting within the Vickery Meadow TIF District.

- Improve the pedestrian environment through landscaping, lighting and design standards for surface parking lots.

- Coordinate linkages with the DART Park Lane light rail station by extending streetscape improvements from the “Park Lane” development and Five-Points area. Encourage redevelopment of street-front retail within these linkage areas.

- Direct overall development of the Vickery Meadow TIF District through the application of design standards for public improvements and design guidelines for private development.

- Encourage redevelopment of school property and improve educational and training facilities within the district.

The Vickery Meadow TIF District Project Plan provides a long term program to replace and upgrade the infrastructure and encourage redevelopment of underutilized property in the Vickery Meadow TIF District. Tax increment financing will be used to pay for these improvements.

Certain costs of improvements, as further discussed herein, are eligible for funding with tax increment revenues under legislative actions taken in 2005. These improvements enumerated in the Project Plan provide for approximately $20 million in grants of TIF revenues, subject to final construction plans, for costs associated with redevelopment of the “Park Lane” project, including but not limited to environmental remediation and demolition of existing structures and facilities; park and open space improvements; DART related improvements; land acquisition; public infrastructure improvements - sidewalks, lighting, streets, landscaping and utilities; and design and engineering. The City will enact and implement controls sufficient to ensure that any grant funds provided will be used to fulfill the public purposes of developing and diversifying the economy of the Vickery Meadow TIF District, eliminating unemployment or underemployment in the District, and developing or expanding transportation, business and commercial activity in the District.

This program is intended to encourage private development and public infrastructure improvements thereby improving the economics of redeveloping the Vickery Meadow TIF District.

Exhibit D-1
Vickery Meadow TIF District – Map of Anticipated Projects

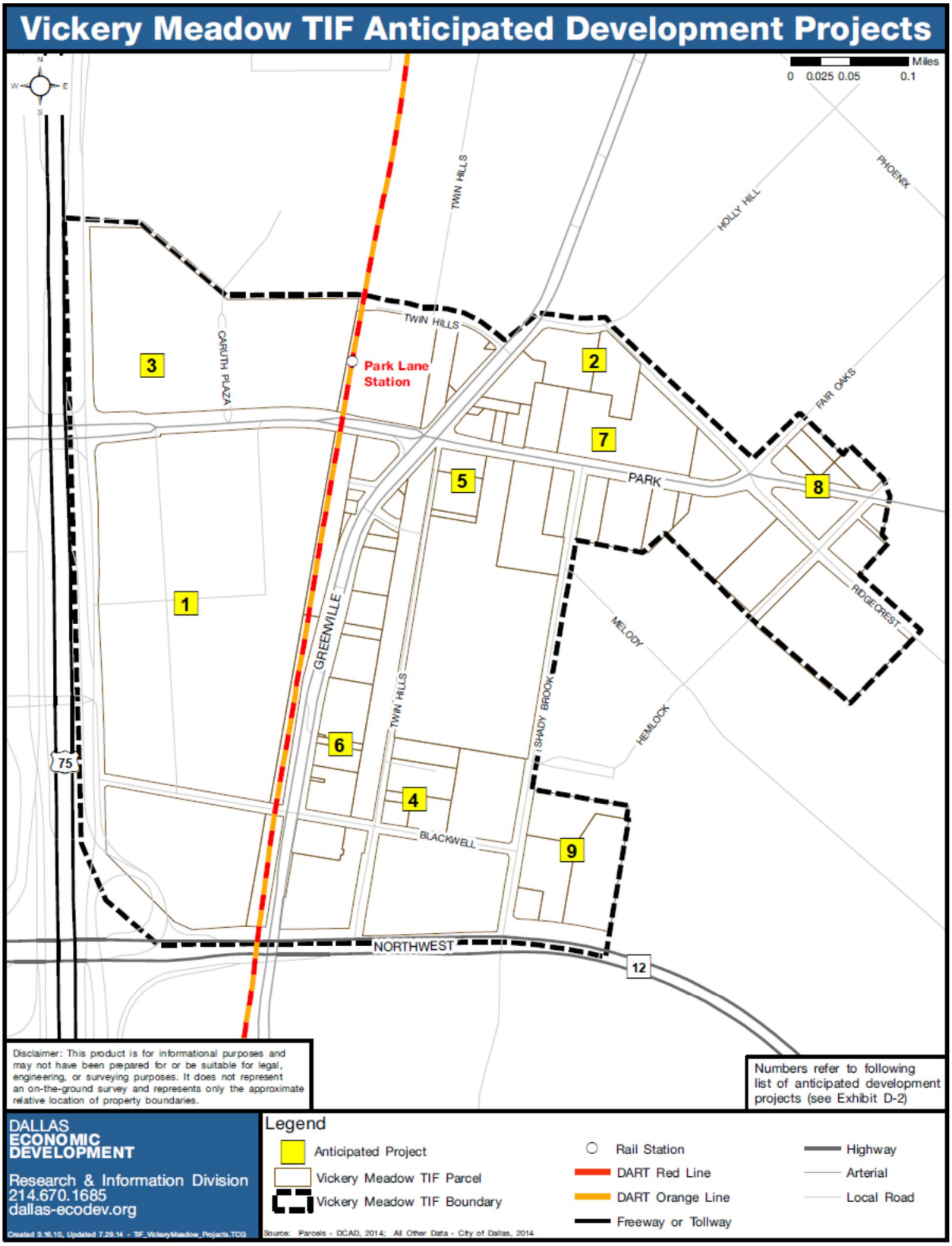


Exhibit D-2
Vickery Meadow TIF District – Anticipated Projects

Dev #	Project	Location	Proposed Use
1	"The Shops at Park Lane"	Central Expressway between Park Lane and Blackwell	Residential, retail, office and hotel
2	Holly Hill/Greenville	SE corner of Greenville @ Holly Hill	Residential
3	Caruth Plaza site addition	NE corner of Central Expressway @ Park Lane	Retail
4	Black Forest Area	NE corner of Twin Hills @ Blackwell	Residential
5	Sam's/Eckerd's site addition	SE corner of Twin Hills @ Park Lane	Retail
6	Greenville frontage	Greenville near Twin Hills	Retail
7	Library Mixed-use Project (former site of the Acacia Apartments)	NW corner of Park Lane @ Ridgecrest	Library, residential and retail
8	Former Five Points	Park Lane / Fair Oaks / Ridgecrest	Residential
9	Half Price Books' mixed-use project	NE corner of Northwest Highway and Shady Brook	Retail and restaurant

Note: The anticipated development projects listed above are subject to market conditions and may change over time. The locations of the above projects are shown in Exhibit D-1.

Description of Vickery Meadow TIF District

The boundaries of the Vickery Meadow TIF District are generally located along North Central Expressway, Northwest Highway, Shadybrook Lane, Ridgecrest Road, and Twin Hill Connection. The "Five Points" intersection of Park Lane, Ridgecrest Road, Fair Oaks Avenue and surrounding area is also included.

Boundaries that follow public streets and highways shall be construed to extend to the far sides of such rights-of-way. Boundaries that approximate property lines shall be construed as following such property lines.

Appendix B identifies all real property accounts within the Vickery Meadow TIF zone boundary, according to 2005 Dallas Central Appraisal District records. The base value of the zone will be the total appraised value of all taxable real property in the zone as determined by the Dallas Central Appraisal District in the certified roll for 2005.

The total assessed real property tax value of all taxable real property within the Vickery Meadow TIF District for tax year 2005, according to the Dallas Central Appraisal District, was $161,270,320.

Existing Uses

The Vickery Meadow TIF District is a mixed-use area, primarily composed of underutilized commercial and multi-family residential properties. Exhibit E shows the existing land use for the area within the Vickery Meadow TIF District (for specific parcels included in the TIF District refer to Exhibit A, the TIF Boundary Map).

Zoning

Exhibit F shows existing zoning and the Planned Development Districts in the Vickery Meadow TIF District. No immediate zoning changes are contemplated. However, in order to accomplish redevelopment goals along Park Lane and the Five-Points area, zoning changes may be needed in the future.

Exhibit E
Vickery Meadow TIF District – Existing Land Uses

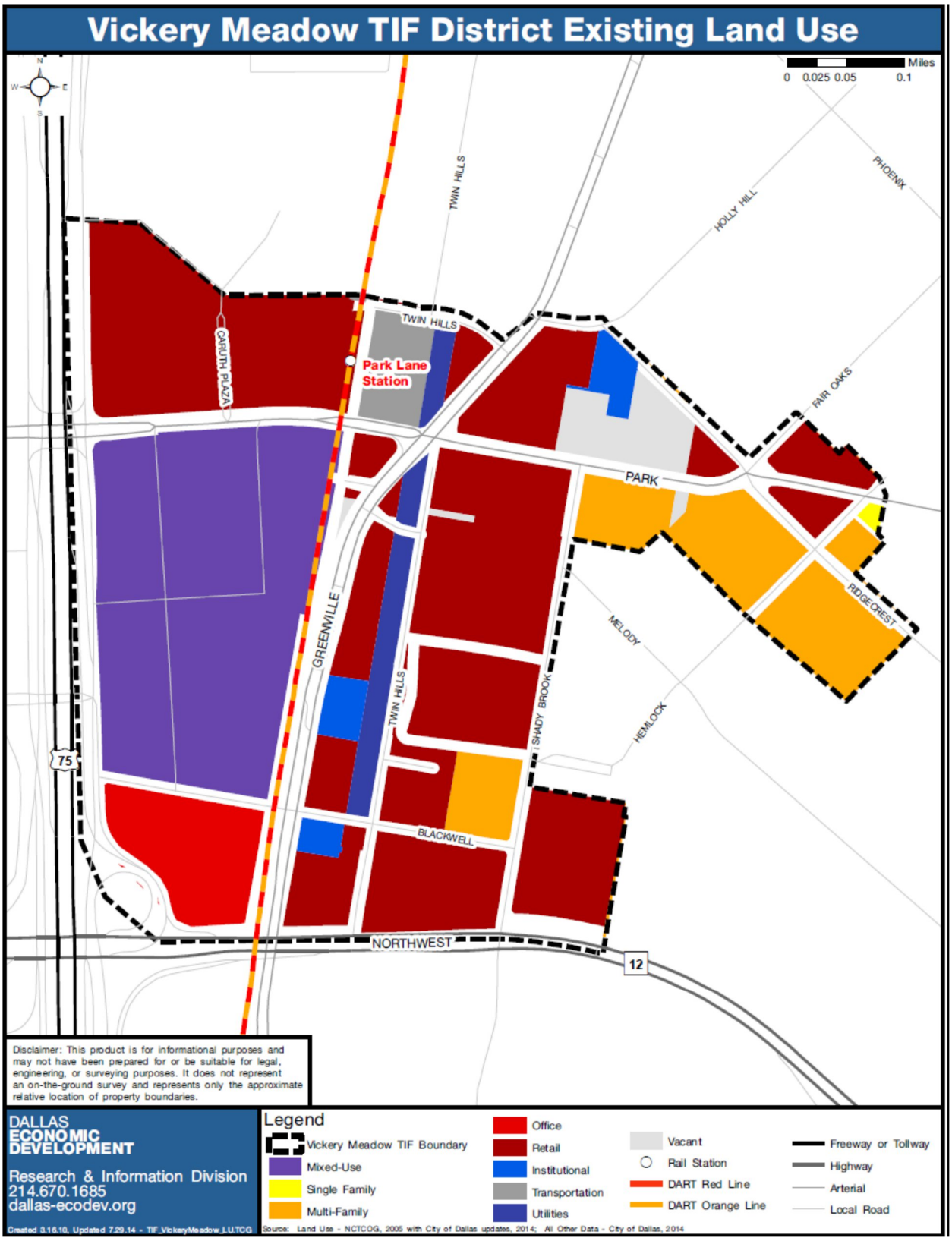
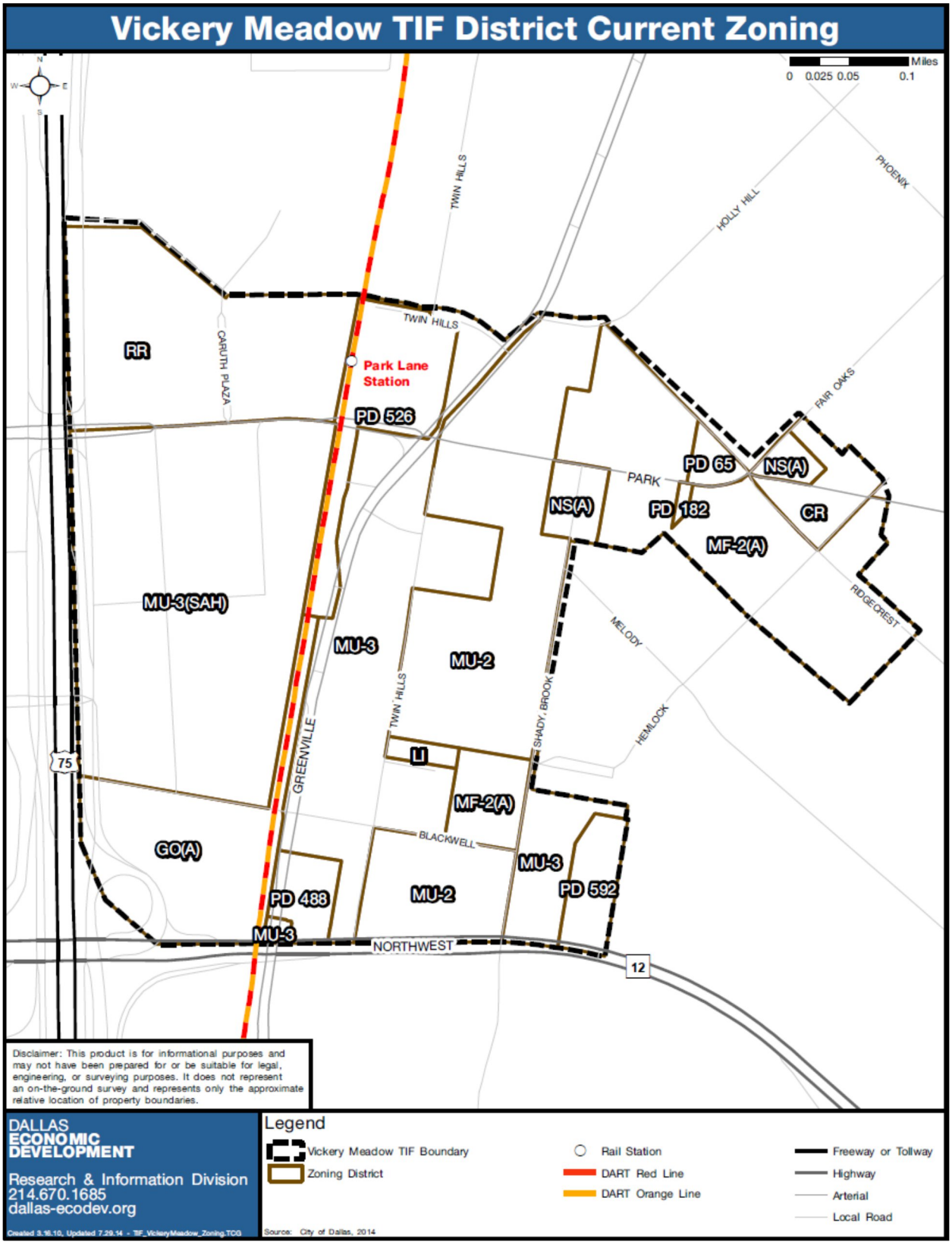


Exhibit F
Vickery Meadow TIF District – Existing Zoning



Vickery Meadow Area Zoning

Exhibit E shows existing zoning and the Planned Development Districts in the Vickery Meadow TIF District.

Market Feasibility

The predominant land use in the planned 22-year Vickery Meadow TIF District development program is for mixed-use development. The proposed "Park Lane" development will occur within three years of the initiation of the TIF District. This development will include approximately 750,000 square feet of retail space, a 200 room full service hotel, 447 apartment units, 50 for-sale residential units, and 336,000 square feet of office space in a pedestrian, transit oriented core. Market analysis shows demand for the retail component of the project. It is anticipated that the retail component of the project will draw people within a 25-minute drive or train ride of the project.

During the last decade the development and initial success of the DART light rail system has not fully been taken advantage of by the development community. Obstacles that are detrimental to project financing for high density projects include higher land costs, need for structured parking and additional infrastructure costs relating to taller, more costly buildings and enhanced pedestrian amenities. Especially in markets like the Vickery Meadow TIF District, where a suburban type retail strip center without a mixed-use component could be built at a much lower cost, it has been difficult to attract denser, transit oriented development.

While the appeal of creating a one-of-a-kind, transit oriented development has been a key feature in the investigation of the financial feasibility of this project, it is unlikely that this scale of development would occur without public assistance.

The second phase of the Project Plan involves the redevelopment of the Five-Points area which includes property outside the "Park Lane" site and is generally identified by the intersection of Park Lane, Ridgecrest Street and Fair Oaks Drive. This area currently contains a large amount of underutilized commercial structures, deteriorated multi-family complexes and some new public school buildings. The Five-Points area has faulty lot layout in relation to size, adequacy, accessibility, and usefulness. The traffic pattern is confusing and detrimental to the redevelopment process. It is anticipated that as additional TIF increment is generated from the Phase I "Park Lane" development, an investment can be made to improve traffic circulation and expand development opportunities in the Five-Points area. The proposed traffic configuration will allow the development of a town square.

The Vickery Meadow TIF District includes property to the south and west of the Five-Points area that is also anticipated to be redeveloped in the second phase of the TIF redevelopment process.

Based on an analysis of this proposed development, the "Park Lane" development and the Five-Points area redevelopment are found to be feasible and unlikely to occur without the creation and implementation of this TIF District to fund needed infrastructure in the Vickery Meadow TIF District.

TIF District Policy Considerations

The Vickery Meadow TIF District's assessed real property tax value in 2005 was $161,270,320. By 2027, the District's assessed real property tax value is forecasted to increase to approximately $637 million. Since the TIF receives revenue only from the taxable value which exceeds the base year, "captured" taxable value accruing to the Vickery Meadow TIF District is approximately $476 million. Of the $476 million in captured taxable value, approximately $322 million is attributed to new private investment and $154 million is attributed to property appreciation. The cumulative incremental property tax revenue potential of the planned development will be approximately $32.2 million (net present value) for public improvement projects.

No persons are expected to be displaced by redevelopment of the Park Lane site. Future development projects in the Five-Points area of the Vickery Meadow TIF District may include demolition of existing residential property. There is an abundance of available housing in the area and the current vacancy rate of rental property is 30%. It is understood that some displacement may occur by redevelopment activity within the TIF District and the City will only provide TIF assistance for projects where the incidence and impact of any displacement has been minimized.

The affordable housing requirement for the "Park Lane" project will be satisfied by the allocation of $1 million in TIF assistance for affordable housing. Some portion of this assistance may be used inside or outside of zone for the City of Dallas Housing Trust Fund to support implementation of the City's Comprehensive Housing Policy and will be provided by the developer of the Park Lane project by July 1, 2008. All other TIF-assisted residential projects will have to meet the requirement that at least 20% of the housing produced be affordable to households earning no more than 80% of the Dallas area median income (based on an annual schedule, Appendix A shows the 2005 figures).

Other requirements to qualify for TIF funds shall be compliance with Fair Share Guidelines for private construction and promotion of hiring for neighborhood residents for permanent jobs created. This latter requirement means TIF applicants will agree to sponsor job fairs or other programs to attract residents to jobs. The process for Fair Share Compliance and City oversight will be set in the development agreement for each individual project.

Design guidelines for new development and redevelopment in the Vickery Meadow TIF District shall be developed and adopted by the Vickery Meadow TIF Board of Directors

within two years of the creation of the District. Once the guidelines are adopted, any future development project requesting TIF funds will be required to comply with these design guidelines. The “Park Lane” project provides a high quality design standard and the design guidelines will be developed to be compatible with this project. City staff and the Vickery Meadow community have given input on the design of the “Park Lane” project and discussions are ongoing as the details of the project are finalized. City staff will review this project for compatibility with the conceptual plans contained in the Project Plan to ensure that the development sets a standard for future transit oriented development in the City of Dallas.

Section 2
Project Plan Improvements

This Project Plan provides for approximately $32.2 million in TIF-eligible public improvements as further described below. See Exhibits G and K for a detailed map and budget of TIF-funded Project Plan Improvements ("Project Costs"):

I. "Park Lane" Project – In order to create a transit oriented mixed-use center, approximately $20 million is included in the Vickery Meadow TIF District budget for incentives supporting the proposed "Park Lane" development, located in the area bounded by Central Expressway, Park Lane, Greenville Avenue and Blackwell Street. This project includes the redevelopment of some existing office buildings, a former movie theater and a large amount of surface parking lots. The redevelopment project will be integrally tied to the DART Park Lane light rail station through an extension of the rail platform and improved pedestrian connections. To implement the Vickery Meadow Project Plan, the Vickery Meadow TIF Board of Directors may consider establishing a program for making Grants (defined herein) to the developer for the "Park Lane" project. The amount of such a Grant will be based on the costs of: environmental remediation and demolition of existing structures and facilities; park and open space improvements; land acquisition; public infrastructure improvements - sidewalks, lighting, streets, landscaping and utilities; and design and engineering.

II. Five-Points Area Project(s) – In order to improve traffic circulation and create an opportunity for the redevelopment of the Five-Points area, located outside of the "Park Lane" site and generally near the intersection of Park Lane, Ridgecrest Drive and Fair Oaks Street, an amount of $10 million is included in the Vickery Meadow TIF District budget to fund Project Costs related to the design and reconfiguration of this intersection and associated projects needed for the redevelopment of the area. This development will be associated with the replacement or redevelopment of some existing apartment complexes, deteriorated retail properties and small office uses in the area. Project costs to be considered as part of this line item include: public infrastructure improvements - streets, sidewalks, lighting, right-of-way acquisition, DART related improvements; landscaping and utilities; environmental remediation and demolition of existing structures and facilities; and design and engineering.

The following describes in greater detail eligible TIF Project Costs for both the "Park Lane" Project and the Five-Points Area Project(s)**:**

A. Environmental Remediation, Interior/Exterior Demolition. The Vickery Meadow has some buildings that have been financially unfeasible to redevelop because of the cost of environmental remediation of asbestos, lead-based paint and other contaminants and interior and exterior demolition costs. Interior and external demolition expenses are tied directly to the remediation expenses, especially where the location of these buildings is not conducive to the development of a transit oriented mixed-use center. These costs are TIF eligible expenditures. Remediation of environmentally hazardous materials and

associated improvements, using TIF funds, greatly improves the marketability of these buildings or can enable redevelopment of a structurally obsolete building. This budget category is necessary for furthering the Vickery Meadow redevelopment effort.

State law has been amended to permit the Vickery Meadow TIF District to consider making direct grants to accomplish these purposes.

B. Street and utility improvements. This category includes TIF eligible expenditures for design and engineering, street paving and related items, infrastructure upgrades/relocation (water, wastewater, storm sewer), and burial or relocation of overhead utilities.

C. Streetscape Improvements. The category includes lighting, sidewalk and infrastructure improvements, expanding and enhancing pedestrian and vehicle continuity in the corridor and other streetscape improvements related to specific projects.

D. Land Acquisition. The City may consider acquiring property, using eminent domain 77as necessary and to the extent permitted by law, to implement the TIF Plan. Potential land acquisitions may include:

1) Right-of-way or public access easements needed for improved traffic circulation or pedestrian safety and accessibility in a transit oriented mixed-use development
2) Park or pedestrian connection development

E. Park and plaza design and acquisition**.** Public open space is an important amenity in the Vickery Meadow TIF District. Funding would be provided for design, improvements and land acquisition as necessary for implementation.

F. DART related improvements. Funding for the improvements to DART facilities needed to foster a better connection between the transit facilities and the development is an important component of the Vickery Meadow TIF District Plan.

III. Administration and Implementation. Administrative costs, including reasonable charges for the time spent by employees of the municipality and/or employees associated with any non-profit groups established to assist with implementation within the TIF District will be eligible for reimbursement as project costs, upon approval by the TIF Board of Directors and in connection with the implementation of the Vickery Meadow TIF Project Plan. Other related administrative expenses including legal fees and consulting fees of the City, management expenses, meeting expenditures and equipment are included in this category.

Grants

State law has been amended to permit the Vickery Meadow TIF District to consider making direct grants to accomplish any of these purposes. The Vickery Meadow TIF District Board of Directors may provide for a program to make economic development Loans or Grants from TIF funds in an aggregate amount not to exceed the amount of tax

increment produced by the municipality and paid into the tax increment fund for the District as necessary or convenient to implement this Plan. Projects receiving such Loans or Grants must be consistent with the goals and objectives of the Vickery Meadow TIF District Project Plan and Reinvestment Zone Financing Plan and would be subject to specific project agreements and City Council approval of the Loan or Grant program and the project agreements.

Exhibit G
Vickery Meadow TIF District Public Improvement Plan

Planned Private Development

- Approximately 900 residential units, including apartments and for sale units
- Approximately 850,000 square feet of additional retail development
- Approximately 330,000 square feet of office development
- Development of a 200 room, upscale full-service hotel
- Investment of approximately $45 million in parking structures associated with the "Park Lane" development, privately financed by the developer
- Development of site adjacent to Park Lane DART light rail station

The "Park Lane" development will include approximately 750,000 square feet of retail space, a 200 room full-service hotel, 447 apartment units, 50 for-sale residential units, 336,000 square feet of office space and a $45 million investment in parking structures, all in a pedestrian and transit oriented core. See Exhibit H for conceptual renderings of the "Park Lane" development.

Exhibits I-1 and I-2 show the conceptual site layout and proposed easement plan of the "Park Lane" project, including areas of public access for pedestrians and vehicles. Anticipated TIF public improvements would include enhanced streetscape, plazas and other public amenities. Exhibit J shows the conceptual public plaza design and improved pedestrian connections to the DART Park Lane light rail station.

A concept for the realignment of the Five-Points intersection and newly created rectangular block is shown in Exhibit C. The street improvement plan creates a potential neighborhood center as a by-product with a traffic pattern similar to many Texas courthouse squares. It's undetermined whether the rectangle inside these roadways should be a park, a building, or a combination of both. It is anticipated that these infrastructure improvements will spur additional private investment in the Five Points area.

Exhibit H
"Park Lane" Conceptual Renderings

Exhibit I-1
"Park Lane" Conceptual Site Layout

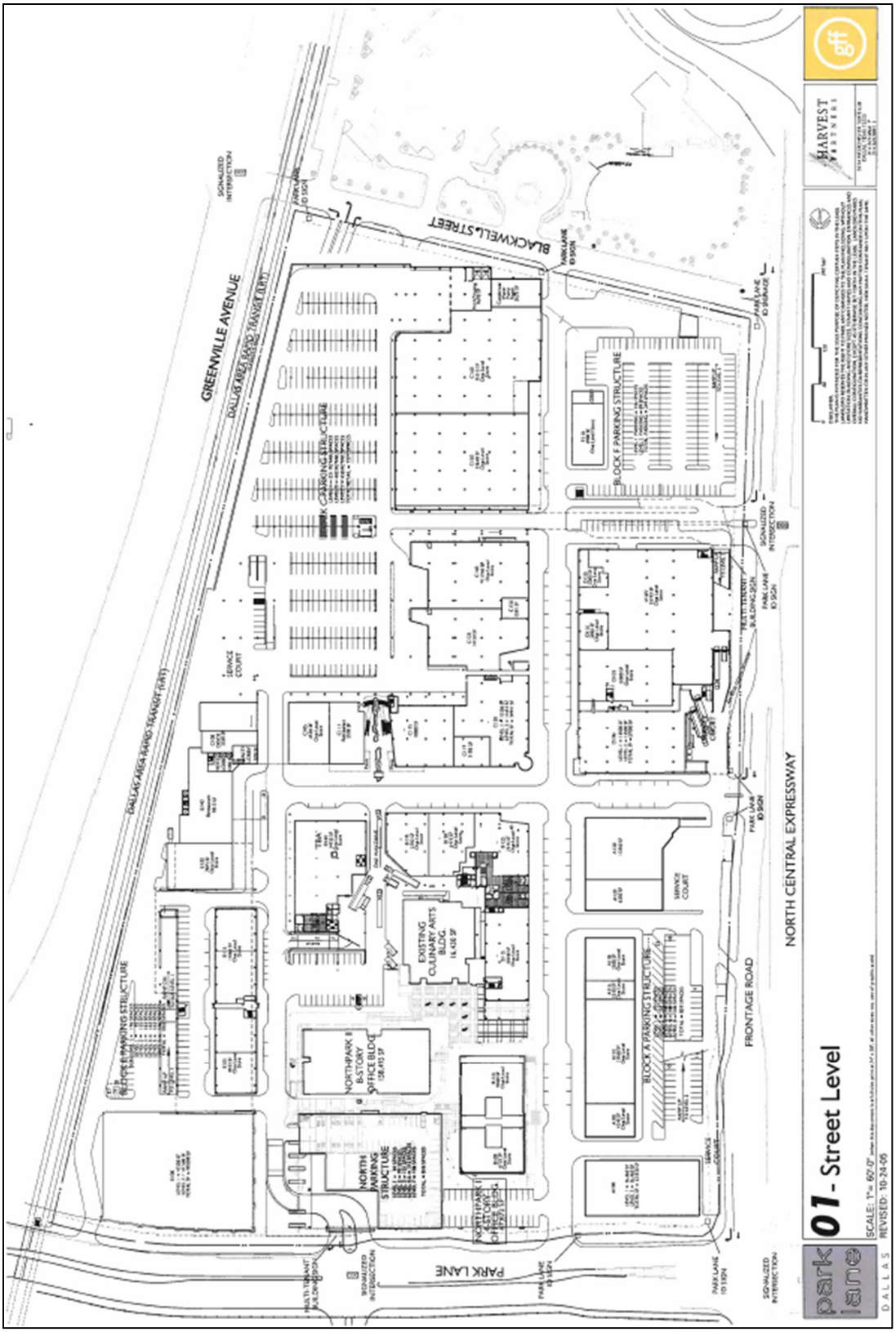


Exhibit I-2
"Park Lane" Proposed Easement Plan

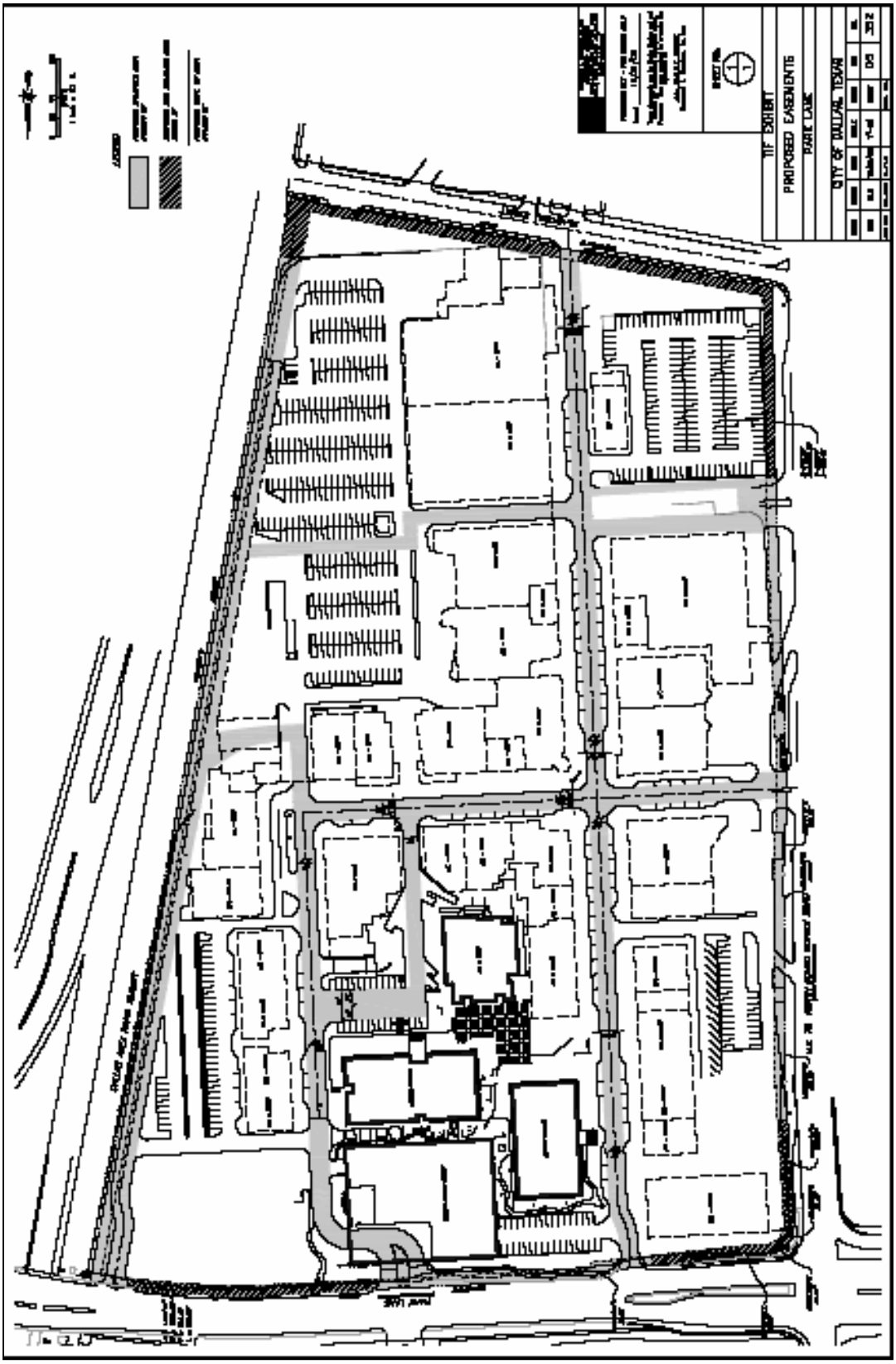
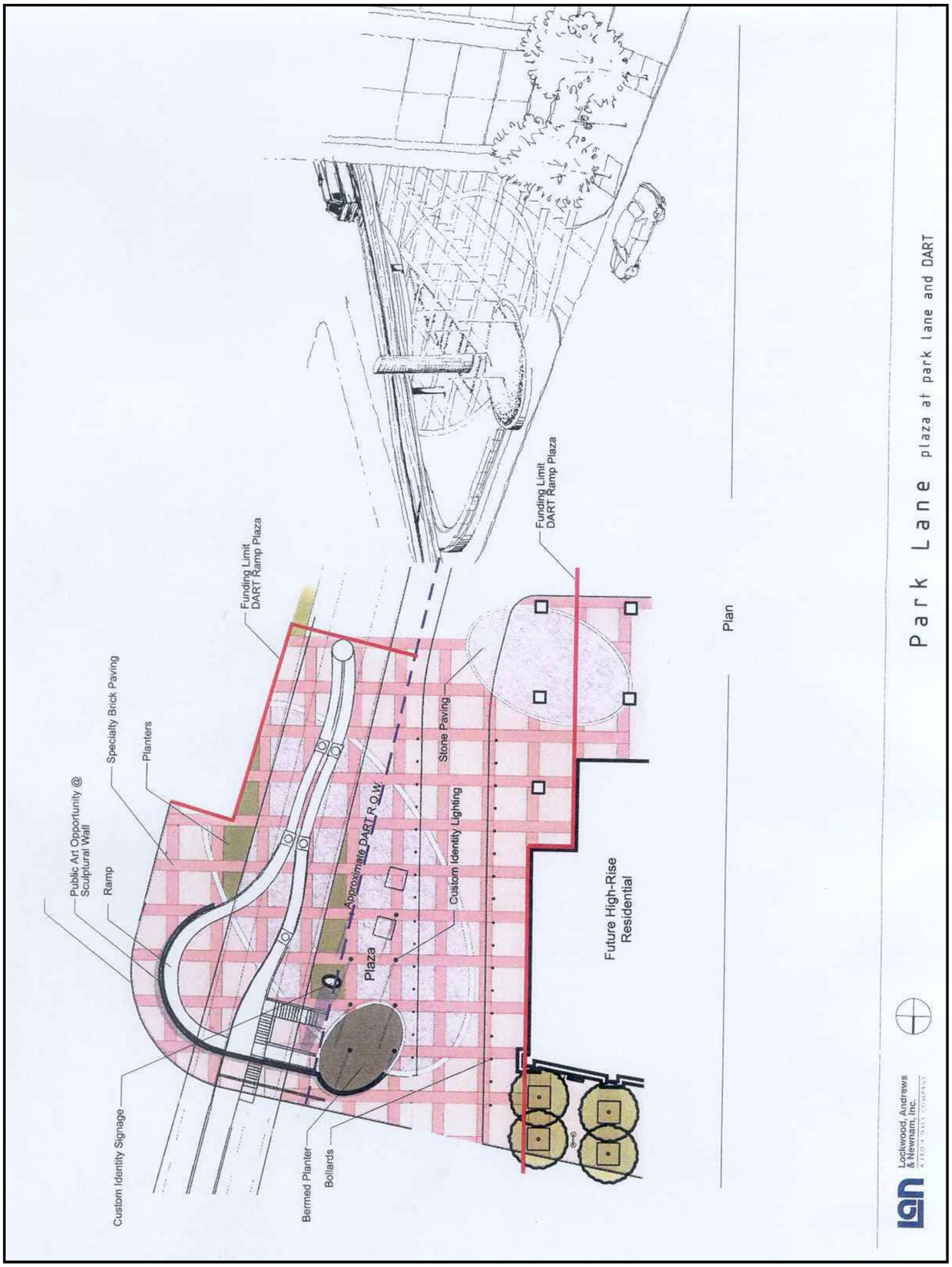


Exhibit J
"Park Lane" Conceptual DART Connection



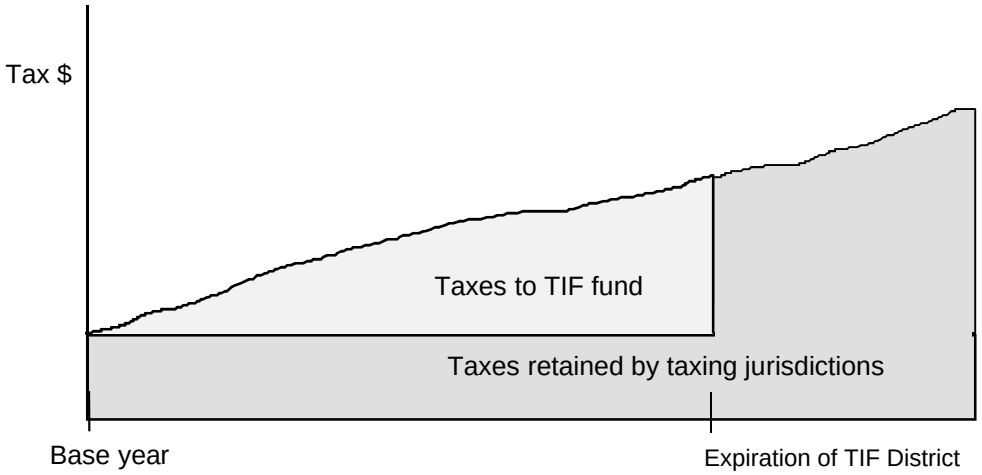
Section 3:
Financing Plan

Tax increment financing ("TIF") is a tool local governments of Texas have used since 1986 to finance public improvements within defined areas that have unique challenges and opportunities for economic development. The improvements strengthen existing communities and attract investment. The Tax Increment Financing Act is in Chapter 311 of the Texas Tax Code (the "Act").

The governing body of a municipality may designate an area a reinvestment zone if the City Council finds that development or redevelopment would not occur solely through private investment in the reasonably foreseeable future. The additional tax dollars generated by growth of real property value flow to a "tax increment financing fund" ("TIF fund") for a specified term of years. Money flowing to the TIF fund each year is disbursed according to the Project Plan approved by the TIF board and the City Council, as prescribed by the Act and the ordinance designating the reinvestment zone. The TIF fund may be used to make grants in furtherance of the development for the District and for public improvements within the reinvestment zone. TIF funds may also to be used for public improvements at places of public assembly, such as a park, or for affordable housing, even though outside the zone. TIF funds for the Vickery Meadow TIF District may be used inside or outside of zone for the Dallas Housing Trust Fund to support the implementation of the City's Comprehensive Housing Policy adopted on May 9, 2018 by Resolution 18-0704.

The illustration below shows how tax from real properties in a TIF zone flows to a taxing jurisdiction and to a TIF fund. This assumes real property values in the TIF zone rise soon after the zone's designation.

Real Property Tax Flow with Tax Increment Financing



Inclusion of property in a TIF zone does not change any tax rate for the property. Tax rates in a TIF zone are the same as tax rates outside the zone and within the same set of taxing jurisdictions.

Once the public improvements are completed and paid for, the TIF is dissolved and the full amount of the taxes collected in area are kept by the taxing jurisdictions. In effect, the taxing jurisdictions are "investing" future earnings to receive the benefit of higher tax revenues from new development. Also, taxing jurisdictions are not restricted from raising their tax rates during the life of the zone.

Financing Plan

The Reinvestment Zone Financing Plan provides for incremental financing, and predicts revenues for the Vickery Meadow TIF District.

Exhibit K
TIF Project Plan Improvements

Project costs are public improvements or grants paid or reimbursed by TIF.
Project costs may be changed in subsequent project and financing plans.
This schedule excludes interest, which is also a project cost.

(a) Category	(b) Estimated TIF Expenditure * (in 2006 Dollars)
"Park Lane" Project:	$20,000,000
Environmental remediation	
Interior/exterior demolition	
Street & utility improvements & relocation	
Streetscape improvements	
Land acquisition	
Enhanced pedestrian area design & acquisition	
Engineering and design	
Non-project costs	
Five-Points Area Improvements:	$10,000,000
Environmental remediation	
Interior/exterior demolition	
Street & utility improvements	
Streetscape improvements	
Land acquisition	
Park & plaza design & acquisition	
DART related improvements	
Engineering and design	
Non-project costs	
Administration and implementation	$2,195,100
Total Project Costs, excluding interest	$32,195,100

** All values discounted to 2006 dollars at 4% annually.*

The project principal costs in Exhibit K are expressed as if paid in 2006. Cash for most of these expenditures won't be drawn, however, until later.

Financing Method. The City's current policy for financing TIF projects is for private groups to advance funds for public improvements in the reinvestment zone or to have funds paid directly from the Vickery Meadow TIF District Fund as funds become available. The City has financed the vast majority of its prior TIF District projects on a pay-as-you-go basis. Advances may be repaid by the future cash flows to the Vickery Meadow TIF District fund. Taxing jurisdictions do not guarantee these reimbursements with any other source.

The City may negotiate with financial institutions to secure bonds or other obligations, or lines of credit, to aid in the funding of projects within the TIF zone, using any financial instrument, subject to City Council approval of the note or credit line or issue bonds or other obligations for eligible TIF expenditures.

The City may establish and provide for the administration of one or more programs for the public purposes of developing and diversifying the economy of the District, eliminating unemployment and underemployment in the District, and developing or expanding transportation, business, and commercial activity in the District, including programs to make grants and loans from the tax increment fund of the District in an aggregate amount not to exceed the amount of the tax increment produced by the municipality and paid into the tax increment fund for the District.

Financing Policy and Long Term Financing. The goal of the Vickery Meadow TIF District is to leverage increment accrued to maximize development in the District.

Expected Revenues. Exhibit L is a list of developments anticipated in the Vickery Meadow TIF District through 2027. Some of the identified developments may not occur, while other development projects likely may replace them. This schedule represents the best estimate of anticipated development in the area. Actual timing, floor area, uses and other attributes of the identified developments may differ from the schedule.

Unit values supporting appraisal estimates in Exhibit L are based on observations of values assigned to comparable developments by the Dallas Central Appraisal District (DCAD). Actual construction costs or trading prices may differ. Because tax increments are measured by DCAD values, these are the relevant measures of value for a TIF financing plan. To show the reasonableness of appraisal estimates in this plan, Exhibit M presents 2004 appraisals by DCAD of several properties in the TIF zone and nearby that are believed similar to the forecast development.

The sites anticipated for redevelopment with the Vickery Meadow TIF District may constitute most of the redevelopment in the District through 2027, although some unnamed sites will inevitably substitute for listed sites. Further redevelopment after 2027 is likely, but not forecast in this analysis for two reasons: (1) Tax increments are estimated to flow to the TIF zone for only twenty years; (2) Forecasts further into the future become marginally reliable.

Based on the development projects identified in Exhibit L and other stated assumptions, Exhibit N estimates annual City and County real property taxes from the TIF zone and annual percentages and amounts of the real property tax growth increment reinvested each year in the Vickery Meadow TIF District fund. Cumulative increased property value is expected to reach approximately $637 million during the 22-year term of the TIF District. Since the TIF receives revenue only from the taxable value which exceeds the base year, "captured" taxable value accruing to the Vickery Meadow TIF District is approximately $476 million. This includes approximately $322 million in increased taxable value attributed to new private investment and $154 million in increased taxable value attributed to property appreciation.

Projections assume an 80% reinvestment rate for the City and 55% for Dallas County with a maximum term of twenty two years or until the Project Cost Budget of $32,195,100 is reached. The City and County are not expected to participate during the first two years of the TIF District term. The final terms of participating taxing jurisdiction's contribution of tax increment shall be set forth in interlocal participation agreements between the City and County.

Exhibit L
Anticipated Redevelopment Projects in Vickery Meadow TIF District

Assumptions:

Development plans are subject to change

Site locations, sizes uses, floor areas and development timing are estimates subject to market demand and zoning.

Site location numbers in column (a) are from Exhibits D-1 and D-2, the Vickery Meadow TIF District Anticipated Development Project Map and List

Unit appraisal values are by Stein Planning and Management and City of Dallas, Office of Economic Development, based on comparable appraisals by the Dallas Central Appraisal District.

Estimated appraised values of existing improvements are adjusted for anticipated inflation before subtraction from new improvement values.

All appraisal estimates are expressed in 2006 dollars.

(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)	(m)	(n)	(o)	(p)
						Estimated DCAD Appraisals in 2006 Dollars									
						Real Property							Business		Assumed
Site		Land	Primary	Floor	Building Floor Area	Land	Improvements			Total	Less	Net	Personal Property		Complete Before
Location	Site Name	Area (SF)	Use	Area Ratio	(excl. parking) (SF)	per LSF	per BSF	Land	Improvements	Real Property	Existing	New	per BSF	All	Jan. 1,
1	Park Lane		Office		336,161		$85		$29,430,896	$29,430,896		$29,430,896	$10	$3,361,610	2009
1	Park Lane		Retail Anchors		466,638		$100		$48,063,714	$48,063,714		$48,063,714	$42	$19,647,290	2009
1	Park Lane		Specialty Retail		183,986		$120		$22,740,670	$22,740,670		$22,740,670	$40	$7,359,440	2009
1	Park Lane		Restaurant		35,343		$150		$5,460,494	$5,460,494		$5,460,494	$50	$1,767,150	2009
1	Park Lane		Health Club		65,000		$80		$5,356,000	$5,356,000		$5,356,000	$10	$650,000	2009
1	Park Lane		Hotel		165,000		$166		$28,196,250	$28,196,250		$28,196,250	$10	$1,650,000	2009
1	Park Lane		Residential		810,000		$143		$119,428,500	$119,428,500		$119,428,500	$0	$0	2009
	Total - Park Lane	1,451,289			2,062,128	$23		$33,379,647	$258,676,523	$292,056,170	$46,529,260	$245,526,910		$34,435,490	
2	Holly Hill/Greenville	70,000	residential	1.25	87,500		$70			$6,308,750	$470,000	$5,838,750	$0	$0	2010
3	Caruth Plaza site addition	150,000	retail	0.40	60,000		$100			$6,180,000	$2,260,000	$3,920,000	$30	$1,800,000	2010
4	Black Forest area	70,000	residential	1.50	105,000		$70			$7,570,500	$250,000	$7,320,500	$0	$0	2011
5	Sam's/Eckerd's site addition	90,000	retail	0.20	18,000		$60			$1,112,400	$0 (1)	$1,112,400	$30	$540,000	2012
6	Greenville frontage	60,000	retail	0.40	24,000		$60			$1,483,200	$270,000	$1,213,200	$30	$720,000	2014
7	Acacia site	210,000	residential	1.25	262,500		$60			$16,222,500	$2,400,000	$13,822,500	$0	$0	2016
8	Former Five Points	60,000	residential	1.50	90,000		$60			$5,562,000	$0 (2)	$5,562,000	$0	$0	2018
	Total - Other Development	710,000			647,000					$44,439,350	$5,650,000	$38,789,350		$3,060,000	
	Total	**2,161,289**			**2,709,128**					**336,495,520**	**52,179,260**	**284,316,260**		**37,495,490**	

(1) No deduction for existing improvements; land and improvements are completely deducted on another schedule.

(2) New construction is not expected to displace existing improvements.

Exhibit M
Comparable Developments based on DCAD Appraisals

Information is for the year noted.
The purpose of this schedule is to relate actual appraisals and other quantitative measures of comparable development in the metropolitan area.
Building floor area measurements exclude parking garages. Improvement appraisals include garages.

(a) Development Name	(b) Address		(c) Improvements	(d) Land	(e) Total Value	(f) Bldg. SF	(g) Imp. per BSF	(h) Land SF	(i) Land per LSF	(j) Total per BSF	(k) FAR	Year
Mixed use centers												
The Crescent	500 Crescent	Dallas	$245,180,080	$25,984,920	$271,165,000	1,722,192	$142	433,082	$60	$157	3.98	2005
Mockingbird Station	5307 Mockingbird	Dallas	$77,490,670	$11,386,140	$88,876,810	565,675	$137	379,538	$30	$157	1.49	2005
West Village		Dallas	$35,971,000	$7,957,620	$43,928,620	315,653	$114	282,513	$28	$139	1.12	2005
Galleria mall and department stores		Dallas	$221,530,810	$42,779,370	$264,310,180	1,722,681	$129	1,222,267	$35	$153	1.41	2005
Westin Galleria Hotel		Dallas	$50,789,810	$4,210,190	$55,000,000	473,645	$107	120,291	$35	$116	3.94	2005
Galleria office buildings		Dallas	$115,140,300	$12,908,500	$128,048,800	1,535,614	$75	368,814	$35	$83	4.16	2005
Galleria vacant land		Dallas	$0	$1,558,100	$1,558,100	0		98,441	$16		0.00	2005
Galleria grand total		Dallas	$387,460,920	$61,456,160	$448,917,080	3,731,940	$104	1,809,813	$34	$120	2.06	
Retail centers												
One-Stop Mini-Mart	2324 McKinney	Dallas	$576,860	$1,423,080	$1,999,940	3,509	$164	23,718	$60	$570	0.15	2005
Lincoln Park (retail with. grocery)	7700 W. Northwest	Dallas	$36,215,560	$11,299,680	$47,515,240	153,642	$236	502,208	$23	$309	0.31	2005
Knox Park Village	3001 Knox	Dallas	$17,796,280	$2,798,910	$20,595,190	81,893	$217	87,172	$32	$251	0.94	2005
Highland Park Village total		High. Park	$33,687,570	$19,586,920	$53,274,490	230,948	$146	497,455	$39	$231	0.46	2005
Best Buy, CompUSA, Office Max	9358 N. Central	Dallas	$15,455,230	$9,544,770	$25,000,000	184,996	$84	636,318	$15	$135	0.29	2005
Office Max, Ross, etc.	2415 N. Haskell	Dallas	$6,042,190	$2,901,100	$8,943,290	92,426	$65	290,110	$10	$97	0.32	2005
Target	2417 N. Haskell	Dallas	$3,426,210	$3,873,790	$7,300,000	128,688	$27	387,379	$10	$57	0.33	2005
Grocery stores												
Whole Foods Market	4100 Lomo Alto	Dallas	$3,488,800	$1,775,900	$5,264,700	35,600	$98	70,236	$25	$148	0.51	2005
Kroger Signature	5665 E. Mockingbird	Dallas	$578,210	$6,282,830	$6,861,040	79,228	$7	349,046	$18	$87	0.23	2005
Office buildings												
2100 McKinney	2100 McKinney	Dallas	$57,474,900	$8,189,460	$65,664,360	374,654	$153	136,491	$60	$175	2.74	2005
Chase Tower	2200 Ross	Dallas	$158,281,210	$2,799,830	$161,081,040	1,250,000	$127	111,993	$25	$129	11.16	2005
Trammell Crow Center	2001 Ross	Dallas	$141,253,560	$2,851,440	$144,105,000	1,245,324	$113	95,048	$30	$116	13.10	2005
Fountain Place	1445 Ross	Dallas	$127,473,260	$2,247,740	$129,721,000	1,297,418	$98	78,848	$29	$100	16.45	2005
1845 Woodall Rodgers	1845 Woodall Rodgers	Dallas	$10,027,320	$2,171,400	$12,198,720	185,007	$54	36,190	$60	$66	5.11	2005
Residences												
1999 McKinney condos (62)	1999 McKinney	Dallas	$32,925,450	$1,309,414	$34,234,864	175,482	$188	29,098	$45	$195	6.03	2004
			(Improvement figures are estimates based on 100% of three middle floors.)									
Portobello townhouse condo unit	33xx Blackburn	Dallas	$415,870	$59,130	$475,000	2,606	$160	N.A.	N.A.	$182	N.A.	2004
Live Oak Lofts condos (113)	2502 Live Oak	Dallas	$15,615,100	$1,030,560	$16,645,660	104,167	$150	68,704	$15	$160	1.52	2004
			(Improvement figures are estimates based on 9 units at middle of DCAD listing)									
Travis Terrace townhouse condo	39xx Travis	Dallas	$400,610	$42,420	$443,030	2,782	$144	2,121	$20	$159	1.31	2004
Lincoln Park	5445 Caruth Haven	Dallas	$35,455,780	$9,544,220	$45,000,000	395,377	$90	636,281	$15	$114	0.62	2004
Heights of State Thomas	3015 State	Dallas	$14,616,920	$3,921,090	$18,538,010	173,545	$84	122,534	$32	$107	1.42	2005
Knox Travis Park	4611 Travis	Dallas	$12,692,040	$537,960	$13,230,000	137,331	$92	26,898	$20	$96	5.11	2005
The Abbey	2521 Worthington	Dallas	$3,380,550	$944,450	$4,325,000	48,082	$70	29,514	$32	$90	1.63	2005
Jefferson at Gaston	2752 Gaston		$26,158,960	$4,665,280	$30,824,240	417,815	$63	548,856	$9	$74	0.76	2005
Rovello	2610 Allen	Dallas	$24,622,260	$4,727,740	$29,350,000	397,294	$62	132,117	$36	$74	3.01	2005
Gables Concord	3003 Bookhout	Dallas	$5,175,800	$4,755,420	$9,931,220	138,390	$37	158,514	$30	$72	0.87	2005
Gables at Routh (Mirabella)	2600 Cole	Dallas	$7,325,870	$2,736,590	$10,062,460	142,507	$51	60,813	$45	$71	2.34	2005
Uptown Village		Dallas	$29,356,860	$11,037,660	$40,394,520	570,793	$51	328,315	$34	$71	1.74	2005
Jefferson at the North End	2323 N. Field	Dallas	$27,940,320	$16,395,540	$44,335,860	623,997	$45	468,444	$35	$71	1.33	2005
Block 588 Condos	3110 Thomas	Dallas	$14,363,550	$1,636,450	$16,000,000	229,074	$63	51,139	$32	$70	4.48	2005
Kirby Building		Dallas	$12,950,000	$1,800,000	$14,750,000	209,223	$62	30,000	$60	$70	6.97	2005
Davis Building	1309 Main	Dallas	$14,860,940	$873,000	$15,733,940	241,481	$62	14,550	$60	$65	16.60	2005
AMLI at Bryan Street		Dallas	$20,462,860	$3,847,140	$24,310,000	375,461	$55	298,880	$13	$65	1.26	2005
Majestic Lofts Residences	1900 Elm	Dallas	$6,553,000	$1,200,000	$7,753,000	126,000	$52	20,000	$60	$62	6.30	2005
Camden Farmers Market	2210 Canton	Dallas	$16,231,940	$5,676,390	$21,908,330	381,441	$43	306,832	$18	$57	1.24	2005
Heights of State Thomas	3110 Thomas	Dallas	$14,363,550	$1,636,450	$16,000,000	299,362	$48	51,139	$32	$53	5.85	2005
Wilson Building	1623 Main	Dallas	$8,985,000	$1,740,000	$10,725,000	250,778	$36	29,000	$60	$43	8.65	2005
Hotels												
The Mansion on Turtle Creek	2821 Turtle Creek	Dallas	$16,504,580	$5,495,420	$22,000,000	82,976	$199	157,012	$35	$265	0.53	2005
Hotel Zaza	2332 Leonard	Dallas	$16,821,580	$2,901,120	$19,722,700	102,010	$165	48,639	$60	$193	2.10	2005
Hotel St. Germain	2516 Maple	Dallas	$359,600	$540,400	$900,000	8,273	$43	15,440	$35	$109	0.54	2005
Hyatt Regency Hotel		Dallas	$62,744,660	$7,785,210	$70,529,870	657,212	$95	543,964	$14	$107	1.21	2004
Adam's Mark Hotel		Dallas	$75,102,350	$7,877,820	$82,980,170	827,534	$91	230,258	$34	$100	3.59	2005
Fairmont Hotel		Dallas	$20,637,480	$2,778,020	$23,415,500	579,037	$36	99,215	$28	$40	5.84	2005
Health												
Cooper Aerobics Center		Dallas	$9,345,990	$8,986,280	$18,332,270	203,725	$46	1,069,219	$8	$90	0.19	2005

Exhibit N
Annual Real Property Appraisals and City/County Tax to the TIF Fund

Assumptions:

City of Dallas is expected to participate in the Vickery Meadow TIF District for a period of 20 years beginning in 2008 at a rate of 80%.

Dallas County is expected to participate in the Vickery Meadow TIF District for a period of 20 years beginning in 2008 at a rate of 55%.

Tax rate is assumed constant at 2005 rate. Actual rate will vary annually.

Tax appraisals are for Jan. 1 of the year. Levies occur by Sept. 30 of the year. Tax receipts generally occur 12-13 months after appraisal.

Stream of annual investments in TIF reflects intent to retire TIF obligations after twenty years of collections.

Property value estimates assume 1.5% annual property appreciation and 3% annual inflation.

PROJECTED TIF INCREMENT SCHEDULE

Tax Year		Property Value Estimate	Property Value Growth	Comp. Value Growth	Anticipated Captured Value	Anticipated Increment Revenue	Anticipated Accumulated Revenue (NPV)	Tax Increment Revenue into TIF * CITY @ 80%	Tax Increment Revenue into TIF ** COUNTY @ 55%
Base	**2005**	$161,270,320							
1	**2006**	$162,991,436	1.07%	1.07%	$1,721,116	$0	$0	$0	$0
2	**2007**	$193,671,430	18.82%	20.09%	$32,401,110	$0	$0	$0	$0
3	**2008**	$353,160,818	82.35%	118.99%	$191,890,498	$1,364,351	$1,212,903	$1,138,601	$225,750
4	**2009**	$442,013,886	25.16%	174.08%	$280,743,566	$1,996,101	$2,919,178	$1,665,820	$330,281
5	**2010**	$459,535,474	3.96%	184.95%	$298,265,154	$2,120,680	$4,662,223	$1,769,786	$350,894
6	**2011**	$474,906,278	3.34%	194.48%	$313,635,958	$2,229,967	$6,424,599	$1,860,990	$368,977
7	**2012**	$483,358,136	1.78%	199.72%	$322,087,816	$2,290,060	$8,164,856	$1,911,140	$378,920
8	**2013**	$490,608,508	1.50%	204.22%	$329,338,188	$2,341,611	$9,875,848	$1,954,161	$387,450
9	**2014**	$499,494,220	1.81%	209.72%	$338,223,900	$2,404,789	$11,565,421	$2,006,885	$397,904
10	**2015**	$506,986,633	1.50%	214.37%	$345,716,313	$2,458,060	$13,225,999	$2,051,342	$406,718
11	**2016**	$533,070,955	5.14%	230.54%	$371,800,635	$2,643,521	$14,943,180	$2,206,116	$437,405
12	**2017**	$541,067,019	1.50%	235.50%	$379,796,699	$2,700,374	$16,629,825	$2,253,562	$446,812
13	**2018**	$557,113,107	2.97%	245.45%	$395,842,787	$2,814,462	$18,320,118	$2,348,773	$465,689
14	**2019**	$565,469,803	1.50%	250.63%	$404,199,483	$2,873,879	$19,979,711	$2,398,358	$475,520
15	**2020**	$573,951,850	1.50%	255.89%	$412,681,530	$2,934,186	$21,608,961	$2,448,687	$485,499
16	**2021**	$582,561,128	1.50%	261.23%	$421,290,808	$2,995,399	$23,208,228	$2,499,771	$495,628
17	**2022**	$591,299,545	1.50%	266.65%	$430,029,225	$3,057,529	$24,777,882	$2,551,621	$505,908
18	**2023**	$600,169,038	1.50%	272.15%	$438,898,718	$3,120,592	$26,318,294	$2,604,249	$516,342
19	**2024**	$609,171,574	1.50%	277.73%	$447,901,254	$3,184,600	$27,829,840	$2,657,667	$526,933
20	**2025**	$618,309,147	1.50%	283.40%	$457,038,827	$3,249,569	$29,312,901	$2,711,886	$537,683
21	**2026**	$627,583,785	1.50%	289.15%	$466,313,465	$3,315,512	$30,767,859	$2,766,918	$548,594
22	**2027**	$636,997,541	1.50%	294.99%	$475,727,221	$3,382,444	$32,195,100	$2,822,775	$559,669
Total (2006 - 2027)						**$53,477,687**	**$32,195,100**	**$44,629,110**	**$8,848,577**
2006 NPV @ 4%						**$32,195,100**	**-**	**$26,868,003**	**$5,327,097**

Financial Assumptions

The key factors influencing the financial feasibility study and its conclusions are the financial assumptions that have been adopted**.**

Inflation. The generally accepted inflation for construction costs and the value of improvements is three percent per annum. Based on current market rates, net present values of the tax increment were calculated at a discount rate of four percent per annum.

Appreciation. Property appreciation is assumed to be one and one half percent per annum on average.

Tax Rate Changes. Although tax rates will certainly increase during the twenty two year development period, the financial plan conservatively assumes that the tax rate will remain constant for the life of the Vickery Meadow TIF District, except to incorporate tax rate changes when known.

Remittance to the TIF Fund. The proposed duration of the Vickery Meadow TIF District is 22 years; it is scheduled to terminate December 31, 2027. The City of Dallas will participate at a rate of 0% in 2006 and 2007 and at a rate of 80% in 2008 and thereafter. Dallas County will participate at a rate of 0% in 2006 and 2007 and at a rate of 55% in 2008 and thereafter. TIF collections will terminate once the TIF budget of $32,195,100 (net present value) has been collected or December 31, 2027, whichever occurs first. Based on current development projections, the TIF budget is expected to be reached in 2027, after twenty years of collections.

Financial Feasibility

The private development plans, public improvement program, general financing strategy and financial assumptions were all included in a preliminary assessment prepared by Stein Planning and Management. The study is intended to be used as part of the economic feasibility study for the District in accordance with the provisions of Section 311.011, Texas Tax Code, and is available upon request.

Cumulative private development is expected to increase property value to approximately $637 million during the term of the TIF District. Since the TIF receives revenue only from the taxable value which exceeds the base year, “captured” taxable value accruing to the Vickery Meadow TIF District is approximately $476 million.

If revenues are received at the predicted rate, increment collections will be reached and final project improvements completed by Year 22 of the TIF term.

In fact, on a strict “pay-as-you-go” basis, the progress of the public improvements portion of the development program is a direct result of the revenues received (and matched by the City’s contributions). Therefore, if revenues exceed these projections, then the public improvements can be completed ahead of schedule. If revenues do not meet expectations, then the pace of public improvements will be slowed or discontinued

altogether based upon the advice of the Board of Directors and the approval of the City Council.

The Reinvestment Zone Financing Plan provides that the City and County will begin to realize additional revenues from the TIF in Year 23 of the program.

Based upon a set of TIF District assumptions and analysis, the preliminary project plan and reinvestment zone financing plan is feasible.

Financial Policies

General financial policies are governed by the City of Dallas Public/Private Partnership Program that was first approved by the City Council on March 13, 1996. This program provides a framework for development incentives in a variety of areas. Within this framework the Vickery Meadow Board of Directors has adopted specific policies for the Vickery Meadow TIF District:

- Public improvements will be phased at a pace that coincides with private development.

- Private developers desiring City participation in cost-sharing for infrastructure improvements needed for their projects must sign an Agreement with the City.

- Each Agreement is mutually exclusive - that is, the nature and extent of support with public funds may change over time as the District becomes more developed.

- The City may negotiate with financial institutions to secure notes or lines of credit to aid in the funding of projects within the TIF zone, using any financial instrument, subject to City Council approval of the note or credit line, or issue certificates of obligation or TIF bonds for projects as described earlier in the Project Plan.

- If a developer needs infrastructure improvements constructed at a time when sufficient funds are not available in the TIF Reserve Fund, then improvements may be:

    ~ deferred until funds are available

    ~ constructed at the sole expense of the developer

    ~ constructed at developer expense, with the City reimbursing the developer as funds become available

- Should project costs be paid that directly benefit the developer of a project, such as grants made to a developer as permitted by Chapter 311, Texas Tax Code, the City will establish sufficient controls to ensure that the expenditure does result in the public purpose being carried out and that the public is protected in the use of public funds, such as the tax increment revenues, for the intended result.

The Vickery Meadow TIF Board may from time-to-time recommend amendments to these financial policies which will affect the operations of the TIF District.

The City reserves the right to amend this plan to provide for the establishment of a "sales tax increment" collection process, as permitted by Chapter 311, Texas Tax Code.

Other Financial Benefits

During the twenty-two year TIF term, approximately 850,000 square feet of retail space and 500,000 square feet of office and hotel projects are expected to be developed within the boundaries of the Vickery Meadow TIF District. Because the City and DART each have a one percent sales tax and the City also has a nine percent hotel tax and business personal property tax, this generates additional municipal revenue. Exhibit O estimates additional City and DART sales tax attributed to the anticipated retail development. By 2027, the City and DART will each receive roughly $39 million (net present value) in incremental sales tax revenue from the Vickery Meadow TIF District. Exhibit P estimates additional City hotel tax and business personal property tax attributed to the anticipated hotel, retail and office development. By 2027, the City will receive approximately $13.9 million (net present value) in incremental hotel and business personal property taxes from the Vickery Meadow TIF District.

The Dallas Independent School District is not expected to participate in the Vickery Meadow TIF program. State law governing school funding since September 1999 makes TIF participation generally unattractive for a school district. Nevertheless, the DISD will receive incremental real property and business personal property taxes from the Vickery Meadow TIF District (see Exhibit Q). DISD will receive an estimated $86.7 million (net present value) over the twenty two year TIF term. All DISD tax projections bear risk that new Texas law may cap the rate of local property tax a school district may levy.

Conclusions

Based upon a set of assumptions and analysis of the Vickery Meadow TIF District Project Plan and Reinvestment Zone Financing Plan, the plan has been determined to be feasible.

Exhibit O
Estimated Annual City/DART Sales Tax from Net New Development in the Zone

Assumptions:

Gross floor areas and timing estimates provided by developer.
All floor area estimates of existing retail centers represent projected net increase in square footage (net gain)
Businesses are assumed operating by July of the previous fiscal year (three months before the indicated fiscal year begins).
Estimated sales per square foot are adjusted annually for inflation at: 3.00%
Sales tax column approximates tax *receipts* in the indicated fiscal year.
The "Park Lane" development is assumed 25% complete by July 2007, 75% complete by July 2008, and 100% complete by July 2009

(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)	(l)
	"Park Lane"	"Park Lane"	"Park Lane"	"Park Lane"	"Park Lane"	Caruth Plaza	Sam's/Eckerd's	Greenville Frontage	Total		
	Retail Anchors	Specialty Retail	Restaurants	Health Club	Hotel	Retail	Retail	Retail			
	Gross Square Feet of Floor Area =										
	466,638	183,986	35,343	65,000	165,000	60,000	18,000	24,000	1,017,967	City	DART
	Estimated Sales per Gross Square Foot (in 2006 Dollars) =								Total	Sales Tax	Sales Tax
Fiscal Year	$300	$350	$500	$130	$15	$200	$200	$200	Net New	from Net New	from Net New
Ended	Percent of Gross Sales Subject to Sales Tax =								Annual Sales	Sales @	Sales @
September 30,	95%	100%	100%	100%	100%	80%	80%	80%	Volume	1.00%	1.00%
2005	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
2006	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
2007	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0
2008	$35,272,758	$17,079,190	$4,686,924	$2,241,151	$656,432	$0	$0	$0	$59,936,455	$599,365	$599,365
2009	$108,992,823	$52,774,698	$14,482,594	$6,925,157	$2,028,374	$0	$0	$0	$185,203,647	$1,852,036	$1,852,036
2010	$149,683,476	$72,477,252	$19,889,429	$9,510,549	$2,785,634	$0	$0	$0	$254,346,341	$2,543,463	$2,543,463
2011	$154,173,981	$74,651,570	$20,486,112	$9,795,866	$2,869,203	$11,129,031	$0	$0	$273,105,763	$2,731,058	$2,731,058
2012	$158,799,200	$76,891,117	$21,100,695	$10,089,742	$2,955,279	$11,462,902	$0	$0	$281,298,936	$2,812,989	$2,812,989
2013	$163,563,176	$79,197,851	$21,733,716	$10,392,434	$3,043,938	$11,806,789	$3,542,037	$0	$293,279,940	$2,932,799	$2,932,799
2014	$168,470,071	$81,573,786	$22,385,727	$10,704,207	$3,135,256	$12,160,993	$3,648,298	$0	$302,078,339	$3,020,783	$3,020,783
2015	$173,524,173	$84,021,000	$23,057,299	$11,025,333	$3,229,314	$12,525,823	$3,757,747	$5,010,329	$316,151,018	$3,161,510	$3,161,510
2016	$178,729,899	$86,541,630	$23,749,018	$11,356,093	$3,326,193	$12,901,597	$3,870,479	$5,160,639	$325,635,548	$3,256,355	$3,256,355
2017	$184,091,796	$89,137,879	$24,461,489	$11,696,776	$3,425,979	$13,288,645	$3,986,594	$5,315,458	$335,404,615	$3,354,046	$3,354,046
2018	$189,614,549	$91,812,015	$25,195,334	$12,047,679	$3,528,758	$13,687,305	$4,106,191	$5,474,922	$345,466,753	$3,454,668	$3,454,668
2019	$195,302,986	$94,566,375	$25,951,194	$12,409,110	$3,634,621	$14,097,924	$4,229,377	$5,639,169	$355,830,756	$3,558,308	$3,558,308
2020	$201,162,076	$97,403,367	$26,729,729	$12,781,383	$3,743,660	$14,520,861	$4,356,258	$5,808,345	$366,505,679	$3,665,057	$3,665,057
2021	$207,196,938	$100,325,468	$27,531,621	$13,164,825	$3,855,969	$14,956,487	$4,486,946	$5,982,595	$377,500,849	$3,775,008	$3,775,008
2022	$213,412,846	$103,335,232	$28,357,570	$13,559,769	$3,971,648	$15,405,182	$4,621,555	$6,162,073	$388,825,874	$3,888,259	$3,888,259
2023	$219,815,231	$106,435,289	$29,208,297	$13,966,562	$4,090,798	$15,867,337	$4,760,201	$6,346,935	$400,490,651	$4,004,907	$4,004,907
2024	$226,409,688	$109,628,347	$30,084,546	$14,385,559	$4,213,522	$16,343,357	$4,903,007	$6,537,343	$412,505,370	$4,125,054	$4,125,054
2025	$233,201,979	$112,917,198	$30,987,082	$14,817,126	$4,339,927	$16,833,658	$5,050,097	$6,733,463	$424,880,531	$4,248,805	$4,248,805
2026	$240,198,038	$116,304,714	$31,916,695	$15,261,640	$4,470,125	$17,338,668	$5,201,600	$6,935,467	$437,626,947	$4,376,269	$4,376,269
2027	$247,403,979	$119,793,855	$32,874,196	$15,719,489	$4,604,229	$17,858,828	$5,357,648	$7,143,531	$450,755,756	$4,507,558	$4,507,558
Total for 22 years (2006-2027)									**$6,586,829,767**	**$65,868,298**	**$65,868,298**
2006 NPV @ 4%										**$38,986,596**	**$38,986,596**

Exhibit P
Estimated City Hotel Occupancy Tax and Business Personal Property Tax from the Reinvestment Zone

Assumptions:

Date of City receipt of Hotel Occupancy Tax may lag date of earning by 3-4 months.
BPP Tax receipts generally occur 12-13 months after appraisal. Appraisals are for Jan. 1 of the year indicated.
Commercial development includes retail, office, and hotel projects.

(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)
		City Hotel Occupancy Tax			City BPP Tax		Total
Year		Guest Rooms	Annual Room Receipts If 2007 ADR = $120 Inflation = 3% Occupancy = 70%	Estimated City Hotel Occupancy Tax @ 9.00%	Estimated Square Feet New Commercial Development	Estimated City BPP Tax @ $20 per SF Commercial	Total Estimated City Hotel and BPP Tax
Base	2005	0	$0	$0	0	$0	$0
1	2006	0	$0	$0	0	$0	$0
2	2007	0	$0	$0	286,540	$43,781	$43,781
3	2008	0	$0	$0	859,621	$135,282	$135,282
4	2009	220	$7,155,983	$644,038	1,311,161	$212,533	$856,571
5	2010	220	$7,370,662	$663,360	1,398,661	$233,518	$896,877
6	2011	220	$7,591,782	$683,260	1,503,661	$258,580	$941,840
7	2012	220	$7,819,535	$703,758	1,503,661	$266,337	$970,095
8	2013	220	$8,054,122	$724,871	1,503,661	$274,327	$999,198
9	2014	220	$8,295,745	$746,617	1,503,661	$282,557	$1,029,174
10	2015	220	$8,544,618	$769,016	1,503,661	$291,034	$1,060,049
11	2016	220	$8,800,956	$792,086	1,766,161	$352,096	$1,144,182
12	2017	220	$9,064,985	$815,849	1,766,161	$362,659	$1,178,507
13	2018	220	$9,336,934	$840,324	1,856,161	$392,573	$1,232,897
14	2019	220	$9,617,042	$865,534	1,856,161	$404,350	$1,269,884
15	2020	220	$9,905,554	$891,500	1,856,161	$416,481	$1,307,981
16	2021	220	$10,202,720	$918,245	1,856,161	$428,975	$1,347,220
17	2022	220	$10,508,802	$945,792	1,856,161	$441,845	$1,387,637
18	2023	220	$10,824,066	$974,166	1,856,161	$455,100	$1,429,266
19	2024	220	$11,148,788	$1,003,391	1,856,161	$468,753	$1,472,144
20	2025	220	$11,483,251	$1,033,493	1,856,161	$482,815	$1,516,308
21	2026	220	$11,827,749	$1,064,497	1,856,161	$497,300	$1,561,797
22	2027	220	$12,182,582	$1,096,432	1,856,161	$512,219	$1,608,651
Total for 22 Years		**-**	**$179,735,876**	**$16,176,229**	**-**	**$7,213,113**	**$23,389,342**
2006 NPV @ 4%		**-**	**-**	**$9,602,293**	**-**	**$4,250,165**	**$13,852,458**

Exhibit Q
Estimated Annual DISD Real Property and Business Personal Property Tax from the Reinvestment Zone

Assumptions:

Estimated assessed values and captured appraised values are from a separate schedule.
Taxes are levied in September following the appraisal date. Collections occur in the next fiscal year.
Tax rates are for 2005, although actual rates will vary annually.
Texas school district property tax rates may be reduced by legislative or judicial actions.
This schedule depicts DISD real property and business personal property tax benefits only and does not take into account the effect of state recapture provisions.
The "Park Lane" development is assumed 25% complete by 1/1/2007, 75% complete by 1/1/2008, and 100% complete by 1/1/2009

(a)	(b)	(c)	(d)		(e)	(f)
DISD Real Property Tax					DISD BPP Tax	DISD Total Tax
Appraisal on January 1,	Estimated Total Assessed Value	Estimated Increase in Assessed Real Property (Captured Appraised Value)	Estimated Total RP Tax @ $1.68836 per $100	Estimated Square Feet New Commercial Development	Estimated Total BPP Tax @ $20 per SF Commercial	Estimated Total DISD Tax from Zone Retained
2005	$161,270,320					
2006	$162,991,436	$1,721,116	$29,059	0	$0	$29,059
2007	$193,671,430	$32,401,110	$547,047	286,540	$99,659	$646,707
2008	$353,160,818	$191,890,498	$3,239,802	859,621	$307,947	$3,547,750
2009	$442,013,886	$280,743,566	$4,739,962	1,311,161	$483,797	$5,223,759
2010	$459,535,474	$298,265,154	$5,035,790	1,398,661	$531,565	$5,567,355
2011	$474,906,278	$313,635,958	$5,295,304	1,503,661	$588,615	$5,883,919
2012	$483,358,136	$322,087,816	$5,438,002	1,503,661	$606,273	$6,044,275
2013	$490,608,508	$329,338,188	$5,560,414	1,503,661	$624,461	$6,184,876
2014	$499,494,220	$338,223,900	$5,710,437	1,503,661	$643,195	$6,353,632
2015	$506,986,633	$345,716,313	$5,836,936	1,503,661	$662,491	$6,499,427
2016	$533,070,955	$371,800,635	$6,277,333	1,766,161	$801,489	$7,078,822
2017	$541,067,019	$379,796,699	$6,412,336	1,766,161	$825,534	$7,237,869
2018	$557,113,107	$395,842,787	$6,683,251	1,856,161	$893,629	$7,576,881
2019	$565,469,803	$404,199,483	$6,824,342	1,856,161	$920,438	$7,744,781
2020	$573,951,850	$412,681,530	$6,967,550	1,856,161	$948,051	$7,915,601
2021	$582,561,128	$421,290,808	$7,112,905	1,856,161	$976,493	$8,089,398
2022	$591,299,545	$430,029,225	$7,260,441	1,856,161	$1,005,788	$8,266,229
2023	$600,169,038	$438,898,718	$7,410,190	1,856,161	$1,035,961	$8,446,152
2024	$609,171,574	$447,901,254	$7,562,186	1,856,161	$1,067,040	$8,629,226
2025	$618,309,147	$457,038,827	$7,716,461	1,856,161	$1,099,051	$8,815,512
2026	$627,583,785	$466,313,465	$7,873,050	1,856,161	$1,132,023	$9,005,073
2027	$636,997,541	$475,727,221	$8,031,988	1,856,161	$1,165,984	$9,197,972
Total for 22 years (2006-2027)			**$127,564,787**	**-**	**$16,419,485**	**$143,984,272**
2006 NPV @ 4%			**$76,984,542**	**-**	**$9,674,813**	**$86,659,355**

Appendix A

2005 Schedule for Dallas Area Median Income
80% of Median Affordable Housing Schedule

Note: This schedule is updated annually and the current year's schedule should be consulted when determining affordable housing standards. Source: City of Dallas Housing Department

Median Income for Family of Four (4) for Dallas Area, 2005: $65,100

Family Size	**80% of Median Income**
1 person	$37,240
2	$42,560
3	$47,880
4	$53,200
5	$57,456

Unit Type	***30% of 80% of Median Income**	**Utility Allowance**	**Monthly Maximum Rent**
Efficiency	$ 931.00	minus $48 =	$ 883.00
1 Bedroom	$ 998.00	minus $59 =	$ 939.00
2	$1,197.00	minus $76 =	$1,121.00
3	$1,383.00	minus $88 =	$1,295.00

*These rents assume 1.5 persons per bedroom

The maximum rent and other required payments, including Monthly Utility Expenses, for an affordable unit is limited to no more than 30% of the qualifying income; not to exceed the Maximum Rent by family size specified above as adjusted annually for changes in the Dallas Area Median Income. Monthly Utility Expenses for qualifying units must be calculated in accordance with the HUD requirements.

If reliable utility cost estimates are available for a specific unit, they should be used. The estimates shown in the column referred to as "utility allowance" may be used when the only characteristics known about a unit are its number of bedrooms. These estimates are based on HUD Section 8 utility allowances. Actual allowances assume (1) units are electric (2) garbage collection is included in rent (3) range and refrigerator are provided by apartment owner.

Appendix B
Real Property Accounts in the Vickery Meadow TIF District

DCAD Account #	Exempt		Address	Apt	Improvements	Land	Total Value	Taxable Value
00000366817000000		7024	FAIR OAKS		$75,080	$124,800	$199,880	$199,880
00000366820000000		8447	PARK		$428,980	$244,220	$673,200	$673,200
00000366823000000		7020	FAIR OAKS		$230,950	$249,600	$480,550	$480,550
00000366826000000		8447	PARK		$0	$113,330	$113,330	$113,330
00000366829000000		7014	FAIR OAKS		$293,950	$112,030	$405,980	$405,980
00000366832000000		7010	FAIR OAKS		$0	$68,400	$68,400	$68,400
00000366839500000		8420	PARK		$164,360	$517,180	$681,540	$681,540
00000366985000000	X	5806	RIDGECREST		$5,770	$262,500	$268,270	$0
00000366988000000		6914	HOLLY HILL		$0	$315,600	$315,600	$315,600
00000366995000000		6950	GREENVILLE		$121,830	$712,500	$834,330	$834,330
00000366996000000		6940	GREENVILLE		$18,280	$576,460	$594,740	$594,740
00000367000000000		6918	GREENVILLE		$48,000	$152,000	$200,000	$200,000
00000367006000000		6910	GREENVILLE		$0	$37,150	$37,150	$37,150
00000367022000000		8219	PARK		$0	$110,800	$110,800	$110,800
00000367024000000		8227	PARK		$231,190	$272,000	$503,190	$503,190
00000367036000000		8231	PARK		$92,730	$528,470	$621,200	$621,200
00000367039000000		8255	PARK		$521,220	$300,000	$821,220	$821,220
00000367063500000		5830	RIDGECREST		$601,220	$220,000	$821,220	$821,220
00000367064000000		8309	PARK		$527,030	$280,500	$807,530	$807,530
00000367082000000		8347	PARK		$387,960	$472,540	$860,500	$860,500
00000367123000000		6935	GREENVILLE		$0	$20,000	$20,000	$20,000
00000367126000000	X	6909	GREENVILLE		$0	$24,820	$24,820	$0
00000367403000000		6855	GREENVILLE		$0	$58,320	$58,320	$58,320
00000367411000000		6867	GREENVILLE		$103,740	$57,060	$160,800	$160,800
00000367417000000		5700 E	NORTHWEST		$0	$1,211,470	$1,211,470	$1,211,470
00000367420000000		6868	GREENVILLE		$25,040	$26,580	$51,620	$51,620
00000367424000000		6862	GREENVILLE		$106,230	$164,640	$270,870	$270,870
00000367426100000		6852	GREENVILLE		$1,260	$98,600	$99,860	$99,860
00000367429000000		6850	GREENVILLE		$33,510	$171,480	$204,990	$204,990
00000367432000000		6848	GREENVILLE		$4,800	$565,200	$570,000	$570,000
00000367438000000		6826	GREENVILLE		$143,870	$507,000	$650,870	$650,870
00000367441000000		6818	GREENVILLE		$22,000	$175,000	$197,000	$197,000
00000367444000000		6810	GREENVILLE		$49,040	$385,960	$435,000	$435,000
00000367450000000		6790	GREENVILLE		$203,590	$400,520	$604,110	$604,110
00000367453000000		6782	GREENVILLE		$0	$412,420	$412,420	$412,420
00000367457000000		6778	GREENVILLE		$95,510	$420,260	$515,770	$515,770
00000367459000000		6770	GREENVILLE		$510	$387,520	$388,030	$388,030
00000367468000000	X	6742	GREENVILLE		$190,150	$421,720	$611,870	$0
00000367474000000		5701 E	NORTHWEST		$1,859,220	$1,340,780	$3,200,000	$3,200,000
00000367481000000		6867	SHADY BROOK		$489,700	$334,020	$823,720	$823,720
00000367492000000		6886	TWIN HILLS		$0	$523,600	$523,600	$523,600
00000367528000000		6770	TWIN HILLS		$17,120	$195,000	$212,120	$212,120
00000367531000000		6758	TWIN HILLS		$212,300	$291,530	$503,830	$503,830
00000367534000000		5811	BLACKWELL		$204,160	$211,090	$415,250	$415,250
00000367537000000		6744	TWIN HILLS		$0	$81,250	$81,250	$81,250
00000367543000000		5801 E	NORTHWEST		$1,872,000	$3,668,400	$5,540,400	$5,540,400
00000367573500000		5918	RIDGECREST		$1,043,710	$406,290	$1,450,000	$1,450,000
00000367576500000		8350	PARK		$1,075,520	$374,480	$1,450,000	$1,450,000
00000367592000000		8330	PARK	101	$18,910	$7,750	$26,660	$26,660
00000367592050000		8330	PARK	102	$18,750	$7,330	$26,080	$26,080
00000367592100000		8330	PARK	103	$18,500	$7,580	$26,080	$26,080
00000367592150000		8330	PARK	104	$18,500	$7,580	$26,080	$26,080
00000367592200000		8330	PARK	105	$18,500	$7,580	$26,080	$26,080
00000367592250000		8330	PARK	106	$18,500	$7,580	$26,080	$26,080

Appendix B
Real Property Accounts in the Vickery Meadow TIF District
(continued)

DCAD Account #	Exempt	Address			Apt	Improvements	Land	Total Value	Taxable Value
00000367592300000		8330		PARK	107	$15,050	$7,580	$22,630	$22,630
00000367592350000		8330		PARK	108	$18,500	$7,580	$26,080	$26,080
00000367592400000		8330		PARK	109	$18,500	$7,580	$26,080	$26,080
00000367592450000		8330		PARK	110	$18,500	$7,580	$26,080	$26,080
00000367592500000		8330		PARK	111	$18,500	$7,580	$26,080	$26,080
00000367592550000		8330		PARK	112	$18,460	$7,560	$26,020	$26,020
00000367592600000		8330		PARK	201	$17,840	$7,310	$25,150	$25,150
00000367592650000		8330		PARK	202	$17,900	$7,330	$25,230	$25,230
00000367592700000		8330		PARK	203	$17,900	$7,330	$25,230	$25,230
00000367592750000		8330		PARK	204	$17,900	$7,330	$25,230	$25,230
00000367592800000		8330		PARK	205	$17,900	$7,330	$25,230	$25,230
00000367592850000		8330		PARK	206	$1,330	$7,330	$8,660	$8,660
00000367592900000		8330		PARK	207	$17,820	$7,300	$25,120	$25,120
00000367592950000		8330		PARK	208	$17,000	$6,960	$23,960	$23,960
00000367597000000	X	8320		PARK		$764,460	$300,000	$1,064,460	$0
00000367603000000		6866		SHADY BROOK		$361,930	$360,000	$721,930	$721,930
00000368155000000		8502		PARK		$14,250	$51,450	$65,700	$0
00000368203000000		6003		RIDGECREST		$798,990	$161,010	$960,000	$960,000
00000404860000000		8750	N	CENTRAL		$34,876,240	$6,123,760	$41,000,000	$41,000,000
00000404886500000		9100	N	CENTRAL		$10,376,680	$8,757,370	$19,134,050	$19,134,050
005197000519A0000		8209		PARK		$232,640	$529,500	$762,140	$762,140
005198000A0010000		6919		GREENVILLE		$361,750	$565,250	$927,000	$927,000
005201001013B0000	X	8169		PARK		$0	$3,836,900	$3,836,900	$0
005201001013B0100		7000		GREENVILLE		$0	$231,560	$231,560	$231,560
005201001018A0000		6881		GREENVILLE		$399,160	$780,280	$1,179,440	$1,179,440
005201001021A0000		6855		GREENVILLE		$11,400	$68,600	$80,000	$80,000
005202001113A0100		6750		GREENVILLE		$0	$20,130	$20,130	$20,130
005202001113B0000		6750		GREENVILLE		$568,760	$657,410	$1,226,170	$1,226,170
005203001202B0000		8224		PARK		$2,306,820	$1,031,370	$3,338,190	$3,338,190
005203001203A0000		8282		PARK		$1,121,230	$6,867,550	$7,988,780	$7,988,780
005203001205A0000		6860		TWIN HILLS		$1,033,940	$963,170	$1,997,110	$1,997,110
005203001205A0100		6860		TWIN HILLS		$0	$141,400	$141,400	$141,400
005204001306A0000		8336		PARK		$0	$36,590	$36,590	$36,590
005456000A01A0000		8080		PARK		$23,431,250	$8,267,340	$31,698,590	$31,698,590
005456000A03A0000		8800	N	CENTRAL		$5,682,540	$9,148,130	$14,830,670	$14,830,670
00000367549000000		6727		SHADY BROOK		$1,193,720	$590,280	$1,784,000	$1,784,000
00000368316000000		6036		RIDGECREST		$2,861,070	$656,000	$3,517,070	$3,517,070
Total									$161,270,320

The total base taxable appraised value of real property within the Vickery Meadow TIF District's original zone for tax year 2005 was $161,270,320. The City will monitor property with different base years separately. Taxable values may vary by taxing jurisdiction due to different exemption levels.

Appendix C
2014 Real Property Accounts – Vickery Meadow TIF District Boundary Amendment

The amendment to increase the District's geographic area consists of the following properties:

DCAD Account #	Exempt		Address	Apt	Improvements	Land	Total Value	Taxable Value
00000367693000000		5905 E	Northwest Hwy		$700,300	$299,700	$1,000,000	$1,000,000
00000367690000000		5915 E	Northwest Hwy		$0	$792,180	$792,180	$792,180
00000394894000000		5929 E	Northwest Hwy		$78,850	$1,324,280	$1,403,130	$1,403,130
00000367699000000		6730	Shady Brook Ln		$0	$313,460	$313,460	$313,460
Total								**$3,508,770**

The City will monitor property with difference base years separately. Taxable values may vary by taxing jurisdiction due to different exemption levels.

Agenda Information Sheet

File #: 18-1343 **Item #:** 43.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Economic Development

EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize **(1)** an increase in appropriations in an estimated amount of $649,097.00 in the Vickery Meadow Tax Increment Financing (TIF) District Fund (Reinvestment Zone Number Nine); **(2)** the transfer of Vickery Meadow TIF District Funds to the Dallas Housing Trust Fund in an estimated amount of $649,097.00; **(3)** an increase in appropriations in an estimated amount of $649,097.00 in the Dallas Housing Trust Fund; and **(4)** the disbursement of funds in an estimated amount of $649,097.00 from the Dallas Housing Trust Fund - Estimated amount of $649,097.00 - Financing: Vickery Meadow TIF District Funds

BACKGROUND

On May 9, 2018, City Council adopted the Dallas Comprehensive Housing Policy (the "Policy") to create and maintain affordable housing throughout Dallas; promote greater fair housing choices; and overcome patterns of segregation and concentrations of poverty through incentives and requirements. The Policy calls for the establishment of a Dallas Housing Trust Fund ("DHTF") to support the production goals of the Policy. The Policy states that a portion of the DHTF should be sought from a one-time transfer of a minimum of $7 million in unencumbered fund balances from high-performing Tax Increment Financing Districts by Resolution No. 18-0704.

Staff has identified $7 million in available funds to seed the DHTF. The funds will not be released from the newly established account until DHTF program details are established.

On November 5, 2018, the Economic Development and Housing Committee was briefed regarding the following recommended sources of funds to seed the DHTF:

$4,575,000.00	1407 Main Street Loan Repayment
$ 523,246.00	State-Thomas TIF District Close-Out
$ 828,129.00	Cityplace TIF District Close-Out
$ 649,097.00	Vickery Meadow TIF District fee in lieu of affordable housing payment
$ 424,528.00	City Center TIF District Affordable Housing Set-Aside Funds

$7,000,000.00 Total

Note: The account balances for State-Thomas, Cityplace, and Vickery Meadow TIF Districts are of October 10, 2018 and may accrue additional interest prior to transferring funds to the new DHTF account.

In 2007, $1,000,000.00 was deposited into the Vickery Meadow TIF District Fund by the developer of the Shops of Park Lane project to support affordable housing development in lieu of the developer constructing affordable housing units with the project. In 2013, $445,000.00 of the $1,000,000.00 was authorized by City Council to be used as the required matching funds for the City's HUD Sustainable Communities Challenge Grant to support planning and preconstruction efforts for the development of affordable housing in five transit-oriented neighborhoods throughout the City, including the Vickery Meadow neighborhood.

As of October 10, 2018, $649,097.00 of the $1,000,000.00 remains unencumbered in the Vickery Meadow TIF District Fund. A prior action on this agenda approves an amendment to the Vickery Meadow TIF District Plan, allowing an amount not to exceed $649,097.00 of the Vickery Meadow TIF District Affordable Housing Set-Aside Funds to be used outside of the boundaries of the TIF District for affordable housing. This companion item authorizes the transfer of an amount not to exceed $649,097.00 from the Vickery Meadow TIF District Affordable Housing Set-Aside Funds to the DHTF.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 27, 2005, City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Nine, the Vickery Meadow TIF District, by Resolution No. 05-1360; Ordinance No. 25964, as amended.

On December 14, 2005, City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Vickery Meadow TIF District by Resolution No. 05-3542; Ordinance No. 26181, as amended.

On May 9, 2018, City Council adopted the Dallas Comprehensive Housing Policy (the "Policy") to create and maintain affordable housing throughout Dallas; promote greater fair housing choices; and overcome patterns of segregation and concentrations of poverty through incentives and requirements by Resolution No. 18-0704.

On October 30, 2018, the Vickery Meadow TIF District Board of Directors approved forwarding to City Council an amendment to the Vickery Meadow TIF District Project Plan and Reinvestment Zone Financing Plan to allow an amount not to exceed $649,097.00 from the Vickery Meadow TIF District Fund to be used outside of the boundaries of the TIF District for affordable housing.

The Economic Development and Housing Committee was briefed regarding this item on November 5, 2018.

FISCAL INFORMATION

Vickery Meadow TIF District Funds - $649,097.00 transferred to Dallas Housing Trust Fund

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WHEREAS, the City has established Tax Increment Financing Reinvestment Zone Number Nine, (Vickery Meadow Tax Increment Financing (TIF) District or District) and established a Board of Directors for the District to promote development or redevelopment in the Vickery Meadow area pursuant to Ordinance No. 25964, authorized by the City Council on April 27, 2005, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, as amended; and

WHEREAS, on December 14, 2005, City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Vickery Meadow TIF District by Resolution No. 05-3542; Ordinance No. 26181, as amended; and

WHEREAS, on May 9, 2018, City Council adopted the Dallas Comprehensive Housing Policy (the "Policy") to create and maintain affordable housing throughout Dallas; promote greater fair housing choices; and overcome patterns of segregation and concentrations of poverty through incentives and requirements. The Policy calls for the establishment of a Dallas Housing Trust Fund ("DHTF") to support the production goals of the Policy. The Policy states that a portion of the DHTF should be sought from a one-time transfer of a minimum of $7 million in unencumbered fund balances from high-performing Tax Increment Financing Districts by Resolution No. 18-0704; and

WHEREAS, the Policy calls for the establishment of a Dallas Housing Trust Fund (the "DHTF") to support the production goals of the Policy; and

WHEREAS, the Policy states that a portion of the DHTF should be sought from a one-time transfer of a minimum of $7 million in unencumbered fund balances from high-performing Tax Increment Financing Districts; and

WHEREAS, on October 30, 2018, the Vickery Meadow TIF District Board of Directors approved forwarding to City Council an amendment to the Vickery Meadow TIF District Project Plan and Reinvestment Zone Financing Plan to allow an amount not to exceed $649,097.00 from the Vickery Meadow TIF District Fund to be used outside of the boundaries of the Vickery Meadow TIF District for affordable housing; and

WHEREAS, on October 30, 2018, the Vickery Meadow TIF District Board of Directors also approved forwarding to City Council a transfer in an amount not to exceed $649,097.00 from the Vickery Meadow TIF District Fund to the City's Housing Trust Fund, in support of the City of Dallas Comprehensive Housing Policy; and

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to increase appropriations in an estimated amount of $649,097.00 in the Vickery Meadow TIF District Fund, Fund 0048, Department ECO, Unit P470, Object 3690.

SECTION 2. That the Chief Financial Officer is hereby authorized to transfer an estimated amount of $649,097.00 from the Vickery Meadow TIF District Fund, Fund 0048, Department ECO, Unit P470, Object 3690, to the Dallas Housing Trust Fund, Fund 9P16, Department ECO, Unit 1870, Revenue Code 9201.

SECTION 3. That the City Manager is hereby authorized to increase appropriations in an estimated amount of $649,097.00 in the Dallas Housing Trust Fund, Fund 9P16, Department ECO, Unit 1870, various Object Codes.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds from the Dallas Housing Trust Fund, Fund 9P16, Department ECO, Unit 1870, various Object Codes in an estimated amount of $649,097.00.

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.

Agenda Information Sheet

File #: 18-1203 **Item #:** 44.

STRATEGIC PRIORITY: Public Safety

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Emergency Management

EXECUTIVE: Jon Fortune

SUBJECT

Authorize the **(1)** acceptance of a grant from the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency passed through the Texas Department of Public Safety, Texas Division of Emergency Management has made funding available to the City of Dallas under the FY 2018 Emergency Management Performance Grant Program (Federal/State Award ID No. EMT-2018-EP-00008, Grant No. 18TX-EMPG-0008/CFDA No. 97.042) to fund emergency preparedness operations and planning in an amount not to exceed $148,559.50 for the period October 1, 2017 through March 31, 2019; **(2)** establishment of appropriations in an amount not to exceed $148,559.50 in the DHS-FY 2018 Emergency Management Performance Grant 17-19 Fund; **(3)** receipt and deposit of grant funds in an amount not to exceed $148,559.50 in the DHS-FY 2018 Emergency Management Performance Grant 17-19 Fund; and **(4)** execution of the grant agreement and all documents required by the grant agreement - Not to exceed $148,559.50 - Financing: U.S. Department of Homeland Security Grant Funds

BACKGROUND

The Emergency Management Performance Grant No. 18TX-EMPG-0008 is a yearly grant from the U.S. Department of Homeland Security passed through the Texas Department of Public Safety, Texas Division of Emergency Management and awarded to local emergency management departments to help develop and maintain the capabilities to respond to all-hazards incidents. Funds are used to help cover salaries for the City's Office of Emergency Management Staff and other costs associated with running the emergency management program.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 23, 2013, City Council authorized a contract award for the acceptance of a grant from the U.S. of Homeland Security under the Emergency Management Performance Grant Program for the period October 1, 2011 through March 31, 2013, by Resolution No. 13-0249.

On October 8, 2013, City Council authorized a contract award for the acceptance of a grant from the U.S. of Homeland Security under the Emergency Management Performance Grant Program for the period October 1, 2012 through March 31, 2014, by Resolution No. 13-1760.

On August 12, 2015, City Council authorized a contract award for the acceptance of a grant from the U.S. of Homeland Security under the Emergency Management Performance Grant Program for the period October 1, 2014 through March 31, 2016, by Resolution No. 15-1382.

On August 10, 2016, City Council authorized a contract award for the acceptance of a grant from the U.S. of Homeland Security passed through the Texas Department of Public Safety, Texas Division of Emergency Management under the Emergency Management Performance Grant Program for the period October 1, 2015 through March 31, 2017, by Resolution No. 16-1194.

On January 10, 2018, City Council authorized a contract award for the acceptance of a grant from the U.S. of Homeland Security (DHS), Federal Emergency Management Agency, passed through the Texas Department of Public Safety, Texas Division of Emergency Management under the FY 2017 Emergency Management Performance Program for the period October 1, 2016 through March 31, 2018, by Resolution No. 18-0083.

Information about this item will be provided to the Public Safety and Criminal Justice Committee on December 10, 2018.

FISCAL INFORMATION

U.S. Department of Homeland Security Grant Funds - $148,559.50

December 12, 2018

WHEREAS, the U.S. Department of Homeland Security through the Texas Department of Public Safety, Texas Division of Emergency Management has made funding available to the City of Dallas under the Emergency Management Performance Grant Program to fund emergency preparedness operations and planning; and

WHEREAS, grant funds will be used for operating expenses related to emergency response activities; and

WHEREAS, the City of Dallas will benefit from increased preparedness throughout 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 accept a grant from the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency passed through the Texas Department of Public Safety, Texas Division of Emergency Management has made funding available to the City of Dallas under the FY 2018 Emergency Management Performance Grant Program (Federal/State Award ID No. EMT-2018-EP-00008, Grant No. 18TX-EMPG-0008/CFDA No. 97.042) to fund emergency preparedness operations and planning in an amount not to exceed $148,559.50 for the period October 1, 2017 through March 31, 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 establish appropriations in an amount not to exceed $148,559.50 in the DHS-FY 2018 Emergency Management Performance Grant Program 17-19 Fund, Fund F571, Department MGT, Unit 3804, Object 3099.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed $148,559.50 in the DHS-FY 2018 Emergency Management Performance Grant Program 17-19 Fund, Fund F571, Department MGT, Unit 3804, Revenue Code 6506.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $148,559.50 from the DHS-FY 2018 Emergency Management Performance Grant Program 17-19 Fund, Fund F571, Department MGT, Unit 3804, Object 3099.

SECTION 5. That the City Manager is hereby authorized to reimburse to the Department of Homeland Security any expenditure identified as ineligible. 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 final granting agency monitoring reports not later than 30 days after the receipt of the report.

SECTION 7. That the City Manager or his designee is authorized to provide additional information, make adjustments, and take other actions related to the implementation or termination of the grant as may be necessary to satisfy the U.S. Department of Homeland Security and Federal Emergency Management Agency.

SECTION 8. That this contract is designated as Contract No. MGT-2019-00008507.

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.

Agenda Information Sheet

File #: 18-1232 **Item #:** 45.

STRATEGIC PRIORITY: Public Safety

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Emergency Management

EXECUTIVE: Jon Fortune

SUBJECT

Authorize the **(1)** acceptance of a grant from the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency passed through the Texas Office of the Governor-Homeland Security Grants Division for the FY 2018 Homeland Security Grant Program, which includes the Urban Area Security Initiative and the State Homeland Security Grant Program (Federal/State Award ID No. EMW-2018-SS-00022-S01/ Grant Nos. 2980304, 2980704, 3176403, 3321902, 3418202, 3698801/CFDA No. 97.067) to provide funding for activities related to enhancing preparedness and building capacity to prepare for, prevent and respond to complex coordinated terrorist attacks in an amount not to exceed $5,693,850.00 for the period September 1, 2018 through August 31, 2020; **(2)** establishment of appropriations in an amount not to exceed $5,693,850.00 in the DHS-FY18 Homeland Security Grant 18-20 Fund and the DHS-2018 State Homeland Security Grant 18-19 Fund; **(3)** receipt and deposit of grant funds in an amount not to exceed $5,693,850.00 in the DHS-FY18 Homeland Security Grant 18-20 Fund and the DHS-2018 State Homeland Security Grant 18-19 Fund; and **(4)** execution of the grant agreement and all documents required by the grant agreement - Not to exceed $5,693,850.00 - Financing: U.S. Department of Homeland Security Grant Funds

BACKGROUND

The Department of Homeland Security (DHS) was created in 2002 and began releasing funds to state and local governments through grant programs. Since 2003, the City of Dallas has received over $100 million in grant funds under the initiatives that make up the Homeland Security Grant Program. In 2017, the City of Dallas was awarded funds under the Urban Areas Security Initiative (UASI). In order to facilitate the distribution of these federal funds, each State is required to establish a State Administrative Agency (SAA) to administer and distribute the grant funding to local governments. In Texas, the SAA has been established within the Texas Office of the Governor.

These initiatives provide funding for equipment acquisition, and planning and training activities to increase the ability of the City of Dallas to prevent, protect against, respond to, and recover from natural and man-made disasters all linked to a terrorism nexus. Some of the activities that these

funds support include planning and training for first responders and departmental staff, as well as for citizens participating in the Citizen Emergency Response Team and a public awareness campaign. Additionally, these funds are also used to assist departments with meeting national, state and regional preparedness goals through the procurement of equipment for various initiatives such as increasing interoperability during incidents.

Each initiative focuses on a component of the overall needs of Dallas to respond in conjunction with state and federal agencies during times of natural and man-made disasters. UASI focuses on the unique planning, equipment, training, and exercise needs of high-threat, high-density urban areas, with specific carve outs for Law Enforcement (LE) activities and Management and Administration (M&A) of the grant.

Previous funding from the Homeland Security Grant Program has been used for equipment and programs to support public safety and homeland security initiatives.

Listed below are the levels of funding for each initiative:

Homeland Security Grant Program Total:	$5,693,850.00
UASI	$2,690,850.00
UASI-LE	$2,685,000.00
UASI-M&A	$ 258,000.00
State Homeland Security Grant	$ 60,000.00

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 12, 2014, City Council authorized the acceptance of the 2014 Homeland Security Grant from the Department of Homeland Security, which includes the Urban Area Security Initiative and the State Homeland Security Grant Program (Grant No. EMW-2014-SS-00029) to provide funding for equipment acquisition, planning and training activities to enable the City to respond to natural and man-made disasters for the period September 1, 2014 through June 30, 2016; and execution of the grant agreement by Resolution No. 14-1902.

On January 13, 2016, City Council authorized the acceptance of the 2015 Homeland Security Grant from the Department of Homeland Security, which includes the Urban Area Security Initiative and the State Homeland Security Grant Program (Grant No. EMW-2015-SS-00080-S01) to provide funding for equipment acquisition, planning and training activities to enable the City to respond to natural and man-made disasters for the period September 1, 2015 through May 31, 2018; and execution of the grant agreement by Resolution No. 16-0083.

On November 9, 2016, City Council authorized the acceptance of the 2016 Homeland Security Grant from the Department of Homeland Security, which includes the Urban Area Security Initiative (Grant No. EMW-2016-SS-00056-S01) to provide funding for equipment acquisition, planning and training activities to enable the City to respond to natural and man-made disasters for the period October 1, 2016 through November 30, 2018; and execution of the grant agreement by Resolution No. 16-1805.

On November 8, 2017, City Council authorized the acceptance of a grant from the U.S. Homeland Security, Federal Emergency Management Agency passed through the Texas Office of the Governor-

Homeland Security Grants Division for the FY 2017 Homeland Security Grant, which includes the Urban Area Security Initiative and the State Homeland Security Program (Federal/State Award ID No. EMW-2017-SS-00005/Grant Nos. 2979903, 2980303, 2980503, 2980703, 3176402, 3321901, 3418201, 3418301/CFDA No. 97.067) to provide funding for activities related to enhancing preparedness and building capacity to prepare for, prevent and respond to complex coordinated terrorist for the period September 1, 2017 through February 29, 2020; and execution of the grant agreement by Resolution No. 17-1737.

Information about this item will be provided to the Public Safety and Criminal Justice Committee on December 10, 2018.

FISCAL INFORMATION

U.S. Department of Homeland Security Grant Funds - $5,693,850.00

December 12, 2018

WHEREAS, the U.S. Department of Homeland Security has made funding available to the City of Dallas, under the FY 2018 Homeland Security Grant Program to build our capacity to prevent, protect against, respond to, and recover from a terrorist attack or natural disaster; and

WHEREAS, grant funds will be used for operating expenses related to emergency preparedness and response activities; and

WHEREAS, the City of Dallas will benefit from increased preparedness throughout the city and region.

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 a grant from the U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency passed through the Texas Office of the Governor-Homeland Security Grants Division for the FY 2018 Homeland Security Grant Program, which includes the Urban Area Security Initiative and the State Homeland Security Grant Program (Federal/State Award ID No. EMW-2018-SS-00022-S01/ Grant Nos. 2980304, 2980704, 3176403, 3321902, 3418202, 3698801/CFDA No. 97.067) to provide funding for activities related to enhancing preparedness and building capacity to prepare for, prevent and respond to complex coordinated terrorist attacks in an amount not to exceed $5,693,850.00 for the period September 1, 2018 through August 31, 2020; 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 $2,690,850.00 in the DHS-FY18 Homeland Security Grant 18-20 Fund, Fund F568, Department MGT, Unit 3713, Object 3099.

SECTION 3. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $2,685,000.00 in the DHS-FY18 Homeland Security Grant 18-20 Fund, Fund F568, Department MGT, Unit 3714, Object 3099.

SECTION 4. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $258,000.00 in the DHS-FY18 Homeland Security Grant 18-20 Fund, Fund F568, Department MGT, Unit 3716, Object 3099.

SECTION 5. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $60,000.00 in the DHS-2018 State Homeland Security Grant 18-19 Fund, Fund F569, Department MGT, Unit 3802, Object 3099.

SECTION 6. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed $2,690,850.00 in the DHS-FY18 Homeland Security Grant 18-20 Fund, Fund F568, Department MGT, Unit 3713, Revenue Code 6506.

SECTION 7. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed $2,685,000.00 in the DHS-FY18 Homeland Security Grant 18-20 Fund, Fund F568, Department MGT, Unit 3714, Revenue Code 6506.

SECTION 8. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed $258,000.00 in the DHS-FY18 Homeland Security Grant 18-20 Fund, Fund F568, Department MGT, Unit 3716, Revenue Code 6506.

SECTION 9. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed $60,000.00 in the DHS-2018 State Homeland Security Grant 18-19 Fund, Fund F569, Department MGT, Unit 3802, Revenue Code 6506.

SECTION 10. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $2,690,850.00 from the DHS-FY18 Homeland Security Grant 18-20 Fund, Fund F568, Department MGT, Unit 3713, Object 3099.

SECTION 11. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $2,685,000.00 from the DHS-FY18 Homeland Security Grant 18-20 Fund, Fund F568, Department MGT, Unit 3714, Object 3099.

SECTION 12. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $258,000.00 from the DHS-FY18 Homeland Security Grant 18-20 Fund, Fund F568, Department MGT, Unit 3716, Object 3099.

SECTION 13. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $60,000.00 from the DHS-2018 State Homeland Security Grant 18-19 Fund, Fund F569, Department MGT, Unit 3802, Object 3099.

SECTION 14. That the City Manager is hereby authorized to reimburse to the U.S. Department of Homeland Security any expenditure identified as ineligible or in the event of loss of funds. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 15. 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 16. That the City Manager or his designee is authorized to provide additional information, make adjustments, and take other actions related to the implementation or termination of the grant as may be necessary to satisfy the U.S. Department of Homeland Security and Federal Emergency Management Agency.

SECTION 17. That this contract is designated as Contract No. MGT-2019-00008530.

SECTION 18. 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 #: 18-1349 **Item #:** 46.

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	December 12, 2018
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Office of Procurement Services
EXECUTIVE:	Elizabeth Reich

SUBJECT

Authorize a two-year service contract for licenses, maintenance, and support for the McAfee VirusScan ® Threat Management Portfolio software - Kudelski Security, Inc., most advantageous proposer of three - Not to exceed $514,138.88 - Financing: Data Services Fund

BACKGROUND

This service contract will provide licenses, maintenance, and support for the McAfee VirusScan ® Threat Management Portfolio software. McAfee products are used to provide extensive desktop and server computer security protections from viruses, malware, spyware, spam, and other advanced internet threats for all City computers. These protections extend to computers used by critical infrastructure agencies including the Police Department, Fire Rescue and the Water Utilities Department.

Additional protections provided by these products include real-time monitoring, proactive prevention of various threats, such as email and messaging threats that originate from either internal or external users. These products also provide protection from threats introduced into the City's network by portable devices such as: USB storage media, digital cameras, digital players and storage media, flash drives, or smart phones.

Additionally, as part of cyber security protection, various federal and state agencies including the U.S. Department of Justice, Criminal Justice Information System (CJIS) division, Office of Civil Rights Division, and the Texas Department of Public Safety, require agencies to install, use, and regularly update anti-virus software on computers that interact with these federal and state agencies' systems.

The City currently owns and manages 10,000 end point device licenses for the various McAfee threat management portfolio products deployed across the enterprise.

A six member committee from the following departments reviewed and evaluated the qualifications:

- Department of Communications and Information Services (2)
- Water Utilities Department (2)
- 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:

- Cost 50 points
- Capabillity and experience 20 points
- Functional match 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 1,261 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 $11.15, by Resolution No. 15-2141; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 22, 2014, City Council authorized a three-year service contract for licenses, maintenance and support for McAfee VirusScan ® Threat Management Portfolio software with World Wide Technology, Inc. by Resolution No. 14-1778.

On November 8, 2017, City Council authorized a one-year service contract for licenses, maintenance, and support for McAfee VirusScan ® Threat Management Portfolio software with CDW Government LLC by Resolution No. 17-1738.

FISCAL INFORMATION

Data Services Fund - $514,138.88

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 $
$514,138.88	Other Services	N/A	N/A	N/A
• M/WBE goal waived due to no M/WBE availability				

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 BUZ1822. We opened them on September 13, 2018. We recommend the City Council award this service contract in its entirety to the only proposer.

*Denotes successful proposer

Proposers	Address	Score	Amount
* Kudelski Security, Inc.	14175 Proton Rd. Suite 450 Dallas, TX 75244	83.75	$514,138.88
Dell Marketing, LP.	One Dell Way Round Rock, TX 78682	79.80	$555,223.64

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SHI Government Solutions, Inc.	1301 S. MoPac Expwy. Suite 375 Austin, TX 7 8746	79.42	$528,156.84

OWNER

Kudelski Security, Inc.

Rich Fennessy, Chief Executive Officer
Steve Speidel, Chief Operating Officer

December 12, 2018

WHEREAS, on October 22, 2014, City Council Authorize a three-year service contract for licenses, maintenance and support for McAfee VirusScan ® Threat Management Portfolio software with World Wide Technology, Inc. in an amount not to exceed $495,921.00, by Resolution No. 14-1778; and

WHEREAS, on November 8, 2017, City Council authorized a one-year service contract for licenses, maintenance, and support for McAfee VirusScan ® Threat Management Portfolio software with CDW Government LLC in an amount not to exceed $166,422.00, by Resolution 17-1738.

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 Kudelski Security, Inc. (VC19106), approved as to form by the City Attorney, for licenses, maintenance, and support for the McAfee VirusScan ® Threat Management software for a term of two years, in an amount not to exceed $514,138.88. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Kudelski Security, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Kudelski Security, Inc. under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $514,138.88 to Kudelski Security, Inc. from Master Agreement Service Contract No. DSV-2019-00008646.

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 #: 18-1350 **Item #:** 47.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year service price agreement for citywide overhead door repair, maintenance, parts, and labor - Miner Ltd. dba Overhead Door Co. of Dallas, lowest responsible bidder of two - Not to exceed $4,573,891.92 - Financing: General Fund ($3,796,454.95), Convention and Event Services Fund ($423,086.80), Dallas Water Utilities Fund ($315,072.43), Communication Services Fund ($19,918.90), Aviation Fund ($10,826.84), and Stormwater Drainage Management Fund ($8,532.00)

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.

This service price agreement will allow for citywide repair, maintenance, parts, and labor of overhead doors on City owned buildings. This service price agreement is necessary to ensure gates and overhead doors in City facilities are in good working condition to safeguard buildings from unauthorized access during non-operation hours and to ensure the safety of staff during daily operations.

Approximately 600 overhead doors secure various City facilities, including fire stations, training facilities, workshops, warehouses, service centers, and other facilities. These doors range in size from 8 to 29 feet high and 8 to 24 feet wide and are constructed of metal, wood, and/or glass panels.

In addition, this service price agreement will provide transmitters to allow emergency response vehicles to access gated communities throughout the City in the event of an emergency.

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 143 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 December 3, 2018.

FISCAL INFORMATION

General Fund - $3,796,454.95
Convention and Event Services Fund - $423,086.80
Dallas Water Utilities Fund - $315,072.43
Communication Services Fund - $19,918.90
Aviation Fund - $10,826.84
Stormwater Drainage Management Fund - $8,532.00

Fund	FY 2018-19	FY 2019-20	FY 2020-21
General Fund	$1,264,286.47	$1,264,286.47	$1,267,882.01
Convention and Event Services Fund	$141,028.94	$141,028.93	$141,028.93
Dallas Water Utilities Fund	$105,024.16	105,024.15	$105,024.12
Communication Services Fund	$6,639.00	$6,639.00	$6,640.90
Aviation Fund	$3,608.94	$3,608.94	$3,608.96
Stormwater Drainage Management Fund	$2,844.00	$2,844.00	$2,844.00
Total	$1,523,431.51	$1,523,431.49	$1,527,028.92

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 $**
$4,573,891.92	Other Services	N/A	N/A	N/A
• M/WBE goal waived due to no M/WBE availability				

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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 BR1708. We opened them on May 10, 2017. 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
*Miner Ltd. dba Overhead Door Co. of Dallas	7318 Fillmore Dr. Dallas, TX 75235	$4,573,891.92
Garage Door Plus, LLC	2211 Duluth Dr. Ste. 107 Pantego, TX 76013	Non-Responsive**

**Garage Door Plus, LLC was deemed non-responsive due to not meeting bid specifications.

OWNER

Miner Ltd. dba Overhead Door Co. of Dallas

Thomas Brackett, President
Fred Strickland, Vice President
Kirk Yosick, Secretary
Joe Herman, Treasurer

December 12, 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 Miner Ltd. dba Overhead Door Co. of Dallas (VC15991), approved as to form by the City Attorney, for citywide overhead door repair, maintenance, parts, and labor for a term of three years, in an amount not to exceed $4,573,891.92. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Miner Ltd. dba Overhead Door Co. of Dallas shall be based only on the amount of the services directed to be performed by the City and properly performed by Miner Ltd. dba Overhead Door Co. of Dallas under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $4,573,891.92 to Miner Ltd. dba Overhead Door Co. of Dallas from Service Price Agreement No. POM-2019-00008729.

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 #: 18-990 **Item #:** 48.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year service price agreement for fire extinguisher and sprinkler system maintenance and repairs - American Fire Protection Group, Inc. in the amount of $5,051,309.56 and Safety Control LLC in the amount of $1,826,503.41, lowest responsible bidders of seven - Total not to exceed $6,877,812.97 - Financing: General Fund ($3,370,512.10), Convention and Event Services Fund ($3,084,187.70), Sanitation Services Fund ($222,302.77), Dallas Water Utilities Fund ($134,042.50), Aviation Fund ($45,643.00), and Communication Service Fund ($21,124.90)

BACKGROUND

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for services and goods, for a specific term, which are ordered on an as needed basis. We anticipate the following City departments will use this agreement:

- Department of Aviation
- Department of Code Compliance
- Department of Communication and Information Services
- Department of Convention and Event Services
- Department of Dallas Animal Services
- Building Services Department
- Department of Public Works
- Department of Sanitation Services
- Department of Transportation
- Office of Environmental Quality & Sustainability
- Fire-Rescue Department
- Water Utilities Department
- Library
- Office of Cultural Affairs

- Park & Recreation Department
- Police Department

This service price agreement will provide for a full range of essential fire suppression equipment and services to City facilities by providing inspection, maintenance, repair, and replacement of the following extinguishers and sprinkler system parts:

- Class A, B, C
- Class K
- Carbon dioxide
- Halon
- Wet and dry pipe sprinkler systems
- Anti-freeze sprinkler systems
- Fire pumps

All units under this agreement will meet all applicable fire codes, ensuring that all facility suppression equipment is fully operational and in compliance with all fire codes and regulations applicable to facility fire suppression equipment and sprinkler systems. The Office of Risk Management in conjunction with the manager of each facility will be responsible for coordinating fire suppression equipment and system inspections to ensure that each facility has been inspected and is in compliance with all fire codes and regulations.

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 957 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 June 17, 2015, City Council authorized a three-year service contract for inspection and maintenance of fire extinguishers and sprinkler systems for City departments with Total Fire & Safety, Inc. and Eagle Fire Extinguisher Co., Inc. by Resolution No. 15-1132.

The Government Performance & Financial Management Committee will receive this item for consideration on December 3, 2018.

FISCAL INFORMATION

General Fund - $3,370,512.10
Convention and Event Services Fund - $3,084,187.70
Sanitation Services Fund - $222,302.77

Dallas Water Utilities Fund - $134,042.50
Aviation Fund - $45,643.00
Communication Service Fund - $21,124.90

Fund	FY 2018-19	FY 2019-20	FY 2020-21
General Fund	$1,122,007.02	$1,123,002.26	$1,125,502.82
Convention and Event Services Fund	$950,000.00	$950,000.00	$1,184,187.70
Communication Service Fund	$7,041.64	$7,041.63	$7,041.63
Dallas Water Utilities Fund	$44,680.83	$44,680.83	$44,680.84
Sanitation Services Fund	$74,100.92	$74,100.92	$74,100.93
Aviation Fund	$15,214.33	$15,214.33	$15,214.34
Total	$2,213,044.74	$2,214,039.97	$2,450,728.26

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 $
$6,877,812.97	Other Services	23.80%	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 BI1811. We opened them on August 17, 2018. We recommend the City Council award this service price agreement to the lowest responsive and responsible bidders by group.

*Denotes successful bidders

Bidders	**Address**	**Amount**
*American Fire Protection Group Inc.	10575 Vista Park Rd. Dallas, TX 75238	Group 1 - $3,960,702.42 Group 2 - $4,522,057.53
*Safety Control LLC	1070 CR 1135 Mount Pleasant, TX 75455	Group 1 - $1,764,297.75 Group 2 - No Bid
Cintas Corporation	6800 Cintas Blvd. Mason, OH 45040	Group 1 - $2,212,340.51 Group 2 - $6,548,863.25
Eagle Fire Extinguisher Co.	4430 Brass Way Dallas, TX 75236	Group 1 - $2,051,370.51 Group 2 - $9,332,915.20
Total Fire & Safety Inc.	7909 Carr St. Dallas, TX 75227	Group 1 - No Bid Group 2 - $5,032,535.55
RES Fire Sprinkler	304 E. Trunk St. Crandall, TX 75114	Group 1 - No Bid Group 2 - $4,756,821.30
Champion Life Safety Solutions	2701 W. Plano Pkwy. Suite #500 Plano, TX 75075	Non-Responsive**

**Champion Life Safety Solutions was deemed non-responsive due to not meeting specifications.

OWNERS

American Fire Protection Group, Inc.

Michael Gengler, President
Ross Erzar, Vice President

Safety Control LLC

Drew Smith, President
Clare Smith, Treasurer

December 12, 2018

WHEREAS, on June 17, 2015, City Council authorized a three-year service contract for inspection and maintenance of fire extinguishers and sprinkler systems for City departments with Total Fire & Safety, Inc. in the amount of $2,474,057.50 and Eagle Fire Extinguisher Co. in the amount of $1,746,257.40, by Resolution No. 15-1132; and

WHEREAS, on April 19, 2018, Administrative Action No. 18-5749 authorized to extend the service contract for inspection and maintenance of fire extinguishers and sprinkler systems with Total Fire & Safety Inc. from September 1, 2018 to January 31, 2019; and

WHEREAS, on April 19, 2018, Administrative Action No. 18-5756 authorized to extend the service contract for inspection and maintenance of fire extinguishers and sprinkler systems with Eagle Fire Extinguisher Co. from September 1, 2018 to January 31, 2019.

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 American Fire Protection Group, Inc. (VS97645) in the amount of $5,051,309.56 and Safety Control LLC (VS98301) in the amount of $1,826,503.41, approved as to form by the City Attorney, for fire extinguisher and sprinkler system maintenance and repairs for a term of three years, in a total amount not to exceed $6,877,812.97. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to American Fire Protection Group, Inc. and Safety Control LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by American Fire Protection Group, Inc. and Safety Control LLC under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $6,877,812.97 to American Fire Protection Group, Inc. and Safety Control LLC from Service Contract No. POM-2018-00008145.

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 #: 18-1323 **Item #:** 49.

STRATEGIC PRIORITY: Public Safety

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year service price agreement, with one two-year renewal option, for farrier services for the Police Department's Mounted Unit - Frank Schweighart, lowest responsible bidder of three - Not to exceed $141,625.00 - Financing: General 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 price agreement will provide farrier services to the Police Department's Mounted Squad. Farrier service is vital to maintaining the health of the horses due to the longevity of service of a police mount and the wear and tear inflicted upon their feet through the course of operations. The Mounted Squad currently stables 12 horses, which assist the Police Department's Patrol Divisions in all aspects of their operations including community engagement, protests, and special events. The horses must be ready to respond in emergency situations and adverse work conditions such as traveling over hard, rough surfaces, or in wet environments. This unnatural wear and tear inflicted upon the hooves of the horses cause them to be worn down more quickly. The farrier's job is to ensure the horses' feet are kept healthy, securely shod with metal shoes, and correctly trimmed, thus allowing them to work without injury.

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 285 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 December 10, 2018.

FISCAL INFORMATION

General Fund - $141,625.00

FY 2018-19 $47,208.00
FY 2019-20 $47,208.00
FY 2020-21 $47,209.00

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 $
$141,625.00	Other Services	18.00%	0.00%	$0.00
• M/WBE goal waived due to no M/WBE availability				

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 BT1801. We opened them on May 25, 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
*Frank Schweighart	1973 Adams Ranch Road Caddo Mills, TX 75135	$141,625.00

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Eddie Oglesby Farrier Services	478 Hornik Road Ennis, TX 75119	$150,150.00
Judd Gregory	2465 FM 2862 Anna, TX 75409	Non-responsive**

**Judd Gregory was deemed non-responsive due to not meeting specifications.

OWNER

Frank Schweighart

Frank Schweighart, President

December 12, 2018

WHEREAS, on July 20, 2015, Administrative Action No. 15-6317 authorized the purchase of farrier services for the Police Department's mounted squad with Eddie Oglesby, in an amount no to exceed $58,800.00; and

WHEREAS, on April 10, 2018, Administrative Action No. 18-5568 authorized to extend and increase the service contract for one year for farrier services for the Police Department's mounted squad with Eddie Oglesby, in the amount not to exceed $58,800.00, increasing the contract amount from $11,200.00 to $70,000.00.

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 service price agreement with Frank Schweighart (VC19360), approved as to form by the City Attorney, for farrier services for the Police Department's Mounted Unit for a term of three years, with one two-year renewal option, in an amount not to exceed $141,625.00. If the service was bid or proposed on as needed, unit price basis for performance of specified tasks, payment to Frank Schweighart shall be based only on the amount of the services directed to be performed by the City and properly performed by Frank Schweighart under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $141,625.00 to Frank Schweighart from Service Price Agreement No. DPD-2019-00008272.

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 #: 18-1294 **Item #:** 50.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year service contract for ongoing maintenance and support of Orion Communications software applications for the Police Department and Court and Detention Services - Orion Communications, sole source - Not to exceed $473,021.58 - Financing: Data Services Fund ($263,365.29) and Technology Fund ($209,656.29) (subject to annual appropriations)

BACKGROUND

This service contract will provide ongoing maintenance and support of Orion Communications software applications. Maintenance and support includes software upgrades to current releases of software and ongoing technical support. Orion Communications software applications provide efficient data management that allows the City to:

- Manage the daily operations and personnel files of uniform officers, which includes tracking planned work time versus actual time worked.
- Notify officers of subpoena notifications and City and County court date alerts.
- Track evidence related to criminal cases.
- Provide automation of tow company processing, which allows field officers to dispatch towing companies based on queue status.
- Track vehicles impounded by the City.

This software allows City agencies to share data in real-time with different applications systems, which is critical to the administrative management of the Police Department and Court and Detention Services personnel.

On November 10, 2015, City Council authorized the wage floor rate of $11.15, by Resolution No. 15-2141; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 12, 2011, City Council authorized a three-year service contract for maintenance and support of Orion Communications software applications for Police with Orion Communications, Inc. by Resolution No. 11-0156.

On June 27, 2012, City Council authorized Supplemental Agreement No. 1 to increase the maintenance and support service contract with Orion Communications, Inc. to provide enhancements to the Orion Communications software applications utilized by Police and Court and Detention Services for court case scheduling and to extend the term through January 31, 2015, by Resolution No. 12-1715.

On September 22, 2015, City Council authorized a three-year service contract for maintenance and support of Orion Communications software applications with Orion Communications, Inc. by Resolution No. 15-1735.

The Government Performance & Financial Management Committee will receive this item for consideration on December 3, 2018.

FISCAL INFORMATION

Data Services Fund - $263,365.29 (subject to annual appropriations)
Technology Fund - $209,656.29 (subject to annual appropriations)

Fund	FY 2018-19	FY 2019-20	FY 2020-21
Data Services Fund	$87,788.43	$87,788.43	$87,788,43
Technology Fund	$67,685.43	$70,985.43	$70,985.43
Total	$155,473.86	$158,773.86	$157,773.86

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 $**
$473,021.58	Other Services	N/A	N/A	N/A
• M/WBE Goal Waived				
Orion Communications is providing a three-year services contract for maintenance and support of Orion Communications software applications and is the sole source provider. No sub-contracting opportunities are available.				

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PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Sole Source	• Utilized for procurements where functional requirements can only be satisfied by one vendor, such as those where patents, copyrights or monopolies exists • Exempted from competitive bidding process • Reviewed by Procurement Services to ensure the procurement meets at least one general exception as stated in the Texas Local Government Code

Bidder	Address	Amount
Orion Communications, Inc.	8235 Douglas Avenue Suite 1100 Dallas, Texas 75225	$473,021.58

Note: The Office of Procurement Services conducted a sole source review and found no exceptions.

OWNER

Orion Communications, Inc.

Leslie DeLatte, President

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WHEREAS, on January 12, 2011, City Council authorized a three-year service contract for maintenance and support of Orion Communications software applications for Police with Orion Communications, Inc., in an amount not to exceed $223,870.00, by Resolution No. 11-0156, and

WHEREAS, on June 27, 2012, City Council authorized Supplemental Agreement No. 1 to the service contract to increase the maintenance and support service contract with Orion Communications, Inc. to provide enhancements to the Orion Communications software applications utilized by Police and Court and Detention Services for court case scheduling and to extend the term through January 31, 2015, in an amount not to exceed $172,765.00, from $223,870.00 to $396,635.00, by Resolution No. 12-1715; and

WHEREAS, on January 4, 2013, Administrative Action No. 13-5089 authorized Supplemental Agreement No. 2 to the service contract to include a new scope of work for the setup of Virtual Viewer Text Environment, software upgrade to cold fusion release 9.0, and a change order to remove the date of birth display in the arrest reports for virtual viewer public site and in the arrest reports Public Release link with Orion Communications, Inc., in an amount not to exceed $7,200.00, from $396,635.00 to $403,835.00; and

WHEREAS, on April 21, 2014, Administrative Action No. 14-5846 authorized Supplemental Agreement No. 3 to the service contract to install critical Adobe cold fusion security patches for Virtual Viewer with Orion Communications, Inc., in an amount not to exceed $1,400.00, from $403,835.00 to $405,235.00; and

WHEREAS, on July 3, 2014, Administrative Action No. 14-6186 authorized Supplemental Agreement No. 4 to the service contract for the modification of the Orion Communications Intelligent Workforce Management system interfaces with Orion Communications, Inc., in an amount not to exceed $21,700.00, from $405,235.00 to $426,935.00; and

WHEREAS, on January 13, 2015, Administrative Action No. 15-5305 authorized Supplemental Agreement No. 5 to the service contract to extend the contract for an additional three months through April 30, 2015 with Orion Communications, Inc., in an amount not to exceed $38,562.00, from $426,935.00 to $465,497.00; and

WHEREAS, on August 11, 2015, Administrative Action No. 15-6482 authorized Supplemental Agreement No. 6 to the service contract to extend the contract for an additional four months through August 31, 2015 with Orion Communications, Inc.; and

WHEREAS, on September 22, 2015, City Council authorized Supplemental Agreement No. 7 to the service contract for a service contract for maintenance and support of the Orion Communications software applications with Orion Communications, Inc., in an amount not to exceed $462,747.00, from $465,497.00 to $928,244.00, by Resolution No. 15-1735; and

WHEREAS, on August 4, 2017, Administrative Action No. 17-6422 authorized Supplemental Agreement No. 8 to the service contract for professional services to enable the edit of visitor log information within the Impound Manager module to comply with Texas Code with Orion Communications, Inc., in an amount not to exceed $1,400.00, from $928,244.00 to $929,644.00; and

WHEREAS, on August 27, 2018, Administrative Action No. 18-6435 authorized Supplemental Agreement No. 9 to the service contract to extend maintenance and support of Orion Applications for an additional three months, through November 30, 2018 with Orion Communications, Inc., in an amount not to exceed $38,868.00, increasing the contract amount from $929,644.00 to $968,512.00.

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 service contract with Orion Communications, Inc. (VS0000002410), approved as to form by the City Attorney, for ongoing maintenance and support of Orion Communications software applications for the Police Department and Court and Detention Services for a term of three years, in an amount not to exceed $473,021.58. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Orion Communications, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Orion Communications, Inc. under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $473,021.58 (subject to annual appropriations) to Orion Communications, Inc. from Master Agreement Service Contract No. DSV-2019-00008308.

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 #: 18-980 **Item #:** 51.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a five-year service price agreement for the rental of uniforms with Cintas Corporation No. 2 through the U.S. Communities Government Purchasing Alliance cooperative agreement, lowest responsible bidder of three - Estimated amount of $2,920,342.10 - Financing: General Fund ($1,763,372.89), Sanitation Services Fund ($906,675.58), and Aviation Fund ($250,293.63)

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 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. We anticipate the following City departments will use this agreement:

- Department of Public Works
- Department of Sanitation Services
- Park & Recreation Department
- Department of Transportation
- Department of Aviation

This service price agreement will provide for the rental of uniforms. Uniform rental provides the City with a cost-effective method to provide uniforms to civilian employees. Uniforms are important because it allows uniformity by department and also allows residents to identify City employees as City representatives.

Each employee utilizing the rental service will receive 11 pairs of pants and 11 shirts. The contractor will pick up soiled uniforms from each of the City locations and deliver clean, wrinkle-free uniforms on a weekly basis. As part of this service, repairs to uniforms are included. Work performed by employees outfitted under this contract requires industrial strength cleaning to ensure City employees are consistently represented in clean, pressed uniforms.

The U.S. Communities Government Purchasing Alliance 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 10, 2015, City Council authorized a three-year service contract for the rental of uniforms with G&K Services by Resolution No. 15-2052.

The Government Performance & Financial Management Committee will receive this item for consideration on December 3, 2018.

FISCAL INFORMATION

General Fund - $1,763,372.89 (estimated amount)
Sanitation Services Fund - $906,675.58 (estimated amount)
Aviation Fund - $250,293.63 (estimated amount)

Fund	FY 2018-19	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23
General Fund	$345,240.72	$351,985.44	$351,995.44	$355,389.04	$358,752.25
Sanitation Services Fund	$179,317.99	$179,317.99	$179,317.99	$182,680.53	$186,041.08
Aviation Fund	$49,472.56	$49,472.56	$49,472.56	$50,452.74	$51,423.21
Total	$574,031.27	$580,775.99	$580,785.99	$588,522.31	$596,216.54

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 $
$2,920,342.10	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

*Denotes successful bidder

Bidders	**Address**	**Amount**
*Cintas Corporation No. 2	6800 Cintas Boulevard Mason, OH 45040	$2,920,342.10
UniFirst Corporation	3067 East Commerce San Antonio, TX 78220	$3,032,048.85
G and K Services	5995 Opus Parkway Minnetonka, MN 55343	$3,636,448.45

OWNER

Cintas Corporation No. 2

Scott D. Farmer, President
Mike Hansen, Vice President
Tom Frooman, Secretary
Paul Adler, Treasurer

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December 12, 2018

WHEREAS, on November 10, 2015, City Council authorized a three-year service contract for the rental of uniforms with G&K Services, through the Texas Association of School Boards (BuyBoard) in the amount of $458,304.00, by Resolution No. 15-2052.

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 Cintas Corporation No. 2 (VS90740) through the U.S. Communities Government Purchasing Alliance cooperative agreement, approved as to form by the City Attorney, for the rental of uniforms for a term of five years in the estimated amount of $2,920,342.10. If the service was bid or proposed on as needed, unit price basis for performance of specified tasks, payment to Cintas Corporation No. 2 shall be based only on the amount of the services directed to be performed by the City and properly performed by Cintas Corporation No. 2 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 $2,920,342.10, but not more than the amount of budgetary appropriations for this service price agreement during its term to Cintas Corporation No. 2 from Service Price Agreement No. POM-2018-00006894.

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 #: 18-1281 **Item #:** 52.

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	December 12, 2018
COUNCIL DISTRICT(S):	2, 7
DEPARTMENT:	Office of Procurement Services
EXECUTIVE:	Elizabeth Reich

SUBJECT

Authorize **(1)** a five-year management contract for the South Dallas/Fair Park Public Improvement District Manager - South Side Quarter Development Corporation, most advantageous proposer of two - Not to exceed 10% of annual assessments, estimated to be $99,419.00 for administrative fees over the five-year term; and **(2)** the establishment of appropriations in the South Dallas/Fair Park PID Fund in an estimated amount of $111,237.00 - Financing: Cost Consideration to Others

BACKGROUND

On August 10, 2016, City Council authorized and established the South Dallas/Fair Park Public Improvement District (the "District") as a public improvement district under Chapter 372 of the Texas Local Government Code, designated the Alliance for Greater Works ("AGW"), a Texas nonprofit corporation, as the entity responsible for the management of and provision of services and improvements to the District, and authorized the City Manager to enter into a service contract with AGW for the management of the District by Resolution No. 16-1249.

AGW assigned the management contract to Hip Hop Government, Inc., a Texas corporation ("HHG"). On September 22, 2017, the Office of Economic Development sent HHG a default letter citing an insurance deficiency and on November 6, 2017, a termination letter was sent to HHG stating that the management contract was terminated effective as of October 25, 2017.

Over the past few months, the Office of Economic Development has worked with the Office of Procurement Services to solicit a new manager for the District. Two responses were submitted in response to the solicitation, and a selection panel deemed South Side Quarter Development Corporation as the most responsive.

The District's new manager shall abide by the Service Plan provided to the property owners within the District boundary as approved by City Council, for each of the five years. South Side Quarter Development Corporation shall not retain more than 10 percent of each year's total net assessment for administrative fees, estimated to be $99,419.00 over the five-year term. All remaining

assessment funds will be used to implement the approved Service Plan. The City will release District assessment funds collected in the absence of a District Manager to the new management entity upon City Council approval and execution of the service contract.

A five member committee from the following departments reviewed and evaluated the qualifications:

- Court and Detention Services (1)
- Office of Economic Development (1)
- Department of Planning and Urban Design (1)
- 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 demonstrated competence and qualifications under the following criteria:

- Capability/experience 40 points
- Cost 30 points
- Functional/technical 20 points
- Overall approach 10 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 1,108 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. 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 $11.15, by Resolution No. 15-2141; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 10, 2016, City Council authorized and established the District as a public improvement district under Chapter 372 of the Texas Local Government Code, designated the Alliance for Greater Works (“AGW”), a Texas nonprofit corporation, as the entity responsible for the management of and provision of services and improvements to the District and authorized the City Manager to enter into a contract with AGW for the management of the District by Resolution No. 16-1249.

On August 8, 2018, City Council authorized the rejection of the proposals that were received for a six-year management contact to manage the exiting South Dallas/Fair Park Public Improvement District by Resolution No. 18-1065.

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The Government Performance & Financial Management Committee will receive this item for consideration on December 3, 2018.

FISCAL INFORMATION

Cost consideration to others.

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 $
$99,419.00	Other Services	N/A	N/A	N/A
• M/WBE goal does not pertain to Non-Profit 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 BPZ1803. We opened them on October 12, 2018. We recommend the City Council award this service contract in its entirety to the most advantageous proposer.

*Denotes successful proposer

Proposers	Address	Score	Amount
*South Side Quarter Development Corporation	1401 S. Lamar St. Dallas, TX 75215	30.00	$99,419.00
Lazarus Foundation	P.O. Box 151488 Dallas, TX 75315	29.71	$98,461.00

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OWNER

South Side Quarter Development Corporation

Shannon Brown-Key, Executive Director

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WHEREAS, Chapter 372 of the Texas Local Government Code (the "Act") allows for the creation of public improvement districts; and

WHEREAS, on June 1, 2016, the Alliance for Greater Works, representing property owners of the South Dallas/Fair Park area, delivered to the City of Dallas a petition to create the South Dallas/Fair Park Public Improvement District (the "District") in accordance with Chapter 372 of the Texas Local Government Code. City staff reviewed the petition and determined that it meets the Act's thresholds for the City Council to consider creation or renewal of the District; and

WHEREAS, on August 10, 2016, City Council authorized and established the District as a public improvement district under Chapter 372 of the Texas Local Government Code, designated the Alliance for Greater Works ("AGW"), a Texas nonprofit corporation, as the entity responsible for the management of and provision of services and improvements to the District and authorized the City Manager to enter into a contract with AGW for the management of the District by Resolution No. 16-1249; and

WHEREAS, AGW assigned the management contract to Hip Hop Government, Inc., a Texas corporation ("HHG"); and

WHEREAS, on September 22, 2017, the Office of Economic Development sent HHG a default letter citing an insurance deficiency, and on November 6, 2017, a termination letter was sent to HHG stating that the management contract was terminated effective as of October 25, 2017; and

WHEREAS, the Office of Economic Development worked with Business Development and Procurement Services Department to solicit a new manager for the District and such solicitation was closed on 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 management contract with South Side Quarter Development Corporation (Vendor 520788), approved as to form by the City Attorney, to manage the existing South Dallas/Fair Park Public Improvement District for a term of five years.

SECTION 2. That the Chief Financial Officer is hereby authorized to transfer assessment funds received from Dallas County during FY 2017-18 and FY 2018-19 in General Fund, Fund 0001, Department ECO, Unit 1163, Revenue Code 7399 to the South Dallas/Fair Park PID Fund, Fund 9P09, Department ECO, Unit 1864, Revenue Code 8576, in an estimated amount of $111,237.00.

SECTION 3. That the City Manager is hereby authorized to establish appropriations in the amount of the transfer referenced in Section 2 in an estimated amount of $111,237.00 in the South Dallas/Fair Park PID Fund, Fund 9P09, Department ECO, Unit 1864, Various Object Codes.

SECTION 4. That the Chief Financial Officer is hereby authorized to receive and deposit assessment funds from Dallas County (net County collection fees) in the South Dallas/Fair Park PID Fund, Fund 9P09, Department ECO, Unit 1864, Revenue Code 8576, subject to future City Council approval of the annual assessment rate and service plan budget.

SECTION 5. That as part of the assessment levied herein, and as a part of the service plan, the District shall reimburse to City, administrative costs for the day to day operations and oversight conducted by City staff for the District, which amount shall be reimbursed by the District to City through the deduction from assessment revenues received.

SECTION 6. That the Chief Financial Officer is hereby authorized to transfer annually, funds in the amounts to be determined based upon costs incurred and related rates then in effect, from Fund 9P09, Department ECO, Unit 1864, Object 3090 to General Fund, Fund 0001, Department ECO, Units Various, Object 5011, to reimburse the Office of Economic Development for administrative costs incurred for the day-to-day administrative and operational oversight of the District.

SECTION 7. That the Chief Financial Officer is hereby authorized to transfer annually, funds in amounts to be determined based upon costs incurred and related rates then in effect, from Fund 9P09, Department ECO, Unit 1864, Object 3090 to General Fund, Fund 0001, Department BMS, Unit 1272, Object 5011, to reimburse the City Controller's Office for administrative costs incurred for day-to-day accounting responsibilities associated with oversight of the District.

SECTION 8. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 9P09, Department ECO, Unit 1864, Object 3034, Vendor 520788 for assessments due the District as assessed, paid to Dallas County and transferred to the City for processing, net of City administrative fees, any retainage necessary, and any required reconciliation adjustments, related to this activity.

SECTION 9. That South Side Quarter Development Corporation may retain up to 10% of each year's total net assessment for administrative fees, estimated to be $99,419.00 over the five-year term.

SECTION 10. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 9P09, Department ECO, Unit 1864, Object 3549, Vendor 243282 to reimburse Dallas County for refunding assessments paid by property owners in excess of adjusted amounts resulting from successful appeal of property tax values, and for other necessary reconciliation adjustments.

SECTION 11. That the facts and recitals contained in the preamble of this resolution are found and declared to be true and correct.

SECTION 12. That this contract is designated as Contract No. ECO-2019-00008616.

SECTION 13. 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 #: 18-1292 **Item #:** 53.

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	December 12, 2018
COUNCIL DISTRICT(S):	6, Outside City Limits
DEPARTMENT:	Office of Procurement Services
EXECUTIVE:	Elizabeth Reich

SUBJECT

Authorize a one-year master agreement for the purchase of ozone electrode module assemblies and parts for the Water Utilities Department - Fin-Tek Corporation in the estimated amount of $127,950.00 and Xylem Water Solutions USA, Inc. in the estimated amount of $72,900.00, lowest responsible bidders of two - Total estimated amount of $200,850.00 - 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 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 provides ozone electrode module assemblies and parts for the Water Utilities Department. This master agreement will be used to purchase stock electrode module assemblies (i.e. dielectrics) and associated parts. The ozone produced by these generators is used as a primary disinfectant per the Environmental Protection Agency of Enhanced Surface Water Treatment Rule and the Disinfectant and Disinfection Byproducts Rule in 1998. The use of ozone for disinfection reduces the occurrence of regulated disinfection byproducts and improves public health protection by reducing exposure to those disinfection byproducts. Ozone decomposes in a short amount of time requiring facilities to generate ozone onsite by imposing a high voltage alternating current across a dielectric discharge gap that contains an oxygen-bearing gas.

This master agreement ensures the continued provision of properly disinfected drinking water to an estimated 2.4 million people in Dallas and surrounding communities.

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 442 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)

The Government Performance & Financial Management Committee will receive this item for consideration on December 3, 2018.

FISCAL INFORMATION

Dallas Water Utilities Fund - $200,850.00 (estimated amount)

Council District	Amount
6	$ 63,975.00
Outside City Limits	$136,875.00
Total	$200,850.00

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 $
$200,850.00	Goods	18.00%	1.94%	$3,902.48
• 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 BM1819. We opened them on September 14, 2018. We recommend the City Council award this master agreement to the lowest responsive and responsible bidders by line.

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*Denotes successful bidders

Bidders	Address	Amount
*Fin-Tek Corporation	6 Leo Place Wayne, NJ 07470	Line 1 - $0.00 Line 2 - $120,800.00 Line 3 - $7,150.00
*Xylem Water Solutions USA, Inc.	14125 S. Bridge Circle Charlotte, NC 28273	Line 1 - $72,900.00 Line 2 - $0.00 Line 3 - $0.00

OWNERS

Fin-Tek Corporation

Donald R. Finnegan, President
Mary Finnegan, Vice President

Xylem Water Solutions USA, Inc.

Ronald C. Askin, President
Kenneth Napolitano, Vice President
Jane Dobson, Secretary
Matthew Fisher, Treasurer

December 12, 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 master agreement with Fin-Tek Corporation (518800) in the estimated amount of $127,950.00 and Xylem Water Solutions USA, Inc. (VC0000010486) in the estimated amount of $72,900.00, approved as to form by the City Attorney, for the purchase of ozone electrode module assemblies and parts for the Water Utilities Department for a term of one year, in the total estimated amount of $200,850.00. 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 ozone electrode module assemblies and parts for the Water Utilities Department. If a written contract is required or requested for any or all purchases of ozone electrode module assemblies and parts for the Water Utilities Department under the master agreement instead of individual purchase orders, the City Manager is 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 $200,850.00, but not more than the amount of budgetary appropriations for this master agreement during its term to Fin-Tek Corporation and Xylem Water Solutions USA, Inc. from Master Agreement Contract No. DWU-2019-00008527.

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 #: 18-1291 **Item #:** 54.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a one-year master agreement for large cast iron fittings for the Water Utilities Department - Fortiline, Inc., lowest responsible bidder of three - Estimated amount of $235,000.00 - 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 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 provide for the purchase of large cast iron fittings for Dallas Water Utilities Department (DWU). Fittings utilized in this agreement will allow DWU field crew personnel to repair, replace, and make required adjustments to water mains and service within water treatment facilities and distribution piping system. The cast iron fittings enable the connection of water pipelines which service Dallas residents and customer cities. DWU will utilize these fittings in the repair of residential and commercial piping, laterals and bypass valves, and other apparatuses as needed at existing locations and new installations. DWU maintains 4,983 miles of water mains throughout the water distribution system. Approximately 3,600 repairs were performed during the prior fiscal year to services and mains due to external corrosion, system loads and ground shift.

In this solicitation, the Office of Procurement Services required bidders to submit a response using percentage discount from manufacturer catalog based on an estimated expenditure amount. This bid resulted in an average discount of 69.40 percent compared to an average discount of 31.75 percent received in 2012.

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 422 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 April 13, 2016, City Council authorized a three-year master agreement for cast iron fittings with Fortiline, Inc. and Ferguson Enterprises by Resolution No. 16-0524.

The Government Performance & Financial Management Committee will receive this item for consideration on December 3, 2018.

FISCAL INFORMATION

Dallas Water Utilities Fund - $235,000.00 (estimated amount)

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 $
$235,000.00	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 BM1815. We opened them on July 20, 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 bidder

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Bidders	**Address**	**Percentage discount**
*Fortiline, Inc.	11200 Seagoville Rd. Balch Springs, TX 75180	Line 1 - 69.40% Line 2 - 69.40%
Core & Main, LP	4333 Irving Blvd. Dallas, TX 75247	Line 1 - 59.00% Line 2 - 65.80%
Ferguson Enterprises	7982 Highway 69 N. Tyler, TX 75706	Non-responsive**

**Ferguson Enterprises was deemed non-responsive due to not meeting specifications.

OWNER

Fortiline, Inc.

Frank Seymour, President
Ben Cagle, Vice President
Jason Painter, Secretary

December 12, 2018

WHEREAS, on April 13, 2016, City Council authorized a three year master agreement for cast iron fittings with Fortiline, Inc. in the amount of $100,000.00 and Ferguson Enterprises in the amount of $100,000.00, by Resolution No. 16-0524.

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 Fortiline, Inc. (VS0000073028), approved as to form by the City Attorney, for the purchase of large cast iron fittings for the Water Utilities Department for a term of one year in the estimated amount of $235,000.00. 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 purchase of large cast iron fittings for the Water Utilities Department. If a written contract is required or requested for any or all purchases of large cast iron fittings for the Water Utilities Department under the master agreement instead of individual purchase orders, the City Manager is 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 $235,000.00, but not more than the amount of budgetary appropriations for this master agreement during its term to Fortiline, Inc. from Master Agreement Contract No. DWU-2019-00008523.

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 #: 18-1337 **Item #:** 55.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize **(1)** a one-year master agreement for the purchase of **(a)** 109 pieces of fleet vehicles and equipment with Chastang Ford in the amount of $6,349,447.00, Holt Texas, Ltd. in the amount of $3,630,411.00, Austin Truck and Equipment, Ltd. dba Freightliner of Austin in the amount of $1,602,825.00, Sam Pack's Five Star Ford in the amount of $1,288,680.76, Southwest International Trucks, Inc. in the amount of $1,169,307.00, Kirby-Smith Machinery in the amount of $548,135.00, Kinloch Equipment & Supply, Inc. in the amount of $264,106.00, Freedom Chevrolet in the amount of $243,646.50, Rush Truck Centers Of Texas, LP in the amount of $230,142.68, Grande Truck Center in the amount of $144,073.00, BTE Body Co., Inc. in the amount of $117,676.00, and Magnum Trailers dba Magnum Custom Trailer Mfg. Co., Inc. in the amount of $17,608.50 through the Texas Association of School Boards cooperative agreement; **(b)** 73 pieces of fleet vehicles with Sam Pack's Five Star Ford in the amount of $2,866,548.43 through the Texas Smart Buy cooperative agreement; **(c)** 4 pieces of fleet equipment with Dickson Equipment Co., Inc. in the amount of $469,462.71 and Holt Texas, Ltd. in the amount of $85,169.00 through the Sourcewell cooperative agreement; and **(d)** 9 pieces of fleet vehicles with Longhorn Harley-Davidson in the amount of $263,078.46 through the Dallas-Fort Worth Airport Interlocal agreement; **(2)** the establishment of appropriations in an amount not to exceed $2,224,092.00 in the Fleet Capital Purchase Fund; **(3)** the establishment of appropriations in an amount not to exceed $8,000,000.00 in the Sanitation Master Lease-Equipment Fund; and **(4)** an increase in appropriations in an amount not to exceed $602,684.00 in the ISTEA Vehicle Conversion Fund - Total not to exceed $19,290,317.04 - Financing: Sanitation Master Lease-Equipment Fund ($7,990,451.43), Master Lease-Equipment Fund ($4,849,600.31), Sanitation Waste Cell Sinking Fund ($4,553,720.93), Water & Sewer Revenue Fund ($1,264,443.96), Fleet Capital Purchase Fund ($575,455.41), and Airport Revenue Fund ($56,645.00)

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.

The City conducts an evaluation on vehicles and equipment using established criteria before

replacement occurs. This evaluation includes life-to-date maintenance cost, recommended replacement mileage, and recommended replacement life. This purchase includes the replacement of 119 vehicles and equipment and 76 new units.

The approach for this fleet purchase was greatly influenced by the Fleet Efficiency Study. Specifically, the recommendations to implement a Total Cost of Ownership (TCO) procurement strategy to achieve the most effective life cycle return on the fleet investment.

Equipment and Fleet Management collaborated with departments to identify; costly long term leased vehicles, vehicles that were inoperable but critical to service delivery, and worked to take advantage of extended warranties and other adjustments to specifications that lend the ease of maintenance and operation.

This master agreement allows for the purchase of a total of 195 fleet vehicles and equipment. Fifteen of these vehicles are SmartWay compliant vehicles. SmartWay is the Environmental Protection Agency Program for improving fuel efficiency and reducing greenhouse gases and air pollution. Various City departments use vehicles and equipment for daily service delivery. Below is a list of the units:

- Sedans - 46 (DFR - 25, CCS - 17, SAN - 2, TRN - 2)
- Light duty trucks - 31 (SAN - 11, CCS - 10, PBW - 5, DWU - 4, PKR - 1)
- Medium/ heavy duty trucks - 14 (PKR - 6, PBW - 5, DWU - 2, SAN - 1)
- Automated side loader refuse trucks - 13 (SAN)
- Rear loader refuse trucks - 10 (SAN)
- Utility trucks - 9 (PKR - 5, PBW - 4)
- Police motorcycles - 9 (DPD)
- Vans - 8 (PKR - 5, DAS - 2, LIB - 1)
- Transfer trucks - 6 (DWU - 4, SAN - 2)
- 10-12 cubic yard dump trucks - 6 (DWU - 5, PKR - 1)
- Tactical sport utility vehicles - 5 (DPD)
- Rotoboom trucks - 5 (SAN)
- Trailers - 4 (PBW - 3, SAN - 1)
- Sport utility vehicles - 4 (TRN - 2, DWU - 1, CCS - 1)
- 5-6 cubic yard dump trucks - 3 (PBW)
- 11 cubic yard rear load refuse trucks - 3 (SAN)
- Litter trucks - 3 (PKR)
- 2-3 cubic yard dump trucks - 2 (PKR)
- Articulated dump trucks - 2 (SAN)
- Animal van - 1 (SAN)
- Street sweeper - 1 (SAN)
- Roller - 1 (PBW)
- Chipper box truck - 1 (PKR)
- Excavator - 1 (PBW)
- Compactor - 1 (SAN)
- Padfoot roller - 1 (PBW)

- Lube truck - 1 (SAN)
- Bucket truck - 1 (TRN)
- Service crane truck - 1 (SAN)
- Dozer - 1 (SAN)
- Plow Truck - 1 (AVI)

The Texas Association of School Boards, Sourcewell, and the Texas SmartBuy cooperative agreements are 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 December 11, 2013, City Council authorized a one-year master agreement for the purchase of two-hundred ten fleet vehicles and equipment with Metro Fire Apparatus Specialists, Inc., Dallas Dodge Chrysler Jeep, Southwest Ambulance Sales, Kinloch Equipment & Supply, Inc. and The Around the Clock Freightliner Group, LLC; thirty-eight fleet vehicles and equipment with RDO Equipment Company, Kirby-Smith Machinery, Inc. and Holt Texas, LTD; and eighty-eight fleet vehicles and equipment with Sam Pack's Five Star Ford by Resolution No. 13-2055.

On October 22, 2014, City Council authorized the purchase of 137 squad cars for Police with Dallas Dodge Chrysler Jeep by Resolution No. 14-1781.

On March 25, 2015, City Council authorized a one-year master agreement for the purchase of eighty-seven fleet vehicles and equipment with Rush Truck Centers of Texas, LP dba Rush Crane & Refuse Systems International, The Around The Clock Freightliner Group, LLC, Freedom Chevrolet, Southwest International Trucks, Inc., Equipment Southwest, Inc., RDO Equipment Company, Kirby-Smith Machinery, Inc. and Bobcat of Dallas; twenty fleet vehicles and equipment with Holt Texas, Ltd. dba Holt Cat, Caldwell Country Chevrolet, Sam Pack's Five Star Ford, Ltd. and Southwest International Trucks, Inc.; and one-hundred nine fleet vehicles and equipment with Sam Pack's Five Star Ford, Ltd. by Resolution No. 15-0478.

On June 17, 2015, City Council authorized the purchase of 105 squad cars for Police with Chaperral Dodge, Inc. dba Dallas Dodge Chrysler Jeep by Resolution No. 15-1231.

On December 9, 2015, City Council authorized a one-year master agreement for the purchase of one hundred fleet vehicles and equipment with Chastang Ford, Southwest International Trucks, Inc., Austin Truck & Equipment, LTD dba Freightliner of Austin, Holt Texas, Ltd. dba Holt Cat, RDO Equipment Company, BTE Body Company, Inc., Clark Equipment Company dba Bobcat Company, Kirby-Smith Machinery, Inc., Landmark Equipment, Inc. and Darr Equipment; one hundred eighty-one fleet vehicles with Sam Pack's Five Star Ford, Ltd.; eighty-three Police fleet and equipment with Freedom Dodge, Kinloch Equipment and Supply, Inc. and Blueline Rental, LLC; and twenty-one fleet vehicles with Freedom Chevrolet by Resolution No. 15-2199.

On May 11, 2016, City Council authorized the purchase of eleven pieces of fleet vehicles and equipment with Briggs Equipment, Darr Equipment, Southwest International Trucks, Inc., Kirby-Smith

Machinery, RDO Equipment, Austin Truck and Equipment, LTD dba Freightliner of Austin, Central Texas Heavy Equipment Co., Inc.; four pieces of fleet vehicles with Sam Pack's Five Star Ford; two pieces of fleet equipment with Rush Truck Centers of Texas, LP; and two fleet vehicles with Freedom Dodge dba Duncanville Automotive by Resolution No. 16-0717.

On June 22, 2016, City Council authorized the purchase of twenty-three pieces of fleet vehicles and equipment with Hudson Bus Sales, LLC and Metro Fire Apparatus Specialists, Inc.; one pumper truck with Brasada Ford, Ltd.; and one excavator with mower attachment with Landmark Equipment, Inc. by Resolution No. 16-1053.

On September 28, 2016, City Council authorized the purchase of four fleet vehicles for Fire-Rescue with Sam Pack's Five Star Ford by Resolution No. 16-1551.

On January 25, 2017, City Council authorized a one-year master agreement for the purchase of 85 pieces of fleet equipment with Chastang Ford, Holt Texas, Ltd., BTE Body Co., Inc., Austin Truck and Equipment dba Freightliner of Austin, Southwest International Trucks, Inc., RDO Equipment Co., Sam Pack's Five Star Ford, and Landmark Equipment; 157 fleet vehicles and equipment with Sam Pack's Five Star Ford; 107 fleet vehicles with Freedom Chevrolet; and 2 pieces of fleet equipment with Wausau Equipment Company, Inc. by Resolution No. 17-0181.

On May 24, 2017, City Council authorized the purchase of 28 pieces of fleet vehicles and equipment with Metro Fire Apparatus Specialists, Daco Fire Equipment, Hudson Bus Sales, LLC, Rush Truck Centers of Texas, LP, Silsbee Ford, Inc., Cues, Inc., Johnston North America, Inc., and Houston Freightliner, Inc.; 8 pieces of fleet and equipment with Bond Equipment, Austin Truck & Equipment, Ltd. dba Freightliner of Austin, RDO Equipment, Chastang Ford, and Briggs Equipment; and 20 pieces of fleet and equipment with Sam Pack's Five Star Ford by Resolution No. 17-0827.

On February 28, 2018, City Council authorized a one-year master agreement for the purchase of 549 pieces of fleet vehicles and equipment with Austin Truck & Equipment, LTD dba Freightliner of Austin, Sam Pack's Five Star Ford, Freedom Dodge dba Duncanville Automotive, Holt Texas, LTD, Chastang Ford, BTE Body Co., Inc., Freedom Chevrolet dba Duncanville Automotive, Grande Truck Center, Bond Equipment, Rush Truck Centers of Texas, LP dba Rush Truck Center Dallas Light and Medium Duty, and Landmark Equipment; 56 pieces of fleet vehicles and equipment with Siddons Emergency Group, LLC, Hudson Bus Sales, LLC dba Hudson Emergency Vehicle Sales, Sam Pack's Five Star Ford, and Houston Freightliner, Inc.; 89 pieces of fleet vehicles with Sam Pack's Five Star Ford; 9 pieces of fleet vehicles with Southwest International Trucks, Inc.; and 1 piece of equipment with East Texas Mack Sales, LLC by Resolution No. 18-0374.

On August 22, 2018, City Council authorized a one-year master agreement for the purchase of two pieces of fleet vehicles with Siddons Martin Emergency Group, LLC, and Houston Freightliner, Inc.; six pieces of equipment with Dickson Equipment Co., Inc.; five pieces of equipment with Rush Truck Centers of Texas, LP, Kirby-Smith Machinery, Four Brothers Outdoor Power and RDO Equipment Co.; four pieces of equipment with Scully's Aluminum Boats, Inc.; and four pieces of fleet vehicles with Sam Pack's Five Star Ford by Resolution No. 18-1145.

On September 26, 2018, City Council authorized the purchase of five pieces of fleet equipment with Southwest International Trucks, Inc., and Plano Fun Center dba Plano Kawasaki Suzuki; one piece of fleet equipment with Sam Pack's Five Star Ford; and one piece of fleet equipment with Grande Truck

Center by Resolution No. 18-1395.

The Government Performance & Financial Management Committee will receive this item for consideration on December 3, 2018.

FISCAL INFORMATION

Sanitation Master Lease-Equipment Fund - $7,990,451.43
Master Lease-Equipment Fund - $4,849,600.31
Sanitation Waste Cell Sinking Fund - $4,553,720.93
Water & Sewer Revenue Fund - $1,264,443.96
Fleet Capital Purchase Fund - $575,455.41
Airport Revenue Fund - $56,645.00

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 $
$19,290,317.04	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

OWNERS

Chastang Ford

Joseph Chastang, President
Patrick Chastang, Vice President
Steve Bobo, Secretary

Holt Texas, Ltd.

Peter J. Holt, Vice President

Austin Truck and Equipment Ltd. dba Freightliner of Austin

Jay Hendrix, President
Carlton Hemple, Vice President

Sam Pack's Five Star Ford

Sam Pack, President

Southwest International Trucks, Inc.

Russ Trimble, President
Sid Stewart, Vice President
Jane Roth, Secretary

Kirby-Smith Machinery

Ed Kirby, President
Jeff Weller, Vice President
Celise Blewitt, Secretary
JD Young, Treasurer

Kinloch Equipment & Supply, Inc.

Todd B. Kinloch, President

Freedom Chevrolet

Frank Stinson, President
Lonnie Bennett, Vice President
Alissa Hillhouse, Secretary
John Rowe, Treasurer

Rush Truck Centers of Texas, LP

W.M. "Rusty" Rush, President
Derrek Weaver, Vice President

Grande Truck Center

Richard Kane, President
David Keck, Secretary

BTE Body Co., Inc.

Brian Bruckner, President
Chris Bruckner, Vice President
James Moody, Treasurer

Magnum Trailers dba Magnum Custom Trailer Mfg. Co., Inc.

Charles McLemore, President
Vangie McLemore, Vice President

Dickson Equipment Co., Inc.

Jon M. Dickson, President
Joe Dickson, Vice President
Molly Dickson, Secretary

Longhorn Harley-Davidson

Maritia Keeling, President
Alfred Keeling, Vice President
Caroline Callhoon, Secretary
Chris Callhoon, Treasurer

WHEREAS, on December 11, 2013, City Council authorized a one-year master agreement for the purchase of two-hundred ten fleet vehicles and equipment with Metro Fire Apparatus Specialists, Inc. in the amount of $6,072,222.00, Dallas Dodge Chrysler Jeep in the amount of $4,628,922.00, Southwest Ambulance Sales in the amount of $2,470,586.00, Kinloch Equipment & Supply, Inc. in the amount of $473,093.00, and The Around the Clock Freightliner Group, LLC in the amount of $351,162.00; thirty-eight fleet vehicles and equipment with RDO Equipment Company in the amount of $2,107,702.00, Kirby-Smith Machinery, Inc. in the amount of $452,915.00 and Holt Texas, LTD in the amount of $1,249,431.00; and eighty-eight fleet vehicles and equipment with Sam Pack's Five Star Ford in the amount of $2,780,382.00, by Resolution No. 13-2055; and

WHEREAS, on March 25, 2015, City Council authorized a one-year master agreement for the purchase of eighty-seven fleet vehicles and equipment with Rush Truck Centers of Texas, LP dba Rush Crane & Refuse Systems International in the amount of $2,192,504.00, The Around The Clock Freightliner Group, LLC in the amount of $2,038,730.00, Freedom Chevrolet in the amount of $1,258,030.00, Southwest International Trucks, Inc. in the amount of $1,076,486.00, Equipment Southwest, Inc. in the amount of $784,665.00, RDO Equipment Company in the amount of $803,325.00, Kirby-Smith Machinery, Inc. in the amount of $596,920.00, and Bobcat of Dallas in the amount of $68,136.00; twenty fleet vehicles and equipment with Holt Texas, Ltd. dba Holt Cat in the amount of $1,105,672.00, Caldwell Country Chevrolet in the amount of $457,350.00, Sam Pack’s Five Star Ford, Ltd. in the amount of $220,560.00, and Southwest International Trucks, Inc. in the amount of $157,458.00; and one-hundred nine fleet vehicles and equipment with Sam Pack's Five Star Ford, Ltd. in the amount of $4,279,479.00, by Resolution No. 15-0478; and

WHEREAS, on December 9, 2015, City Council authorized a one-year master agreement for the purchase of one hundred fleet vehicles and equipment with Chastang Ford in the amount of $3,629,204.00, Southwest International Trucks, Inc. in the amount of $2,809,369.00, Austin Truck & Equipment, LTD dba Freightliner of Austin in the amount of $2,224,153.00, Holt Texas, Ltd. dba Holt Cat in the amount of $1,302,446.00, RDO Equipment Company in the amount of $1,710,940.00, BTE Body Company, Inc. in the amount of $925,174.00, Clark Equipment Company dba Bobcat Company in the amount of $465,363.00, Kirby-Smith Machinery, Inc. in the amount of $78,178.00, Landmark Equipment, Inc. in the amount of $73,751.00, and Darr Equipment in the amount of $27,395.00; one hundred eighty-one fleet vehicles with Sam Pack’s Five Star Ford, Ltd. in the amount of $4,331,599.00; eighty-three Police fleet and equipment with Freedom Dodge in the amount of $1,764,139.00, Kinloch Equipment and Supply, Inc. in the amount of $736,747.00, and Blueline Rental, LLC in the amount of $358,365.00; and twenty-one fleet vehicles with Freedom Chevrolet in the amount of $826,491.00, by Resolution No. 15-2199; and

WHEREAS, on May 11, 2016, City Council authorized the purchase of eleven pieces of fleet vehicles and equipment with Briggs Equipment in the amount of $157,610.00, Darr Equipment in the amount of $92,726.00, Southwest International Trucks, Inc. in the amount of $156,547.00, Kirby-Smith Machinery in the amount of $649,693.00, RDO Equipment in the amount of $88,875.00, Austin Truck and Equipment, LTD dba Freightliner of Austin in the amount of $347,425.00, Central Texas Heavy Equipment Co., Inc. in the amount of $167,000.00; four pieces of fleet vehicles with Sam Pack's Five Star Ford in the amount of $76,080.00; two pieces of fleet equipment with Rush Truck Centers of Texas, LP in the amount of $384,030.00; and two fleet vehicles with Freedom Dodge dba Duncanville Automotive in the amount of $52,200.00, by Resolution No. 16-0717; and

WHEREAS, on June 22, 2016, City Council authorized the purchase of twenty-three pieces of fleet vehicles and equipment with Hudson Bus Sales, LLC in the amount of $2,665,662.00 and Metro Fire Apparatus Specialists, Inc. in the amount of $7,053,525.00; one pumper truck with Brasada Ford, Ltd. in the amount of $151,750.00; and one excavator with mower attachment with Landmark Equipment, Inc. in the amount of $107,399.00, by Resolution No. 16-1053; and

WHEREAS, on September 28, 2016, City Council authorized the purchase of four fleet vehicles for Fire-Rescue with Sam Pack's Five Star Ford in the amount of $121,381.00, by Resolution No. 16-1551; and

WHEREAS, on January 25, 2017, City Council authorized a one-year master agreement for the purchase of 85 pieces of fleet equipment with Chastang Ford in the amount of $5,747,210.00, Holt Texas, Ltd. in the amount of $3,004,194.00, BTE Body Co., Inc. in the amount of $1,623,647.00, Austin Truck and Equipment dba Freightliner of Austin in the amount of $1,173,754.00, Southwest International Trucks, Inc. in the amount of $705,197.00, RDO Equipment Co. in the amount of $385,605.00, Sam Pack's Five Star Ford in the amount of $99,064.00, and Landmark Equipment in the amount of $17,436.00; 157 fleet vehicles and equipment with Sam Pack's Five Star Ford in the amount of $4,868,401.00; 107 fleet vehicles with Freedom Chevrolet in the amount of $3,289,989.00; and 2 pieces of fleet equipment with Wausau Equipment Company, Inc. in the amount of $371,411.00, by Resolution No. 17-0181; and

WHEREAS, on May 24, 2017, City Council authorized the purchase of 28 pieces of fleet vehicles and equipment with Metro Fire Apparatus Specialists in the amount of $5,779,817.00, Daco Fire Equipment in the amount of $1,663,124.00, Hudson Bus Sales, LLC in the amount of $1,534,608.00, Rush Truck Centers of Texas, LP in the amount of $319,062.00, Silsbee Ford, Inc. in the amount of $316,938.00, Cues, Inc. in the amount of $169,500.00, Johnston North America, Inc. in the amount of $140,600.00, and Houston Freightliner, Inc. in the amount of $51,717.00; 8 pieces of fleet and equipment with Bond Equipment in the amount of $1,000,560.00, Austin Truck & Equipment, Ltd. dba Freightliner of Austin in the amount of $148,532.00, RDO Equipment in the amount of $111,750.00, Chastang Ford in the amount of $83,879.00, and Briggs Equipment in the amount of $59,874.00; and 32 pieces of fleet and equipment with Sam Pack's Five Star Ford in the amount of $1,280,05.00, by Resolution No. 17-0827; and

WHEREAS, on February 28, 2018, City Council authorized a one-year master agreement for the purchase of 549 pieces of fleet vehicles and equipment with Austin Truck & Equipment, LTD dba Freightliner of Austin in the amount of $7,739,741.00, Sam Pack's Five Star Ford in the amount of $7,336,461.00, Freedom Dodge dba Duncanville Automotive in the amount of $3,915,044.00, Holt Texas, LTD in the amount of $3,836,090.00, Chastang Ford in the amount of $3,503,450.00, BTE Body Co., Inc. in the amount of $1,121,466.00, Freedom Chevrolet dba Duncanville Automotive in the amount of $534,680.00, Grande Truck Center in the amount of $380,778.00, Bond Equipment in the amount of $273,429.00, Rush Truck Centers of Texas, LP dba Rush Truck Center Dallas Light and Medium Duty in the amount of $259,328.00, and Landmark Equipment in the amount of $154,388.00; 56 pieces of fleet vehicles and equipment with Siddons Emergency Group, LLC in the amount of $7,548,946.00, Hudson Bus Sales, LLC dba Hudson Emergency Vehicle Sales in the amount of $4,196,597.00, Sam Pack's Five Star Ford in the amount of $599,212.00, and Houston Freightliner, Inc. in the amount of $344,746.00; 89 pieces of fleet vehicles with Sam Pack's Five Star Ford in the amount of $2,914,138.00; 9 pieces of fleet vehicles with Southwest International Trucks, Inc. in the amount of $1,766,519.00; and 1 piece of equipment with East Texas Mack Sales, LLC in the amount of $264,125.00, by Resolution No. 18-0374; and

WHEREAS, on August 22, 2018, City Council authorized a one-year master agreement for the purchase of two pieces of fleet vehicles with Siddons Martin Emergency Group, LLC, and Houston Freightliner, Inc.; six pieces of equipment with Dickson Equipment Co., Inc.; five pieces of equipment with Rush Truck Centers of Texas, LP, Kirby-Smith Machinery, Four Brothers Outdoor Power and RDO Equipment Co.; four pieces of equipment with Scully's Aluminum Boats, Inc.; and four pieces of fleet vehicles with Sam Pack's Five Star Ford by Resolution No. 18-1145; and

WHEREAS, on September 26, 2018, City Council authorized the purchase of five pieces of fleet equipment with Southwest International Trucks, Inc., and Plano Fun Center dba Plano Kawasaki Suzuki; one piece of fleet equipment with Sam Pack's Five Star Ford; and one piece of fleet equipment with Grande Truck Center by Resolution No. 18-1395.

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 for the purchase of **(a)** 109 pieces of fleet vehicles and equipment with Chastang Ford (VS0000011688) in the amount of $6,349,447.00, Holt Texas, Ltd. (506724) in the amount of $3,630,411.00, Austin Truck and Equipment, Ltd. dba Freightliner of Austin (VC14977) in the amount of $1,602,825.00, Sam Pack's Five Star Ford (113696) in the amount of $1,288,680.76, Southwest International Trucks, Inc. (003940) in the amount of $1,169,307.00, Kirby-Smith Machinery (502341) in the amount of $548,135.00, Kinloch Equipment & Supply, Inc. (VS0000015339) in the amount of $264,106.00, Freedom Chevrolet (VS0000077188) in the amount of $243,646.50, Rush Truck Centers Of Texas, LP (VS0000078878) in the amount of $230,142.68, Grande Truck Center (VS0000030980) in the amount of $144,073.00, BTE Body Co., Inc. (VS0000069486) in the amount of $117,676.00 and Magnum Trailers dba Magnum Custom Trailer Mfg. Co., Inc. (VS0000052959) in the amount of $17,608.50 through the Texas Association of School Boards cooperative agreement; **(b)** 73 pieces of fleet vehicles is authorized with Sam Pack's Five Star Ford (113696) in the amount of $2,866,548.43 through the Texas Smart Buy cooperative agreement; **(c)** 4 pieces of fleet equipment is authorized with Dickson Equipment Co., Inc. (VS0000023390) in the amount of $469,462.71 and Holt Texas Ltd. (506724) in the amount of $85,169.00 through the Sourcewell cooperative agreement; and **(d)** 9 pieces of fleet vehicles is authorized with Longhorn Harley-Davidson (VS0000028407) in an amount of $263,078.46 through the Dallas-Fort Worth Airport Interlocal agreement, in a total amount not to exceed $19,290,317.04, approved as to form by the City Attorney.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate requisition, to issue a purchase order for 195 fleet vehicles and equipment. 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 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 contract is designated as Contract No. EFM-2019-00008607.

SECTION 5. That the City Manager is hereby authorized to increase appropriations in an amount not to exceed $602,684.00 in the ISTEA Vehicle Conversion Fund, Fund 08AF, Department EBS, Unit 88AQ, Object 3690.

SECTION 6. That the City Manager is hereby authorized, upon written notice to the City Controller to make the following adjustments: Transfer funds, not to exceed $602,683.76, from ISTEA Vehicle Conversion Fund, Fund 08AF, Department EBS, Unit 88AQ, Object 3690, to the Fleet Capital Purchase Fund, Fund 0796, Department EBS, Unit 1772, Revenue Code 9201, for expenditures to be used for fleet.

SECTION 7. That the City Manager is hereby authorized, upon written notice to the City Controller to make the following adjustments: Transfer funds, not to exceed $300,000.00, from General Fund, Fund 0001, Department DPD, Unit 2121, Object 3690, to the Fleet Capital Purchase Fund, Fund 0796, Department EBS, Unit 1772, Revenue Code 9201, for expenditures to be used for fleet.

SECTION 8. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $735,366.00 in the Fleet Capital Purchase Fund, Fund 0796, Department EBS, Unit 3864, Object 4740.

SECTION 9. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $160,000.00 in the Fleet Capital Purchase Fund, Fund 0796, Department EBS, Unit 3863, Object 4740.

SECTION 10. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $1,020,000.00 in the Fleet Capital Purchase Fund, Fund 0796, Department EBS, Unit 3862, Object 4740.

SECTION 11. That the City Manager is hereby authorized, upon written notice to the City Controller to make the following adjustments: Transfer expenses, not to exceed $1,020,000.00, from Master Lease Fund, Fund ML18, Department EBS, Unit E381, Object 4740, to the Fleet Capital Purchase Fund, Fund 0796, Department EBS, Unit 3862, Object 4740, for expenditures used for fleet.

SECTION 12. That the City Manager is hereby authorized, upon written notice to the City Controller to make the following adjustments: Transfer expenses, not to exceed $743,882.00, from Master Lease Fund, Fund ML18, Department EBS, Unit E381, Object 740, to the Master Lease Fund, Fund ML15, Department EBS, Unit E349, Object 4740, for expenditures used for fleet.

SECTION 13. That the City Manager is hereby authorized, upon written notice to the City Controller to make the following adjustments: Transfer expenses, not to exceed $671,386.00, from Master Lease Fund, Fund ML18, Department EBS, Unit E381, Object 4740, to the Master Lease Fund, Fund ML16, Department EBS, Unit E364, Object 4740, for expenditures used for fleet.

SECTION 14. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $308,726.00 in the Fleet Capital Purchase Fund, Fund 0796, Department EBS, Unit 3861, Object 3690.

SECTION 15. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $8,000,000.00 in the Master Lease Fund, Fund MLS1, Department SAN, Unit E395, Object 4740.

SECTION 16. 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 #: 18-1290 **Item #:** 56.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year master agreement for the purchase of clamps, couplings, sleeves, and adapters for the Water Utilities Department - Fortiline, Inc. in the estimated amount of $693,015.12, Core & Main, LP in the estimated amount of $199,421.30, and Powerseal Pipeline Products Corp. in the estimated amount of $103,510.76, lowest responsible bidders of four - Total estimated amount of $995,947.18 - 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 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 provide various types and sizes of clamps, couplings, sleeves, and adapters required by Dallas Water Utilities (DWU) Department for the installation and/or repair of water mains and service lines within water treatment facilities and distribution piping system. This master agreement enables DWU to acquire and stock needed parts with minimal delay, reducing repair time and interruption of water service to its customers. Access to these supplies will allow DWU to repair pipes, water meters, bypass valves, and other equipment as needs arise. DWU maintains 4,983 miles of water mains throughout the water distribution system. Approximately 3,600 repairs were performed during the prior fiscal year to services and mains due to external corrosion, system loads, and ground shift.

In this solicitation, the Office of Procurement Services required bidders to submit a response using unit pricing. This bid resulted in a 2.48 percent increase over comparable unit 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 197 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 August 27, 2014, City Council authorized a one-year master agreement for clamps, couplings, sleeves and adapters with Fortiline, Inc. and Powerseal Pipeline Products Corp. by Resolution No. 14 -1349.

On February 24, 2016, City Council authorized a two-year master agreement for clamps, couplings, sleeves and adapters with Fortiline, Inc., Ferguson Enterprises, Powerseal Pipeline Products Corp., and HD Supply Waterworks, LTD by Resolution No. 16-0366.

The Government Performance & Financial Management Committee will receive this item for consideration on December 3, 2018.

FISCAL INFORMATION

Dallas Water Utilities Fund - $995,947.18 (estimated amount)

FY 2018-19 $331,982.40
FY 2019-20 $331,982.39
FY 2020-21 $331,982.39

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 $
$995,947.18	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 BM1814. We opened them on July 20, 2018. We recommend the City Council award this master agreement to the lowest responsive and responsible bidders by line. Information related to this solicitation is available upon request.

*Denotes successful bidders

Bidders	**Address**	**Amount**
*Fortiline, Inc.	11200 Seagoville Rd. Balch Springs, TX 75180	Multiple Lines
*Core & Main, LP	4333 Irving Blvd. Dallas, TX 75247	Multiple Lines
*Powerseal Pipeline Products Corp.	701 Pleasant View Dr. Wichita Falls, TX 76306	Multiple Lines
Ferguson Enterprises	7982 U.S. Hwy. 69 N. Tyler, TX 75706	Non-responsive**

**Ferguson Enterprises was deemed non-responsive due to not meeting specifications.

OWNERS

Fortiline, Inc.

Frank Seymour, President
Ben Cagle, Vice President
Jason Painter, Secretary

Core & Main, LP

Jack Schaller, President
Chuck Zappola, Vice President

Powerseal Pipeline Products Corp.

Patrick Powers, President
Steve Kilcrease, Vice President
Edson Luna, Secretary

WHEREAS, on August 27, 2014, City Council authorized a one-year master agreement for clamps, couplings, sleeves and adapters with Fortiline, Inc. in the amount of $112,841.29 and Powerseal Pipeline Products Corp. in the amount of $49,164.64, in a total amount not to exceed $162,005.93, by Resolution No. 14-1349; and

WHEREAS, on February 24, 2016, City Council authorized a two-year master agreement for clamps, couplings, sleeves and adapters with Fortiline, Inc. in the amount of $326,371.94 or $331,371.94 (Tie bid - line 140), Ferguson Enterprises in the amount of $120,677.12 or $125,677.12 (Tie bid - line 140), Powerseal Pipeline Products Corp. in the amount of $90,990.18, and HD Supply Waterworks, LTD in the amount of $68,877.94, in a total amount not to exceed $611,917.18, by Resolution No. 16-0366.

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 Fortiline, Inc. (VS0000073028) in the estimated amount of $693,015.12, Core and Main, LP (VS0000038746) in the estimated amount of $199,421.30 and Powerseal Pipeline Products Corp. (075233) in the estimated amount of $103,510.76, approved as to form by the City Attorney, for the purchase of clamps, couplings, sleeves, and adapters for the Water Utilities Department for a term of three years, in the total estimated amount of $995,947.18. 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 clamps, couplings, sleeves, and adapters for the Water Utilities Department. If a written contract is required or requested for any or all purchases of clamps, couplings, sleeves, and adapters for the Water Utilities Department under the master agreement instead of individual purchase orders, the City Manager is 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 $995,947.18, but not more than the amount of budgetary appropriations for this master agreement during its term to Fortiline, Inc., Core & Main, LP, and Powerseal Pipeline Products Corp. from Master Agreement Contract No. DWU-2019-00008486.

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 #: 18-1246 **Item #:** 57.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 2, 3

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year master agreement for the purchase of deicing chemicals for the Department of Aviation - Nachurs Alpine Solutions, LLC in the estimated amount of $793,800.00, Cryotech Deicing Technology in the estimated amount of $379,620.00, The Bargain Source in the estimated amount of $365,909.40, and Berven Industries, LLC dba New Deal Deicing in the estimated amount of $357,840.00, lowest responsible bidders of four - Total estimated amount of $1,897,169.40 - Financing: Aviation 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 provide deicing chemicals for the Department of Aviation. Snow and ice on the airport runways, taxiways, aprons, and roadways pose significant hazards to aircraft, contractors, and the general public at Dallas Love Field and Dallas Executive Airports. Four chemicals have been adopted as industry standard for snow and ice removal, potassium acetate, sodium acetate, and sodium formate/anhydrous sodium acetate dry mixture.

The sodium formate/anhydrous sodium acetate is a newer product line that has been approved by the Federal Aviation Administration (FAA) which comes with a light blue tint that makes it more visible when applied and does not stain concrete or obstruct markings. It also is less dusty than sodium acetate, which will make it safer for employees and easier on equipment. Salt and salt-based products like brine that are used for highway use are corrosive to aircraft and are specifically prohibited from use by the FAA on runway, taxiway, and apron surfaces.

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 980 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 April 9, 2014, City Council authorized a three-year master agreement for deicing chemicals for Aviation with Cryotech Deicing Technology and Nachurs Alpine Solutions Corp. by Resolution No. 14-0589.

The Government Performance & Financial Management Committee will receive this item for consideration on December 3, 2018.

FISCAL INFORMATION

Aviation Fund - $1,897,169.40 (estimated amount)

Council District	Amount
2	$1,802,310.93
3	$ 94,858.47
Total	$1,897,169.40

FY 2018-19 - $206,264.85
FY 2019-20 - $845,452.28
FY 2020-21 - $845,452.27

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 $
$1,897,169.40	Goods	N/A	N/A	N/A
• M/WBE goal waived due to no M/WBE availability				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

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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 BQ8104. We opened them on October 19, 2018. We recommend the City Council award this master agreement to the lowest responsive and responsible bidders by line. Information related to this solicitation is available upon request.

*Denotes successful bidders

Bidders	**Address**	**Amount**
*Nachurs Alpine Solutions, LLC	421 Leasder St. Marion OH 43302	Multiple Lines
*Cryotech Deicing Technology	6103 Orthoway Fort Madison, IA 52627	Multiple Lines
*The Bargain Source	2516 Morningside Dr. Garland, TX 75041-1434	Multiple Lines
*Berven Industries, LLC dba New Deal Deicing	6883 E. 47th Avenue Dr. Denver, CO 80216	Multiple Lines

OWNERS

Nachurs Alpine Solutions, LLC

Jeffery A. Barnes, President
Bob Hopp, Vice President
John Grega, Chief Financial Officer

Cryotech Deicing Technology

Craig E. Starwalt, President
Marcel M. Danko, Vice President
Ann-Charlotte Engstrom, Secretary
Gregory L. Tanner, Treasurer

The Bargain Source

Vandana Vivek Hiremath, President

Berven Industries, LLC dba New Deal Deicing

Laura Miao, President
Jeremy Berven, Vice President

December 12, 2018

WHEREAS, on April 9, 2014, City Council authorized a three-year master agreement for deicing chemicals for Aviation with Cryotech Deicing Technology in the amount of $383,580.00 and Nachurs Alpine Solutions Corp. in the amount of $765,000.00, by Resolution No. 14-0589.

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 Nachurs Alpine Solutions, LLC (VS0000082412) in an estimated amount of $793,800.00, Cryotech Deicing Technology (500637) in an estimated amount of $379,620.00, The Bargain Source (504430) in an estimated amount of $365,909.40, and Berven Industries, LLC dba New Deal Deicing (VS89157) in an estimated amount of $357,840.00, approved as to form by the City Attorney, for the purchase of deicing chemicals for the Department of Aviation for a term of three years in a total estimated amount of $1,897,169.40. 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 deicing chemicals for the Department of Aviation. If a written contract is required or requested for any or all purchases of deicing chemicals for the Department of Aviation under the master agreement instead of individual purchase orders, the City Manager is 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 $1,897,169.40, but not more than the amount of budgetary appropriations for this master agreement during its term to Nachurs Alpine Solutions, LLC, Cryotech Deicing Technology, The Bargain Source, and Berven Industries, LLC dba New Deal Deicing from Master Agreement Contract No. AVI-2019-00008572.

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 #: 18-1101 **Item #:** 58.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year master agreement for the purchase of electrical supplies - Crawford Electric Supply Co. in the estimated amount of $6,874,091.00, Elliott Electric Supply, Inc. in the estimated amount of $1,448,206.00, Graybar Electric Company, Inc. in the estimated amount of $907,268.00; and Dealers Electrical Supply in the estimated amount of $54,000.00, lowest responsible bidders of eight - Total estimated amount of $9,283,565.00 - Financing: General Fund ($4,178,950.00), Dallas Water Utilities Fund ($4,283,415.00), Aviation Fund ($388,000.00), Stormwater Drainage Management Fund ($313,200.00), and Convention and Event Services Fund ($120,000.00)

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. We anticipate the following City departments will use this agreement:

- Department of Aviation
- Department of Convention and Event Services
- Building Services Department
- Fire-Rescue Department
- Water Utilities Department
- Office of Cultural Affairs
- Park and Recreation Department
- Department of Transportation

This master agreement will allow City departments to purchase electrical supplies and lighting parts such as conduit, switches, motors, starters, transformers, wire, relays, fuses, electrical safety related equipment, and tools as needed.

The master agreement will be utilized by the departments to:

- Replenish warehouse locations with electrical parts and supplies necessary for the maintenance of City facilities.
- Maintain traffic control systems by supplying parts that will be used in the relocation, installation, and maintenance of the traffic system.
- Maintain the citywide Communication and Information Service data infrastructure by supplying fiber optic cables, connectors, mini-com boxes, media cable patches, and accessories necessary to help maintain the local area network and wide area network.
- Install and maintain pump stations, street stations, and buildings.
- Store necessary supplies in all fire locations and on emergency vehicles used at all fire emergency scenes.

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 1,589 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 February 10, 2016, City Council authorized a three-year master agreement for electrical supplies with Crawford Electric Supply Co. by Resolution No. 16-0269.

On October 24, 2018, City Council executed the casting of lots to identify the recommended vendor resulting from tie bids on group 5 for bid BI1818 for a three- year master agreement for the purchase of electrical supplies by Resolution No. 18-1530.

The Government Performance & Financial Management Committee will receive this item for consideration on December 3, 2018.

FISCAL INFORMATION

General Fund - $4,178,950.00 (Estimated amount)
Dallas Water Utilities Fund - $4,283,415.00 (Estimated amount)
Aviation Fund - $388,000.00 (Estimated amount)
Stormwater Drainage Management Fund - $313,200.00 (Estimated amount)
Convention and Event Services Fund - $120,000.00 (Estimated amount)

Fund	FY 2018-19	FY 2019-20	FY 2020-21
General Fund	$1,293,150.33	$1,442,900.33	$1,442,899.34
Dallas Water Utilities Fund	$1,427,805.00	$1,427,805.00	$1,427,805.00
Aviation Fund	$129,333.33	$129,333.33	$129,333.34

Stormwater Drainage Management Fund	$104,400.00	$104,400.00	$104,400.00
Convention and Event Services Fund	$40,000.00	$40,000.00	$40,000.00
Total	$2,994,688.66	$3,144,438.66	$3,144,437.68

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 $
$9,283,565.00	Goods	18.00%	0.10%	$9,720.00
• 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 BI1818. We opened them on September 6, 2018. We recommend the City Council award this service price agreement to the lowest responsive and responsible bidders by line and group. Information related to this solicitation is available upon request.

*Denotes successful bidders

Bidders	Address	Amount
*Crawford Electric Supply Co.	2928 Irving Blvd. Dallas, TX 75247	Multiple Lines and Groups
*Elliott Electric Supply, Inc.	2526 N. Stallings Dr. Nacogdoches, TX 75964	Multiple Lines and Groups
*Graybar Electric Company, Inc.	4601 Cambridge Rd. Ft. Worth, TX 76155	Multiple Lines and Groups

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*Dealers Electrical Supply	2320 Columbus Ave. Waco, TX 76701	Multiple Lines and Groups
Facilities Solution	2525 Walnut Hill Ln. Dallas, TX 75229	Multiple Lines and Group
Mayer Electric Supply Company, Inc.	2525 E. Hwy. 121 Ste. 300 Lewisville, TX 75056	Multiple Lines and Groups
Rexel USA, Inc.	14951 Dallas Pkwy. Dallas, TX 75254	Multiple Lines and Groups
Summit Electric Supply	3551 W. Royal Ln. Irving, TX 75063	Multiple Lines and Groups

OWNERS

Crawford Electrical Supply Co.

Tim Horny, President
Kelly Johns, Vice President
Gigi Pace, Secretary
John Honigfort, Treasurer

Elliott Electric Supply, Inc.

Bill Elliott, President
Billy Elliott, Vice President
Robert Flores, Secretary and Treasurer

Graybar Electric Company, Inc.

Kathleen M. Mazzarella, President
Scott Clifford, SVP- Supply Chain Management
Matthew W. Geeke, SVP- Secretary & General Council
John Reed, VP- Treasurer

Dealers Electrical Supply

Scott Bracey, President
Chris Lanham, Vice President
Daryl Donaldson, Vice President
Bill Kirkland, Vice President
Steven Hall, Vice President
Greg Chudej, Secretary

December 12, 2018

WHEREAS, on February 10, 2016, City Council authorized a three-year master agreement for electrical supplies with Crawford Electric Supply Co. in an amount not to exceed $7,618,836.46, by Resolution No. 16-0269; and

WHEREAS, on October 24, 2018, City Council executed the casting of lots to identify the recommended vendor resulting from tie bids on group 5 for bid BI1818 for a three-year master agreement for the purchase of electrical supplies by Resolution No. 18-1530.

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 Crawford Electric Supply Co. (516246) in the estimated amount of $6,874,091.00, Elliot Electric Supply, Inc. (VS0000053162) in the estimated amount of $1,448,206.00, Graybar Electric Company, Inc. (254658) in the estimated amount of $907,268.00, and Dealers Electrical Supply (062927) in the estimated amount of $54,000.00, approved as to form by the City Attorney, for the purchase of electrical supplies for a term of three years in a total estimated amount of $9,283,565.00. The amount payable pursuant to this master agreement may exceed the estimated amount, but may not exceed the amount of the 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 electrical supplies. If a written contract is required or requested for any or all purchases electrical supplies 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 the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least $9,283,565.00, but not more than the amount of budgetary appropriations for this master agreement during its term to Crawford Electric Supply Co., Elliott Electric Supply, Inc., Graybary Electric Company, Inc. and Dealers Electrical Supply from Master Agreement No. POM-2018-00008144.

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 #: 18-1293 **Item #:** 59.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year master agreement for oil, grease, and lubricants for citywide use - Western Marketing, Inc. in the amount of $2,106,742.04, NCH Corporation dba Certified Laboratories in the amount of $365,625.85, and Schaeffer Manufacturing Company in the amount of $198,735.77, lowest responsible bidders of three - Total not to exceed $2,671,103.66 - Financing: General Fund ($991,881.97), Dallas Water Utilities Fund ($925,255.61), Equipment and Fleet Management ($432,330.13), Sanitation Services Fund ($161,806.80), Stormwater Drainage Management Fund ($100,169.42), Convention and Event Services Fund ($38,059.19), and Aviation Fund ($21,600.54)

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 be used for the purchase of oil, grease, and lubricants for citywide use. These products are used for the maintenance and repair of various types of equipment (gearboxes, pumps, compressors, motors, non-vehicle engines, etc.). The products will also be used to maintain vehicles used by departments such as the Equipment & Fleet Management Department, Fire-Rescue Department, Water Utilities Department, Park & Recreation Department, Department of Sanitation Services, and the Department of Public Works. Specialty oil, grease, and lubricants have extensive applications and is often used for stationary equipment, transformers, generators, etc. which are used by the Water Utilities Department and the Kay Bailey Hutchison Convention Center Dallas.

As part of the solicitation process and in an effort to increase competition, Office of Procurement Services used its procurement system to send out 187 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)

The Government Performance & Financial Management Committee will receive this item for consideration on December 3, 2018.

FISCAL INFORMATION

General Fund - $991,881.97
Dallas Water Utilities Fund - $925,255.61
Equipment and Fleet Management - $432,330.13
Sanitation Services Fund - $161,806.80
Stormwater Drainage Management Fund - $100,169.42
Convention and Event Services Fund - $38,059.19
Aviation Fund - $21,600.54

Fund	FY 2018-2019	FY 2019-2020	FY 2020-2021
General Fund	$330,627.33	$330,627.33	$330,627.31
Dallas Water Utilities Fund	$192,120.49	$366,567.56	$366,567.56
Equipment and Fleet Management	$144,110.04	$144,110.04	$144,110.05
Sanitation Services Fund	$53,928.00	$53,928.00	$53,950.80
Stormwater Drainage Management Fund	$33,389.60	$33,389.60	$33,390.22
Convention and Event Services Fund	$12,686.00	$12,686.00	$12,687.19
Aviation Fund	$21,600.54	$0.00	$0.00

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 $
$2,671,103.66	Goods	18.00%	3.83%	$102,398.96
• 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 BW1804. We opened them on March 9, 2018. We recommend the City Council award this master agreement to the lowest responsive and responsible bidders by line. Information related to this solicitation is available upon request.

*Denotes successful bidders

Bidders	**Address**	**Amount**
*Western Marketing, Inc.	1010 S. Access Rd. Tye, TX 79563	Multiple Lines
*NCH Corporation dba Certified Laboratories	2727 Chemsearch Blvd. Irving, TX 75062	Multiple Lines
*Schaeffer Manufacturing Company	102 Barton St. St. Louis, MO 63104	Multiple Lines

OWNERS

Western Marketing, Inc.

Larry Stoddard, President
Douglas Oehler, Vice President

NCH Corporation dba Certified Laboratories

John Levy, President
Ann Levy, Vice President
Russell Price, Secretary
Irena Kildisas, Treasurer

Schaeffer Manufacturing Company

Jay Shields, President
Steve Brewer, Vice President
Will Gregerson, Secretary

December 12, 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 master agreement with Western Marketing, Inc. (VS86334) in the amount of $2,106,742.04, NCH Corporation dba Certified Laboratories (262179) in the amount of $365,625.85, and Schaeffer Manufacturing Company (243968) in the amount of $198,735.77, approved as to form by the City Attorney, for the purchase of oil, grease, and lubricants for citywide use for a term of three years, in a total amount not to exceed $2,671,103.66.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for oil, grease, and lubricants for citywide use. If a written contract is required or requested for any or all purchases of oil, grease, and lubricants for citywide use under the master agreement instead of individual purchase orders, the City Manager is 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 $2,671,103.66 to Western Marketing, Inc., NCH Corporation dba Certified Laboratories, and Schaeffer Manufacturing Company from Master Agreement Contract No. POM-2019-00008641.

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 #: 18-1401 **Item #:** 60.

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	December 12, 2018
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Office of Strategic Partnerships & Government Affairs
EXECUTIVE:	Kimberly Bizor Tolbert

SUBJECT

Authorize a personal services contract with Hector Alcalde for federal legislative services regarding water resources, flood control and transportation for the period November 1, 2018 through October 31, 2019 - Not to exceed $53,400.00 - Financing: General Fund

BACKGROUND

Hector Alcalde has represented the City in Washington for the last fifteen years. He has extensive knowledge, background and contacts in the field of transportation and infrastructure and Army Corps of Engineers' projects. In addition, he has excellent working relationships with the leadership of key Congressional Committees that are important to the City.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Legislative Ad Hoc Committee was briefed on September 22, 2014.

City Council was briefed on October 15, 2014.

On October 22, 2014, City Council authorized a contract with Hector Alcalde for FY 2014-15, by Resolution No. 14-1797.

The Legislative Ad Hoc Committee was briefed on October 13, 2015.

On October, 28, 2015, City Council authorized a contract with Hector Alcalde for FY 2015-16, by Resolution No. 15-1942.

The Legislative Ad Hoc Committee was briefed on October 10, 2016.

On October, 26, 2016, City Council authorized a contract with Hector Alcalde for FY 2016-17, by Resolution No. 16-1739.

The Legislative Ad Hoc Committee will be briefed on December 10, 2018.

FISCAL INFORMATION

General Fund - $53,400.00

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WHEREAS, there exists a need for the City to have reliable means of receiving information regarding pending federal legislative action on issues pertaining to water resources, flood control and transportation which may impact the City; and

WHEREAS, on October 22, 2014, City Council authorized a contract with Hector Alcalde for FY 2014-15, Resolution No. 14-1797; and

WHEREAS, on October 28, 2015, City Council authorized a contract with Hector Alcalde for FY 2015-16, by Resolution No. 15-1942; and

WHEREAS, on October 26, 2016, City Council authorized a contract with Hector Alcalde for FY 2016-2017, by Resolution No. 16-1740; and

WHEREAS, Hector Alcalde provides the City with advice, assistance and advocacy services to achieve the City Council's designated legislative objectives; and

WHEREAS, in order to successfully achieve the legislative initiatives needed in areas concerning water resources, flood control and transportation the City would benefit from a liaison in Washington with expertise in specific areas; and

WHEREAS, Hector Alcalde has extensive knowledge, background and contacts in the field of transportation and infrastructure and Army Corps of Engineers' water projects.

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 personal services contract with Hector Alcalde, approved as to form by the City Attorney, for federal legislative services for the period November 1, 2018 through October 31, 2019, in an amount not to exceed $53,400.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to make periodic payments in an amount not to exceed $53,400.00 to Hector Alcalde in accordance with the terms of the contract from General Fund, Fund 0001, Department BMS, Unit 1978, Object 3070, Commodity 91858, Encumbrance/Contract No. IGS-2019-00008819, Vendor 338625.

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 #: 18-1405 **Item #:** 61.

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	December 12, 2018
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Office of Strategic Partnerships & Government Affairs
EXECUTIVE:	Kimberly Bizor Tolbert

SUBJECT

Authorize a personal services contract with Paul Schlesinger for federal legislative services regarding water resources, flood control and transportation for the period November 1, 2018 through October 31, 2019 - Not to exceed $31,600.00 - Financing: General Fund

BACKGROUND

Paul Schlesinger has represented the City in Washington for the last fifteen years. He has extensive knowledge, background and contacts in the field of transportation and infrastructure and Army Corps of Engineers' projects. In addition, he has excellent working relationships with the leadership of key Congressional Committees that are important to the City.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Legislative Ad Hoc Committee was briefed on September 22, 2014.

The Dallas City Council was briefed on October 15, 2014.

On October 22, 2014, City Council authorized a contract with Paul Schlesinger for FY 2014-15, by Resolution No. 14-1798.

The Legislative Ad Hoc Committee was briefed on October 13, 2015.

On October 28, 2015, City Council authorized a contract with Paul Schlesinger for FY 2015-16, by Resolution No. 15-1943

The Legislative Ad Hoc Committee was briefed on October 10, 2016.

On October 26, 2016, City Council authorized a contract with Paul Schlesinger for FY 2016-17, by Resolution No. 16-1740.

The Legislative Ad Hoc Committee will be briefed on December 10, 2018.

FISCAL INFORMATION

General Fund - $31,600.00

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WHEREAS, there exists a need for the City to have reliable means of receiving information regarding pending federal legislative action on issues pertaining to water resources, flood control and transportation which may impact the City; and

WHEREAS, on October 22, 2014, City Council authorized a contract with Paul Schlesinger for FY 2014-15, by Resolution No. 14-1798; and

WHEREAS, on October 28, 2015, City Council authorized a contract with Paul Schlesinger for FY 2015-16, by Resolution No. 15- 1943; and

WHEREAS, on October 26, 2016, City Council authorized a contract with Paul Schlesinger for FY 2016-17, by Resolution No. 16- 1740; and

WHEREAS, Paul Schlesinger provides the City with advice, assistance and advocacy services to achieve the City Council's designated legislative objectives; and

WHEREAS, in order to successfully achieve the legislative initiatives needed in areas concerning water resources, flood control and transportation the City would benefit from a liaison in Washington with expertise in specific areas; and

WHEREAS, Paul Schlesinger has extensive knowledge, background and contacts in the field of transportation and infrastructure and Army Corps of Engineers' water projects.

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 personal services contract with Paul Schlesinger, approved as to form by the City Attorney, for federal legislative services for the period November 1, 2018 through October 31, 2019, in an amount not to exceed $31,600.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to make periodic payments in an amount not to exceed $31,600.00 to Paul Schlesinger in accordance with the terms of the contract from General Fund, Fund 0001, Department BMS, Unit 1978, Object 3070, Commodity 91858, Encumbrance/Contract No. IGS-2019-00008817, Vendor 338626.

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 #: 18-1398 **Item #:** 62.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Strategic Partnerships & Government Affairs

EXECUTIVE: Kimberly Bizor Tolbert

SUBJECT

Authorize a personal services contract with Kwame Walker for state legislative services for the period November 1, 2018 through October 31, 2019 - Not to exceed $70,000.00 - Financing: General Fund

BACKGROUND

Kwame Walker represents governmental entities and corporations before the State Legislature. He has represented the City of Dallas during the last ten legislative and interim sessions.

The scope of services for this contract will include:

- Representation before state agencies and legislators.
- Monitoring interim state legislative and committee activities as requested by the City Council, City Manager and City Attorney.
- Assistance with special projects as requested.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Legislative Ad Hoc Committee was briefed on September 22, 2014.

City Council was briefed on October 15, 2014.

On October 22, 2014, City Council authorized a contract with Kwame Walker for FY 2014-15, by Resolution No. 14-1800.

The Legislative Ad Hoc Committee was briefed on October 13, 2015.

On October 28, 2015, City Council authorized a contract with Kwame Walker for FY 2015-16, by Resolution No. 15-1945.

The Legislative Ad Hoc Committee was briefed on October 10, 2016.

On October 26, 2016, City Council authorized a contract with Kwame Walker for FY 2016 - 2017, by Resolution No. 16 -1743.

The Legislative Ad Hoc Committee will be briefed on December 10, 2018.

FISCAL INFORMATION

General Fund - $70,000.00

WHEREAS, the City of Dallas needs representation in Austin to monitor interim committee activities and to recommend and draft legislation to assure that the City's needs are met during the State Legislative session; and

WHEREAS, on October 22, 2014, City Council authorized a contract with Kwame Walker for FY 2014-15, by Resolution No. 14-1800; and

WHEREAS, on October 28, 2015, City Council authorized a contract with Kwame Walker for FY 2015-16, by Resolution No. 15-1945; and

WHEREAS, on October 26, 2016, City Council authorized a contract with Kwame Walker for FY 2016 - 2017, by Resolution No. 16-1743; and

WHEREAS, Kwame Walker has represented the City of Dallas before the State Legislature and various state agencies during the last ten state legislative sessions; and

WHEREAS, Kwame Walker uses substantial resources to monitor and influence legislation for the City of Dallas during the state legislative session and throughout the interim; and

WHEREAS, Kwame Walker assists the City Attorney's Office with various legislator and staff requests and works closely with the Texas Municipal League on issues of importance to 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 personal services contract with Kwame Walker, approved as to form by the City Attorney, to provide state legislative information and related services for the period November 1, 2018 through October 31, 2019, in an amount not to exceed $70,000.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to make periodic payments in an amount not to exceed $70,000.00 to Kwame Walker in accordance with the terms of the contract from General Fund, Fund 0001, Department BMS, Unit 1978, Object 3070, Commodity 91858, Encumbrance/Contract No. IGS-2019-00008816, Vendor 354093.

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 #: 18-1400 **Item #:** 63.

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	December 12, 2018
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Office of Strategic Partnerships & Government Affairs
EXECUTIVE:	Kimberly Bizor Tolbert

SUBJECT

Authorize a personal services contract with Lorena Campos for state legislative services for the period November 1, 2018 through October 31, 2019 - Not to exceed $64,000.00 - Financing: General Fund

BACKGROUND

Lorena Campos operates an Austin office which monitors state action affecting governmental entities and corporations before the State Legislature. The scope of services for this contract will include:

- Representation before state agencies and legislators.
- Monitoring interim state legislative and committee activities as requested by the City Council, City Manager and City Attorney.
- Assistance with special projects as requested.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Legislative Ad Hoc Committee will be briefed on December 10, 2018.

FISCAL INFORMATION

General Fund - $64,000.00

WHEREAS, Lorena Campos uses substantial resources to monitor and influence legislation for the City of Dallas during the state legislative session and throughout the interim; and

WHEREAS, Lorena Campos assists the City Attorney's Office with various legislator and staff requests on issues of importance to 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 personal services contract with Lorena Campos, approved as to form by the City Attorney, to provide state legislative and information related services for the period November 1, 2018 through October 31, 2019, in an amount not to exceed $64,000.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to make periodic payments in an amount not to exceed $64,000.00 to Lorena Campos in accordance with the terms of the contract from General Fund, Fund 0001, Department BMS, Unit 1978, Object 3070, Commodity 91858, Encumbrance/Contract No. IGS-2019-00008820, Vendor VC19556.

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 #: 18-1399 **Item #:** 64.

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	December 12, 2018
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Office of Strategic Partnerships & Government Affairs
EXECUTIVE:	Kimberly Bizor Tolbert

SUBJECT

Authorize a personal services contract with Randy C. Cain for state legislative services for the period November 1, 2018 through October 31, 2019 - Not to exceed $71,000.00 - Financing: General Fund

BACKGROUND

Randy Cain has represented the City of Dallas before the State Legislature and various state agencies during the last twelve legislative sessions.

Mr. Cain operates an Austin office which monitors state action affecting cities, working with State Legislators and state agencies to advance City interests and priorities.

The scope of services for this contract will include:

- Representation before state agencies and legislators.
- Monitoring state legislative and committee activities as requested by the City Council, City Manager and City Attorney.
- Assistance with special projects as requested.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Legislative Ad Hoc Committee was briefed on September 22, 2014.

City Council was briefed on October 15, 2014.

On October 22, 2014, City Council authorized a contract with Randy C. Cain for FY 2014-15, by Resolution No. 14-1801.

The Legislative Ad Hoc Committee was briefed on October 13, 2015.

On October 28, 2015, City Council authorized a contract with Randy C. Cain for FY 2015-16, by Resolution No. 15-1946.

The Legislative Ad Hoc Committee was briefed on October 10, 2016.

On October 26, 2016, City Council authorized a contract with Randy C. Cain for FY 2016 - 2017, by Resolution No. 16 -1744.

The Legislative Ad Hoc Committee will be briefed on December 10, 2018.

FISCAL INFORMATION

General Fund - $71,000.00

WHEREAS, the City of Dallas needs representation in Austin to monitor interim committee activities and to recommend and draft legislation to assure that the City's needs are met during the State legislative session; and

WHEREAS, Randy C. Cain has represented the City of Dallas before the State Legislature and various state agencies during the last twelve state legislative sessions; and

WHEREAS, on October 22, 2014, City Council authorized a contract with Randy C. Cain for FY 2014-15, by Resolution No. 14-1801; and

WHEREAS, on October 28, 2015, City Council authorized a contract with Randy C. Cain for FY 2015-16, by Resolution No. 15-1946; and

WHEREAS, on October 26, 2016, City Council authorized a contract with Randy C. Cain for FY 2016 – 2017, by Resolution No. 16 -1744; and

WHEREAS, Randy C. Cain uses substantial resources to monitor and influence legislation for the City of Dallas during the state legislative session and throughout the interim; and

WHEREAS, Randy C. Cain assists the City Attorney's Office with various legislator and staff requests and works closely with the Texas Municipal League on issues of importance to 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 personal services contract with Randy C. Cain, approved as to form by the City Attorney, to provide state legislative and information related services for the period November 1, 2018 through October 31, 2019, in an amount not to exceed $71,000.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to make periodic payments in an amount not to exceed $71,000.00 to Randy C. Cain in accordance with the terms of the contract from General Fund, Fund 0001, Department BMS, Unit 1978, Object 3070, Commodity 91858, Encumbrance/Contract No. IGS-2019-00008814, Vendor 513298.

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 #: 18-1396 **Item #:** 65.

STRATEGIC PRIORITY:	Government Performance and Financial Management
AGENDA DATE:	December 12, 2018
COUNCIL DISTRICT(S):	All
DEPARTMENT:	Office of Strategic Partnerships & Government Affairs
EXECUTIVE:	Kimberly Bizor Tolbert

SUBJECT

Authorize a professional services contract with CapitalEdge Strategies, LLC to provide federal legislative services to the City for the period November 1, 2018 through October 31, 2019 - Not to exceed $160,000.00 - Financing: General Fund

BACKGROUND

CapitalEdge Strategies, LLC, led by Ralph Garboushian, operates a Washington, D.C. office which monitors federal action affecting Dallas, working with the Texas Congressional delegation and the Executive Branch to advance City interests and priorities. In addition, the office works closely with national municipal organizations, including the National League of Cities (NLC), the U.S. Conference of Mayors (USCM), the International City-County Management Association (ICMA), and others to make sure they are aware of the City's positions and agendas.

Under the contract, CapitalEdge Strategies, LLC contacts City staff regularly, by telephone, through visits to Dallas, written reports, bulletins and memoranda. Briefings on federal issues are presented to Council members during meetings of the NLC, as well as at any other time requested by the City. Supplemental information necessary to understanding the effect and impact of federal legislation and regulations is also provided. Timely information about government grant programs, frequently based on personal contact with federal program managers, is sent directly to the appropriate staff to facilitate Dallas funding applications.

CapitalEdge Strategies, LLC has frequently assisted the City by connecting high-level members of the Administration with Dallas leadership. CaptialEdge Strategies, LLC has also advised on working with federal agencies such as the U.S. Department of Housing and Urban Development, Transportation, Homeland Security, Federal Transit Administration, and The White House.

CapitalEdge Strategies, LLC has represented the City of Dallas in Washington, D.C. as part of the Texas Cities Legislative Coalition (TCLC) since 1987. Other participants in the Coalition include the cities of Arlington, Austin and Denton.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Legislative Ad Hoc Committee was briefed on September 22, 2014.

City Council was briefed on October 15, 2014.

On October 22, 2014, City Council authorized a contract with CapitalEdge Strategies, LLC for FY 2014-15, by Resolution No. 14-1802.

The Legislative Ad Hoc Committee was briefed on October 13, 2015.

On October 28, 2015, City Council authorized a contract with CapitalEdge Strategies, LLC for FY 2015-16, by Resolution No. 15- 1947.

The Legislative Ad Hoc Committee was briefed on October 10, 2016.

On October 26, 2016, City Council authorized a contract with CapitalEdge Strategies, LLC for FY 2016-17, by Resolution No. 16-1745.

The Legislative Ad Hoc Committee will be briefed on December 10, 2018.

FISCAL INFORMATION

General Fund - $160,000.00

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WHEREAS, there exists a need for the City to have reliable means of receiving information regarding pending federal legislative and executive action which may impact the City; and

WHEREAS, on October 22, 2014, City Council authorized a contract with CapitalEdge Strategies, LLC for FY 2014-15, by Resolution No. 14-1802; and

WHEREAS, on October 28, 2015, City Council authorized a contract with CapitalEdge Strategies, LLC for FY 2015-16, by Resolution No. 15-1947; and

WHEREAS, on October 26, 2016, City Council authorized a contract with CapitalEdge Strategies, LLC for FY 2016-17, by Resolution No. 16-1745; and

WHEREAS, the City of Dallas with the participation of the cities of Arlington, Austin and Denton comprise the Texas Cities Legislative Coalition (TCLC); and

WHEREAS, CapitalEdge Strategies, LLC monitors federal legislation impacting the cities and works with the Texas Congressional delegation and the Executive Branch to advance City interests and priorities; and

WHEREAS, CapitalEdge Strategies, LLC works closely with national municipal organizations, including the National League of Cities, the U.S. Conference of Mayors, and the International City/County Management Association, and others to make sure they are aware of the City's positions and agendas; and

WHEREAS, CapitalEdge Strategies, LLC makes presentations to Council members during the meetings of the National League of Cities as well as at any other time requested by the City; and

WHEREAS, CapitalEdge Strategies, LLC provides supplemental information necessary to understanding the effects and impacts of federal legislation and regulations; and

WHEREAS, CapitalEdge Strategies, LLC also provides timely information about government grant programs, frequently based on personal contact with federal program managers, and directly sends information to appropriate staff to facilitate Dallas funding applications.

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 CapitalEdge Strategies, LLC, approved as to form by the City Attorney, to provide federal legislative services to the City for the period November 1, 2018 through October 31, 2019, in an amount not to exceed $160,000.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to make periodic payments in an amount not to exceed $160,000.00 to CapitalEdge Strategies, LLC in accordance with the terms of the contract from General Fund, Fund 0001, Department BMS, Unit 1978, Object 3070, Commodity 91858, Encumbrance/Contract No. IGS-2019-00008818, Vendor VC0000008080.

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 #: 18-1426 **Item #:** 66.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Office of Strategic Partnerships & Government Affairs

EXECUTIVE: Kimberly Bizor Tolbert

SUBJECT

A resolution authorizing approval of the Verizon Place as an Authorized Public Facility Improvement Corporation Project at Dallas/Fort Worth International Airport - Financing: No cost consideration to the City

BACKGROUND

The Dallas/Fort Worth International Airport's Public Facility Improvement Corporation (the "PFIC") was created in 2001 for the purpose of financing, planning, constructing, equipping, owning, renovating, repairing, improving, maintaining and/or operating one or more public facilities ("Public Facilities") within the boundaries of the Airport. The PFIC's Articles of Incorporation state that the Dallas/Fort Worth International Airport (DFW) Board and the Owner Cities must approve any projects undertaken by the PFIC (called "Approved PFIC Projects.")

Verizon leases a 77.06-acre campus from the DFW Airport Board, which has 64 years remaining on the term. Verizon wants to be released from the obligations of the lease and is willing to assign the lease to DFW Airport's PFIC.

The project was approved by the PFIC Board on November 27, 2018 and received approval by the DFW Airport Board at the December 6, 2018 meeting.

DFW Airport is requesting that the Owner Cities approve designation of Verizon Place as an authorized PFIC Project.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Mobility Solutions, Infrastructure and Sustainability Committee on December 10, 2018.

FISCAL INFORMATION

No cost consideration to the City.

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WHEREAS, with the approval of the Cities of Dallas and Fort Worth, Texas (the "Cities"), the Dallas/Fort Worth International Airport Public Facility Improvement Corporation (the "Corporation") was duly incorporated and is a validly existing Texas non-profit airport facility financing corporation pursuant to Chapter 22 of the Texas Transportation Code, as amended; and

WHEREAS, the Cities are the joint owners of the real property and improvements known as Dallas/Fort Worth International Airport (the "Airport"); and

WHEREAS, the Corporation's Articles of Incorporation provide that the Corporation's purpose is to finance, plan, develop, construct, equip, own, renovate, repair, improve, maintain, and/or operate one or more public facilities ("Public Facilities") and that the Corporation shall not undertake the implementation of any activity relating to the Airport or its facilities unless the activity relates to a Public Facility that the City Councils of each of the Cities have approved; and

WHEREAS, the Corporation and the Airport desire Verizon Place to be considered a Public Facility under the Corporation's Articles of Incorporation whereby the Corporation would assume the assets, obligations, and operations of Verizon Place, and that the Corporation would be able to fulfill the purposes of the Corporation relating to a Public Facility; and

WHEREAS, the Corporation's Articles of Incorporation and the Rules and Regulations Relating to the Organization, Operation, and Management of the Corporation (the "Rules and Regulations") adopted on December 14, 2000, require that the Cities make certain findings relating to Verizon Place in order for the Corporation to assume the responsibilities and take the actions permitted under the Corporation's Articles of Incorporation and Rules and Regulations.

Now, Therefore,

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

December 12, 2018

SECTION 1. That the City of Dallas hereby finds and determines that Verizon Place is a Public Facility as defined in Paragraph (a) of Article Four of the Articles of Incorporation of the Corporation and is a building or facility for the comfort and accommodation of air travelers, including a facility commonly found and provided at an airport, pursuant to Section 22.011(b)(1)(D) of the Texas Transportation Code, as amended, and is a facility that is beneficial to the operation or economic development of the Airport and to the development and general diversification of the economy, pursuant to Section 22.012 of the Texas Transportation Code, as amended. The City of Dallas hereby approves the financing, planning, development, construction, equipping, and operation of Verizon Place, as an Authorized Public Facility Improvement Corporation Project pursuant to Sections 1.1 and 1.2 of the Rules and Regulations and finds and determines that the project is consistent with and in furtherance of the purposes of the Corporation.

SECTION 2. That the City of Dallas has been provided a copy of the actions taken by the Corporation and the Airport with respect to Verizon Place and the City hereby approves of such actions.

SECTION 3. That this Resolution shall be in full force and effect when duly passed by both Cities.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, Interim City Attorney

By _____
Assistant City Attorney

Passed_____

Agenda Information Sheet

File #: 18-1218 **Item #:** 67.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 10

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize a professional services contract with Dunaway Associates, L.P. for schematic design, design development, construction documents, procurement and construction observation phases for the Flag Pole Hill - Phase 1 Master Plan Implementation Project located at 8015 Doran Circle - Not to exceed $168,050.00 - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds)

BACKGROUND

This action will authorize a professional services contract with Dunaway Associates, L.P. for schematic design, design development, construction documents, procurement and construction observation phases for the Flag Pole Hill - Phase 1 Master Plan Implementation Project. The 2017 Bond Program included funding for this project.

On May 9, 2018, a Request for Qualifications (RFQ) was issued for Engineering and Landscape Architecture Consulting Services for Park Site Development Projects in the 2017 Bond Program. The Projects included in this RFQ were considered “Simple Projects” which utilize the RFQ only selection process. Dunaway Associates, L.P. was selected as the most qualified firm for this project.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	March 2019
Complete Design	March 2020
Begin Construction	August 2020
Complete Construction	March 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 15, 2018, the Park and Recreation Board authorized a professional services contract with Dunaway Associates, L.P.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on December 10, 2018.

FISCAL INFORMATION

Park and Recreation Facilities (B) Fund (2017 Bond Funds) - $168,050.00

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 $
$168,050.00	Architectural & Engineering	25.66%	25.74%	$43,250.00
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

In accordance with the City of Dallas Administrative Directive 4-5 procurement guidelines, Dunaway Associates, L.P. was selected as the most qualified consultant for this project.

OWNER

Dunaway Associates, L.P.

Tom Galbreath, President

MAP

Attached

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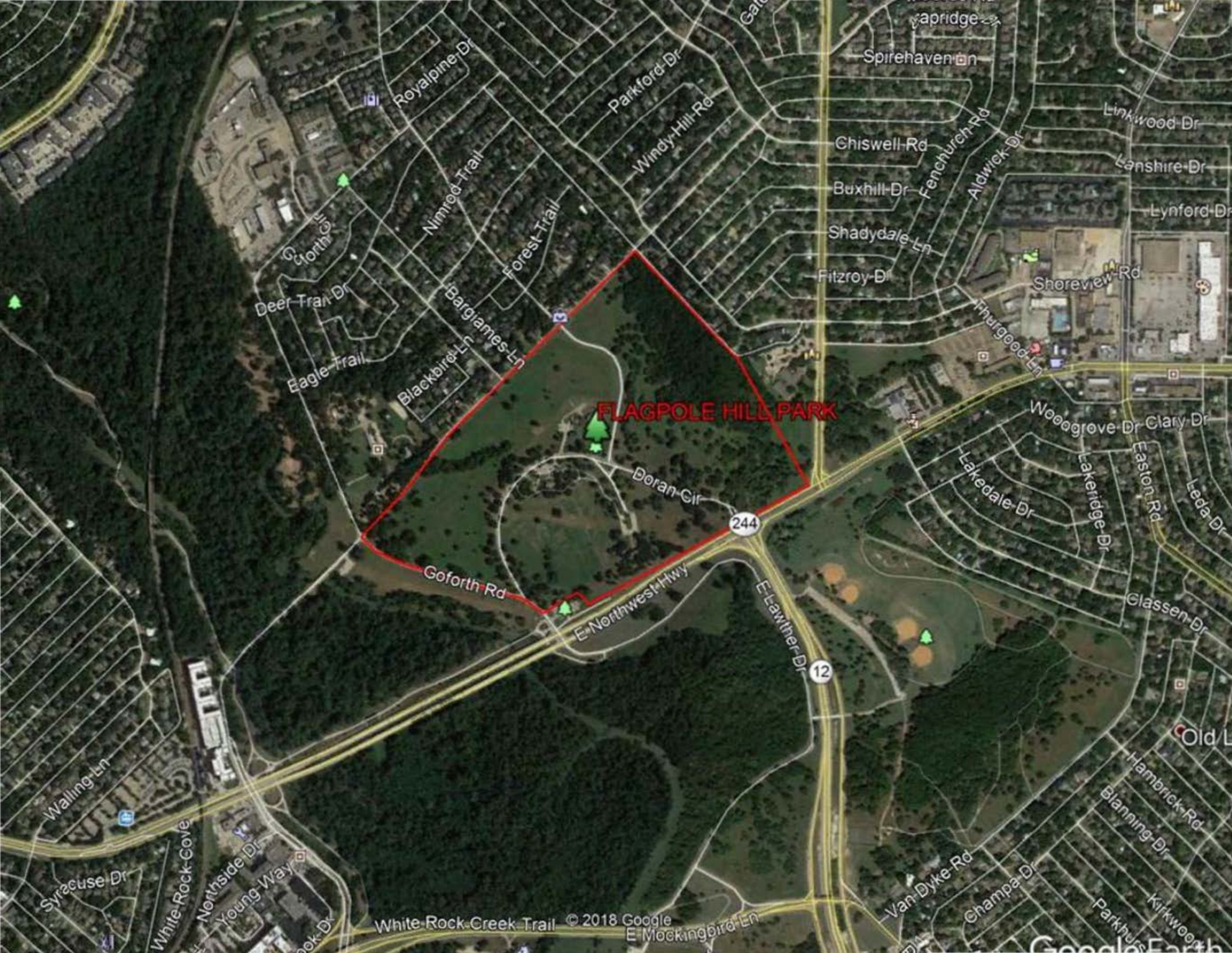

FLAGPOLE HILL PARK
Goforth Rd
Doran Cir
E Northwest Hwy
244
12
Royalpine Dr
Parkford Dr
Windy Hill Rd
Nimrod Trail
Forest Trail
Bargiames Ln
Blackbird Ln
Deer Trail Dr
Eagle Trail
Spirehaven Dr
Chiswell Rd
Buxhill Dr
Fenchurch Rd
Aldwick Dr
Shadydale Ln
Fitzroy Dr
Linkwood Dr
Lanshire Dr
Lynford Dr
Shoreview Rd
Thurgood Ln
Woodgrove Dr
Clary Dr
Lakedale Dr
Lakeridge Dr
Easton Rd
Leda Dr
Glassen Dr
E Lawther Dr
Van Dyke Rd
Champa Dr
Hambrick Rd
Blanning Dr
Walling Ln
Syracuse Dr
Northside Dr
Young Way
White Rock Cove
White Rock Creek Trail
E Mockingbird Ln
© 2018 Google

WHEREAS, on May 9, 2018, a Request for Qualifications was issued for Engineering and Landscape Architecture Consulting Services for Park Site Development Projects in the 2017 Bond Program; and

WHEREAS, in accordance with Administrative Directive 4-5, Dunaway Associates, L.P. was selected as the most qualified consultant for the Flag Pole Hill - Phase 1 Master Plan Implementation Project; and

WHEREAS, it is now desirable to authorize a professional services contract with Dunaway Associates, L.P. for schematic design, design development, construction documents, procurement and construction observation phases for the Flag Pole Hill - Phase 1 Master Plan Implementation Project located at 8015 Doran Circle, in an amount not to exceed $168,050.00.

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 Dunaway Associates, L.P., approved as to form by the City Attorney, for schematic design, design development, construction documents, procurement and construction observation phases for the Flag Pole Hill - Phase 1 Master Plan Implementation Project located at 8015 Doran Circle, in an amount not to exceed $168,050.00.

SECTION 2. That the President of the Park and Recreation Board and City Manager are hereby authorized to execute a professional services contract with Dunaway Associates, L.P., 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 $168,050.00 to Dunaway Associates, L.P. from Park and Recreation Facilities (B) Fund, Fund 1V00, Department PKR, Unit VB20, Object 4112, Activity STMP, Program PKRVB20, Encumbrance/Contract No. CX-PKR-2018-00007403, Commodity 92500, Vendor VS0000059194.

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 #: 18-1255 **Item #:** 68.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 1

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize a professional services contract with Urban Engineers Group, Inc. for schematic design, design development, construction documents, procurement and construction observation phases for Elmwood Trail Phase Three located north of the existing Elmwood Parkway Trail Phase One - Not to exceed $238,815.00 - Financing: Park and Recreation Facilities (B) (2017 Bond Funds)

BACKGROUND

This action will authorize a professional services contract with Urban Engineers Group, Inc. for Elmwood Trail Phase Three. This contract will provide professional services for all phases of the project, including schematic design, design development, construction documents and construction observation services.

On May 9, 2018, a Request for Qualifications (RFQ) was issued for Engineering and Landscape Architecture Consulting Services for Park Site Development Projects in the 2017 Bond Program. The Projects included in this RFQ were considered “Simple Projects” which utilize the RFQ only selection process. Urban Engineers Group, Inc. was selected as the most qualified consultant for this project.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	January 2019
Complete Design	July 2019
Begin Construction	October 2019
Complete Construction	October 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 15, 2018, the Park and Recreation Board authorized a professional services contract with Urban Engineers Group, Inc.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on December 10, 2018.

FISCAL INFORMATION

Park and Recreation Facilities (B) (2017 Bond Funds) - $238,815.00

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 $
$238,815.00	Architectural & Engineering	25.66%	95.73%	$228,615.00
• This contract exceeds the M/WBE goal.				

PROCUREMENT INFORMATION

In accordance with Administrative Directive 4-5, Urban Engineers Group, Inc. was selected by the Request for Qualifications process and identified as the most qualified consultant, due to their previous programming, public input and schematic design work for previous phases of the Elmwood Parkway Trail, the most recent completed in 2016 which extended the trail from just north of Illinois Avenue south to Kiest Park.

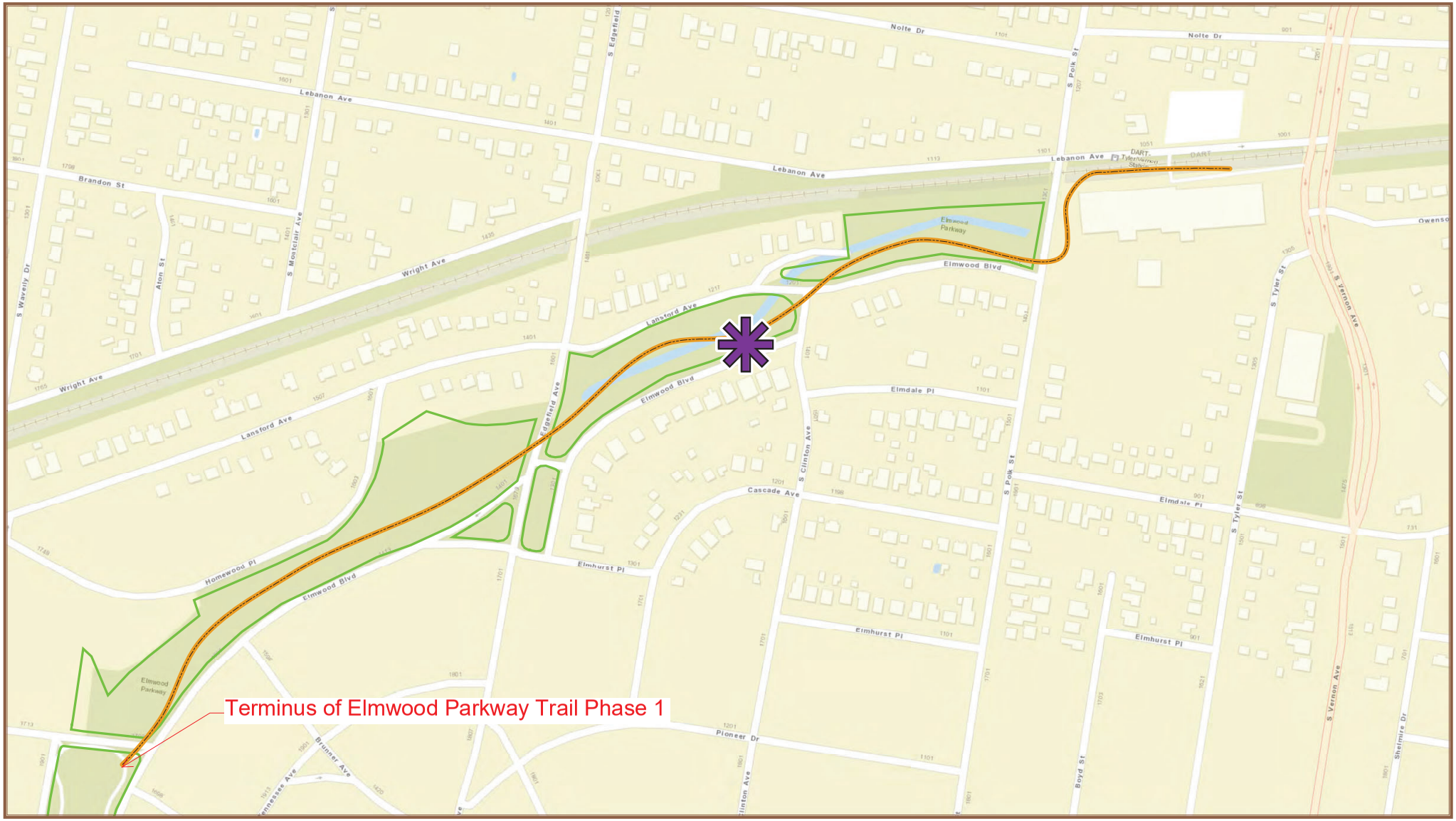
OWNER

Urban Engineers Group, Inc.

Faisal Syed, P.E., President

MAP

Attached



0 125 250 500 750 Feet

1 in = 250 ft

Dallas Park & Recreation

Elmwood Parkway Trail Phase 3

District 1

WHEREAS, on May 9, 2018, a Request for Qualifications was issued for Engineering and Landscape Architecture Consulting Services for Park Site Development Projects in the 2017 Bond Program; and

WHEREAS, in accordance with Administrative Directive 4-5, Urban Engineers Group, Inc. was selected by the Request for Qualifications process and identified as the most qualified consultant for the Elmwood Trail Phase Three project, due to their previous programming, public input and schematic design work for previous phases of the Elmwood Parkway Trail; and

WHEREAS, it is now desirable to authorize a professional services contract with Urban Engineers Group, Inc. for schematic design, design development, construction documents, procurement and construction observation phases for Elmwood Parkway Trail Phase Three located north of the existing Elmwood Parkway Trail Phase One, in an amount not to exceed $238,815.00.

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 Urban Engineers Group, Inc., approved as to form by the City Attorney, for schematic design, design development, construction documents, procurement and construction observation phases for Elmwood Parkway Trail Phase Three located north of the existing Elmwood Parkway Trail Phase One, in an amount not to exceed $238,815.00.

SECTION 2. That the President of the Park and Recreation Board and City Manager are hereby authorized to execute a professional services contract with Urban Engineers Group, 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 $238,815.00 to Urban Engineers Group, Inc. from Park and Recreation Facilities (B), Fund 1V00, Department PKR, Unit VB37, Object 4112, Activity HIBT, Program PK17VB37, Encumbrance/Contract No. PKR-2018-00007372, Commodity 90600, Vendor 511462.

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 #: 18-1264 **Item #:** 69.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 9

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize a twelve-month funding agreement with the Dallas Arboretum and Botanical Society, Inc. to provide services and programs within the city of Dallas for the period October 1, 2018 through September 30, 2019 - Not to exceed $394,098.00 - Financing: General Fund

BACKGROUND

On March 23, 1988, the City entered into a multi-year agreement with the Dallas Arboretum and Botanical Society, Inc. (DABS), a non-profit organization, to manage and operate the Dallas Arboretum. On February 27, 2013, the agreement was extended for ten more years. The agreement with DABS requires the execution of a separate funding contract to authorize the stipend payable during the current year. The funds have been identified and appropriated in the City's General Fund for FY 2018-2019.

The stipend payment will help provide access to the general public, special educational programs, community outreach services and special events. DABS will distribute 24,000 complimentary tickets for entry into the Dallas Arboretum grounds as approved by the Park and Recreation Board.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 21, 2013, the Park and Recreation Board authorized a twelve-month funding agreement with the Dallas Arboretum and Botanical Society, Inc.

On December 11, 2013, City Council authorized a twelve-month funding agreement with the Dallas Arboretum and Botanical Society, Inc. to provide services and programs within the City of Dallas for the period October 1, 2013 through September 30, 2014, by Resolution No. 13-2065.

On October 2, 2014, the Park and Recreation Board authorized a twelve-month funding agreement with the Dallas Arboretum and Botanical Society, Inc.

On November 12, 2014, City Council authorized a twelve-month funding agreement with the Dallas Arboretum and Botanical Society, Inc. to provide services and programs within the City of Dallas for the period October 1, 2014 through September 30, 2015, by Resolution No. 14-1906.

On October 15, 2015, the Park and Recreation Board authorized a twelve-month funding agreement with the Dallas Arboretum and Botanical Society, Inc.

On November 10, 2015, City Council authorized a twelve-month funding agreement with the Dallas Arboretum and Botanical Society, Inc. to provide services and programs within the City of Dallas for the period October 1, 2015 through September 30, 2016, by Resolution No. 15-2075.

On November 17, 2016, the Park and Recreation Board authorized a twelve-month funding agreement with the Dallas Arboretum and Botanical Society, Inc.

On December 14, 2016, City Council authorized a twelve-month funding agreement with the Dallas Arboretum and Botanical Society, Inc. to provide services and programs within the City of Dallas for the period October 1, 2016 through September 30, 2017, by Resolution No. 16-1933.

On November 16, 2017, the Park and Recreation Board authorized a twelve-month funding agreement with the Dallas Arboretum and Botanical Society, Inc.

On December 13, 2017, City Council authorized a twelve-month funding agreement with the Dallas Arboretum and Botanical Society, Inc. to provide services and programs within the City of Dallas for the period October 1, 2017 through September 30, 2018, by Resolution No. 17-1884.

On November 1, 2018, the Park and Recreation Board authorized a twelve-month funding agreement with the Dallas Arboretum and Botanical Society, Inc.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on December 10, 2018.

FISCAL INFORMATION

General Fund - $394,098.00

OWNER

Dallas Arboretum and Botanical Society, Inc.

Mary Brinegar, President and Chief Executive Officer
Mark Wolf, Chairman
Alan Walye, Vice Chairman
John Cuellar, Secretary
Will McDaniel, Treasurer

WHEREAS, on September 18, 2018, City Council authorized the final reading and adoption of appropriation ordinance for the FY 2018-19 City of Dallas Operating, Capital, and Grant & Trust Budgets by Resolution No. 18-1337; and

WHEREAS, it is deemed necessary for official action to be taken by the City Council to define services to be received and authorize payment of these funding allocations during the 2018 - 2019 Fiscal Year.

Now, Therefore,

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

SECTION 1. That a contract with the Dallas Arboretum and Botanical Society, Inc. totaling $394,098.00 be approved.

SECTION 2. That the City Manager is hereby authorized to sign a twelve-month funding agreement with the Dallas Arboretum and Botanical Society, Inc., approved as to form by the City Attorney, to provide services and programs within the city of Dallas for the period October 1, 2018 through September 30, 2019, in an amount not to exceed $394,098.00.

SECTION 3. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a twelve-month funding agreement with the Dallas Arboretum and Botanical Society, Inc., approved as to form by the City Attorney.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $394,098.00 from General Fund, Fund 0001, Department PKR, Unit 5231, Object 3072, Encumbrance/Contract No. PKR-2019-00008358, Vendor 219121, as vouchers are processed by the Park and Recreation Department.

SECTION 5. That services to be provided are: operate and maintain the Dallas Arboretum and Botanical Garden for the general public, and provide special educational programs, community outreach services and sponsorship of a special summer program for disadvantaged children for 12 months.

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 #: 18-1269 **Item #:** 70.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 3

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas for the Cedar Ridge Preserve to provide services and programs within the city of Dallas for the period January 1, 2019 through December 31, 2019 - Not to exceed $58,949.00 - Financing: General Fund

BACKGROUND

On January 24, 2018, the City Council authorized a five-year management, maintenance and operating agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas (to manage, maintain and operate the Cedar Ridge Preserve, providing accessibility to open space properties and trails located at 7171 Mountain Creek Parkway by Resolution No. 18-0212. This agreement requires the execution of a separate funding contract to authorize the stipends payable during the current year. The funds have been identified and appropriated in the City's General Fund for FY 2018-19.

The stipend payment will help operate and maintain the Cedar Ridge Preserve for 12 months and provide access to the general public to 633 acres of escarpment and trails in Southwest Dallas, environmental education programs on the ecosystem and presentations at community centers and schools.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 2, 2014, the Park and Recreation Board authorized a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas.

On November 12, 2014, City Council authorized a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas for the Cedar Ridge Preserve to provide services and programs within the city of Dallas for the period January 1, 2015 through December 31, 2015, by Resolution No. 14-1904.

On October 15, 2015, the Park and Recreation Board authorized a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas.

Information about this item was provided to the Quality of Life & Environment Committee on November 9, 2015.

On November 10, 2015, City Council authorized a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas for the Cedar Ridge Preserve to provide services and programs within the City of Dallas for the period January 1, 2016 through December 31, 2016, by Resolution No. 15-2076.

On November 17, 2016, the Park and Recreation Board authorized a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas.

Information about this item was provided to the Quality of Life & Environment Committee on December 12, 2016.

On December 14, 2016, City Council authorized a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas for the Cedar Ridge Preserve to provide services and programs within the City of Dallas for the period January 1, 2017 through December 31, 2017, by Resolution No. 16-1934.

On November 16, 2017, the Park and Recreation Board authorized a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas.

Information about this item was provided to the Quality of Life, Arts and Culture Committee on January 8, 2018.

On November 1, 2018, the Park and Recreation Board authorized a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on December 10, 2018.

FISCAL INFORMATION

General Fund - $58,949.00

OWNER

Dallas County Audubon Society, Inc. dba Audubon Dallas

Anna Palmer, President
Guadalupe M. Robles, Secretary
Lynn Pierce, Vice President, Membership
Kat Nelson, Vice President, Fundraising
Lee Kelton, Vice President, Sanctuary
Janet Maltons, Vice President, Programs

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WHEREAS, on September 18, 2018, City Council authorized the final reading and adoption of appropriation ordinance for the FY 2018-19 City of Dallas Operating, Capital, and Grant & Trust Budgets by Resolution No. 18-1337; and

WHEREAS, it is deemed necessary for official action to be taken by the City Council to define services to be received and authorize payment of these funding allocations during FY 2018-19.

Now, Therefore,

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

SECTION 1. That a contract with Dallas County Audubon Society, Inc. dba Audubon Dallas totaling $58,949.00 be approved.

SECTION 2. That the City Manager is hereby authorized to sign a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas, approved as to form by the City Attorney, for the Cedar Ridge Preserve to provide services and programs within the city of Dallas for the period January 1, 2019 through December 31, 2019, in an amount not to exceed $58,949.00.

SECTION 3. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas, approved as to form by the City Attorney.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $58,949.00 to Dallas County Audubon Society, dba Audubon Dallas from General Fund, Fund 0001, Department PKR, Unit 5231, Object 3072, Encumbrance/Contract No. PKR-2019-00008357, Vendor 509534, as vouchers are processed by the Park and Recreation Department.

SECTION 5. That services to be provided are to: operate and maintain the Cedar Ridge Preserve, provide access for the general public to 633 acres of escarpment and trails in Southwest Dallas, provide environmental education programs on the ecosystem and presentations at community centers and schools for 12 months.

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.

File #: 18-1258 **Item #:** 71.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 7

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize a twelve-month funding agreement with Texas Discovery Gardens to provide services and programs within the city of Dallas for the period October 1, 2018 through September 30, 2019 - Not to exceed $145,862.00 - Financing: General Fund

BACKGROUND

On June 25, 2003, the City entered into a ten-year agreement with Texas Discovery Gardens, a nonprofit organization, to manage and operate the Texas Discovery Gardens building and surrounding grounds at Fair Park. On November 7, 2013, the agreement was extended for ten more years. The Management Agreement with Texas Discovery Gardens does not automatically authorize funding, therefore a separate program funding contract to authorize the stipends payable during the current year is requested. The funds have been identified and appropriated in the City's General Fund by authorization of the City Council and after approval by the Park and Recreation Board for the current fiscal year.

The stipend payments will allow Texas Discovery Gardens to provide access to the general public and community outreach services for schools, horticulture information services and presentations at community centers and special facilities for the period October 1, 2018 through September 30, 2019.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 19, 2013, the Park and Recreation Board authorized a twelve-month funding agreement with Texas Discovery Gardens.

On January 8, 2014, City Council authorized a twelve-month funding agreement with the Texas Discovery Gardens to manage the Texas Discovery Gardens facilities, provide programs and services within the city of Dallas for the period October 1, 2013 through September 30, 2014, by Resolution No. 14-0116.

On October 15, 2015, the Park and Recreation Board authorized a twelve-month funding agreement with Texas Discovery Gardens.

Information about this item was provided to the Quality of Life & Environment Committee on November 9, 2015.

On November 10, 2015, City Council authorized a twelve-month funding agreement with Texas Discovery Gardens to provide programs and services within the City of Dallas for the period October 1, 2015 through September 30, 2016, by Resolution No. 15-2077.

On November 17, 2016, the Park and Recreation Board authorized a twelve-month funding agreement with Texas Discovery Gardens.

Information about this item was provided to the Quality of Life & Environment Committee on December 12, 2016.

On December 14, 2016, City Council authorized a twelve-month funding agreement with Texas Discovery Gardens to provide services and programs within the City of Dallas for the period October 1, 2016 through September 30, 2017, by Resolution No. 16-1935.

On November 16, 2017, the Park and Recreation Board authorized a twelve-month funding agreement with Texas Discovery Gardens.

Information about this item was provided to the Quality of Life, Arts and Culture Committee on December 11, 2017.

On November 1, 2018, the Park and Recreation Board authorized a twelve-month funding agreement with Texas Discovery Gardens.

Information about this item will be provided to the Quality of Live & Environment Committee on December 10, 2018.

FISCAL INFORMATION

General Fund - $145,862.00

OWNER

Texas Discovery Gardens

Board of Directors

Michael Bosco, Board Chair
Barbara Hunt Crow, Historian
Michelle Robberson, Secretary
John Fox Holt III, Treasurer

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December 12, 2018

WHEREAS, on September 18, 2018, City Council authorized the final reading and adoption of appropriation ordinance for the FY 2018-19 City of Dallas Operating, Capital, and Grant & Trust Budgets by Resolution No. 18-1337; and

WHEREAS, it is deemed necessary for official action to be taken by the City Council to define services to be received and authorize payment of these funding allocations during the 2018 - 2019 Fiscal Year.

Now, Therefore,

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

SECTION 1. That a contract with the Texas Discovery Gardens, Inc. totaling $145,862.00 be approved.

SECTION 2. That the City Manager is hereby authorized to sign a twelve-month funding agreement with Texas Discovery Gardens, approved as to form by the City Attorney, to provide services and programs within the city of Dallas for the period October 1, 2018 through September 30, 2019, in an amount not to exceed $145,862.00.

SECTION 3. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a twelve-month funding agreement with Texas Discovery Gardens, approved as to form by the City Attorney.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $145,862.00 to Texas Discovery Gardens from General Fund, Fund 0001, Department PKR, Unit 5206, Object 3072, Encumbrance/Contract No. PKR-2018-00004518, Vendor 219134, as vouchers are processed by the Park and Recreation Department.

SECTION 5. That services to be provided are: operate the Texas Discovery Gardens building and surrounding grounds at Fair Park for the general public, and provide community outreach services for schools, horticulture information services and presentations at community centers and special facilities for 12 months.

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 #: 18-1221 **Item #:** 72.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 1

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize an increase in the construction services contract with A S Con, Inc. to provide additional erosion control on the dam, landscape and lighting modifications at Kidd Springs Park located at 700 West Canty Street - Not to exceed $78,579.48, from $726,578.00 to $805,157.48 - Financing: Park and Recreation Facilities Fund (2006 Bond Funds)

BACKGROUND

On September 27, 2017, City Council authorized a construction services contract with A S Con, Inc. for dam safety and shoreline improvements at Kidd Springs Park by Resolution No. 17-1551.

This action will authorize Change Order No. 1 to the construction services contract with A S Con, Inc., in an amount not to exceed $78,579.48, from $726,578.00 to $805,157.48, for an increase in the contract to include additional tree removal on the dam, reinforcement, gabion mattress, rill expansion, re-routing of electrical service, cleaning and painting of light pole bases, and landscape modifications.

This change order adds 30 working days to the contract time.

ESTIMATED SCHEDULE OF PROJECT

Began Construction	November 2017
Complete Construction	January 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 7, 2017, the Park and Recreation Board authorized a contract with A S Con, Inc.

Information about this item was provided to the Quality of Life, Culture and Arts Committee on September 25, 2017.

On September 27, 2017, City Council authorized a construction services contract with A S Con, Inc. for dam safety and shoreline improvements at Kidd Springs Park located at 700 West Canty Street by Resolution No. 17-1551.

On November 15, 2018, the Park and Recreation Board authorized an increase in the construction services contract with A S Con, Inc.

Information about this item will be provided to Quality of Life, Arts and Culture Committee on December 10, 2018.

FISCAL INFORMATION

Park and Recreation Facilities Fund (2006 Bond Funds) - $78,579.48

Construction Contract	$726,578.00
Change Order No. 1 (this action)	$ 78,579.48
Total not to exceed	$805,157.48

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 $
$78,579.48	Construction	25.00%	8.70%	$6,838.20
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				
• Change Order No. 1 - 24.04% Overall M/WBE participation				

OWNER

A S Con, Inc.

Ali Safdarinia, President

MAP

Attached

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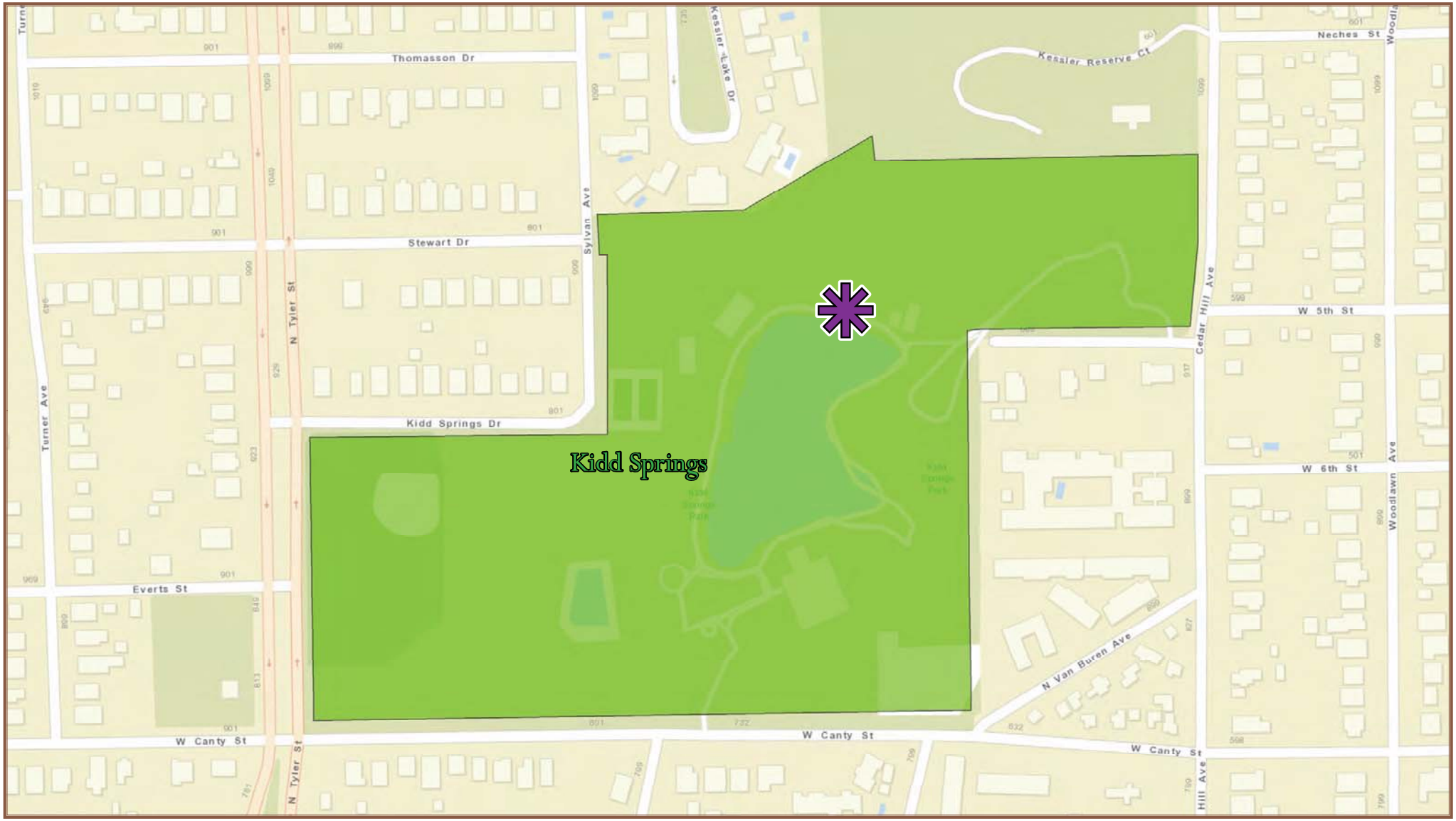

87.5 175 350 525 Feet

Kidd Spring Park
(700 W Canty St)

Mapsco
54 C

District
1

December 12, 2018

WHEREAS, on September 27, 2017, City Council authorized a construction services contract with A S Con, Inc. for dam safety and shoreline improvements at Kidd Springs Park located at 700 West Canty Street, in an amount not to exceed $726,578.00, by Resolution No. 17-1551; and

WHEREAS, this action will authorize Change Order No. 1 to the construction services contract with A S Con, Inc., to provide additional erosion control on the dam, landscape and lighting modifications at Kidd Springs Park located at 700 West Canty Street, in an amount not to exceed $78,579.48, increasing the contract amount from $726,578.00, to $805,157.48.

Now, Therefore,

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

SECTION 1. That an increase in the construction services contract with A S Con, Inc. (Change Order No. 1) is authorized to provide additional erosion control on the dam, landscape and lighting modifications at Kidd Springs Park located at 700 West Canty Street, in an amount not to exceed $78,579.48, increasing the contract amount from $726,578.00 to $805,157.48.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $78,579.48 to A S Con, Inc., as follows:

Park and Recreation Facilities Fund Fund BT00, Department PKR, Unit T194 Object 4599, Activity RFSI, Program PK06T194.5 Encumbrance/Contract No. CX-PKR-2018-00002082 Commodity 91200, Vendor 261853	$33,239.39
Park and Recreation Facilities Fund Fund 3T00, Department PKR, Unit T083 Object 4599, Activity RFSI, Program PK06T194.5 Encumbrance/Contract No. CX-PKR-2018-00002082 Commodity 91200, Vendor 261853	$45,340.09
Total amount not to exceed	$78,579.48

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 #: 18-1284 **Item #:** 73.

STRATEGIC PRIORITY:	Quality of Life
AGENDA DATE:	December 12, 2018
COUNCIL DISTRICT(S):	14
DEPARTMENT:	Park & Recreation Department
EXECUTIVE:	Willis C. Winters

SUBJECT

Authorize a five-year maintenance agreement, with an automatic one-year extension with Parks for Downtown Dallas for the operation and maintenance of Belo Garden Park located at 1014 Main Street - Financing: This action has no cost consideration to the City (see Fiscal Information)

BACKGROUND

On November 14, 2012, City Council authorized a five-year maintenance agreement between the City of Dallas and Belo Foundation, a Texas nonprofit corporation, to provide supplemental maintenance for certain repairs, improvements and enhancements above the normal operating expenses for Belo Garden Park by Resolution No. 12-2752. This agreement expired by its own terms, with an automatic one-year extension, on September 30, 2018.

The following responsibilities between the Park & Recreation Department (City) and Parks for Downtown Dallas (PfDD) are for consideration.

The term of this of this agreement is five years beginning on January 1, 2019 and ending on December 31, 2024. The agreement shall be automatically extended for a period of one year, unless either party gives written notice of termination no later than March 31 of the calendar year in which the agreement will end.

PfDD responsibilities:

1. Mowing and trimming the park site on a weekly basis throughout the year.
2. Regular maintenance and plant replacement, as necessary, in the perennial planting beds and seasonal trimming of ornamental grasses.
3. Display fountain maintenance on a weekly schedule, Monday through Friday, throughout the year.
4. Irrigation will be repaired on a weekly basis throughout the year, Monday through Friday, 7:00

a.m. - 3:30 p.m.
5. Tree care and maintenance provided on a daily basis, as needed, Monday through Friday, 7:00 a.m. - 3:30 p.m.
6. Fertilization, aerification, and top dressing performed on a scheduled basis during the year.
7. Decomposed granite walks leveled and refurbished as needed to ensure a level walk-way for park patrons.

City responsibilities:

1. Litter pick-up and removal on a daily basis at multiple times throughout the day, Monday through Sunday, 7:00 a.m. - 3:30 p.m.
2. Graffiti abatement performed within a minimum of eight hours of notification, Monday through Friday, 7:00 a.m. - 3:30 p.m.
3. Replacing lighting elements as they become worn or broken on a daily schedule throughout the year Monday through Friday. Provide electrical repairs in the evenings and weekends on an on-call basis. Additional support for Special Event set-up and monitoring will require reimbursement from Downtown Dallas Inc. to City.
4. Repair and replace permanent and/or fixed park furniture as needed. Replacement and/or repair to conform with the original furnishing design.
5. Integrated Pest Management Program performed as needed to address fire ants, rodents, aphids, fungus, etc.
6. Park signage repair or replacement as needed.
7. Migratory bird control program performed at the park site as needed in the evening hours to address large gatherings of migratory birds during the fall and winter months.
8. Utilities, including, but not limited to, water and electricity.
9. Drinking fountain maintenance.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 18, 2018, the Park and Recreation Board authorized a five-year maintenance agreement, with an automatic one-year extension with Parks for Downtown Dallas.

Information about this item will be provided to the Quality of Life, Arts and Culture on December 10, 2018.

FISCAL INFORMATION

This action has no cost consideration to the City. Litter pick-up and removal, graffiti abatement, and repair/maintenance services to be provided at Belo Garden Park are standard park system services appropriated in the Park and Recreation Department's current fiscal year budget. Future year appropriations will be established through the annual General Fund budget development process, subject to City Council approval after approval by the Park and Recreation Board.

WHEREAS, on November 14, 2012, City Council authorized a five-year maintenance agreement with an automatic one-year extension between the City of Dallas and Belo Foundation, a Texas nonprofit corporation, to provide supplemental maintenance for certain repairs, improvements and enhancements above the normal operating expenses for Belo Garden Park by Resolution No. 12-2752.; and

WHEREAS, the agreement expired by its own terms on September 30, 2018; and

WHEREAS, to support major capital repairs, improvements and enhancements to Belo Garden, Maureen H. and Robert W. Decherd (the "Decherds") in December 2009 entered into an agreement (the "Belo Garden Endowment Agreement") with the City, several Belo-related entities and the Dallas Foundation ("Dallas Foundation") and funded a permanent endowment held by the Dallas Foundation (the "Belo Garden Permanent Endowment"); and

WHEREAS, on or about October 13, 2017, the Dallas Foundation transferred the Belo Garden Permanent Endowment to Parks for Downtown Dallas to hold and administer such endowment going forward; and

WHEREAS, the Decherds desire that the Belo Garden Permanent Endowment continue to be available for use in accordance with the terms of the Belo Garden Endowment Agreement which remains in effect; and

WHEREAS, Parks for Downtown Dallas desires to continue the supplemental and enhanced maintenance of Belo Garden Park.

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 five-year maintenance agreement with an automatic one-year extension with Parks for Downtown Dallas, approved as to form by the City Attorney, for the operation and maintenance of Belo Garden Park located at 1014 Main Street.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a five-year maintenance agreement with an automatic one-year extension with Parks for Downtown Dallas, approved as to form by the City Attorney.

SECTION 3. That this contract is designated as Contract No. PKR-2019-00008567.

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 #: 18-1270 **Item #:** 74.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 4

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize the sixty-month extension option to the concession contract with IAMJ Enterprises, Inc. for the operation of the banquet facility at Cedar Crest Golf Course - Estimated Annual Revenue: $4,000.00

BACKGROUND

The concession contract has been held by IAMJ Enterprises, Inc. since August 27, 2008. The concession contract was for one hundred twenty-six months, or ten and one-half years, with one sixty -month extension option and ended on September 30, 2018. The City, through the Park and Recreation Department Director, notified Ira Malayo of its intent to consider consolidating the Cedar Crest banquet facility concession contract with the Cedar Crest Golf Course Golf Professional Concession Contract when the golf contracts come up for renewal. Following this notification, staff was informed by the City Attorney's Office that the two contracts could not be combined. The City at is sole option may renew this agreement for a period of sixty months.

The contract provides for operation of the banquet facility at Cedar Crest Golf Course, which includes reservations and catering. The 6,000 square foot banquet facility is located on the second floor of the Cedar Crest Golf Course Clubhouse. This reservation facility was constructed and opened in 2004 as the first reservation facility in Dallas, south of the Trinity River. The facility houses a banquet room, balcony and warming kitchen. It can accommodate up to 200 guests for weddings, receptions, dinner parties, seminars and special events.

General requirements of IAMJ Enterprises, Inc (Concessionaire):

- Concessionaire will be the sole event planner and provider for all upstairs events including weddings, reunions, receptions, dinner parties, luncheons, seminars and golf events requiring the use of the banquet facility.
- Concessionaire will be responsible for maintenance, repair, and replacement of all City furnished equipment and furniture. All other equipment and fixtures required for this operation

shall be provided by the Concessionaire and be of modern design, quality material, sufficient in number to adequately serve the public, and provided by the Concessionaire at his or her expense and subject to approval by the Park and Recreation Director. Equipment shall be maintained by the Concessionaire.

- Concessionaire agrees to hire, train and supervise and staff the operation to ensure satisfactory performance to the Park and Recreation Department and efficient service to the public. Concessionaire agrees that personnel will be outfitted in a standardized uniform.
- Reservations can be made up to 12 months in advance. A reservations contract must be completed for each reservation; a deposit may be required. Reservations must be made by an adult 21-years old or older. One adult chaperon is required for each 20 children under the age of 18.
- Room reservations can be made from 8 a.m. - 12 midnight. Special requests for extended hours beyond midnight may be approved on an individual basis by the Park and Recreation Department Director.
- Room rental rates will be determined by the Concessionaire. Rates shall be established by comparing like reservation facility rates in the Dallas area along with determining specific services needed for each specific event.
- The Concessionaire has the right to charge additional service fees for set-up and clean-up of the banquet facility.
- Concessionaire is responsible for routine cleaning of the banquet facility. Contracted premises shall be kept in a clean, orderly and legitimate manner and in accordance with existing ordinances and laws regulating food concession. No rubbish, glass, plastic, or cardboard boxes of any kind shall be thrown on the floor in the building by the Concessionaire or anyone working for Concessionaire. All cleaning supplies for the Banquet facility will be provided by the vendor. Concessionaire is responsible for carpet cleaning twice each year and all window cleaning except for eyelid windows and glass work not reasonably accessible.
- Reservations are required to pay an additional charge per hour for security officers. Dallas Police off-duty officers are required for:
  - All groups of 100 or more
  - When beer/alcohol is served for any number of patrons
  - For events when minors are present
- The Cedar Crest Golf Course Pro will own the Texas Alcoholic Beverage Commission permit for sale of alcoholic beverages on the golf course property. The purchase of alcoholic beverages will be coordinated and sold by the Golf Pro under the provisions of the Golf Pro Concessions Contract. All alcoholic beverages must be purchased on-site.
- Concessionaire may provide decorating services, decorations and/or special set-ups at an additional charge. Interior furnishings (including plants, equipment, displays, wall decorations, etc.) must remain in the upstairs reservation area. Concessionaire will not use, or allow to be used, tacks, staples, or tape of any kind on walls, floors, furniture or carpet. Votive or dripless candles only are permitted.
- Concessionaire will be required to market and advertise the banquet facility to promote interest and reservations. The Concessionaire will host a website, email addresses and social media sites in sufficient numbers to adequately market and promote the banquet facility. The City will provide a link on the Park and Recreation Department website to assist in promoting the facility.
- The Concessionaire must at its own expense procure and keep in force during the entire

period of the contract all permits and licenses required by such laws and regulations.
- The Concessionaire is responsible for reimbursing the City 6.25 percent of the monthly electricity bill for the premises.

General requirements of the City:

- Provide a dishwasher, refrigerator, ice machine, warming oven, preparation counters and multiple sinks.
- Provide indoor tables and chairs for 200 people and provides outdoor tables and chairs for the balcony area.
- Make payment for all utilities for the Premises but the Concessionaire reimburses the City at the agreed rate of 6.25 percent.
- Maintain the facility and the surrounding landscape.
- Provide cleaning services of windows, inspection of fire extinguishers and provides phone line.

Renewal terms will also include the following additional requirements identified in a Supplemental Agreement to the concession contract.

Concessionaire shall provide certified public accountant attestations of: (1) the annual gross sales and (2) monthly gross sales reported for the payment of monthly commissions are fairly stated in accordance with Generally Accepted Accounting Principles.

City, through its Park and Recreation Department Director, and Concessionaire shall agree to performance standards on an annual basis, no later than January 31 for the year 2019 and October 1 for each year thereafter, during the term of the agreement. Standard performance measures, e.g., annual number of events, will be based on IAMJ Enterprises, Inc. forecasted event reservations and reservation days as presented to the department.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 27, 2008, City Council authorized a one-hundred-twenty month concession contract, with a sixty-month renewal option, for operation of the banquet facility at Cedar Crest Golf Course by Resolution No. 05-2229.

On November 1, 2018, the Park and Recreation Board authorized the sixty-month extension option to the concession contract with IAMJ Enterprises, Inc.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on December 10, 2018.

FISCAL INFORMATION

Estimated Annual Revenue: $4,000.00

OWNER

IAMJ Enterprises, Inc.

Ira Malayo, President

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WHEREAS, on August 27, 2008, City Council authorized a one-hundred-twenty-month concession contract, with a sixty-month renewal option, for operation of the banquet facility at Cedar Crest Golf Course by Resolution No. 05-2229; and

WHEREAS, this action will authorize the sixty-month extension option to the concession contract with IAMJ Enterprises, Inc. for the operation of the banquet facility at Cedar Crest Golf Course.

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 sixty-month extension option to the concession contract with IAMJ Enterprises, Inc., approved as to form by the City Attorney, for the operation of the banquet facility at Cedar Crest Golf Course.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute the sixty-month extension option to the concession contract with IAMJ Enterprises, Inc., approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit revenues in an estimated annual amount of $4,000.00 received from IAMJ Enterprises, Inc. from General Fund, Fund 0001, Department PKR, Unit 5272, Revenue Code 7219, Vendor VS0000032011.

SECTION 4. That this contract is designated as Contract No. PKR-2018-00008404.

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 #: 18-1321 **Item #:** 75.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 1, 2, 4, 5, 6

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize the sixty-month extension option to five concession contracts for Golf Pro Shop Managers with Bob Smith at Tenison Park Golf Courses in the amount of $1,558,384.00, Mickey Ray Piersall at Luna Vista Golf Course in the amount of $847,876.00, IAMJ Enterprises, Inc. at Cedar Crest Golf Course in the amount of $526,848.00, James R. Henderson at Stevens Park Golf Course in the amount of $1,158,353.00, and Tony Martinez at Grover C. Keeton Park Golf Course in the amount of $469,830.00 - Estimated Annual Revenue: $4,561,291.00

BACKGROUND

The City owns the following six golf courses:

Cedar Crest Golf Course	1800 Southerland Avenue
Luna Vista Golf Course (formerly L.B. Houston)	11223 Luna Road
Stevens Park Golf Course	1005 North Montclair Avenue
Tenison Park Golf Courses (Tenison Highlands and Tenison Glen)	3501 Samuell Boulevard
Grover C. Keeton Park Golf Course	2323 North Jim Miller Road

For the past 34 years, the Park and Recreation Department has utilized a public/private partnership to manage and operate the City's golf courses which operate 364 days per year. The pro shop operations at each golf course are managed by a Class A Professional Golfers Association Golf Professional via a concessions contract with the City. The Golf Professional is responsible for, but not limited to, operating and managing the golf pro shop, golf play, golf cart rental, food and drink concessions, merchandise, alcohol sales and the use of the golf courses by providing lessons and organized play.

The current golf professional concession contracts pay revenue to the City. The City receives 100 percent of greens fee revenue, less state sales tax, and a percentage of other revenues received from all other golf professional activities generating revenue on the premises that is not part of the green fees as follows:

Cedar Crest Golf Course	5.0%
Stevens Park Golf Course	6.5%
Luna Vista Golf Course	6.0%
Tenison Park Golf Courses	9.0%
Grover C. Keeton Park	1.5%

The current contracts, authorized by City Council on June 11, 2008, by Resolution No. 08-1654, expire on December 31, 2018. As the contract stipulates, the City, at its sole option, may renew the agreement for one sixty-month term as long as the Golf Professional is not in default. None of the existing Golf Professionals are in default per the terms of the current agreement.

Renewal terms may also include the following additional requirements:

The Golf Professional providing certified public accountant attestations of: (1) the annual gross sales; and (2) monthly gross sales reported for the payment of monthly commissions are fairly stated in accordance with generally accepted accounting principles.

The City, through its Park and Recreation Department Director, and the Golf Professional shall agree to performance standards on an annual basis, no later than January 31 of each calendar year, during the term of the agreement.

Standard performance measures (may be adjusted for individual pro shop operations):

- Reduce waived or comped rounds to no more than 2 percent of total rounds (based on FY 2017-18 totals)
- 95 percent of carts properly maintained and in good working order at all times
- Provide the required number of carts per the Agreement at all times
- Maintain merchandise inventory levels of more than $20,000.00 during the terms of the agreement
- Increase revenue per person ratios annually based on FY 2017-18 end of year average (Café sales per person, beer sales per person, merchandise sales per person, golf cart rental per person)
- Maintain an average survey response rate of 90 percent or higher (response satisfactory or above) on the following annual survey results as reported by October 30
    - Pro shop cleanliness
    - Pace of play
    - Cart condition
    - Restaurant condition and quality of service
    - Customer Service

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PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 11, 2008, City Council authorized five concession contracts for one hundred twenty-six months, or ten and one-half years, each, with one sixty-month extension option each, for Golf Pro Shop Manager with Bob Smith at Tenison Park Golf Courses, Mickey Ray Piersall at L. B. Houston Golf Course, Ira McGraw at Cedar Crest Golf Course, James R. Henderson at Stevens Park Golf Course and Tony Martinez at Grover C. Keeton Park Golf Course by Resolution No. 08-1654.

On September 20, 2018, the Park and Recreation Board authorized the sixty-month extension option to five concession contracts for Golf Pro Shop Managers.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on December 10, 2018.

FISCAL INFORMATION

Estimated Annual Revenue: $4,561,291.00

OWNERS

Bob Smith Golf Shop, Inc.

Bob Smith, President

Mickey Ray Piersall Golf Shop

Mickey Piersall, Owner

IAMJ Enterprises, Inc.

Ira Malayo, President

James R. Henderson

James R. Henderson, Director of Golf Operations

Tony Martinez Golf Management

Tony Martinez, Owner

WHEREAS, the City Charter provides for the Park and Recreation Board to grant contracts and agreements within park facilities with such terms and conditions as it shall deem proper; and

WHEREAS, for the past 34 years, the Park and Recreation Department has utilized a public/private partnership to manage and operate a golf pro shop management plan which provides for the operation of the golf pro shops at Tenison Park Golf Courses (Tenison Highlands and Tenison Glen), Luna Vista Golf Course (formerly L.B. Houston), Cedar Crest Golf Course, Stevens Park Golf Course, and Grover C. Keeton Park Golf Course through professional managers as independent contractors; and

WHEREAS, this public/private partnership provides for full service golf facilities to the citizens including merchandise, golf carts, club repair, club rentals, food and drink, beer, driving range, lessons and building reservations.

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 sixty-month extension option to five concession contracts for Golf Pro Shop Managers with Bob Smith (VS0000018811) at Tenison Park Golf Courses in the amount of $1,558,384.00, Mickey Ray Piersall (VS0000006814) at Luna Vista Golf Course in the amount of $847,876.00, IAMJ Enterprises, Inc. (VS0000032011) at Cedar Crest Golf Course in the amount of $526,848.00, James R. Henderson (VS0000018788) at Stevens Park Golf Course in the amount of $1,158,353.00, and Tony Martinez (VS0000032193) at Grover C. Keeton Park Golf Course in the amount of $469,830.00, for a total estimated annual revenue amount of $4,561,291.00, approved as to form by the City Attorney.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute the sixty-month extension option to five concession contracts for Golf Pro Shop Managers, approved as to form by the City Attorney.

SECTION 3. That the City of Dallas shall receive all green fees as well as percentage payments as follows:

Cedar Crest Golf Course	5.0%
Stevens Park Golf Course	6.5%
Luna Vista Golf Course	6.0%
Tenison Park Golf Courses	9.0%
Grover C. Keeton Park Golf Course	1.5%

SECTION 4. That the Chief Financial Officer is hereby authorized to receive and deposit funds from the five concession contracts in a total estimated annual revenue amount of $4,561,291.00, as follows:

Fund(s)	Department	Unit(s)	Revenue Code	Revenue Percentage
0001	PKR	3679, 5275-5276	7248	55%
0001	PKR	3679, 5275-5276	7249	55%
0001	PKR	3679, 5275-5276	7250	55%
0001	PKR	3679, 5275-5276	7251	55%
0001	PKR	3679, 5275-5276	7255	55%
0001	PKR	3679, 5275-5276	7246	55%
0001	PKR	3679, 5275-5276	7247	55%
0001	PKR	3679, 5275-5276	7243	55%
0001	PKR	3679, 5275-5276	7244	55%
0001, 0030	PKR	3679, 5275-5276, 6975	7252	5%
0332	PKR	W113-W117, W182	7253	45%

SECTION 5. That the contracts are designated with the following Contract Nos.

Bob Smith (Tenison Park Golf Course)	PKR-2019-00008569
Mickey Ray Piersall (Luna Vista Golf Course)	PRK-2019-00008570
IAMJ Enterprises, Inc. (Cedar Crest Golf Course)	PRK-2019-00008565
James R. Henderson (Stevens Park Golf Course)	PKR-2019-00008571
Tony Martinez (Grover C. Keeton Park Golf Course)	PKR-2019-00008566

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 #: 18-1112 **Item #:** 76.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 8

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize a professional services contract with Gresham Smith to provide engineering services for the evaluation, design, construction administration and start-up of stormwater facilities improvements at the Southside Wastewater Treatment Plant - Not to exceed $1,700,000.00 - Financing: Water Utilities Capital Construction Funds

BACKGROUND

Southside Wastewater Treatment Plant (SWWTP) is permitted to treat an average annual flow of 110 million gallons per day of wastewater. The plant is located on approximately 3,000 acres and in addition to wastewater treatment, captures, contains and processes the stormwater within its fenced property line. The purpose of this action is to authorize engineering services to evaluate and design stormwater improvements at the plant to alleviate localized flooding and to mitigate current and future stormwater flows.

In early 2015, SWWTP experienced significant flooding due to back-to-back historic storm events. As a result, there was substantial damage to critical infrastructure, treatment processes, and mechanical and electrical components. Stormwater facility improvements will provide the ability to adequately convey stormwater throughout the plant site, while protecting critical infrastructure and ensuring operational continuity. The project will include improving drainage around the Phase III Effluent Filters building and between the Sulfur Dioxide and Chlorine building, repairs to Effluent Pump Station B flowmeters and pumps, and electrical improvements at Stormwater Pond No. 1, Middlefield Stormwater Pump Station, and the Monofill Pump Station. This project was identified in the 2010 Wastewater Facilities Strategic Plan.

The estimated construction cost for this project is $10,000,000.00.

ESTIMATED SCHEDULE OF PROJECT

Begin Design January 2019

Complete Design	May 2020
Begin Construction	August 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 December 10, 2018.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - $1,700,000.00

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 $
$1,700,000.00	Architectural & Engineering	25.66%	35.77%	$608,052.00
• This contract exceeds the M/WBE goal.				

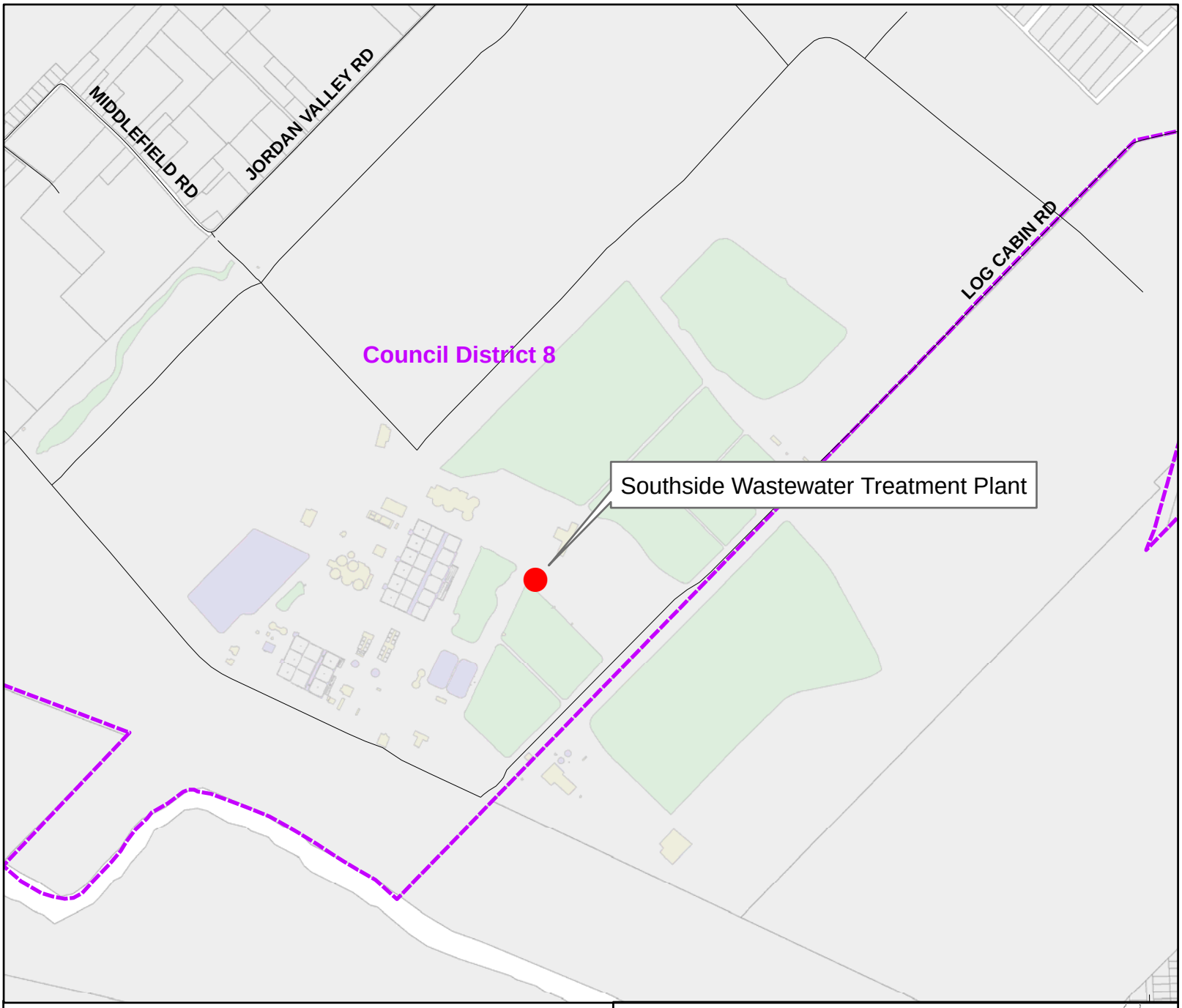
OWNER

Gresham Smith

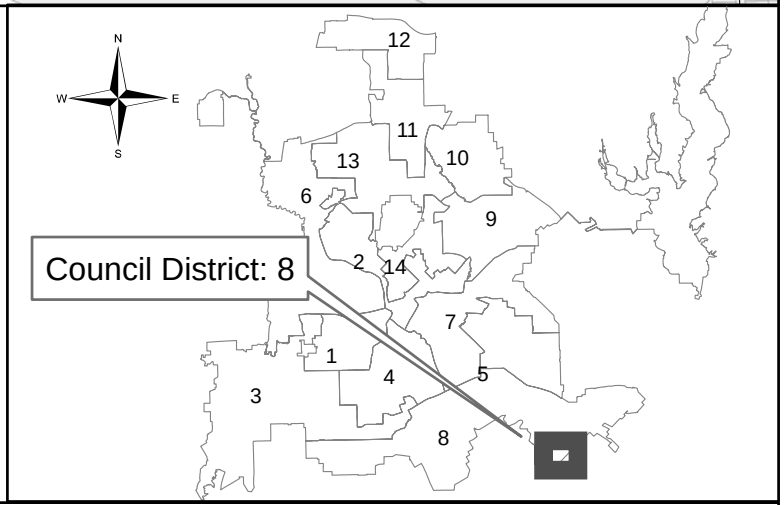
Alan J. Pramuk, Chief Executive Officer
Rodney Chester, P.E., Chief Operating Officer

MAP

Attached



Southside Wastewater Treatment Plant



Dallas Water Utilities
Contract No. 18-234E
Southside Wastewater Treatment Plant
Stormwater Facilities Improvements

December 12, 2018

WHEREAS, Dallas Water Utilities has identified the need to evaluate and improve the existing stormwater facilities at the Southside Wastewater Treatment Plant; and

WHEREAS, engineering services are required for the evaluation, design, construction administration, and start-up of the stormwater facilities improvements; and

WHEREAS, Gresham Smith, 500 North Akard Street, Suite 3210, Dallas, Texas 75201 has submitted an acceptable proposal to provide these engineering services.

Now, Therefore,

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

SECTION 1. That the proposal submitted by Gresham Smith, Contract No. 18-234E, in the amount of $1,700,000.00 be approved and the consultant be authorized to perform the required engineering services.

SECTION 2. That the City Manager is hereby authorized to sign a professional services contract with Gresham Smith, approved as to form by the City Attorney, to provide engineering services for the evaluation, design, construction administration and start-up of stormwater facilities improvements at the Southside Wastewater Treatment Plant, in an amount not to exceed $1,700,000.00.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $1,700,000.00 to Gresham Smith from the Wastewater Construction Fund, Fund 0103, Department DWU, Unit CS31, Object 4111, Program 718234, Encumbrance/Contract No. CX-DWU-2018-00008044, Vendor 503071.

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 #: 18-1074 **Item #:** 77.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 6

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize **(1)** a construction contract for the Trinity Skyline Trail from Sylvan Avenue to the City of Irving's Campion Trail - Texas Standard Construction, Ltd. in an amount not to exceed $5,878,100.25, lowest responsible bidder of ten; and **(2)** payment to the Texas Department of Transportation in an amount not to exceed $180,000.00 - Total not to exceed $6,058,100.25 - Financing: TxDOT Advance Management System Fund - Trinity Skyline Trail ($2,649,163.95), Stormwater Drainage Management Capital Construction Fund ($2,329,439.54), and Street and Transportation Improvements Fund (2012 Bond Funds) ($1,079,496.76)

BACKGROUND

The Trinity River Corridor contains over 70 miles of trails, which are included as part of the City's Trail Master Plan. It includes the Trinity Skyline Trail which is being developed as part of the North Central Texas Council of Governments' (NCTCOG) Fort Worth to Dallas Regional Trail Corridor that connects the two cities. Phase I of the Trinity Skyline Trail from West Commerce Street to Sylvan Avenue was completed in 2013. On May 30, 2014, the City of Dallas submitted an application to the North Central Texas Council of Governments for the nomination Phase II of the Trinity Skyline Trail from Sylvan Avenue to Campion Trail under the Transportation Alternatives Program (TAP) Call for Projects. TAP is a federal program authorized under Section 1122 of Moving Ahead for Progress in the 21st Century Act (MAP-21) to provide funding for projects defined as transportation alternatives, including pedestrian and bicycle facilities. The Texas Transportation Commission passed Minute Order Number 114335 awarding funding for the Project, and on February 25, 2016, the City of Dallas entered into an agreement with the Texas Department of Transportation (TxDOT) for the design and construction of Phase II of the Trinity Skyline Trail from Sylvan Avenue to Campion Trail. According to the agreement, the State is responsible for 52 percent of project costs up to a maximum of $2,989,994.00.

The project entails design and construction of approximately 4.9 miles, 16-foot wide joint use trail along the Trinity River Corridor from Sylvan Avenue to the City of Irving's Campion Trail. To facilitate the connection to Campion Trail, a trail connection between the Trinity Skyline Trail west of the Trinity

River Elm Fork bridge and the current endpoint of the Campion Trail ("Trail Connector"), must be constructed. The Trail Connector lies within City of Irving jurisdictional boundaries. The City of Dallas will be responsible for the operation and maintenance of the Trinity Skyline Trail between Sylvan Avenue and the Trail Connector, which is located within the City of Dallas jurisdictional boundaries. The City of Irving will be solely responsible for the operation and maintenance of the Trail Connector.

Design of the Trinity Skyline Trail from Sylvan Avenue to Campion Trail was completed in June 2018 and construction bids were received on September 21, 2018. This action authorizes award of the construction contract with Texas Standard Construction, Ltd., lowest responsible bidder of 10, for a total bid amount of $5,878,100.25, and payment to TxDOT in the amount of $180,000.00 to cover the City's share of TxDOT's construction oversight.

The following chart illustrates Texas Standard Construction, Ltd. contractual activities with the City of Dallas for the past three years.

	PBW	DWU	PKR
Projects Completed	5	1	0
Change Orders	16	0	3
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	September 2016
Completed Design	June 2018
Begin Construction	January 2019
Complete Construction	December 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 28, 2014, City Council authorized application to the North Central Texas Council of Governments for the nomination of the Trinity Skyline Trail Project under the Transportation Alternatives Program Call for Projects by Resolution No. 14-0830.

On January 13, 2016, City Council authorized a Local Transportation Project Advance Funding Agreement with the Texas Department of Transportation for the design and construction of the Trinity Skyline Trail from Sylvan Avenue to the City of Irving's Campion Trail by Resolution No. 16-0095.

On August 24, 2016, City Council authorized a professional services contract with Freese and Nichols, Inc. to provide engineering services for the Trinity Skyline Trail Project from Sylvan Avenue to the City of Irving's Campion Trail by Resolution No. 16-1352.

On June 27, 2018, City Council authorized Interlocal Cooperation Agreement Regarding Public Trail Use between the City of Irving and the City of Dallas to support implementation of trail connection between the City of Dallas' proposed Trinity Skyline Trail from Sylvan Avenue to the Trinity River Elm Fork and the City of Irving's Campion Trail by Resolution No. 18-0913.

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Information about this item will be provided to the Mobility Solutions, Infrastructure, and Sustainability Committee on December 10, 2018.

FISCAL INFORMATION

TxDOT Advance Management System Fund - Trinity Skyline Trail - $2,649,163.95
Stormwater Drainage Management Capital Construction Fund - $2,329,439.54
Street and Transportation Improvements Fund (2012 Bond Funds) - $1,079,496.76

Design	$ 590,682.00
Construction (this action)	$ 6,058,100.25
Total Project Cost	$ 6,678,782.25

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	DBE Goal	M/WBE %	M/WBE $
$6,058,100.25	Construction	4.00%	6.63%	$401,850.00
• This contract exceeds the DBE goal of 4.00% and has an Overall DBE participation of 6.63%				

PROCUREMENT INFORMATION

The following ten bids with quotes were opened on September 21, 2018:

*Denotes successful bidder

Bidders	Bid Amount
*Texas Standard Construction, Ltd. 5511 W. Ledbetter Dr. Dallas, Texas 75236	$5,878,100.25
Gadberry Construction Company, Inc.	$5,931,766.73
McMahon Contracting, LP	$5,969,719.62
Ed Bell Construction Company	$6,079,484.86
WS Excavation, LLC	$6,126,187.00
Fort Worth Civil Constructor, LLC	$6,336,749.60
Northstar Construction, LLC	$6,242,777.00
Texas Sterling Construction Company	$6,352,866.00
Tiseo Paving Company	$7,377,552.50
HQS Construction, LLC	$7,478,736.00

OWNER

Texas Standard Construction, Ltd.

Ronald H. Dalton, President

MAP

Attached

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Trinity Skyline Trail

Council District: 6

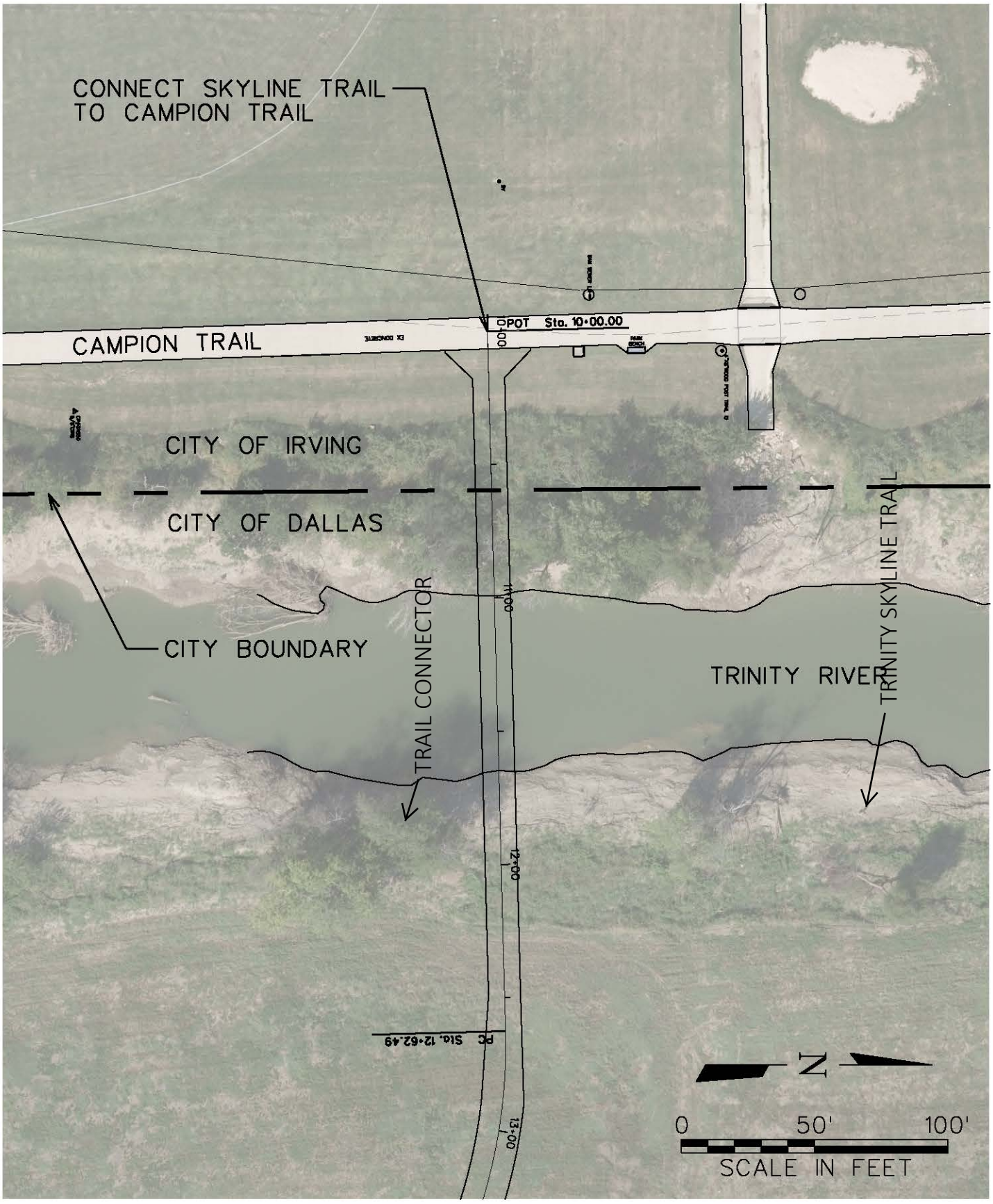

Exhibit A

FREESE AND NICHOLS
2711 North Haskell Avenue, Suite 3300
Dallas, Texas 75204
Phone - (214) 217-2200
Fax - (214) 217-2201
Web - www.freese.com

CITY OF DALLAS

TRINITY SKYLINE TRAIL

CIVIL

TRAIL EXHIBIT

FREESE AND NICHOLS, INC.
TEXAS REGISTERED ENGINEERING FIRM F-2144

F&N JOB NO.	DTW16515
DATE	05/2018
SCALE	
DESIGNED	MAU
DRAFTED	MAU
FILE	Irving-Trail-Exhibit.sht

1
FIGURE

MicroStation V8 User: 02348Office: Dallas
D:\IF\Report\Irving-Trail-Exhibit.sht
DTW16515 Irving-Trail-Exhibit.dgn
Plot Scale: 50.000 '/ In. Plot Driver: PDF_TIF.PDF Plotcfg: Model Default
Date: May. 10, 2018 - 07:42:11 AM Project: Freese and Nichols, Inc. GEOPAK SS4

WHEREAS, the Regional Transportation Council, comprised primarily of local elected officials, is the regional transportation policy board associated with the North Central Texas Council of Governments and the regional forum for cooperative decisions on transportation; and

WHEREAS, the Regional Transportation Council approved approximately $28 million for the Transportation Alternatives Program Call for Projects on February 13, 2014; and

WHEREAS, on May 28, 2014, City Council authorized application to the North Central Texas Council of Governments for the nomination of the Trinity Skyline Trail Project under the Transportation Alternatives Program Call for Projects by Resolution No. 14-0830; and

WHEREAS, the City of Irving has constructed and operates a public pedestrian and bicycle trail known as "Campion Trail" which is generally depicted on Exhibit "A", attached hereto and incorporated herein by reference ("Campion Trail"); and

WHEREAS, on August 27, 2015, the Texas Transportation Commission awarded funding for the Trinity Skyline Trail Project from Sylvan Avenue to Campion Trail under the 2014 Transportation Alternatives Program; and

WHEREAS, on January 13, 2016, City Council authorized a Local Transportation Project Advance Funding Agreement with the Texas Department of Transportation and receipt of funds for the design and construction of the Trinity Skyline Trail from Sylvan Avenue to Campion Trail, in an amount not to exceed $2,989,994.00, Resolution No. 16-0095; and

WHEREAS, on January 13, 2016, City Council authorized a payment to the Texas Department of Transportation following the execution of the Local Transportation Project Advance Funding Agreement in an amount not to exceed $180,000.00 to cover the City's share of the State's engineering review cost by Resolution No. 16-0095; and

WHEREAS, on August 24, 2016, City Council authorized a professional services contract with Freese and Nichols, Inc. to provide engineering services for the Trinity Skyline Trail Project from Sylvan Avenue to Campion Trail by Resolution No. 16-1352; and

WHEREAS, on August 24, 2017, Administrative Action No. 17-6778, authorized a Supplemental Agreement No. 1 to the professional services contract with Freese and Nichols, Inc. to provide additional engineering services for the Trinity Skyline Trail Project from Sylvan Avenue to Campion Trail; and

WHEREAS, the City of Dallas shall be solely responsible for the design and construction of the Trinity Skyline Trail Project from Sylvan Avenue to the City of Irving's Campion Trail; and

WHEREAS, to facilitate the connection to Campion Trail, a trail connection between the Trinity Skyline Trail west of the Trinity River Elm Fork and the current endpoint of the Campion Trail, ("Trail Connector") must be constructed within City of Irving jurisdictional boundaries; and

WHEREAS, the City of Irving shall be solely responsible for the operation and maintenance of the Campion Trail and the Trail Connector, which area is located within City of Irving jurisdictional boundaries; and

WHEREAS, the City of Dallas shall be solely responsible for the operation and maintenance of the Trinity Skyline Trail between Sylvan Avenue and the Trail Connector, which area is located within City of Dallas jurisdictional boundaries; and

WHEREAS, on August 24, 2016, City Council authorized an Interlocal Cooperation Agreement Regarding Public Trail Use between the City of Irving and the City of Dallas to support implementation of trail connection between the City of Dallas' proposed Trinity Skyline Trail from Sylvan Avenue to the Trinity River Elm Fork and the City of Irving's Campion Trail by Resolution 18-0913; and

WHEREAS, on September 21, 2018, ten bids were received for the construction contract of the Trinity Skyline Trail from Sylvan Avenue to the City of Irving's Campion Trail, listed as follows:

Bidders	**Bid Amount**
Texas Standard Construction, Ltd.	$5,878,100.25
Gadberry Construction Company, Inc.	$5,931,766.73
McMahon Contracting, LP	$5,969,719.62
Ed Bell Construction Company	$6,079,484.86
WS Excavation, LLC	$6,126,187.00
Fort Worth Civil Constructor, LLC	$6,336,749.60
Northstar Construction, LLC	$6,242,777.00
Texas Sterling Construction Company	$6,352,866.00
Tiseo Paving Company	$7,377,552.50
HQS Construction, LLC	$7,478,736.00

WHEREAS, the bid submitted by Texas Standard Construction, Ltd., 5511 W. Ledbetter Drive, Dallas, Texas 75236, in the amount of $5,878,100.25, is the lowest and best of all bids received.

Now, Therefore,

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

SECTION 1. That the bid submitted by Texas Standard Construction, Ltd., in the amount of $5,878,100.25, for doing the work covered by the plans, specifications, and contract documents, be accepted and a payment to the Texas Department of Transportation in an amount of $180,000.00 to cover the City's share of TxDOT's construction oversight be authorized.

SECTION 2. That the City Manager is hereby authorized to **(1)** sign a construction contract with Texas Standard Construction, Ltd., approved as to form by the City Attorney, for the Trinity Skyline Trail from Sylvan Avenue to the City of Irving's Campion Trail, in an amount not to exceed $5,878,100.25; and **(2)** make a payment to the Texas Department of Transportation, in an amount not to exceed $180,000.00.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $5,878,100.25 to Texas Standard Construction, Ltd., as follows:

TxDOT Advance Management System Fund – Trinity Skyline Trail Fund 0584, Department TWM, Unit W051 Object 4599, Program PBSWW051, Vendor 508379 Encumbrance/Contract No. DWU-2018-00008120	$2,649,163.95
Stormwater Drainage Management Capital Construction Fund Fund 0063, Department SDM, Unit W051 Object 4599, Program PBSWW051, Vendor 508379 Encumbrance/Contract No. DWU-2018-00008120	$2,149,439.54
Street and Transportation Improvements Fund Fund 3U22, Department STS, Unit S624 Object 4599, Program PBSWW051, Vendor 508379 Encumbrance/Contract No. DWU-2018-00008120	$1,079,496.76
Total amount not to exceed	$5,878,100.25

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $180,000.00 to the Texas Department of Transportation from Stormwater Drainage Management Capital Construction Fund, Fund 0063, Department SDM, Unit W051, Object 4111, Program PBSWW051, Vendor 020318, Encumbrance/Contract No. DWU-2019-00008316.

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 #: 18-1249 **Item #:** 78.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 1

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize an increase in the construction services contract with BAR Constructors, Inc. for additional work associated with the construction of the Levee Drainage System - Sump A Improvements, also referred to as the Able No. 3 Pump Station - Not to exceed $255,190.16, from $69,250,327.90 to $69,505,518.06 - Financing: Flood Protection and Storm Drainage Facilities Fund (2012 Bond Funds)

BACKGROUND

The 2006 Bond Program approved $334 million dollars for storm drainage and flood management projects, including funds for the Levee Drainage System - Sump A Improvements, also referred to as the Able No. 3 Pump Station. The 2012 Bond Program provided additional funds necessary for the construction of the Able No. 3 Pump Station. The Able No. 3 Pump Station Project located at 615 S. Riverfront Boulevard, will provide 100-year flood protection to a large industrial and commercial area in Dallas that has flooded several times in recent years. The pump station has a total pumping capacity of 880,000 gallons per minute.

The Water Resources Development Act of 2007 provided authorization for the Dallas Floodway Project which includes the Balanced Vision Plan and Interior Drainage Plan for the East and West Levees. The Able No. 3 Pump Station is part of the Interior Drainage Plan and has been released for construction by the U.S. Army Corps of Engineers. This construction serves as a portion of the City of Dallas' in-kind credit towards the construction of the Dallas Floodway Project. This contract is being fully coordinated with the U.S. Army Corps of Engineers with respect to their ongoing development of the Dallas Floodway Environmental Impact Statement (EIS) and future construction activities.

On August 27, 2014, City Council authorized award of a contract to BAR Constructors, Inc. for the construction of the Able No. 3 Pump Station, in an amount not to exceed $68,275,000, by Resolution No. 14-1391.

On June 22, 2016, City Council authorized Change Order No. 1 to the contract with BAR Constructors, Inc. for modifications to the construction of the Able No. 3 Pump Station. This change

order addressed various elements identified during construction to increase the constructability of the pump station, including additional Concrete Modified Crushed Concrete (CMCC) material and drain pipe with bedding material behind the retaining walls, as well as changes requested by Dallas Water Utilities for the 24 inch water main aerial crossing by Resolution No. 16-1084.

On September 13, 2017, City Council authorized Change Order No. 2 to the contract with BAR Constructors, Inc. for modifications to the construction of the Levee Drainage System - Sump A Improvements, also referred to as the Able No. 3 Pump Station. This change order addressed various elements identified during construction including modifications to structural and security elements of the building and the site, modifications to the emergency generator and changes requested by Oncor by Resolution No. 17-1455.

This action will authorize Change Order No. 3 to the contract with Bar Constructors, Inc. for modifications to the construction of the Able No. 3 Pump Station. This change order will address various elements identified during construction, including modifications to electrical and control equipment, modifications to architectural elements of the site and building exterior and removal of asbestos in the existing pump stations and pipes.

ESTIMATED SCHEDULE OF PROJECT

Began Design	November 2008
Completed Design	June 2014
Began Construction	November 2014
Complete Construction	June 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 12, 2014, City Council authorized a Discretionary Service Agreement between the City and Oncor Electric Delivery Company, LLC. to relocate an existing 138 kilovolt electric transmission on Oncor's East Levee-West Industrial Line by Resolution No. 14-0336.

On August 27, 2014, City Council authorized a professional services contract with Jacobs Engineering Group, Inc., for construction management services by Resolution No. 14-1390.

On August 27, 2014, City Council authorized award of a contract to Bar Constructors, Inc. for the construction of the Levee Drainage System - Sump A Improvements, by Resolution No. 14-1391.

On August 27, 2014, City Council authorized a professional services contract with Kleinfelder Central, Inc. to provide construction material testing during the construction of the Levee Drainage System - Sump A Improvements by Resolution No. 14-1392.

On August 27, 2014, City Council authorized the Facilities Extension Agreement contract with Oncor Electric Delivery Company, LLC. for the extension of Standard Delivery System facilities and an alternate feed for each service by Resolution No. 14-1393.

On August 27, 2014, City Council authorized a Discretionary Service Agreement between the City and Oncor Electric Delivery Company LLC. for additional costs relating to the relocation of an existing 138 kilovolt electric transmission tower on Oncor's East Levee-West Industrial line in conjunction with

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the Levee Drainage System - Sump A Improvements by Resolution No. 14-1394.

On August 27, 2014, City Council authorized Supplemental Agreement No. 4 to the professional services contract with HDR Engineering, Inc., for design support services during construction by Resolution No. 14-1395.

On June 22, 2016, City Council authorized Change Order No. 1 to the construction contract with Bar Constructors, Inc. for modifications to the construction of the Levee Drainage System - Sump A to address various elements identified during construction that should increase the constructability of the pump station, including additional Concrete Modified Crushed Concrete (CMCC) material and drain pipe with bedding material behind the retaining walls, and changes requested by Dallas Water Utilities for the 24 inch water main aerial crossing by Resolution No. 16-1084.

On September 13, 2017, City Council authorized Change Order No. 2 to the contract with BAR Constructors, Inc. for modifications to the construction of the Levee Drainage System - Sump A Improvements, also referred to as the Able No. 3 Pump Station to address various elements identified during construction including modifications to structural and security elements of the building and the site, modifications to the emergency generator and changes requested by Oncor by Resolution No. 17-1455.

Information about this item will be provided to the Mobility Solutions, Infrastructure & Sustainability Committee on December 10, 2018.

FISCAL INFORMATION

Flood Protection and Storm Drainage Facilities Fund (2012 Bond Funds) - $255,190.16

Design	$ 4,333,000.00
Supplemental Agreement No. 1	$ 5,052,772.00
Supplemental Agreement No. 2	$ 0.00
Supplemental Agreement No. 3	$ 0.00
Supplemental Agreement No. 4	$ 1,601,730.00
Supplemental Agreement No. 5	$ 0.00
Supplemental Agreement No. 6	$ 0.00
Supplemental Agreement No. 7	$ 0.00
Total Design Cost	$10,987,502.00
Construction	$68,275,000.00
Change Order No. 1	$ 349,468.28
Change Order No. 2	$ 625,859.62
Change Order No. 3 (this action)	$ 255,190.16
Total Construction Cost	$69,505,518.06

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 $
$255,190.16	Construction	25.00%	71.34%	$182,063.82
• This contract exceeds the M/WBE goal.				
• Change Order No. 3 - 47.87% Overall M/WBE participation				

OWNER

Bar Constructors, Inc.

Isidro Arrambide, Jr., President

MAP

Attached

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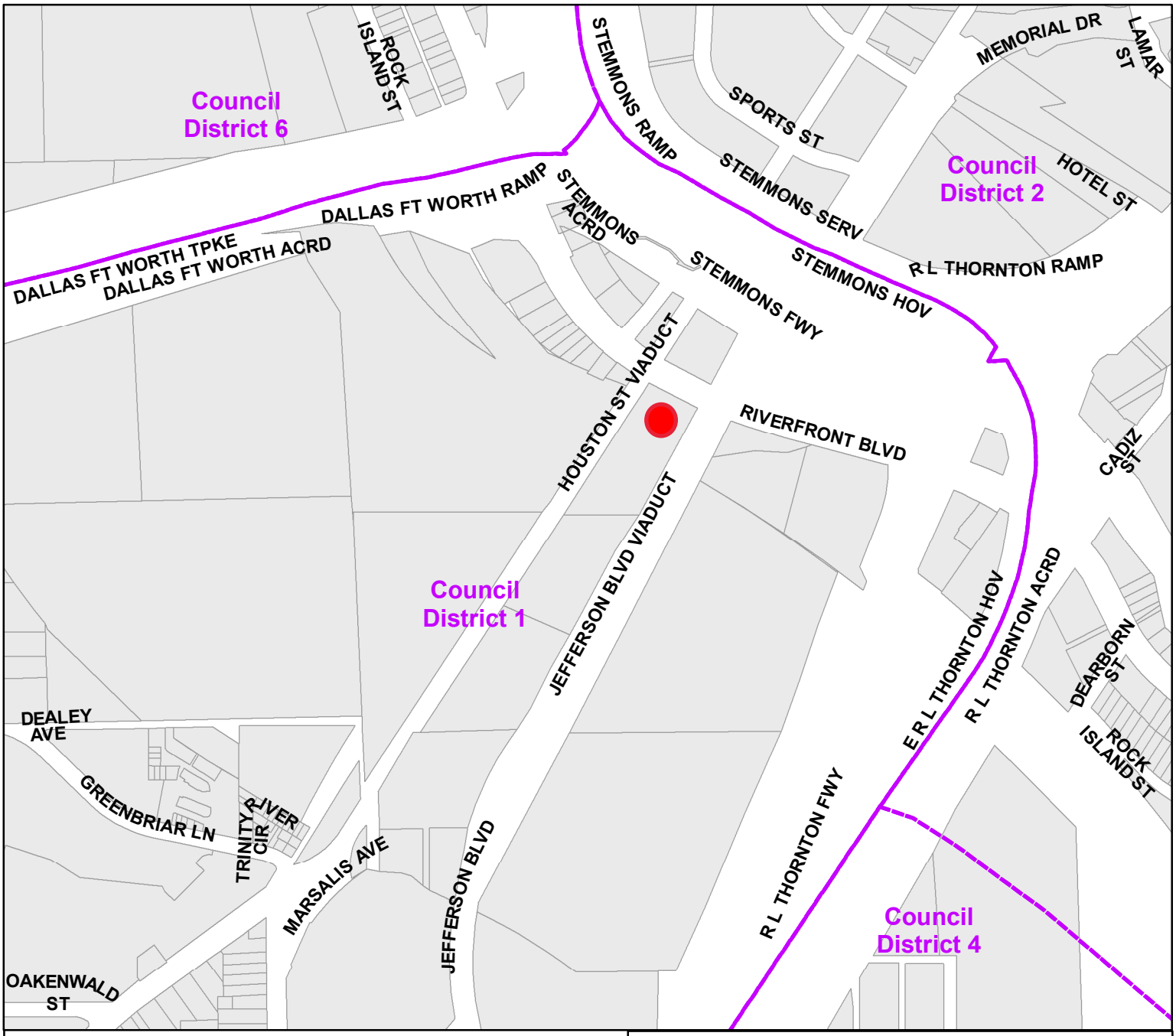
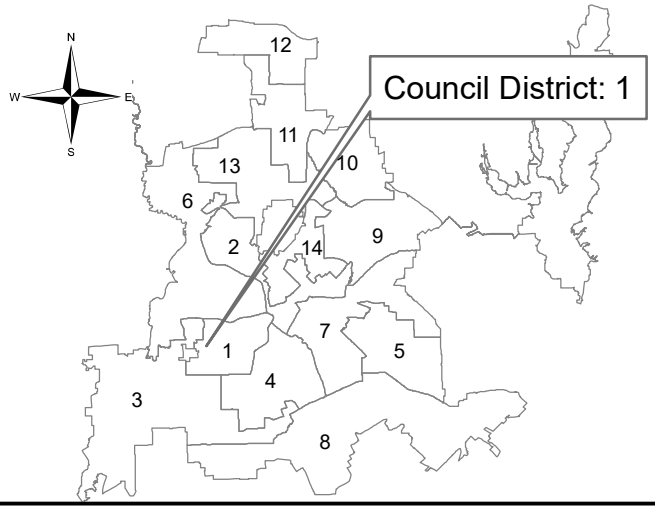


Levee Drainage System Sump A Improvement
(Able No. 3 Storm Water Pump Station)



Dallas Water Utilities
TW12S768
Stormwater Project Management

WHEREAS, on November 10, 2008, City Council authorized a professional services contract with HDR Engineering, Inc. for engineering design of major flood management and pump station improvement projects, in an amount not to exceed $4,333,000.00, by Resolution No. 08-3133; and

WHEREAS, on April 13, 2011, City Council authorized Supplemental Agreement No. 1 to the professional services contract with HDR Engineering, Inc., for additional design services on the Levee Drainage System - Sump A Improvements, also referred to as Able No. 3 Pump Station, to add items associated with the sump improvements and to comply with the Federal Emergency Management Agency's redundancy requirements, in an amount not to exceed $5,052,772.00, from $4,333,000.00 to $9,385,772.00, by Resolution No. 11-0961; and

WHEREAS, on January 10, 2014, Administrative Action No. 14-5250 authorized Supplemental Agreement No. 2 to the professional services contract with HDR Engineering, Inc., for additional design services on the Levee Drainage System - Sump A Improvements to comply with recommendations made by the United States Army Corps of Engineers and the Texas Parks and Wildlife Department with zero cost, having no effect on the contract amount; and

WHEREAS, on February 12, 2014, City Council authorized a Discretionary Service Agreement between the City and Oncor Electric Delivery Company LLC to relocate an existing 138 kilovolt electric transmission on Oncor’s East Levee-West Industrial line in conjunction with the Levee Drainage System - Sump A Improvements, in an amount not to exceed $273,173.60, by Resolution No. 14-0336; and

WHEREAS, on June 5, 2014, Administrative Action No. 14-6047 authorized Supplemental Agreement No. 3 to the professional services contract with HDR Engineering, Inc., for additional design services on the Levee Drainage System - Sump A Improvements to comply with the adoption of the 2012 International Building Code and additional items required by Dallas Water Utilities with zero cost, having no effect on the contract amount; and

WHEREAS, bids were received on July 17, 2014, for the construction of the Levee Drainage System – Sump A Improvements, also referred to as Able No. 3 Pump Station; and

WHEREAS, on August 27, 2014, City Council authorized a professional services contract with Jacobs Engineering Group, Inc., for construction management services during construction, in an amount not to exceed $2,951,871.00, by Resolution No. 14-1390; and

WHEREAS, on August 27, 2014, City Council authorized a contract with BAR Constructors, Inc. for construction of the Able No. 3 Pump Station, in an amount not to exceed $68,275,000.00, by Resolution No. 14-1391; and

WHEREAS, on August 27, 2014, City Council authorized a professional services contract with Kleinfelder Central, Inc. to provide construction material testing during the construction of the Levee Drainage System - Sump A Improvements, in an amount not to exceed $378,812.00, by Resolution No. 14-1392; and

WHEREAS, on August 27, 2014, City Council authorized the Facilities Extension Agreement contract with Oncor Electric Delivery Company, LLC. for the extension of Standard Delivery System facilities and an alternate feed for each service, in an amount not to exceed $1,889,414.53, by Resolution No. 14-1393; and

WHEREAS, on August 27, 2014, City Council authorized Supplemental Agreement No. 1 to the Discretionary Service Agreement between the City and Oncor Electric Delivery Company LLC. for additional costs relating to the relocation of an existing 138 kilovolt electric transmission on Oncor's East Levee-West Industrial line in conjunction with the Levee Drainage System - Sump A Improvements, in an amount not to exceed $116,826.00, from $273,174.00 to $390,000.00, by Resolution No. 14-1394; and

WHEREAS, on August 27, 2014, City Council authorized Supplemental Agreement No. 4 to the professional services contract with HDR Engineering, Inc., for design support services during construction, in an amount not to exceed $1,601,730.00, from $9,385,772.00 to $10,987,502.00, by Resolution No. 14-1395; and

WHEREAS, on October 21, 2015, Administrative Action No. 15-1849 authorized a Discretionary Service Agreement with Oncor for the temporary relocation of the electric feeds for the existing Small Able and Large Able Pump Stations, in an amount not to exceed $17,851.60; and

WHEREAS, on February 25, 2016, Administrative Action No. 16-5471 authorized Supplemental Agreement No. 5 to the professional services contract with HDR Engineering, Inc., for additional design support services during construction with zero cost, having no effect on the contract amount; and

WHEREAS, on June 22, 2016, City Council authorized Change Order No. 1 to the construction contract with Bar Constructors, Inc., for modifications to the construction of the Able No. 3 Pump Station, to address various elements identified during construction to increase the constructability of the pump station, including additional Concrete Modified Crushed Concrete (CMCC) material and drain pipe with bedding material behind the retaining walls, and changes requested by Dallas Water Utilities for the 24 inch water main aerial crossing, in an amount not to exceed $349,468.28, from $68,275,000.00 to $68,624,468.28, by Resolution No. 16-1084; and

WHEREAS, on October 24, 2016, Administrative Action No. 16-6809 authorized a Discretionary Service Agreement with Oncor to provide temporary power for the testing of the Able No. 3 Storm Water Pump Station, in an amount not to exceed $21,439.76; and

WHEREAS, on August 30, 2016, Administrative Action No. 16-6643 authorized Supplemental Agreement No. 6 to the professional services contract with HDR Engineering, Inc., for additional design support services during construction with zero cost, having no effect on the contract amount; and

WHEREAS, on May 24, 2017, Administrative Action No. 17-6266 authorized Supplemental Agreement No. 7 to the professional services contract with HDR Engineering, Inc., for additional design support services during construction with zero cost, having no effect on the contract amount; and

WHEREAS, on September 13, 2017, City Council authorized Change Order No. 2 to the construction services contract with BAR Constructors, Inc. for modifications to the construction of the Levee Drainage System - Sump A Improvements, also referred to as the Able No. 3 Pump Station. This change order is to address various elements identified during construction that will increase the constructability of the pump station, including structural, building security, site security and emergency generator modifications and changes requested by Oncor, in an amount not to exceed $625,859.62, increasing the contract amount from $68,624,468.28 to $69,250,327.90, by Resolution No. 17-1455; and

WHEREAS, the U.S. Army Corps of Engineers will recognize this contract with BAR Constructors, Inc. as a portion of the City of Dallas' in-kind credit for the 35% cost sharing of the Water Resources Development Act of 2007, Section 5141 for the Dallas Floodway project that may also reduce future city expenses and for the Corps' construction project; and

WHEREAS, this action will authorize Change Order No. 3 to the construction services contract with Bar Constructors, Inc. for additional work associated with the construction of the Levee Drainage System - Sump A Improvements, also referred to as the Able No. 3 Pump Station. This change order will address various elements identified during construction, including modifications to electrical and control equipment, modifications to architectural elements of the site and building exterior and removal of asbestos in the existing pump stations and pipes, in an amount not to exceed $255,190.16, increasing the contract from $69,250,327.90 to $69,505,518.06.

Now, Therefore,

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

SECTION 1. That an increase in the construction services contract with Bar Constructors, Inc. (Change Order No. 3) is authorized for additional work associated with the construction of the Levee Drainage System - Sump A Improvements, also referred to as the Able No. 3 Pump Station, in an amount not to exceed $255,190.16, increasing the contract amount from $69,250,327.90 to $69,505,518.06.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed $255,190.16 to Bar Constructors, Inc. from Flood Protection and Storm Drainage Facilities Fund, Fund 3U23, Department TWM, Unit S768, Activity SDRS, Program TW12S768, Object 4540, Encumbrance CT-TWM12S768K1, Vendor 125824.

SECTION 3. That this contract is designated as Contract No. TWM-2016-00000639.

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.

1500 Marilla Street
Dallas, Texas 75201

City of Dallas

Agenda Information Sheet

File #: 18-1390 **Item #:** 79.

AGENDA DATE: December 12, 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)

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Agenda Information Sheet

File #: 18-1360 **Item #:** 80.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Secretary's Office

EXECUTIVE: Bilierae Johnson

SUBJECT

Consideration of appointments to the Dallas/Fort Worth International Airport Board of Directors for Positions 01, 05 and 11 (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.). (List of nominees in the City Secretary's Office)

BACKGROUND

The Dallas Fort Worth International Airport Board (DFW) was created by agreement between the City of Dallas and the City of Fort Worth. The Dallas City Council is authorized to appoint six (6) members to the Dallas/Fort Worth International Airport Board (Place Nos. 1, 4, 5, 6, 9 and 11). The terms for Places 1, 5 and 11 expire on January 31st of odd-numbered years; and the terms for Places 4, 6 and 9 expire on January 31st of even-numbered years. Per City Council Resolution No. 76-1888, the "duly elected Mayor of the City of Dallas is automatically appointed to fill Place 10."

The practice of the City Council is for City Councilmembers to nominate individuals before terms expire (between October and December), with special attention given to including "persons of all races and ethnicity" (Dallas City Charter, Chapter XXIV, Section 13(d)). Nominees then undergo conflict of interest/background checks and are interviewed by the Mobility Solutions, Infrastructure and Sustainability Committee (MSIS), with final recommendations for appointment being presented to the City Council in mid-December (terms expire on January 31st of each year).

The City Council has the opportunity to appoint individuals recommended by the MSIS Committee or make substitute appointments as long as the substitute nominee(s) were interviewed by the MSIS Committee.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 16, 2011, the City Council authorized formalizing the selection process for use in appointing members to the DFW Board by Resolution No. 11-3106.

At its December 10, 2018 meeting, the MSIS interviewed four nominees submitted for possible appointment to the board for positions 01, 05 and 11 and subsequently selected __nominees to recommend to the City Council for appointment.
Each nominee is recommended for a two-year term.

FISCAL INFORMATION

No cost consideration to the City.

December 12, 2018

WHEREAS, in 1968, the cities of Dallas and Fort Worth entered into a contract ("Contract") to provide for the construction and operation of the Dallas-Fort Worth International Airport ("DFW Airport"); and pursuant to the terms of the Contract, as amended, the Dallas City Council is authorized to appoint six (6) members to the DFW Airport Board of Directors, such appointments to be evidenced by a resolution on file in the Dallas city records; and

WHEREAS, each Dallas board member shall be appointed to occupy designated Positions Nos. 1, 4, 5, 6, 9, 11 and that Position 10 shall at all times be filled by the duly elected Mayor of the City of Dallas; and

WHEREAS, the terms of office for three of the six Dallas appointed members serving in Positions 01, 05 and 11 expire January 31, 2019;

Now, Therefore,

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

Section 1. That the following three individuals are hereby (re)appointed to the DFW Airport Board of Directors with terms to begin February 1, 2019 and expire January 31, 2021:

POSITION 00 _____
POSITION 00 _____
POSITION 00 _____

Section 2. That, upon selection of individuals to serve on the DFW Airport Board of Directors, the City Secretary's Office shall assign these individuals to one of the available board positions.

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 #: 18-1394 **Item #:** 81.

STRATEGIC PRIORITY: Public Safety

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Manager's Office

EXECUTIVE: Jon Fortune

SUBJECT

Ratify the Amended Meet and Confer Agreement between the City of Dallas and the Meet and Confer Team, made up of the Dallas Black Fire Fighters Association, Black Police Association of Greater Dallas, National Latino Law Enforcement Organization, Dallas Police Association, Dallas Hispanic Fire Fighters Association, and the Dallas Fire Fighter Association; and authorize the City Manager to enter into said Amended Meet and Confer Agreement, to be effective January 9, 2019 through September 30, 2019 - Financing: This action has no cost consideration to the City (see Fiscal Information)

BACKGROUND

In 2009, the Texas State Legislature enacted Chapter 147 of the Texas Local Government Code which permits police and fire sworn employee groups to meet with designated management teams to discuss employment matters such as wages, benefits, and working conditions.

This process, called "Meet and Confer," is designed to allow police and fire sworn employee groups and management an opportunity to reach an agreement on important employment issues. Unlike collective bargaining, meet and confer provides an opportunity, not a requirement, for the City to reach an agreement with its police and fire sworn employee groups.

On February 5, 2010, the police and fire sworn employee team submitted a petition to the City Manager asking the City to grant recognition of their police and fire meet and confer team and to begin negotiations. On February 24, 2010, City Council authorized recognition of the 2010 Police and Fire Meet and Confer Team and authorized the City Manager to establish a management meet and confer team to begin negotiations by Resolution No. 10-0534.

On September 1, 2010, City Council ratified and authorized the City's first Meet and Confer Agreement with sworn police and fire officers for three years, commencing on September 1, 2010, by Resolution No. 10-2259. The Agreement expired on September 30, 2013 but included a six-month extension unless superseded by another agreement.

On December 11, 2013, City Council ratified and authorized the City's second Meet and Confer Agreement with sworn police and fire officers for three years, commencing on October 1, 2013, by Resolution No. 13-2060. The Agreement expired on September 30, 2016 but included a six-month extension unless superseded by another agreement.

On December 14, 2016, City Council ratified and authorized the City's third Meet and Confer Agreement with sworn police and fire officers for three years, commencing on October 1, 2016, by Resolution No. 16-2002. The Agreement expires on September 30, 2019.

On September 18, 2018, City Council adopted the budget for FY 2018-2019, which provided for pay increases for police officers and firefighters above that which was provided for in the 3rd year of the 2016 Meet and Confer Agreement by Resolution No. 18-922. The City Council approved a budget that raised base salaries to $60,000 and provided an additional 3% increase. As a result, the City entered into limited negotiations with the Meet and Confer Team to amend the current Meet and Confer Agreement to implement the pay increases upon the terms and conditions approved by the Dallas City Council on September 18, 2018.

On September 27, 2018, the City of Dallas received notification that the composition of the Meet and Confer Team has changed as a result of the dissolution of the Dallas Fraternal Order of Police Lodge 588 and its merger into the National Latino Law Enforcement Officers Organization.

On November 14, 2018, City Council authorized the withdrawal of recognition of the 2010 Police and Fire Meet and Confer Team and recognized the 2018 Police and Fire Meet and Confer Team by Resolution No. 18-1205.

Under Chapter 147 of the Texas Local Government Code, the agreement by the Meet and Confer Team must be in writing and ratified through a voting process by all sworn police and fire officers and ratified by the City Council. At the time of this posting, the City has not received the ratified agreement voted on by all sworn police and fire officers. The City will provide the agreement to Council as soon as it receives the results of the election.

It is recommended that the City Council approve the amended agreement and authorize the City Manager to enter into the amended agreement with the police and fire sworn employee groups.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council was briefed on the Meet and Confer process on December 2, 2009.

On February 24, 2010, City Council authorized recognition of the 2010 Police and Fire Meet and Confer Team, and authorized establishment of a management meet and confer team by Resolution No. 10-0534.

City Council was briefed on the proposed three-year agreement (effective October 1, 2010 through September 30, 2013) between the City and the Police and Fire Meet and Confer team on August 4, 2010.

On September 1, 2010, City Council ratified and authorized the City's first Meet and Confer Agreement with sworn police and fire officers for three years by Resolution No. 10-2259.

On November 6, 2013, City Council was briefed on the proposed three-year agreement (effective December 11, 2013 through September 30, 2016) between the City and the Police and Fire Meet and Confer Team.

On December 11, 2013, City Council ratified and authorized the City's second Meet and Confer Agreement with sworn police and fire officers for three years by Resolution No. 13-2060.

City Council was briefed on the proposed three-year agreement (effective October 1, 2016 through September 30, 2019) between the City and the Police and Fire Meet and Confer Team on December 7, 2016.

On December 14, 2016, City Council ratified and authorized the City's third Meet and Confer Agreement with sworn police and fire officers for three years by Resolution No. 16-2002.

On September 18, 2018, City Council adopted the budget for FY 2018-2019, which provided for pay increases for police officers and firefighters.

On November 14, 2018, City Council authorized the withdrawal of recognition of the 2010 Police and Fire Meet and Confer Team and recognized the 2018 Police and Fire Meet and Confer Team by Resolution No. 18-1631.

FISCAL INFORMATION

This action has no cost consideration to the City. However, as part of Ordinance 30991, City Council approved $15,203,914.00 in uniform pay increases as follows: $7,268,267.00 to increase starting pay to $60,000.00 effective January 9, 2019; and $7,935,647.00 for a 3% across the board pay increase for uniformed personnel making more than $60,000.00 effective January 9, 2019.

WHEREAS, the 2009 Texas State Legislature enacted House Bill 2307 authorizing police and fire groups to meet with designated management teams to discuss employment matters such as wages, benefits, and working conditions; and

WHEREAS, on November 14, 2018, City Council authorized the withdrawal of recognition of the 2018 Police and Fire Meet and Confer Team and authorized the City Manager to create a management meet and confer team for negotiations by Resolution No. 18-1205; and

WHEREAS, Chapter 147 of the Texas Local Government Code provides an opportunity, not a requirement, for the City to reach an agreement with its police and fire sworn employees; and

WHEREAS, all agreements must be in writing and ratified through a voting process by all police and fire officers and approved by the governing body; and

WHEREAS, a written amended agreement effective January 9, 2019 through September 30, 2019 has been developed and presented to both the sworn police and fire officers and the City Council for approval; and

WHEREAS, Chapter 147 of the Texas Local Government Code requires that 65 percent of the sworn police and fire officers must approve the agreement; and

WHEREAS, at least 65 percent of the sworn police and fire officers voted to approve the agreement.

Now, Therefore,

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

SECTION 1. That the City approves the amended agreement between the City of Dallas and the Meet and Confer Team made up of the Dallas Black Fire Fighters Association, Black Police Association of Greater Dallas, National Latino Law Enforcement Organization, Dallas Police Association, Dallas Hispanic Fire Fighters Association, and the Dallas Fire Fighter Association effective January 9, 2019 through September 30, 2019.

SECTION 2. That the City Manager is hereby authorized to sign and execute the Amended Meet and Confer Agreement between the City of Dallas and the Meet and Confer Team made up of the Dallas Black Fire Fighters Association, Black Police Association of Greater Dallas, National Latino Law Enforcement Organization, Dallas Police Association, Dallas Hispanic Fire Fighters Association, and the Dallas Fire Fighter Association, approved as to form by the City Attorney.

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 #: 18-1430 **Item #:** 82.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Department of Human Resources

EXECUTIVE: T.C. Broadnax

SUBJECT

Authorize **(1)** approval of revised salary schedules for Police and Fire uniform executive staff, for a 3% adjustment; and **(2)** implementing pay increases for Police and Fire uniform executive staff, effective January 9, 2019 - Financing: This action has no cost consideration to the City

BACKGROUND

This item will authorize a 3% adjustment for all Fire and Police uniform executive staff, effective January 9, 2019.

City Council has recommended a three percent (3%) adjustment for Police and Fire uniform employees, as will be amended in the current Meet and Confer Agreement. This item is to address the compensation for Police and Fire uniformed executive staff, this requested adjustment would be the same as the three percent (3%) that was approved for Police and Fire uniform employees and will be effective January 9, 2019. The FY 2018-19 budget included this three percent (3%) adjustment for Police and Fire executive pay.

It is necessary to ratify this action and to amend the Police and Fire uniformed salary schedules together with the budget providing for these changes.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

This action has no cost consideration to the City. Funding for this item is included as part of the adoption for the FY 2018-19 budget.

WHEREAS, it is considered desirable and necessary to ratify these actions and to amend the Police and Fire executive pay schedules together with the budget providing for these changes.

Now, Therefore,

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

SECTION 1. That the Police uniform executive salary schedule reflect a three percent (3%) adjustment. (**Attachment B-4)**

SECTION 2. That the Fire uniform executive salary schedule reflect a three percent (3%) adjustment. (**Attachment B-5)**

SECTION 3. That the pay increase for Police uniform executive staff be effective January 9, 2019.

SECTION 4. That the pay increase for Fire uniform executive staff be effective January 9, 2019.

SECTION 5. That the City Manager or designee be authorized, upon recommendation from the Director of Human Resources, to make any administrative changes necessary to maintain equity.

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

Attachment B-4

CITY OF DALLAS
EXECUTIVE
UNIFORM POLICE SALARY SCHEDULE
Effective January 9, 2019

CLASS CODE	RANK	GRADE-STEP	MONTHLY	ANNUAL
46017	Police Major, 1 Year	P6 - 1	$6,437	$77,246
46017	Police Major, 1 Year	P6 - 2	$6,760	$81,122
46017	Police Major, 1 Year	P6 - 3	$7,097	$85,166
46017	Police Major, 1 Year	P6 - 4	$7,451	$89,416
46017	Police Major, 1 Year	P6 - 5	$7,825	$93,898
46017	Police Major, 1 Year	P6 - 6	$8,217	$98,601
46017	Police Major, 1 Year	P6 - 7	$8,628	$103,530
46017	Police Major, 1 Year	P6 - 8	$9,059	$108,707
46017	Police Major, 1 Year	P6 - 9	$9,240	$110,881
46018	Police Major, 1 Year	P6 - 10	$9,425	$113,099
46019	Police Major	P6 - 11	$9,613	$115,361

CLASS CODE	RANK	GRADE-STEP	MONTHLY	ANNUAL
46027	Police Assistant Chief, 1 Year	P8 - 1	$6,993	$83,913
46027	Police Assistant Chief, 1 Year	P8 - 2	$7,342	$88,109
46027	Police Assistant Chief, 1 Year	P8 - 3	$7,710	$92,514
46027	Police Assistant Chief, 1 Year	P8 - 4	$8,107	$97,287
46027	Police Assistant Chief, 1 Year	P8 - 5	$8,513	$102,151
46027	Police Assistant Chief, 1 Year	P8 - 6	$8,938	$107,259
46027	Police Assistant Chief, 1 Year	P8 - 7	$9,385	$112,622
46027	Police Assistant Chief, 1 Year	P8 - 8	$9,857	$118,286
46027	Police Assistant Chief, 1 Year	P8 - 9	$10,350	$124,200
46027	Police Assistant Chief, 1 Year	P8 -10	$10,868	$130,411
46027	Police Assistant Chief, 1 Year	P8 -11	$11,411	$136,932
46027	Police Assistant Chief, 1 Year	P8 -12	$11,982	$143,778
46027	Police Assistant Chief, 1 Year	P8 -13	$12,221	$146,654
46028	Police Assistant Chief	P8 -14	$12,466	$149,587
46029	Police Assistant Chief	P8 -15	$12,715	$152,579

24433	Police Deputy Chief, 1 Year	P7 - 1	$7,124	$85,489
24433	Police Deputy Chief, 1 Year	P7 - 2	$7,480	$89,764
24433	Police Deputy Chief, 1 Year	P7 - 3	$7,854	$94,252
24433	Police Deputy Chief, 1 Year	P7 - 4	$8,247	$98,961
24433	Police Deputy Chief, 1 Year	P7 - 5	$8,659	$103,913
24433	Police Deputy Chief, 1 Year	P7 - 6	$9,092	$109,109
24433	Police Deputy Chief, 1 Year	P7 - 7	$9,547	$114,564
24433	Police Deputy Chief, 1 Year	P7 - 8	$9,738	$116,856
24434	Police Deputy Chief	P7 - 9	$9,933	$119,193
24434	Police Deputy Chief	P7 - 10	$10,131	$121,577

24312	Police Chief, 1 Year	P9 - 1	$9,072	$108,860
24312	Police Chief, 1 Year	P9 - 2	$9,511	$114,132
24312	Police Chief, 1 Year	P9 - 3	$9,987	$119,839
24312	Police Chief, 1 Year	P9 - 4	$10,486	$125,831
24312	Police Chief, 1 Year	P9 - 5	$11,010	$132,123
24312	Police Chief, 1 Year	P9 - 6	$11,561	$138,729
24312	Police Chief, 1 Year	P9 - 7	$12,139	$145,665
24312	Police Chief, 1 Year	P9 - 8	$12,746	$152,948
24312	Police Chief, 1 Year	P9 - 9	$13,383	$160,596
24312	Police Chief, 1 Year	P9 - 10	$14,052	$168,626
24312	Police Chief, 1 Year	P9 - 11	$14,755	$177,057
24312	Police Chief, 1 Year	P9 - 12	$15,493	$185,910
24312	Police Chief, 1 Year	P9 - 13	$16,267	$195,206
24312	Police Chief, 1 Year	P9 - 14	$17,080	$204,966
24312	Police Chief, 1 Year	P9 - 15	$17,934	$215,214
24312	Police Chief, 1 Year	P9 - 16	$18,293	$219,518
24313	Police Chief, 1 Year	P9 - 17	$18,659	$223,909
24313	Police Chief	P9 - 18	$19,032	$228,387

The police and fire chiefs will receive any additional holidays granted to other police and fire personnel under a meet and confer or collective bargaining agreement for the same length of time that the other police and fire personnel receive the additional holidays under the meet and confer or collective bargaining agreement.

Although pay steps for uniformed staff generally occur in one-year increments, if officers are not given a step pay increase in any fiscal year for budgetary reasons, when step pay increases are resumed in a subsequent fiscal year, it is expected that officers' pay will only increase one step. Officers should not expect a double-step in order to make up for step increases not previously given for budgetary reasons in any fiscal year.

Attachment B-5

CITY OF DALLAS
EXECUTIVE
UNIFORM FIRE SALARY SCHEDULE
Effective January 9, 2019

CLASS CODE	RANK	GRADE-STEP	MONTHLY	ANNUAL
24447	Fire Deputy Chief, 1 Year	F7 - 1	$7,124	$85,489
24447	Fire Deputy Chief, 1 Year	F7 - 2	$7,480	$89,764
24447	Fire Deputy Chief, 1 Year	F7 - 3	$7,854	$94,252
24447	Fire Deputy Chief, 1 Year	F7 - 4	$8,247	$98,961
24447	Fire Deputy Chief, 1 Year	F7 - 5	$8,659	$103,913
24447	Fire Deputy Chief, 1 Year	F7 - 6	$9,092	$109,109
24447	Fire Deputy Chief, 1 Year	F7 - 7	$9,547	$114,564
24447	Fire Deputy Chief, 1 Year	F7 - 8	$9,738	$116,856
24448	Fire Deputy Chief	F7 - 9	$9,933	$119,193
24449	Fire Deputy Chief	F7 - 10	$10,131	$121,577

44011	Fire Assistant Chief, 1 Year	F8 - 1	$6,993	$ 83,913
44011	Fire Assistant Chief, 1 Year	F8 - 2	$7,342	$ 88,109
44011	Fire Assistant Chief, 1 Year	F8 - 3	$7,710	$ 92,514
44011	Fire Assistant Chief, 1 Year	F8 - 4	$8,107	$ 97,287
44011	Fire Assistant Chief, 1 Year	F8 - 5	$8,513	$ 102,151
44011	Fire Assistant Chief, 1 Year	F8 - 6	$8,938	$ 107,259
44011	Fire Assistant Chief, 1 Year	F8 - 7	$9,385	$ 112,622
44011	Fire Assistant Chief, 1 Year	F8 - 8	$9,857	$ 118,286
44011	Fire Assistant Chief, 1 Year	F8 - 9	$10,350	$ 124,200
44011	Fire Assistant Chief, 1 Year	F8 - 10	$10,868	$ 130,411
44011	Fire Assistant Chief, 1 Year	F8 - 11	$11,411	$ 136,932
44011	Fire Assistant Chief, 1 Year	F8 - 12	$11,982	$ 143,778
44011	Fire Assistant Chief, 1 Year	F8 - 13	$12,221	$ 146,654
44011	Fire Assistant Chief	F8 - 14	$12,466	$ 149,587
44011	Fire Assistant Chief	F8 - 15	$12,715	$ 152,579

CLASS CODE	RANK	GRADE-STEP	MONTHLY	ANNUAL
24311	Fire Chief, 1 Year	F9 - 1	$9,072	$ 108,860
24311	Fire Chief, 1 Year	F9 - 2	$9,511	$ 114,132
24311	Fire Chief, 1 Year	F9 - 3	$9,987	$ 119,839
24311	Fire Chief, 1 Year	F9 - 4	$10,486	$ 125,831
24311	Fire Chief, 1 Year	F9 - 5	$11,010	$ 132,123
24311	Fire Chief, 1 Year	F9 - 6	$11,561	$ 138,729
24311	Fire Chief, 1 Year	F9 - 7	$12,139	$ 145,665
24311	Fire Chief, 1 Year	F9 - 8	$12,746	$ 152,948
24311	Fire Chief, 1 Year	F9 - 9	$13,383	$ 160,596
24311	Fire Chief, 1 Year	F9 - 10	$14,052	$ 168,626
24311	Fire Chief, 1 Year	F9 - 11	$14,755	$ 177,057
24311	Fire Chief, 1 Year	F9 - 12	$15,493	$ 185,910
24311	Fire Chief, 1 Year	F9 - 13	$16,267	$ 195,206
24311	Fire Chief, 1 Year	F9 - 14	$17,080	$ 204,966
24311	Fire Chief, 1 Year	F9 - 15	$17,934	$ 215,214
24311	Fire Chief, 1 Year	F9 - 16	$18,293	$ 219,518
24311	Fire Chief	F9 - 17	$18,659	$ 223,908
24311	Fire Chief	F9 - 18	$19,032	$ 228,387

The police and fire chiefs will receive any additional holidays granted to other police and fire personnel under a meet and confer or collective bargaining agreement for the same length of time that the other police and fire personnel receive the additional holidays under the meet and confer or collective bargaining agreement.

Although pay steps for uniformed staff generally occur in one-year increments, if officers are not given a step pay increase in any fiscal year for budgetary reasons, when step pay increases are resumed in a subsequent fiscal year, it is expected that officers' pay will only increase one step. Officers should not expect a double-step in order to make up for step increases not previously given for budgetary reasons in any fiscal year.

Agenda Information Sheet

File #: 18-1391 **Item #:** 83.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Housing & Neighborhood Revitalization

EXECUTIVE: T.C. Broadnax

SUBJECT

An ordinance amending Chapter 20A, "Fair Housing" of the Dallas City Code by **(1)** adding Sections 20A-22 through 20A-33; **(2)** providing a purpose statement; **(3)** providing the definition of terms; **(4)** providing for a market value analysis category and dwelling unit verification as a precondition of eligibility for the mixed income housing program; **(5)** providing the terms of the mixed income restrictive covenant; **(6)** providing for the administration of the mixed income housing program including requirements related to eligibility verifications, income bands, and affordable rents; **(7)** providing policies for tenant selection and other written policies; **(8)** providing the responsibilities of applicants and eligible households; **(9)** providing that an owner shall not discriminate against holders of housing vouchers, **(10)** providing for compliance and recordkeeping for the mixed income housing program including requirements related to quarterly status reports, affirmative fair housing marketing plans, and audits and inspections; **(11)** providing standard procedures for notifying owners of non-compliance and correcting non-compliance; **(12)** providing a penalty not to exceed $500; **(13)** providing a saving clause; **(14)** providing a severability clause; and **(15)** providing an effective date - Financing: No cost consideration to the City

BACKGROUND

In a public hearing scheduled for December 12, 2018, the City Council will consider an amendment to Chapters 51 and 51A of the Dallas Development Code that proposes to encourage the development of mixed-income housing in Multifamily and Mixed Use Districts by offering development bonuses in return for providing a percentage of units to be reserved for families within certain income bands.

This item proposes adoption of an ordinance amending Chapter 20A, which will create the regulatory framework that guides a developer's compliance with development bonuses associated with the mixed income housing program.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Zoning Ordinance Advisory Committee (ZOAC) considered an amendment to the Dallas Development Code to allow for development bonuses associated with the mixed income housing program (formerly referred to as incentive zoning) at 12 public meetings between June 22, 2017 and September 6, 2018, and on September 20, 2018, ZOAC recommended the proposal move to the City Plan Commission. On October 4, 2018, the City Plan Commission (CPC) recommended approval of the amendment.

On November 5, 2018, the Economic Development and Housing Committee was briefed on the proposed amendment to the Dallas Development Code to allow for development bonuses associated with the mixed income housing program along with a proposed amendment to Chapter 20A of the Dallas City Code to create the mixed income housing program. The committee voted to forward both ordinance amendments to the full Council for approval.

FISCAL INFORMATION

No cost consideration to the City

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11-27-18

ORDINANCE NO. _____

An ordinance amending Chapter20A, "Fair Housing," of the Dallas City Code by adding Article II, "Mixed-Income Housing"; providing regulations for a mixed income housing program; providing a penalty not to exceed $500; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

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

SECTION 1. That Chapter 20A, "Fait Housing," of the Dallas City Code is amended by adding a new Article II, "Mixed-income Housing," to read as follows:

"**Article 20A-2 Mixed-Income Housing.**

SEC. 20A-22. PURPOSE.

This division is adopted to implement the provisions and goals of the comprehensive housing policy, affirmatively further fair housing, create and maintain available and affordable housing throughout Dallas, promote greater fair housing choices, and overcome patterns of segregation and concentrations of poverty.

SEC. 20A-23. APPLICABILITY

This division applies to developments seeking a development bonus under Division 51A-4.1100 and other properties enrolled in a mixed-income housing program.

DRAFT

SEC. 20A-24. DEFINITIONS AND INTERPRETATIONS

(a) Definitions. In this division:

(1) ADJUSTED INCOME has the definition assigned to that term in 24 CFR §5.611, as amended.

(2) AFFIRMATIVE FAIR HOUSING MARKETING PLAN means a marketing strategy designed to attract renters of all majority and minority groups, regardless of race, color, religion, sex, disability, familial status, or national origin.

(3) AFFORDABLE RENT means: (i) a monthly rental housing payment, less an allowance for utilities, that does not exceed 30 percent of an eligible household's adjusted income divided by 12, or (ii) the voucher payment standard.

(4) ANNUAL INCOME has the definition assigned to that term in 24 CFR §5.609, as amended.

(5) APPLICANT means a household applying to lease a reserved dwelling unit.

(6) AREA MEDIAN FAMILY INCOME ("AMFI") means the median income for the Dallas, TX HUD Metro Fair Market Rent Area, adjusted for family size, as determined annually by the Department of Housing and Urban Development.

(7) DEPARTMENT means the department designated by the city manager to enforce and administer this division and includes representatives, agents, or department employees designated by the director.

(8) DEVELOPMENT means the structure or structures located on the Property receiving a development bonus.

(9) DEVELOPMENT BONUS means yard, lot, and space bonuses that can be obtained by meeting the requirements in this division and Chapter 51A.

(10) DEVELOPMENT BONUS RESTRICTIVE COVENANT means a covenant running with the land that meets the requirements of this chapter.

(11) DIRECTOR means the director of the department of housing and neighborhood revitalization.

(12) ELIGIBLE HOUSEHOLDS means households with an adjusted income within the required income band or voucher holders, regardless of income.

(13) FAMILY means family as defined in 24 CFR §5.403, as amended.

DRAFT

(14) HANDBOOK means the HUD Handbook 4350.3: Occupancy Requirements of Subsidized Multifamily Housing Programs, as periodically revised and published by HUD.

(15) HUD means the United States Department of Housing and Urban Development.

(16) INCOME means income as defined by 24 CFR §5.609.

(17) INCOME BAND means the range of household adjusted incomes between a pre-determined upper limit and a pre-determined lower limit generally stated in terms of a percentage of area median family income adjusted for family size.

(17) MARKET VALUE ANALYSIS ("MVA") means the most recent official study that was commissioned by and prepared for the city to assist residents and policy-makers to understand the elements of their local residential real estate markets.

(18) MIXED-INCOME HOUSING PROGRAM means a program administered by the department in which each owner using a development bonus participates.

(19) MIXED-INCOME HOUSING RESTRICTIVE COVENANT means the instrument securing the terms and enforcement of this division.

(20) OPTIONAL AMENITIES means services or features that are not included in the monthly rent, including access to premium parking and concierge services, among other services.

(21) OWNER means the entity or person who owns the development or Property during the rental affordability period, including the owner's employees, agents, or contractors.

(22) PROPERTY means the land and all improvements as more particularly described in the mixed-income restrictive covenant.

(23) RENTAL AFFORDABILITY PERIOD means the period that the reserved dwelling units may only be leased to and occupied by eligible households.

(24) RESERVED DWELLING UNIT means the rental units in a development available to be leased to and occupied by eligible households, or which are currently leased to and occupied by eligible households and are leased at affordable rental rates.

(25) UNIT TYPE means the kind of unit broken out by number of bedrooms in the unit, or, if the unit is a speciality unit, a description of the type of specialty unit, such as efficiency, one bedroom, two bedroom, loft, penthouse, etc.

(26) UTILITY ALLOWANCE means the reasonable allowance for tenant-furnished utilities and other services as published annually by the Dallas Housing Authority.

(27) VOUCHER HOLDER means a holder of a housing voucher, including vouchers directly or indirectly funded by the federal, state, or local government.

(28) VOUCHER PAYMENT STANDARD means a sum of money that an entity issuing a housing voucher agrees to pay directly to an owner as the affordable rent.

(b) Interpretations. For uses or terms found in Chapter 51, the regulations in Section 51A-4.702(a)(6)(C) apply in this division.

SEC. 20A-25. MARKET VALUE ANALYSIS CATEGORY AND DWELLING UNIT VERIFICATION

(a) In general. An owner shall obtain a market value analysis ("MVA") category and dwelling unit verification as a precondition to participating in the mixed-income housing program.

(b) Procedure for obtaining a market value analysis category and dwelling unit verification.

(1) An owner shall attend an in-person meeting with the director to review the terms of the mixed-income housing program, including the MVA category and dwelling unit verification.

(2) Prior to the meeting, the owner shall disclose the following information on a form provided by the director:

(A) the legal description and address of the property;

(B) any restrictive covenants or contracts that will require the owner to lease dwelling units at a specific rent for a specific term of years, along with the number of units; and

(C) any other information determined by the director to be necessary to aid in the determination of whether the owner is eligible to participate in the mixed-income housing program.

(3) At the close of the meeting, the director shall sign and date the MVA category and dwelling unit verification for the property and provide a copy of the signed verification to the owner.

(c) Expiration of market value analysis category and dwelling unit verification. An MVA category and dwelling unit verification expires one year after the date of issuance if the owner has not filed a mixed-income restrictive covenant in the real property records related to the property for which the MVA category and dwelling unit verification was issued and made reasonable progress, as defined in Section 311.3 of Chapter 52 of the Dallas City Code on the Property that will be subject to the mixed-income restrictive covenant.

DRAFT

SEC. 20A-26. MIXED-INCOME RESTRICTIVE COVENANT.

(a) In general. A mixed-income restrictive covenant must be executed and recorded in accordance with this section on a form provided by the city. The instrument must:

(1) be signed by all owners of the Property;

(2) be signed by all lienholders, other than taxing entities, having an interest in the Property;

(3) contain a legal description of the Property;

(4) specify the number of any required reserved dwelling units and the income band applicable to each unit;

(5) be a covenant running with the land;

(6) be for a term of 15 years with five-year auto renewals unless terminated by a subsequent written instrument;

(7) state 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 the instrument;

(8) state that it may only be amended or terminated by a subsequent written instrument that is:

(A) signed by all owners of the Property and all lienholders, other than taxing entities;

(B) approved by the director;

(C) approved as to form by the city attorney; and

(D) recorded and made a part of the deed records of the county or counties in which the Property is located;

(9) state that the owner agrees to comply with all the requirements of this division, including the submission of quarterly unit status reports, maintaining the development in compliance with the city's health and safety ordinances, full cooperation with any audits and inspections conducted pursuant to the mixed-income housing program including providing access to all records required to be maintained in accordance with this division and allowing the physical inspection of the property, compliance with the city's Mixed-income Housing Policy Manual maintained by the Department of Housing and Neighborhood Revitalization, and continued

compliance with maintenance of the physical attributes of the property in accordance with this division;

(10) state that the owner agrees to maintain the property in compliance with all federal, state, and local health and safety regulations;

(11) state that the owner agrees to notify the city within 30 days of any change in ownership, default, foreclosure, or bankruptcy;

(12) state that it may be enforced by the City of Dallas;

(13) state that it shall be governed by the laws of the State of Texas; and

(14) be approved by the director and be approved as to form by city attorney.

(b) Commencement and termination of rental affordability period. The rental affordability period begins on the date the first reserved dwelling unit is occupied by an eligible household and continues until the expiration of the term of years stated in the mixed-income restrictive covenant, unless the term has been tolled and extended due to the owner's substantial noncompliance with the mixed-income housing program.

(c) Instrument to be recorded. A true and correct copy of the fully executed mixed-income restrictive covenant must be recorded in the deed records of the county or counties in which the property is located. The instrument will not be considered effective until it is recorded in the deed records in accordance with this division and a recorded copy of the instrument is filed with the director and the building official.

(d) Amendment of instrument. A recorded mixed-income restrictive covenant may be amended to adjust the number of reserved dwelling units in a development.

SEC. 20A-27. ADMINISTRATION OF THE MIXED-INCOME HOUSING PROGRAM.

(a) Compliance with the handbook. Except as provided in this subsection, the intent of the mixed-income housing program is that the owner shall conduct eligibility determinations in accordance with the handbook.

(b) Exceptions. The following mandatory items in the handbook do not apply to the mixed-income housing program:

(1) inquiries regarding or documentation of the immigration status of an applicant or eligible household;

(2) use of HUD forms, unless specifically required in this division;

(3) compliance with HUD requirements that are specific to a HUD program and are not generally-applicable; and

(4) use of the Enterprise Income Verification (EIV) system.

(b) Eligibility determinations in general. An owner shall determine whether an applicant is eligible to lease and occupy a reserved dwelling unit before to approving the applicant for tenancy and on an annual basis.

(c) Eligibility determinations in general. An owner shall determine whether an applicant is eligible to lease and occupy a reserved dwelling unit prior to approving the applicant for tenancy and at each annual anniversary of the initial lease date.

(d) Eligibility determination prior to approving an applicant for tenancy. An owner shall determine:

(1) family size in accordance with the handbook;

(2) annual income and adjusted income in accordance with the handbook and 24 CFR Part 5;

(3) whether the applicant's adjusted income is within the income bands applicable to the reserved dwelling units in the property; and

(4) if the applicant's adjusted income is within the income bands applicable to the reserved dwelling units in the property, whether there are any reserved units at the property that are currently available for lease to and occupancy by an applicant and are dwelling units of adequate size, per the owner's general occupancy standards that must:

(A) take into account all persons residing in the household and follow the guidelines set forth in the handbook and in accordance with the Fair Housing Act;

(B) prevent both over-occupancy and under-occupancy of units. In general, a two-person per bedroom standard is appropriate; and

(C) take into account the specific size of bedrooms and units, configuration of the unit, and age of children who may be occupying the unit (if any), among other factors.

(e) Determination of family size. An owner shall use the broad definition of family as defined in 24 CFR §5.403 and may not engage in any discriminatory housing practices as defined in Section 20A-4 of this division.

(f) Income limits. The department will annually publish income limits to be used in determining an applicant's eligibility to lease a reserved dwelling unit or a household's eligibility to renew the lease on a reserved dwelling unit. The department shall use the income limits

published annually by HUD for the Dallas HUD Metro Fair Market Rent Area, adjusted for family size, as the basis for the department's income limits.

(g) Income bands. An owner shall ensure that reserved dwelling units are only leased to and occupied by eligible households in accordance with the development bonus restrictive covenant. For the mixed-income housing program, units must be reserved for families with adjusted annual incomes within the following bands, except that voucher holders may be selected to occupy any reserved dwelling unit:

(1) Income band 1: 81-100% AMFI;

(2) Income band 2: 61-80% AMFI; and

(3) Income band 3: 51-60% AMFI.

(h) Affordable rents.

(1) An owner shall ensure that an affordable rent is charged to eligible households occupying reserved dwelling units.

(2) An owner is responsible for calculating the affordable rent before approving the applicant for tenancy and on an annual basis based on the eligible household's adjusted income reported during the annual certification.

(A) After completing the annual eligibility certification process, the owner shall adjust the rent upwards or downwards so that it remains an affordable rent.

(B) An owner shall provide a minimum of 30 days written notice to the eligible household before a rent change. The notice must include a summary of how the change was calculated.

(3) The calculated rent must include all monthly charges or fees that are mandatory for all tenants but does not need to include charges or fees for optional amenities. The owner may not impose expenses or fees that are applicable only to reserved dwelling units.

(i) Annual certification of eligibility. An owner shall conduct an annual certification of household income and composition for each eligible household as follows:

(1) Except as provided in this paragraph, eligible households leasing reserved dwelling units may satisfy the annual certification process by self-certifying their eligibility using a form provided by the director. For reserved dwelling units subject to Subsection (h)(2), this paragraph does not apply.

(2) Every six years during the property's affordability period, the owner shall conduct the annual certification of each eligible household leasing a reserved dwelling unit in

accordance with Subsection (d), regardless of the number of years the eligible household has leased a reserved dwelling unit.

(3) Annual certification must be completed at least 30 days before the annual anniversary of the initial lease date.

(4) An owner shall send at least one written notice to the eligible household at least 90 days in advance of the annual anniversary of the initial lease date requesting all information needed to conduct the annual certification in compliance with this division.

(5) An owner shall not conduct a certification on less than an annual basis unless requested to do so by an eligible household. An owner shall conduct the interim certification in the same manner as conducting an annual certification. An owner may charge a reasonable fee to cover the administrative costs associated with conducting an interim certification.

(6) If an owner fails to complete the annual certification within 120 days of the lease anniversary date, the reserved dwelling unit will be considered out of compliance and the mixed-income restrictive covenant term will be extended for the period of non-compliance. The non-compliance can be cured by completing the annual certifcation or designating another unit as a reserved dwelling unit and leasing it to an eligible household.

(j) Over- and under-income eligible households

(1) If an eligible household's adjusted income at the annual certification exceeds the highest income for which the unit is reserved, the unit remains in compliance until the next annual certification so long as the owner continues to charge an affordable rent.

(2) If an eligible household's adjusted income at the annual certification falls below the lowest income for which the unit is reserved, an owner shall provide written notice to the director so that the director can determine whether the eligible household is eligible for any available subsidies. The unit remains in compliance until the next annual certification so long as the owner continues to charge a rent amount that does not exceed the prior year's affordable rent.

(3) If an eligible household's adjusted income either exceeds the highest income for which the reserved dwelling unit is reserved or falls below the lowest income for which the reserved dwelling unit is reserved at a consecutive annual recertification:

(A) the owner may begin charging the household market rate rents and the unit is no longer a reserved dwelling unit. The next comparably sized unit to become available will be deemed a reserved dwelling unit; or

(B) if the owner is required to provide reserved dwelling units to more than one income band and the eligible household's adjusted income falls within the income band for an alternative reserved dwelling unit, the owner may allow the household to lease an alternative reserved dwelling unit, if available.

(k) Additional requirements and prohibitions.

(1) The reserved dwelling unit for which an applicant is applying to lease, or for which an eligible household leases, must be the applicant's or eligible household's only residence.

(2) An owner may not allow an eligible household to sublease or otherwise accept compensation for allowing a person or persons who are not documented members of the eligible household, pursuant to the owner's lease agreement with the eligible household, to occupy a reserved dwelling unit, regardless of the terms or length of the occupancy.

(3) Any financial assistance that a student receives under the Higher Education Act of 1965, from private sources, or from an institution of higher education that is in excess of the amounts received for tuition shall be included in annual income, except if the student is over the age of 23 with dependent children or if the student is living with his or her parents who are receiving Section 8 assistance.

SEC. 20A-28. TENANT SELECTION AND OTHER WRITTEN POLICIES

(a) Tenant selection and other policies should:

(1) be reasonably related to the mixed-income housing program eligibility criteria and the applicant's ability to perform the obligations of the lease;

(2) provide for the selection of tenants from a written waiting list in the chronological order of their application, insofar as is practicable;

(3) give prompt written notification to any rejected applicant stating the grounds for the rejection; and

(4) be consistent with this division.

(b) Owners shall create the following written policies and retain written records related to the following policies:

(1) reasonable accommodations;

(2) affirmative marketing;

(3) applicant screening criteria;

(4) tenant selection criteria;

(5) policies for opening and closing the waiting list;

(6) waiting list preferences, if any;

(7) procedures for rejecting ineligible tenants;

(8) occupancy standards;

(9) non-renewal and termination notices; and

(10) unit transfers.

SEC. 20A-29. APPLICANT AND ELIGIBLE HOUSEHOLD RESPONSIBILITIES.

(a) Applicants and eligible households who lease a reserved dwelling unit shall timely provide the owner all documents and information required by this ordinance to be used to determine income, adjusted income, and family size.

(b) An eligible household who is leasing a reserved dwelling unit at the time the director conducts an audit, upon written request by the director, shall timely provide the director with all documents and information required by this ordinance to be used to determine annual income, adjusted income, and family size.

(c) An eligible household's failure to timely provide requested information and documents to the owner or director upon written request does not constitute an offense. However, if the director is unable to verify that the household is an eligible household, the reserved dwelling unit may be deemed non-compliant and the owner is no longer required by this ordinance to charge an affordable rent. The non-compliance can be cured by completing the recertification or self-certification or designating another unit as a reserved dwelling unit and leasing it to an eligible household.

SEC. 20A-30. NON-DISCRIMINATION.

An owner shall not discriminate against holders of housing vouchers, including vouchers directly or indirectly funded by the federal government, in accordance with Section 20A-4.1.

SEC. 20A-31. COMPLIANCE, REPORTING, AND RECORDKEEPING.

(a) In general. An owner must comply with the city's mixed-income housing policy during the term of the mixed-income restrictive covenant.

(b) Use of forms. If the director publishes mandatory forms to be used in the mixed-income housing program, which may be amended from time to time, the owner shall use those forms. The director may also publish non-mandatory forms that an owner may use.

(c) Management policies. An owner is responsible for ensuring that his or her employees and agents, including third-party management companies, are aware of and comply with the development bonus restrictive covenant and the mixed-income housing program.

(d) Recordkeeping.

(1) An owner shall maintain documentation including, but not limited to, applications, waitlists, first-hand or third-party verification of income and assets, leases for reserved dwelling units, and rents and any fees charged for reserved dwelling units.

(2) An owner shall maintain all required documentation in the eligible household's file at the development or maintain the documentation in an electronic format as long as the documentation can be accessed by onsite employees and provided in a timely fashion to the director upon request.

(3) An owner shall maintain documentation of all income verification efforts and household composition reviews throughout the term of each eligible household's tenancy and for at least three years after the eligible household moves out.

(e) Quarterly status reports. An owner shall submit quarterly status reports on a form provided by the director, as described below, in January, April, July, and October on or before the 10th day of the month. The report shall include:

(1) the total number of dwelling units on the property;

(2) the total number of reserved dwelling units on the property;

(3) a list of all reserved dwelling units on the property, identified by unit number and unit type;

(4) for each reserved dwelling unit:

(A) the applicable income bands;

(B) the current affordable rent, utility allowance, and any fees charged;

(C) the occupancy status as of the last day of the previous month for the reporting period. For example, the report due October 10th should report occupancy as of September 30th of the same year;

(D) the adjusted income of the eligible household leasing and occupying the unit; and

(E) the most recent eligibility date for the eligible household leasing and occupying the unit;

(5) a signed statement by the owner acknowledging compliance with this division; and

(6) any other information requested by the director that is reasonably related to the mixed-income housing program.

(f) First and final quarterly status reports. An owner shall submit:

(1) the first quarterly status report before the 10th day of the month following the end of the first quarter in which the affordability period began; and

(2) the final quarterly status report on the 15th anniversary of the beginning of the rental affordability period, or a date determined by the director due to the tolling of and extension of the rental affordability period. The director shall verify that the owner has completed all applicable requirements of this division. If all requirements are completed the director shall sign the submitted final quarterly status report before it is filed with the building official.

(g) Affirmative fair housing marketing plan.

(1) Before an eligible household leases and occupies a reserved dwelling unit, an owner shall create an affirmative fair housing marketing plan and shall follow the affirmative fair housing marketing plan at all times during the rental affordability period.

(2) The affirmative fair housing marketing plan shall be in writing and shall be submitted to and receive written approval from the director at least 30 days before an owner starts marketing a unit in the property for initial occupancy.

(3) The affirmative fair housing marketing plan shall describe the advertising, outreach, community contacts, and other marketing activities that inform potential renters of the existence of the reserved dwelling units.

(4) The director shall approve or deny the affirmative fair housing marketing plan within 60 days after a complete plan is submitted to the director.

(A) Approval. The director shall approve the affirmative fair housing marketing plan if it complies with the requirements of this division.

(B) Denial. The director shall deny the affirmative fair housing marketing plan if it does not comply with this division. If the director denies the affirmative fair housing marketing plan, he or she shall state in writing the specific reasons for denial. If denied, the owner shall immediately submit a new affirmative fair housing marketing plan.

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(h) Audit and inspection.

(1) Any report, policy, or procedure that is required to be created and maintained by this division may be reviewed and audited by the director. An owner shall provide the director with all documentation necessary for the director to verify the accuracy of the information included in the report, policy, or procedure.

(2) The director may also randomly, regularly, and periodically select a sample of tenants occupying reserved dwelling units for the purpose of income verification. Any information received pursuant to this subsection shall remain confidential and shall be used only for the purpose of verifying income to determine eligibility for occupancy of the reserved dwelling units.

(i) Consent to substitute.

(1) For properties with three-bedroom or larger dwelling units, if an owner cannot locate eligible households to lease three-bedroom or larger dwelling units, and if the director is satisfied that the owner has made best efforts to lease the three bedroom or larger dwelling units, if applicable, including full compliance with the affirmative fair housing marketing plan, with written consent from the director, an owner may from time to time substitute on a two-for-one basis additional two bedroom dwelling units and/or on a three-to-one basis additional one bedroom dwelling units to meet the pro rata distribution requirements described in Section 51A-4.1106(f).

(2) Before granting written consent, the director shall review and approve an amended affirmative fair housing marketing plan detailing how the owner will target marketing to larger households who could qualify to lease the three-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.

SEC. 20A-32. VIOLATIONS, CORRECTIVE ACTION PERIOD, AND PENALTY.

(a) In general. An owner who fails to take an action required by this division or who takes an action prohibited by this division commits an offense.

(b) Form of notice. The director shall give an owner written notice any time the director determines that an owner is not in compliance with the mixed-income housing program or the mixed-income restrictive covenants.

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(c) Corrective action period and extensions of mixed-income restrictive covenants.

(1) For a violation other than a violation that poses an imminent hazard or threat to health and safety, the director shall provide written notice of a thirty day corrective action period for failure to file a quarterly unit status report and a 90 day corrective action period for other violations.

(2) During the corrective action period, an owner shall be given the opportunity to show that either the owner or the property was never in noncompliance or that the event of noncompliance has been corrected. Sufficient documentation of correction must be received by the director during the corrective action period for an event to be considered corrected during the corrective action period.

(3) For a violation other than a violation that poses an imminent hazard or threat to health and safety, and only for good cause, the director may extend the corrective action period for up to three months from the date of the notice to the owner.

(4) If an owner fails to resolve all violations of this division during the corrective action period, the director may issue citations, seek relief provided in the deed restrictions, extend the mixed-income restrictive covenants term for the period equal to the term of non-compliance, and take any other actions allowed by law.

SEC. 20A-33. FEES."

SECTION 2. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $500.

SECTION 3. That Chapter 20A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 5. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 6. 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

Passed_____

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Agenda Information Sheet

File #: 18-1431 **Item #:** 84.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 14

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

An ordinance abandoning a portion of an alley (also known as Howland Street) to OR Asset Holdings, L.P., the abutting owner, containing approximately 3,588 square feet of land, located near the intersection of Howland and Routh Streets; and authorizing the quitclaim; and providing for the dedication of approximately 3,651 square feet of land needed for a wastewater easement - Revenue: $640,458.00, plus the $20.00 ordinance publication fee (This item was deferred on November 28, 2018)

BACKGROUND

This item authorizes the abandonment of a portion of an alley (also known as Howland Street) to OR Asset Holdings, L.P., the abutting owner. The area will be included with the property of the abutting owner for the construction of a mixed-use development. The owner will dedicate approximately 3,651 square feet of land needed for a wastewater easement. The abandonment fee is based on an independent appraisal.

Notices were sent to 28 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 was provided to the Mobility Solutions, Infrastructure & Sustainability Committee on November 26, 2018.

On November 28, 2018, this item was deferred by Councilmember Philip T. Kingston.

FISCAL INFORMATION

Revenue: $640,458.00, plus the $20.00 ordinance publication fee

OWNER

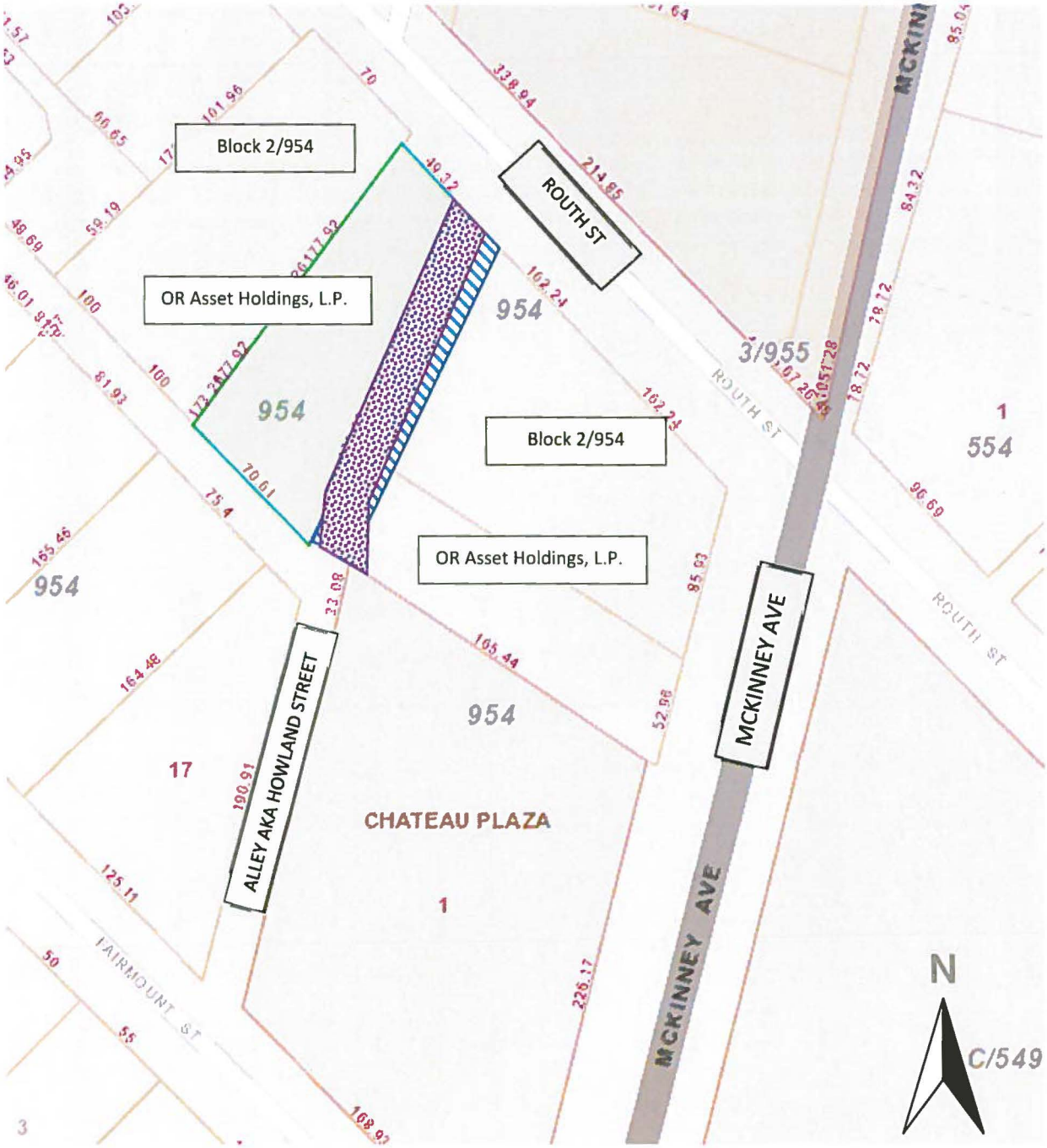
OR Asset Holdings, L.P.

OR Asset Holdings Management, LLC, General Partner

Oscar Renda, Manager

MAP

Attached



ABANDONMENT AREA:

DEDICATION AREA:

ORDINANCE NO. _____

An ordinance providing for the abandonment of a portion of an alley (also known as Howland Street) located adjacent to City Block 2/954 in the City of Dallas and County of Dallas, Texas; subject to a reverter; providing for the quitclaim thereof to OR Asset Holdings, L.P; 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.

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WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of OR Asset Holdings, L.P., a Texas limited partnership, 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 an alley also referred publicly as Howland 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 **SIX HUNDRED FORTY THOUSAND FOUR HUNDRED FIFTY-EIGHT AND NO/100 DOLLARS ($640,458.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9, 10, 11 and 13, 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 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 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 located before a certified copy of this ordinance shall be delivered to **GRANTEE**.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall file a final replat of the adjoining properties prior to the issuance of any building permits affecting the tract of land abandoned and quitclaimed herein. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area is located after its approval by the City Plan Commission of the City of Dallas.

SECTION 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall convey a wastewater easement to the City of Dallas, within 90 days of the effective date of this ordinance, in, under, through, across and along certain properties located in City Block 2/954 containing approximately

3,651 square feet of land, a description of which is attached hereto and made a part hereof as Exhibit C. This abandonment shall not be effective unless and until this dedication is completed as herein provided and failure to convey the above described property as set forth shall render this ordinance null and void and no further effect.

SECTION 11. That at such time as the instrument described in Section 10 above is executed and delivered to the City of Dallas and has been approved as to form by the City Attorney it be accepted, and thereafter, the Director of Department of Sustainable Development and Construction is authorized and directed to record said instrument in the official real property records of the county in which the subject property is located; and the recorded instrument shall be forwarded to the City Secretary for permanent record.

SECTION 12. 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 13. 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 completion of the dedication 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 14. That this ordinance is also designated for City purposes as Contract No. DEV-2018-00005620.

SECTION 15. 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

KRIS SWECKARD, Director
Department of Sustainable Development and Construction

BY: _____
Assistant Director

Passed _____.

ALLEY RIGHT-OF-WAY ABANDONMENT

Exhibit A

MAHONS SUBDIVISION OF HOMESTEAD
ADJACENT TO BLOCK 2/954
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Being a 3,588 square foot (0.082 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, adjacent to City of Dallas Block 2/954, Dallas County, Texas, and being a part of an unnamed public right-of-way (called 40 foot right-of-way), created by Mahons Subdivision of Homestead, an Addition to the City of Dallas, Dallas County, Texas, according to the map recorded in Volume 90, Page 610, Deed Records, Dallas County, Texas, adjacent to a tract of land conveyed to OR Asset Holdings, LP, a Texas limited partnership, described as Tract 1 and Tract 2, by Special Warranty Deed recorded in Instrument No. 201000127406, Official Public Records, Dallas County, Texas, said 3,600 square foot tract being also part of a 20 foot alley called out in Deed from S.A. Mahon to J.G. Davis, filed December 22, 1894, recorded in Volume 192, Page 262, Deed Records, Dallas County, Texas, and in Deed from S.A. Mahon to W.S. Shaw, filed April 9, 1892, recorded in Volume 153, Page 556, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at an "X" found at the common North corner of Lot 1, Block 2/954 of Chateau Plaza Addition, an Addition to the City of Dallas, Dallas County, Texas, according to the map recorded in Volume 85012, Page 3579, Deed Records, Dallas County, Texas and the Southwest corner of said OR Asset Holdings Tract I, said point being on the East right-of-way line of said alley;

THENCE North 12 degrees 13 minutes 51 seconds East, along the West line of said OR Asset Holdings Tract 1, a distance of 0.52 feet to a point for corner and the POINT OF BEGINNING;

THENCE North 62 degrees 54 minutes 31 seconds West, leaving said West line of OR Asset Holdings Tract 1 and traversing through said alley, a distance of 24.06 feet to a point for corner on the East line of a tract of land conveyed to said OR Asset Holdings, LP, described as Tract 2, from which a 1/2 inch iron rod found at the Southeast corner of said OR Asset Holdings Tract 2, for witness having a bearing and distance of South 26 degrees 58 minutes 41 seconds West, 0.50 feet;

THENCE North 26 degrees 58 minutes 41 seconds East, along the East line of said OR Asset Holdings, Tract 2, a distance of 182.87 feet to a 1/2 inch iron rod with a yellow cap stamped "CBG Surveying, Inc." set at the Northeast corner of said OR Asset Holdings, Tract 2, said point being on the Southwest right-of-way line of Routh Street (50 foot right-of-way), created by said Mahons Subdivision of Homestead (southerly 25 feet);

THENCE South 36 degrees 13 minutes 22 seconds East, leaving said corner and traversing through said alley, a distance of 22.41 feet to a 1/2 inch iron rod with a yellow cap stamped "CBG Surveying, Inc." set at the North corner of aforementioned OR Asset Holdings, Tract 1;

THENCE traversing along the West line of said OR Asset Holdings, Tract 1 as follows:

South 26 degrees 58 minutes 41 seconds West, a distance of 157.39 feet to a 1/2 inch iron rod with a yellow cap stamped "CBG Surveying, Inc." set for corner;

South 12 degrees 13 minutes 51 seconds West, a distance of 15.95 feet to the POINT OF BEGINNING and containing 3,588 square feet or 0.082 of an acre of land.

(For SPRG use only)
Reviewed By: JD
Date: 10/11/2018
SPRG No.: 4426

GENERAL NOTES:
BEARINGS ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NAD83 (2011).

STATE OF TEXAS
REGISTERED
BRYAN CONNALLY
5513
PROFESSIONAL
LAND SURVEYOR

BRYAN CONNALLY
R.P.L.S. NO. 5513

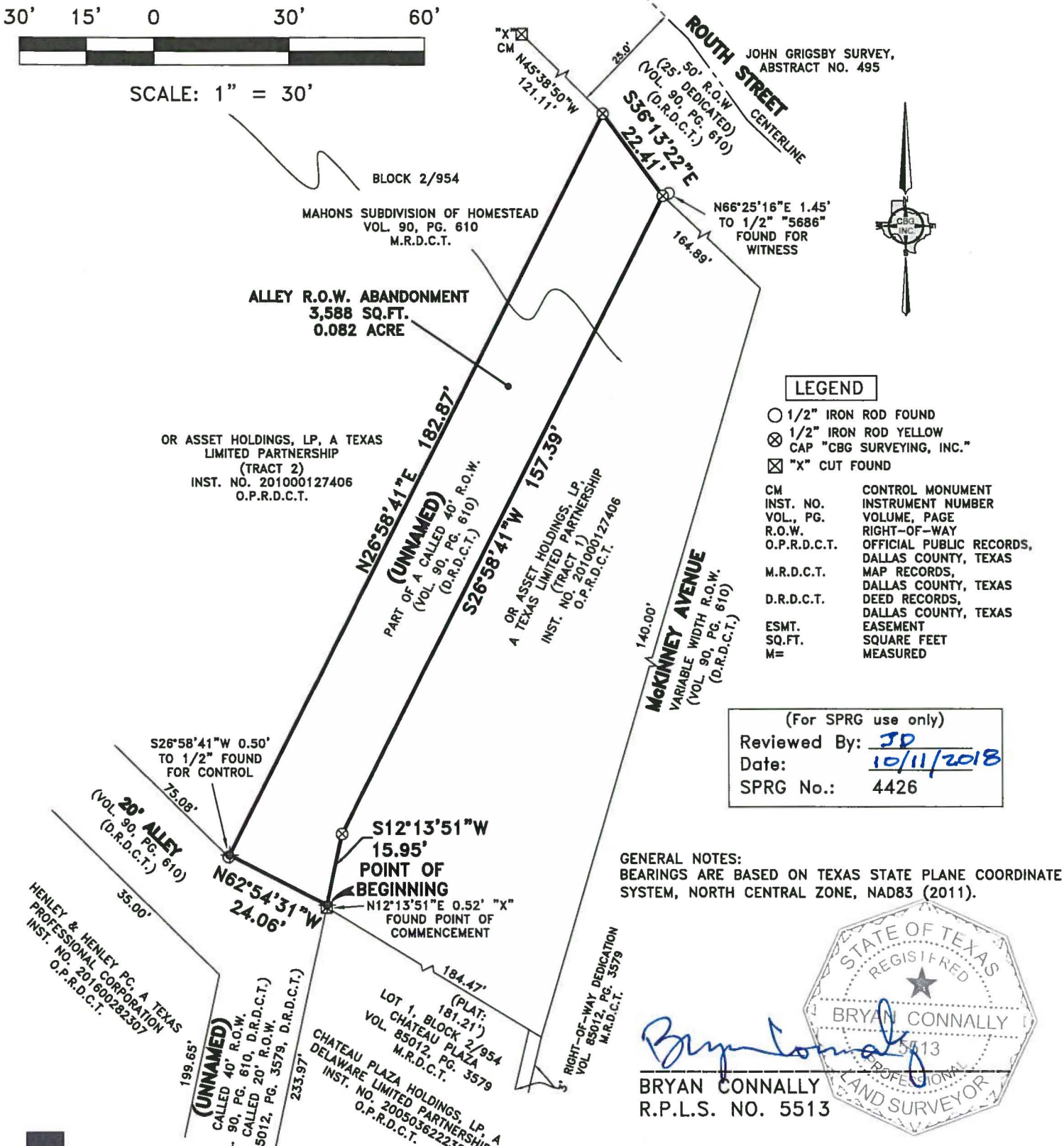
CBG Surveying, Inc.
PLANNING SURVEYING
12025 Shiloh Road • Suite 230 Dallas, Texas 75228
P 214.349.9485 F 214.349.2216
Firm No. 10168800
www.cbginctx.com

SHEET 1 OF 2
JOB NO. 1726059-1
DRAWN BY: MC
DATE: 12/27/17
REV: 08/27/18

ALLEY RIGHT-OF-WAY ABANDONMENT

Exhibit A

MAHONS SUBDIVISION OF HOMESTEAD
ADJACENT TO BLOCK 2/954
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS



LEGEND

○	1/2" IRON ROD FOUND
⊗	1/2" IRON ROD YELLOW CAP "CBG SURVEYING, INC."
☒	"X" CUT FOUND

CM	CONTROL MONUMENT
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
R.O.W.	RIGHT-OF-WAY
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
ESMT.	EASEMENT
SQ.FT.	SQUARE FEET
M=	MEASURED

(For SPRG use only)
Reviewed By: JD
Date: 10/11/2018
SPRG No.: 4426

GENERAL NOTES:
BEARINGS ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE, NAD83 (2011).

STATE OF TEXAS REGISTERED BRYAN CONNALLY 5513 PROFESSIONAL LAND SURVEYOR

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SHEET 2 OF 2
JOB NO. 1726059-1
DRAWN BY: MC
SCALE: 1"=30'
DATE: 12/27/17
REV: 08/27/18

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.

Exhibit C

WASTEWATER EASEMENT
MAHONS SUBDIVISION OF HOMESTEAD
ADJACENT TO AND A PART OF BLOCK 2/954
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS

Being a 3,651 square foot (0.0838 acre) tract of land situated in the John Grigsby Survey, Abstract No. 495, City of Dallas Block 2/954, Dallas County, Texas, and being a part of an unnamed public right-of-way (called 40 foot right-of-way), created by Mahons Subdivision of Homestead, an Addition to the City of Dallas, Dallas County, Texas, according to the map recorded in Volume 90, Page 610, Deed Records, Dallas County, Texas, being a part of a tract of land conveyed to OR Asset Holdings, LP, a Texas limited partnership, described as Tract 1 and Tract 2, by Special Warranty Deed recorded in Instrument No. 201000127406, Official Public Records, Dallas County, Texas, said 3,651 square foot tract also being a part of a 20 foot alley as called out in Deed from S.A. Mahon to J.G. Davis, filed December 22, 1894, recorded in Volume 192, Page 262, Deed Records, Dallas County, Texas, and in Deed from S.A. Mahon to W.S. Shaw, filed April 9, 1892, recorded in Volume 153, Page 556, Deed Records, Dallas County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at an "X" found at the common North corner of Lot 1, Block 2/954 of Chateau Plaza Addition, an Addition to the City of Dallas, Dallas County, Texas, according to the map recorded in Volume 85012, Page 3579, Deed Records, Dallas County, Texas and the Southwest corner of said OR Asset Holdings Tract 1, said point being on the East right-of-way line of said alley;

THENCE North 12 degrees 13 minutes 51 seconds East, along the West line of said OR Asset Holdings Tract 1, a distance of 0.52 feet to an "X" set for corner;

THENCE leaving said West line of OR Asset Holdings Tract 1 and traversing through said alley as follows:

North 62 degrees 54 minutes 31 seconds West, a distance of 18.37 feet to an "X" set for corner;

North 12 degrees 33 minutes 09 seconds East, passing at a distance of 22.84 feet, the East line of said tract of land conveyed to said OR Asset Holdings, LP, described as Tract 2, and traversing through said Tract 2 a total distance of 33.30 feet to a mag nail set for corner;

THENCE North 25 degrees 08 minutes 33 seconds East, continuing to traverse through said OR Asset Holdings, Tract 2, a distance of 153.06 feet to an "X" set for corner on the Southwest right-of-way line of Routh Street (50 foot right-of-way), created by said Mahons Subdivision of Homestead (southerly 25 feet), from which an x-cut found for witness, bears North 45 degrees 38 minutes 50 seconds West, a distance of 113.25 feet;

THENCE South 45 degrees 38 minutes 50 seconds East, along said Southwest right-of-way line of Routh Street, a distance of 7.87 feet to an "X" set at the East corner of said OR Asset Holdings, Tract 2;

THENCE leaving said corner and traversing through said alley as follows:

South 36 degrees 13 minutes 22 seconds East, a distance of 14.32 feet to an "X" set for corner;

South 25 degrees 08 minutes 33 seconds West, a distance of 141.40 feet to a mag nail set for corner;

South 12 degrees 33 minutes 09 seconds West, passing at a distance of 10.78 feet, the West line of aforementioned OR Asset Holdings, Tract 1, and traversing through said Tract 1 a total distance of 36.97 feet to a "Y" set for corner on the North line of aforementioned Lot 1, Block 2/954;

THENCE North 58 degrees 50 minutes 38 seconds West, along the North line of said Lot 1, Block 2/954, a distance of 2.34 feet to the POINT OF BEGINNING and containing 3,651 square feet or 0.0838 of an acre of land.

(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 10/10/18
SPRG No.: 4640

GENERAL NOTES:
BEARINGS ARE BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, NAD83 (2011).

STATE OF TEXAS REGISTERED BRYAN CONNALLY 5513

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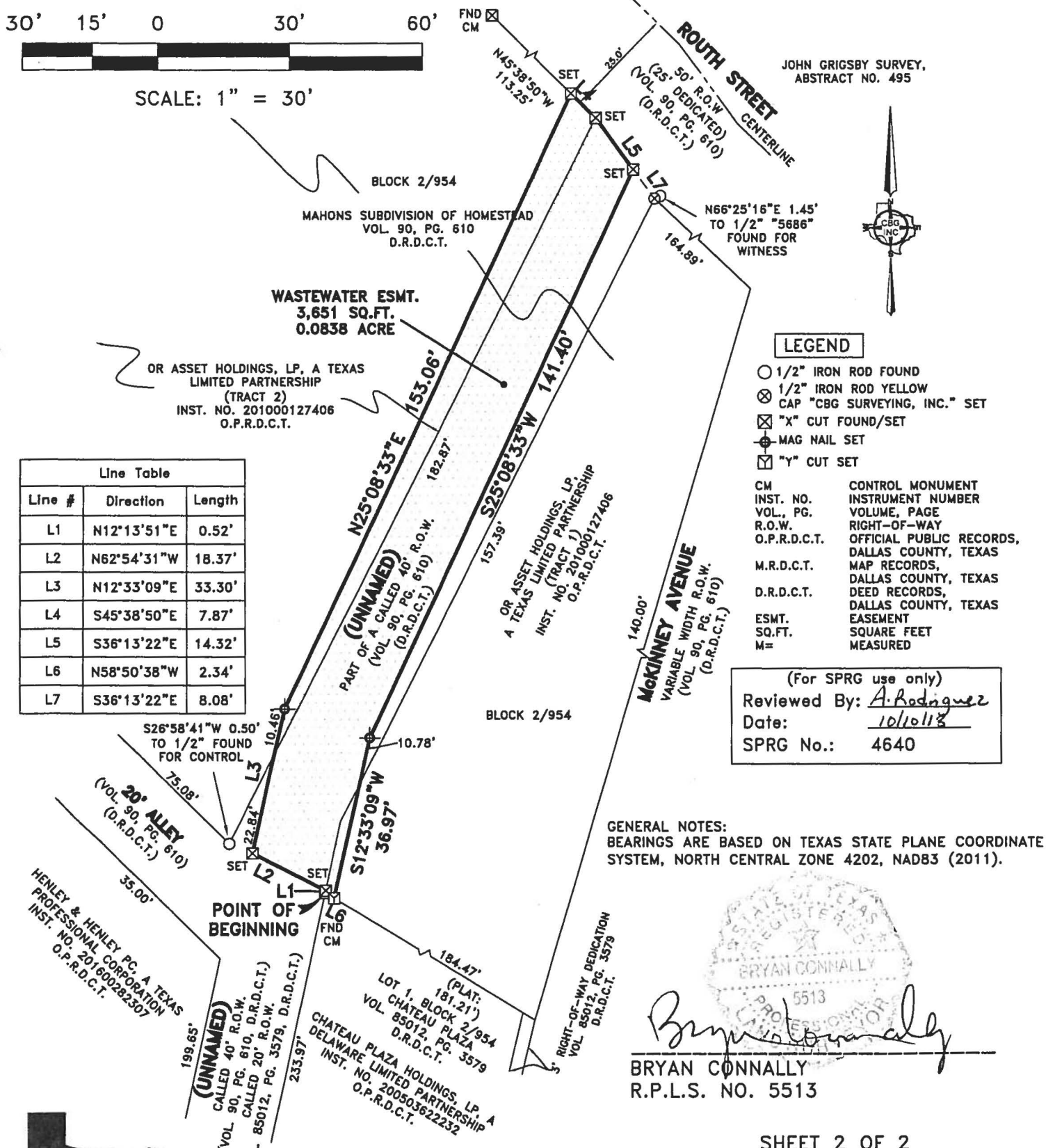
SHEET 1 OF 2
JOB NO. 1726059-2
DRAWN BY: MC
DATE: 10/02/18

Exhibit C

WASTEWATER EASEMENT
MAHONS SUBDIVISION OF HOMESTEAD
ADJACENT TO AND A PART OF BLOCK 2/954
JOHN GRIGSBY SURVEY, ABSTRACT NO. 495
CITY OF DALLAS, DALLAS COUNTY, TEXAS



Line Table		
Line #	Direction	Length
L1	N12°13'51"E	0.52'
L2	N62°54'31"W	18.37'
L3	N12°33'09"E	33.30'
L4	S45°38'50"E	7.87'
L5	S36°13'22"E	14.32'
L6	N58°50'38"W	2.34'
L7	S36°13'22"E	8.08'

LEGEND

- ○ 1/2" IRON ROD FOUND
- ⊗ 1/2" IRON ROD YELLOW CAP "CBG SURVEYING, INC." SET
- ⊠ "X" CUT FOUND/SET
- ⊕ MAG NAIL SET
- ⊠ "Y" CUT SET

CM	CONTROL MONUMENT
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
R.O.W.	RIGHT-OF-WAY
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
ESMT.	EASEMENT
SQ.FT.	SQUARE FEET
M=	MEASURED

(For SPRG use only)
Reviewed By: A. Rodriguez
Date: 10/10/18
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GENERAL NOTES:
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SHEET 2 OF 2
JOB NO. 1726059-2
DRAWN BY: MC
SCALE: 1"=30'
DATE: 10/02/18

Agenda Information Sheet

File #: 18-1209 **Item #:** 85.

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: December 12, 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 and October 24, 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 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.

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(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 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.

On October 24, 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

MAP

Attached

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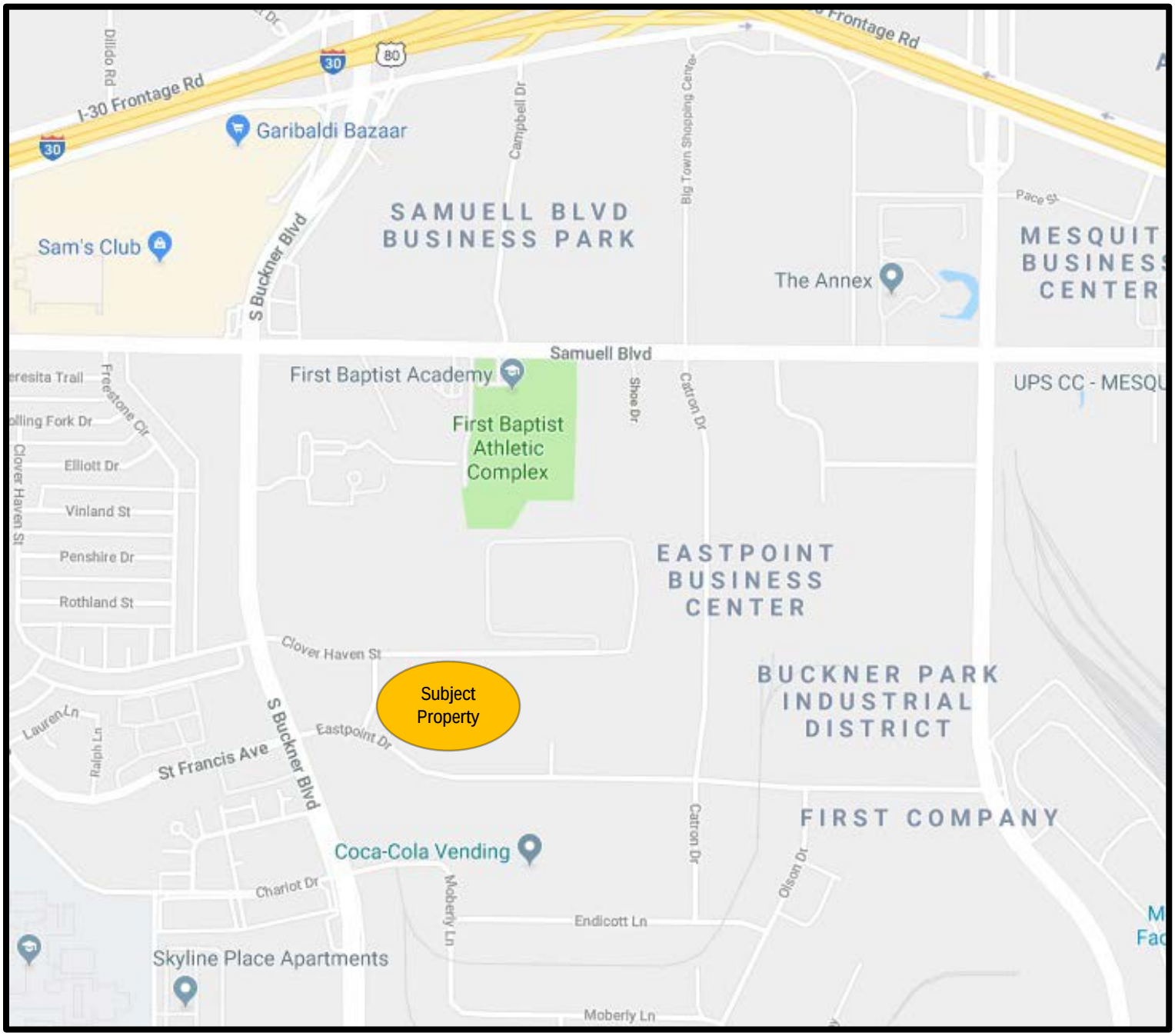
Location Map



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

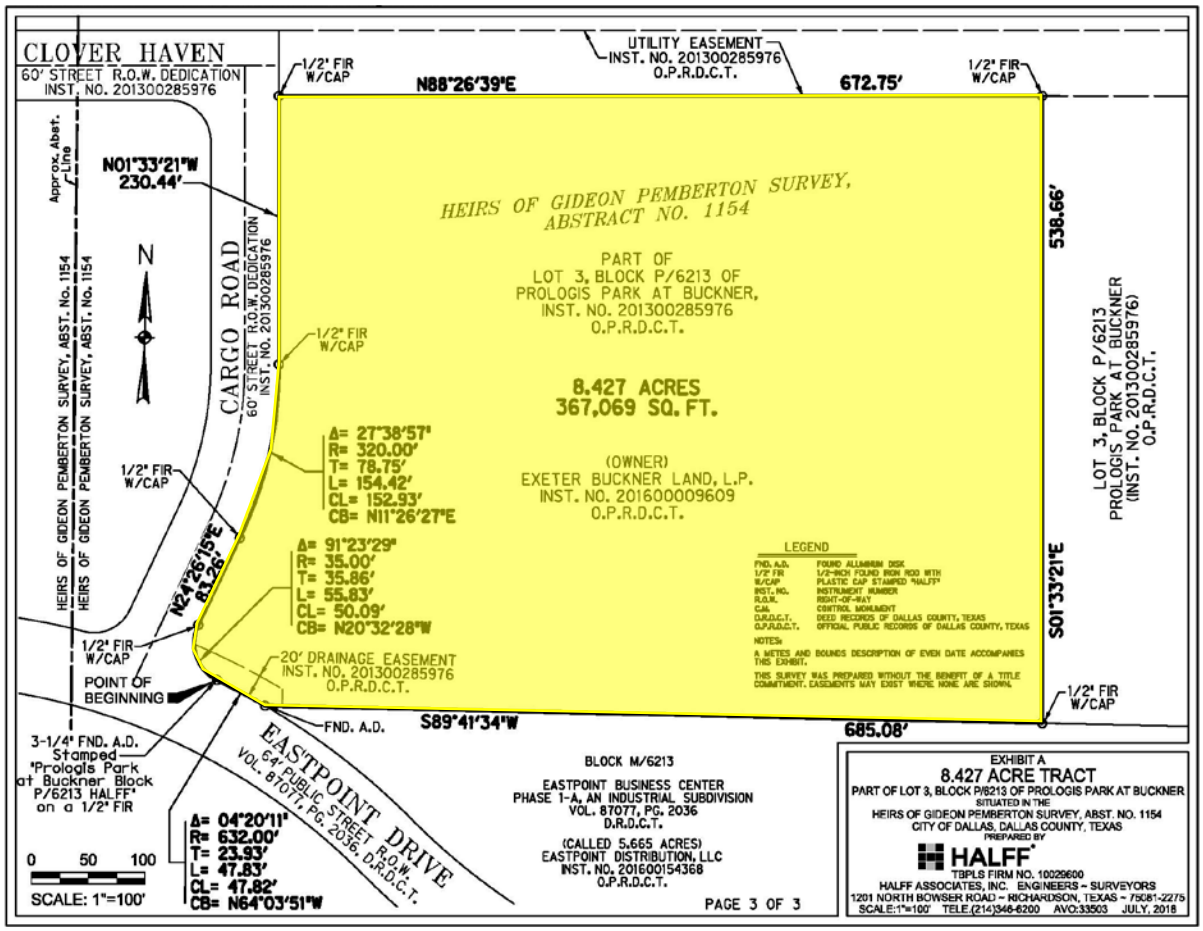


Exhibit B: Legal Description

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 #: 18-1440 **Item #:** 86.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 14

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize **(1)** a development and maintenance agreement with Lincoln LAG LTD. and HEB Grocery Company, LP for the purpose of constructing the Matilda Trail, an enhanced sidewalk, hike and bike trail, and appurtenances located at East Lovers Lane and Matilda Street; **(2)** the establishment of appropriations in an amount not to exceed $30,000.00 in the Mowmentum Park Improvement Fund; **(3)** the receipt and deposit of endowment funds in an amount not to exceed $30,000.00 in the Mowmentum Park Improvement Fund; and **(4)** execution of the development and maintenance agreement - Financing: Revenue: $30,000.00 (This item was deferred on November 28, 2018)

BACKGROUND

This action will authorize a development and maintenance agreement with the City of Dallas Park and Recreation Department (City) and Lincoln LAG LTD. (Lincoln) and HEB Grocery Company, LP (HEB) for the construction and maintenance of the Matilda Trail as identified in the 2008 Dallas Trail and Network Plan. Lincoln is the owner of property at the southwest corner of East Lovers Lane and Matilda Street and HEB is the tenant of the same property. The trail will be located on Oncor property and partially within abutting public rights-of-way (ROW) adjacent to Matilda Street. Lincoln and HEB will construct the Matilda Trail. Upon acceptance of the improvements by the City, Lincoln and HEB shall make a payment into a maintenance fund in an amount not to exceed $30,000.00, to fund maintenance of the trail until the beginning of the City's fiscal year in which the trail is accepted by the City.

In 2017, Lincoln submitted a request to abandon a portion of Matilda Street to facilitate the expansion of HEB development of the property in the ROW which consists primarily of parking and landscaping. This agreement is one condition of that abandonment ordinance which requires Lincoln to construct the Matilda Trail as consideration for the waiver of the abandonment fee that would otherwise be required by the City for the abandoned ROW. The ordinance also requires Lincoln to execute a development and maintenance agreement with the City and the Park and Recreation Board. Lincoln desires to assign its obligation for the construction and maintenance of the Matilda Trail to HEB.

The agreement will be subject to the following terms:

1. The term is from execution of the agreement to completion and acceptance of the trail by the City and payment to the City by Lincoln/HEB in an amount not to exceed $30,000.00 into a maintenance endowment fund.

2. Lincoln desires that HEB undertake its obligations under the abandonment ordinance for as long as HEB maintains its leasehold interest on Lincoln property, including but not limited to, all design and construction costs of the project. City shall not be responsible for any costs for design, development, and construction of the Trail and all project costs shall be the sole responsibility of Lincoln/HEB.

3. HEB is willing to undertake Lincoln's obligations under the abandonment ordinance for as long as HEB maintains its leasehold interest on Lincoln property.

4. Lincoln/HEB shall submit the design to the Park and Recreation Department for review and approval prior to commencement of construction.

5. Lincoln/HEB will manage the design and construction through its own consultants and contractors and will be responsible for all permits and other approvals. All consultants and contractors are required to provide insurance that is consistent with what is required by City consultants and contractors.

6. Upon completion and acceptance of the project by the Director of the Park and Recreation Department, Lincoln/HEB shall pay an amount not to exceed $30,000.00 into a maintenance endowment fund for maintenance of the trail for the remainder of the fiscal year as enumerated in the agreement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 30, 2018, the Park and Recreation Board authorized a hike and bike trail license agreement with Oncor for the use of Oncor property for the construction, operation, and maintenance of the Matilda Trail. This action will be processed by a Short Form Resolution.

On November 1, 2018, the Park and Recreation Board authorized a development and maintenance agreement with Lincoln LAG LTD. and HEB Grocery Company, LP.

Information about this item was provided to the Quality of Life, Arts and Culture Committee on November 26, 2018.

On November 28, 2018, this item was deferred by Councilmember Philip T. Kingston.

FISCAL INFORMATION

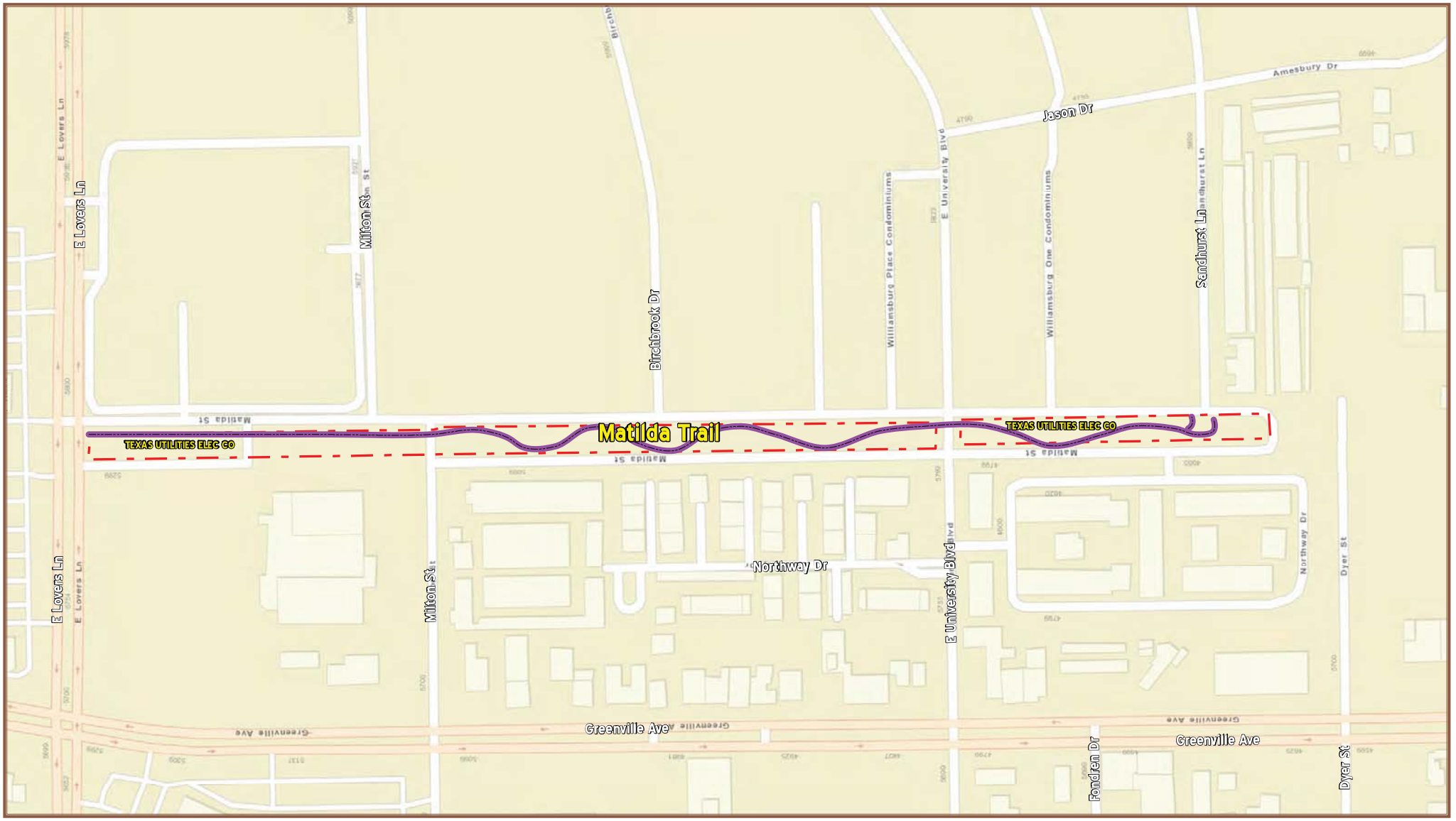
Revenue: $30,000.00

MAP

powered by Legistar™

Attached

powered by Legistar™



0 100 200 400 600 Feet

1 in = 200 ft

Dallas Park & Recreation

Matilda Trail
(E Lovers Ln and Matilda St)

Mapsco
36 B,F

District
14

WHEREAS, the City Charter provides for the Park and Recreation Board to grant contracts and agreements within park facilities with such terms and conditions as it shall deem proper; and

WHEREAS, the City of Dallas Park and Recreation Department (City) and Lincoln LAG LTD. (Lincoln) and HEB Grocery Company, LP (HEB) desire to enter into a development and maintenance agreement for the purpose of constructing the Matilda Trail, an enhanced sidewalk, hike and bike trail, and appurtenances located at East Lovers Lane and Matilda Street as shown in Exhibit A; and

WHEREAS, the alignment of the Matilda Trail, identified in the 2008 Dallas Trail Network Plan, is an important connection to the University Crossing Trail and construction of the trail will serve many residents as an alternative transportation option; and

WHEREAS, upon completion of the Matilda Trail, Lincoln and HEB shall pay an endowment in an amount not to exceed $30,000.00 for maintenance of the trail until the beginning of the fiscal year in which the trail is accepted by the City; and

WHEREAS, the City desires to have Lincoln and HEB provide development and maintenance of such improvements for the use and enjoyment of all City of Dallas citizens.

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 development and maintenance agreement with Lincoln LAG LTD. and HEB Grocery Company, LP, approved as to form by the City Attorney, for the purpose of constructing the Matilda Trail, an enhanced sidewalk, hike and bike trail, and appurtenances located at East Lovers Lane and Matilda Street.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a development and maintenance agreement with Lincoln LAG LTD. and HEB Grocery Company, LP, approved as to form by the City Attorney.

SECTION 3. That the duration of the agreement shall be from execution of the agreement to completion and acceptance of the trail by the City and payment to the City by Lincoln/HEB in an amount not to exceed $30,000.00 into a maintenance endowment fund.

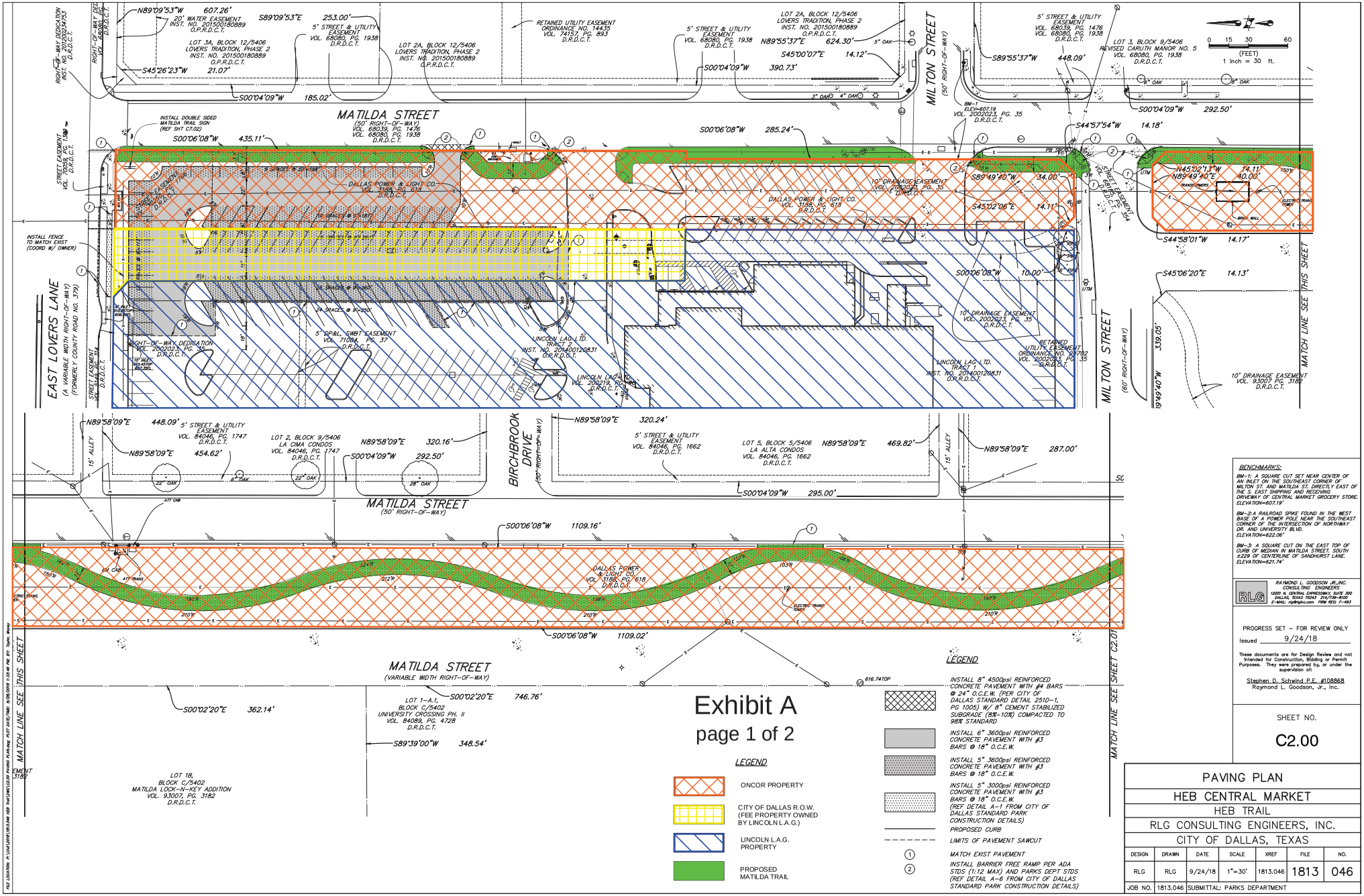
SECTION 4. That the Chief Financial Officer is hereby authorized to receive and deposit endowment funds from Lincoln and HEB in an amount not to exceed of $30,000.00 in the Mowmentum Park Improvement Fund, Fund 0T80, Department PKR, Unit T110, Revenue Code 8411.

SECTION 5. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed $30,000.00 in the Mowmentum Park Improvement Fund, Fund 0T80, Department PKR, Unit T110, Object 3099.

SECTION 6. That the Chief Financial Officer is hereby authorized to disburse endowment funds in an amount not to exceed $30,000.00 from the Mowmentum Park Improvement Fund, Fund 0T80, Department PKR, Unit T110, Object 3099, in accordance with the terms and conditions of the development and maintenance agreement.

SECTION 7. That this contract is designated as Contract No. PKR-2019-00008233.

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.



BENCHMARKS:

BM-1: A SQUARE CUT SET NEAR CENTER OF AN INLET ON THE SOUTHEAST CORNER OF MILTON ST. AND MATILDA ST. DIRECTLY EAST OF THE S. EAST SHAPPING AND RECEIVING DRIVEWAY OF CENTRAL MARKET GROCERY STORE. ELEVATION=607.19'

BM-2: A RAILROAD SPIKE FOUND IN THE WEST BASE OF A POWER POLE NEAR THE SOUTHEAST CORNER OF THE INTERSECTION OF NORTHWAY DR. AND UNIVERSITY BLVD. ELEVATION=622.06'

BM-3: A SQUARE CUT ON THE EAST TOP OF CURB OF MEDIAN IN MATILDA STREET, SOUTH ±229' OF CENTERLINE OF SANDHURST LANE. ELEVATION=621.74'

RAYMOND L. GOODSON JR., INC.
CONSULTING ENGINEERS
12001 N. CENTRAL EXPRESSWAY, SUITE 300
DALLAS, TEXAS 75243 214/739-8100
E-MAIL: rlg@rlginc.com FIRM REG. F-483

PROGRESS SET – FOR REVIEW ONLY
Issued 9/24/18

These documents are for Design Review and not Intended for Construction, Bidding or Permit Purposes. They were prepared by, or under the supervision of:

Stephen D. Schwind P.E. #108868
Raymond L. Goodson, Jr., Inc.

SHEET NO.
C2.00

PAVING PLAN
HEB CENTRAL MARKET
HEB TRAIL
RLG CONSULTING ENGINEERS, INC.
CITY OF DALLAS, TEXAS

DESIGN	DRAWN	DATE	SCALE	XREF	FILE	NO.
RLG	RLG	9/24/18	1"=30'	1813.046	1813	046

JOB NO. 1813.046 SUBMITTAL: PARKS DEPARTMENT

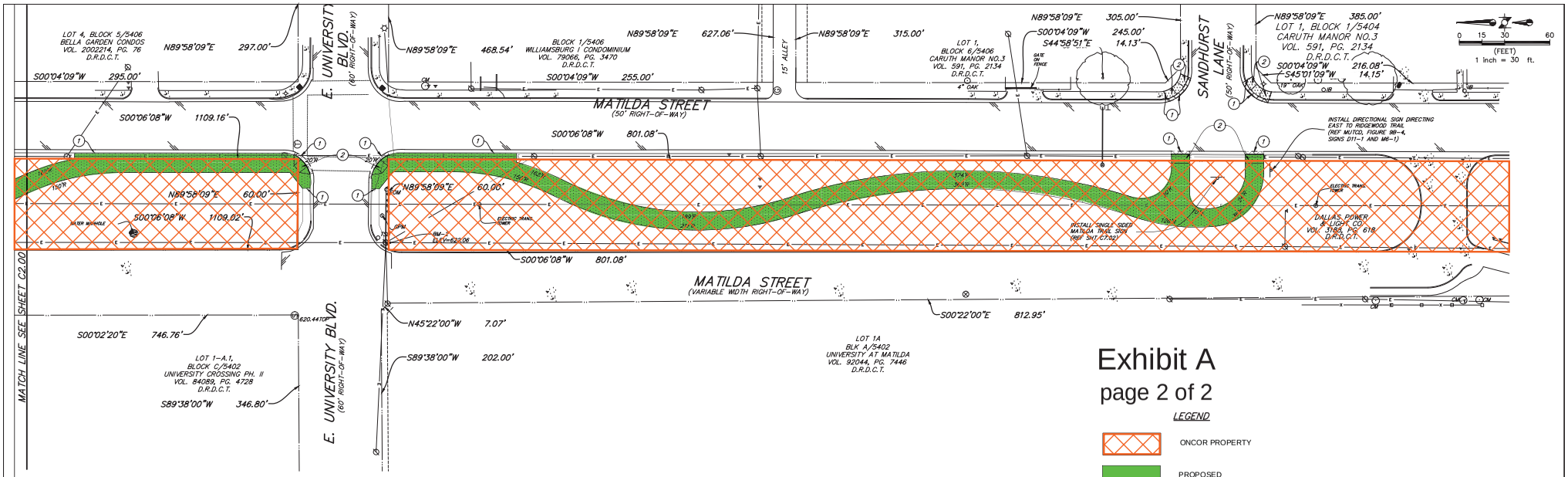


Exhibit A

page 2 of 2

LEGEND

- ONCOR PROPERTY
- PROPOSED MATILDA TRAIL

PAVING GENERAL NOTES

1. All materials and workmanship shall conform to the City of Dallas standards and specifications, and to the Standard Specifications for Public Works Construction for North Central Texas prepared by the North Texas Council of Governments, latest edition and the City of Dallas addendum thereto.
2. The paving contractor shall be responsible for the adjustment of water and sanitary sewer appurtenances in accordance with the standard details and specifications of the City of Dallas.
3. Subgrade shall be scarified to depth of at least 6" and compacted to 95% percent of Standard Proctor density (ASTM D 698) at 95% of the materials optimum moisture content. The subgrade shall be in a moist condition at the time concrete is deposited thereon.
4. Dummy joints should be formed by one of the following methods: sawed, hand-formed or formed by premolded filler. Joint depth should be equal to one-fourth (1/4) of the slab thickness. Hand formed joints should have a maximum edge radius of one-fourth (1/4) inch. Sawing of joints should begin as soon as the concrete has hardened sufficiently to permit sawing without excessive raveling. All joints should be completed before uncontrolled shrinkage cracking occurs. Joints should be continuous across the slab unless interrupted by full-depth premolded joint filler and should extend completely through the curb. All joint openings shall be cleaned and sealed before opening paved area to traffic.

Expansion Joints	90' max joint spacing
Sawed Joints	17' for 7" pavement
Sawed Joints	15' for 6" pavement
Sawed Joints	12' for 5" pavement
Construction Joints	Located at sawed joints or Expansion joints

5. Expansion joints or isolation joints shall be used to isolate fixed objects abutting or within the paved area. They should contain premolded joint filler for the full depth of the slab.
6. All dimensions are to face of curb unless otherwise noted.
7. All concrete shall be Class "C" concrete and have a min. compressive strength of 3600 psi at 28 days, and a minimum of 5% air entrained unless otherwise noted.
8. Contractor shall obtain and pay for all permits required.
9. Contractor shall dispose of surplus dirt, debris, etc., legally offsite. All work areas shall be cleaned up at the completion of the work.
10. Surface finishing shall be skid resistant, a liquid curing compound shall be uniformly sprayed on the concrete immediately after the finishing operation.
11. Contractor shall provide all safety devices for the protection of the public.
12. All parking stalls to be marked by a 4" wide painted white stripe as indicated on the drawings.
13. The use of fly ash in concrete will not be allowed.
14. Concrete pavement and structures shall be backfilled as soon as possible after forms are removed.
15. Fire lanes shall be marked by six (6) inch wide lines using red traffic paint, with the wording "No Parking" and "Fire Lane" painted on the lines at intervals of fifteen (15) feet and lettering will be four (4) inches high and one (1) inch wide painted with white traffic paint or as required by the City.
16. All Barrier Free Ramps (BFR) must meet current American Disability Act (ADA) and Texas Accessibility Standard (TAS) requirements for slope, surface finish, and color.

LEGEND

- INSTALL 8" 4500psi REINFORCED CONCRETE PAVEMENT WITH #4 BARS @ 24" O.C.E.W. (PER CITY OF DALLAS STANDARD DETAIL 2510-1, PG 1005) W/ 8" CEMENT STABILIZED SUBGRADE (8%-10%) COMPACTED TO 98% STANDARD
- INSTALL 6" 3600psi REINFORCED CONCRETE PAVEMENT WITH #3 BARS @ 18" O.C.E.W.
- INSTALL 5" 3600psi REINFORCED CONCRETE PAVEMENT WITH #3 BARS @ 18" O.C.E.W.
- INSTALL 5" 3000psi REINFORCED CONCRETE PAVEMENT WITH #3 BARS @ 18" O.C.E.W. (REF DETAIL A-1 FROM CITY OF DALLAS STANDARD PARK CONSTRUCTION DETAILS)
- PROPOSED CURB
- LIMITS OF PAVEMENT SAWCUT
- (1) MATCH EXIST PAVEMENT
- (2) INSTALL BARRIER FREE RAMP PER ADA STDS (1:12 MAX) AND PARKS DEPT STDS (REF DETAIL A-6 FROM CITY OF DALLAS STANDARD PARK CONSTRUCTION DETAILS)

BENCHMARKS:

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PROGRESS SET – FOR REVIEW ONLY
Issued 9/24/18

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Stephen D. Schwind P.E. #108868
Raymond L. Goodson, Jr., Inc.

SHEET NO.
C2.01

PAVING PLAN						
HEB CENTRAL MARKET						
HEB TRAIL						
RLG CONSULTING ENGINEERS, INC.						
CITY OF DALLAS, TEXAS						
DESIGN	DRAWN	DATE	SCALE	XREF	FILE	NO.
RLG	RLG	9/24/18	1"=30'	1813.046	1813	046
JOB NO.	1813.046	SUBMITTAL: PARKS DEPARTMENT				

FILE LOCATION: P:\CAD\1813\1813.046 HEB TRAIL\DWG\EXCEL PAVING PLAN.dwg PLOT DATE/TIME: 9/25/2018 1:58:49 PM BY: Taylor Mowry

Agenda Information Sheet

File #: 18-1362 **Item #:** 87.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 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 an MF-2(A) Multifamily Subdistrict on property zoned a P(A) Parking Subdistrict within Planned Development No. 595, the South Dallas/Fair Park Special Purpose District, on the southwest side of Cleveland Street, north of South Lamar Street
Recommendation of Staff and CPC: Approval
Z178-256(CY)

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HONORABLE MAYOR AND CITY COUNCIL WEDNESDAY, DECEMBER 12, 2018

ACM: Majed Al-Ghafry

FILE NUMBER: Z178-256(CY) **DATE FILED:** May 24, 2018

LOCATION: Southwest side of Cleveland Street, north of South Lamar Street

COUNCIL DISTRICT: 7 **MAPSCO:** 56 A

SIZE OF REQUEST: Approx. 1.0789 acres **CENSUS TRACT:** 40.00

OWNER/APPLICANT: BMH Asbuilt of Texas, USA

REPRESENTATIVE: Brad Friedman/Michael Przekwas

REQUEST: An application for an MF-2(A) Multifamily Subdistrict on property zoned a P(A) Parking Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District.

SUMMARY: The applicant proposes to change the zoning to redevelop the site with 19 townhomes.

CPC RECOMMENDATION: **Approval**

STAFF RECOMMENDATION: **Approval**

BACKGROUND INFORMATION:

- The approximate 1.08–acre site is zoned a P(A) Parking District within Planned Development District No. 595 and it is currently developed with surface parking.

- Staff was unable to determine when the P(A) District was established. The 1971 zoning maps indicate the site was zoned a Parking District at that time and historical aerial images indicate the area of request was developed with a parking lot as early as 1956.

- The Dallas Development Code, as amended establishes that a P(A) Parking District must be either contiguous to or perpendicularly across an adjoining street or alley from a main use.

- No records of parking agreements, were found at Building Inspections nor the Dallas County that could indicate what main use the P(A) District could be serving.

- Research of surrounding properties resulted in no indication that there is a parking agreement with the subject site to provide required parking for any of the uses.

Zoning History: There have been three zoning changes in the vicinity during the last five years.

1. **Z134-196**. On August 13, 2014, City Council approved an RS-MU(E) Regional Service Mixed Use Enhanced Subdistrict within PD No, 595 on property located on the south side of South Lamar Street between Lenway Street and McDonald Street, south of the area of request.

2. **Z145-182** On Thursday, April 2, 2015, the City Plan Commission recommended denial of an application for a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement inside limited to a dance hall on property zoned Tract 9, CC Community Commercial Subdistrict within PD No. 595 on property located on the west side of Julius Schepps Freeway at the terminus of Hamburg Street, northeast of the area of request.

3. **Z178-144** On February 15, 2018, City Plan Commission recommended denial without prejudice of an application for a Specific Use Permit for an auto service center on property zoned a CC Community Commercial Subdistrict within PD No. 595 located on the east corner of South Lamar Street and Loomis Avenue, southeast of the area of request.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Required ROW
South Lamar Street	Principal Arterial	100’
Cleveland Street	Minor Arterial	48’

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.

The request complies with the following land use goals and policies of the Comprehensive Plan:

LAND USE ELEMENT

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.

AREA PLAN:

Trinity River Corridor Land Use Plan

The subject site is located within the North Trinity Forest planning district of the Trinity River Corridor Land Use Plan adopted in March 2005 and revised in December 2009. The plan establishes Preferred Land Use Plans that apply to each one of the seven planning districts in which the study area was divided. The area plan also created Land Use Opportunity Plans that reflect specific opportunities that can be expected in the Trinity River Corridor based upon a market response to the capital improvements in the Trinity River Corridor Project. These maps also express the land uses desired for the corridor by stakeholders who participated in the study.

The Preferred Land Use Plan for the North Trinity Forest District identifies the area of request within a Residential Traditional corridor module that would support existing neighborhoods such as Skyline Heights, Magna Vista and Rochester Park among others.

The area of request is located in the South Lamar Study Area within the North Trinity Forest Planning District. The Land Use Opportunity Plan for the South Lamar study area focuses mainly on the east side of I-45, proposing non-residential uses that could benefit from good transportation offering the potential for economic development and revitalization.

For the west side of I-45, where the subject site is located, the Urban Design Framework Plan for South Lamar provides new roadways and streetscape improvements in the Lamar Center, a prototype site located to the southeast of the area of request that was developed to propose the transformation of an area along South Lamar Street known for its scrap metal yards and obsolete uses and provide for a desirable community. In addition, a major gateway is planned at the interchange of IH-45 and South Lamar Street, also southeast of the area of request.

Land Use:

	Subdistrict within PD No. 595	Land Use
Site	P(A) Parking	Parking Lot
North	MF-2(A) Multifamily	Church, Single Family, Undeveloped land
East	CC (Tr.7) Community Commercial, MF-2(A) Multifamily	General Merchandise, Undeveloped land, Single-Family.
South	RS-MU(E) Regional Service Mixed-Use Enhanced	Office/Warehouse
West	CC (Tr.5) Community Commercial, MF-2(A) Multifamily	Commercial Amusement Inside, Undeveloped Land, Retirement Housing.

Land Use Compatibility:

The approximate 1.08-acre site is zoned subdistrict P(A) Parking within Planned Development No. 595, the South Dallas/Fair Park Special Purpose District and is developed with a parking lot.

Surrounding uses include single-family dwelling, duplex and a church to the north and northeast across Cleveland Street; additional single-family dwelling uses, scattered undeveloped tracts of land, a retirement housing use and a commercial amusement inside establishment are found to the northwest and to the west; directly adjacent to east of the area of request is a general merchandise store, followed by an auto service center further east and more single-family dwelling and undeveloped land. To the south of the site, across South Lamar Street, is a former manufacturing facility, now operating as an office warehouse by the Dallas Independent School District.

Sec. 51A-4.302 of the Dallas Development Code, as amended, states that a parking district must be contiguous to or perpendicularly across an adjoining street or alley from a main use. The certificate of occupancies issued to those non-residential uses contiguous and perpendicularly across the area of request, do not indicate that there are any parking agreements with the subject site to provide required off-street parking through the existing P(A) District.

The owner proposes to change the zoning from a P(A) Parking subdistrict to an MF-2(A) Multifamily subdistrict and redevelop the site with 19 townhome units. The current zoning does not allow for any residential uses.

The request for the zoning change to develop the site with residential uses is consistent with the surrounding zoning that includes MF-2(A) subdistrict that expands for several blocks to the west and to the north with potential to develop more residential uses in the currently undeveloped tracts of land scattered in the area: a CH(A) district to the northeast that has been fully developed with detached single-family structures and an MF-2(A) subdistrict directly to the east. The proposed zoning change is foreseen to contribute to the creation of a well-defined block of residential subdistricts by integrating the existing residential subdistricts surrounding the subject site and providing additional housing opportunities for the area.

Market Value Analysis

Market Value Analysis (MVA), 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. The area of request is not within an identifiable MVA Category; however, it is in proximity to an "E" MVA Cluster to the north, across Cleveland Street and to the west.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Size	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear						
Existing: P(A)	10' when contiguous to residential subdistrict	-	-	-		-	Screening from adjoining residential properties	Parking
Proposed :MF-2(A)	15'	No min. for SFD, 5' for Duplex, 10' for other structures	No maximum	36'	Min.Lot: 1,000sf 800sf-E 1,000sf- 1BR 1,200sf- 2BR =150sf each add BR	60% for residential uses, 50% for non-residential uses	Proximity Slope (1:3 slope)	Single Family, Duplex and Multifamily

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.

Prior CPC Action – October 18, 2018

Z178-256(CY) Planner: Carolina Yumet

Motion: It was moved to recommend **approval** of an MF-2(A) Multifamily Subdistrict on property zoned a P(A) Parking Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the southwest side of Cleveland Street, north of South Lamar Street.

Maker: Davis
Second: Carpenter
Result: Carried: 12 to 0

For: 12 - West, Rieves, Davis, Shidid*, Carpenter, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Lewis
Vacancy: 2 - District 3, District 7

*out of the room, shown voting in favor

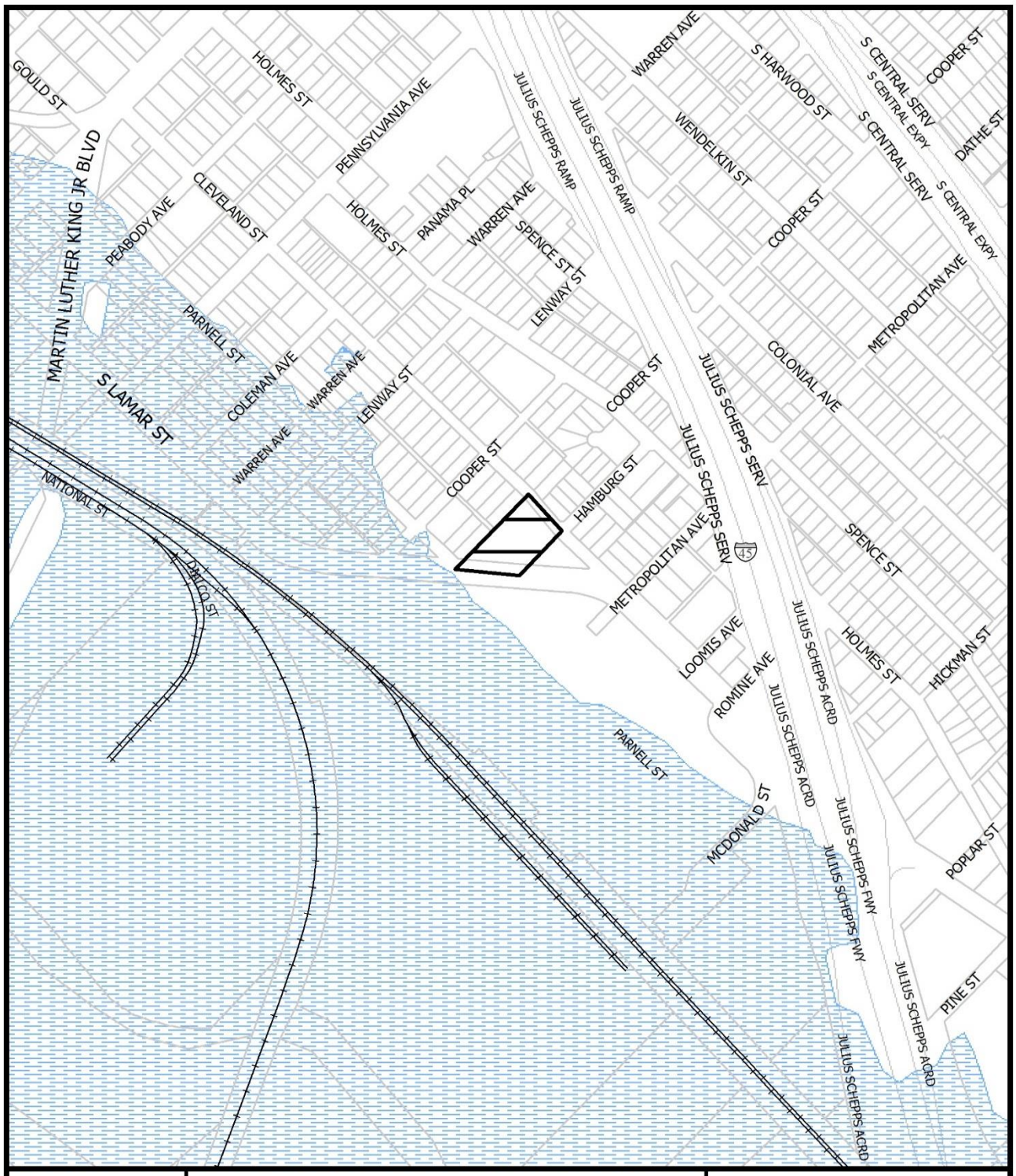
Notices: Area: 300 Mailed: 45
Replies: For: 0 Against: 0

Speakers: For: None
For (Did not speak): Brad Friedman, 3621 Cleveland St., Dallas, TX, 75215
Aria Mahboubi, 11812 Flamingo Ln., Dallas, TX, 75218
Against: None

List of Officers

BMH AS BUILT USA

- Saeed Mahboubi President
- Mohammed Rahel Zafar VP Residential Construction
- Rick Karlos VP Commercial Construction
- Christina Vera VP Administration.



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VICINITY MAP

Case no: Z178-256

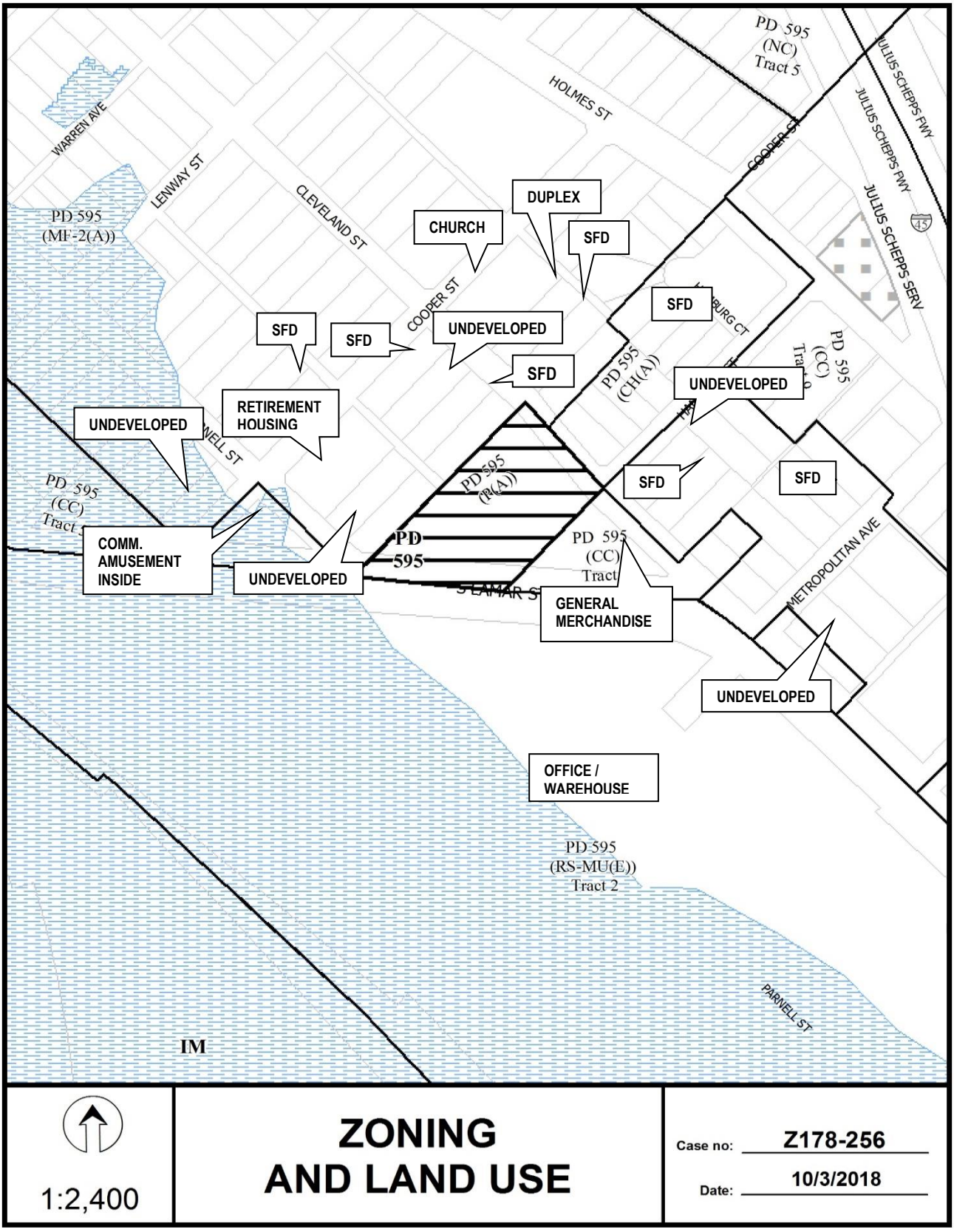
Date: 10/3/2018

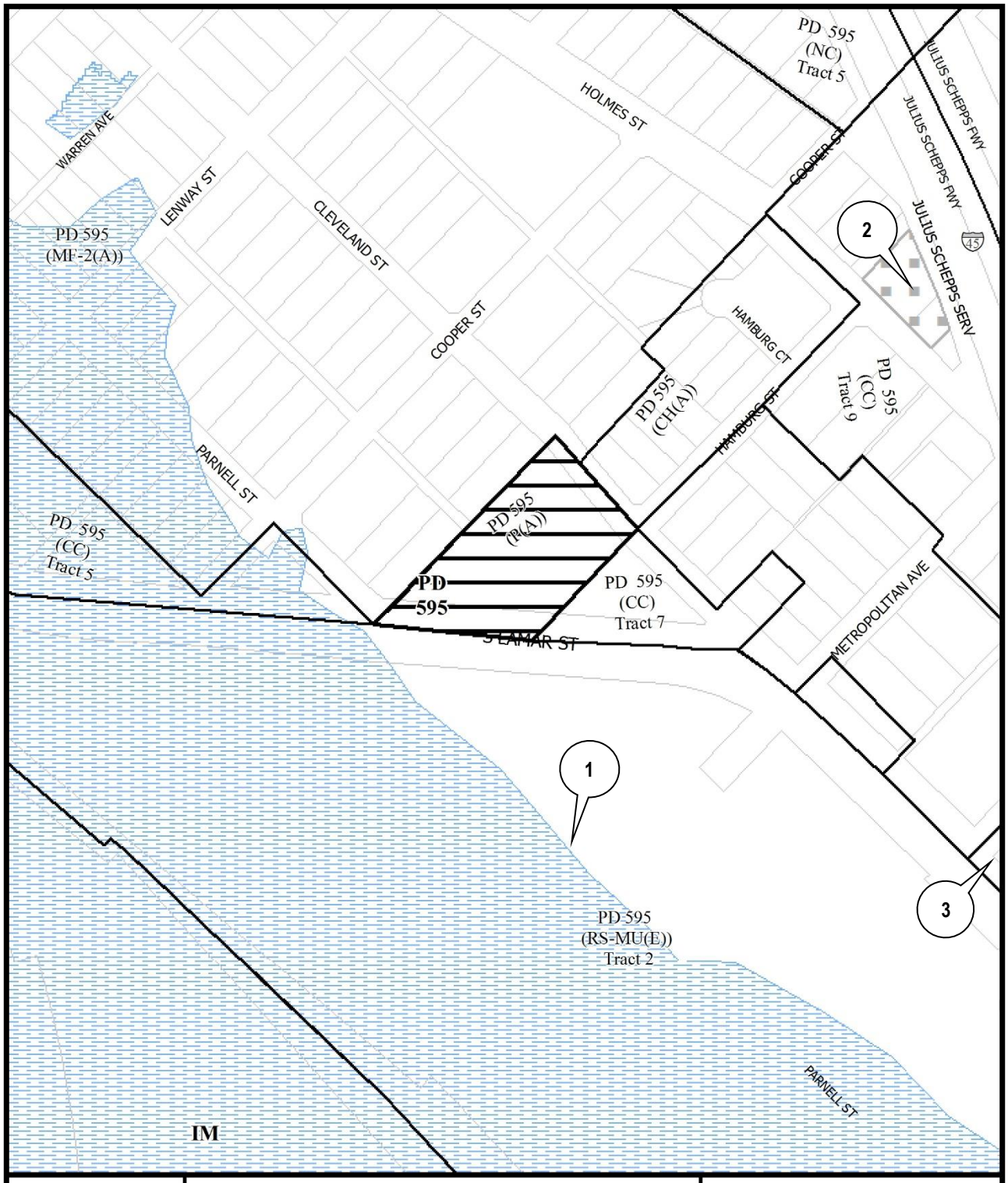
1:2,400

AERIAL MAP

Case no: Z178-256

Date: 10/3/2018


PD 595 (NC) Tract 5
HOLMES ST
WARREN AVE
LENWAY ST
CLEVELAND ST
COOPER ST
JULIUS SCHEPPS FWY
JULIUS SCHEPPS SERV
PD 595 (MF-2(A))
DUPLEX
CHURCH
SFD
SFD
SFD
SFD
SFD
UNDEVELOPED
UNDEVELOPED
RETIREMENT HOUSING
PD 595 (CH(A))
PD 595 (CC) Tract
PD 595 (P(A))
PD 595
PD 595 (CC) Tract
COMM. AMUSEMENT INSIDE
UNDEVELOPED
S LAMAR ST
GENERAL MERCHANDISE
METROPOLITAN AVE
UNDEVELOPED
OFFICE / WAREHOUSE
PD 595 (RS-MU(E)) Tract 2
PARNELL ST
IM
1:2,400
ZONING AND LAND USE
Case no: Z178-256
Date: 10/3/2018


PD 595 (NC) Tract 5
HOLMES ST
JULIUS SCHEPPS FWY
COOPER ST
WARREN AVE
LENWAY ST
CLEVELAND ST
PD 595 (MF-2(A))
JULIUS SCHEPPS SERV
2
HAMBURG CT
PD 595 (CH(A))
HAMBURG ST
PD 595 (CC) Tract 9
PARNELL ST
PD 595 (PD(A))
PD 595 (CC) Tract 5
PD 595
PD 595 (CC) Tract 7
S LAMAR ST
METROPOLITAN AVE
1
3
PD 595 (RS-MU(E)) Tract 2
IM
1:2,400
ZONING HISTORY
Case no: Z178-256
Date: 10/3/2018

CPC RESPONSES
COLEMAN AVE
WARREN AVE
LENWAY ST
CLEVELAND ST
SPENCE ST
JULIUS SCHEPPS FWY
JULIUS SCHEPPS SERV
HOLMES ST
HAMBURG CT
HAMBURG ST
PARNELL ST
COOPER ST
LAMAR ST
METROPOLITAN AVE
LOOMIS AVE
PARNELL ST
45 Property Owners Notified (48 parcels)
0 Replies in Favor (0 parcels)
0 Replies in Opposition (0 parcels)
300' Area of Notification
10/18/2018 Date
Z178-256
CPC
N
W
E
S
1:2,400

10/17/2018

Reply List of Property Owners

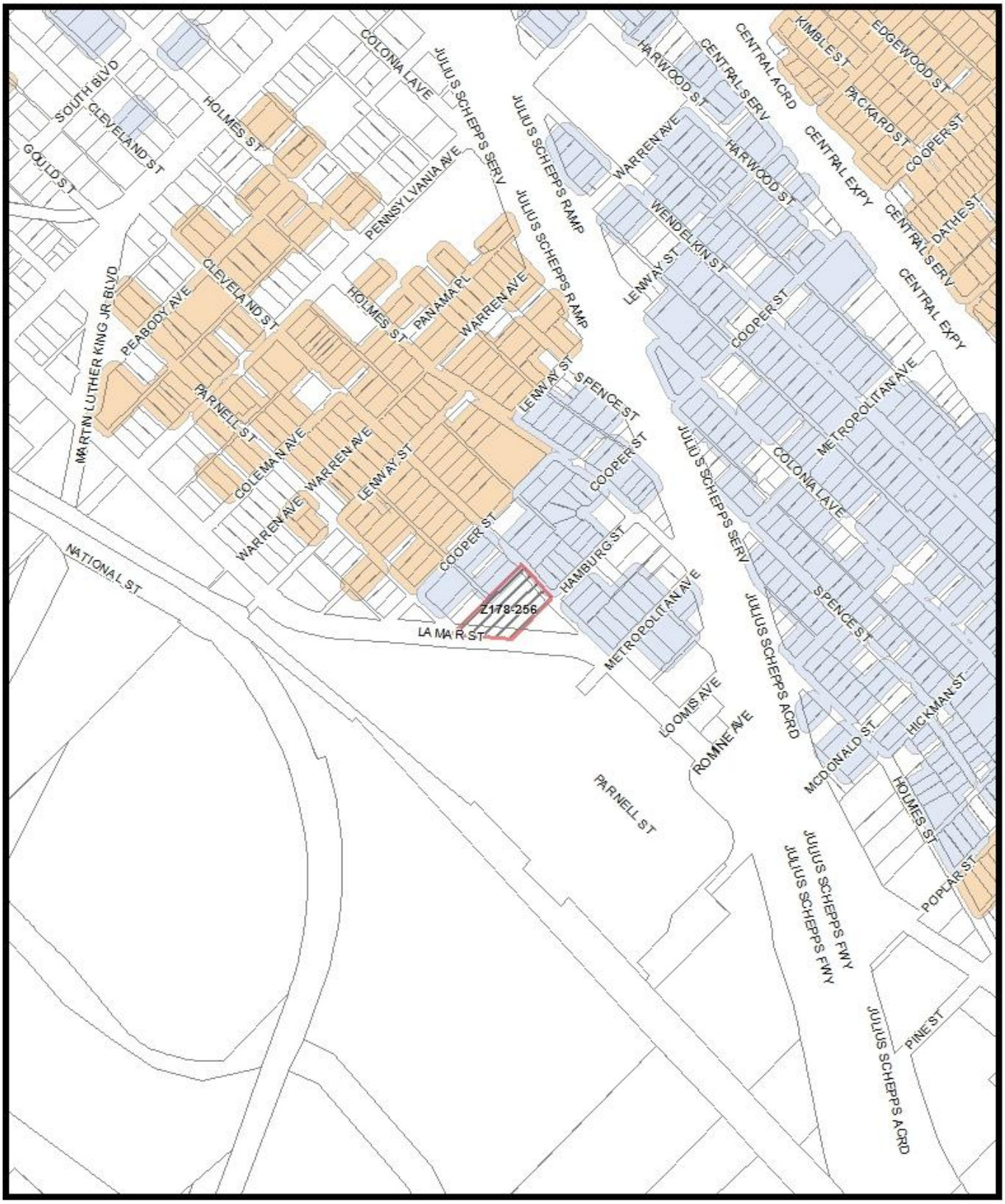
Z178-256

45 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	3701	S LAMAR ST	Dallas ISD
	2	3527	PARNELL ST	FOREST HEIGHT NEIGHBORHOOD
	3	3531	PARNELL ST	ST PHILIPS SCHOOL &
	4	3520	S LAMAR ST	HANEY GEORGE C
	5	3525	CLEVELAND ST	D&D PROPERTIES
	6	3526	PARNELL ST	SMITH RUBY
	7	3530	PARNELL ST	SELMA VENTURES LTD
	8	3606	S LAMAR ST	HALL JAMES &
	9	3601	CLEVELAND ST	CRUZ DELMI
	10	3605	CLEVELAND ST	FOREST HEIGHTS NEIGHBORHOOD
	11	3609	CLEVELAND ST	DAMASCUS MISSIONARY
	12	3615	CLEVELAND ST	KING MARY FERRELL
	13	3614	PARNELL ST	WESS WILLIE
	14	3612	PARNELL ST	FOREST HEIGHTS NEIGHBORHOOD DEV CORP
	15	3607	HOLMES ST	MALONE JOSEPH L TRUSTEE &
	16	3600	CLEVELAND ST	DAMASCUS BAPT CHURCH
	17	3650	S LAMAR ST	MARIGOS MIKE
	18	3618	CLEVELAND ST	ELIJAH & ASSOC ENT INC
	19	1407	METROPOLITAN AVE	COLEMAN ALTON & BARBARA
	20	1409	METROPOLITAN AVE	WOODS GARY
	21	3634	CLEVELAND ST	EARLE DEVAN &
	22	3642	CLEVELAND ST	BATES DEBORAH
	23	3645	HOLMES ST	HIRSCH LINDA R ET AL
	24	3639	HOLMES ST	HIRSCH LINDA R ET AL
	25	3639	HOLMES ST	REISBERG HEDY M TRUST
	26	1412	HAMBURG ST	BUTNER IVALEE

10/17/2018

Reply	*Label #*	*Address*		*Owner*
	27	3638	CLEVELAND ST	HILL WILBUR JR
	28	1401	METROPOLITAN AVE	GARRETT VERONICA &
	29	1416	HAMBURG ST	BUTNER IVA LEE
	30	1417	METROPOLITAN AVE	PLINDSEY PROPERTIES LLC
	31	1415	METROPOLITAN AVE	W&G INVESTMENT GROUP LLC
	32	1407	COOPER ST	FOREST HEIGHTS NEIGHBORHOOD
	33	3616	CLEVELAND ST	HARRIS & HARRIS PPTIES LLC
	34	1418	COOPER ST	HAWKINS SHIRLEY
	35	1600	HAMBURG ST	HANA & EUGENE INVS CORP
	36	3611	HAMBURG CT	EMPY CLIFTON JR &
	37	3615	HAMBURG CT	CASTILLO AURELIO
	38	3619	HAMBURG CT	MADDOX ALISIA L
	39	3623	HAMBURG CT	WU YIWEI
	40	3627	HAMBURG CT	BAKER ELIZABETH
	41	3631	HAMBURG CT	GIPSON MICHAEL W
	42	1417	HAMBURG ST	NDAYIRORERE CONSILLIE &
	43	1413	HAMBURG ST	SAY GONZALO & MARTHA
	44	1409	HAMBURG ST	BONAT & KINO PROPERTIES LLC
	45	1405	HAMBURG ST	1405 HAMBURG TRUST


Z178-256
MVA Cluster A B C D E F G H I NA
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Market Value Analysis
Printed Date: 10/4/2018

Agenda Information Sheet

File #: 18-1363 **Item #:** 88.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 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 an amendment to Planned Development District No. 823, on the east side of South Lancaster Road, north of 52nd Street
Recommendation of Staff and CPC: Approval, subject to a revised development/landscape plan, a revised traffic management plan, and conditions
Z178-259(JM)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, DECEMBER 12, 2018**

ACM: Majed Al-Ghafry

FILE NUMBER: Z178-259(JM) **DATE FILED:** May 18, 2018

LOCATION: East side of South Lancaster Road, north of 52nd Street

COUNCIL DISTRICT: 3 **MAPSCO:** 65 G; H

SIZE OF REQUEST: Approx. 7.812 Acres **CENSUS TRACT:** 87.04

APPLICANT/OWNER: Dallas Independent School District

REPRESENTATIVE: Karl Crawley, Masterplan

REQUEST: An application for an amendment to Planned Development District No. 823.

SUMMARY: The proposed request will allow for B.F. Darrell High School to transition from the Barack Obama Male Leadership Academy to the New Tech High School. This will include a 6,000-square-foot addition of multi-purpose floor area including a storm shelter. Four new classrooms will replace existing classrooms; thereby, yielding no increase in the overall number of classrooms. Parking and driveways are being reconfigured to improve traffic operations. A parking reduction is also requested for the high school use.

CPC RECOMMENDATION: **Approval**, subject to a revised development/landscape plan, a revised traffic management plan, and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a revised development/landscape plan, a revised traffic management plan, and conditions.

BACKGROUND INFORMATION:

- PD No. 823 was established in 2010 and contains 7.812 acres for a public school other than an open-enrollment charter school. The PD area contains the Barack Obama Male Leadership Academy at B.F. Darrell High School and functions as both a middle and high school.

- The current request will allow for the Barack Obama Male Leadership Academy to trade places with the New Tech High School at the B.F. Darrell High School facility. This will include a 6,000-square-foot addition of multi-purpose floor area including a storm shelter. Four new classrooms will replace existing classrooms; thereby, yielding no increase in the overall number of classrooms. Parking and driveways are being reconfigured to improve traffic operations, as well.

- A reduction in parking is requested to park the high school at a ratio of seven parking spaces per classroom, rather than the Development Code standard of nine and one-half spaces per classroom.

Zoning History: There have been no recent zoning requests within the area in the last five years.

Traffic:

The Engineering Division of the Sustainable Development and Construction Department reviewed the proposed revisions to the traffic management plan. The proposed addition will replace an existing basketball court. Additionally, 18 new parking spaces are provided to the east. Overall, operations will not significantly change. The bus queue has been reduced from eight to seven. The revised TMP found that the parent queueing was insufficient with 47 spaces existing, 71 projected from observations, and a capacity of 94 projected by the new plan. Engineering staff has deemed the revised plan acceptable.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
S. Lancaster Road	Principal Arterial	80 feet	80 feet

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 proposed zoning request meets the following goals and objectives of the comprehensive plan:

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. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

1.1.5.7 Ensure that neighborhoods are served by and accessible to neighborhood commercial areas, parks and open space, libraries and schools.

Surrounding Land Uses:

	Zoning	Land Use
Site	PD No. 823 for Public School	Barack Obama Male Leadership Academy at B.F. Darrell High School
North	PD No. 855 and R-7.5(A) w/SUP No. 173	Undeveloped Land and Hospital
East	R-7.5(A) w/SUP No. 173	Surface Parking for the Hospital
South	R-7.5(A), MF-2(A), CR	Single Family, Multifamily, Retail and Personal Service
West	PD No. 855 and CR	Retail and Personal Service

Land Use Compatibility:

Surrounding land uses consist of a hospital [Dallas VA Medical Center] and undeveloped land to the north; surface parking for the hospital to the east; single family, multifamily, and retail and personal service uses to the south; and retail and personal service uses to the west, across S. Lancaster Road.

According to DCAD and City records, the existing high school was erected in 2011, and contains approximately 74,259 square feet of floor area. The current request is to allow for a 6,000-square-foot addition. A multi-purpose floor area including a storm shelter and four new classrooms will replace existing classrooms leaving the total number of high school classrooms provided at 18.

The B.F. Darrell High School currently hosts the Barack Obama Male Leadership Academy, a school for middle and high school students. The Academy is switching places with the New Tech High School which is currently located within A. Maceo Smith High School [3030 Stag Road], about two miles east of the site. The schools are switching locations to allow the Academy additional space to continue to grow. The existing B.F. Darrell High School campus is more suitable in size for the New Tech High

School. The proposal will allow the B.F. Darrell campus to be retrofitted to suit the needs of the New Tech High School.

The site will continue to operate as a school, but now only for high school. Overall, the use is the same since the site currently serves middle and high school grades. The school will continue to contribute to the neighborhood by offering a new school option adjacent to residential areas.

Market Value Analysis

Market Value Analysis (MVA), 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. While the subject site is not located within an identified market type category, it is closest to Category G abutting the site to the south, and Category I across South Lancaster Road to the west.

Parking:

A public school other than an open-enrollment charter school use is required to provide nine and one-half parking spaces for each senior high school classroom. The high school has 18 classrooms; therefore, 171 parking spaces are required. However, a reduction in parking is requested to allow the high school to provide seven parking spaces per classroom rather than nine and one-half parking spaces per classroom. Observations of the New Tech High School from the existing location at A. Maceo Smith High School [3030 Stag Road] provide a parking demand of 111 parking spaces. With no increase in the number of classrooms, the parking demand is expected to remain. The B.F. Darrell campus has 127 parking spaces with the new configuration proposed, and with the request to provide seven parking spaces per classroom with a maximum of 18 classrooms, (total required at seven per classroom is 126), and the site provides sufficient parking. Additionally, a DART Station [VA Medical Center Station] is located a third of a mile to the northwest, across S. Lancaster Road. According to the TMP provided, an estimated seven percent of students will arrive at school by alternative means, including by taking the DART, located approximately 700 feet north of the site.

Landscaping:

Landscaping will be provided per the revised development and landscape plan. The plan was reviewed by the City Arborist and found to be in compliance with the intent of Article X. Overall, six Chinese Pistache trees along the southern boundary of the site are being replaced with four Live Oak trees.

CPC Action
November 1, 2018

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 823, subject to a revised development/landscape plan, a revised traffic management plan, and conditions on the east side of South Lancaster Road, north of 52nd Street.

Maker: Schultz
Second: West
Result: Carried: 13 to 0

For: 13 - West, Rieves, Davis, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 3, District 7

Notices: Area: 500 Mailed: 111
Replies: For: 3 Against: 1

Speakers: For: Lindsey Kramer, 900 Jackson St., Dallas, TX,
Hunter Lemley, 7557 Rambler Rd., Dallas, TX, 75231

Against: None

List of Owners

DALLAS INDEPENDENT SCHOOL DISTRICT

BOARD OF TRUSTEES

District 1	Edwin Flores, 1st Vice President
District 2	Dustin Marshall
District 3	Dan Micciche, President
District 4	Jaime Resendez
District 5	Lew Blackburn, Ph.D.
District 6	Joyce Foreman, 2nd Vice President
District 7	Audrey Pinkerton, Board Secretary
District 8	Miguel Solis
District 9	Bernadette Nutall

Z178-259

CPC Recommended Amending Conditions

ARTICLE 823.

PD 823.

SEC. 51P-823.101. LEGISLATIVE HISTORY.

PD 823 was established by Ordinance No. 27858, passed by the Dallas City Council on April 28, 2010. (Ord. 27858)

SEC. 51P-823.102. PROPERTY LOCATION AND SIZE.

PD 823 is established on property located approximately 260 feet north of the intersection of Lancaster Road and 52nd Street. The size of PD 823 is approximately 7.812 acres. (Ord. 27858)

SEC. 51P-823.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(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 residential zoning district. (Ord. 27858)

SEC. 51P-823.104. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 823A: development and landscape plan.

(2) Exhibit 823B: traffic management plan. (Ord. 27858)

SEC. 51P-823.105. DEVELOPMENT PLAN.

(a) For a public school other than an open-enrollment charter school, development and use of the Property must comply with the development and landscape plan (Exhibit 823A). If there is a conflict between the text of this article and the development and landscape plan, the text of this article controls.

(b) For all other uses, 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. 27858)

SEC. 51P-823.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the R-7.5(A) Single Family District, subject to the same conditions applicable in the R-7.5(A) Single Family District, as set out in Chapter 51A. For example, a use permitted in the R-7.5(A) Single Family 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 R-7.5(A) Single Family District is subject to DIR in this district; etc.

(b) A public school other than an open-enrollment charter school is permitted by right. (Ord. 27858)

SEC. 51P-823.107. ACCESSORY USES.

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. 27858)

SEC. 51P-823.108. 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, the yard, lot, and space regulations for the R-7.5(A) Single Family District apply.

(b) For a public school other than an open-enrollment charter school.

(1) Side and rear yard. Minimum side yard is five feet on the north property line and 20 feet on the south property line. Minimum rear yard is five feet.

(2) Floor area ratio. Maximum floor area is 95,000 square feet.

(3) Height. Maximum structure height is 35 feet.

(4) Lot coverage. Maximum lot coverage is 28 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(g) Stories. Maximum number of stories above grade is one. (Ord. 27858)

SEC. 51P-823.109. OFF-STREET PARKING AND LOADING.

(a) In general. Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) For a public school other than an open-enrollment charter school.

(1) Parking is allowed in the required yards.

(2) Off-street parking areas must be screened along the south property line in the locations shown on the attached development and landscape plan. The screening must consist of:

(A) living screen capable of obtaining a minimum height of three feet and a solid appearance within three years after issuance of a certificate of occupancy;

(B) earthen berm constructed to a minimum height of three feet;

(C) minimum six foot-high solid fencing; or

(D) a combination of these. (Ord. 27858)

(3) Parking for a public school other than an open-enrollment charter school used as a high school must be provided at a ratio of 7 parking spaces per classroom.

SEC. 51P-823.110. TRAFFIC MANAGEMENT PLAN.

(a) In general. Operation of a public school other than an open-enrollment charter school must comply with the traffic management plan (Exhibit 823B).

(b) Queuing. Queuing is only allowed inside the Property. Student drop-off and pick-up are not allowed 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, ~~2013~~ **2020**. After the initial traffic study, the Property owner or operator shall submit updates of the traffic study to the director by November 1 of each odd-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 drop-off and pick-up 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 the 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. (Ord. 27858)

SEC 51P-823.111. FENCING.

For a public school other than an open-enrollment charter school, fencing must be provided as shown on the development and landscape plan. Fencing is allowed in the required yards. (Ord. 27858)

SEC. 51P-823.112. ENVIRONMENTAL PERFORMANCE

STANDARDS. See Article VI. (Ord. 27858)

SEC. 51P-823.113. LANDSCAPING.

(a) Except as provided in this section, landscaping must be provided in accordance with Article X.

(b) For a public school other than an open-enrollment charter school, landscaping must be provided as shown on the development and landscape plan. If there is a conflict between the text of this article and the development and landscape plan, the text of this article controls.

(c) Plant material must be maintained in a healthy, growing condition.

(d) A tree removal permit may be issued by the building official before the issuance of a building permit. (Ord. 27858)

SEC. 51P-823.114. SIGNS.

(a) Except as provided in this section, signs must comply with the provisions for non-business zoning districts in Article VII.

(b) For a public school other than an open-enrollment charter school, one detached sign with a maximum height of 25 feet and an effective area of 150 square feet is allowed in the location shown on the development and landscape plan. (Ord. 27858)

SEC. 51P-823.115. 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.

(c) For a public school other than an open-enrollment charter school, the grassed lacrosse practice area shown on the development and landscape plan may not be lighted between sunset and sunrise. (Ord. 27858)

SEC. 51P-823.116. COMPLIANCE WITH CONDITIONS.

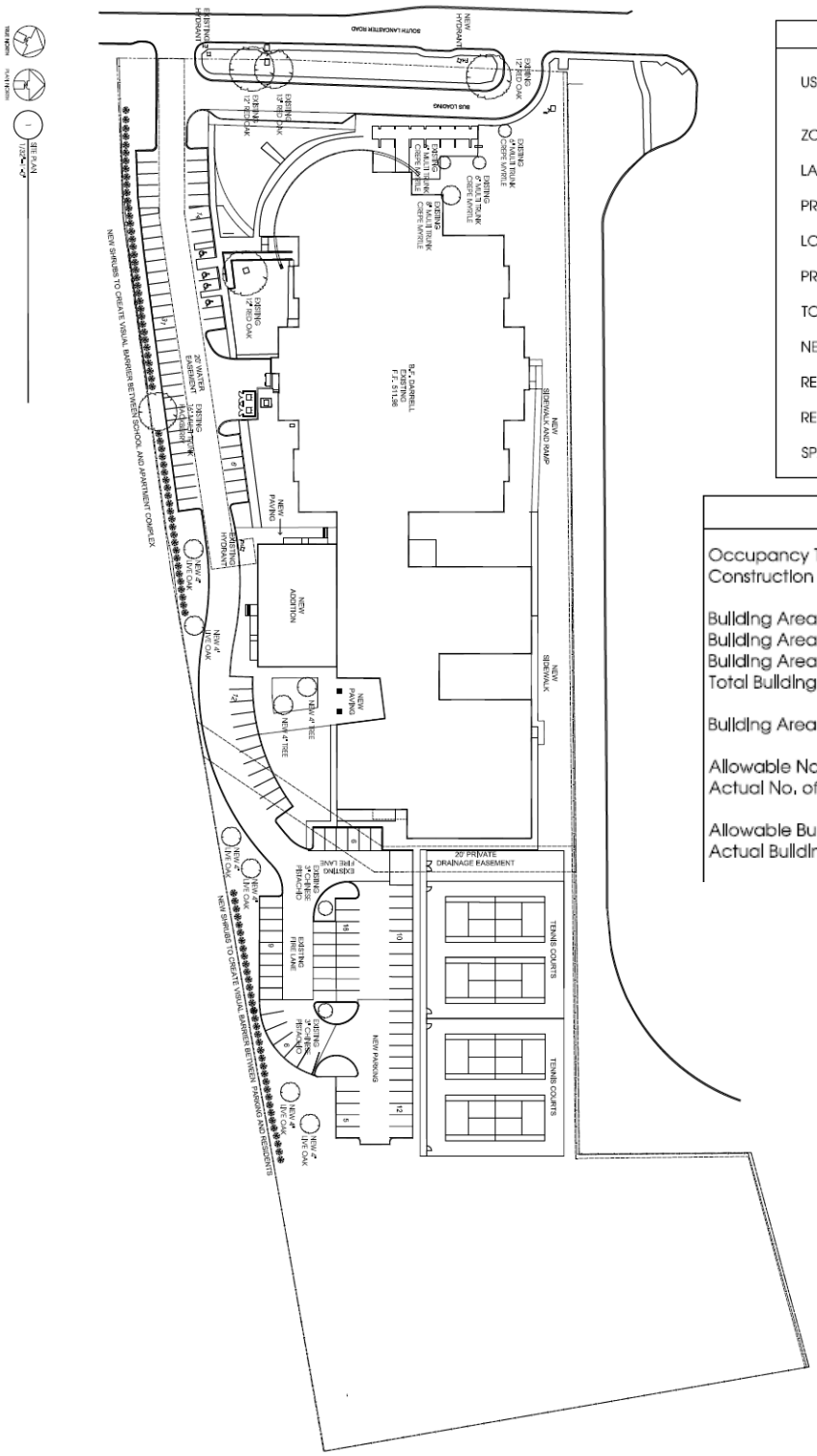
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the director of public works and transportation.

(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. 27858)

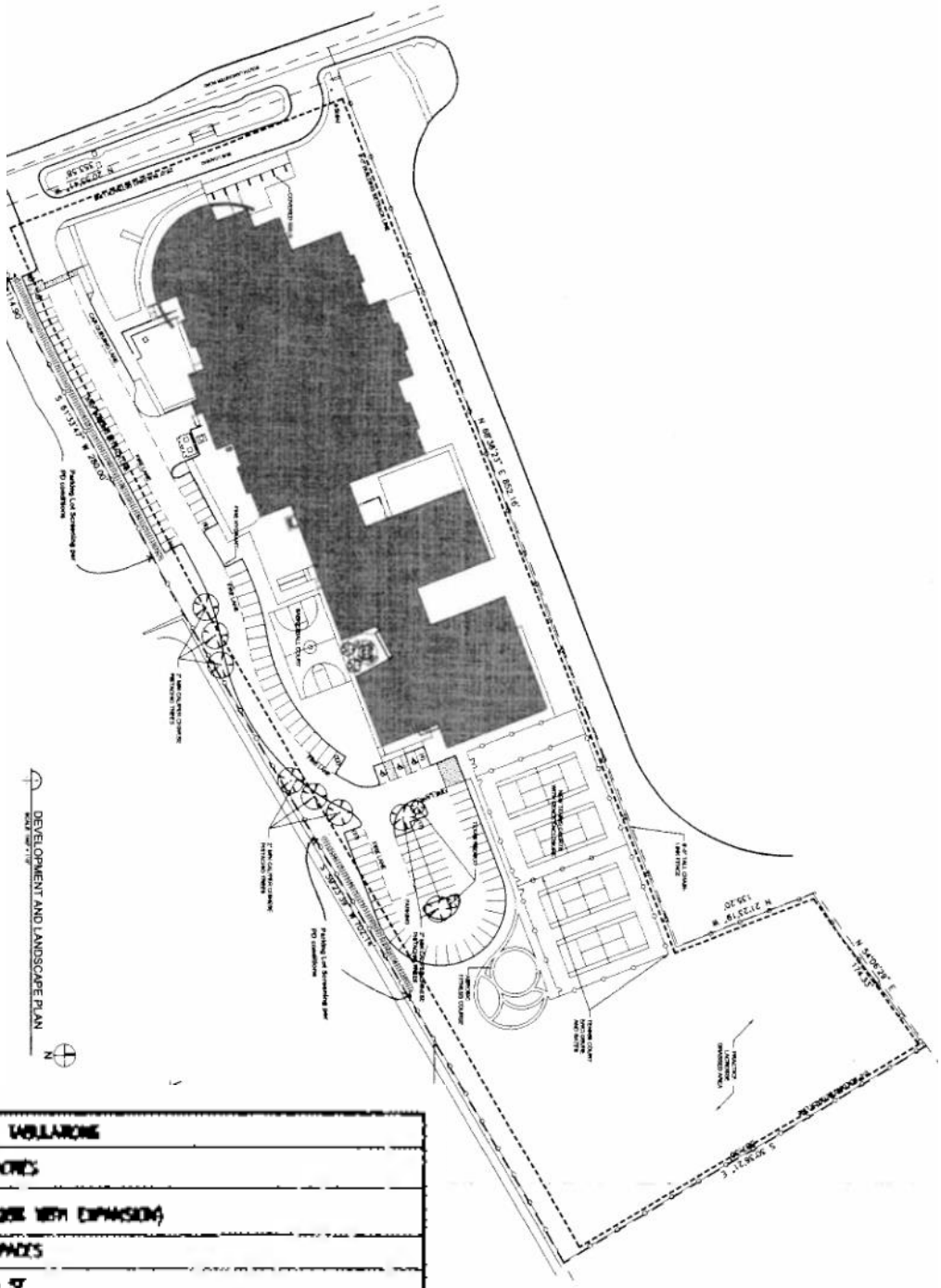
SEC. 51P-823.117. ZONING MAP.

PD 823 is located on Zoning Map No. N-7. (Ord. 27858)

Proposed Revised Development Landscape Plan


SOUTH LANCASTER ROAD
NEW HYDRANT
EXISTING 12" RED OAK
EXISTING 18" RED OAK
EXISTING 24" RED OAK
EXISTING 4" MULTI TRUNK CREPE MYRTLE
EXISTING 3" MULTI TRUNK CREPE MYRTLE
EXISTING 4" MULTI TRUNK CREPE MYRTLE
EXISTING 3" MULTI TRUNK CREPE MYRTLE
EXISTING 24" RED OAK
BUS LOADING
NEW SHRUBS TO CREATE VISUAL BARRIER BETWEEN SCHOOL AND APARTMENT COMPLEX
20' WATER EASEMENT
EXISTING 8" WATER LINE
EXISTING 8" SEWER LINE
EXISTING FIRE HYDRANT
EXISTING 24" RED OAK
EXISTING 18" RED OAK
EXISTING 12" RED OAK
EXISTING 24" RED OAK
EXISTING 18" RED OAK
EXISTING 24" RED OAK
EXISTING 18" RED OAK
EXISTING 24" RED OAK
EXISTING 18

Existing Exhibit 823A
Development Landscape Plan



TABULATIONS	
LAND AREA	7.78 ACRES
LOT COVERAGE	22% (28% WITH EXPANSION)
PARKING SPACES	117 SPACES
BUILDING AREA	75,000 SF
FUTURE EXPANSION	20,000 SF
CLASSROOMS	22 CLASSROOMS
BUILDING HEIGHT	35 FEET

Revised Traffic Management Plan

November 9, 2018
PK# 2816-17.460
Z178-259

TRAFFIC MANAGEMENT PLAN

Project:
DISD New Tech High School at B.F. Darrell
In Dallas, Texas

Prepared for:
City of Dallas

On behalf of:
Dallas Independent School District

Prepared by:

Hunter W. Lemley, P.E.

Pacheco Koch

7557 Rambler Road, Suite 1400
Dallas, Texas 75231-2388
(972) 235-3031 www.pkce.com
TX.REG: ENGINEERING FIRM F-469
TX. REG. SURVEYING FIRM LS-100080-00

November 9, 2018

Pacheco Koch

TRAFFIC MANAGEMENT PLAN
DISD New Tech High School at B.F. Darrell

Dallas, Texas

TABLE OF CONTENTS

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School Description *1*
TMP Objectives *2*
Methodology *3*
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Changes to TMP *5*
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Exhibit 1. Recommendations/Proposed Conditions

INTRODUCTION

The services of **Pacheco Koch** (PK) were retained by Masterplan, on behalf of **Dallas Independent School District**, to prepare a Traffic Management Plan (TMP) for New Tech High School at B.F. Darrell (the "School") located at 4730 S Lancaster Road in Dallas, Texas. This TMP is site-specific and relates to the peak traffic activity associated with school traffic at the site.

DISD is seeking amend the Planned Development District for the property from the City of Dallas (the "Approving Agency") to facilitate proposed site Improvements. Submittal of a TMP, prepared by a registered professional engineer experienced and skilled in the field of traffic/transportation engineering, is one of the requirements of Approving Agency's application process. This TMP was prepared by registered professional engineers employed by Pacheco Koch. Pacheco Koch is a licensed engineering firm based in Dallas, Texas, that provides professional services in traffic engineering, transportation planning, and other fields.

School Description

The School consists of an existing public high school with grades 9th through 12th. New Tech High School ("The School") currently is located at the A. Maceo Smith school building -- 3030 Stag Road and will relocate to the B.F. Darrell school building. The existing B.F. Darrell school building is currently occupied by the existing 430-student Barack Obama Male Leadership Academy which will swap locations with the existing New Tech High School located at A. Maceo Smith school building. The existing B.F. Darrell school building is located just south of a hospital – a driveway to the hospital is located on the east leg of the intersection of S Lancaster Road and Atlas Drive.

Site improvements include the construction of a new approximately 8,700 SF classroom building and are anticipated to be completed for the 2020-2021 school year. After the site relocation and proposed site improvements are completed, DISD anticipates enrollment will not increase.

School starts at 9:15 AM and ends at 4:15 PM. Current enrollment is 441 students with a maximum enrollment of 500 students. A summary of the existing and future school enrollment is provided in **Table 1.** Calculations for vehicle accumulation and parking numbers are based from on-site dismissal observations at the existing campus (A. Maceo Smith High School) conducted on Thursday, March 8th, 2018. Observations were also conducted at the future site on Wednesday, October 24th, 2018.

Table 1. Current Enrollment

GRADES	EXISTING	PROPOSED
9th Grade	80	--
10th Grade	74	--
11th Grade	95	--

12th Grade	98	--
TOTAL	441	441

NOTE: The enrollment data provided above is based upon the most current and complete information available at the time of this study publication.

Access to the campus is provided on S Lancaster Road. The nearest traffic signal is located at S Lancaster Road and Atlas Drive, which fronts the northwestern corner of the property. Land uses surrounding the site are single family and multifamily residential.

An existing school zones surrounding the school is located on S Lancaster Road.

TMP Objectives

A Traffic Management Plan (TMP) is a site- or area-specific plan of recommended actions and strategies to manage vehicular traffic and parking, pedestrian activity, and travel by all other modes during peak demand conditions for a planned event. The "Objectives" of a TMP are to:

1. Provide a safe environment for all Users on site and the travelling public in the vicinity of the site during the Event times;
2. Minimize (and maintain within reasonable levels) travel delays and traffic congestion on site and in the vicinity of the site during the Event;
3. Ensure reasonable access and circulation is maintained on the public street system in the vicinity of the site during the Event;
4. Provide appropriate information to the travelling public in the vicinity of the site to allow for proper awareness of anticipated traffic conditions during the Event; and,
5. Promote reasonable strategies to manage travel demand to and from the site, including use of alternative modes of travel (such as walk, bike, bus, transit, etc.), when practical.

DEFINITIONS:
Terms are used in this report:

"Event"– a planned event(s), recurring or non-recurring, for which this TMP is being prepared (i.e., "school day")

"School" (a.k.a., "Event Organizer") – the person, group, or organization responsible for the Event

"TMP Manager" – a person or persons designated by the School to implement the TMP (also see additional tasks in the *Expectations* section)

"Users" – guests/patrons attending the Event

"Analyst" – the person(s) preparing the TMP for the School

"Approving Agency" – the municipality or government agency requiring the Traffic Management Plan

"Traffic Department" – the department of the public agency responsible for traffic operations for a given right-of-way

"Site" – the property at which the Event is located (generally assumed to be occupied by the School)

"TMP Strategies" – actions recommended by the Analyst to be undertaken before, during, or after the Event in order to manage traffic on or off site

DISCLAIMERS:

A TMP should be developed by, or in concert with, an individual familiar with the general characteristics of the Event and the associated traffic/transportation needs. For this study, PK worked with School representatives to develop the proposed recommendations.

Recommended TMP Strategies should be based upon applicable engineering principles of traffic safety and traffic operations.

Any recommended TMP Strategies involving traffic control devices in the public right-of-way (including installation or removal of signs, pavement markings, etc.) are subject to the approval of, and must be implemented under direction of, the Traffic Department.

No private individual should perform, or attempt to perform, any act of traffic control within public right-of-way; only deputized officers of the law or other authorized representatives of the Traffic Department may manipulate traffic conditions within the public right-of-way.

The recommendations presented in this report reflect Pacheco Koch's assessment of current and projected traffic needs based on observations and professional judgment and incorporate feedback from DISD representatives. Pacheco Koch is not responsible for operations at the school; however, the recommendations have been presented to on-site school personnel with authority over implementation of the Plan (see **Exhibit 1** for on-site contact information). Pacheco Koch was not involved with site selection, site design, or the current operations for this project.

Methodology

When feasible, the Analyst should conduct first-hand observations of existing event to develop an understanding of site-specific traffic/transportation characteristics, such as: drop-off/pick-up frequency, parking needs, alternative travel mode use, safety issues, queuing, traffic congestion, site access, current traffic management strategies in use, etc. When it is not feasible to conduct such observations, interviews with staff or personnel familiar with those items is desirable. When neither option is available, the Analyst may be required to rely upon published information and/or professional judgment and experience.

Once the base information is assembled, the Analyst should estimate the projected traffic/transportation characteristics generated by the proposed Event. Next, the Analyst should inventory the attributes and resources of the subject site and determine how the site can best accommodate those projected conditions. Based upon that assessment, the recommended TMP Strategies shall be developed to optimally achieve the basic TMP Objectives. The recommended TMP Strategies should be reviewed by the School (ideally, the TMP Manager) for refinement and approval before formal submittal to the Approving Agency.

Expectations

NOTE TO SCHOOL: By submittal of a TMP to the Approving Agency, the School is implicitly agreeing to implement, maintain, and comply with the recommended actions presented herein subject to acceptance by Approving Agency and any associated conditions Approving Agency may impose. It is also inferred that the School agrees to be self-accountable for these actions until and unless Approving Agency deems further measures are appropriate or the TMP is no longer required.

Recommended TMP Strategies may include one-time measures to be implemented before the Event and/or ongoing actions to be performed before, during, or after the Event. Recommended TMP Strategies involving on-site measures or actions are generally considered to be the responsibility of the School.

To ensure appropriate compliance and consistent implementation of the TMP, it is recommended that the School appoint a TMP "Manager". In general, a Manager should be a qualified and capable individual or group of individuals assigned to take responsibility of the TMP and be accountable for successful implementation in order to achieve the Objectives described earlier (see "**Exhibit 1**"). Other specific duties of the Manager include:

- Monitor effectiveness of TMP strategies and make prudent adjustments, as needed, to more effectively accomplish the TMP Objectives
- Maintain an awareness of readily-available alternative transportation modes serving the site and facilitate and promote their use during the Event when practical
- Serve as a liaison to the Approving Agency(-ies), when needed
- When applicable, provide training and direction to other personnel assigned to implement the TMP measures
- Provide instruction to Users on how to comply with the intent of the TMP

Recommended TMP Strategies were developed specifically for the period(s) of peak traffic demand and are depicted in the respective exhibit. For periods of less intense traffic demand, recommended TMP Strategies may be utilized, in part or in whole, as needed to realize the TMP Objectives.

Changes to TMP

Informal changes to any recommended TMP Strategies presented herein to improve efficiency or effectiveness may be implemented at the discretion of the School if those changes are prudent and do not compromise the TMP Objectives. It is recommended that changes implemented under such circumstances be documented and retained by the School for future reference or upon request. At the discretion of the Approving Agency, submittal of a formally revised TMP report/document or a validation study may be required on a predetermined or as-needed basis.

TRAFFIC MANAGEMENT PLAN

NOTE: Recommended TMP Strategies contained herein are based upon the best data, site-specific information, and analytical processes readily available at the time of the study. However, specific quantities related to traffic congestion at peck periods (e.g., duration, length of queue, etc.) are estimated values. Actual quantities may vary due to unknown or unquantifiable variables and other operational factors that may occur. In the event that actual, future conditions generate undue burden on Users and/or the travelling public, modifications to the TMP should be considered. (See preceding NOTE for guidance on implementing changes to the TMP.) However, in extreme conditions, TMP actions may not be capable of mitigating all traffic conditions, and it may be incumbent on the School to consider operational, institutional, or other long-term changes to address issues on a more permanent basis.

Graphical summaries of recommendations and proposed conditions are depicted in **Exhibit 1**.

A summary of existing conditions is provided below:

- All parent pick-up activity currently occurs on on-site at the future site.
- The intersection of S Lancaster Drive and Atlas Drive is signalized. Heavy parent vehicle occurs for the northbound U-turn maneuver.
- Traffic operations at the school minor driveway on S Lancaster Road is a minor STOP-approach and includes outbound bus traffic during pick-up and drop-off times.

REVIEW AND COMMITMENT

The school traffic management plan for New Tech H.S. 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 administration are essential to maintain safe and efficient traffic operations.

By consent of this TMP submittal, the school administration agrees to the strategies presented herein for which the school is held responsible unless the City of Dallas deems further measures are appropriate.

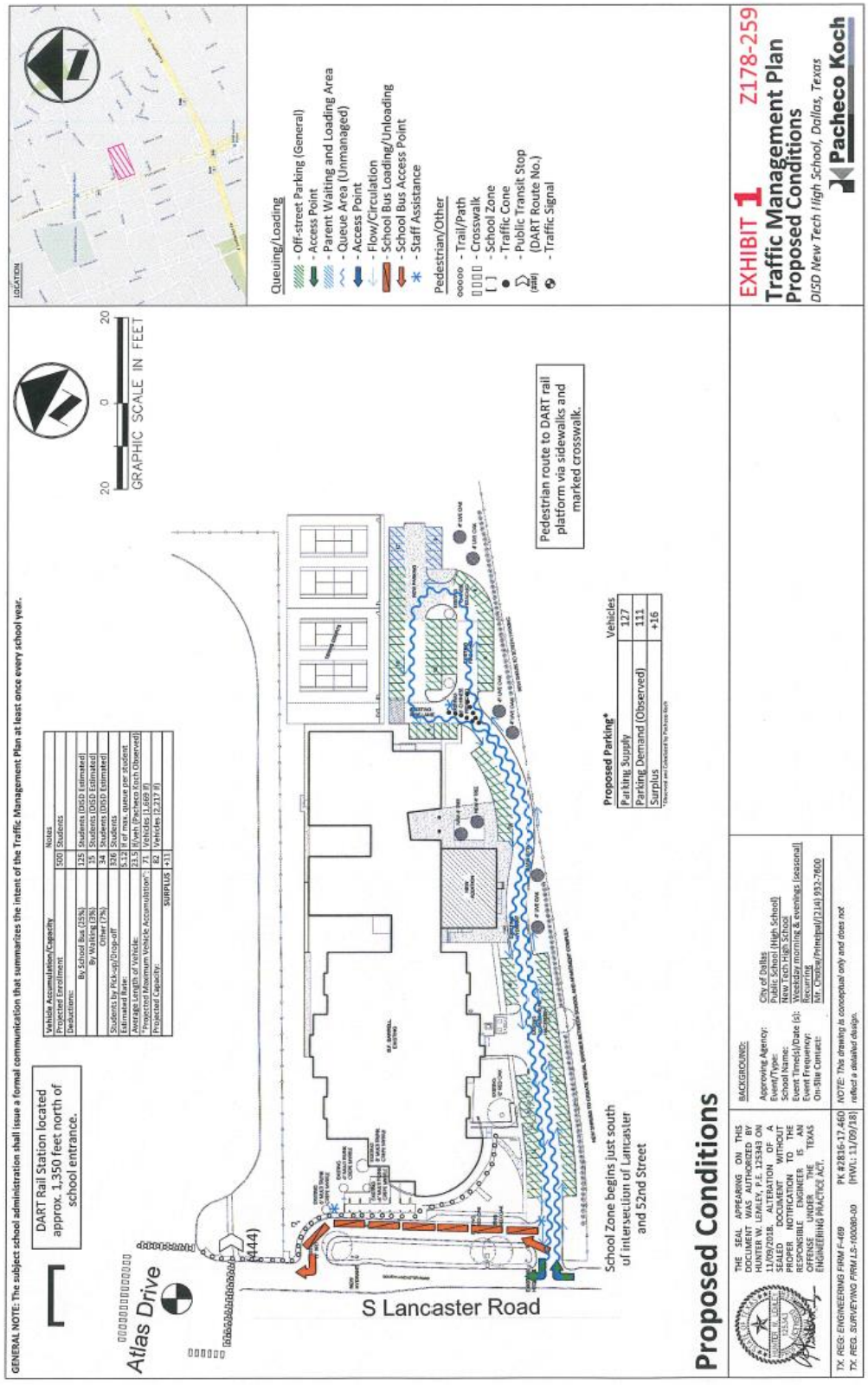
The school is also committed to continually review and assess the effectiveness of this plan and if warranted, implement changes in the interest of increasing safety and minimizing impacts on the surrounding community.

Signature

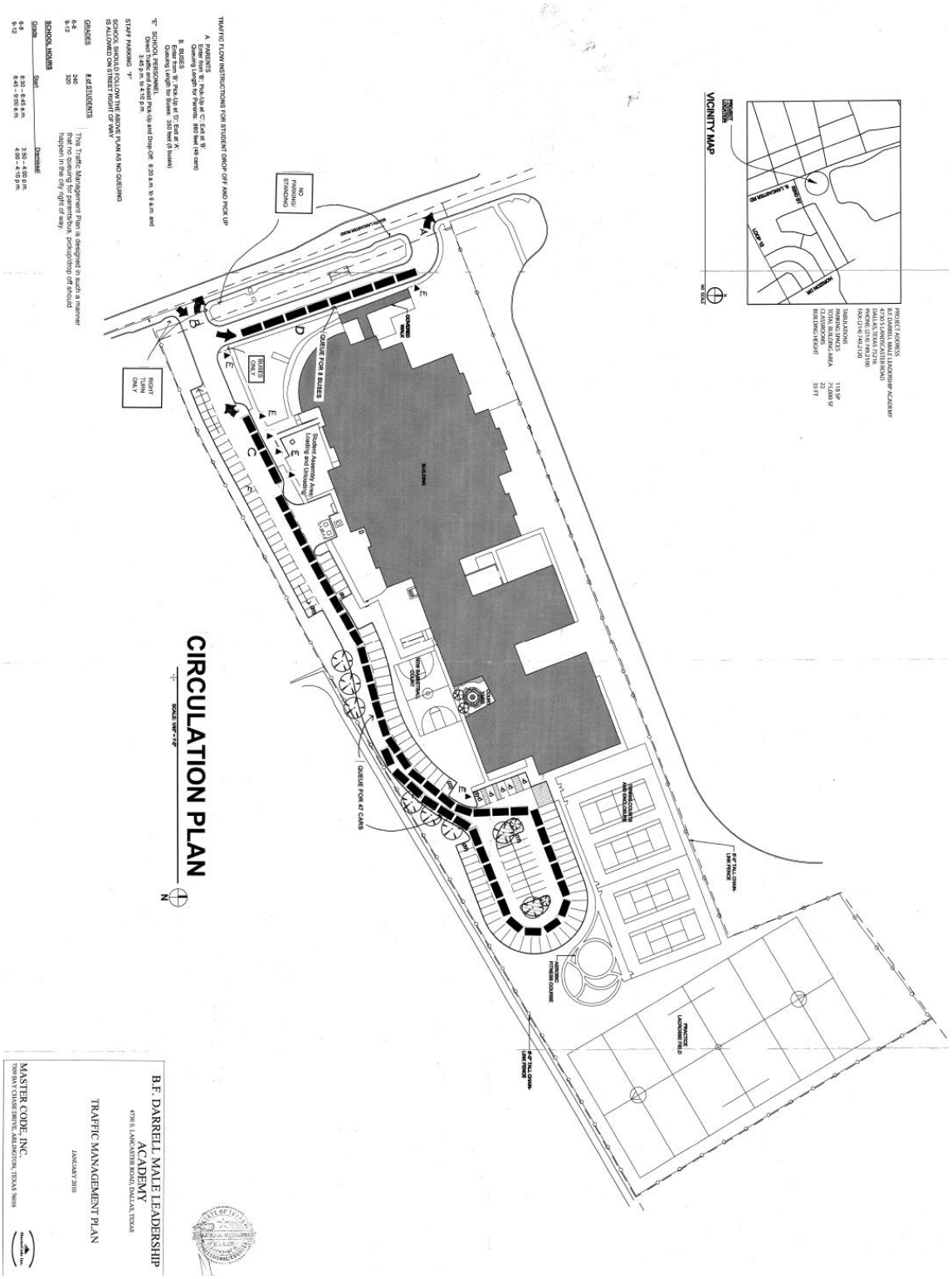
11/13/18
Date

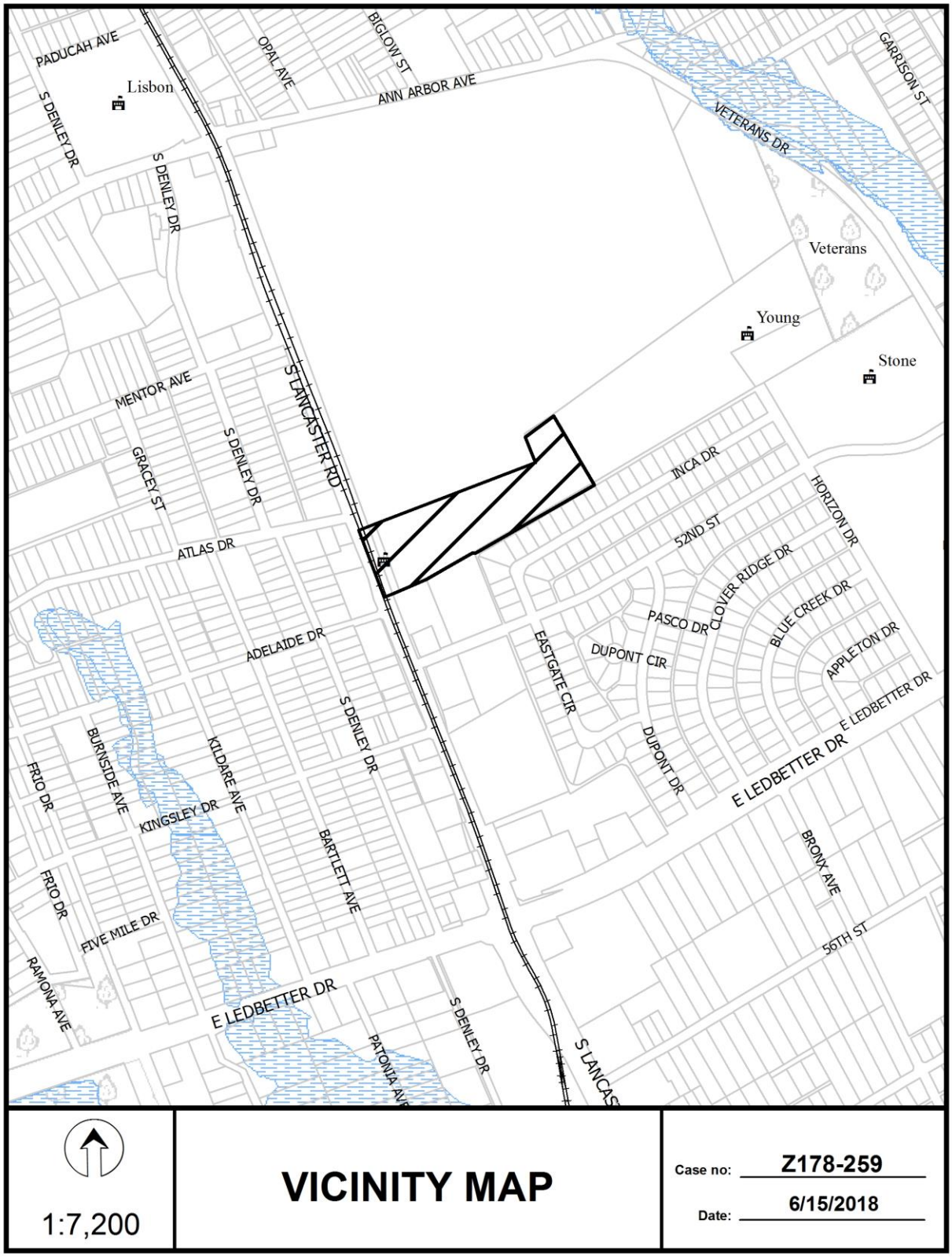
Name: Jamille Chong
Title: Principal

Proposed Amending Exhibit 823B
Traffic Management Plan



Existing Exhibit 823B
Traffic Management Plan




PADUCAH AVE
Lisbon
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OPAL AVE
BIGLOW ST
ANN ARBOR AVE
VETERANS DR
GARRISON ST
Veterans
Young
Stone
MENTOR AVE
GRACEY ST
S LANCASTER RD
ATLAS DR
INCA DR
52ND ST
HORIZON DR
CLOVER RIDGE DR
BLUE CREEK DR
PASCO DR
DUPONT CIR
APPLETON DR
EASTGATE CIR
ADELAIDE DR
E LEDBETTER DR
DUPONT DR
BURNSIDE AVE
KILDARE AVE
FRIO DR
KINGSLEY DR
BARTLETT AVE
BRONX AVE
FIVE MILE DR
56TH ST
RAMONA AVE
PATONIA AVE
1:7,200
VICINITY MAP
Case no: Z178-259
Date: 6/15/2018

MENTOR AVE
S LANCASTER RD
S DENLEY DR
ATLAS DR
ADELAIDE DR
KILDARE AVE
KINGSLEY DR
BARTLETT AVE
S DENLEY DR
S LANCASTER RD
52ND ST
INCA DR
HORIZON DR
PASCO DR
CLOVERRIDGE DR
DUPONT CIR
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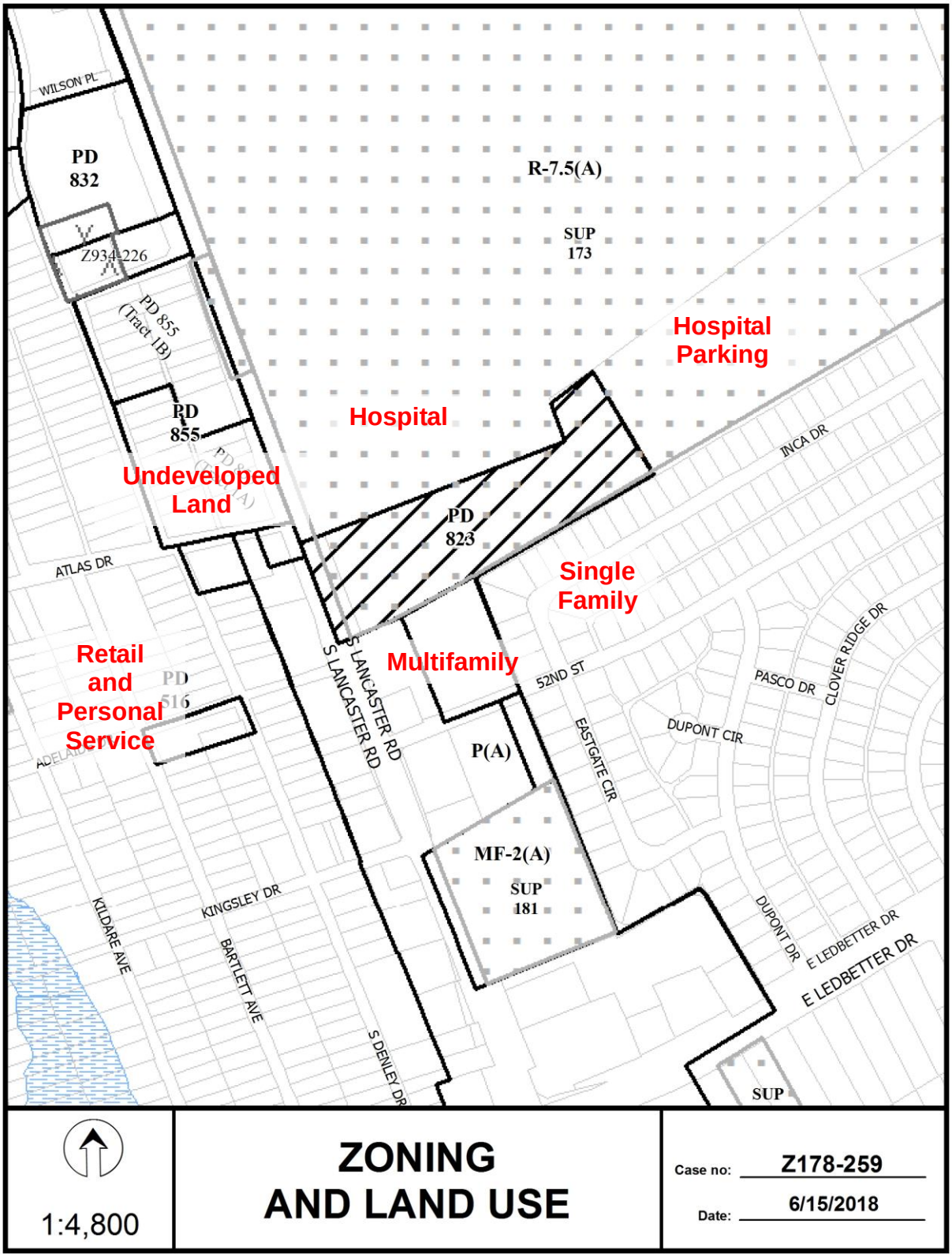
AERIAL MAP
Case no: Z178-259
Date: 6/15/2018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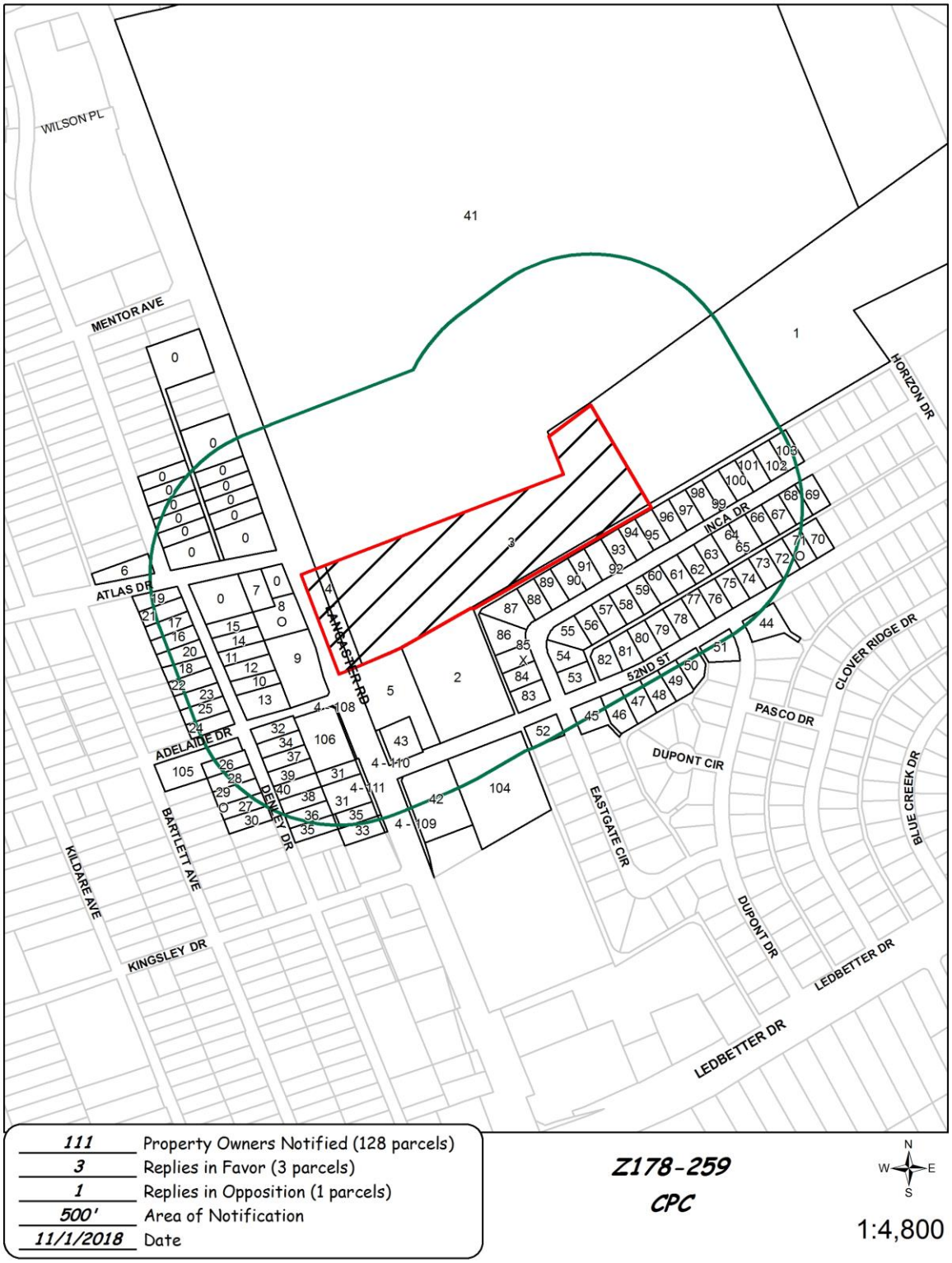
PD 832
Z934-226
PD 855 (Tract 1B)
PD 855
R-7.5(A)
SUP 173
Hospital Parking
Hospital
Undeveloped Land
PD 823
INCA DR
ATLAS DR
Single Family
Retail and Personal Service
PD 516
Multifamily
S LANCASTER RD
52ND ST
PASCO DR
CLOVER RIDGE DR
DUPONT CIR
EASTGATE CIR
P(A)
MF-2(A)
SUP 181
KINGSLEY DR
KILDARE AVE
BARTLETT AVE
S DENLEY DR
DUPONT DR
E LEDBETTER DR
SUP
1:4,800
ZONING AND LAND USE
Case no: Z178-259
Date: 6/15/2018

CPC Responses



10/31/2018

Reply List of Property Owners

Z178-259

111 Property Owners Notified ***3 Property Owners in Favor*** ***1 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	4601	VETERANS DR	VETERANS ADMN
	2	2121	52ND ST	JDA COMMUNITY INVESTMENTS LLC
	3	4730	S LANCASTER RD	Dallas ISD
	4	403	REUNION BLVD	DALLAS AREA RAPID TRANSIT
	5	4810	S LANCASTER RD	JDA COMMUNITY INVESTMENTS LLC
	6	4631	S DENLEY DR	BOYD ANTHONY
	7	2014	ATLAS DR	DART
O	8	4709	S LANCASTER RD	LEVINE RLTY
	9	4735	S LANCASTER RD	LANCASTER CARRIER PLAZA LLC
	10	4728	S DENLEY DR	GARCIA JOSE J MARTINEZ
	11	4720	S DENLEY DR	GREEN SAMUEL III
	12	4724	S DENLEY DR	GREEN SAM
	13	4732	S DENLEY DR	RAMOS SIMON &
	14	4718	S DENLEY DR	SMITH MICHELLE &
	15	4714	S DENLEY DR	SAPPHIRE ROAD DEV LLC
	16	4715	S DENLEY DR	PRIDE EQUITY MTG CORP
	17	4709	S DENLEY DR	ESPINOZA MAURICIO &
	18	4723	S DENLEY DR	BIGGER BILLY
	19	4701	S DENLEY DR	BIGGER BILLY & CAROL ANN
	20	4719	S DENLEY DR	WALKER WILLIE J
	21	4705	S DENLEY DR	STUBBLEFIELD MECHELLE
	22	4727	S DENLEY DR	ZAJAC MICHAEL
	23	4729	S DENLEY DR	ROSALES ELIAS
	24	4737	S DENLEY DR	JOKEN ENTERPRISE LLC
	25	4733	S DENLEY DR	ROSALES ELIAS & LEONOR
	26	4807	S DENLEY DR	NEW PEACE MISSIONARY

10/31/2018

Reply	*Label #*	*Address*		*Owner*
	27	4819	S DENLEY DR	BUENDIA JUAN &
	28	4811	S DENLEY DR	PEREZ JUANITA
O	29	4815	S DENLEY DR	JONES GLORIA
	30	4823	S DENLEY DR	KING DELLA J
	31	4819	S LANCASTER RD	DALY MICHAEL S REVOCABLE TRUST
	32	4802	S DENLEY DR	PRESTON LA QUITA
	33	4835	S LANCASTER RD	JES JOMEL LLC
	34	4806	S DENLEY DR	KNOX JEWEL ESTATE OF
	35	4831	S LANCASTER RD	ARGUETA JUAN E &
	36	4826	S DENLEY DR	MARQUEZ ENRIQUE
	37	4810	S DENLEY DR	ESTRELLA MOISES
	38	4822	S DENLEY DR	GARCIA ZENAIDA L &
	39	4814	S DENLEY DR	MARSAW CORA
	40	4818	S DENLEY DR	LOOP 12 HOME BUILDERS LLC
	41	4500	S LANCASTER RD	U S VETERANS HOSPITAL
	42	4830	S LANCASTER RD	2901 S WALTON WALKER LLC
	43	4822	S LANCASTER RD	ROUSAN INV
	44	4906	DUPONT DR	SIMS JOANNE J
	45	4908	EASTGATE CIR	BLANCO MARIA DE LOS ANGELES
	46	2210	52ND ST	MOLINA LUIS ARMANDO MORALES &
	47	2216	52ND ST	RICHARDSON EDDIE LEE
	48	2222	52ND ST	HAYES CECILIA
	49	2228	52ND ST	WASHINGTON ANNIE CATHERINE
	50	2234	52ND ST	CLEVELAND FRANK JR EST OF
	51	4907	DUPONT DR	CRAWFORD JOE
	52	4907	EASTGATE CIR	CRUZ MARISOL COLIN &
	53	2106	INCA DR	MITCHELL HARRY JR
	54	2112	INCA DR	ESPARZA BENIGNO
	55	2214	INCA DR	FLORENCE MARY ANN
	56	2218	INCA DR	MARTINEZ SILVIA
	57	2224	INCA DR	DUFFEY BILLY R

10/31/2018

Reply	*Label #*	*Address*		*Owner*
	58	2228	INCA DR	SCOTT LEOLA
	59	2234	INCA DR	BARRERA VICTOR
	60	2238	INCA DR	GREER ALEX L JR
	61	2242	INCA DR	LEDESMA JOSE ANTONIO &
	62	2248	INCA DR	MCELROY CHARLESETTA D
	63	2306	INCA DR	MILLER MARY L GURST
	64	2312	INCA DR	WILLIAMS HALLIE VIVIAN EST OF
	65	2316	INCA DR	WEBBER FAMILY REV LIV TRST
	66	2322	INCA DR	KHAZEM TEXAS INVESMENTS LLC
	67	2328	INCA DR	ROLLINS DOROTHY L EST OF
	68	2332	INCA DR	DICKERSON CLAUDETTE
	69	2338	INCA DR	BARRERA FIDEL
	70	2329	52ND ST	NEAL CHARLES
O	71	2325	52ND ST	ARRINGTON ARNEE
	72	2319	52ND ST	HAWLEY MARTHA LOUISE
	73	2315	52ND ST	HOLLAND MARY REBECCA
	74	2309	52ND ST	ALFORD CARL C
	75	2305	52ND ST	MORALESMOLINA JACINTO &
	76	2245	52ND ST	DAVIS ALFRED W
	77	2239	52ND ST	ADAMS VERNAL R
	78	2233	52ND ST	JONES CALVIN
	79	2229	52ND ST	HEAD MICHAEL & DONNETTA
	80	2223	52ND ST	CLEVELAND FRANK
	81	2217	52ND ST	BOULDIN ELVINIA EST OF
	82	2211	52ND ST	HURTADO HERON
	83	2105	INCA DR	CARRINGTON FRED &
	84	2111	INCA DR	LUVIANOS MARIA &
X	85	2117	INCA DR	REYNOLDS JOHN L
	86	2123	INCA DR	LEWIS WARREN
	87	2205	INCA DR	TRITANIUM PROPERTIES AND INVESTMENTS LLC
	88	2209	INCA DR	HILL TERRANCE

10/31/2018

Reply	*Label #*	*Address*		*Owner*
	89	2215	INCA DR	RIVERS JOHN L
	90	2219	INCA DR	GREEN MISTY MACHELLE & FREDDIE LEE
	91	2225	INCA DR	AGUIRRE SERGIO
	92	2229	INCA DR	MARTINEZ GUADALUPE & VALENTE
	93	2235	INCA DR	SHAW JESSIE MAE
	94	2239	INCA DR	GORDON UNIDELL
	95	2243	INCA DR	HOLT BETTY LOU WALKER
	96	2249	INCA DR	GARCIA ROSALIO &
	97	2307	INCA DR	PADILLA ERIC
	98	2311	INCA DR	GONZALEZ JOSE ROSAS &
	99	2317	INCA DR	BRYANT PATTY
	100	2321	INCA DR	CARAWAY FELICIA YATES
	101	2327	INCA DR	JEMERSON BOBBY G &
	102	2331	INCA DR	HAWLEY BETTY ESTATE OF
	103	2337	INCA DR	WEBB ARIES & MICHAEL
	104	2120	52ND ST	HEROES HOUSE DBA NP COMMUNITY & DEV CORP
	105	1910	ADELAIDE DR	NEW PEACE MISSIONARY
	106	4811	S LANCASTER RD	WOO JONG RYEAL
	107	403	REUNION BLVD	DALLAS AREA RAPID TRANSIT
	108	403	REUNION BLVD	DALLAS AREA RAPID TRANSIT
	109	403	REUNION BLVD	DALLAS AREA RAPID TRANSIT
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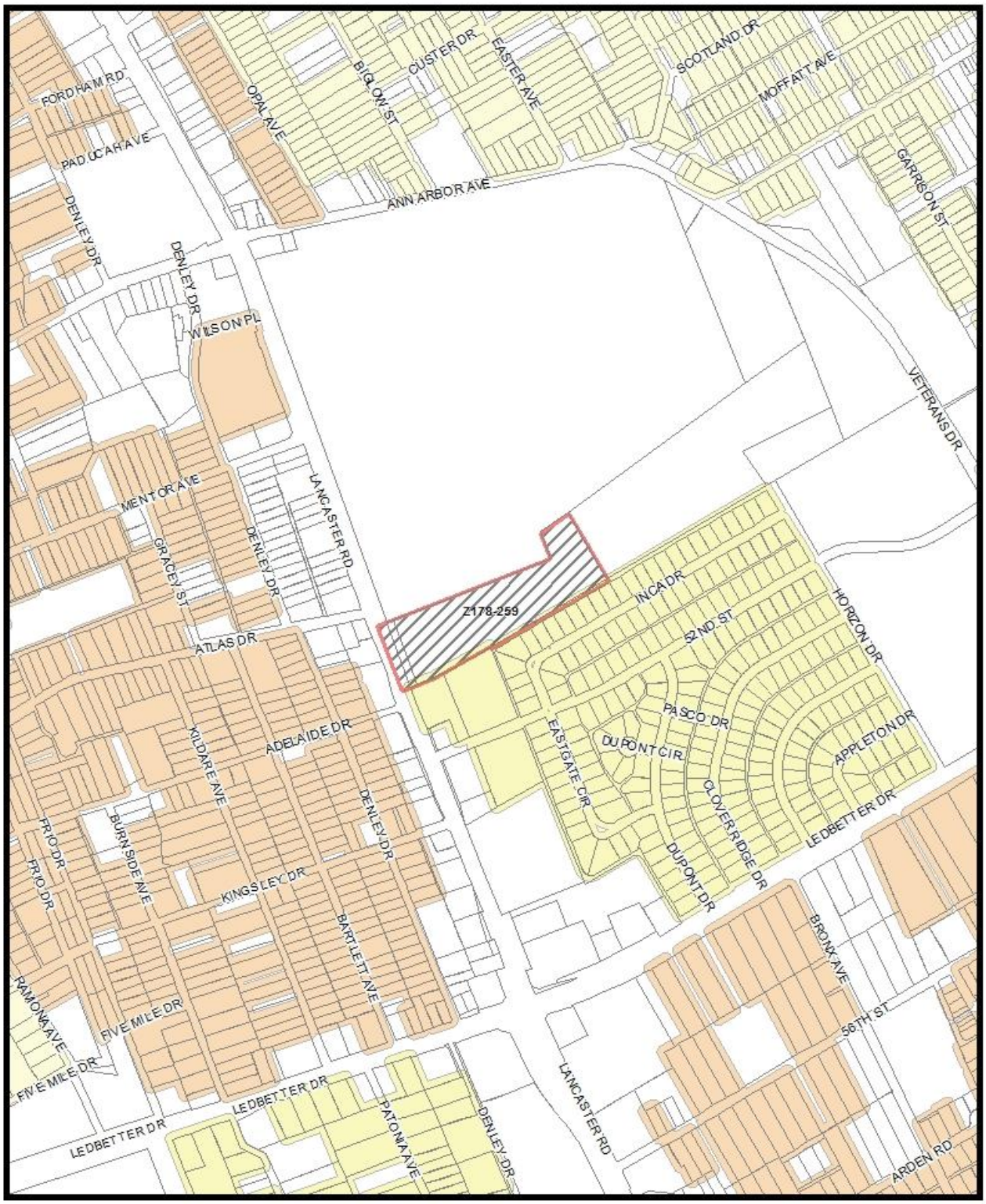
	111	403	REUNION BLVD	DALLAS AREA RAPID TRANSIT



MVACluster A B C D E F G H I NA

1:7,200

Market Value Analysis

Printed Date: 10/4/2018

Agenda Information Sheet

File #: 18-1364 **Item #:** 89.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 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 a Specific Use Permit for an alcoholic beverage establishment limited to a microbrewery, distillery, or winery on property zoned Subdistrict 1A within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on the east side of Express Street, north of Levee Street
Recommendation of Staff and CPC: Approval for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Z178-287(JM)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, DECEMBER 12, 2018**

ACM: Majed Al-Ghafry

FILE NUMBER: Z178-287(JM) **DATE FILED:** June 25, 2018

LOCATION: East side of Express Street, north of Levee Street

COUNCIL DISTRICT: 6 **MAPSCO:** 44 G

SIZE OF REQUEST: ±15,412 sq. ft. **CENSUS TRACT:** 100.00

APPLICANT: Heele Family Holdings, LLC

OWNER: Hubbard Irrevocable Children's Trust

REPRESENTATIVE: Elizabeth Erickson

REQUEST: An application for a Specific Use Permit for an alcoholic beverage establishment limited to a microbrewery, distillery, or winery on property zoned Subdistrict 1A within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District.

SUMMARY: The purpose of this request is to allow the applicant to operate a winery in an existing one-story, 3,599-square-foot structure.

CPC RECOMMENDATION: **Approval** for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, was established in 2002 and contains over 421 acres. Several amendments have led to a total of eleven subdistricts.

- The current request is to allow a winery to operate within the existing 3,599 square foot structure. The property contains over 15,421 square feet of lot area.

- The site is zoned Subdistrict 1A, where alcoholic beverage establishments, including a microbrewery, microdistillery, or winery use as defined by Sec.51-A-4.210(4)(a)(ii), require an SUP.

Zoning History: There has been one zoning request in the surrounding area in the past five years:

1. **Z156-317:** On January 11, 2017, the City Council approved an application granting Specific Use Permit No. 2221 for a tattoo studio on property within the Subdistrict 1A portion of Planned Development District No. 621, the Old Trinity and Design District Special Purpose, located on the south line of East Levee Street, between Manufacturing Street and Express Street.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Express Street	Local	70 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 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.

LAND USE ELEMENT

GOAL 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.1 Implement the Trinity River Corridor Plan.

ECONOMIC ELEMENT

GOAL 2.3 BUILD A DYNAMIC AND EXPANDED DOWNTOWN

Policy 2.3.3 Work with property owners and stakeholders to preserve and enhance the image of Downtown Dallas.

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

Policy 2.5.1 Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

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.

Land Use Plan:

The *Trinity River Corridor Comprehensive Land Use Plan* was completed in 2005. The request area is located within the Trinity River Corridor. "The Trinity River Corridor is a unified collection of diverse neighborhoods and business centers at the heart of a unified and thriving Dallas, connected by a ribbon of blue water and green spaces that is the Trinity River,". A future land use plan for the corridor region provides preferred redevelopment scenarios. The site is located in a Mixed Use/Adaptive Reuse land use module. The proposed personal service use will provide a new service to the community not currently available in the area. Surrounding land use patterns are mostly office, showroom/warehouse uses. Creatively reusing the structure to provide a new service and attract new foot traffic to the neighborhood aligns with the intent of the Trinity Plan, Building Block, and PD No. 621 classification for mixed-use.

The Trinity Corridor also has district plans. The subject site is within the Downtown-Lakes District. This district is one of two districts that blend both sides of the Trinity River. It is the recognized core of the city of Dallas and includes the city's founding site as well as major civic and cultural institutions located Downtown. Mixed Use – High Density; Mixed Use – Adaptive Reuse; Residential Urban and Residential Riverside modules are all included in the plans for this district. The result should be a variety of exciting new urban neighborhoods and business areas. The proposed redevelopment of a previous office/showroom warehouse use into alcoholic beverage establishment limited to a microbrewery, microdistillery, or winery will complement the changing area.

Surrounding Land Uses:

	Zoning	Land Use
Site	PD No. 621, Subdistrict 1A	Vacant Building
Northwest	PD No. 621, Subdistrict 1A	Office Showroom/Warehouse, Catering Service, Office, and GMFS<3,500
Northeast	PD No. 621, Subdistrict 1A	Commercial Amusement (Inside), Office, Live/Work, Warehouse, Office Showroom/Warehouse
Southeast	PD No. 621, Subdistrict 1A	Office Showroom/Warehouse
Southwest	PD No. 621, Subdistrict 1A	Warehouse, Undeveloped Land, Tattoo Studio, Office Showroom/Warehouse

Land Use Compatibility:

The approximately 3,599 square foot site is currently vacant. The applicant proposes to operate a winery, which requires a specific use permit. This is a new SUP request for the site, as it previously operated as an office/showroom warehouse use.

The site is located in PD No. 621, which was adopted by the City Council on August 28, 2002. Prior to the creation of the district, the ±422 acre area was home to various commercial, business service, and industrial uses. PD No. 621 provides a commitment to design standards, enhanced open space, and a variety of mixed uses, all within close proximity to mass transit and components of the trail system.

The surrounding uses are largely commercial and business service, and wholesale, distribution, and storage uses. As the area has shifted into mixed use, as allowed by the PD, new uses have entered the region, including retail and personal service uses. The proposed business supports that mix by providing a new retail use and is helping to further develop the character of the neighborhood.

Previously, different churches have operated within a multitenant structure northwest of the subject site, across Express Street. An alcohol survey was completed to ensure compliance with distance requirements for protected uses, including the possible church use. Section 6-4(a)(1) states that no person may sell alcoholic beverages if the place of business is within 300 feet of a church. The distance between the place of business where alcoholic beverages are sold and a church will be measured along the property lines of the street fronts and from front door to front door, and in a direct line across intersections. The alcohol survey found no protected uses within 300 feet of the proposed winery. Staff searched for an existing Certificate of Occupancy for a church, but only found older COs from 2011 and 2013. The listed phone number was disconnected. A new alcohol survey will be required at the time the applicant seeks a permit to operate the alcoholic beverage establishment.

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 proposed retail use is compatible with the surrounding mix of uses. Adding a new use to the area will complement the direction of redevelopment as provided for in PD No. 621. Staff believes that the new service will enhance the district by adding new traffic and potential customers to the area.

Market Value Analysis

Market Value Analysis (MVA), 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. While the subject site is not located within an identified market type category, it is closest to Category E to the southeast, at the northeast corner of Levee Street and Turtle Creek Boulevard.

Parking:

Pursuant to PD No. 621, the off-street parking requirement for a microbrewery, microdistillery, or winery refers back to Sec.51A-4.210(b)(4). The use is further dissected into three general categories: (1) general, (2) storage, and (3) retail sales and seating. Parking is required at a ratio of one space per 600 square feet of general floor area, one space per 1,000 square feet of storage floor area, and one space per 100 square feet of retail sales and seating floor area.

According to the SUP site plan submitted with this request, the applicant proposed to operate with a combined total of 1,756 square feet of general (manufacturing and other) floor area, 1,703 square feet of storage floor area, and 140 square feet of retail sales

and seating area. The totals when individually rounded-up equal seven required parking spaces. Eight spaces are provided.

Landscaping:

The applicant does not propose new construction at this time; therefore, no landscaping is required.

CPC Action
October 18, 2018

Motion: It was moved to recommend **approval** of a Specific Use Permit for an alcoholic beverage establishment limited to a microbrewery, distillery, or winery for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions on property zoned Subdistrict 1A within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, on the east side of Express Street, north of Levee Street.

Maker: Davis
Second: Carpenter
Result: Carried: 12 to 0

For: 12 - West, Rieves, Davis, Shidid*, Carpenter, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Lewis
Vacancy: 2 - District 3, District 7

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 16
Replies: For: 1 Against: 0

Speakers: For: None
For (Did not speak): Elizabeth Erickson, 2302 Mainchester Ct., Carrollton, TX, 75006
Alana Elliott, 1408 N. Riverfront Blvd., Dallas, TX, 75207
Daniel Elliott, 1408 N. Riverfront Blvd., Dallas, TX, 75207
Against: None

List of Officers
Owners

The only two participants/members of the Hubbard Children's Irrevocable Trust are as follows, per John Hubbard:

John Hubbard - Trustee
Emily Hubbard

List of Officers
Applicant

List of Partners/Principals/Officers

Applicant for SUP for 120 Express Street, Dallas, TX 75207 is Heele Family Holdings, LLC. The members of the Limited Liability Company are as follows:

Mr. Kevin J. Holland, Managing Member
Mr. Daniel I. Elliott, Managing Member
Mrs. Alana G. Elliott, Managing Member
Ms. Audrey L. Lero, Managing Member
Ms. Elizabeth A. Erickson, Managing Member

Corporate Address: 120 Express Street, Dallas, TX 75207
Phone: 323-553-0601
Email: heeleweb@gmail.com

Z178-287

CPC Recommended
SUP CONDITIONS
Z178-287

1. USE: The only use authorized by this specific use permit is an alcoholic beverage establishment limited to a microbrewery, micro-distillery, or winery.

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 (three years from 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.).

4. FLOOR AREA: The maximum floor area allowed for the alcoholic beverage establishment limited to a microbrewery, micro-distillery, or winery is 3,599 square feet.

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

PARKING CALCULATIONS:

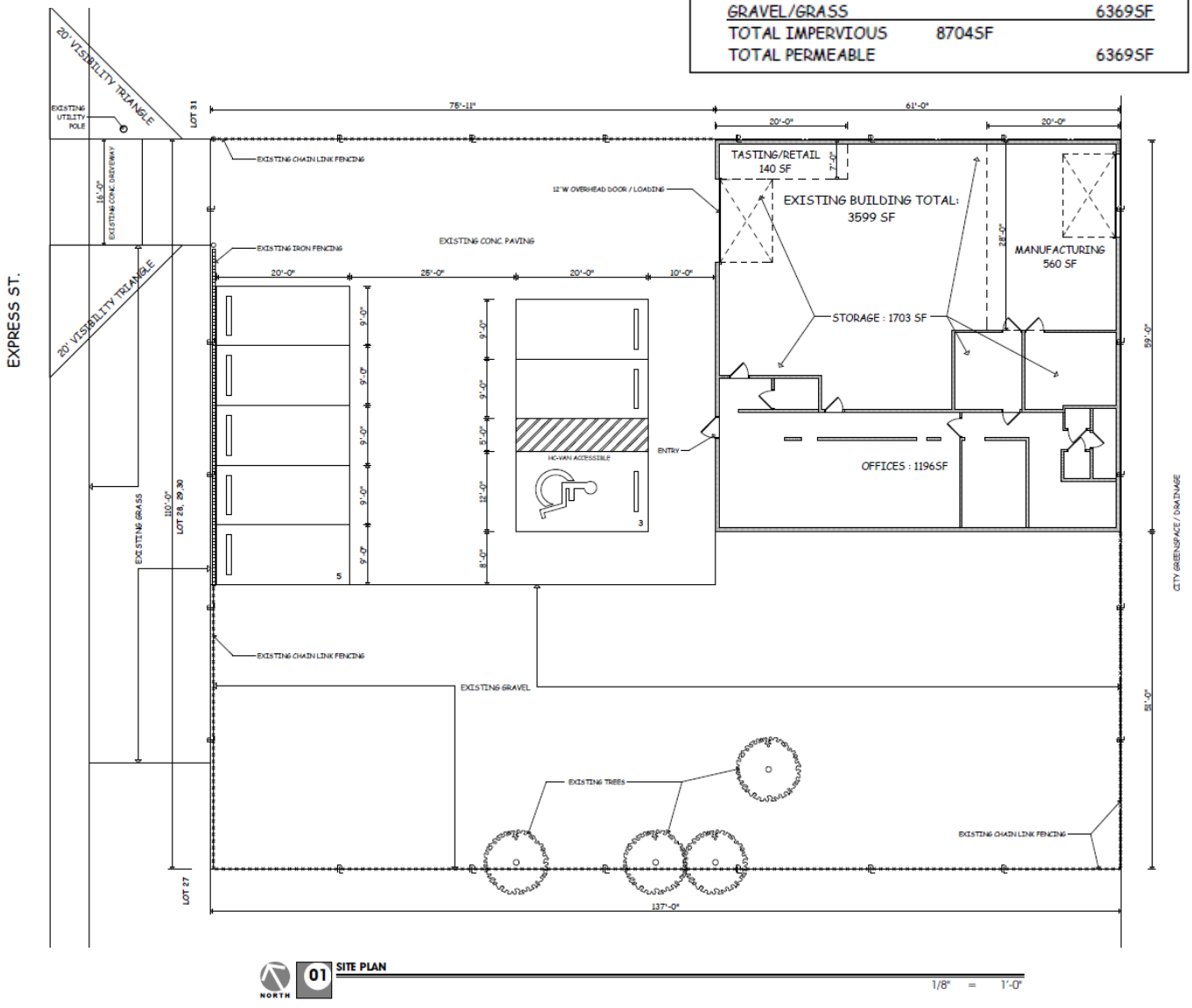
(4)(A)(ii) MICROBREWERY, MICRODISTILLERY, OR WINERY

USE	AREA REQUIREMENT	AREA	SPACES
STORAGE	1 SPACE PER 1000SF	1703SF	2
RETAIL SALES AND SEATING	1 SPACE PER 100SF	140SF	2
MANUFACTURING	1 SPACE PER 600SF	560SF	1
OTHER	1 SPACE PER 600SF	1196SF	2
TOTALS		3599SF	7 REQUIRED

1 ACCESSIBLE SPACE REQUIRED PER TAS TABLE 208.2
7 STANDARD + 1 HC-VAN-ACCESSIBLE SPACE PROVIDED = 8 TOTAL SPACES PROVIDED

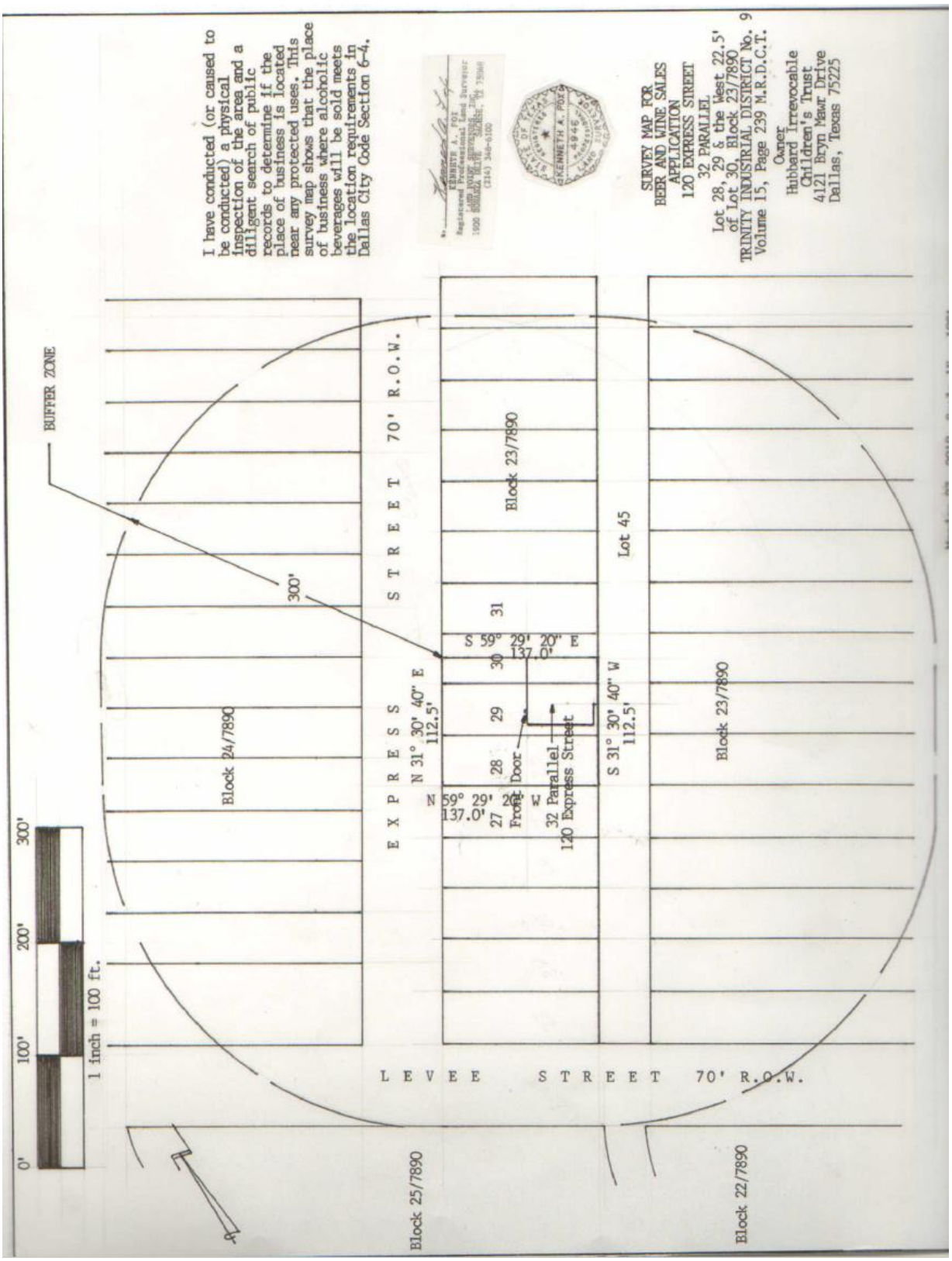
LOT COVERAGE

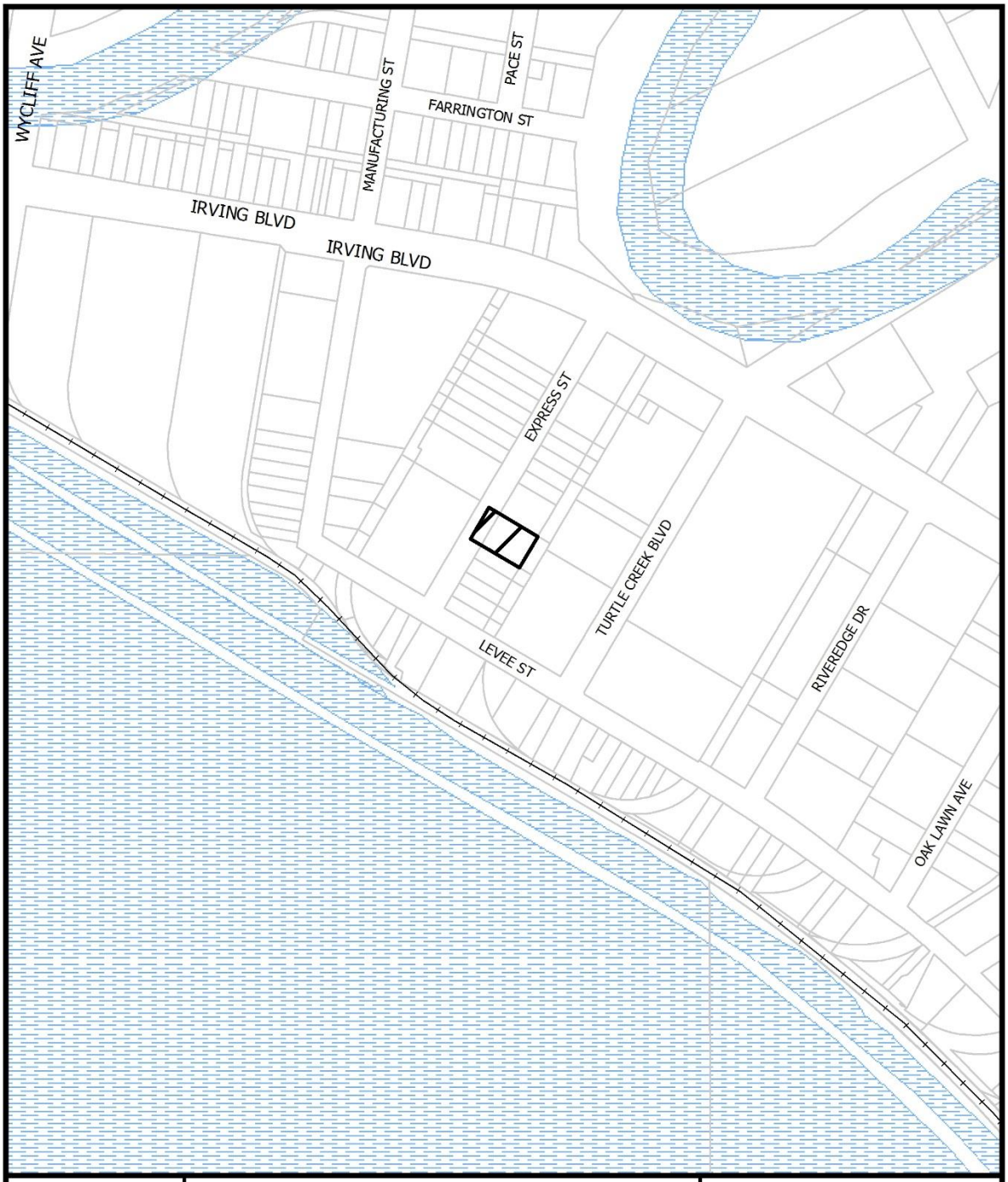
USE	IMPERVIOUS	PERMEABLE
BUILDING	3599SF	
CONCRETE PAVING	5105SF	
GRAVEL/GRASS		6369SF
TOTAL IMPERVIOUS	8704SF	
TOTAL PERMEABLE		6369SF



NORTH 01 SITE PLAN 1/8" = 1'-0"

Alcohol Survey



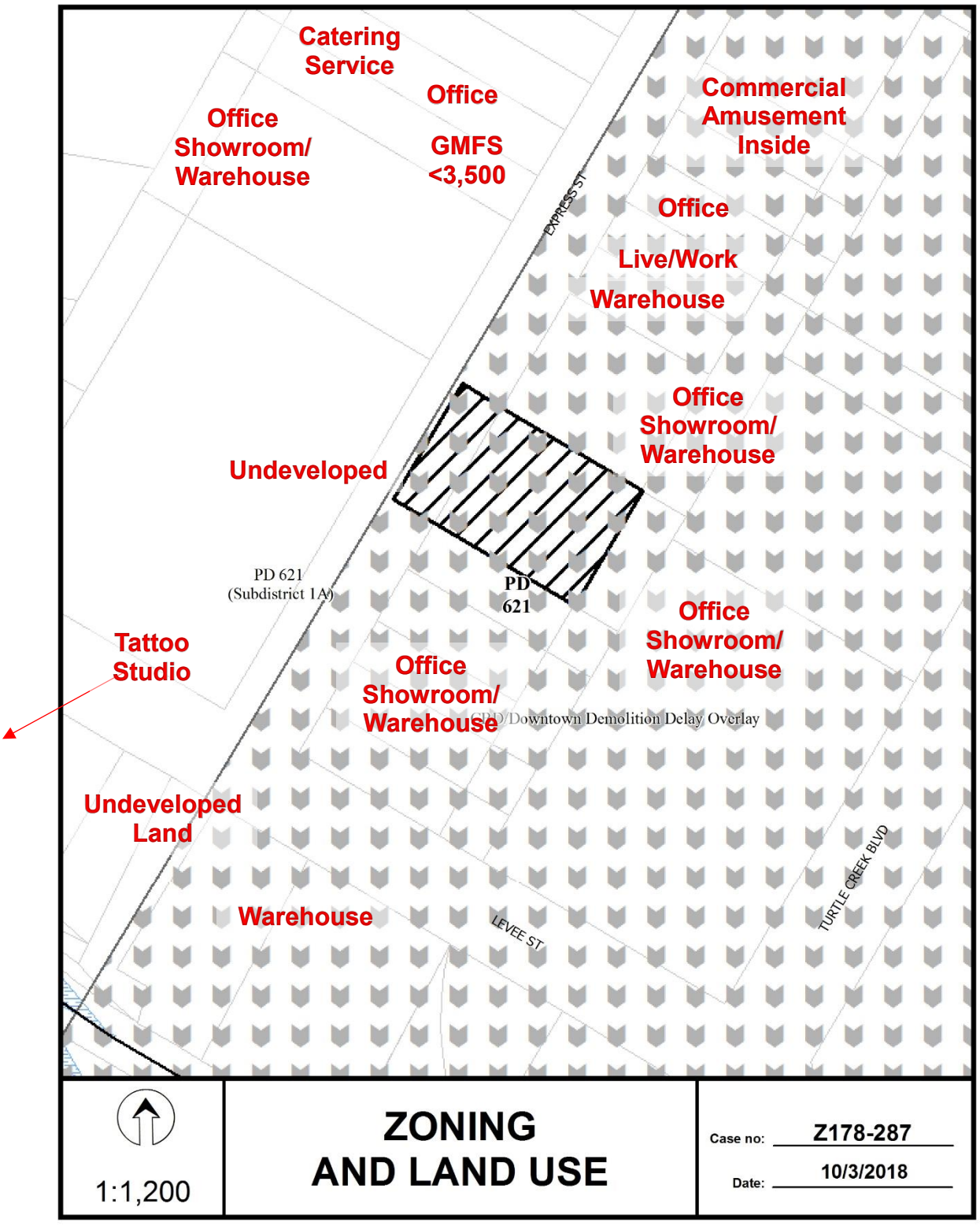

WYCLIFF AVE
MANUFACTURING ST
PACE ST
FARRINGTON ST
IRVING BLVD
IRVING BLVD
EXPRESS ST
TURTLE CREEK BLVD
LEVEE ST
RIVEREDGE DR
OAK LAWN AVE
1:4,800
VICINITY MAP
Case no: Z178-287
Date: 10/3/2018

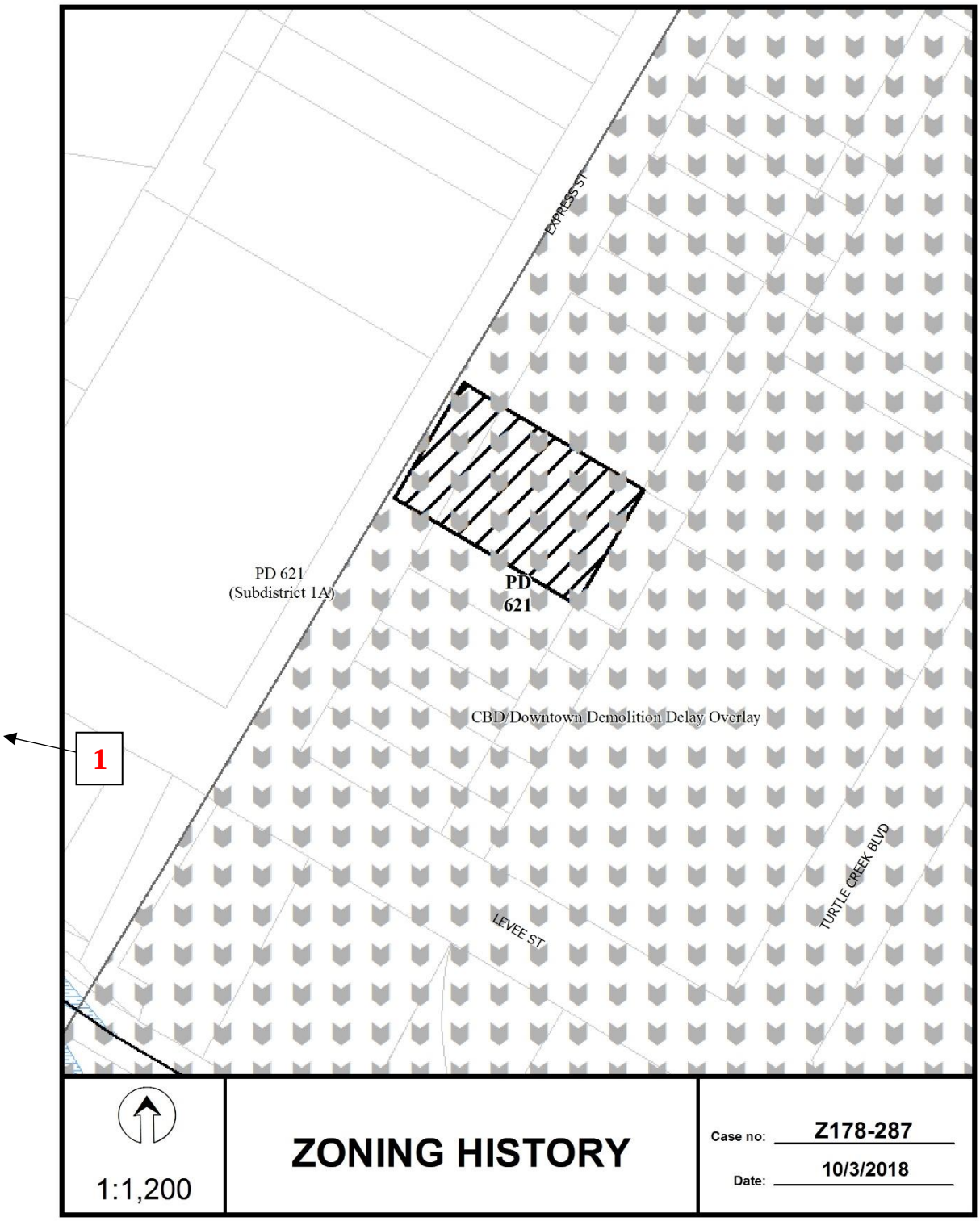
1:1,200

AERIAL MAP

Case no: Z178-287

Date: 10/3/2018


Catering Service
Office
Office Showroom/ Warehouse
GMFS <3,500
Commercial Amusement Inside
EXPRESS ST
Office
Live/Work
Warehouse
Office Showroom/ Warehouse
Undeveloped
PD 621 (Subdistrict 1A)
PD 621
Office Showroom/ Warehouse
Tattoo Studio
Office Showroom/ Warehouse
CA-1(A) Downtown Demolition Delay Overlay
Undeveloped Land
Warehouse
LEVEE ST
TURTLE CREEK BLVD
1:1,200
ZONING AND LAND USE
Case no: Z178-287
Date: 10/3/2018


EXPRESS ST
PD 621
(Subdistrict 1A)
PD
621
CBD/Downtown Demolition Delay Overlay
1
LEVEE ST
TURTLE CREEK BLVD
1:1,200
ZONING HISTORY
Case no: Z178-287
Date: 10/3/2018

CPC Responses

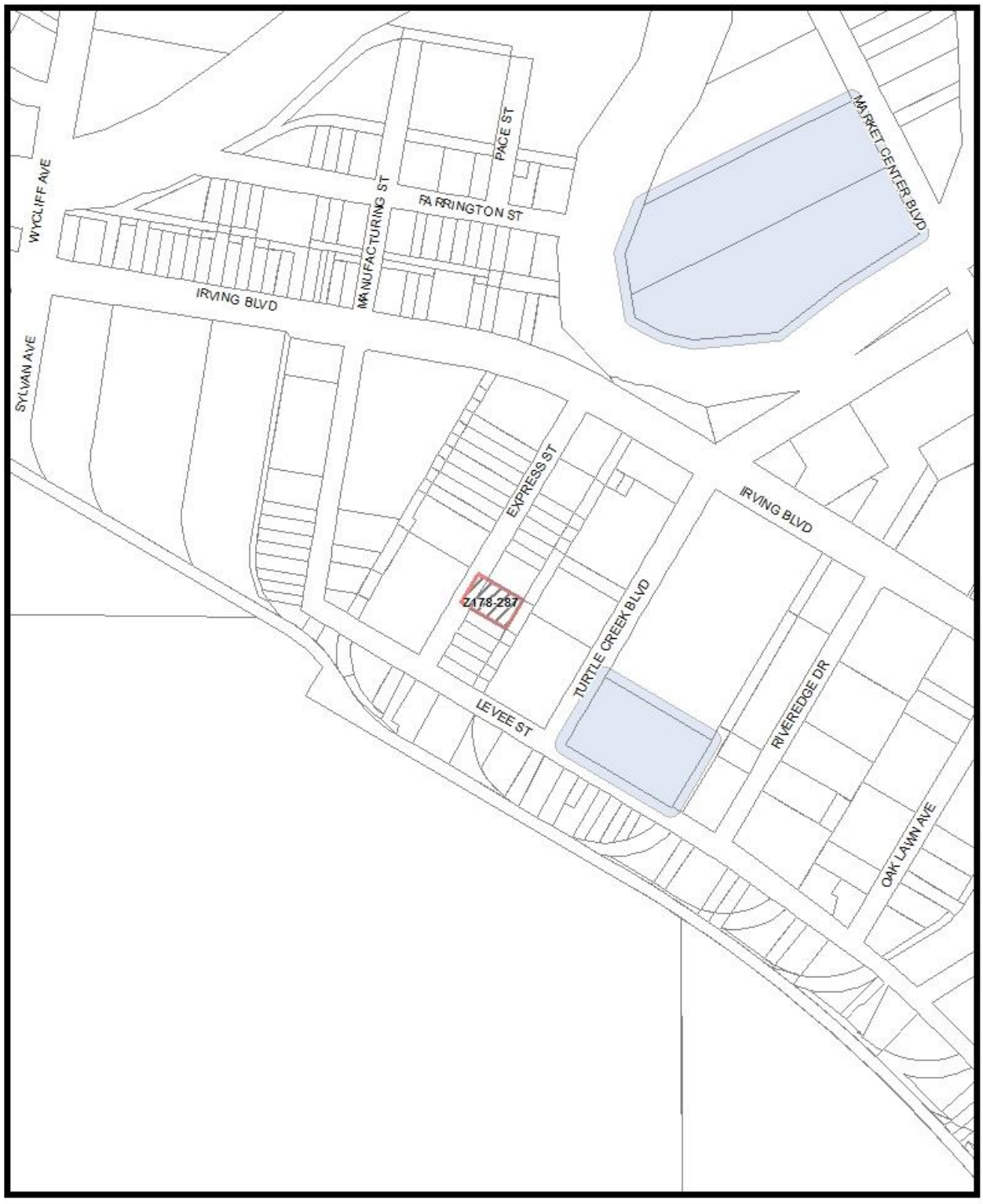
10/17/2018

Reply List of Property Owners

Z178-287

16 Property Owners Notified ***1 Property Owner in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	120	EXPRESS ST	HUBBARD JOHN R JR TRUST &
O	2	101	TURTLE CREEK BLVD	TRINITY DISTRICT PARTNERS
	3	102	EXPRESS ST	JEDLINSKI MARK & DANUTA
	4	106	EXPRESS ST	SEELCCO PARTNERS LTD
	5	110	EXPRESS ST	BLAKE DOUGLAS WALTER
	6	114	EXPRESS ST	HAMILTON JACK W TR &
	7	118	EXPRESS ST	BLAKE DOUG
	8	130	EXPRESS ST	ML & NB RAY PARTNERS LTD
	9	167	TURTLE CREEK BLVD	URBAN PROFESSIONALS GROUP LLC
	10	130	EXPRESS ST	RAY MAURY L
	11	1900	LEVEE ST	MARK JEDLINSKI
	12	1900	LEVEE ST	SEELCO PARTNERS LTD
	13	2001	IRVING BLVD	GB & ML LLC
	14	2001	IRVING BLVD	WSL JKO VENTURES LTD
	15	2001	IRVING BLVD	2001 IRVING BLVD SERIES LLC
	16	121	EXPRESS ST	IPENEMA INVESTMENTS LTF


WYCLIFF AVE
PACE ST
FARRINGTON ST
MANUFACTURING ST
MARKET CENTER BLVD
IRVING BLVD
SYLVAN AVE
EXPRESS ST
IRVING BLVD
Z178-287
TURTLE CREEK BLVD
RIVEREDGE DR
LEVEE ST
OAK LAWN AVE
MVA Cluster A B C D E F G H I NA
1:4,800
Market Value Analysis
Printed Date: 10/4/2018

Agenda Information Sheet

File #: 18-1365 **Item #:** 90.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 4

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 R-7.5(A) Single Family District, on the south corner of Fordham Road and Gladewater Road
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions
Z178-310(SM)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, DECEMBER 12, 2018**

ACM: Majed Al-Ghafry

FILE NUMBER: Z178-310(SM) **DATE FILED:** July 25, 2018

LOCATION: South corner of Fordham Road and Gladewater Road

COUNCIL DISTRICT: 4 **MAPSCO:** 46 R

SIZE OF REQUEST: Approx. 1,600 sq. ft. **CENSUS TRACT:** 27.01

APPLICANT: David Hargrove, Communications Tower Group, LLC

OWNER: Life Changing Ministries of Deliverance

REPRESENTATIVE: Peter Kavanagh, Zone Systems, Inc.

REQUEST: An application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned an R-7.5(A) Single Family District.

SUMMARY: The applicant proposes to construct a monopole tower for cellular communication within a concealment tower with an overall height of 134 feet to the rear of the existing church [Life Changing Ministries of Deliverance]. The proposed concealment tower will support T-Mobile and other cellular carriers to be determined later. The location of the proposed monopole tower is approximately 195 feet southeast of Fordham Road and 116 feet southwest of Gladewater Road. The tower and equipment are proposed to be surrounded by a six-foot-tall concrete masonry unit (CMU) block wall with a 16-foot-wide iron gate. The applicant also proposes a 10-foot-wide landscape buffer with crepe myrtles planted 15-feet on-center between Gladewater Road and the existing surface parking lot.

CPC RECOMMENDATION: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-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 1970, 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
Fordham Road	Local	50' ROW
Gladewater Road	Local	50' 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.

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.

STAFF ANALYSIS:

Surrounding Land Uses:

Location	Zoning	Land Use
Site	R-7.5(A)	Church
Northeast	R-7.5(A)	Single Family
Southeast	R-7.5(A)	Single Family
Southwest	R-7.5(A)	Undeveloped
Northwest	R-7.5(A)	Single Family

Land Use Compatibility: The subject site is currently developed with an existing church and surface parking lot. The tower and equipment are proposed to be surrounded by a six-foot-tall concrete masonry unit (CMU) wall to match the church. The proposed site plan and SUP conditions also require a 10-foot-wide landscape buffer with crepe myrtles planted 15-feet on-center between Gladewater Road and the surface parking lot to improve upon the existing streetscape and to provide an intervening element between the proposed stealth monopole tower and Gladewater Road.

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.

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 (RPS). Therefore, the maximum structure height of 30 feet in the R-7.5(A) Single Family District does not apply to a tower/antenna for cellular communication. Since the R-7.5(A) Single Family District also does not specify that RPS applies, it does not govern development within the R-7.5(A) Single Family District. However, a one-to-three slope can be used as a tool to evaluate how the height of the proposed stealth monopole tower relates to surrounding properties.

The applicant proposes to construct a monopole tower at this location to provide cellular coverage to users within the vicinity and has provided depictions of existing adjacent and proposed T-Mobile antenna sites on the following pages.

For the proposed 130-foot tall tower, excluding the four-foot-tall lightning rod, to comply with a one-to-three slope from developed single family properties, it requires a 390-foot separation. The proposed location of the stealth monopole tower is approximately 245

feet southeast, approximately 116 feet southwest, approximately 105 feet northwest, and approximately 113 feet northeast of the nearest developed single family properties.

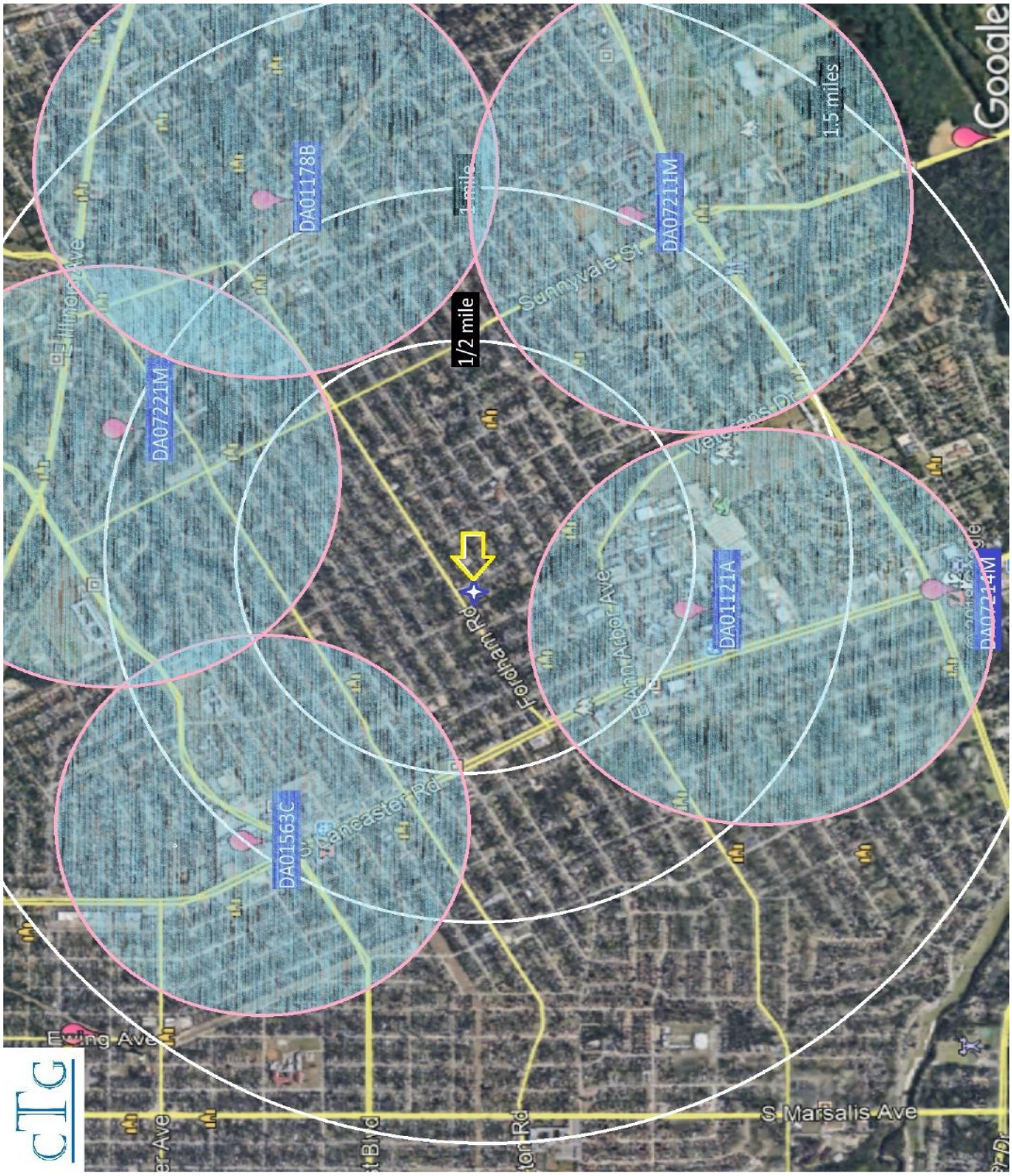
Although the height of the tower does not comply with a one-to-three slope to developed single family properties, staff supports the request because the cellular arrays will be concealed within a pole thus minimizing the visual effect of a cellular platform, the lease site will be positioned in an place that is furthest away from developed single family properties, the lease site will be screened with a masonry wall, the 10-foot landscape buffer with crepe myrtles will provide an additional buffer between the site and Gladewater Road, and the public utility service of improved coverage 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.

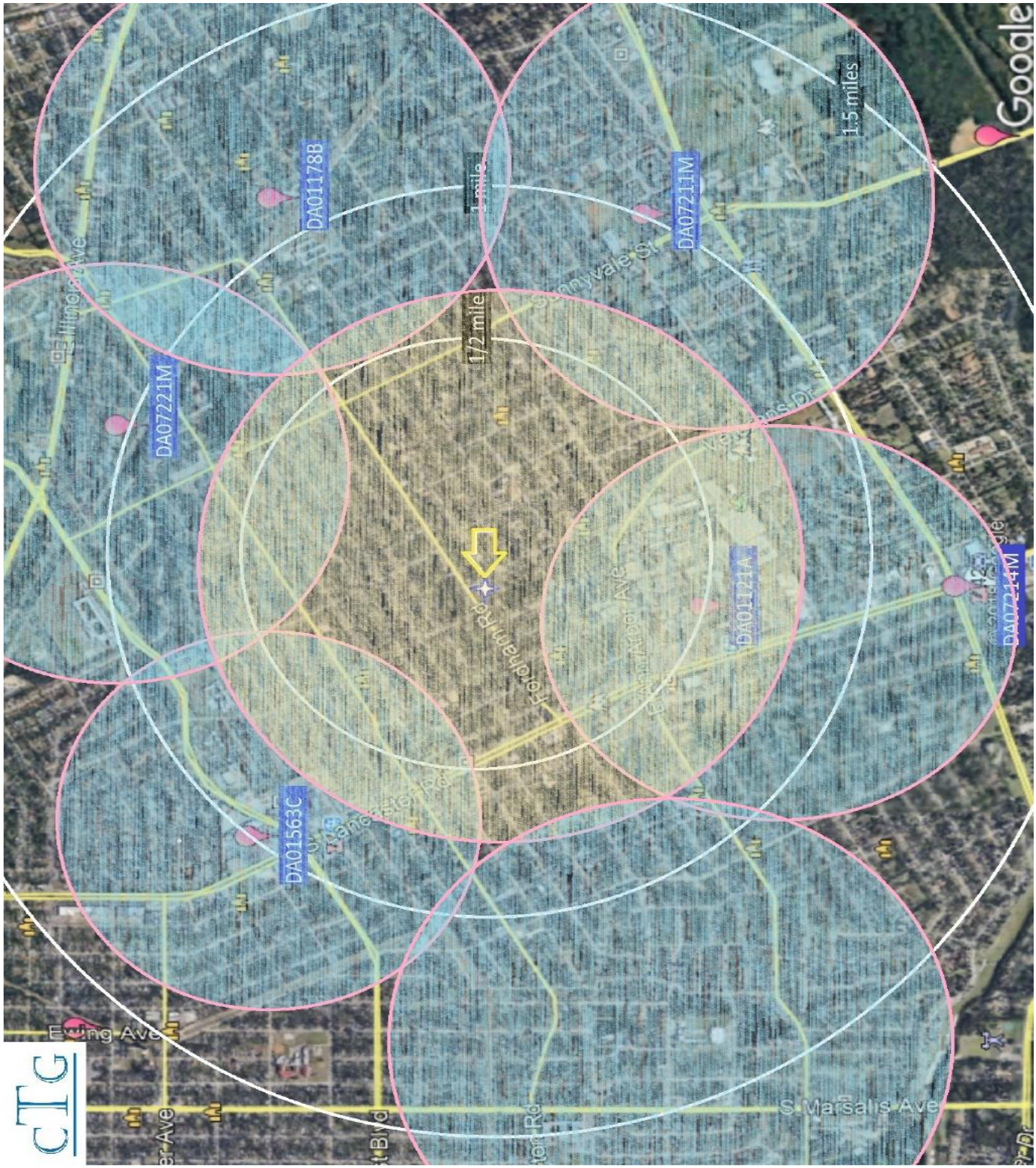
Landscaping: In general, landscaping must be provided in accordance with the landscaping requirements in Article X, as amended. Per the current proposal, the area of request will not be required to provide landscaping because less than 2,000 square feet of non-permeable surface will be installed; however, the applicant has proposed a 10-foot-wide landscape buffer with crepe myrtles planted 15-feet on-center between Gladewater Road and the surface parking lot. The surface parking lot is located between the proposed concealment tower and the single family uses on the northeast line of Gladewater Road.

Market Value Analysis: Market Value Analysis (MVA), 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. The area of request is not within an identifiable MVA category; however, it is surrounded by an "H" MVA cluster.

Existing T-Mobile Sites



Proposed and Existing T-Mobile Sites



PRIOR CPC ACTION – November 1, 2018:

Motion: It was moved to recommend **approval** of a Specific Use Permit for a tower/antenna for cellular communication for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions on property zoned an R-7.5(A) Single Family District, on the south corner of Fordham Road and Gladewater Road.

Maker: Davis
Second: Carpenter
Result: Carried: 13 to 0

For: 13 - West, Rieves, Davis, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 3, District 7

Notices: Area: 500 Mailed: 117
Replies: For: 0 Against: 0

Speakers: For: William Bebb Francis, 112 E. Pecan St., San Antonio, TX, 78205
Ronald Gozon, 7663 Warren Parkway, Frisco, TX, 75034
Against: Ninna Salom, 2227 Fordham Rd., Dallas, TX, 75216

MEMBERS

COMMUNICATIONS TOWER GROUP LLC
15720 Brixham Hill Avenue, Suite 300
Charlotte, North Carolina 28277

The following is the Member of COMMUNICATIONS TOWER GROUP LLC, a Delaware limited liability company:

Ricardo Loor
Member and CEO
15720 Brixham Hill Avenue, Suite 300
Charlotte, North Carolina 28277

Officers and Directors

LIFE CHANGING MINISTRIES OF DELIVERANCE
2152 Fordham Rd.
Dallas, Texas 75216-5719

The following are the Officers and Directors of LIFE CHANGING MINISTRIES OF DELIVERANCE:

Michael J. Dukes Sr.
Director
1338 San Miguel Dr
Duncanville, TX 75137 USA

Michael J. Dukes Sr.
President
1338 San Miguel Dr
Duncanville, TX 75137 USA

Annette D. Dukes
Director
1338 San Miguel Dr
Duncanville, TX 75137 USA

Talicia Rainey
Director
1146 Weaver Street
Cedar Hill, TX 75104 USA

Talicia Rainey
Secretary
1146 Weaver Street
Cedar Hill, TX 75104 USA

Joyce A. Hall
Director
5126 Broadway Blvd 2035
Garland, TX 75043

Terry Jefferson
Director
2318 Light Shore Drive
Dallas, TX 75228

Mary Mabry
Director
1200 Wisdom Rd.
Cedar Hill, TX 75104

Regional Barber
Director
516 Shennandoah Drive
Desoto, TX 75155

Linda Rainey
Director
1605 No Houston School Rd #14101
Lancaster, TX 75134

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 134 feet.

6. LANDSCAPING: Landscaping must be provided as shown on the attached site plan.

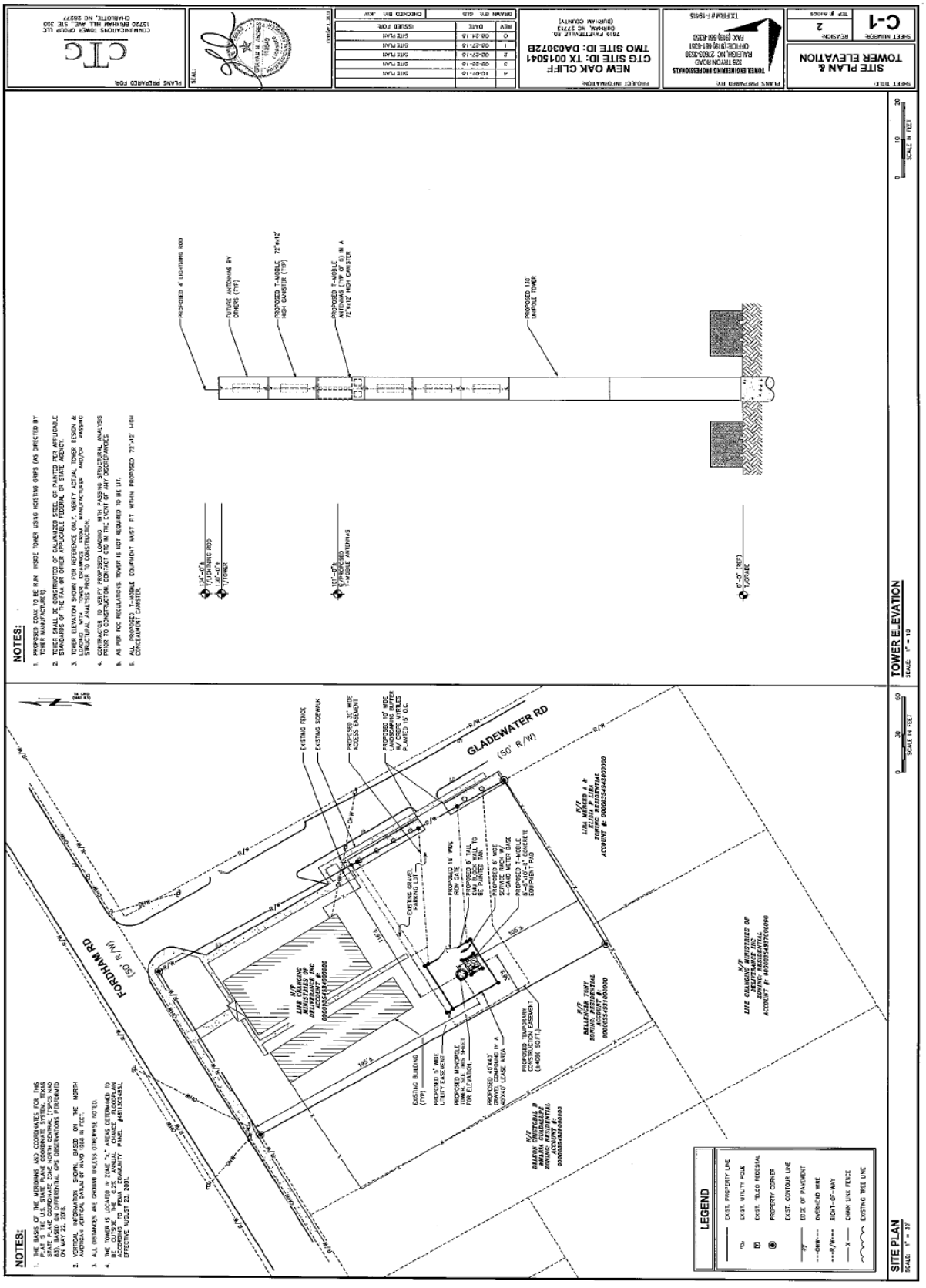
7. SCREENING: The lease area must be screened by a six-foot-tall masonry wall with a 16-foot wide iron gate in the location shown on the attached site plan.

8. 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.

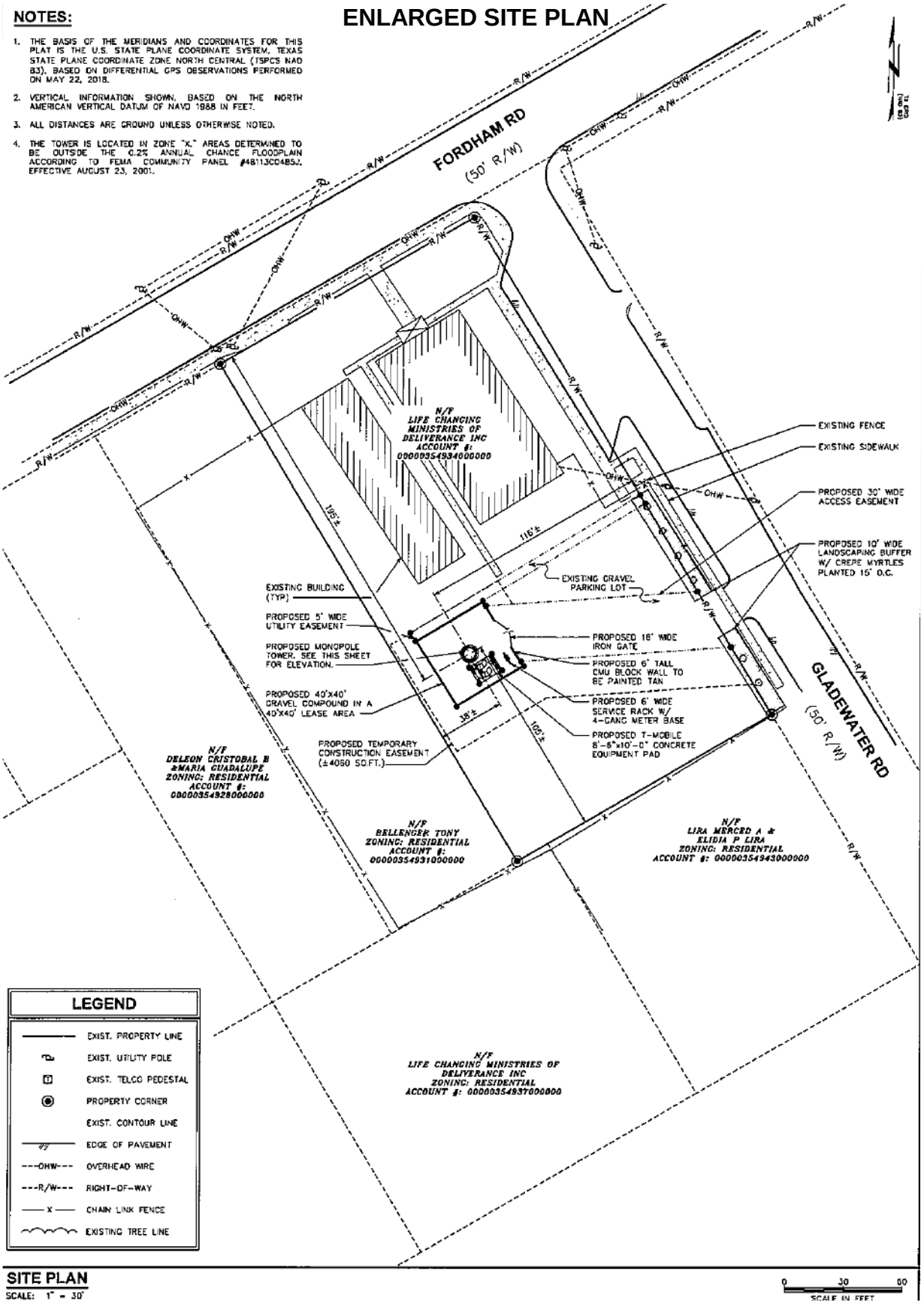
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

10. 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



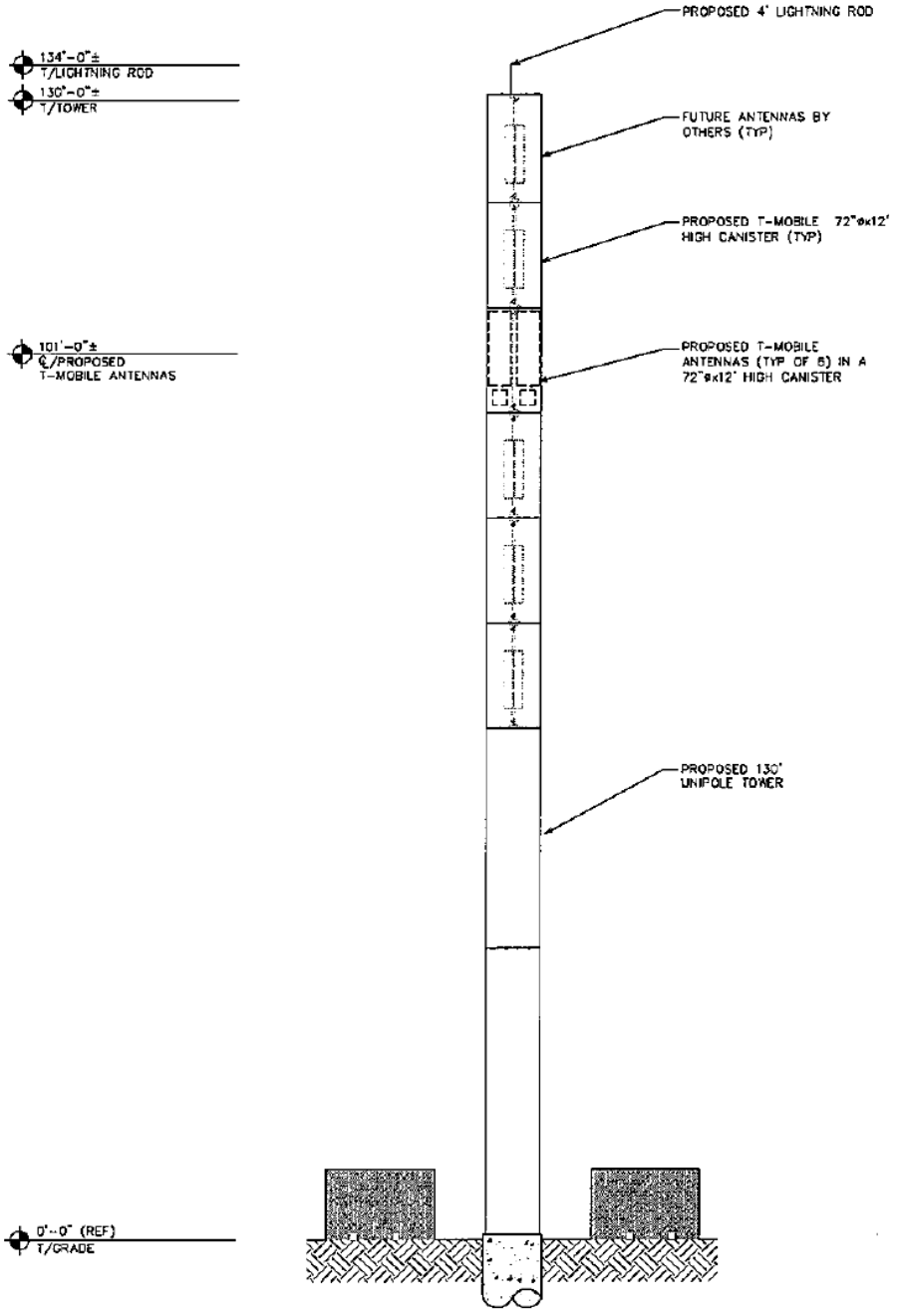
ENLARGED SITE PLAN

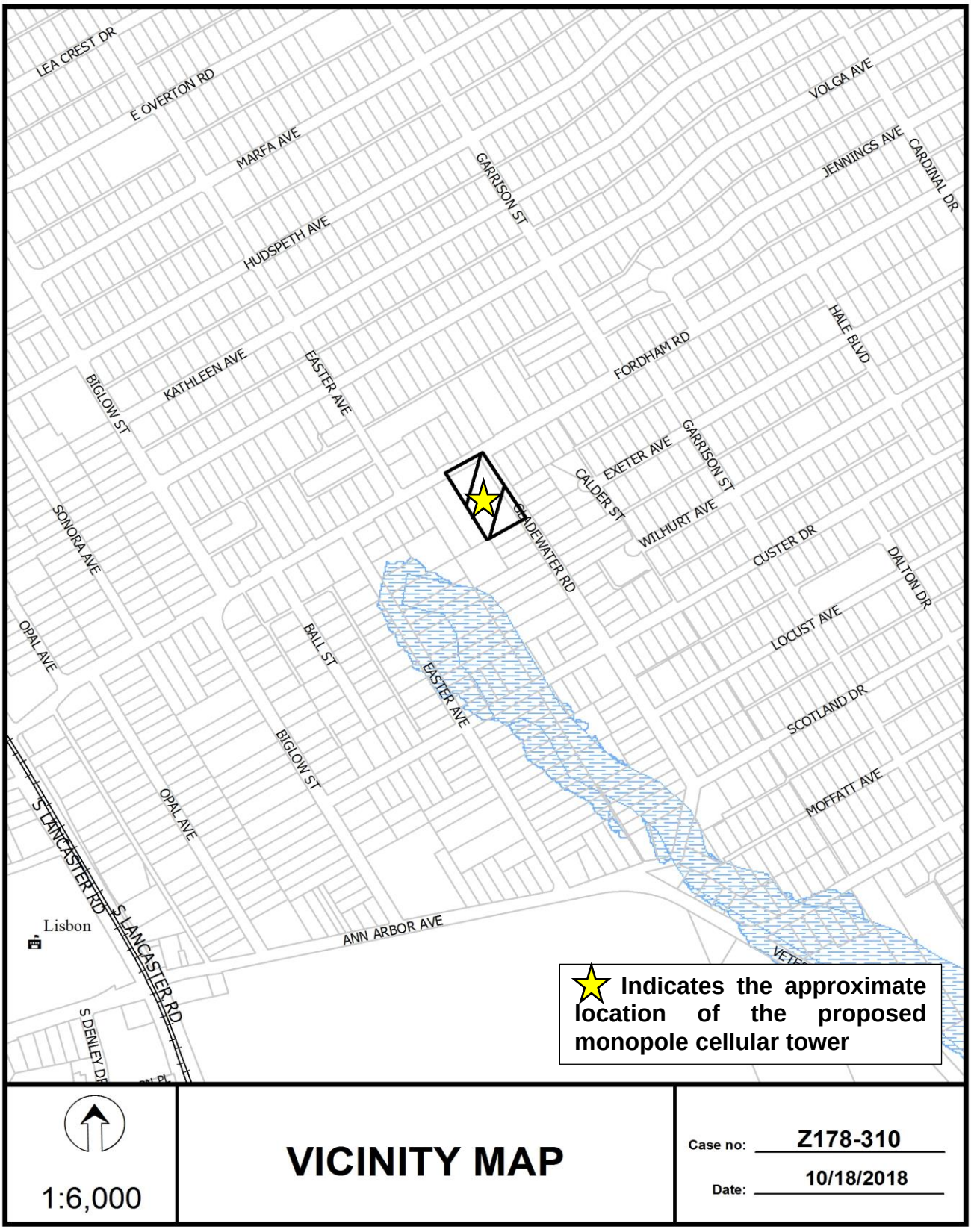


ENLARGED ELEVATION DETAIL

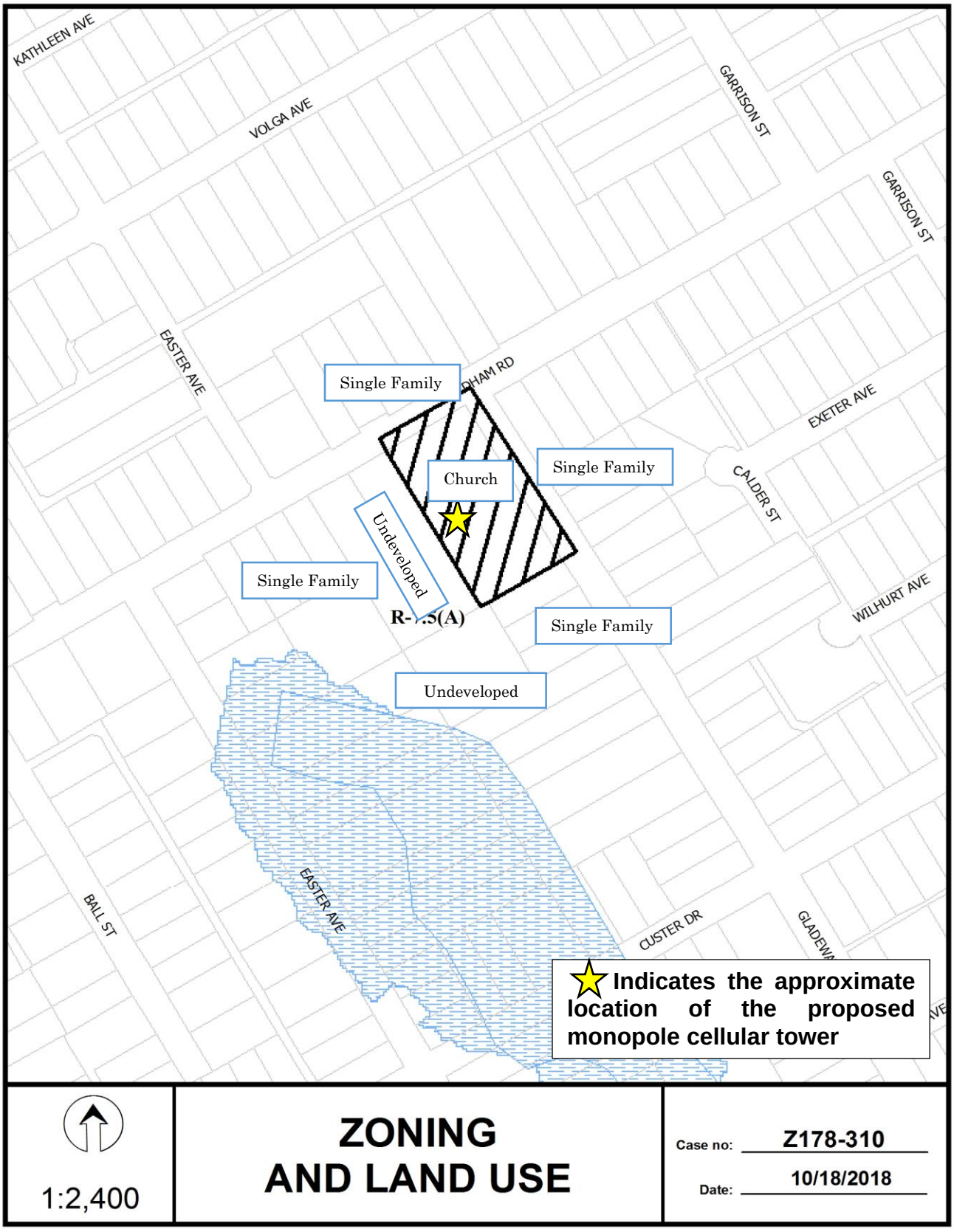
NOTES:

1. PROPOSED COAX TO BE RUN INSIDE TOWER USING HOISTING GRIPS (AS DIRECTED BY TOWER MANUFACTURER).
2. TOWER SHALL BE CONSTRUCTED OF GALVANIZED STEEL OR PAINTED PER APPLICABLE STANDARDS OF THE FAA OR OTHER APPLICABLE FEDERAL OR STATE AGENCY.
3. TOWER ELEVATION SHOWN FOR REFERENCE ONLY. VERIFY ACTUAL TOWER DESIGN & LOADING WITH TOWER DRAWINGS FROM MANUFACTURER AND/OR PASSING STRUCTURAL ANALYSIS PRIOR TO CONSTRUCTION.
4. CONTRACTOR TO VERIFY PROPOSED LOADING WITH PASSING STRUCTURAL ANALYSIS PRIOR TO CONSTRUCTION. CONTACT CTG IN THE EVENT OF ANY DISCREPANCIES.
5. AS PER FCC REGULATIONS, TOWER IS NOT REQUIRED TO BE LIT.
6. ALL PROPOSED T-MOBILE EQUIPMENT MUST FIT WITHIN PROPOSED 72"x12" HIGH CONCEALMENT CANISTER.

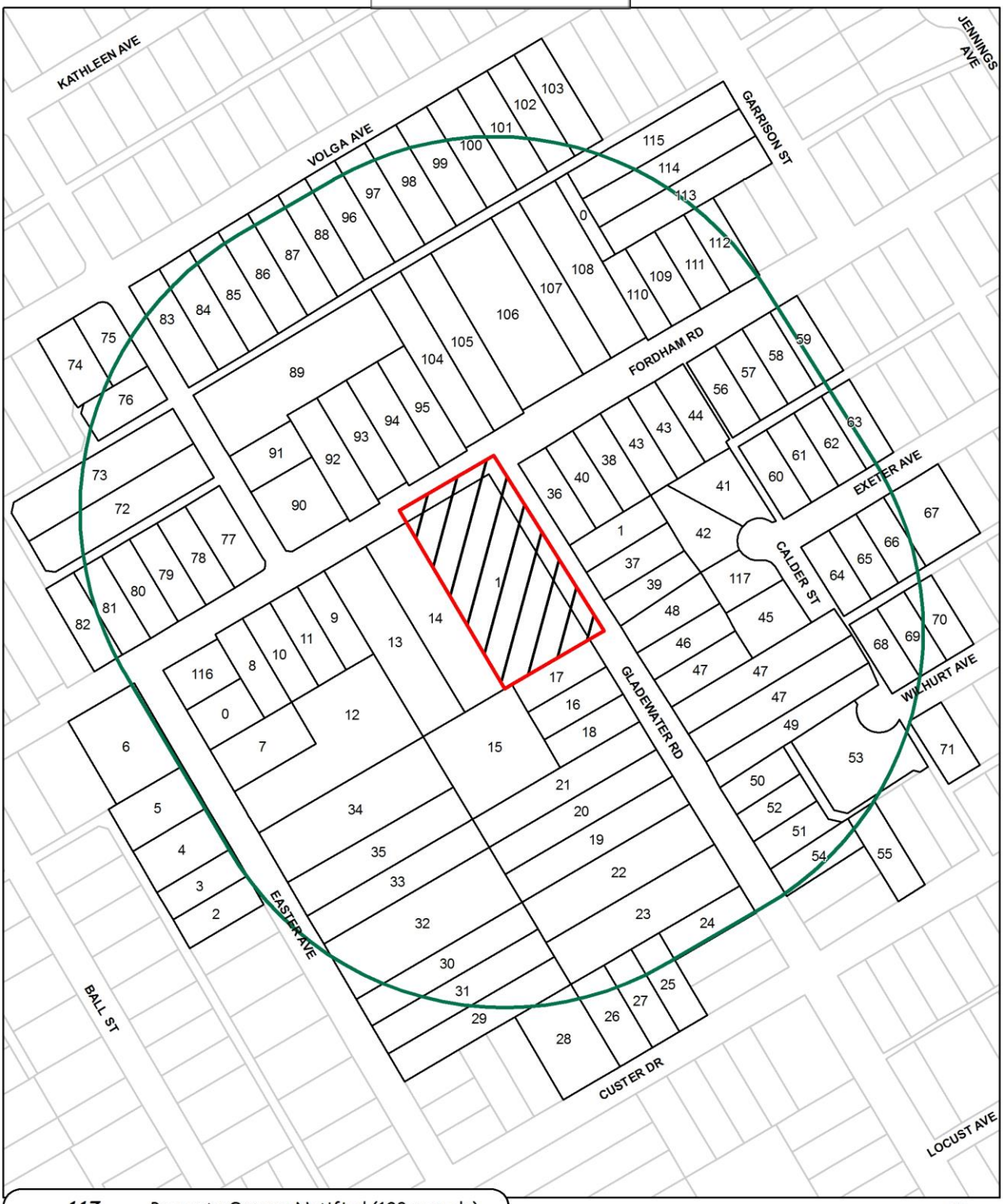



LEA CREST DR
E OVERTON RD
MARFA AVE
HUDSPETH AVE
GARRISON ST
VOLGA AVE
JENNINGS AVE
CARDINAL DR
KATHLEEN AVE
EASTER AVE
BIGLOW ST
FORDHAM RD
HALE BLVD
EXETER AVE
GARRISON ST
CALDER ST
WILHURT AVE
CUSTER DR
DALTON DR
LOCUST AVE
SCOTLAND DR
MOFFATT AVE
SONORA AVE
OPAL AVE
BALL ST
EASTER AVE
BIGLOW ST
OPAL AVE
S LANCASTER RD
S LANCASTER RD
Lisbon
ANN ARBOR AVE
S DENLEY DR
Indicates the approximate location of the proposed monopole cellular tower
1:6,000
VICINITY MAP
Case no: Z178-310
Date: 10/18/2018

KATHLEEN AVE
VOLGA AVE
GARRISON ST
GARRISON ST
EASTER AVE
FORDHAM RD
EXETER AVE
CALDER
WILHURT AVE
BALL ST
EASTER AVE
CUSTER DR
GLADEWATER
Indicates the approximate location of the proposed monopole cellular tower
1:2,400
AERIAL MAP
Case no: Z178-310
Date: 10/18/2018


KATHLEEN AVE
VOLGA AVE
GARRISON ST
GARRISON ST
EASTER AVE
EXETER AVE
CALDER ST
WILHURT AVE
Single Family
Church
Single Family
Undeveloped
Single Family
Single Family
Undeveloped
BALL ST
EASTER AVE
CUSTER DR
Indicates the approximate location of the proposed monopole cellular tower
1:2,400
ZONING
AND LAND USE
Case no: Z178-310
Date: 10/18/2018

CPC Responses



117	Property Owners Notified (123 parcels)
0	Replies in Favor (0 parcels)
0	Replies in Opposition (0 parcels)
500'	Area of Notification
11/1/2018	Date

Z178-310
CPC

N
W E
S

1:2,400

10/31/2018

Reply List of Property Owners

Z178-310

117 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	2152	FORDHAM RD	LIFE CHANGING MINISTRIES OF
	2	4129	EASTER AVE	TAH HOLDING LP
	3	4125	EASTER AVE	STERLING JARVIS INC
	4	4121	EASTER AVE	MR WEST PPTIES LLC
	5	4117	EASTER AVE	WALKER MARY J
	6	2042	FORDHAM RD	NICHOLS MARIE SLAUGHTER
	7	4114	EASTER AVE	BENITEZ FRANCISCO &
	8	2110	FORDHAM RD	MARTINEZ BANESA
	9	2122	FORDHAM RD	DAVIS BETTY J
	10	2114	FORDHAM RD	DIGGS EVELYN L
	11	2118	FORDHAM RD	WEST ROBERT
	12	4118	EASTER AVE	BELLENGER TONY
	13	2128	FORDHAM RD	DELEON CRISTOBAL B &
	14	2134	FORDHAM RD	BELLENGER TONY
	15	6	GLADEWATER RD	LIFE CHANGING MINISTRIES
	16	4131	GLADEWATER RD	ESPINOZA SILVESTRE &
	17	4127	GLADEWATER RD	LIRA MERCED A &
	18	4135	GLADEWATER RD	MENDOZA LORENZO &
	19	4147	GLADEWATER RD	WANG CHEN YU
	20	4143	GLADEWATER RD	ROBINSON CEDRIC
	21	4139	GLADEWATER RD	TORRES MARCOS DAMIAN
	22	4151	GLADEWATER RD	VILLARREAL ELIZABETH
	23	4159	GLADEWATER RD	JOHNSON VERNELL EST OF &
	24	4163	GLADEWATER RD	BALDERAS LUZ S
	25	2135	CUSTER DR	MARTINEZ JOSE & NANCY FLORES
	26	2127	CUSTER DR	DAVIS JERRY

10/31/2018

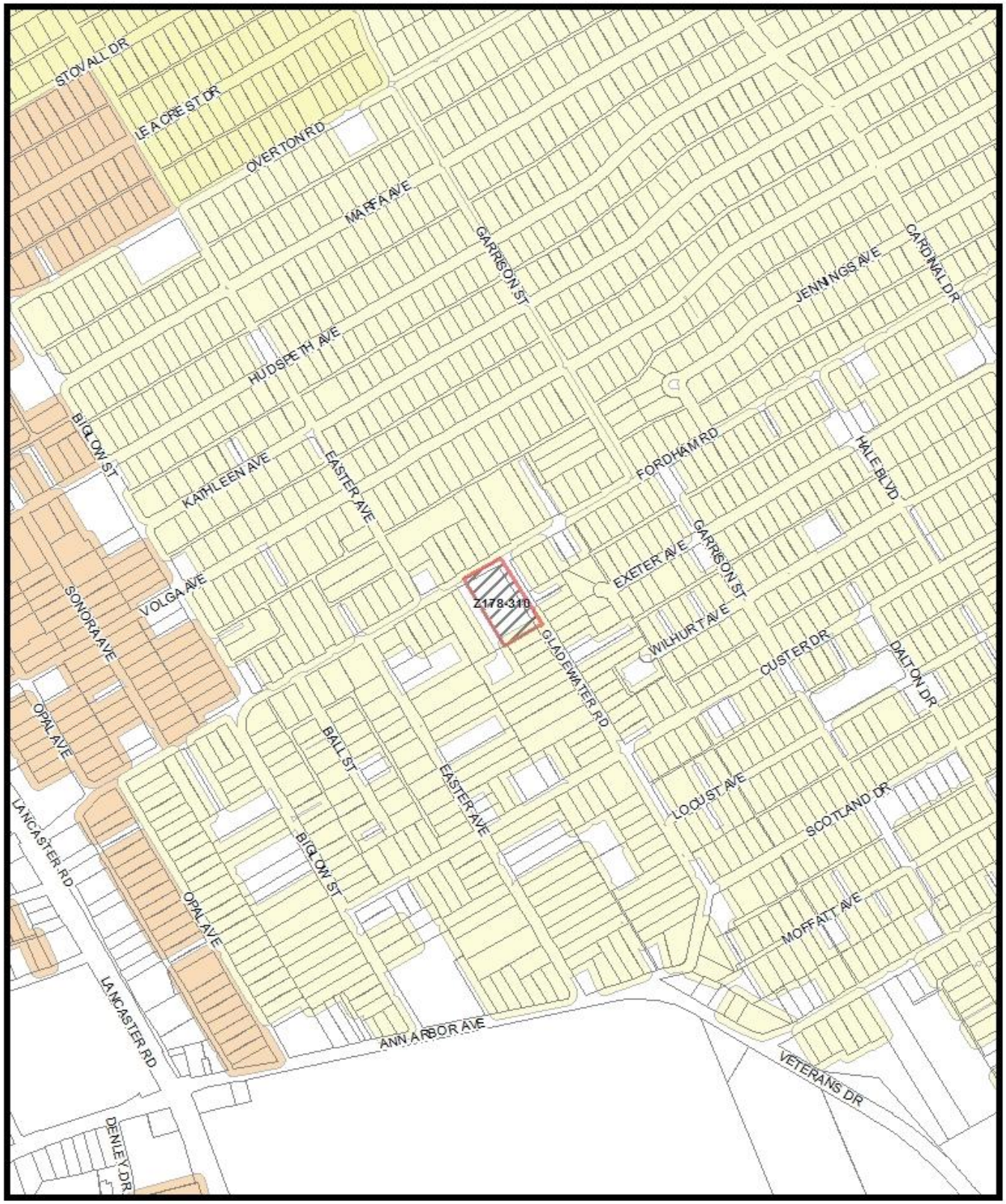
Reply	*Label #*	*Address*		*Owner*
	27	2131	CUSTER DR	SUTTON SABRINA
	28	2123	CUSTER DR	WEBER ALEXANDER ESTATE OF
	29	4158	EASTER AVE	MONREAL ARTURO
	30	4150	EASTER AVE	REDBURN MARY E ET AL
	31	4154	EASTER AVE	ALANIS IRENE YUDITH GOMEZ
	32	4146	EASTER AVE	RUBIO JOSE
	33	4138	EASTER AVE	RUBIO JOSE
	34	4130	EASTER AVE	SMITH GLADYS LEE
	35	4134	EASTER AVE	IPINA JOSE LUIS RIVERA &
	36	2202	FORDHAM RD	ESPINOZA NORBERTO R
	37	4116	GLADEWATER RD	PRINCESS PALACE LLC
	38	2210	FORDHAM RD	SHEPPARD R F
	39	4120	GLADEWATER RD	RUIZ FORTINO & MARIA
	40	2206	FORDHAM RD	ESPINOSA NORBERTO R &
	41	4117	CALDER ST	GARCIA NOE &
	42	4121	CALDER ST	HARPER JOYCE
	43	2218	FORDHAM RD	BAENA GINO
	44	2222	FORDHAM RD	NEW WAVE HOLDINGS LLC
	45	4133	CALDER ST	DABBS SHERYL A
	46	4130	GLADEWATER RD	VEGA SALVADOR &
	47	4134	GLADEWATER RD	WILLING WORKERS BAPTIST CHURCH
	48	4126	GLADEWATER RD	SOLANO GABRIEL PALOMARES
	49	4146	GLADEWATER RD	HUDSPETH DONNIE RAY
	50	4150	GLADEWATER RD	TELLO CHRISTIAN J
	51	4158	GLADEWATER RD	GUTIERREZ MIGUEL
	52	4154	GLADEWATER RD	DAVIS JACQUELINE D
	53	2222	WILHURT AVE	POSADA OSCAR &
	54	4162	GLADEWATER RD	RUBIO MIGUEL R &
	55	2215	CUSTER DR	JUAREZ MARIA & TEODOSIO
	56	2226	FORDHAM RD	OKWILAGWE ALLANTAE
	57	2230	FORDHAM RD	SEDBERRY JOHN &

10/31/2018

Reply	*Label #*	*Address*		*Owner*
	58	2234	FORDHAM RD	JMR HOMES LLC
	59	2238	FORDHAM RD	GUZMAN ADRIANA
	60	2227	EXETER DR	ROJAS PAULA
	61	2231	EXETER DR	BANDA FERMIN &
	62	2235	EXETER DR	DELEON CRISTOBAL &
	63	2239	EXETER DR	WOODS JOHN JR
	64	2226	EXETER DR	ESCAMILLA NAYELI MARISELA
	65	2230	EXETER DR	KELLEY TERRENCE
	66	2234	EXETER DR	SMITH GLORIA
	67	2238	EXETER DR	RAMIREZ JULIO & CLARA
	68	2227	WILHURT AVE	SISK TAKIESHEA
	69	2231	WILHURT AVE	BARRON JAMES W
	70	2235	WILHURT AVE	DUNN KAY
	71	2226	WILHURT AVE	CARUTHERS LISA
	72	4009	EASTER AVE	MESHACK PATRIA
	73	4003	EASTER AVE	MCGHEE DEBRA ANN
	74	2154	VOLGA AVE	LEWIS PAUL
	75	2158	VOLGA AVE	MACIAS JUAN MANUEL &
	76	3915	EASTER AVE	ROSSUM ELI
	77	2059	FORDHAM RD	LACY GRETA
	78	2055	FORDHAM RD	MARES MARIO
	79	2051	FORDHAM RD	RIOS JEREMIAS AVILA & MARIA EUSEBIA LOVO
	80	2047	FORDHAM RD	COTTON THOMAS LAVAN
	81	2043	FORDHAM RD	HUNT REECE JR ESTATE OF
	82	2039	FORDHAM RD	HUNT REECE JR
	83	2202	VOLGA AVE	CABRALES ELISA
	84	2206	VOLGA AVE	BAUTISTA ELVIRA
	85	2210	VOLGA AVE	TURNER LARRY VAN &
	86	2214	VOLGA AVE	MORRIS HELEN J
	87	2218	VOLGA AVE	SEGOVIA SABRA &
	88	2222	VOLGA AVE	DELGADO PEDRO & RAQUEL

10/31/2018

Reply	*Label #*	*Address*		*Owner*
	89	4006	EASTER AVE	BYRD CALVERSIA
	90	2103	FORDHAM RD	CHURCH OF CHRIST AT DALLAS
	91	4012	EASTER AVE	GREER RUTH ELLA
	92	2111	FORDHAM RD	ALVARES EDWARDO &
	93	2115	FORDHAM RD	WILLABY GEORGE
	94	2119	FORDHAM RD	TYLER ALONZO CLAYBORNE
	95	2123	FORDHAM RD	COX CHARLESETTA
	96	2226	VOLGA AVE	WILLIAMS KATHERINE L D EST OF
	97	2230	VOLGA AVE	MURCHISON ODESSA
	98	2302	VOLGA AVE	VALLES JOSE HUMBERTO JUNIOR &
	99	2306	VOLGA AVE	JAMES R BROWN REVOCABLE
	100	2310	VOLGA AVE	JONES SAMUEL L &
	101	2314	VOLGA AVE	QUINTERO MARIA EULALIA
	102	2318	VOLGA AVE	CONTRERAS JOSE G &
	103	2322	VOLGA AVE	LEIJA ALMA DELIA
	104	2203	FORDHAM RD	AGUILAR YESENIA &
	105	2207	FORDHAM RD	MILLER CLAUDETTE L
	106	2215	FORDHAM RD	HAMILTON SADIE M
	107	2219	FORDHAM RD	MUNDINE PAULA &
	108	2223	FORDHAM RD	OAK CLIFF ZION BAPTIST CHURCH
	109	2231	FORDHAM RD	HALL M J
	110	2227	FORDHAM RD	LAGOW DEV PROJECT LLC
	111	2235	FORDHAM RD	KAILO REAL ESTATE INV LLC
	112	2239	FORDHAM RD	WALKER BRENDA L
	113	4011	GARRISON ST	DAVALOS LAURA ANGELICA
	114	4007	GARRISON ST	RIOS JEREMIAS & MARIA LOVO
	115	4003	GARRISON ST	HUMBERTO GARCIA
	116	2108	FORDHAM RD	BLANTON TOMIKA D
	117	4127	CALDER ST	MENDEZ HERACLEO & HILARIA


STOVALL DR
LEACREST DR
OVERTON RD
MARFA AVE
GARRISON ST
HUDSPETH AVE
BIGLOW ST
KATHLEEN AVE
EASTER AVE
FORDHAM RD
JENNINGS AVE
CARDINAL DR
HALE BLVD
EXETER AVE
GARRISON ST
Z178-310
VOLGA AVE
SONORA AVE
WILHURT AVE
CUSTER DR
DALTON DR
GLADEWATER RD
OPAL AVE
BALL ST
EASTER AVE
LOCUST AVE
SCOTLAND DR
LANCASTER RD
BIGLOW ST
OPAL AVE
MOFFATT AVE
ANN ARBOR AVE
VETERANS DR
LANCASTER RD
DENLEY DR
MVA Cluster
A
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C
D
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I
NA
1:6,000
Market Value Analysis
Printed Date: 10/18/2018

Agenda Information Sheet

File #: 18-1366 **Item #:** 91.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 10

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. 467, on the north side of Church Road, east of White Rock Trail
Recommendation of Staff and CPC: Approval, subject to a revised development plan, a revised landscape plan, a traffic management plan, and conditions
Z178-317(JM)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, DECEMBER 12, 2018**

ACM: Majed Al-Ghafry

FILE NUMBER: Z178-317(JM) **DATE FILED:** July 30, 2018

LOCATION: North side of Church Road, east of White Rock Trail

COUNCIL DISTRICT: 10 **MAPSCO:** 27 K; L

SIZE OF REQUEST: ±41.39 acres **CENSUS TRACT:** 130.08

APPLICANT/OWNER: Richardson ISD

REPRESENTATIVE: Rob Baldwin, Baldwin and Associates

REQUEST: An application for an amendment to Planned Development District No. 467.

SUMMARY: The purpose of this request is to allow the existing public school [Lake Highlands High School] to construct a new multipurpose athletic complex (gymnasium), 22 new classrooms, and to relocate the fire lane.

CPC RECOMMENDATION: **Approval**, subject to a revised development plan, a revised landscape plan, a traffic management plan, and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a revised development plan, a revised landscape plan, a traffic management plan, and conditions.

BACKGROUND INFORMATION:

- PD No. 467 was established by the City Council on February 26, 1997, and contains 41.39 acres of land for a public school use [Lake Highlands High School].
- The current request is to allow for an addition to provide a new multipurpose athletic complex (MAC) or gymnasium, the addition of 22 new classrooms, and the renovation of the library and kitchen. In all, the floor area increase of 149,072 square feet would bring the site to a total of 687,422 square feet.
- A parking reduction is requested from the existing PD requirement of 1,061 parking spaces to 998. No additional parking is proposed for the 22 new classrooms.
- The existing fire lane is being expanded to the northwest and redesigned to meet the new Fire Code.
- A traffic management plan has been provided with this request.

Zoning History: There have not been any zoning requests within the area in the last five years.

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. A TMP has been accepted with this request, with consideration of the new fire lane that travels around the northern boundary of the site, bringing the site into compliance with the new Fire Code.

PD No. 467 did not previously contain language related to maintenance of the TMP. This has been added with this request.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Church Road	Local	Variable
White Rock Trail	Local	70 ft. (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 1.1 ALIGN LAND USE STRATEGIES WITH ECONOMIC DEVELOPMENT PRIORITIES

Policy 1.1.5 Strengthen existing neighborhoods and promote neighborhoods' unique characteristics. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

1.1.5.7 Ensure that neighborhoods are served by and accessible to neighborhood commercial areas, parks and open space, libraries and schools. Encourage the development of these facilities in priority Area Plans.

Surrounding Land Uses

	Zoning	Land Use
Site	PD No. 467	Public School (Lake Highlands HS)
North	R-7.5(A)	Single family and public utilities with a trail
East	R-7.5(A)	Single family
South	R-7.5(A)	Single family and a park (Lake Highlands Recreation Center)
West	PD No. 451 and MF-1(A)	Athletic Fields for LHHS and Multifamily

Land Use Compatibility

The request site is currently developed with a public school use [Lake Highlands High School]. Surrounding land uses include: single family, public utilities and a trail to the north; single family to the east; single family and a park [Lake Highlands Recreation Center] to the south; and, an athletic field for LHHS and multifamily to the west.

PD No. 467 was established by the City Council on February 26, 1997, and contains 41.39 acres of land. Additionally, PD No. 451 contains an extra 5.405 acres used as an athletic field for LHHS. The school currently contains 538,350 square feet of floor area with 126 classrooms. The current request is to allow for the addition of 149,072 square feet to provide a new multipurpose athletic complex (MAC) or gymnasium, the addition of 22 classrooms, and renovation of the library and kitchen. The addition also required compliance with the new Fire Code, causing the fire lane to extend around the existing and proposed building addition at the northwest corner of the property.

The breakdown of floor area would change from total square footage per building totaling 538,350 square feet, to an overall maximum of 687,422 square feet. The previous method of allocating maximum floor area per building is antiquated. An overall square footage combined with the proposed development plan are sufficient control mechanisms.

Additionally, setbacks were previously required per the approved development plan [Exhibit 467A]. The setbacks are now prescribed in the text of the PD for clarity.

The existing fire lane is being relocated to meet the current Fire Code requirements. The building length from the nearest public access or fire lane must not be greater than 200 feet for the fire hose to reach. The existing structure at the northwest corner of the site has an existing structure with over 200 feet in length, making a section of the

structure out of compliance. The proposed addition connected to this same building added to the length of the building and required the fire lane to be wrapped around these structures at the northwest corner of the property. In order to comply with the Fire Code requirements, the new fire lane will replace a 15-foot landscape buffer along the public utility and trail boundary to the northwest.

The site will continue to operate as a public school serving the community. The school will continue to contribute to the neighborhood by offering additional capacity and upgraded facilities for the adjacent residential areas.

Market Value Analysis

Market Value Analysis (MVA), 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. While the subject site is not located within an identified market type category, it is closest to Category I to the northwest and west across the DART line, Category B abutting the site to the north and east, Category C to the southeast, beside the Lake Highlands Recreation Center, and Categories E and H to the southwest, across the DART line.

Parking

Pursuant to PD No. 467, 1,061 parking spaces are required for the public school use. The number of classrooms was not outlined in the PD. A search through Certificate of Occupancy records found no detail of classrooms. The applicant has self-reported 126 existing classrooms. Twenty-two new classrooms are proposed, for a total of 148 high school classrooms.

Observations of the existing high school operations indicated that 4.9 parking spaces are utilized per classroom. According to the applicant's engineer, with 148 classrooms proposed, a minimum of 725 parking spaces are needed to meet the demand observed. The applicant has offered to provide 998 parking spaces, per the revised development plan. This is a reduction of 63 spaces from the existing PD standards, without consideration of the demand for the 22 new classrooms.

The City Engineer reviewed the observations and report provided to justify the reduction in parking and has agreed to the request.

Landscaping

Landscaping will be provided per the proposed revised landscape plan. The one-page plan replaces a two-page plan [Exhibits 467B1 and 467B2]. The new plan was reviewed by the Chief Arborist and found acceptable. Changes made include the removal of a 15-foot landscape buffer along the public utility and trail boundary to the northwest. This change allows for the existing and proposed structures to meet the new Fire Code requirements to have a maximum of 200 feet of inaccessible building frontage.

CPC Action
October 18, 2018

Motion: It was moved to recommend **approval** of an amendment to Planned Development District No. 467, subject to a revised development plan, a revised landscape plan, a traffic management plan, and conditions on the north side of Church Road, east of White Rock Trail.

Maker: Davis
Second: Carpenter
Result: Carried: 12 to 0

For: 12 - West, Rieves, Davis, Shidid*, Carpenter, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley
Against: 0
Absent: 1 - Lewis
Vacancy: 2 - District 3, District 7

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 426
Replies: For: 3 Against: 5

Speakers: None

List of Officers

Richardson Independent School District

Board of Trustees
Jean Bono, Place 1
Kim Caston, Place 2
Karen Clardy, Place 3
Katie Patterson, Place 4
Eron Linn, Place 5
Justin Bono, Place 6
Kristin Kuhne, Place 7

CPC Recommended Amending Conditions

ARTICLE 467.

PD 467.

SEC. 51P-467.101. LEGISLATIVE HISTORY.

PD 467 was established by Ordinance No. 23046, passed by the Dallas City Council on February 26, 1997. Ordinance No. 23046 amended Ordinance No. 19455, Chapter 51A of the Dallas City Code, as amended. Ordinance No. 23046 was amended by Ordinance No. 24831, passed by the Dallas City Council on January 23, 2002. (Ord. Nos. 19455; 23046; 24831; 26042)

SEC. 51P-467.102. PROPERTY LOCATION AND SIZE.

PD 467 is established on property generally located at the northeast corner of Church Road and White Rock Trail. The size of PD 467 is approximately 41.39 acres. (Ord. Nos. 23046; 26042)

SEC. 51P-467.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A.

(c) For purposes of determining the applicability of regulations in this article and in Chapter 51A triggered by adjacency or proximity to another zoning district, and for purposes of interpreting the DIR and RAR requirements of Division 51A-4.800, this district is considered to be a nonresidential zoning district. (Ord. Nos. 24831; 26042)

SEC. 51P-467.103.1. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit 467A: development plan.

(2) Exhibit 467B: landscape plan.

(3) Exhibit 467C: traffic management plan.

SEC. 51P-467.104. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit 467A). In the event of a conflict between the provisions of this article and the development plan, the provisions of this article control. (Ord. Nos. 24831; 26042; 26499)

SEC. 51P-467.105. MAIN USES PERMITTED.

The only main use permitted is a public school. (Ord. Nos. 24831; 26042)

SEC. 51P-467.106. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations contained in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217. (Ord. Nos. 24831; 26042)

SEC. 51P-467.107. 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 contained in Division 51A-4.400. In the event of a conflict between this section and Division 51A-4.400, this section controls.)

(a) Setbacks for main structures. ~~Setbacks must be provided as shown on the development plan.~~ No setbacks are required for accessory structures.

(1) Church Road. Minimum setback is 100 feet.

(2) White Rock Trail. Minimum setback is 80 feet.

(3) North side yard. Minimum setback is 20 feet.

(4) East side yard. Minimum setback is 600 feet.

(b) Floor area. Maximum floor area is 687,422 square feet.

~~(1) Maximum floor area for Building A is 165,000 square feet.~~

~~(2) Maximum floor area for Building B is 348,000 square feet.~~

~~(3) Maximum floor area for Building C is 3,500 square feet.~~

~~(4) Maximum floor area for Building D is 17,000 square feet.~~

~~(5) Maximum floor area for Building E is 2,650 square feet.~~

~~(6) Maximum floor area for Building F is 1,200 square feet.~~

~~(7) Maximum floor area for Building G is 1,000 square feet.~~

(c) Height. Except as provided in this section, maximum structure height is 57 feet.

(1) Maximum height for poles supporting exterior lights for the baseball and softball fields is 70 feet.

(2) Maximum height for ~~Buildings E, F, and G~~ accessory buildings is 20 feet.

(d) Lot coverage.

(1) Maximum lot coverage is 45 percent.

(2) Surface parking lots and underground parking structures are not included in lot coverage calculations.

(e) Lot size. No minimum lot size.

(f) Stories.

(1) Maximum number of stories ~~for Building A~~ is three.

(2) Maximum number of stories for ~~Building B is two~~ for accessory buildings is one.

~~(3) Maximum number of stories for Building C is two.~~

~~(4) Maximum number of stories for Building D is two.~~

~~(5) Maximum number of stories for Buildings E, F, and G is one. (Ord. Nos. 24831; 26042; 26499)~~

SEC. 51P-467.108. ROADWAY AND INFRASTRUCTURE IMPROVEMENTS.

Prior to the issuance of a certificate of occupancy for a public school, the following roadway and infrastructure improvements are required:

(1) Reconstruction of the existing drive approach on the north side of Church Road in order to align with Fieldcrest Drive. The reconstruction must provide a minimum driveway pavement width of 36 feet and allow for two ten-foot egress lanes and one 16-foot ingress lane.

(2) Installation of a traffic signal at the following intersections: (A) Church Road and White Rock Trail; and (B) Audelia Road and Ferndale Road.

(3) Widening of the existing driveways to the parking lot on Church Road, between the football stadium and the circular drive, to a minimum of 24 feet each, with a minimum curb return radii of 20 feet. These driveways must be marked for two-way operation.

(4) Marking of the circular driveway with two twelve-foot lanes. (Note: Parallel parking in front of the circular driveway is prohibited.)

(5) Closure of the existing drive approach on the east side of White Rock Trail immediately north of Church Road. (Ord. Nos. 24831; 26042)

SEC. 51P-467.109. OFF-STREET PARKING AND LOADING.

A minimum of ~~1,061~~ 998 off-street parking spaces for the public school must be provided in the locations shown on the development plan. (Ord. Nos. 24831; 26042)

SEC.51P-467.109.1 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-467.110. FENCING.

Fencing must be provided as shown on the development plan. (Ord. Nos. 24831; 26042)

SEC. 51P-467.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI. (Ord. Nos. 24831; 26042)

SEC. 51P-467.112. LANDSCAPING.

Prior to the issuance of a certificate of occupancy for a public school, landscaping must be provided as shown on the landscape plan (Exhibit 467B). Plant material must be maintained in a healthy, growing condition. For the baseball and softball fields, evergreen shrubs must be planted in the area designated on the development plan. The minimum height of the evergreen shrubs at maturity is 15 feet. Planting must be completed within 90 days of the installation of the exterior lighting for the baseball and softball fields. The evergreen shrubs must be planted at a maximum of eight feet on center and at a minimum size of 15 gallons, and must be irrigated with an automatic irrigation system. (Ord. Nos. 23046; 24831; 26042; 26499)

SEC. 51P-467.113. SIGNS.

Signs must comply with the provisions for non-business zoning districts contained in Article VII. "No parking" signs must be posted along the eastern boundary of the Property as shown on the development plan at a minimum spacing of one sign per 100 feet of frontage along the alley. (Ord. Nos. 24831; 26042)

SEC. 51P-467.114. AMPLIFIED SOUND SPEAKERS.

Amplified sound speakers for the baseball and softball fields must be directed toward the seating areas in each field and away from any residential use. (Ord. Nos. 24831; 26042)

SEC. 51P-467.115. RESIDENTIAL PROXIMITY SLOPE.

The standards for residential proximity slope do not apply to the light poles, the support poles for the protective screens, and the fair/foul ball line poles for the baseball and softball fields, as shown on the development plan. (Ord. Nos. 24831; 26042)

SEC. 51P-467.116. ADDITIONAL PROVISIONS.

(a) The entire 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.

(c) The baseball and softball fields are subject to the following restrictions:

(1) Lighted use of the fields is limited to University Interscholastic League (UIL) games or practices involving at least one Richardson Independent School District team and Lake Highlands High School.

(2) Lights may be switched on Mondays through Fridays, and on Saturdays for rescheduled games only. Lighted use of the fields on Sundays is prohibited.

(3) Lights must be switched off within 15 minutes of the completion of any game, except that the one light standard for each field indicated on the development plan may not be switched off for 30 minutes after the completion of the game to allow for maintenance of the fields. For practice sessions, all lights must be switched off at 6:30 p.m. The fields may not be lighted after 10:00 p.m. (Ord. Nos. 24831; 26042)

SEC. 51P-467.117. 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. 24831; 26042)

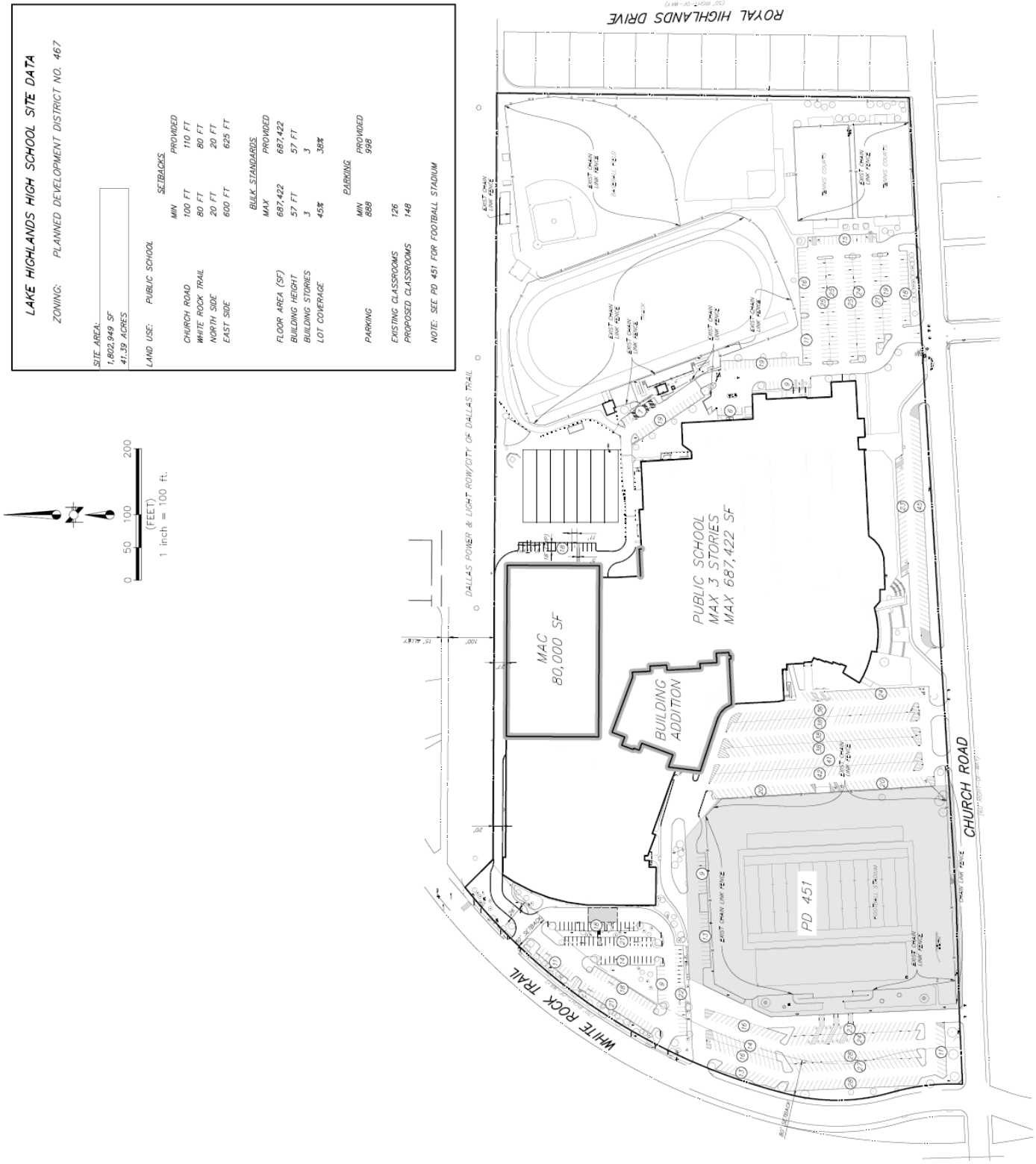
SEC. 51P-467.118. COMPLIANCE WITH CONDITIONS.

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 ordinances, rules, and regulations of the city. (Ord. Nos. 24831; 26042)

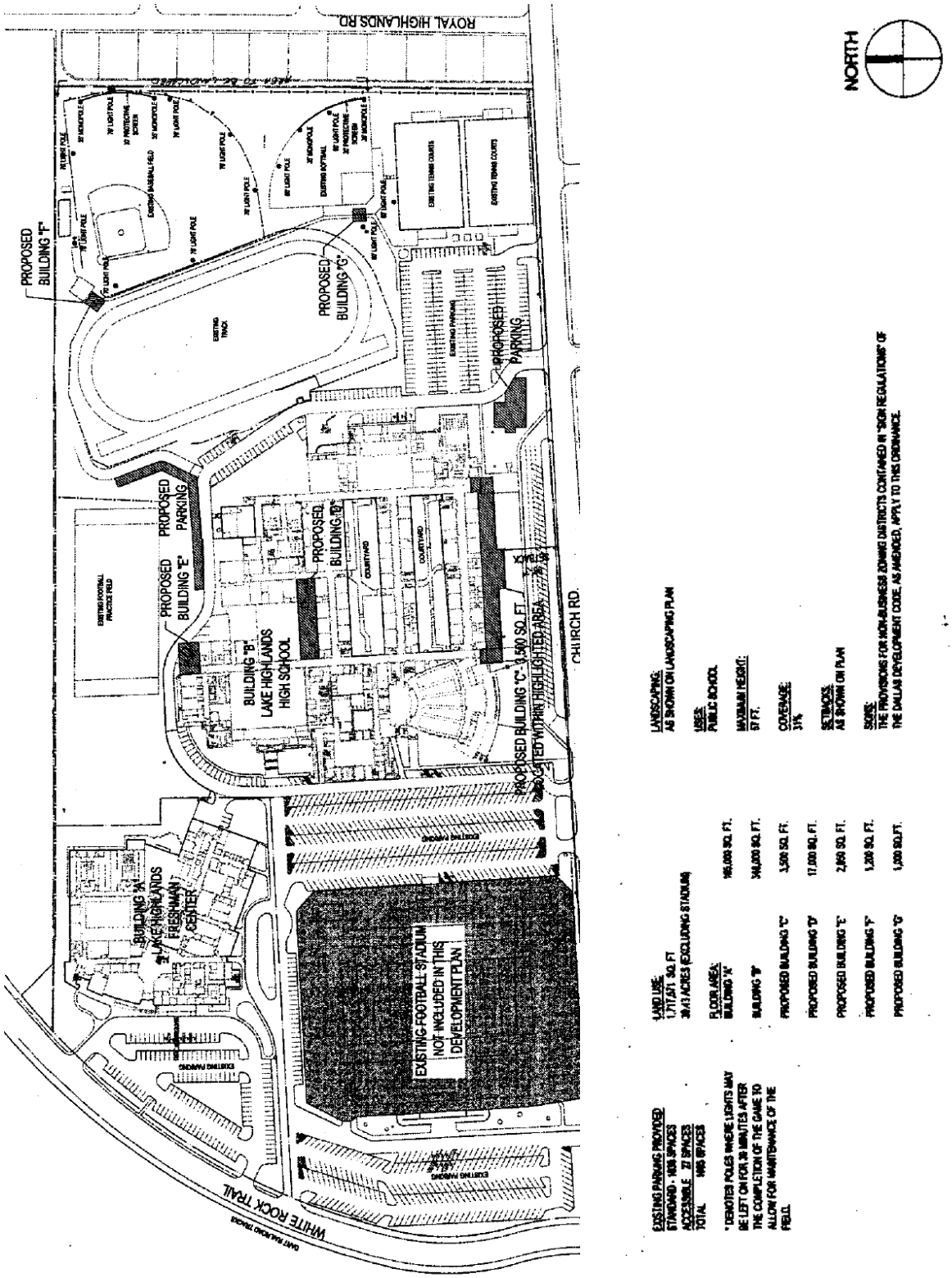
~~**SEC. 51P-467.119. ZONING MAP.**~~

~~PD 467 is located on Zoning Map No. E-9. (Ord. Nos. 23046; 26042)~~

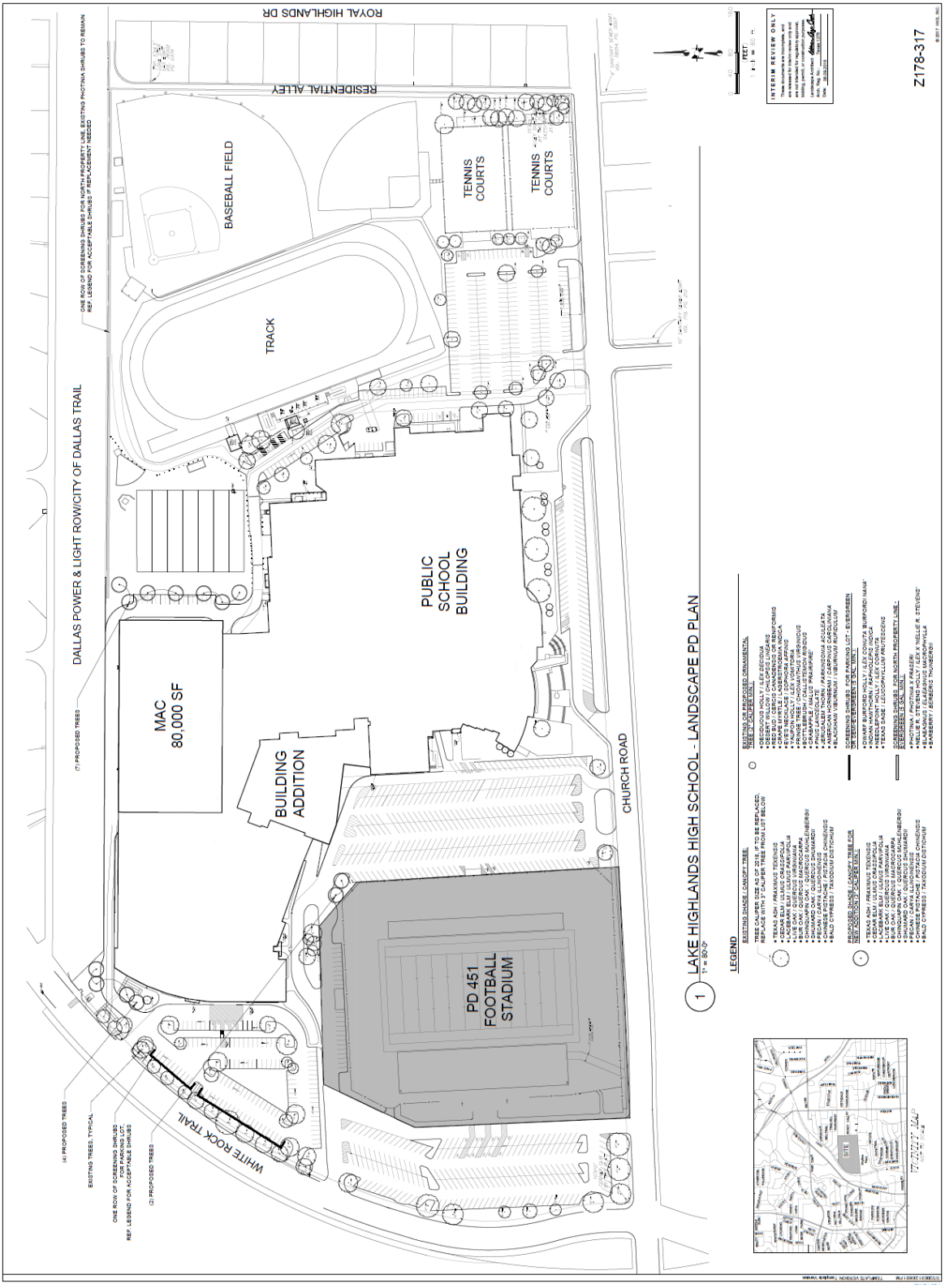
Proposed Development Plan



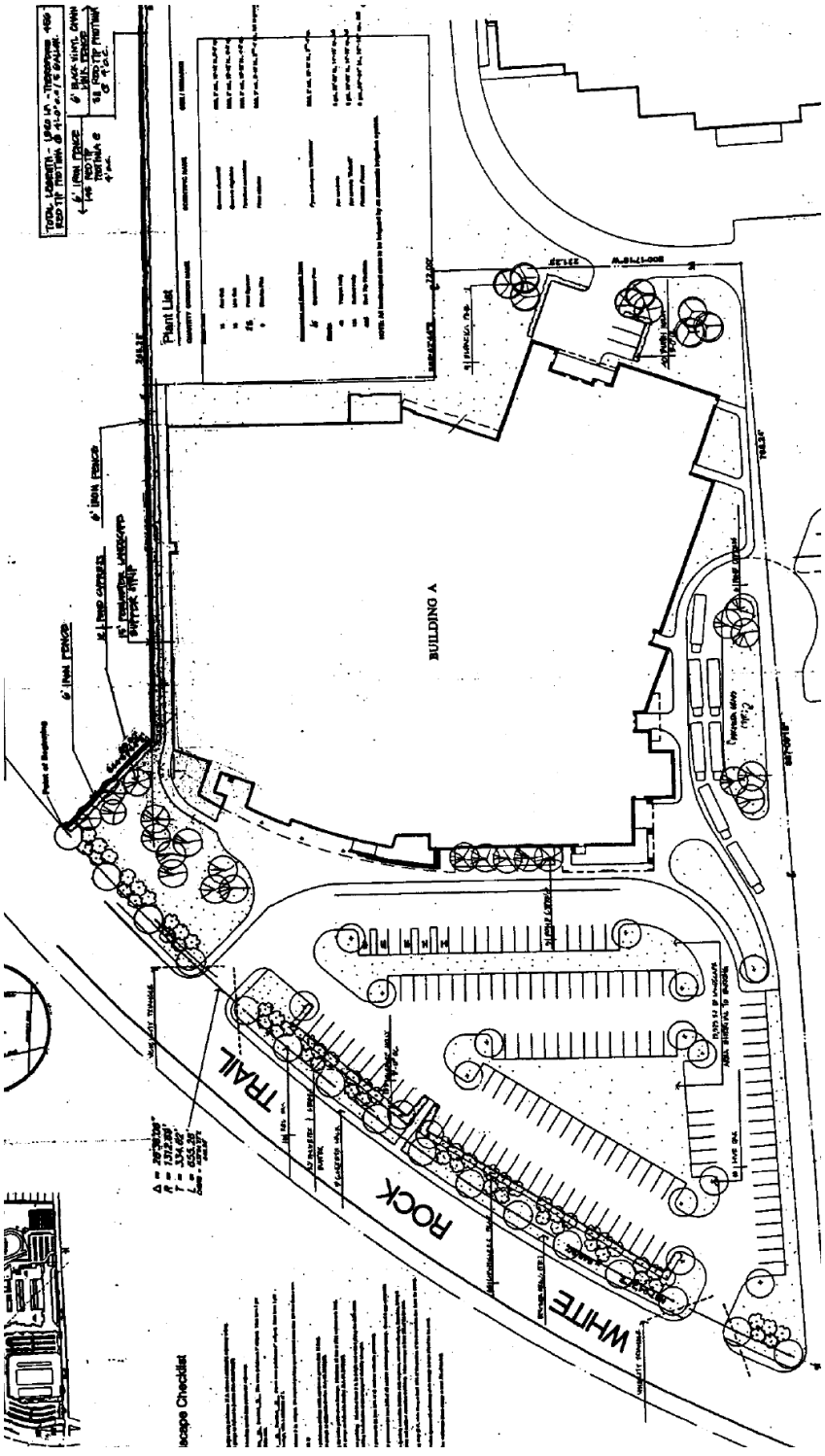
Existing Development Plan



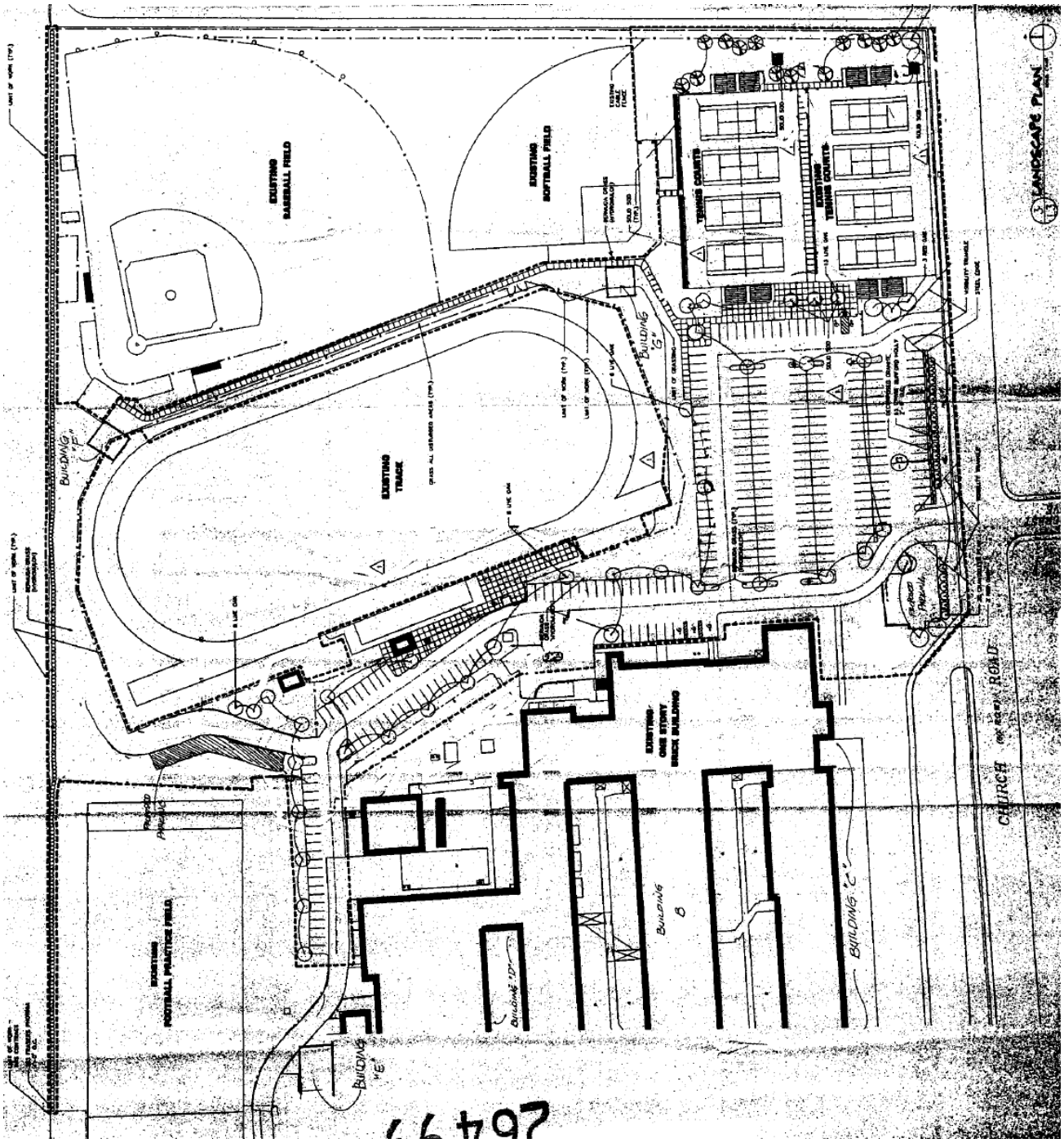
Proposed Landscape Plan



Existing Landscape Plan
Exhibit 467B1



Existing Landscape Plan
Exhibit 467B2



Proposed Traffic Management Plan

LAMBETH ENGINEERING ASSOCIATES PLLC

STATE OF TEXAS
CHRISTY H. LAMBETH
91036
LICENSED
PROFESSIONAL ENGINEER
Christy Lambeth
September 26, 2018

Traffic Management Plan

To: Michael Longanecker
Richardson Independent School District

From: Christy Lambeth, P.E., PTOE
Lambeth Engineering Associates, PLLC, *F-19508*

Date: September 26, 2018

Re: TMP for Lake Highlands High School on Church Road in Dallas, Texas;
City of Dallas #Z178-317; Lambeth #18107

Introduction

The services of Lambeth Engineering Associates, PLLC (herein Lambeth) were retained to conduct a traffic management plan (TMP) for Lake Highlands High School (LHHS). LHHS is part of the Richardson Independent School District and is located northeast of the Church Road/White Rock Trail intersection in Dallas, Texas. The high school property is currently zoned PD 467 and the athletic field is zoned PD 451. PD 467 requires amendment to allow the planned school improvements. A TMP is required as part of the City's approval process for amending PD 467.

The purpose of this TMP is to ensure safe vehicular and pedestrian circulation during peak morning drop-off and afternoon pick-up periods. When possible, school-related vehicular traffic should queue on-site. When school-related vehicles queue on public roads, it is imperative that they do not block other motorists from safely navigating through the streets.

School Description

LHHS currently has 126 classrooms and 2,887 students in 9th through 12th grades. There will be 148 classrooms after the planned improvements. Dr. Delich, LHHS's principal, noted that RISD is planning on a future LHHS population of 3,000 – 3,200 students. However, to be conservative, the future student population was grown proportionately to the number of future available classrooms for this analysis, resulting in a planned student population of 3,392 students.

School begins at 9:00 AM and classes are dismissed at 4:10 PM. Approximately 10% of the students drive, 35% ride buses, and others walk or are transported by parents. About 15% of the students stay for after school activities.

The school's access is via Church Road and White Rock Trail. Church Road is a four-lane, undivided roadway and White Rock Trail is a two-lane, undivided roadway. Bike lanes are on both sides of White Rock Trail from Church Road to the Lake Highlands Trail. School zones are present on both streets adjacent to the school. Sidewalks are located on both sides of Church Road and on the east side of White Rock Trail, north of Church Road. Outside of school peak hours, both roads were observed to have light traffic flow. No parking signs are posted on Church Road, although not followed by parents.

8637 CR 148, Kaufman, TX 75142 • 972.989.3256 • christy@lambethengineering.com

LAMBETH ENGINEERING ASSOCIATES

Traffic Management Plan

Observations

Traffic observations were conducted at the following dates and times.

- Wednesday, August 22, 2018 – PM Dismissal
- Wednesday, August 29, 2018 – AM Arrival and PM Dismissal
- Thursday, August 30, 2018 – PM Dismissal
- Friday, August 31, 2018 – PM Dismissal
- Tuesday, September 4, 2018 – AM Arrival and PM Dismissal

The peak queue of parents picking up students was observed to be 240 vehicles. Most of the traffic clears the LHHS campus in less than 15 minutes once school is dismissed. The current traffic pattern is summarized in the **Appendix.**

There are currently four City of Dallas Police Officers assigned to the school; these school resource officers (SRO) remain on campus throughout the day and assist with dismissal.

Lambeth met with Ms. Sandra Hayes, Dr. Joshua Delich, Dr. Eldridge Moore and Mr. Gilbert throughout the process of developing the TMP.

Recommendations

The recommended TMP is shown in **Exhibit 1**. Detailed list of items to be implemented is described in the **Appendix**, including recommendation that the City evaluate timing of nearby intersections on Church Road. LHHS should communicate the new circulation plan with parents at student orientations, post the plan on-line, and send to parents electronically and/or print. It is recommended a copy of the TMP be posted in both offices the first week of school so that it is visible. Extra copies should be available at the counselor's reception area for new students enrolling.

Summary

The Lake Highlands High School Traffic Management Plan is designed to provide safe vehicular and pedestrian movement to and from school and can accommodate the projected vehicular queues on-site. If traffic congestion or unsafe movements are noticed, the plan should be reviewed and updated promptly.

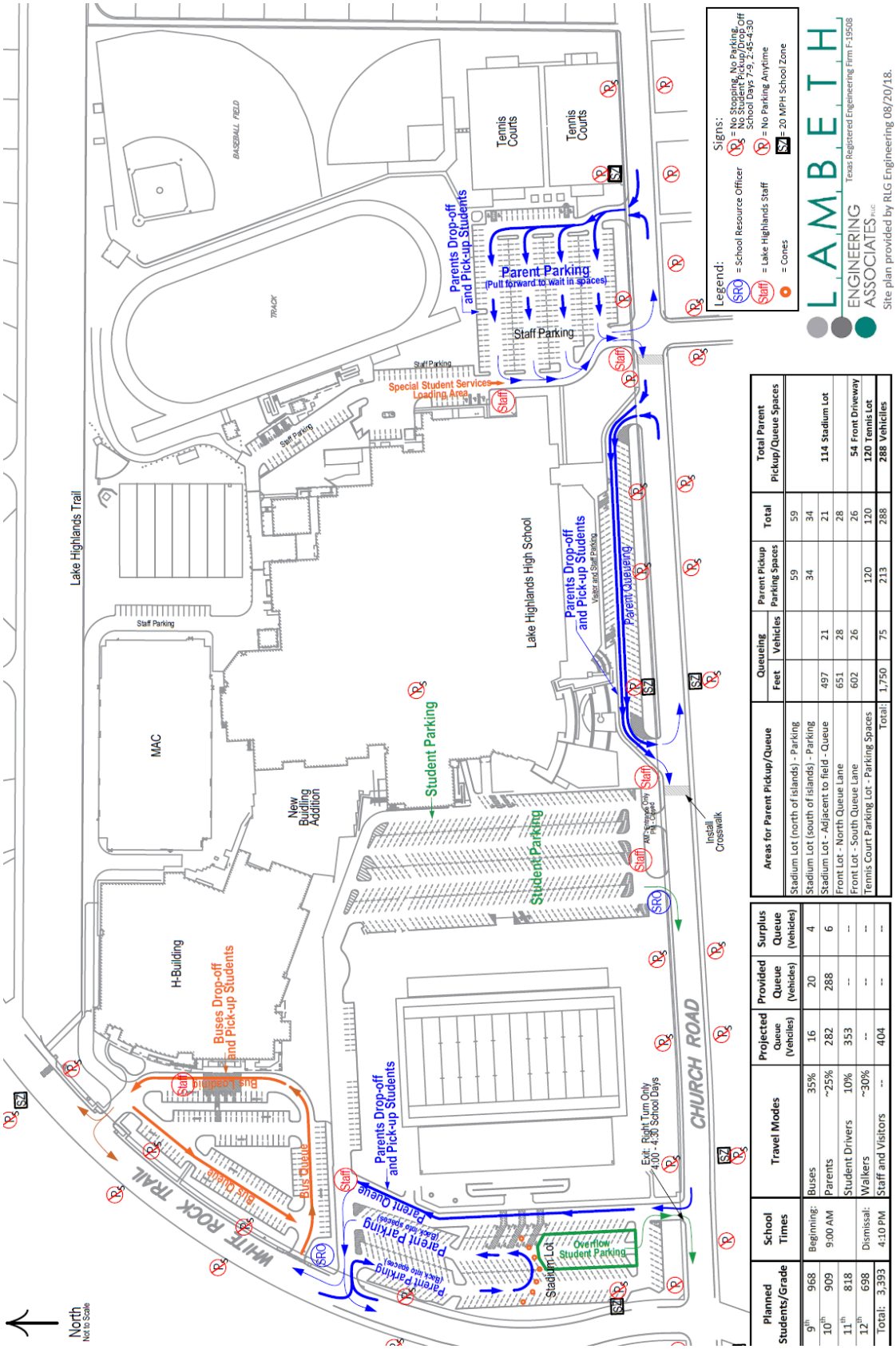
If City, neighbors or the recreation center have concerns with the school's day to day traffic operations, they may contact Mr. Gilbert, Associate Principal at andru.gilbert@risd.org or 469.593.1013. To get in touch with the principal, Dr. Joshua Delich, Lambeth communicated with his executive assistant, Ms. Sherry Hicks, at 469.593.1005 to set up meeting times.

I understand this traffic management plan (TMP) is part of the City of Dallas zoning approval for the planned school improvements. When approved, Lake Highland High School is required to follow the TMP. I understand if there are concerns with traffic flow, the plan should be reviewed. If updates are necessary, approval must be obtained from the City of Dallas.

Lake Highlands High School, Richardson Independent School District

Signature	Date 9/10/18
Printed Name: JOSHUA DELICH	Title: PRINCIPAL

END



Areas for Parent Pickup/Queue	Queueing		Parent Pickup Parking Spaces	Total	Total Parent Pickup/Queue Spaces
	Feet	Vehicles			
Stadium Lot (north of islands) - Parking			59	59	114 Stadium Lot
Stadium Lot (south of islands) - Parking			34	34	
Stadium Lot - Adjacent to field - Queue	497	21		21	
Front Lot - North Queue Lane	651	28		28	
Front Lot - South Queue Lane	602	26		26	54 Front Driveway
Tennis Court Parking Lot - Parking Spaces			120	120	120 Tennis Lot
Total:	1,750	75	213	288	288 Vehicles

Planned Students/Grade		School Times		Travel Modes		Projected Queue (Vehicles)	Provided Queue (Vehicles)	Surplus Queue (Vehicles)
9th	968	Beginning:		Buses	35%	16	20	4
10th	909	9:00 AM		Parents	~25%	282	288	6
11th	818			Student Drivers	10%	353	--	--
12th	698	Dismissal:		Walkers	~30%	--	--	--
Total:	3,393	4:10 PM		Staff and Visitors	--	404	--	--

Appendix

LAMBETH ENGINEERING ASSOCIATES

TMP Recommendations

Intersection Improvements:

1. **CITY:** Westbound vehicles leaving the site via Church Road queued at both the Church Road/White Rock Trail and Church Road/Skillman Street intersections. The queue for both westbound lanes extended past the student parking lot on Church Road. It was observed that approximately 85% of the westbound vehicles in the right-lane turned right onto Skillman Street. The longest queue observed on Skillman was five (5) vehicles, which quickly dispersed during each cycle. Therefore, it appears that additional green time can be given to Church Road without impacting Skillman Street.

   It is recommended that the City of Dallas evaluate updating the signal timing at the Church Road/ Skillman, Church Road/White Rock Trail intersections to allow dispersion of school traffic from 4:10 PM – 4:30 PM. Also, the Church Road/Audelia Road intersection timing could be evaluated to ensure updated timing for all adjacent intersections.

2. **CITY:** Westbound vehicles on Church Road turning left onto Skillman were observed to extend past the left-turn lane. It is recommended the City evaluating extending the striping for the left-turn lane.

3. **CITY:** It is recommended the City consider re-striping southbound White Rock Trail to extend the right-turn lane to Church Road.

4. **CITY:** It is recommended that the City improve the crosswalk markings at the following intersections: Church Rd./Skillman St., Church Rd./Audelia Rd. and Church Rd./Fieldcrest Dr.

Parent Drivers:

5. It is recommended that the eastern gate serving the parking lot next to the tennis courts be opened during school hours. Install an "entrance only" sign at the eastern driveway as well as install pavement arrows marking direction of flow throughout the parking lot. The western gate should have an "exit only" sign as well as pavement markings for a right- and left-turn lanes exiting.

6. Create a designated area in the stadium lot for parents to pick up students. Parents could enter the stadium lot via Church Road or White Rock Trail and exit on White Rock Trail; these parents should back into the stadium parking spaces before school is dismissed so that they can pull forward to leave more promptly upon their students arrival.

   Parents should also park in the tennis court lot to pick up students, parents. These parents should pull forward through the parking spaces so that they can leave the lot without backing up.

   LHHS staff should guide parents parking in both lots the first two weeks of school, then evaluate to see if further assistance is needed. Staff should arrive in parking lot prior to 4:00 PM.

7. It is recommended that an SRO help stop traffic on Church Road during AM drop-off period for parents to exit the parking lot in front of the school's main entrance. The morning queue of parents dropping off students in the front parking lot was primarily attributable to not being able to exit the parking lot promptly.

8. It is recommended to install pavement markings in the front driveway to encourage parents to form two lines. Left- and right-turn arrows should also be painted at the exit.

9. All stopping, parking, student drop-off and pick-up should be prohibited on Church Road and White Rock Trail during school arrival and dismissal periods.

10. **CITY:** It is recommended to install no parking signs with plaques noting no stopping and/or no student drop-off/pick-up on White Rock Trail during school arrival/dismissal hours.

11. **CITY:** Church Road has no parking signs. No stopping and/or no student drop-off/pick-up plaques should be installed under the signs.

    The first eastbound no parking sign has two no parking signs on the pole – no parking anytime and no parking during school arrival/dismissal hours. One of the signs should be removed.

    Church Road, adjacent to the main building, no parking signs have "bus zones" noted on them. These signs should be replaced since buses do not utilize this area.

Note: Lambeth does not recommend City install signs that they will not be enforcing.

Student Drivers:

12. An SRO should continue helping students exit on Church Road.

13. Due to the westbound queue on Church Road, it is recommended that the Church Road exit from the stadium parking lot be signed ***Right-Turn Only 4:00 PM – 4:30 PM School Days.***

14. Students should be prohibited from parking at the Lake Highlands North Recreation Center.

Buses:

15. To separate bus traffic from student drivers, it is recommended that buses unload/load students adjacent to the H-Building and enter/exit via White Rock Trail.

16. An SRO should stop traffic for buses to safely and efficiently exit the campus the first two weeks of school, then evaluate the need for further assistance.

17. Bus routes should be evaluated so that all buses are not turning east onto Church Road; this would be helpful in more efficiently dispersing the buses and reducing queues on Church Road west of the school.

18. Some buses are currently running two routes to accommodate all students. Students are currently waiting outside the school building for their bus to return to the school to pick them up. It would also be ideal for students to have a protected area to wait during inclement weather.

Pedestrians:

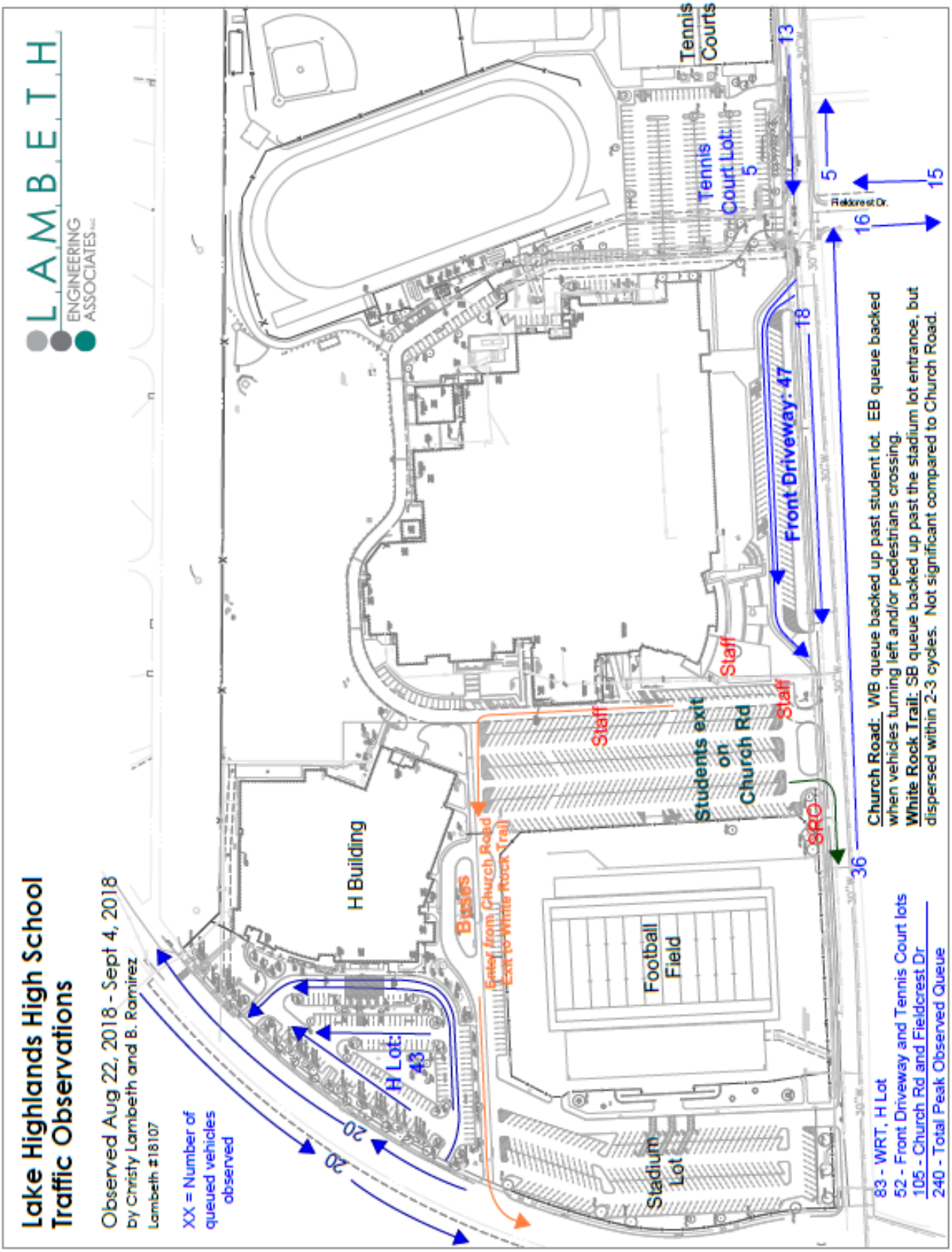
19. **CITY:** A midblock crosswalk should be installed on Church Road west of the front parking lot exit.

    It is Lambeth's opinion that this would be an ideal location for LHHS art students to create an artistic crosswalk to enhance the connection between the LHHS and the recreation center, with approval of design from the City of Dallas and working with the City to install.

20. An SRO or LHHS staff should guide students crossing Church Road at the new midblock and Fieldcrest Drive crosswalks so that the students cross in groups to help lessen the vehicular queues on Church Road.

21. The sidewalk south of the H-Building parking should be extended and connect to a new crosswalk to the stadium parking lot.

22. **CITY:** It should be noted that there are no sidewalks on White Rock Trail between Church Road and Covemeadow Drive.


Lake Highlands High School
Traffic Observations
Observed Aug 22, 2018 - Sept 4, 2018
by Christy Lambeth and B. Ramirez
Lambeth #18107
XX = Number of queued vehicles observed
LAMBETH
ENGINEERING ASSOCIATES
H Building
H Lot
43
20
20
Busses
Enter from Church Road
Exit to White Rock Trail
Football Field
Stadium Lot
Staff
Students exit on Church Rd
Staff
Staff
SRO
Front Driveway: 47
18
36
Tennis Courts
Tennis Court Lot
5
13
Fieldcrest Dr.
5
16
15
Church Road: WB queue backed up past student lot. EB queue backed when vehicles turning left and/or pedestrians crossing.
White Rock Trail: SB queue backed up past the stadium lot entrance, but dispersed within 2-3 cycles. Not significant compared to Church Road.
83 - WRT, H Lot
52 - Front Driveway and Tennis Court lots
105 - Church Rd and Fieldcrest Dr
240 - Total Peak Observed Queue

LAMBETH ENGINEERING ASSOCIATES

Parking Analysis for TMP:

Parking Rate (Spaces/Classroom, Based on 2nd Week Observation):	4.9
Future Number of Classrooms	148
Projected Future Parking Demand (spaces):	725
Total Planned Parking Spaces on-site:	998
Surplus Spaces Not Used for Parking:	273
Parking Spaces Planned to be Used for Queue:	213
Surplus Spaces Available After Projected Parent Parking for Student Pick-up:	**60**

Data for 4.9 spaces/classroom parking rate obtained from LHHS parking analysis (peak parking demand excluding first week of school).

Students were not required to have parking permits when parking observations were conducted; therefore, parking demand noted is higher than actual demand is expected to be.

LHHS Front
Driveway Exit
LHHS Student Parking
Lot Exit
LHHS Stadium Parking
Lot Driveway
Soccer Practice Field
Open Space
Lake Highlands North Community Family Aquatic Center
Design Development Rendering
Kimley»Horn

LAMBETH
ENGINEERING
ASSOCIATES

Contact Information

Lake Highlands High School
Lake Highlands North Recreation Center

Contact information is provided for quick reference to recreation center in case high school students are parking in recreation center parking lots.

Lake Highlands High School

Dr. Eldridge Moore, Assistant Principal
eldridge.moore@risd.org
469.593.1410

Sherry Hicks, Executive Assistant for Principal, Dr. Delich
sherry.hicks@risd.org
469.593.1005

Lake Highlands North Recreation Center

Yolanda Carter, Manager
yolanda.carter@dallascityhall.com
O: 214.670.7793 | O: 214.670.6182

Christy Lambeth visited the Lake Highlands recreation center to obtain a copy of the aquatic center site plan for LHHS's reference and met Ms. Yolanda Carter, the recreation center's manager. Ms. Carter is concerned about students parking in the recreation center's parking lots. To assist, Christy provided her this LHHS contact sheet as well as informed LHHS.

Printed on September 7, 2018

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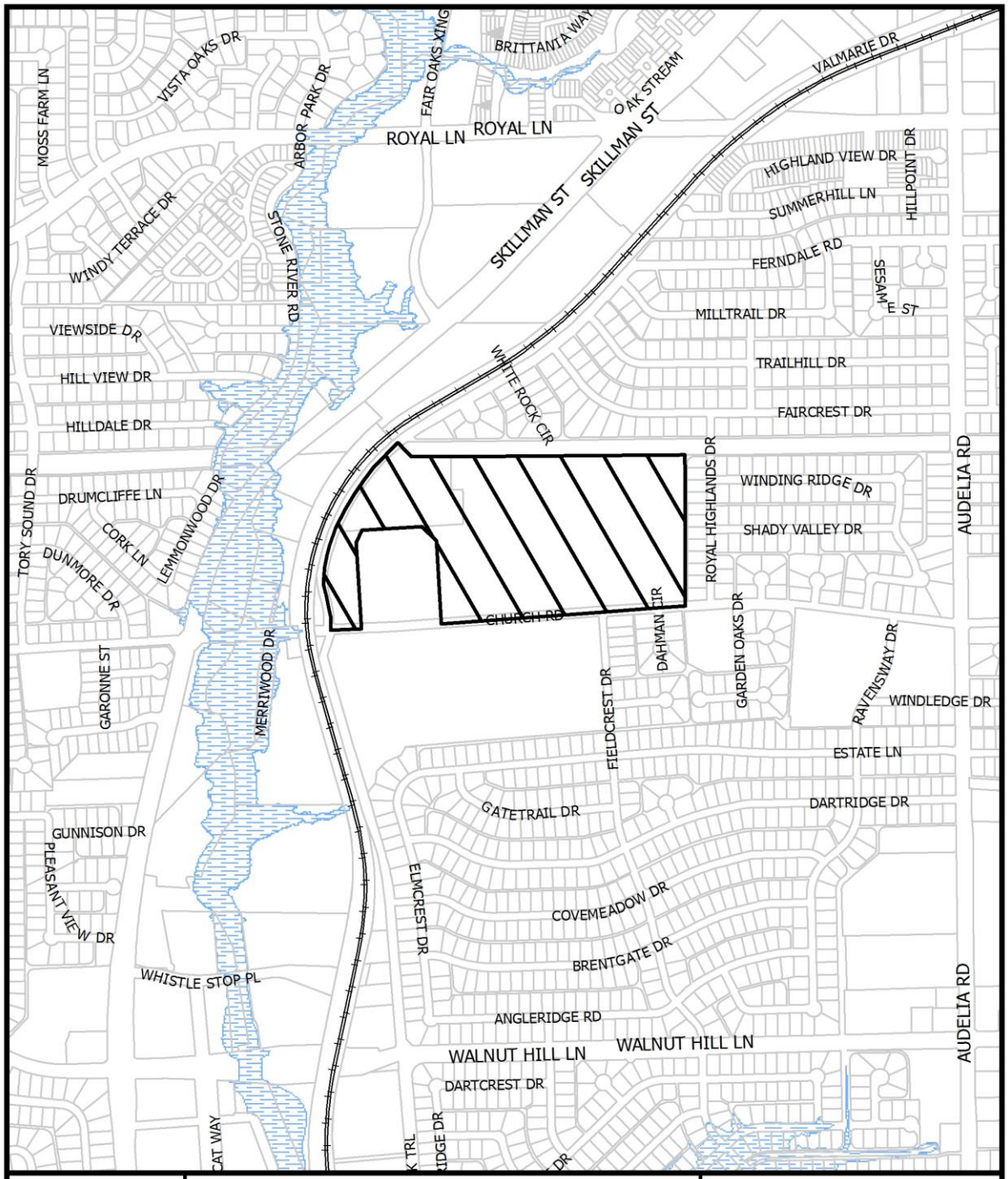

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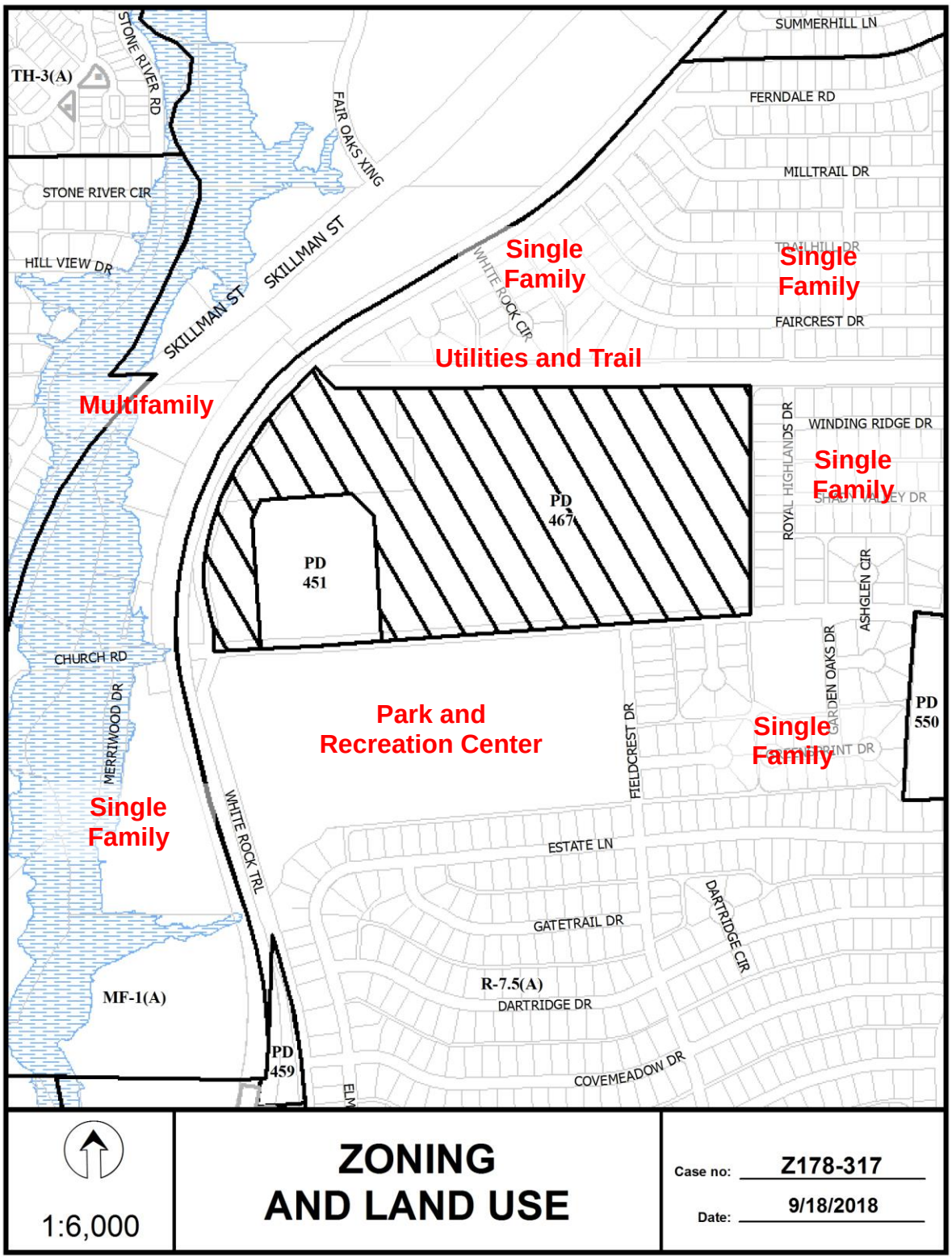
VICINITY MAP

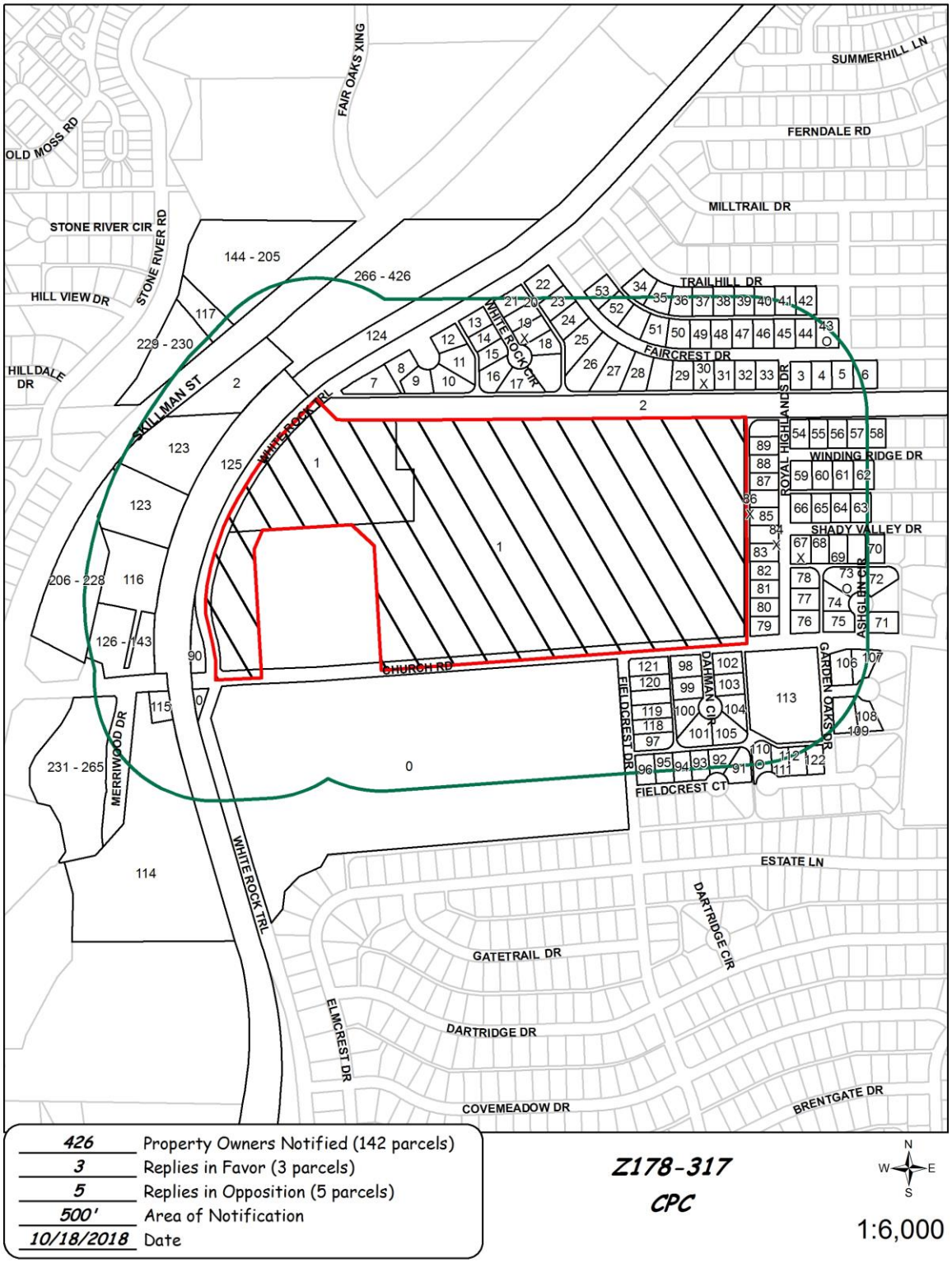
Case no: Z178-317

Date: 9/18/2018

STONE RIVER RD
STONE RIVER CIR
HILL VIEW DR
SKILLMAN ST
SKILLMAN ST
FAIR OAKS XING
SUMMERHILL LN
FERNDALE RD
MILLTRAIL DR
TRAILHILL DR
FAIRCREST DR
WINDING RIDGE DR
SHADY VALLEY DR
ROYAL HIGHLANDS DR
ASHGLEN CIR
CHURCH RD
OAKMALL DR
GARDEN OAKS DR
GREENSPOINT DR
FIELDCREST DR
MERRIWOOD DR
ESTATE LN
GATETRAIL DR
DARTRIDGE CIR
DARTRIDGE DR
COVEMEADOW DR
1:6,000
AERIAL MAP
Case no: Z178-317
Date: 9/18/2018


TH-3(A)
STONE RIVER RD
STONE RIVER CIR
HILL VIEW DR
SKILLMAN ST
SKILLMAN ST
FAIR OAKS XING
SUMMERHILL LN
FERNDALE RD
MILLTRAIL DR
TRAILHILL DR
WHITE ROCK CIR
Single Family
Single Family
FAIRCREST DR
Utilities and Trail
Multifamily
PD 467
PD 451
ROYAL HIGHLANDS DR
WINDING RIDGE DR
Single Family
ASHGLEN CIR
CHURCH RD
MERRIWOOD DR
Park and Recreation Center
FIELDCREST DR
GARDEN OAKS DR
Single Family
PD 550
Single Family
WHITE ROCK TRL
ESTATE LN
GATETRAIL DR
DARTRIDGE CIR
R-7.5(A)
DARTRIDGE DR
MF-1(A)
PD 459
COVEMEADOW DR
1:6,000
ZONING AND LAND USE
Case no: Z178-317
Date: 9/18/2018

CPC Responses



10/17/2018

Reply List of Property Owners

Z178-317

426 Property Owners Notified ***3 Property Owners in Favor*** ***5 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	10200	WHITE ROCK TRL	RICHARDSON I S D
	2	10201	AUDELIA RD	TEXAS UTILITIES ELEC CO
	3	9424	FAIRCREST DR	KAHNOSKI THOMAS J
	4	9428	FAIRCREST DR	BEAN CHARLOTTE
	5	9434	FAIRCREST DR	FERGUSON HOPE W & LEWIS E
	6	9502	FAIRCREST DR	LUNA ALLEN O & LINDA S
	7	10308	WHITE ROCK TRL	GIST MARK J & KATHY P
	8	10318	WHITE ROCK PL	LEWIS DOUGLAS R &
	9	10322	WHITE ROCK PL	FULLER VICKI J
	10	10326	WHITE ROCK PL	MOSMAN RANDALL & SYLVIA
	11	10330	WHITE ROCK PL	STEIRER MARK W &
	12	10334	WHITE ROCK PL	GUNNING JEFFREY J &
	13	10340	WHITE ROCK CIR	NAYAVICH WILLIAM L &
	14	10344	WHITE ROCK CIR	GRUNEWALD MARK RUSSELL &
	15	10348	WHITE ROCK CIR	RICE MARK A & DIANE H
	16	10352	WHITE ROCK CIR	BASHAM NANCY
	17	10356	WHITE ROCK CIR	JENSEN GEORGE L &
	18	10364	WHITE ROCK CIR	HARRISON WILLIAM S
X	19	10368	WHITE ROCK CIR	YURCHO LARRY M & CAROLYN
	20	10372	WHITE ROCK CIR	LANKFORD GEORGE L & NANCY
	21	10376	WHITE ROCK CIR	WHITE VICKI
	22	9302	FAIRCREST DR	FIELDER TAD MICHAEL & HAYLEY REBECCA
	23	9308	FAIRCREST DR	ODOM ROBERT M & MARY T
	24	9312	FAIRCREST DR	RUDD WILLIAM EDWARD
	25	9318	FAIRCREST DR	MCMAHAN BARBARA
	26	9322	FAIRCREST DR	DODGEN R ALLEN JR

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Reply	*Label #*	*Address*		*Owner*
	27	9328	FAIRCREST DR	BANKHEAD STEVEN
	28	9332	FAIRCREST DR	RININSLAND MARY TRUST
	29	9342	FAIRCREST DR	LEBLANC SCOTT & JENNIFER
X	30	9404	FAIRCREST DR	LEE CALVIN B
	31	9408	FAIRCREST DR	WATERS JOHN F & JANE P
	32	9414	FAIRCREST DR	DOOLEY CHRISTOPHER R & KEELEY R
	33	9418	FAIRCREST DR	BROOKS JAMES G JR
	34	9318	TRAIL HILL DR	OWENS ROBERT A JR &
	35	9322	TRAIL HILL DR	PLADZIEWICZ CYNTHIA &
	36	9328	TRAIL HILL DR	LOCHRY THOMAS & BONNIE
	37	9404	TRAIL HILL DR	EASTER BARBARA A & LARRY D
	38	9408	TRAIL HILL DR	GRIFFIN EDWIN GARRETT &
	39	9414	TRAIL HILL DR	SIMONS DORIS W
	40	9418	TRAIL HILL DR	CLAPP ROGER C
	41	9424	TRAIL HILL DR	HOPKINS MICHAEL & SARAH
	42	9428	TRAIL HILL DR	MARTIN DONALD L
O	43	9433	FAIRCREST DR	CLIFFORD PAUL J &
	44	9427	FAIRCREST DR	RADIGHERI JEFFREY P & MAUREEN
	45	9423	FAIRCREST DR	POYNOR KENT
	46	9417	FAIRCREST DR	LAVENDER GREG L & LAURA V
	47	9413	FAIRCREST DR	HUNDLEY SCOTT & TRACY
	48	9407	FAIRCREST DR	NEVITT JAMES P &
	49	9403	FAIRCREST DR	MAI KARL L & CAROL D
	50	9339	FAIRCREST DR	MCCURDY MICHAEL & JANE
	51	9333	FAIRCREST DR	OHEARN JOHN C & SHERRY L
	52	9317	FAIRCREST DR	ALTMAN RIVKA & BRADLEY
	53	9313	FAIRCREST DR	LEE BEEN FU & KUEI LAN
	54	9401	WINDING RIDGE DR	CALTWEDT GARY A & DONNA M
	55	9403	WINDING RIDGE DR	CANON VAL H
	56	9405	WINDING RIDGE DR	HASENBAUER ADRIAN &
	57	9407	WINDING RIDGE DR	KOUNTZ THOMAS JOHN & ANA V

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Reply	*Label #*	*Address*		*Owner*
	58	9409	WINDING RIDGE DR	LACEKY JEFF W &
	59	9402	WINDING RIDGE DR	BEST ROBERT N
	60	9404	WINDING RIDGE DR	SAYLER ROY B ESTATE OF
	61	9406	WINDING RIDGE DR	BOSWELL MICHAEL & JANA
	62	9408	WINDING RIDGE DR	NICKERSON ARTHUR LEE &
	63	9407	SHADY VALLEY DR	MOSMAN RAYMOND H & DOLORES J
	64	9405	SHADY VALLEY DR	CRAIG WILLIAM S
	65	9403	SHADY VALLEY DR	HICKMAN JOSHUA L & MARY B
	66	9401	SHADY VALLEY DR	JUDY ROBERT W & NANCY E
X	67	9402	SHADY VALLEY DR	FRESQUEZ RICHARD & JANET
	68	9404	SHADY VALLEY DR	BROOKS LYNDI ADEN
	69	9406	SHADY VALLEY DR	COUTANT GREGORY KENNETH &
	70	9410	SHADY VALLEY DR	TOON JUDY Y
	71	10102	ASHGLEN CIR	RESENDEZ JAMES B
	72	10106	ASHGLEN CIR	WATKINS THURMAN A
O	73	10105	ASHGLEN CIR	RUTLEDGE ROBERT & DARICE
	74	10103	ASHGLEN CIR	CRAWFORD EDDIE W &
	75	10101	ASHGLEN CIR	SYKES STEVEN M & KAY B
	76	10102	ROYAL HIGHLANDS DR	LOWACK PROPERTIES LLC &
	77	10104	ROYAL HIGHLANDS DR	LAWRENCE WILLIAM D & LYNNA
	78	10106	ROYAL HIGHLANDS DR	HERRINGTON ELSIE RADFELD
	79	10101	ROYAL HIGHLANDS DR	CURTIS REX E &
	80	10103	ROYAL HIGHLANDS DR	ADAMS R KENT
	81	10105	ROYAL HIGHLANDS DR	WALLENS MICHAEL & SUSAN
	82	10107	ROYAL HIGHLANDS DR	ROGERS CARL P &
	83	10109	ROYAL HIGHLANDS DR	JONES KATHLEEN
X	84	10111	ROYAL HIGHLANDS DR	RATLIFF MARK S & ARLEEN
	85	10201	ROYAL HIGHLANDS DR	GILLIS JOSEPH V
X	86	10203	ROYAL HIGHLANDS DR	PATTON TERESA LYNN
	87	10205	ROYAL HIGHLANDS DR	JOHNSON STUART W &
	88	10207	ROYAL HIGHLANDS DR	ROBY DANIEL & LESLEY

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Reply	*Label #*	*Address*		*Owner*
	89	10211	ROYAL HIGHLANDS DR	DURANT RANDALL B & AMY R
	90	9449	CHURCH RD	RICHARDSON ISD
	91	9533	FIELDCREST CT	TROSTEL MICHAEL & TAMI G
	92	9529	FIELDCREST CT	PAYNE LILLIAN G
	93	9523	FIELDCREST CT	HOAG JAMES N & LAURA P
	94	9517	FIELDCREST CT	WYNNE SCOTT &
	95	9511	FIELDCREST CT	MARR JOHN W
	96	9505	FIELDCREST CT	DOOLEY JON L
	97	10036	FIELDCREST DR	HUNLEY SHERRY
	98	10021	DAHMAN CIR	FLANAGIN BRODY
	99	10015	DAHMAN CIR	WHITTEN RONALD D
	100	10009	DAHMAN CIR	FERGUSON MARVIN DEAN &
	101	10003	DAHMAN CIR	LONERGAN BRIAN C &
	102	10020	DAHMAN CIR	TERRY LEE M & EMILEE A
	103	10014	DAHMAN CIR	KINNEY HAROLD W TR &
	104	10008	DAHMAN CIR	CURRIN PATRICK
	105	10002	DAHMAN CIR	PATRICK RONALD L
	106	9603	WOODMEN CIR	PASK NEIL E & ANNALISA M
	107	9607	WOODMEN CIR	MCGEHEE KELLY D ETAL
	108	9606	WOODMEN CIR	PYLAND JACK W & NANCY W
	109	9600	WOODMEN CIR	BURNS ROBERT LEE
O	110	9603	GREENSPRINT DR	MARTIN WILLIAM S
	111	9607	GREENSPRINT DR	ZEPEDA RICHARD A &
	112	9611	GREENSPRINT DR	STREHORN WINSTON B
	113	9626	CHURCH RD	NORTH HIGHLANDS BIBLE CH
	114	9236	CHURCH RD	9236 CHURCH ROAD LP
	115	9244	CHURCH RD	ZAMBRANO FIACRO &
	116	9243	CHURCH RD	FUQUA C RYAN &
	117	8023	SKILLMAN ST	TAYFUN CORPORATION
	118	10014	FIELDCREST DR	EULER FRED WALTER &
	119	10016	FIELDCREST DR	REYNA EDIBERTO B & CARLA S REYNA

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Reply	*Label #*	*Address*		*Owner*
	120	10020	FIELDCREST DR	GRIGSBY CONNIE
	121	10022	FIELDCREST DR	BRACKENRIDGE DEBORAH L &
	122	9615	GREENSPRINT DR	FONTENOT AARON K & MONA M
	123	7920	SKILLMAN ST	7920 SKILLMAN LLC
	124	401	S BUCKNER BLVD	DART
	125	555	2ND AVE	DART
	126	9233	CHURCH RD	MEJIA DANIEL N
	127	9233	CHURCH RD	CANON LETICIA B
	128	9233	CHURCH RD	HILL ALANNA
	129	9233	CHURCH RD	BILLINGSLEY MERIDITH C & DOUGLAS T
	130	9233	CHURCH RD	MURROW ANNETTE
	131	9233	CHURCH RD	LEIGH ANABEL M
	132	9233	CHURCH RD	MOON YASUKO S
	133	9233	CHURCH RD	
	134	9233	CHURCH RD	TUCKER ANN MARIE
	135	9233	CHURCH RD	MARTIN TERI
	136	9233	CHURCH RD	DEWALD GEORGE
	137	9251	CHURCH RD	MUELLER SUSAN L
	138	9251	CHURCH RD	LOAIZA ANABELLE
	139	9251	CHURCH RD	CARNEAL CHARLES L JR
	140	9251	CHURCH RD	SWEENEY CHRISTOPHER
	141	9251	CHURCH RD	HAYES MELISSA A
	142	9251	CHURCH RD	KOZA JACLYN C
	143	9251	CHURCH RD	AFSHAR FATEMEH PARI
	144	8109	SKILLMAN ST	SOUTHERLAND CHARLES K JR
	145	8109	SKILLMAN ST	ROGERS PATRICIA A
	146	8109	SKILLMAN ST	FINLAN DANNY
	147	8109	SKILLMAN ST	BAXAVANIS NICK &
	148	8109	SKILLMAN ST	JAHROMI ZAHRA H
	149	8109	SKILLMAN ST	BOCHAROV PAVEL
	150	8109	SKILLMAN ST	LE THUAN &

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Reply	*Label #*	*Address*		*Owner*
	151	8109	SKILLMAN ST	VEKSLER EUGENE
	152	8109	SKILLMAN ST	ANDERSON CYNTHIA ANN DOMINQUEZ
	153	8109	SKILLMAN ST	WANG ZHENMING & GU XUEFEN
	154	8109	SKILLMAN ST	CHAN MING
	155	8109	SKILLMAN ST	MYLES WINNFORT & DEBORAH
	156	8109	SKILLMAN ST	PORRAS RAMON & JUANITA
	157	8109	SKILLMAN ST	MOSES JOAN I
	158	8109	SKILLMAN ST	SCHARFF ALEXANDER
	159	8109	SKILLMAN ST	CARAVELLA BUSTER P & KIM
	160	8109	SKILLMAN ST	KNT GLOBAL LLC
	161	8109	SKILLMAN ST	SKILLMAN 8109 2008 LAND TRUST
	162	8109	SKILLMAN ST	LATHWOOD SCOTT
	163	8109	SKILLMAN ST	FLORENCIO NATALIA
	164	8109	SKILLMAN ST	SMALL LEE REVOCABLE TRUST
	165	8109	SKILLMAN ST	CHOWDHURY AFSANA
	166	8109	SKILLMAN ST	ALVAREZ JOSE LUIS
	167	8109	SKILLMAN ST	CHEN SHIPING
	168	8109	SKILLMAN ST	PRADO ARTURO
	169	8109	SKILLMAN ST	CHEN SHIPING
	170	8109	SKILLMAN ST	SALVO JAMES J
	171	8109	SKILLMAN ST	LONAC SNJEZANA
	172	8109	SKILLMAN ST	IBARRA VERONICA &
	173	8109	SKILLMAN ST	ATWAL FAMILY TR
	174	8109	SKILLMAN ST	WANG ZHENMING & GU XUEFEN
	175	8109	SKILLMAN ST	TOMAINO PPTIES LP
	176	8109	SKILLMAN ST	8109 SKILLMAN STREET 2015B
	177	8109	SKILLMAN ST	POLANCO ANA M
	178	8109	SKILLMAN ST	BROYLES GLENDA
	179	8109	SKILLMAN ST	NGUYEN NHUANH THI &
	180	8109	SKILLMAN ST	PEOPLES DERRICK
	181	8109	SKILLMAN ST	ACERO DIEGO

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Reply	*Label #*	*Address*		*Owner*
	182	8109	SKILLMAN ST	ROSAS MARIO M
	183	8109	SKILLMAN ST	JAHROMI ZAHRA HAGHDAN
	184	8109	SKILLMAN ST	HUERTA EFRAIN &
	185	8109	SKILLMAN ST	JAAD AHMED
	186	8109	SKILLMAN ST	8109 SKILLMAN LLC
	187	8109	SKILLMAN ST	CHEUNG JENNY
	188	8109	SKILLMAN ST	8109 SKILLMAN MM LLC
	189	8109	SKILLMAN ST	WANG ZHENMING & GU XUEFEN
	190	8109	SKILLMAN ST	GEE ROBERT & JUDY
	191	8109	SKILLMAN ST	MORRIS TONY RAY
	192	8109	SKILLMAN ST	HERRERA EDUARDO
	193	8109	SKILLMAN ST	8109 SKILLMAN MM LLC &
	194	8109	SKILLMAN ST	DARROW M
	195	8109	SKILLMAN ST	SOPITHAKUL CHRISTINE
	196	8109	SKILLMAN ST	LE TUNG & TRANG DANE LE
	197	8109	SKILLMAN ST	TECLE TSEHAI
	198	8109	SKILLMAN ST	ATAYA NIDAL & RUBA QEWAR
	199	8109	SKILLMAN ST	ALBRIGHT CHERYL LYNN
	200	8109	SKILLMAN ST	ROSAS ISAURA
	201	8109	SKILLMAN ST	WILLEMS DAN
	202	8109	SKILLMAN ST	8109 SKILLMAN MN LLC &
	203	8109	SKILLMAN ST	LAM YAT PING
	204	8109	SKILLMAN ST	ARCEO MARIA G
	205	8109	SKILLMAN ST	SHAJIB ZUBAYER REZA
	206	7660	SKILLMAN ST	WILLIAMS RON
	207	7660	SKILLMAN ST	R & S INVESTMENTS INC
	208	7660	SKILLMAN ST	R&S INVESTMENTS INC
	209	7660	SKILLMAN ST	ROSS ALICE
	210	7660	SKILLMAN ST	STEPHENS NICK
	211	7660	SKILLMAN ST	KPL121 LLC
	212	7660	SKILLMAN ST	DIAMOND MARCIA GAIL

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Reply	*Label #*	*Address*		*Owner*
	213	7660	SKILLMAN ST	ZIMMER CRAIG L
	214	7660	SKILLMAN ST	PATEL NARENDRA &
	215	7660	SKILLMAN ST	NIGUSSIE GETACHEW
	216	7660	SKILLMAN ST	ATWAY JENEAN
	217	7660	SKILLMAN ST	BUI NGOCANH THERESA
	218	7660	SKILLMAN ST	LEUTWYLER HILLARY D
	219	7660	SKILLMAN ST	KRASNIQI HYSNI & NURADIJE
	220	7660	SKILLMAN ST	RYAN WILLIAM H ETAL
	221	7660	SKILLMAN ST	TESSON GERALD E &
	222	7660	SKILLMAN ST	WILSON LEWIS
	223	7660	SKILLMAN ST	PRICE DARRON E
	224	7660	SKILLMAN ST	DOU MING HUA & DAVID LEE SCROGGINS
	225	7660	SKILLMAN ST	QUIROZAVE
	226	7660	SKILLMAN ST	POLLABAUER RUDOLF
	227	7660	SKILLMAN ST	SHAW DEBRA
	228	7660	SKILLMAN ST	PAROC SASHA ALI
	229	7979	SKILLMAN ST	TAYFUN CORPORATION
	230	7979	SKILLMAN ST	TAYFUN CORP INC
	231	9222	CHURCH RD	LOZANO GILBERT JR
	232	9222	CHURCH RD	MOBLEY MARK R
	233	9222	CHURCH RD	QIAO QINGBO
	234	9222	CHURCH RD	KROGH MARTA KAY
	235	9222	CHURCH RD	MUELLER JAMES ALLEN
	236	9222	CHURCH RD	MCNEELY MARTHA E
	237	9222	CHURCH RD	KOK VEASNA SIM
	238	9222	CHURCH RD	PATTERSON DIANE
	239	9222	CHURCH RD	WHELCHEL CHRISTALDON
	240	9222	CHURCH RD	LEACH ANNE S
	241	9222	CHURCH RD	CARONNA JOSEPHINE A
	242	9222	CHURCH RD	HERRON MARCUS
	243	9222	CHURCH RD	STORY ROSALYN

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Reply	*Label #*	*Address*		*Owner*
	244	9222	CHURCH RD	HARVEY MARY G
	245	9222	CHURCH RD	DWYER MICHAEL R
	246	9222	CHURCH RD	LAFLEUR BERTHA C
	247	9222	CHURCH RD	GONZALES DELLA L
	248	9222	CHURCH RD	FRITZ JANICE L
	249	9222	CHURCH RD	WALKER SHEILA A
	250	9222	CHURCH RD	FOWLER RAMONA L
	251	9222	CHURCH RD	YOUNG WILLIAM A & MARY ANN
	252	9222	CHURCH RD	LI MENGRAN
	253	9222	CHURCH RD	BADIR NADER
	254	9222	CHURCH RD	ROHE NANCY J
	255	9222	CHURCH RD	HARRISON KARINA J
	256	9222	CHURCH RD	BADRE ABOUELKHEIR
	257	9222	CHURCH RD	SCHRADER JOHN M
	258	9222	CHURCH RD	ABUBAKER FUAD A &
	259	9222	CHURCH RD	TUCKER LINDA
	260	9222	CHURCH RD	MEISENBACH KARL
	261	9222	CHURCH RD	YATES CHRISTINE JOO & BART
	262	9222	CHURCH RD	GEORGE CHRISTOPHER J
	263	9222	CHURCH RD	DELEON ROEL
	264	9222	CHURCH RD	CRUM WILLIAM R &
	265	9222	CHURCH RD	MOBLEY MARK R
	266	8110	SKILLMAN ST	HUA MINH THI
	267	8110	SKILLMAN ST	SARPONG JOSEPH F &
	268	8110	SKILLMAN ST	DELGADO JULIO
	269	8110	SKILLMAN ST	TAVIRA EMELIA MACEDO
	270	8110	SKILLMAN ST	JONES CLIFFORD J SR
	271	8110	SKILLMAN ST	FRANK DEBORAH
	272	8110	SKILLMAN ST	HAIDER SAJJAD
	273	8110	SKILLMAN ST	VOGEL CHAD H
	274	8110	SKILLMAN ST	ESPOINOSA CRISTIAN

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Reply	*Label #*	*Address*		*Owner*
	275	8110	SKILLMAN ST	CASTILLEJA IVAN
	276	8110	SKILLMAN ST	PIERECE DALE &
	277	8110	SKILLMAN ST	RIZVI SYED DANIYAL HUSSAIN
	278	8110	SKILLMAN ST	FOXMORE JEFF
	279	8110	SKILLMAN ST	DIZON ROSALIA M
	280	8110	SKILLMAN ST	BELLAMY SIDNEY E
	281	8110	SKILLMAN ST	CASTILLO ALBERTO
	282	8110	SKILLMAN ST	TANG JUN W
	283	8110	SKILLMAN ST	HANCOCK WESLEY
	284	8110	SKILLMAN ST	RHEW RICKY D
	285	8110	SKILLMAN ST	CHEVEZ LUZ MARIE
	286	8110	SKILLMAN ST	STRICKLAND TAMMY &
	287	8110	SKILLMAN ST	SALAS SERGIO
	288	8110	SKILLMAN ST	WHEELER GLEN &
	289	8110	SKILLMAN ST	I PLAN GROUP AGENT FOR CUSTODIAN
	290	8110	SKILLMAN ST	IPLAN GROUP AGENT FOR CUST &
	291	8110	SKILLMAN ST	ESPINOSA CRISTIAN
	292	8110	SKILLMAN ST	CLEAVER MARCUS RAY
	293	8110	SKILLMAN ST	CURTIS THOMAS R JR
	294	8110	SKILLMAN ST	PADILLA JUAN & BARBARA
	295	8110	SKILLMAN ST	FINLEY LARRY & DIQUE CANNONFINLEY
	296	8110	SKILLMAN ST	MOORE KAMIEL
	297	8110	SKILLMAN ST	SHAHABI SHAHROKH
	298	8110	SKILLMAN ST	LEMUS SANDRA
	299	8110	SKILLMAN ST	ATHERTON FRANKIE L
	300	8110	SKILLMAN ST	FREIRE FABRICIO GABRIEL
	301	8110	SKILLMAN ST	GORDON DORIS M
	302	8110	SKILLMAN ST	BARRA INVESTMENTS LLC
	303	8110	SKILLMAN ST	NGUYEN BRANDON
	304	8110	SKILLMAN ST	ESPINAL JOSE &
	305	8110	SKILLMAN ST	MUNOZ NANCY I

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Reply	*Label #*	*Address*		*Owner*
	306	8110	SKILLMAN ST	AKHIMIEN CRESCENT
	307	8110	SKILLMAN ST	MARTINEZ JOSE &
	308	8110	SKILLMAN ST	FELDHAKE GERARD J
	309	8110	SKILLMAN ST	VELAQUEZ FELIPE
	310	8110	SKILLMAN ST	SKILLMAN 8110 #2026 LAND TRUST
	311	8110	SKILLMAN ST	BAYLON CHRISTOPHER RENE
	312	8110	SKILLMAN ST	MARADIAGA ROSA MIRIAN &
	313	8110	SKILLMAN ST	WALKER GEORGE F
	314	8110	SKILLMAN ST	PORTMAN HAL
	315	8110	SKILLMAN ST	BAYLON MARIA C
	316	8110	SKILLMAN ST	VOGEL CHAD H
	317	8110	SKILLMAN ST	CUA NIEVA L REVOCABLE LIVING TR & LIFE EST
	318	8110	SKILLMAN ST	LE PHAT
	319	8110	SKILLMAN ST	CHEVEZ LUZ M
	320	8110	SKILLMAN ST	RAMOS RUBEN
	321	8110	SKILLMAN ST	MARQUEZ JUAN MANUEL
	322	8110	SKILLMAN ST	SILVADEROSAS AGRIPINA
	323	8110	SKILLMAN ST	CHOWDHURY AFSANA &
	324	8110	SKILLMAN ST	TORRES HECTOR
	325	8110	SKILLMAN ST	ENENMOH IKECHUKWU N &
	326	8110	SKILLMAN ST	SARPONG JOSEPH F &
	327	8110	SKILLMAN ST	LINEWOOD GROUP LLC
	328	8110	SKILLMAN ST	SKILLMAN 8110 NUMBER 1038 LAND TRUST
	329	8110	SKILLMAN ST	CARE GIVER MAX LLC
	330	8110	SKILLMAN ST	LOPEZ YESSICA &
	331	8110	SKILLMAN ST	DICKINSON SHANNON
	332	8110	SKILLMAN ST	GARCIA EMILA
	333	8110	SKILLMAN ST	LAM PHUONG TU & ANH TU LAM
	334	8110	SKILLMAN ST	PANIAGUA FABRICIO &
	335	8110	SKILLMAN ST	8110 SKILLMAN LLC
	336	8110	SKILLMAN ST	CUA NEIVA L REVOCABLE LIVING TR & LIFE EST

10/17/2018

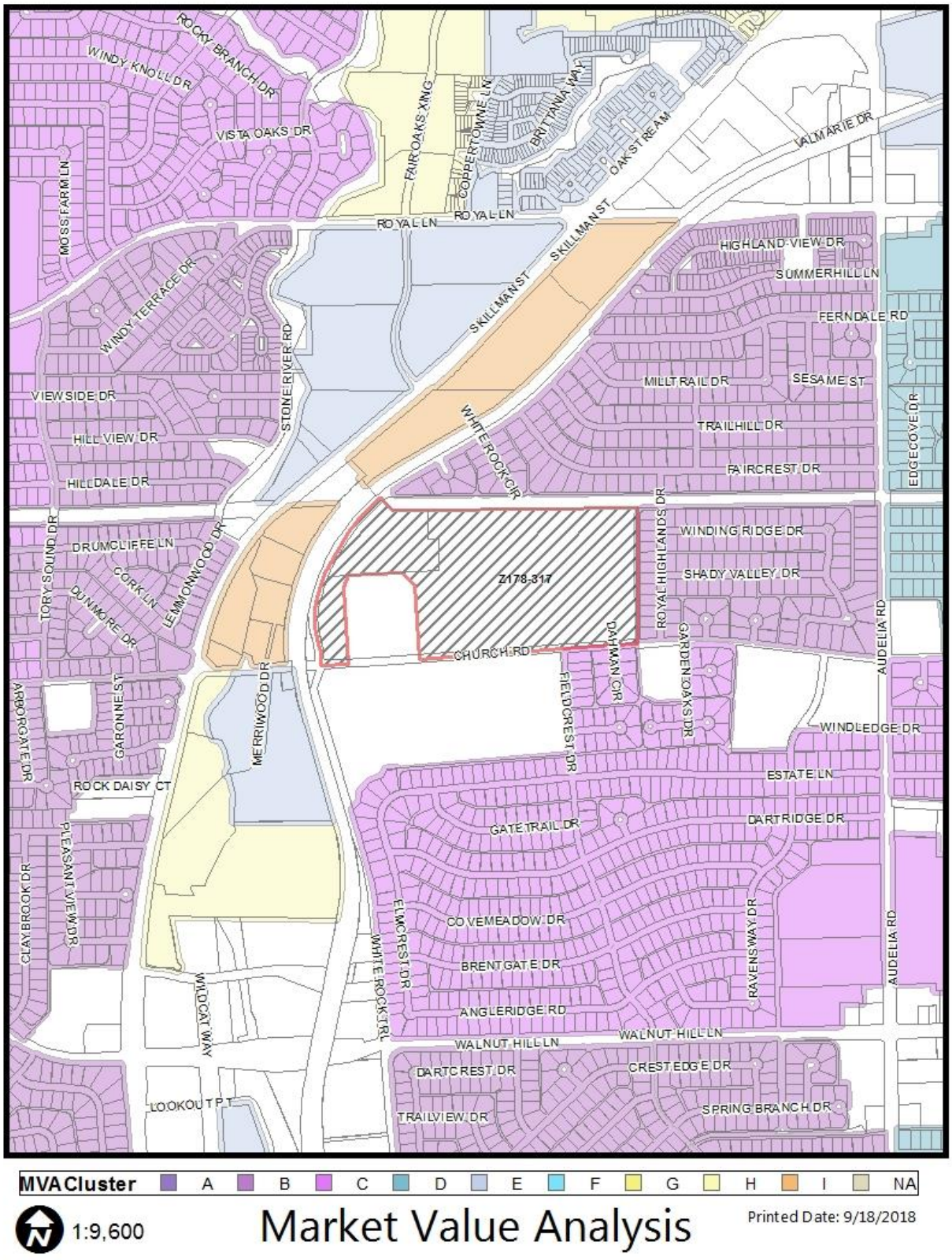
Reply	*Label #*	*Address*		*Owner*
	337	8110	SKILLMAN ST	BELTRAN GERMAN WILLIAM
	338	8110	SKILLMAN ST	BYRD MARCUS L
	339	8110	SKILLMAN ST	VELAZQUEZ FELIPE V
	340	8110	SKILLMAN ST	KIM SAMMY & GINA
	341	8110	SKILLMAN ST	CARRILLO JOSE LUIS &
	342	8110	SKILLMAN ST	ROSADO JOSE I
	343	8110	SKILLMAN ST	ABDULAHAD SARHAD BASIL &
	344	8110	SKILLMAN ST	TOO DASH PROPERTIES LLC
	345	8110	SKILLMAN ST	WATSON EVERETT
	346	8110	SKILLMAN ST	MACIAS JULIETA
	347	8110	SKILLMAN ST	MOLINA IRMA &
	348	8110	SKILLMAN ST	MAXEY NAAMAN
	349	8110	SKILLMAN ST	HERRARAN ROSE ANN H2045
	350	8110	SKILLMAN ST	WHITE BILLY E
	351	8110	SKILLMAN ST	GALICIA HOLDING
	352	8110	SKILLMAN ST	MALDONADO HILDA
	353	8110	SKILLMAN ST	GARCIA ADRIAN
	354	8110	SKILLMAN ST	SALEH JOHAN
	355	8110	SKILLMAN ST	C & A LA PUNTA LLC
	356	8110	SKILLMAN ST	ROMAN PROVIDENCIA
	357	8110	SKILLMAN ST	ACERO DIEGO
	358	8110	SKILLMAN ST	ARELLANO JAVIER
	359	8110	SKILLMAN ST	ASHE JOHN P
	360	8110	SKILLMAN ST	COSEY LEVERT D
	361	8110	SKILLMAN ST	ESPINOSA CRISTIAN
	362	8110	SKILLMAN ST	ABDULAHAD SARHAD BASIL &
	363	8110	SKILLMAN ST	ACERO DIEGO F
	364	8110	SKILLMAN ST	PHAN PHUONG &
	365	8110	SKILLMAN ST	ORTIZ ROGELIO & AIDA FLORES
	366	8110	SKILLMAN ST	ALONZO ANTHONY P
	367	8110	SKILLMAN ST	MACIAS JULIETA

10/17/2018

Reply	*Label #*	*Address*		*Owner*
	368	8110	SKILLMAN ST	BYRD ANDRE
	369	8110	SKILLMAN ST	HUANG TSU PING
	370	8110	SKILLMAN ST	DELGADO JULIO
	371	8110	SKILLMAN ST	CHILDRESS LARRY
	372	8110	SKILLMAN ST	LUONG XUONG V &
	373	8110	SKILLMAN ST	WOODALL CHASE
	374	8110	SKILLMAN ST	WANG CHIEN CHENG
	375	8110	SKILLMAN ST	RAFAEL JAVIER
	376	8110	SKILLMAN ST	TARDELLI INVESTMENTS LLC
	377	8110	SKILLMAN ST	KEY COURTNEY
	378	8110	SKILLMAN ST	VALENZUELA ALEXANDER
	379	8110	SKILLMAN ST	MARTINEZ JOSE JAVIER &
	380	8110	SKILLMAN ST	CONTRERAS MARIA SANDRA &
	381	8110	SKILLMAN ST	PB WINDTREE LLC
	382	8110	SKILLMAN ST	ZHAO YU
	383	8110	SKILLMAN ST	ROCHA JUAN &
	384	8110	SKILLMAN ST	CERDA CHRISTOPHER JOSEPH &
	385	8110	SKILLMAN ST	RIVIELLO MARIBEL
	386	8110	SKILLMAN ST	CHEN JIANYONG
	387	8110	SKILLMAN ST	PEREZ HILDELISA
	388	8110	SKILLMAN ST	ARCE FERNANDO
	389	8110	SKILLMAN ST	RUIZ MARIA LUISA
	390	8110	SKILLMAN ST	BOND NICOLE
	391	8110	SKILLMAN ST	SERRANO SONIA ARCEO
	392	8110	SKILLMAN ST	MARTINEZ JOSE JAVIER & ELSA M
	393	8110	SKILLMAN ST	SALAS SERGIO RUBEN
	394	8110	SKILLMAN ST	TSALECH LLC
	395	8110	SKILLMAN ST	CONSULTING LIGHT SOURCE
	396	8110	SKILLMAN ST	RIVERA UZIEL
	397	8110	SKILLMAN ST	MARTINEZ JOSE JAVIER & ELSA MARINA HERNANDEZ
	398	8110	SKILLMAN ST	LEAVITT RICHARD H JR

10/17/2018

Reply	*Label #*	*Address*		*Owner*
	399	8110	SKILLMAN ST	SIKES WILLIAMS JAY
	400	8110	SKILLMAN ST	RODRIGUEZ JOSE &
	401	8110	SKILLMAN ST	BERG RICHARD
	402	8110	SKILLMAN ST	STREATFEILD GUY
	403	8110	SKILLMAN ST	MOHAMMED AYUB AHMED
	404	8110	SKILLMAN ST	CARTER LYNN
	405	8110	SKILLMAN ST	LOPEZ VIRIDIANA
	406	8110	SKILLMAN ST	GOMEZ EUSEBIO &
	407	8110	SKILLMAN ST	MACIASSALAZAR ROSA
	408	8110	SKILLMAN ST	RANGEL CARMONA E &
	409	8110	SKILLMAN ST	ZELADITA URSULA
	410	8110	SKILLMAN ST	WALTON ALAMO P
	411	8110	SKILLMAN ST	SEISELMYER DEBORAH AK &
	412	8110	SKILLMAN ST	MULLINO JAMES
	413	8110	SKILLMAN ST	MOHAMMAD MAHABBAT
	414	8110	SKILLMAN ST	LELAN QUAN K
	415	8110	SKILLMAN ST	PEABERRY PROPERTIES LLC
	416	8110	SKILLMAN ST	DURAY MICHAEL & BILLI S
	417	8110	SKILLMAN ST	CARBAJAL MANUEL & IMELDA INIGUEZ
	418	8110	SKILLMAN ST	WINDTREE HOMEOWNERS ASSOCIATION INC
	419	8110	SKILLMAN ST	SLATER PAMELA
	420	8110	SKILLMAN ST	NGUYEN GIAU NGOC T
	421	8110	SKILLMAN ST	ELNADI MOHAMED
	422	8110	SKILLMAN ST	ROSAS MARIO
	423	8110	SKILLMAN ST	MATHEWSON DARIN
	424	8110	SKILLMAN ST	ROCHA JUAN RAMON
	425	8110	SKILLMAN ST	COX KRISTIN BROOK
	426	8110	SKILLMAN ST	TARDELLI INVESTMENTS LLC


Z178-317
ROCKY BRANCH DR
WINDY KNOLL DR
VISTA OAKS DR
FAIROAKS XING
COPPERTOWNE LN
BRITANIA WAY
OAKSTREAM
VALMARIE DR
ROYAL LN
SKILLMAN ST
HIGHLAND VIEW DR
SUMMERHILL LN
FERNDALE RD
MOSS FARM LN
WINDY TERRACE DR
STONE RIVER RD
MILLTRAIL DR
SESAME ST
VIEWSIDE DR
HILL VIEW DR
HILLDALE DR
WHITE ROCK CIR
TRAILHILL DR
FAIRCREST DR
EDGECOVE DR
DRUMCLIFFE LN
CORK LN
DUNMORE DR
LEMMONWOOD DR
TORY SOUND DR
WINDING RIDGE DR
SHADY VALLEY DR
ROYAL HIGHLANDS DR
CHURCH RD
DAHMAN CIR
GARDEN OAKS DR
AUDELIA RD
FIELDCREST DR
MERRIWOOD DR
GARONNE ST
ARROCATE DR
WINDLEDGE DR
ESTATE LN
ROCK DAISY CT
GATE TRAIL DR
DARTRIDGE DR
PLEASANT VIEW DR
CLAYBROOK DR
COVEMEADOW DR
ELMCREST DR
WHITE ROCK TRL
BRENTGATE DR
RAVENSWAY DR
WILDCAT WAY
ANGLERIDGE RD
WALNUT HILL LN
DARTCREST DR
CRESTEDGE DR
LOOKOUT PT
TRAILVIEW DR
SPRING BRANCH DR
MVA Cluster
A
B
C
D
E
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I
NA
1:9,600
Market Value Analysis
Printed Date: 9/18/2018

Agenda Information Sheet

File #: 18-1367 **Item #:** 92.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 1

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. 2011 for an alcoholic beverage establishment limited to a microbrewery, microdistillery, or winery on property zoned Conservation District No. 7, the Bishop/Eighth Street Conservation District, on the northwest corner of North Bishop Avenue and West 7th Street

Recommendation of Staff and CPC: Approval for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions

Z178-328(CY)

HONORABLE MAYOR & CITY COUNCIL WEDNESDAY, DECEMBER 12, 2018
ACM: Majed Al-Ghafry

FILE NUMBER:	Z178-328(CY)	**DATE FILED:**	August 3, 2018
LOCATION:	Northwest corner of North Bishop Avenue and West 7th Street		
COUNCIL DISTRICT:	1	**MAPSCO:**	54 C
SIZE OF REQUEST:	Approx. 0.28	**CENSUS TRACT:**	47.00

OWNER/APPLICANT: 2 Esquinas at Bishop Arts, LLC/Joel Malone

REPRESENTATIVE: Audra Buckley

REQUEST: An application for the renewal of Specific Use Permit No. 2011 for an alcoholic beverage establishment limited to a microbrewery, microdistillery, or winery on property zoned Conservation District No. 7, the Bishop/Eighth Street Conservation District.

SUMMARY: The purpose of the request is to continue the operation of the existing wine manufacturing and retail facility [Bishop Cider]

CPC RECOMMENDATION: **Approval** for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions.

BACKGROUND INFORMATION:

- The area of request is zoned Conservation District No. 7, the Bishop/Eighth Street Conservation District. CD No.7 was established by the City Council on February 12, 1992.

- On January 23, 2013, City Council approved Specific Use Permit No. 2011 for an alcoholic beverage establishment limited to a microbrewery, micro distillery, or winery for a time period of three years for the area of request.

- On October 14, 2015, City Council approved the renewal of Specific Use Permit No. 2011 for an alcoholic beverage establishment limited to a microbrewery, micro distillery or winery for a time period of three years with eligibility for automatic renewals for additional three-year periods for the area of request. [Expires on October 14, 2018]

- Building Inspections records show the existing winery was issued a Certificate of Occupancy on September 12, 2013.

- The applicant missed the time period to apply for the automatic renewal of the SUP, which ended on June 16, 2018.

Zoning History: There have been three zoning changes in the surrounding area, including the area of request in the past five years.

1. **Z145-297** On October 14, 2015, City Council approved the renewal of Specific Use Permit No. 2011 for an alcoholic beverage establishment limited to a microbrewery, micro distillery or winery for the area of request.

2. **Z145-341** On November 10, 2015, City Council approved the Oak Cliff 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.

3. **Z178-185** On April 25, 2018, City Council approved a Demolition Delay overlay for nearby properties surrounding 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	Proposed ROW
West Davis Street	Major Arterial	100’	80’
North Bishop Avenue	Minor Arterial	60’	60’
West 7th Street	Minor Arterial	60’	60’

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 2.4 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.

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.

Area Plan:

OAK CLIFF GATEWAY TIF DISTRICT

The subject site is located within the Bishop/Jefferson Subdistrict which is delineated within the Oak Cliff Gateway TIF District Project Plan & Reinvestment Zone Financing Plan. This area specifically is envisioned as a place where people come to work, live, shop and enjoy the parks, dining, entertainment, and historic districts. The Gateway retains the distinctive character of its historic settlement. It provides proximity to downtown Dallas, as well as opportunities for jobs and business growth. The Trinity River Corridor and the area's parks invite residents, area workers and visitors to enjoy natural beauty, active recreation and quiet reflection. The Oak Cliff Gateway offers a unique park-like setting in the center of the Dallas region. Proposed new development and strategic re-development in the new Bishop/Jefferson Sub-district will be focused on respecting the existing historic buildings and neighborhood character of the area. Planned sidewalks, bike lanes, and green space offer alternatives to driving, and buildings nestle into the existing fabric of the street grid and the neighborhood.

The Bishop Arts and Jefferson Boulevard area is envisioned to serve as a draw for visitors from across the North Texas region and provide destinations for shopping and dining. Proposed developments provide additional restaurant, retail, and residential space while providing needed access to transit and additional parking. This request for the renewal of the SUP is consistent with the area plan.

Land Use:

	Zoning	Land Use
Site	CD No.7 with SUP No. 2011	Microbrewery, Microdistillery or Winery, General Merchandise, Personal Service and Restaurant
North	CD No.7	Medical Clinic, Restaurant and Personal Service
East	CD No.7	Restaurant and General Merchandise
South	CD No.7	General Merchandise
West	CD No.7	Personal Service

Land Use Compatibility:

The approximate 0.28-acre area of request is zoned Conservation District No. 7, the Bishop/Eight Street Conservation district and is contained in a suite within a multi-tenant one-story building on the west side of North Bishop Avenue.

According to Building Inspections' records, the existing winery use has been operating since September 2013, when a Certificate of Occupancy was issued for the use. The applicant seeks to renew the Specific Use Permit to be allowed to continue the manufacturing and bottling of wines while providing tastings and retail sales in accordance with the Texas Alcoholic Beverage Commission (TABC). The area of the existing specific use permit is limited to the 704-square-foot suite.

The Dallas Development Code, as amended defines a microbrewery, microdistillery or winery means as an establishment for the manufacture, blending, fermentation, processing and packaging of alcoholic beverages with a floor area of 10,000 square feet or less that takes place wholly inside a building. A facility that only provides tasting, or retail sale of alcoholic beverages is not a microbrewery, microdistillery or winery use.

The applicant holds a current winery permit (G) under Chapter 16 of the Texas Alcoholic Beverage Commission Code. This permit authorizes the holder to manufacture, bottle, label and package wine containing not more than 24% alcohol by volume; sell or buy wine from permit holders authorized to purchase and sell wine including wholesalers, winery and wine bottler's permittees; sell wine to ultimate consumers for consumption on the winery premises or in unbroken packages for off-premise consumption; and dispense free wine for consumption on the winery premises.

Uses surrounding the existing winery include retail, personal service, and restaurant uses within the multi-tenant building where the area of request. Medical clinic, personal service and more restaurant uses are located along North Bishop Avenue and West Davis Street. Single Family uses are found further to the northwest.

None of the uses in the proximity of the existing winery are uses listed in Sec. 6-4(a)(4) of the Dallas Development Code nor in Sec.109.33 and Sec.109.331 of the Texas Alcoholic Beverage Commission (TABC) code, as protected uses such as school, hospital, church and child-care uses that need to meet a required distance from establishments that sell alcohol.

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.

In general, the applicant's request of renewing the specific use permit originally approved in 2013, is consistent with the general provisions for a Specific Use Permit and is consider compatible with the surrounding uses. Staff recommends approval for a three-year period with eligibility for automatic renewal for additional five-year periods.

Market Value Analysis

Market Value Analysis (MVA), 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. The area of request is not within an identifiable MVA category; however, it is in proximity to a "C" MVA cluster to the north across Davis Street and an "E" MVA cluster to the southwest across West 7th Street.

Parking:

Pursuant to the provisions of Conservation District No. 7, an alcoholic beverage establishment requires one space per 220 square feet of floor area. Therefore, the proposed 704-square-foot alcoholic beverage establishment limited to a microbrewery, microdistillery or winery requires three spaces.

The existing site plan provided a parking analysis that required it to be revised to reflect the current parking requirements for all Retail and Personal Service Uses on site. Per the revised parking analysis provided by the applicant, 20 off-street spaces are required for all uses on the request site. As depicted on the site plan, 10 spaces are provided onsite. It has been confirmed by Building Inspections, that the site retains 9 delta credits and one space is provided through a remote parking agreement currently in place.

Landscaping:

No new construction is proposed by this application. New construction would require landscaping in accordance with the provisions of Article X of the Dallas Development Code, as amended, and of Conservation District No. 7.

Dallas Police Department:

Staff requested a report of site-related crime statistics for the time period from the last renewal for SUP No. 2011 in 2015 up to date. The list of reported crime obtained includes a total of 15 calls and 8 incidents recorded from 2013 to 2018, of which none resulted in an arrest, as indicated in the tables below.

CALLS

MASTER INCIDENT NUMBER	RESPPONSE DATE	RESPONSE TIME	PROBLEM	PRIORITY DESCRIPTION	LOCATION NAME	ADDRESS	APART.
13-0869358	5/8/2013	9:41:00 AM	12B - Business Alarm	3 - General Service	Esoterica Studio	509 N Bishop Ave	E
13-1185182	6/19/2013	4:13:00 PM	32 - Suspicious Person	2 - Urgent	Cretias	509 N Bishop Ave	
13-1425699	7/22/2013	1:01:00 PM	12 - Burglar Alarm Uknown	3 - General Service	Esoterica	509 N Bishop Ave	
14-0535283	3/22/2014	8:22:00 AM	04 - 911 Hang Up	2 - Urgent	Esoterica Studios	509 N Bishop Ave	E
15-0623361	4/3/2015	12:57:00 PM	09 - Theft	4 - Non Critical	Design On A Nickle	509 N Bishop Ave	B
15-1433851	7/18/2015	2:09:00 PM	PH - Panhandler	4 - Non Critical	Bishop Cider Co	509 N Bishop Ave	C
15-1468546	7/22/2015	10:37:00 PM	40 - Other	3 - General Service	Yaya Foot Spa	509 N Bishop Ave	D
15-1686602	8/20/2015	4:04:00 PM	09 - Theft	4 - Non Critical	hair salon	509 N Bishop Ave	
16-1912250	9/24/2016	6:51:00 PM	07 - Minor Accident	3 - General Service		509 N Bishop Ave	
16-1912250	9/24/2016	6:51:00 PM	07 - Minor Accident	3 - General Service		509 N Bishop Ave	
17-0290304	2/13/2017	12:49:00 PM	40 - Other	3 - General Service	home on bishop	509 N Bishop Ave	
17-0705516	4/14/2017	1:17:00 PM	7X - Major Accident	2 - Urgent		509 N Bishop Ave	
17-0961227	5/21/2017	4:15:00 PM	58 - Routine Investigation	7 - Unit Initiated		509 N Bishop Ave	
17-1740585	9/12/2017	3:09:00 PM	09 - Theft	4 - Non Critical	D, & J NAILS	509 N Bishop Ave	A
17-2166117	11/14/2017	8:12:00 PM	PSE/40 - Other	5 - Expediter		509 N Bishop Ave	D

INCIDENTS

INCIDENT #	DATE	TIME	UCR_Offense	UCR_OffDesc	PREMISE	MO
073665-2015	4/3/2015	13:00	OTHER THEFTS	THEFT	Retail Store	UNK SUSP TOOK COMP PROP W/O CONSENT
193556-2015	8/20/2015	12:00	OTHER THEFTS	THEFT	Retail Store	SUSP TOOK COMP'S PROPERTY WITHOUT PERMISSION
232636-2015	10/6/2015	12:00	CRIMINAL TRESPASS	MISCELANEOUS	Personal Services	CTA ON FILE
232632-2015	10/6/2015	12:00	CRIMINAL TRESPASS	MISCELANEOUS	Other	CTA ON FILE
232635-2015	10/6/2015	0:00	CRIMINAL TRESPASS	MISCELANEOUS	Other	CTA ON FILE.
232634-2015	10/6/2015	0:00	CRIMINAL TRESPASS	MISCELANEOUS	Retail Store	CTA ON FILE
232633-2015	10/6/2015	12:00	CRIMINAL TRESPASS	MISCELANEOUS	Retail Store	CTA ON FILE
230481-2016	9/24/2016	18:37	ACCIDENT MV	MOTOR VEHICLE ACCIDENT	Highway, Street, Alley ETC	UNK SUSP HIT COMP'S VEH AND FLED THE SCENE

PRIOR CPC ACTION - OCTOBER 18, 2018

Z178-328(CY)

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2011 for an alcoholic beverage establishment limited to a microbrewery, microdistillery, or winery for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to revised site plan and conditions on property zoned Conservation District No.7, the Bishop/Eighth Street Conservation District, on the northwest corner of North Bishop Avenue and West 7th Street.

Maker: Davis
Second: Carpenter
Result: Carried: 11 to 0

For: 11 - West, Rieves, Davis, Carpenter, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley
Against: 0
Absent: 1 - Lewis
Vacancy: 2 - District 3, District 7
Conflict: 1 - Shidid**

**out of the room, when vote taken.

Notices: Area: 200 Mailed: 25
Replies: For: 2 Against: 0

Speakers: None

List of Officers

OWNER: 2 Esquinas at Bishop Arts, LLC.

- Amanda Cross Owner/Manager
- Abdiel Ruiz Member/Treasurer

SUP No. 2011 CPC RECOMMENDED CONDITIONS

1. USE: The only use authorized by this specific use permit is an alcoholic beverage establishment limited to a microbrewery, microdistillery, or winery.

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 [~~October 14, 2018~~] (three-years from the passage of this ordinance) but is eligible for automatic renewal for additional five[~~three~~]-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. FLOOR AREA: The maximum floor area for a microbrewery, microdistillery, or winery is 704 square feet in the location shown on the attached site plan.

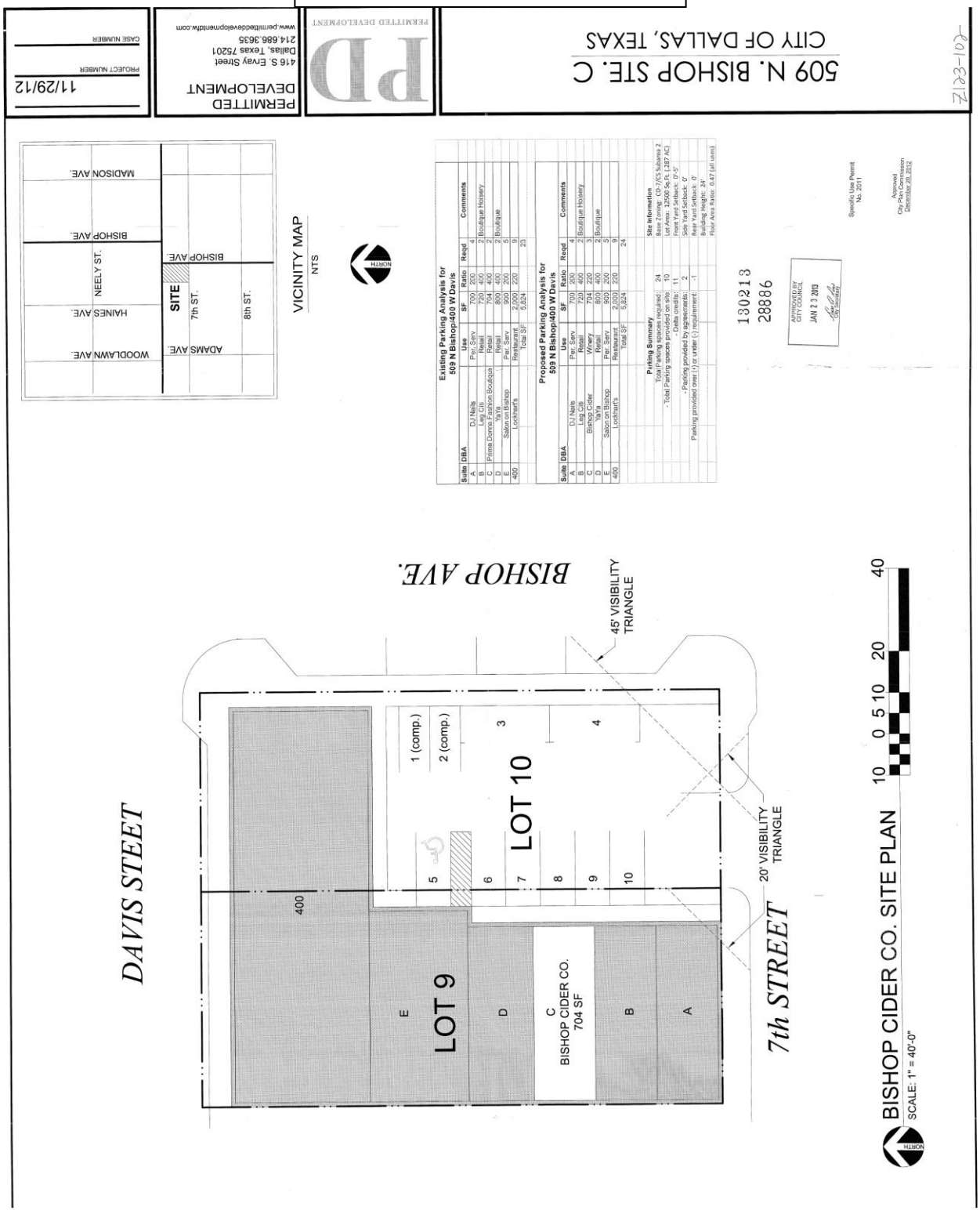
5. HOURS OF OPERATION: The microbrewery, microdistillery, or winery may only operate between 11:00 a.m. and 12:00 a.m. (midnight), Monday through Sunday.

6. OUTSIDE STORAGE: Outside storage of silos or storage of spent grain is not permitted.

7. MAINTENANCE: The property must be properly maintained in a state of good repair and neat appearance.

8. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all conditions, rules, and regulations of the City of Dallas.

EXISTING SITE PLAN



REVISED SITE PLAN

509 N. BISHOP STE. C
CITY OF DALLAS, TEXAS

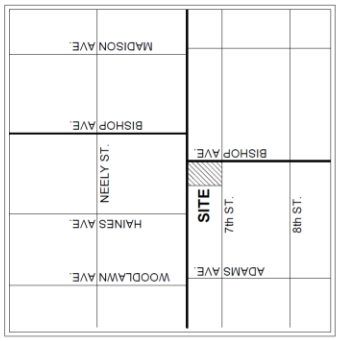
PERMITTED DEVELOPMENT
416 S. Erway Street
Dallas, Texas 75201
214.886.3635
www.permittedevelopmentdfw.com

PROJECT NUMBER 09/13/2018

CASE NUMBER

Z178-328

VICINITY MAP
NTS



Existing Parking Analysis for 509 N Bishop/400 W Davis

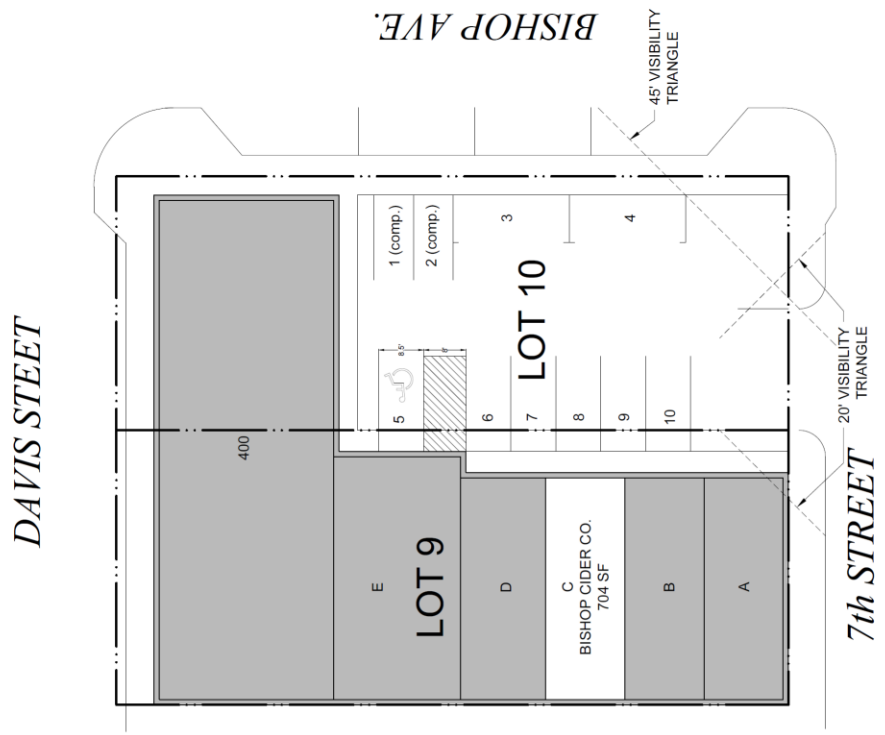
Suite	DBA	Use	SF	Ratio	Reqd	Comments
A	DJ Nails	Per. Serv.	700	400	2	
B	Leg Cib	Retail	720	400	2	Boutique Holserly
C	Prima Donna Fashion Boutique	Retail	704	400	2	
D	Ya'ya	Retail	800	400	2	Boutique
E	Salon on Bishop	Per. Serv.	900	400	2	
400	Lockhart's	Restaurant	2,000	220	9	
		Total SF	5,824		19	

Proposed Parking Analysis for 509 N Bishop/400 W Davis

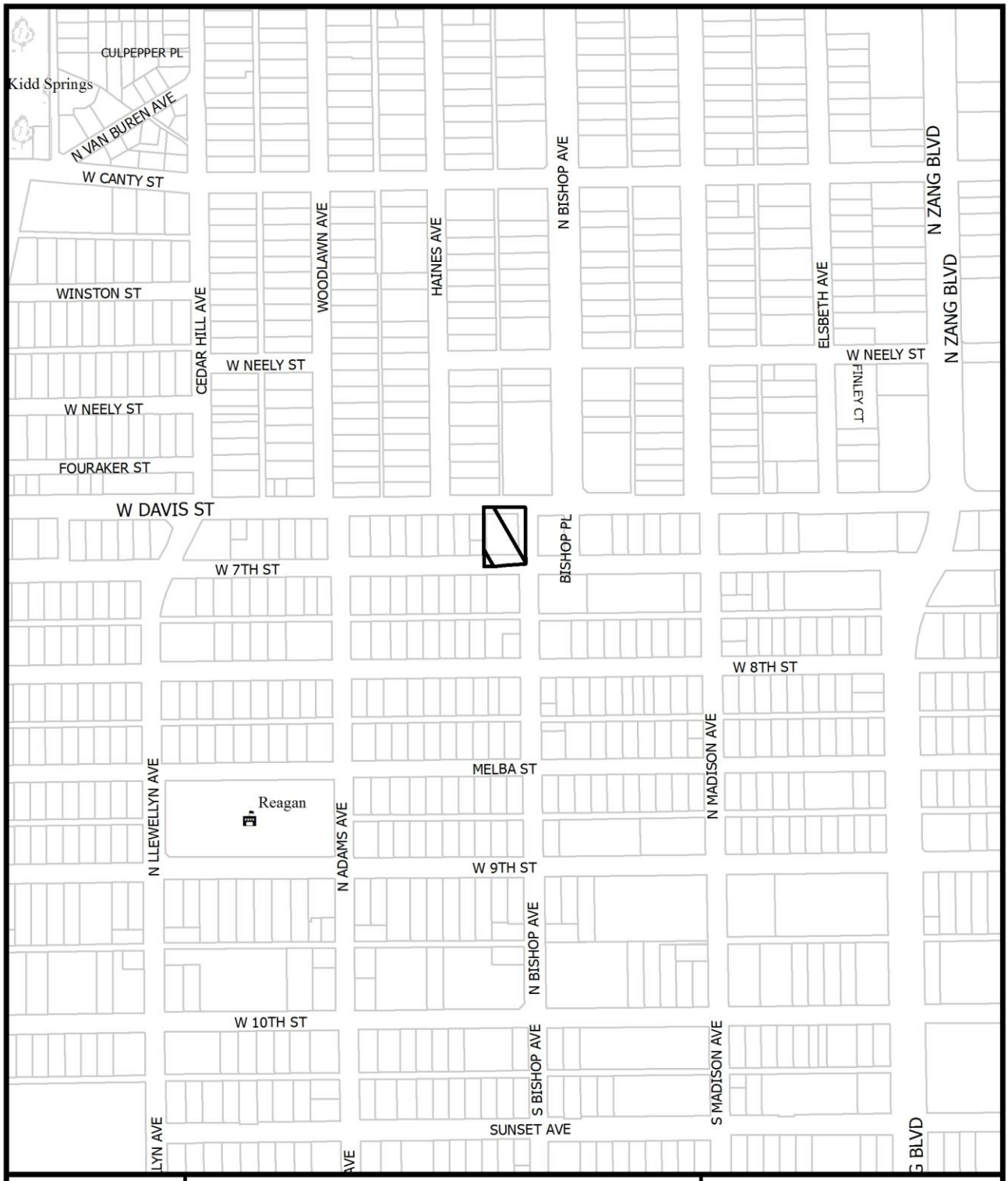
Suite	DBA	Use	SF	Ratio	Reqd	Comments
A	DJ Nails	Per. Serv.	700	400	2	
B	Leg Cib	Retail	720	400	2	Boutique Holserly; 2 Delta
C	Bishop Cider	Winery	704	220	3.2	Delta; 1 required
D	Ya'ya	Retail	800	400	2	Boutique
E	Salon on Bishop	Per. Serv.	900	400	2	
400	Lockhart's	Restaurant	2,000	220	9	6 Delta; 4 Required
		Total SF	5,824		20	11 Required after Delta

Parking Summary
Total parking spaces required: 20
- Total Parking spaces provided on site 10
- Delta credits: 9
- Parking provided by agreements: 1
Parking provided over (+) or under (-) requirement: 0

Site Information
Base Zoning: CR w/ SUP 2125 Subarea 2
Lot Area: 13,500 Sq Ft. (.287 AC)
Front Yard Setback: 0'-5'
Side Yard Setback: 0'
Rear Yard Setback: 0'
Building Height: 24'
Floor Area Ratio: 0.47 (all uses)



BISHOP CIDER CO. SITE PLAN
SCALE: 1" = 40'-0"



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VICINITY MAP

Case no: Z178-328

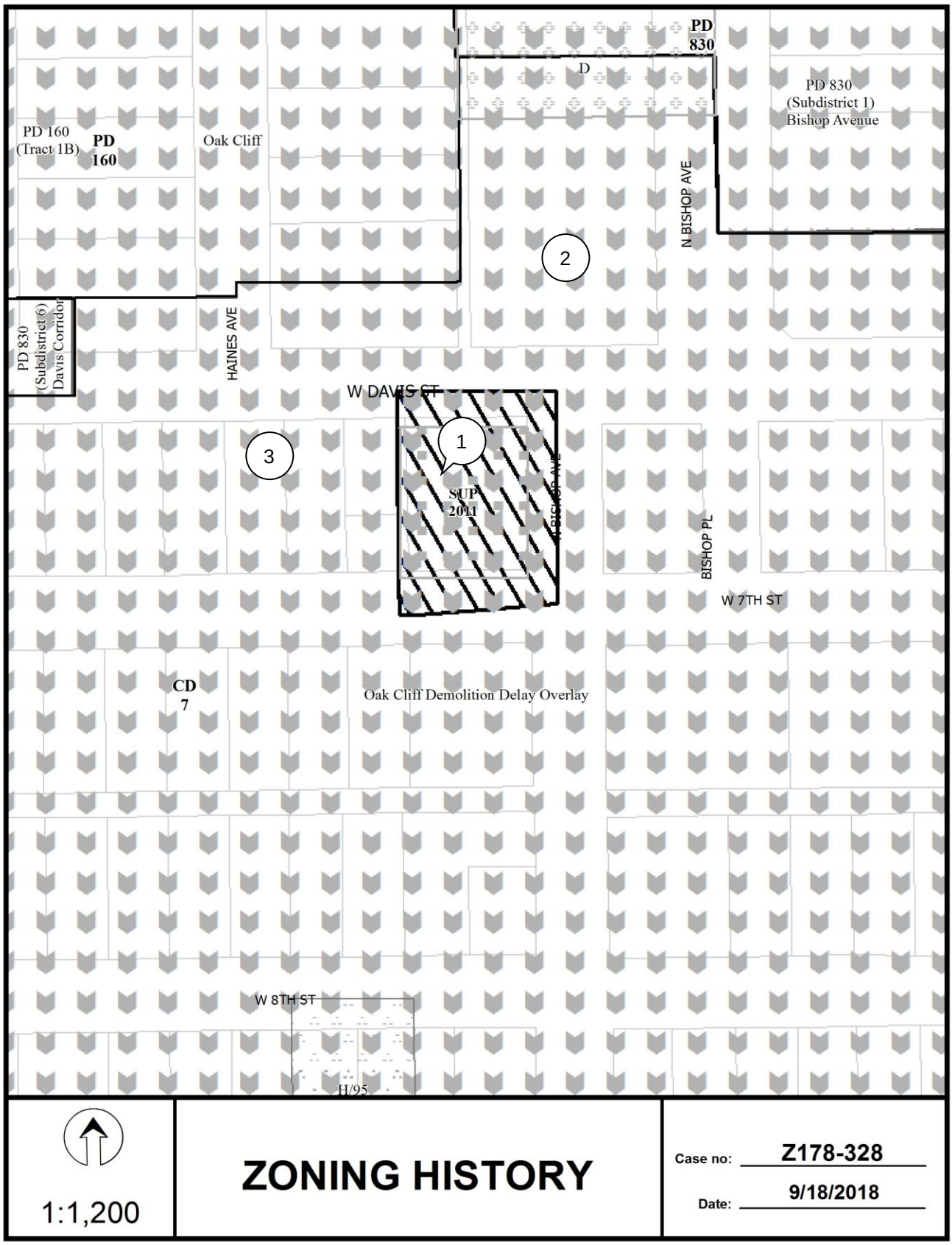
Date: 9/18/2018

1:1,200

AERIAL MAP

Case no: Z178-328

Date: 9/18/2018


PD 830
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PD 830
(Subdistrict 1)
Bishop Avenue
PD 160
(Tract 1B)
PD
160
Oak Cliff
N BISHOP AVE
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PD 830
(Subdistrict 6)
Davis Corridor
HAINES AVE
W DAVIS ST
1
3
SUP
2011
BISHOP PL
W 7TH ST
CD
7
Oak Cliff Demolition Delay Overlay
W 8TH ST
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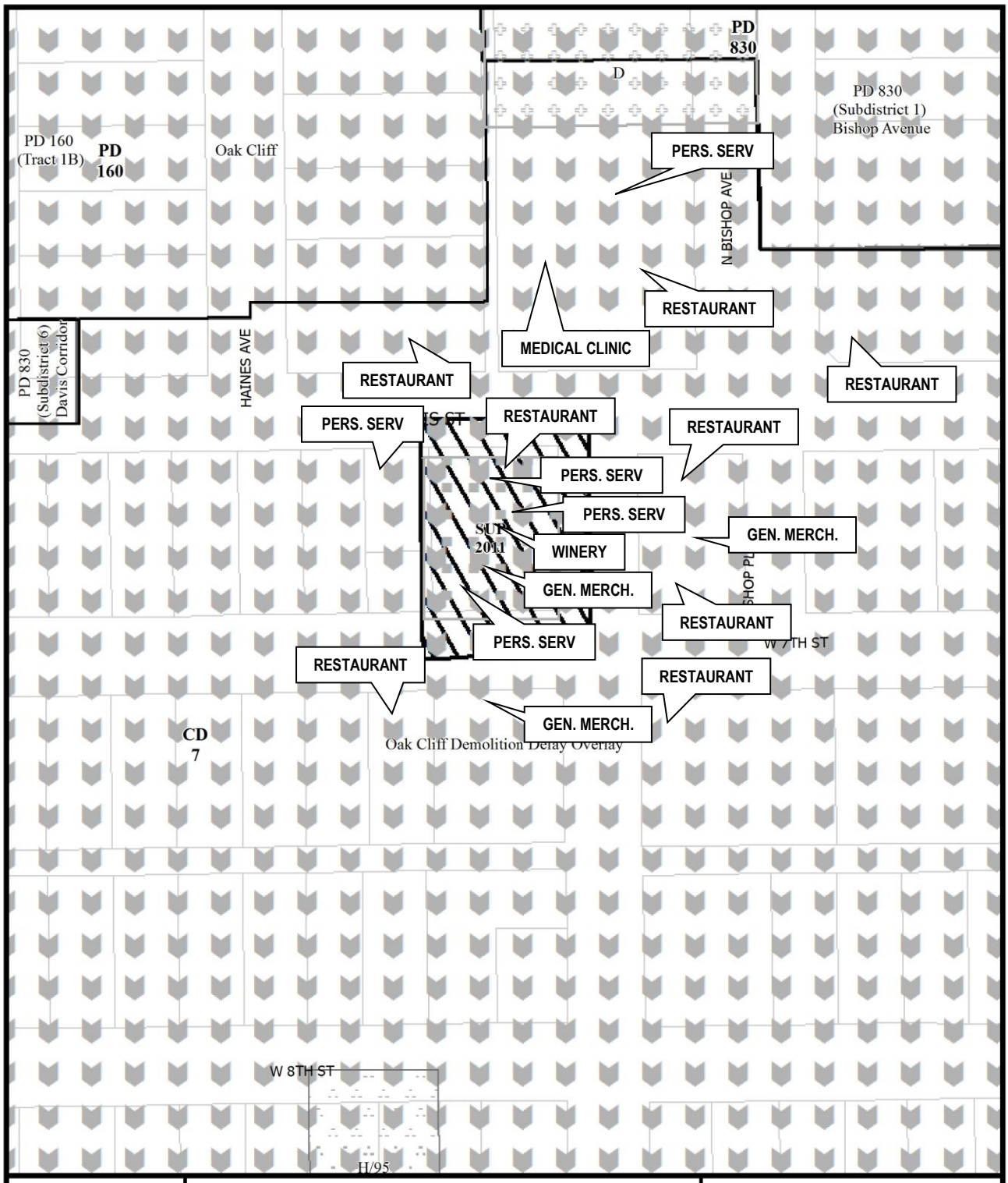
1:1,200
ZONING HISTORY
Case no: Z178-328
Date: 9/18/2018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PD 830
(Subdistrict 1)
Bishop Avenue
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(Tract 1B)
PD
160
Oak Cliff
PERS. SERV
N BISHOP AVE
RESTAURANT
MEDICAL CLINIC
PD 830
(Subdistrict 6)
Davis Corridor
HAINES AVE
RESTAURANT
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CD
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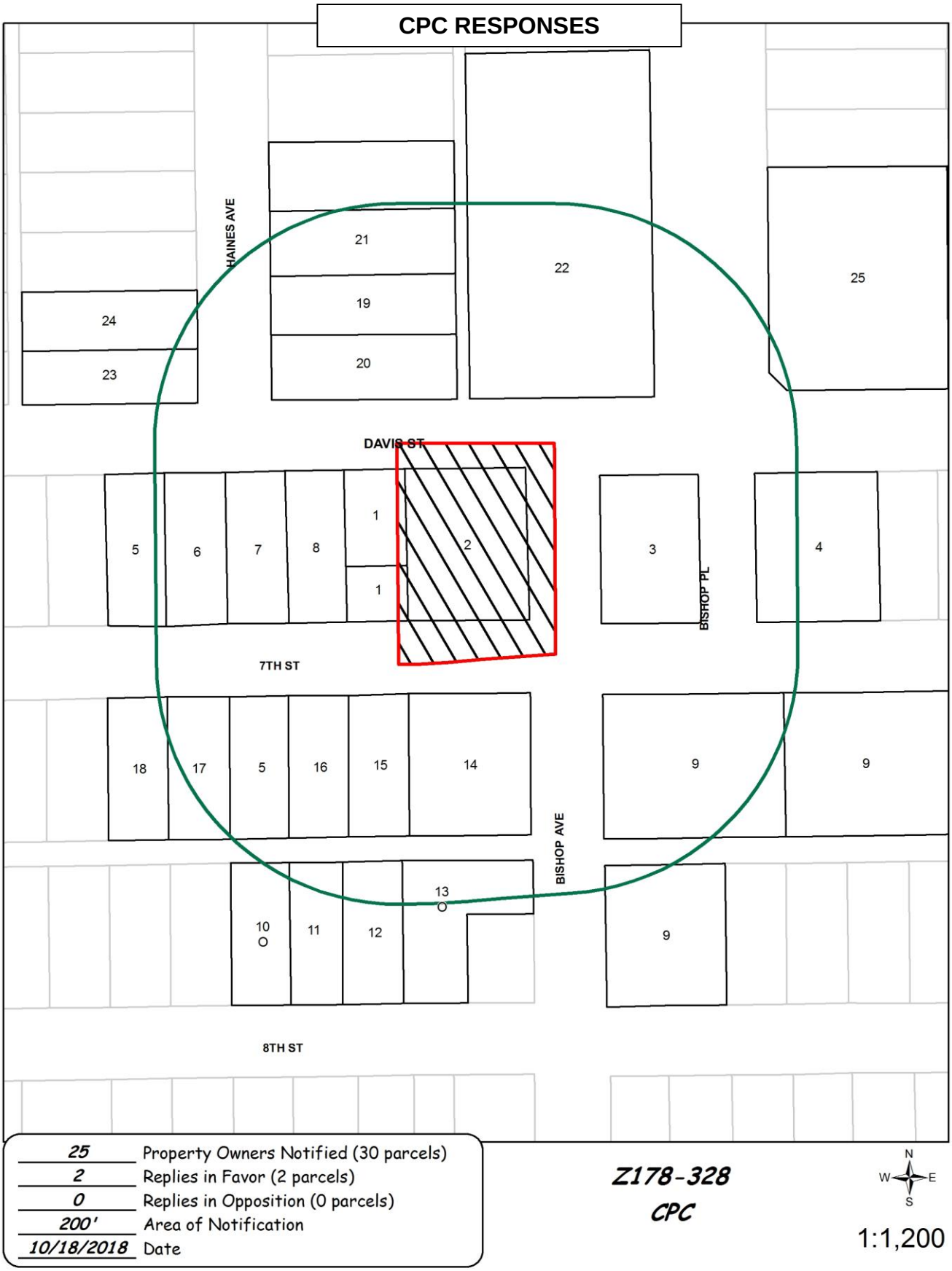
Oak Cliff Demolition Delay Overlay
W 8TH ST
H/95
1:1,200
ZONING
AND LAND USE
Case no: Z178-328
Date: 9/18/2018


CPC RESPONSES
HAINES AVE
DAVIS ST
BISHOP PL
7TH ST
BISHOP AVE
8TH ST
21
22
25
24
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14
9
9
10
11
12
13
9
25 Property Owners Notified (30 parcels)
2 Replies in Favor (2 parcels)
0 Replies in Opposition (0 parcels)
200' Area of Notification
10/18/2018 Date
Z178-328
CPC
N
W
E
S
1:1,200

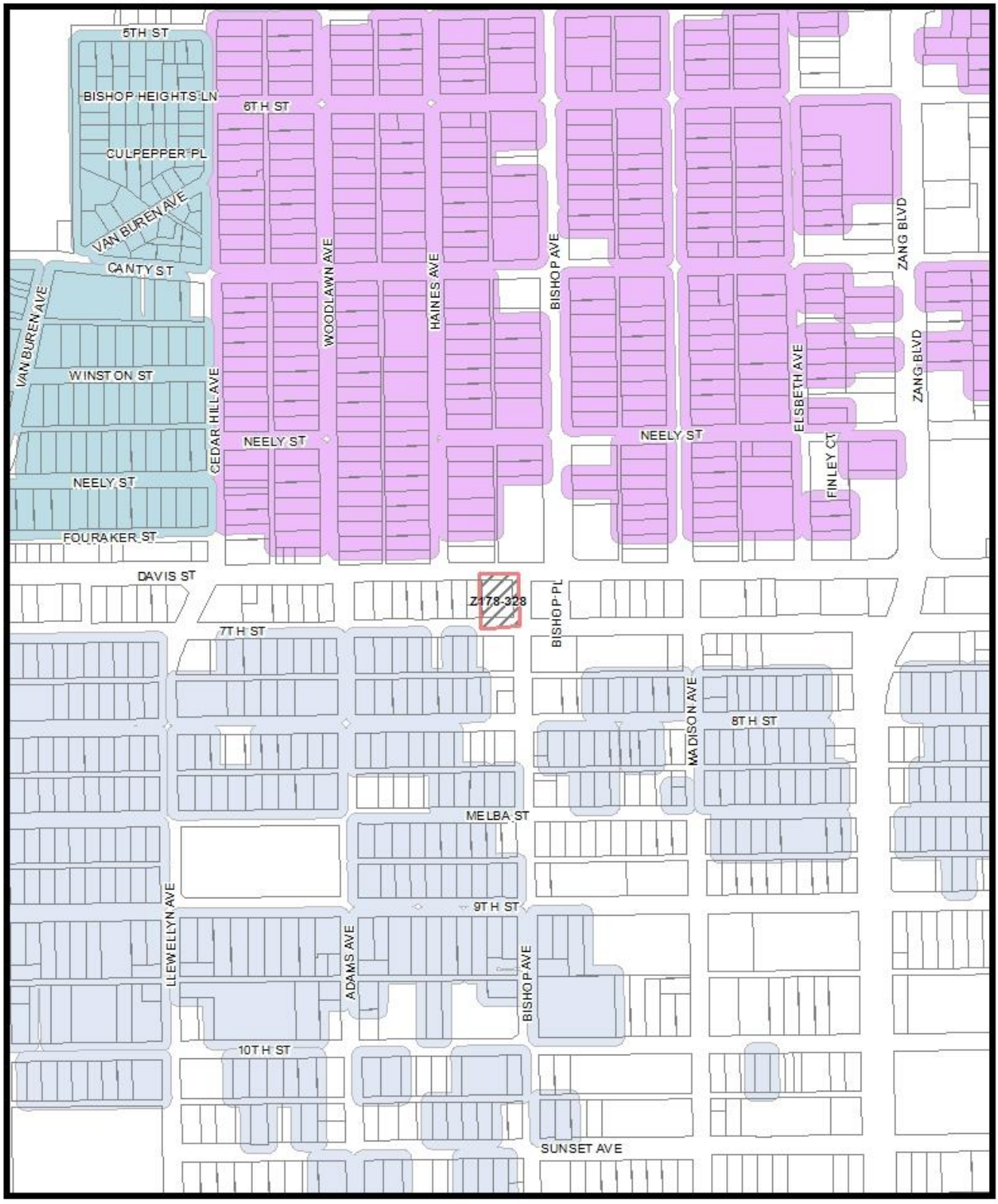
10/17/2018

Reply List of Property Owners

Z178-328

25 Property Owners Notified ***2 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	408	W DAVIS ST	BELMAR MANAGMENT LTD
	2	509	N BISHOP AVE	2 ESQUINAS AT BISHOP ARTS
	3	334	W DAVIS ST	2 ESQUINAS AT BISHOP ARTS LLC
	4	330	W DAVIS ST	YEUNG EDWINA & SHIU
	5	424	W DAVIS ST	D MC LEASING INC
	6	420	W DAVIS ST	SALVAGGIO CHARLES F
	7	416	W DAVIS ST	D MC LEASING INC
	8	414	W DAVIS ST	M & I CAPITAL LLC
	9	333	W 8TH ST	BISHOP STREET PARTNERS JV
O	10	419	W 8TH ST	JAR BISHOP ARTS HOLDINGS LLC
	11	413	W 8TH ST	PROSUM VENTURES INC
	12	411	W 8TH ST	PROSUM VENTURES INC
O	13	407	N BISHOP AVE	407 N BISHOP LLC
	14	419	N BISHOP AVE	BISHOP FUND LTD
	15	408	W 7TH ST	7TH LLC
	16	412	W 7TH ST	DOMINGUEZ ARTURO &
	17	422	W 7TH ST	D MC LEASING
	18	426	W 7TH ST	CASTILLO VICTORIA
	19	606	HAINES AVE	BALLAS VICTOR &
	20	415	W DAVIS ST	SHIDID FAMILY LIVING TRUST
	21	612	HAINES AVE	BATSON DELAINA W
	22	611	N BISHOP AVE	2444 LLC
	23	601	HAINES AVE	XANDERBAX LLC
	24	607	HAINES AVE	VARGAS ALBERT &
	25	606	N BISHOP AVE	JOSE FUENTES CO INC


5TH ST
BISHOP HEIGHTS LN
6TH ST
CULPEPPER PL
VAN BUREN AVE
CANTY ST
VAN BUREN AVE
WINSTON ST
CEDAR HILL AVE
NEELY ST
NEELY ST
FOURAKER ST
WOODLAWN AVE
HAINES AVE
BISHOP AVE
ZANG BLVD
ELSBETH AVE
ZANG BLVD
NEELY ST
FINLEY CT
DAVIS ST
Z178-328
BISHOP PL
7TH ST
MADISON AVE
8TH ST
MELBA ST
9TH ST
LLEWELLYN AVE
ADAMS AVE
BISHOP AVE
10TH ST
SUNSET AVE
MVACluster
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NA
1:4,800
Market Value Analysis
Printed Date: 9/19/2018

Agenda Information Sheet

File #: 18-1368 **Item #:** 93.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 10

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. 2157 for vehicle display, sales, and service use on property zoned Planned Development District No. 629, on the northeast corner of North Central Expressway and Bonner Drive
Recommendation of Staff and CPC: Approval for a five-year period, subject to conditions
Z178-342(CT)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, DECEMBER 12, 2018**

Planner: Majed Al-Ghafry

FILE NUMBER: Z178-342(CT) **DATE FILED:** August 17, 2018

LOCATION: Northeast corner of North Central Expressway and Bonner Drive

COUNCIL DISTRICT: 10 **MAPSCO:** 26 B

SIZE OF REQUEST: Approx. 0.522 acres **CENSUS TRACT:** 78.05

OWNER/APPLICANT: Andre Mitchell

REQUEST: An application for the renewal of Specific Use Permit No. 2157 for vehicle display, sales, and service use on property zoned Planned Development District No. 629.

SUMMARY: The applicant is requesting to continue the operation of the existing vehicle display, sales, and service facility [Capital Auto].

CPC RECOMMENDATION: **Approval** for a five-year period, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a five-year period, subject to conditions.

BACKGROUND INFORMATION:

- The building was originally constructed in 2000, according to Dallas Central Appraisal District Records.
- On April 5, 2000, Certificate of Occupancy No. 00030091145 was issued for a vehicle display, sales, and service facility.
- On September 22, 2015, the City Council approved Specific Use Permit No. 2157 for a vehicle display, sales, and service use for a three-year period.

Zoning History: There have been no zoning changes in the vicinity during the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
North Central Expressway	Freeway	Variable ROW
Bonner Drive	Local	80 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 existing 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.

In general, the applicant's request is consistent with the goals and policies of the Comprehensive Plan.

Land Use:

	Zoning	Land Use
Site	PD 269 Tract A	Vehicle display, sales and service
North	MU-3	Auto service center, offices, restaurant
East	MU-3	Office/Retail
South	MU-3	Office
West	CR w/SUP No. 996	Mini-warehouse (across North Central Expressway)

Land Use Compatibility:

The applicant is continuing the use of the property with a vehicle display, sales and service use. The property is developed with a two-story structure that has been utilized for this use since January 2003. The SUP was originally approved on January 22, 2003, for a three-year period. On January 25, 2006 the SUP was amended and renewed for a three-year period that terminated on January 25, 2009. On April 22, 2009, the SUP was renewed for a five-year period that terminated on April 22, 2014. The applicant did not apply for a renewal of the SUP until July 9, 2015.

The surrounding land uses are auto service center, offices and restaurant to the north; retail and office uses to the east; office uses to the south; and min-warehouse use across North Central Expressway to the west.

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 proposed establishment would continue to provide a service that is related to the surrounding uses and does not negatively impact adjacent properties. The SUP process allows for continuous review, up-keep, and public input and would allow for the periodic review of the land use to ensure it continues to compliment the surrounding neighborhood over time. Staff recommends approval of the zoning request based on site compliance and compatibility with surrounding uses at this time.

Market Value Analysis

Market Value Analysis (MVA), 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. The area of request is not within an identifiable MVA Category; however, it is in proximity to a “B” MVA Cluster to the west, across North Central Expressway, and an “E” MVA Cluster to the northwest, a “G” MVA Cluster to the northeast, and a “D” MVA Cluster to the southwest.

Parking:

Required off-street parking and display areas must be provided as shown on the attached site plan.

Landscaping:

The applicant’s request does not trigger any landscape requirements.

CPC ACTION:
November 1, 2018

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2157 for vehicle display, sales, and service use for a five-year period, subject to conditions on property zoned Planned Development District No. 629, on the northeast corner of North Central Expressway and Bonner Drive.

Maker: Lewis
Second: Davis
Result: Carried: 13 to 0

For: 13 - West, Rieves, Davis, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Peadon, Murphy*, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 3, District 7

*out of the room, shown voting in favor

Notices: Area: 300 Mailed: 40
Replies: For: 1 Against: 0

Speakers: For: None
Against: None

CPC RECOMMENDED CONDITIONS

1. USE: The only use authorized by this specific use permit is a vehicle display, sales, and service use.

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 (five years from the passage of this ordinance) ~~September 22, 2018~~.

4. LANDSCAPING: Landscaping must be provided as shown on the attached site plan. Plant materials must be maintained in a healthy, growing condition.

5. DETACHED SIGN: The maximum height of the detached sign shown on the attached site plan is 56 feet, measured from the base of the detached sign. The detached sign effective area must be at least 36 feet above the base of the sign and may not be more than 50 feet wide.

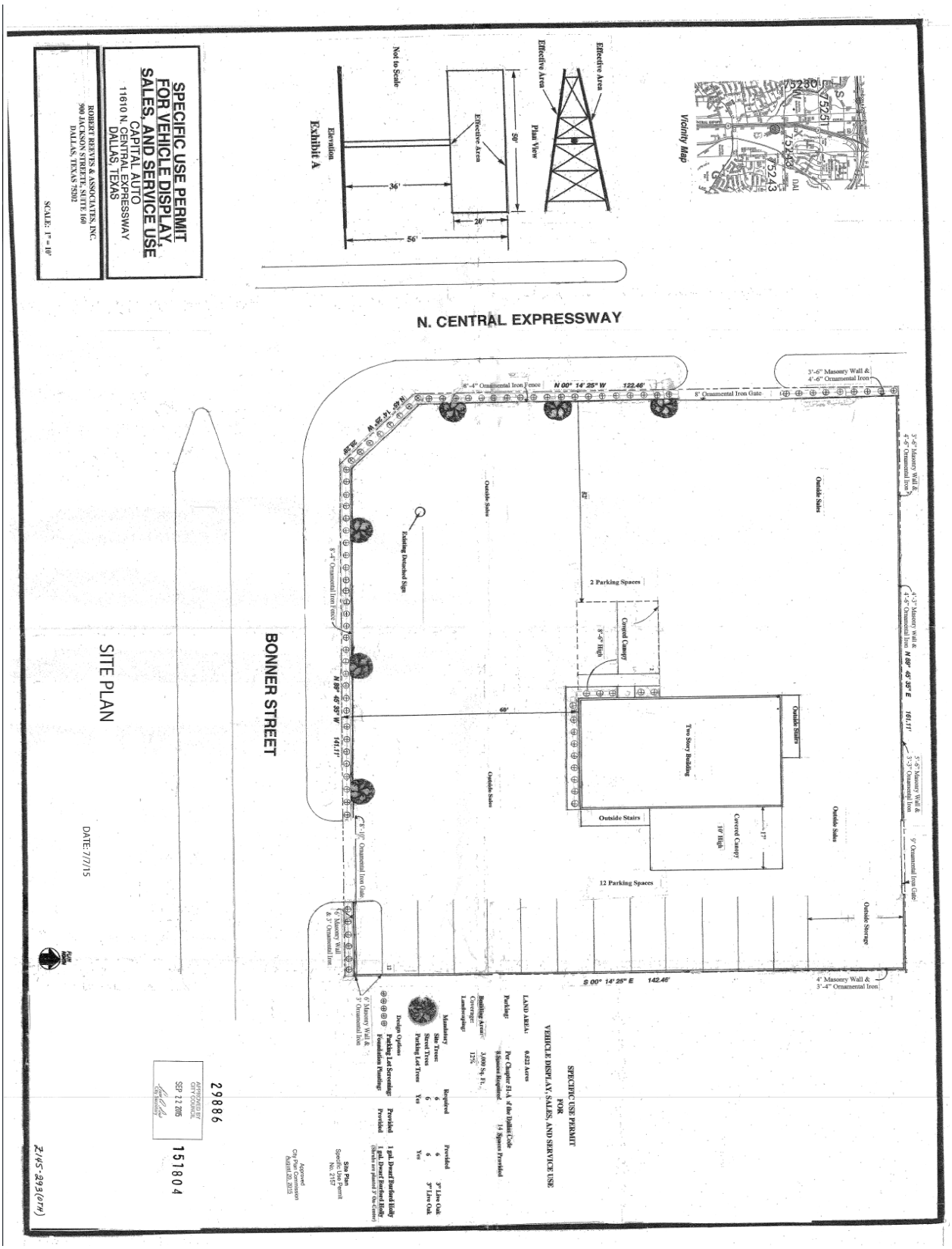
6. INGRESS AND EGRESS: Ingress and egress must be provided in the location shown on the attached site plan. No other ingress or egress is permitted.

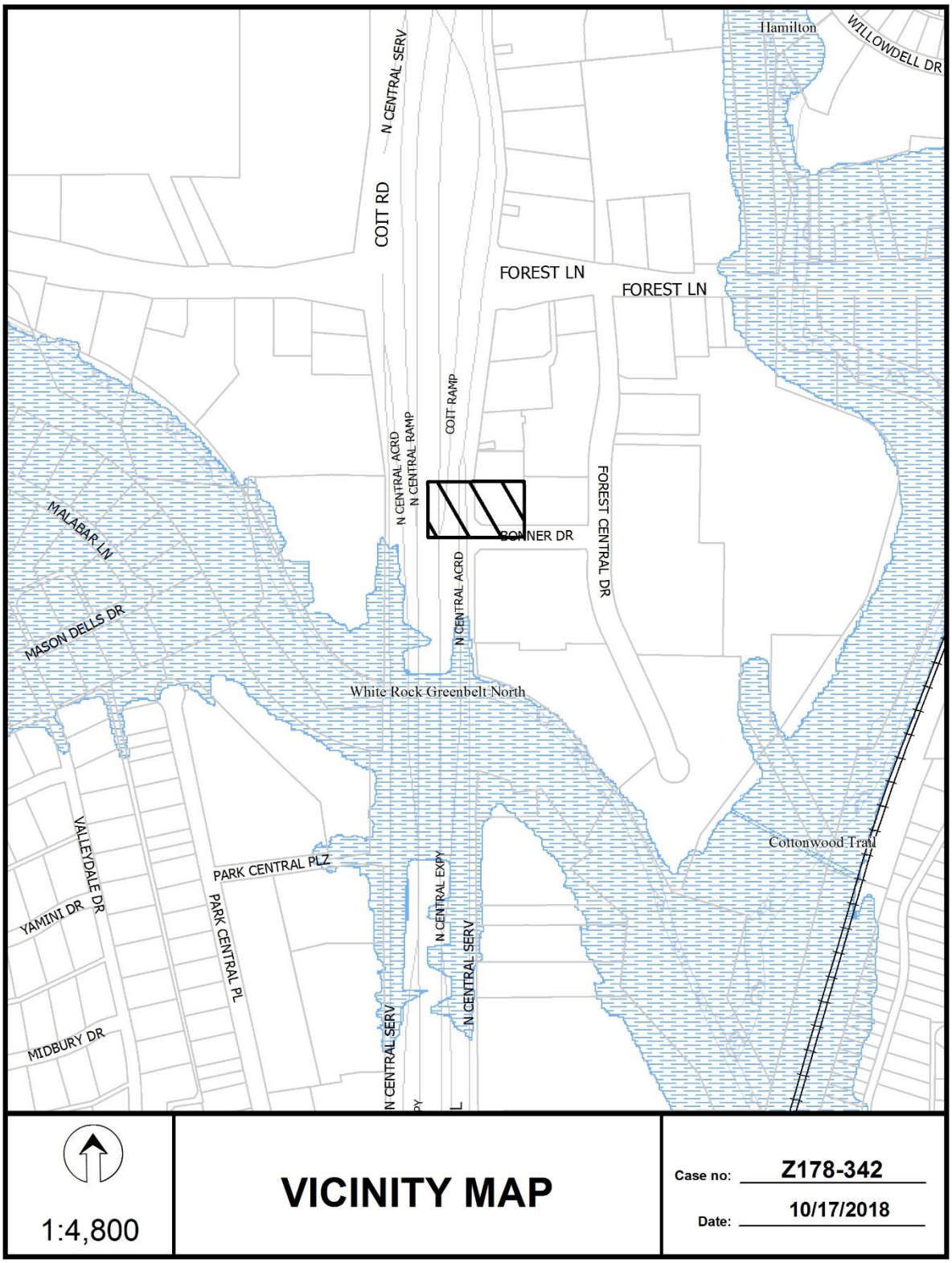
7. PARKING: Off-street parking must be located as shown on the attached site plan.

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 will all ordinances, rules, and regulations of the City of Dallas.

Existing Site Plan (no changes)




Hamilton
WILLOWDELL DR
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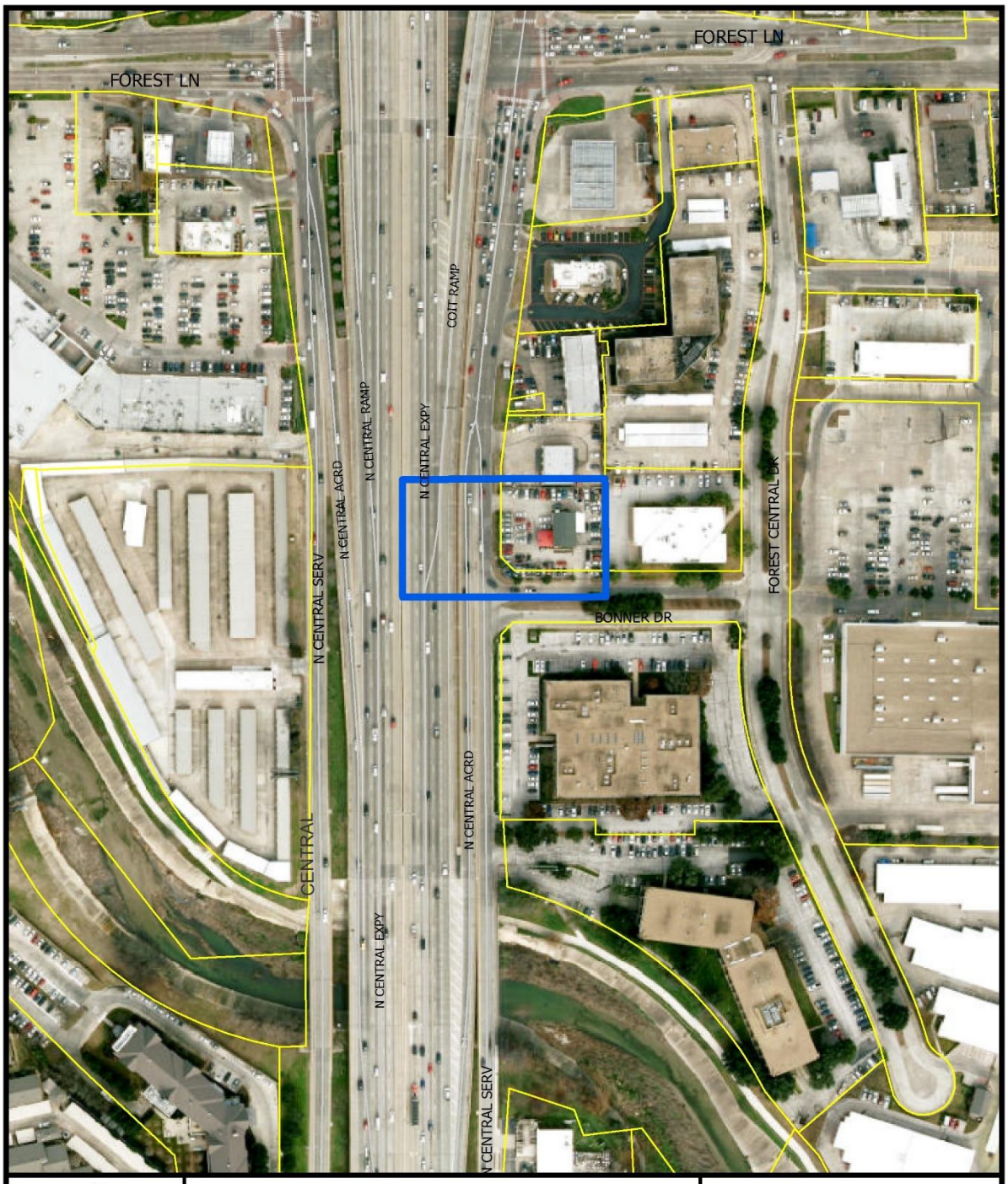
COIT RD
FOREST LN
FOREST LN
COIT RAMP
N CENTRAL ACRD
N CENTRAL RAMP
BONNER DR
FOREST CENTRAL DR
MALABAR LN
MASON DELLS DR
N CENTRAL ACRD
White Rock Greenbelt North
Cottonwood Trail
PARK CENTRAL PLZ
VALLEYDALE DR
YAMINI DR
PARK CENTRAL PL
N CENTRAL EXPY
N CENTRAL SERV
MIDBURY DR
N CENTRAL SERV
1:4,800
VICINITY MAP
Case no: Z178-342
Date: 10/17/2018



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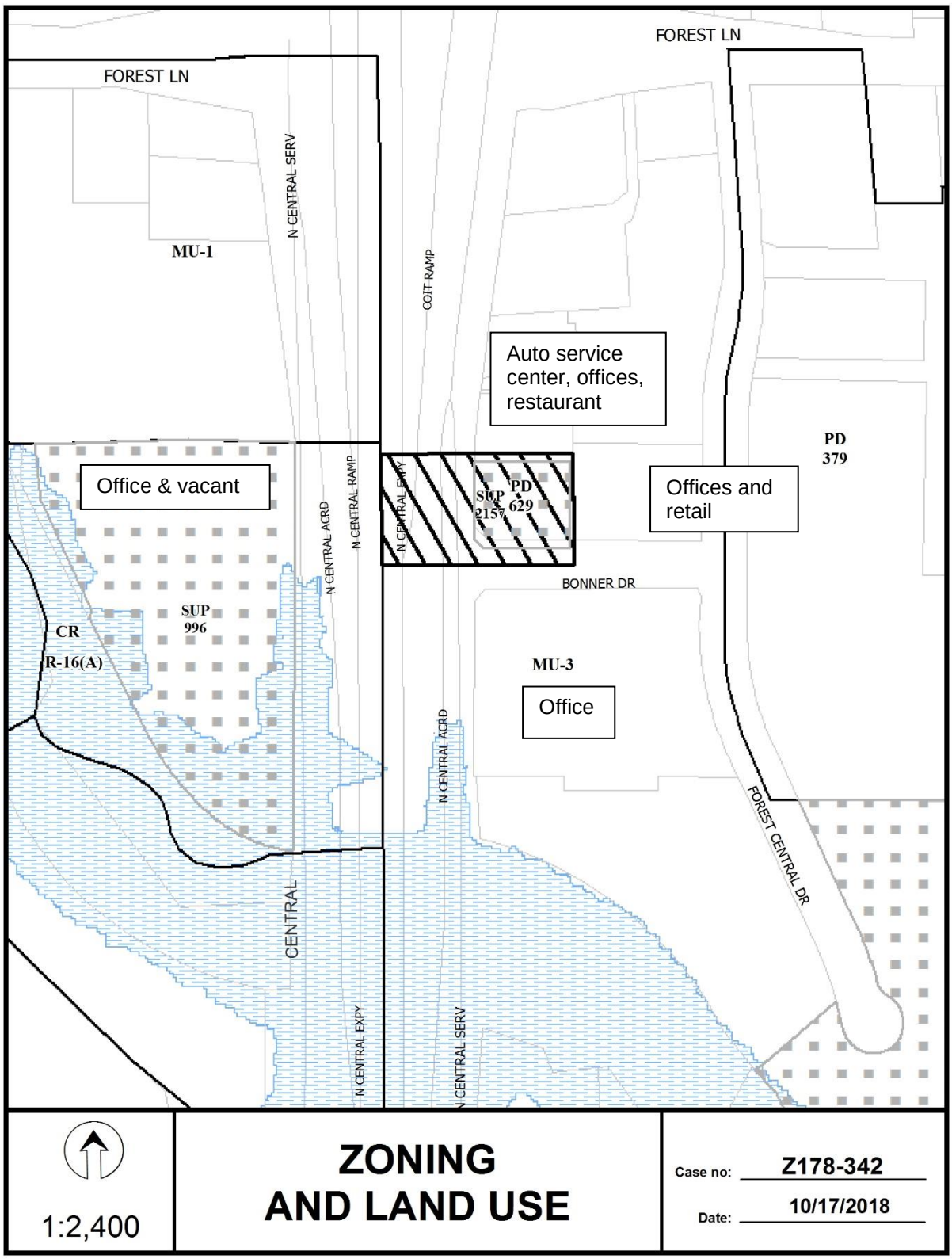
AERIAL MAP

Case no: Z178-342

Date: 10/17/2018


FOREST LN
FOREST LN
N CENTRAL SERV
MU-1
COIT RAMP
Auto service center, offices, restaurant
PD 379
Office & vacant
N CENTRAL RAMP
N CENTRAL EXPY
SUP 2157
PD 629
Offices and retail
N CENTRAL ACRD
BONNER DR
SUP 996
CR
R-16(A)
MU-3
Office
N CENTRAL ACRD
FOREST CENTRAL DR
CENTRAL
N CENTRAL EXPY
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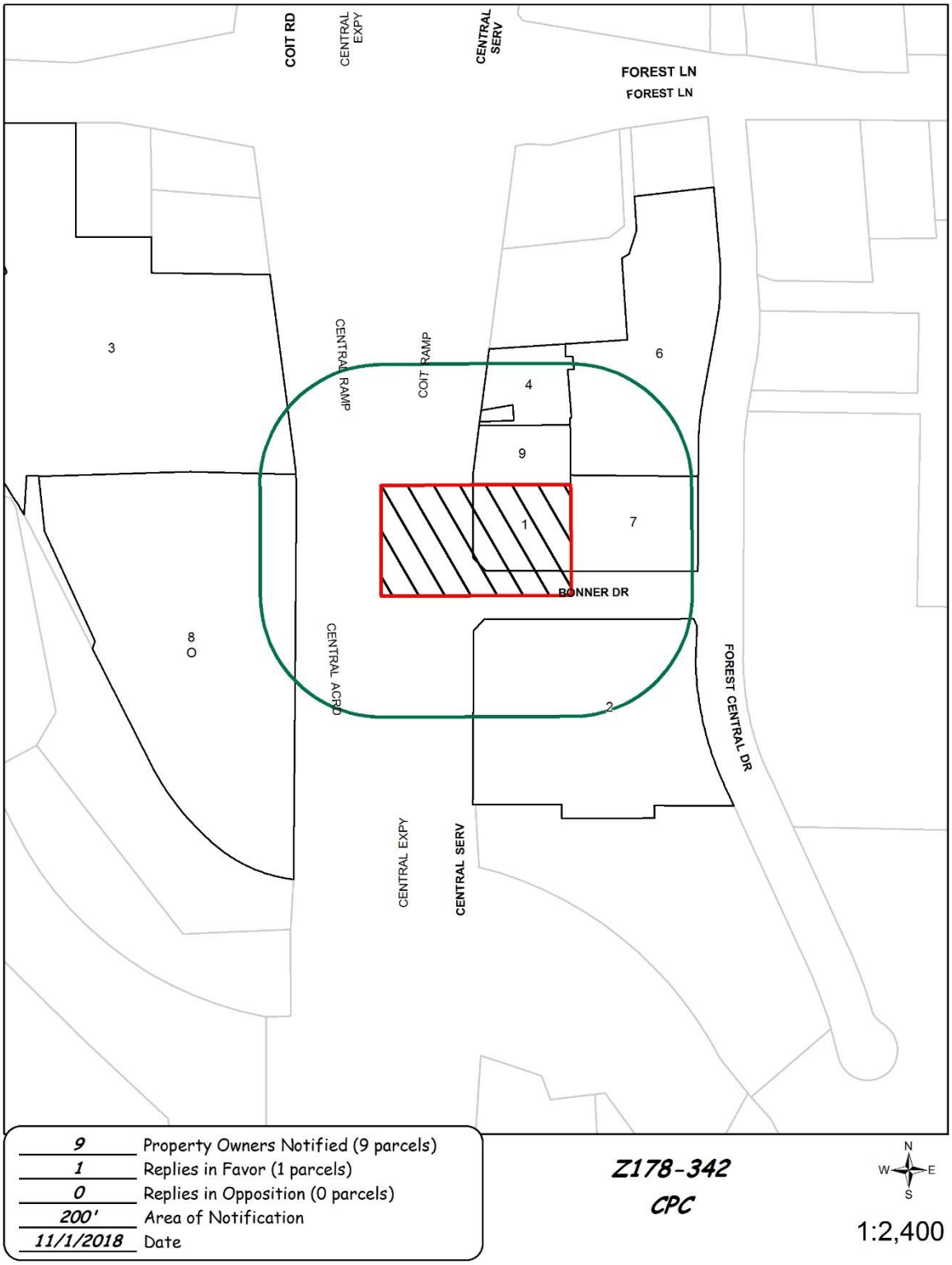
1:2,400
ZONING AND LAND USE
Case no: Z178-342
Date: 10/17/2018


COIT RD
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CENTRAL SERV
9 Property Owners Notified (9 parcels)
1 Replies in Favor (1 parcels)
0 Replies in Opposition (0 parcels)
200' Area of Notification
11/1/2018 Date
Z178-342
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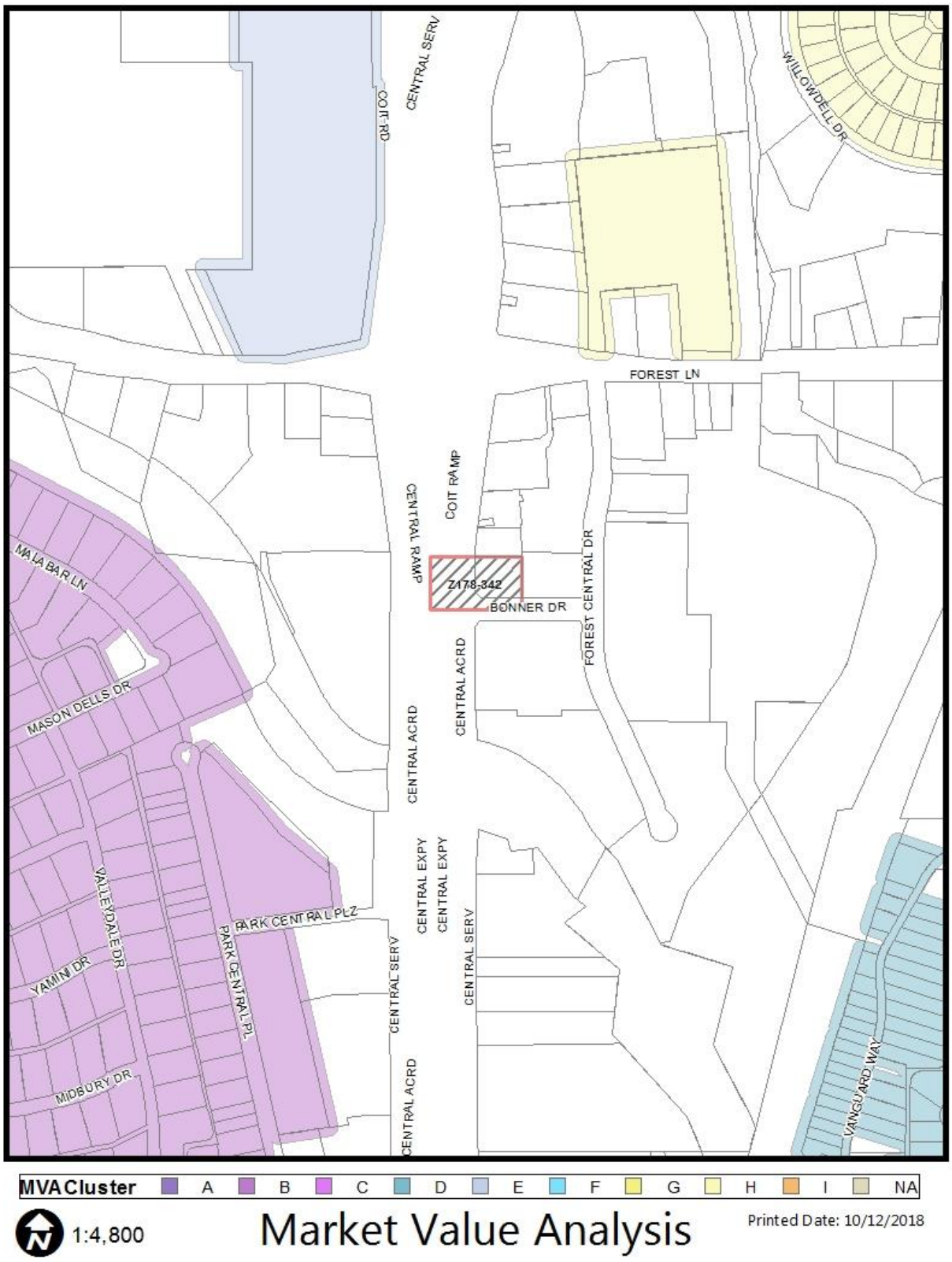
10/31/2018

Reply List of Property Owners

Z178-342

9 Property Owners Notified 1 Property Owner in Favor 0Property Owners Opposed

Reply	*Label #*	*Address*		*Owner*
	1	11610	N CENTRAL EXPY	HEIDARI ALI A
	2	11520	N CENTRAL EXPY	PARULA PARTNERS LP
	3	11613	N CENTRAL EXPY	NEW CENTRAL FOREST S C LTD
	4	11648	N CENTRAL EXPY	DOBBA INC
	5	11640	N CENTRAL EXPY	CENTRAL SIGN JV
	6	11615	FOREST CENTRAL DR	CLOISTER PROPERTIES LLC
	7	11611	FOREST CENTRAL DR	TOYO COTTON CO
O	8	11541	N CENTRAL EXPY	CROSSMAN CORP
	9	11632	N CENTRAL EXPY	REALTY INCOME TEXAS


COIT RD
CENTRAL SERV
WILLOWDELL DR
FOREST LN
COIT RAMP
CENTRAL RAMP
MALABAR LN
Z178-342
BONNER DR
FOREST CENTRAL DR
MASON DELLS DR
CENTRAL ACRD
CENTRAL EXPY
CENTRAL EXPY
PARK CENTRAL PLZ
VALLEYDALE DR
YAMINI DR
PARK CENTRAL PL
CENTRAL SERV
MIDBURY DR
CENTRAL ACRD
VANGUARD WAY
MVA Cluster
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1:4,800
Market Value Analysis
Printed Date: 10/12/2018

Agenda Information Sheet

File #: 18-1369 **Item #:** 94.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 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 CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an LO-1-D Limited Office District with a D Liquor Control Overlay, on the southwest corner of East Mockingbird Lane and Norris Street
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z178-344(AM)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, DECEMBER 12, 2018**

ACM: Majed Al-Ghafry

FILE NUMBER:	Z178-344(AM)	**DATE FILED:**	August 21, 2018
LOCATION:	Southwest corner of East Mockingbird Lane and Norris Street		
COUNCIL DISTRICT:	14	**MAPSCO:**	36 L
SIZE OF REQUEST:	± .49 acres	**CENSUS TRACT:**	2.01

OWNER: ATR Wilshire LLC

APPLICANT: Dick Bain, Hillside Vet

REPRESENTATIVE: Robert Baldwin

REQUEST: An application for a CR Community Retail District with deed restrictions volunteered by the applicant on property zoned an LO-1-D Limited Office District with a D Liquor Control Overlay.

SUMMARY: The applicant proposes to allow for an animal shelter or clinic without outside runs in a portion of an existing 24,000-square-foot building. This request will allow for an existing business of the same nature (Hillside Vet Clinic), currently located directly west of the subject property, to expand its operations into a portion of the existing structure. The D Liquor Control Overlay will remain and will not be impacted by the rezoning request. The proposed deed restrictions will prohibit certain uses that are allowed in the CR Community Retail District.

CPC RECOMMENDATION: **Approval**, subject to deed restrictions volunteered by the applicant.

STAFF RECOMMENDATION: **Approval**, subject to deed restrictions volunteered by the applicant.

BACKGROUND INFORMATION:

- The site is developed with an existing two-story, approximately 24,000-square-foot building.

- The applicant would like to rezone the site to allow for an existing veterinary clinic (Hillside Vet Clinic), currently located in the building located directly west of the property, to expand its business operations into a portion of the building located on the request site.

- The request site is located on a block of contiguous lots zoned CR Community Retail District.

Zoning History: There have been no recent zoning requests in the area within the last five years.

Thoroughfares/Streets:

Thoroughfares/Streets	Type	Existing ROW
East Mockingbird Lane	Principal Arterial	100 feet
Norris Street	Community Collector	60 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department, upon reviewing the request, has determined that the proposed development shall have no negative impact on the surrounding street system.

STAFF ANALYSIS:

Comprehensive Plan:

The *forwardDallas! Comprehensive Plan* was adopted by the Dallas City Council on June 2006. Outlined in *forwardDallas! Comprehensive Plan* are several goals and policies which may serve as a framework for assisting in the evaluation of the applicant's request.

The proposed CR Community Retail zone is described as being for the development of community-serving retail and personal service/office uses that are compatible with residential communities. This is inclusive of community-serving uses such as veterinary clinics. The proposed zoning request meets the following goals and objectives of the comprehensive plan.

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.

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 2.4.1.1 Respond to the business community's feedback and foster open channels of communication. Foster customer friendly regulatory functions and development processes within the City.

Surrounding Land Uses:

	Zoning	Land Use
Site	LO-1-D	Office Use
North	MF-2(A)	Multifamily
East	R-7.5(A)	Church
South	P(A)	Parking
West	CR	Veterinary Clinic

Land Use Compatibility:

This request site is located on a block that, except for the area of request and the parking lots located behind it, is zoned entirely CR Community Retail District. Allowing for the change in zoning would provide uniformity on the block facing East Mockingbird Lane. Having a uniformly zoned block face would ensure future development remains consistent across the block in terms of setbacks, allowable density, height, and lot coverage.

Furthermore, staff's recommendation for approval is partially based on the proposed use within the subject lot. Extending the CR Community Retail District zoning designation to this lot to allow for the operational expansion of Hillside Vet Clinic would not pose a detrimental impact to the property or surrounding neighbors as the proposed use, an animal shelter or clinic without outside runs, has existed and operated without injurious influence on surrounding property. Restricting certain uses through deed restrictions would limit the commercial activities which could be conducted on the property and curb any unwanted influence so as to retain the integrity and stability of the commercial block and surrounding neighborhood. Taking this into the consideration, the applicant has indicated that he would like to volunteer deed restrictions as outlined in a separate attachment within this report.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
LO-1	15'	15' adjacent to residential OTHER: No Min.	1.0 combined 1.0 office 0.5 retail	70' 5 stories	80%	Proximity Slope Visual Intrusion	Commercial and business service, office, Industrial
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

Market Value Analysis

Market Value Analysis (MVA), 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. The subject site is not within an identifiable MVA Category; however, it is adjacent to a "B" MVA Cluster to the north, across East Mockingbird Lane and is in proximity to a "B" MVA Cluster to the south, across Winton Street.

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:

The following table indicates allowable uses within the LO-1 Limited Office District and CR Community Retail District. For comparison, uses within the CR column that are underlined represent a new use that is being introduced to the property; uses that are italicized within this column represent a use that is proposed to be prohibited per the applicant's volunteered deed restrictions.

LO-1 Limited Office District Uses	CR Community Retail District Uses
A) Agricultural uses • Crop production	**A) Agricultural** • *Crop Production*
B) Commercial and business service uses • Catering service [L] • Medical or scientific laboratory [SUP]	**B) Commercial and business service uses** • *Building repair and maintenance shop [RAR]* • Catering service • Custom business services • Electronics service center • Medical or scientific laboratory [SUP] • Tool or equipment rental
C) Industrial uses • Gas drilling and production [SUP] • Temporary concrete or asphalt batching plant [By special authorization of the B.O.]	**C) Industrial uses** • *Gas drilling and production [SUP]* • *Temporary concrete or asphalt batching plant [By special authorization of the B.O.]*
D) Institutional and community service uses • Adult day care facility • Cemetery or mausoleum [SUP] • Child-care facility • Church • College, university, or seminary • Community service center [SUP] • Convent or monastery • Library, art gallery, or museum • Open-enrollment charter school or private school [SUP] • Public school other than an open-enrollment charter school [RAR]	**D) Institutional and community service uses** • Adult day care facility • *Cemetery or mausoleum [SUP]* • Child-care facility • Church • College, university, or seminary • Community service center [SUP] • *Convent or monastery* • Hospital • Library, art gallery, or museum • Open-enrollment charter school or private school [SUP] • Public school other than an open-enrollment charter school [RAR]
E) Lodging uses • Overnight general purpose shelter	**E) Lodging uses** • Hotel and motel [SUP] • Lodging or boarding house [SUP] • *Overnight general purpose shelter*
F) Miscellaneous uses • Attached non-premise sign [SUP] • Carnival or circus (temporary) [By special authorization of the B.O.]	**F) Miscellaneous uses** • *Attached non-premise sign [SUP]* • *Carnival or circus (temporary) [By special authorization of the B.O.]*

• Temporary construction or sales office	• Temporary construction or sales office
G) Office uses • Alternative financial establishment [SUP] • Financial institution without drive-in window • Financial institution with drive-in window [SUP] • Medical clinic or ambulatory center • Office	**G) Office uses** • *Alternative financial establishment [SUP]* • Financial institution without drive-in window • Financial instruction with drive-in window [DIR] • Medical clinic or ambulatory surgical center • Office
H) Recreation uses • Country club with private membership • Private recreation center, club, or area [SUP] • Public park, playground, or golf course	**H) Recreation uses** • *Country club with private membership* • Private recreation center, club, or area • Public park, playground, or golf course
I) Residential uses • College dormitory, fraternity, or sorority house	**I) Residential uses** • *College dormitory, fraternity, or sorority house*
J) Retail and personal service uses • Alcoholic beverage establishments [See Section 51A-4.210(b)(4)] • Business school • Dry cleaning or laundry store [L] • General merchandise or food store 3,500 square feet or less [L] • Personal service use [L] • Restaurant without drive-in or drive-through service [L] [RAR]	**J) Retail and personal service uses** • *Alcoholic beverage establishments [See Section 51A-4.210 (b)(4)]* • *Ambulance service [RAR]* • *Auto service center [RAR]* • Business school • *Car wash [DIR]* • *Commercial amusement (inside) [SUP may be required. See Section 51A-4.210(b)(7)(B)]* • Commercial amusement (outside) [SUP] • Commercial parking lot or garage [RAR] • *Convenience store with drive-through [SUP]* • Dry cleaning or laundry store • Furniture store • General merchandise 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* • Household equipment and appliance repair • Liquor store • *Mortuary, funeral home, or commercial wedding chapel* • *Motor vehicle fueling station*

	• Nursery, garden shop, or plant sales • *Paraphernalia shop [SUP]* • *Pawn shop* • Personal service uses • Restaurant without drive-in or drive-through service [RAR] • *Restaurant with drive-in or drive-through service [DIR]* • *Swap or buy shop [SUP]* • *Temporary retail use* • Theater
K) Transportation Uses • Transit passenger shelter • Transit passenger station or transfer center [By SUP or City Council res. See Sec. 51A-4.211]	**K) Transportation Uses** • Transit passenger shelter • Transit passenger station or transfer center [By SUP or City Council res. See Sec. 51A-4.211]
L) Utility and public service uses • Commercial radio or television transmitting station [SUP] • Electrical substation • Local utilities [SUP or RAR may be required. See Sec. 51A-4.212(10.1)] • Police or fire station [SUP] • Post office [SUP] • Radio, television, or microwave tower [SUP] • Tower/antenna for cellular communication [See Sec. 51A-4.212(10.1)] • Utility or government installation other than listed [SUP]	**L) Utility and public service uses** • Commercial radio or television transmitting station • Electrical substation • Local utilities [SUP or RAR may be required. See Sec. 51A-4.212(10.1)] • Police or fire station [SUP] • Post office • Radio, television, or microwave tower [SUP] • Tower/antenna for cellular communication [See Sec. 51A-4.212(10.1)] • Utility or government installation other than listed [SUP]
M) Wholesale, distribution, and storage uses • Recycling drop-off container [See Sec. 51A-4.213 (11.2)] • Recycling drop-off for special occasion collection [See Sec. 51A-4.213(11.3)]	**M) Wholesale, distribution, and storage uses** • *Mini-warehouse [SUP]* • Recycling buy-back center [See Sec. 51A-4.213(11)] • Recycling collection center [See Sec. 51A-4.213(11.1)] • Recycling drop-off container [See Sec. 51A-4.213(11.2)] • Recycling drop-off for special occasion collection [See Sec. 51A-4.213(11.3)]
Accessory Uses	**Accessory Uses**
Not permitted • Accessory community center (private) • Accessory helistop • Accessory medical/infectious waste incinerator	**Not permitted** • Accessory community center (private) • Home occupation • Private stable

• Accessory outside display of merchandise • Accessory outside sales • Accessory pathological waste incinerator • Home occupation • Private stable	**By SUP only** • Accessory helistop **SUP may be required** • Accessory medical/infectious waste incinerator

Proposed Volunteered Deed Restrictions

II.

The Owner does hereby impress all of the Property with the following deed restrictions ("restrictions"), to wit:

(1) The following main uses are prohibited:

(A) Agricultural uses.
-- Crop Production.

(B) Commercial and business service.
-- Building repair and maintenance shop.

(C) Industrial uses.
-- Gas drilling and production.
-- Temporary concrete or asphalt batching plant.

(D) Institutional and community services uses.
-- Cemetery or mausoleum.
-- Convent or monastery.

(E) Lodging uses.
-- Overnight general purpose shelter.

(F) Miscellaneous uses.
-- Attached non-premises sign.
-- Carnival or circus (temporary).

(G) Office.
-- Alternative financial establishment.

(H) Recreation uses.
-- Country club with private membership.

(I) Residential uses.
-- College, dormitory, fraternity, or sorority house.

(J) Retail and personal service uses.
-- Alcoholic beverage establishment.
-- Ambulance service.
-- Auto service center.
-- Car wash.
-- Commercial amusement (outside).
-- Convenience store with drive-through.
-- General merchandise or food store 100,000 square feet or more.

-- Home improvement center, lumber, brick, or building materials sales yard.
-- Mortuary, funeral home, or commercial wedding chapel.
-- Motor vehicle fueling station.
-- Paraphernalia shop.
-- Pawn shop.
-- Restaurant with drive-in or drive-through service.
-- Swap or buy shop.
-- Temporary retail use.

(K) Wholesale, distribution, and storage uses.
-- Mini-warehouse.

OCTOBER 18, 2018 - CITY PLAN COMMISSION ACTION

Z178-344(AM) Planner: Abraham Martinez

Motion: It was moved to recommend **approval** of a CR Community Retail District, subject to deed restrictions volunteered by the applicant on property zoned an LO-1-D Limited Office District with a D Liquor Control Overlay, on the southwest corner of East Mockingbird Lane and Norris Street.

Maker: Ridley
Second: Murphy
Result: Carried: 12 to 0

For: 12 - West, Rieves, Davis, Shidid, Carpenter, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Lewis
Vacancy: 2 - District 3, District 7

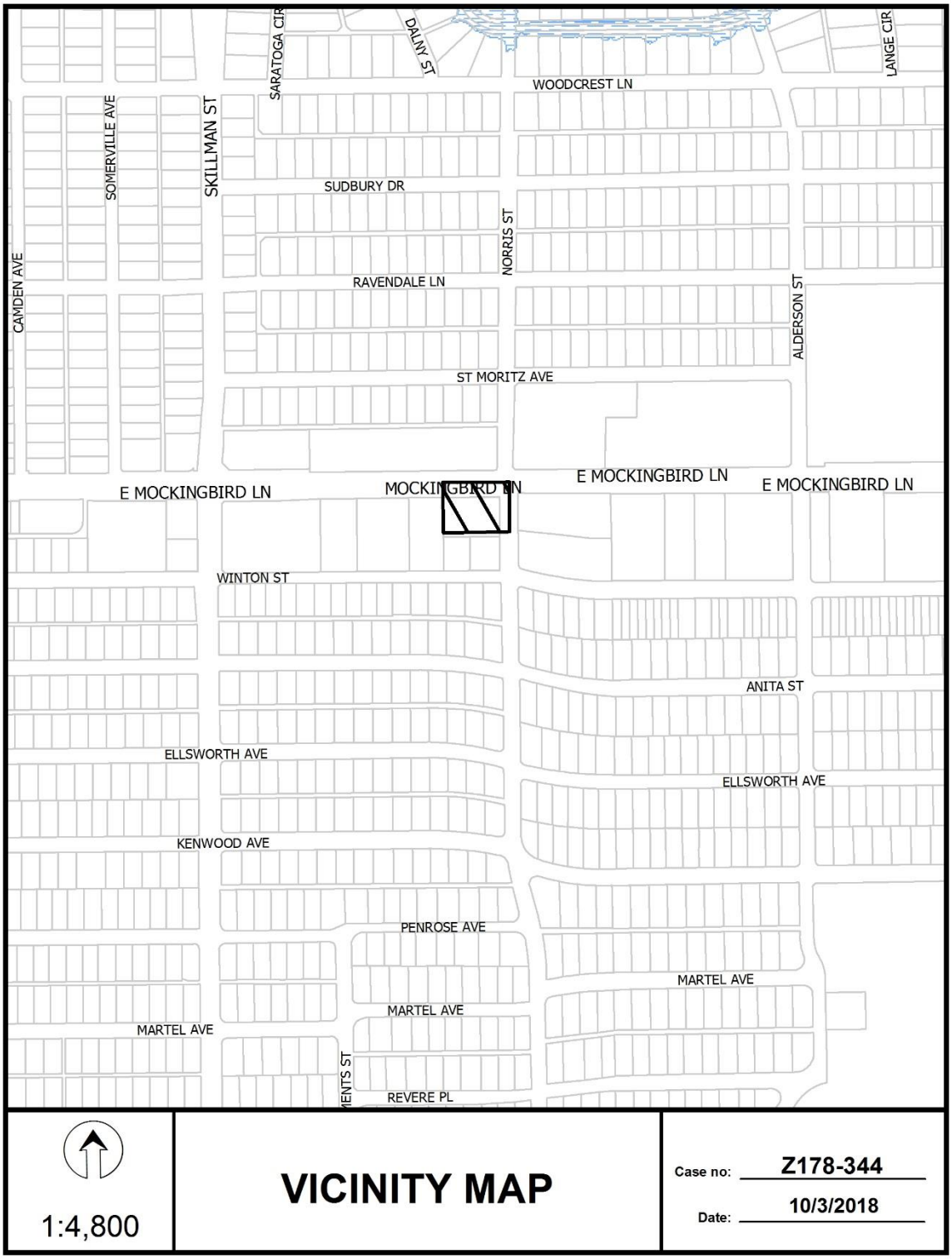
Notices: Area: 200 Mailed: 19
Replies: For: 0 Against: 0

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

List of Officers

Officers of Corinth/Wilshire LLC
Frank Mihalopoulos, Manager
John F. Fant, Manager

Officers of ATR/Wilshire LLC
Anthony T. Ruggeri, Manager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DALNY ST
LANGE CIR
WOODCREST LN
SOMERVILLE AVE
SKILLMAN ST
SUDBURY DR
NORRIS ST
CAMDEN AVE
RAVENDALE LN
ALDERSON ST
ST MORITZ AVE
E MOCKINGBIRD LN
MOCKINGBIRD LN
E MOCKINGBIRD LN
E MOCKINGBIRD LN
WINTON ST
ANITA ST
ELLSWORTH AVE
ELLSWORTH AVE
KENWOOD AVE
PENROSE AVE
MARTEL AVE
MARTEL AVE
MARTEL AVE
REVERE PL
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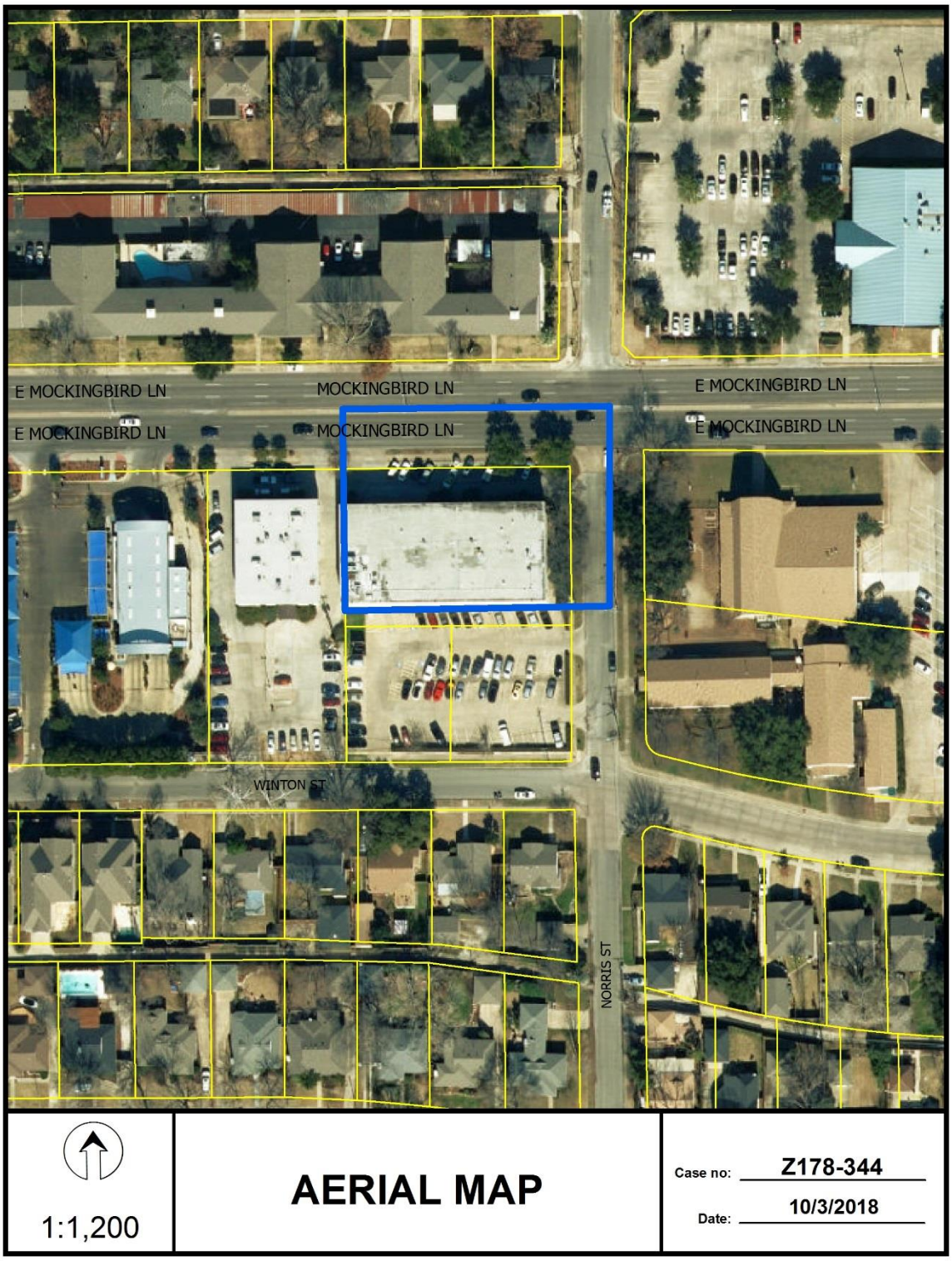
VICINITY MAP
Case no: Z178-344
Date: 10/3/2018


E MOCKINGBIRD LN
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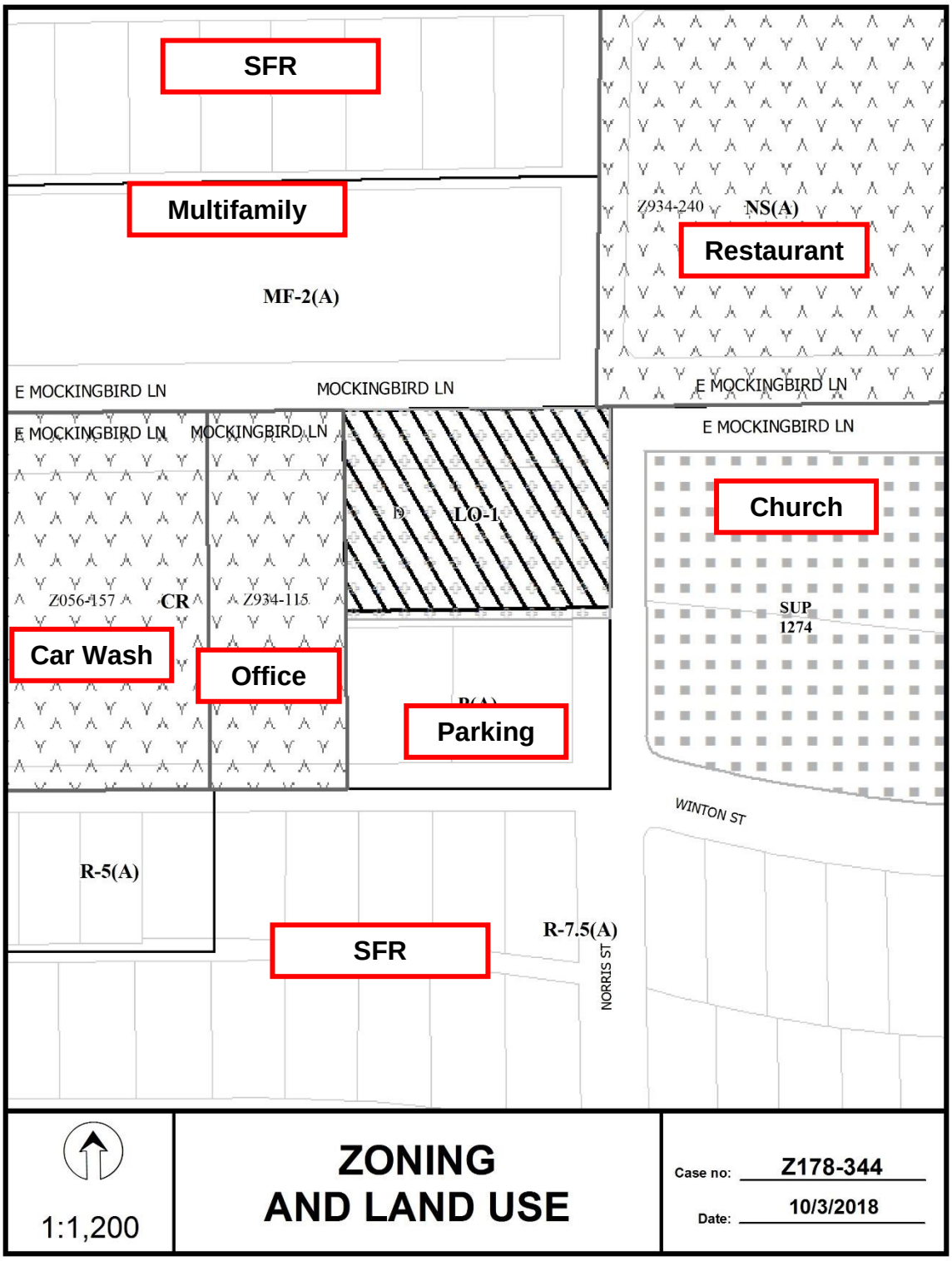
MOCKINGBIRD LN
E MOCKINGBIRD LN
WINTON ST
NORRIS ST
1:1,200
AERIAL MAP
Case no: Z178-344
Date: 10/3/2018


SFR
Multifamily
MF-2(A)
Z934-240
NS(A)
Restaurant
E MOCKINGBIRD LN
MOCKINGBIRD LN
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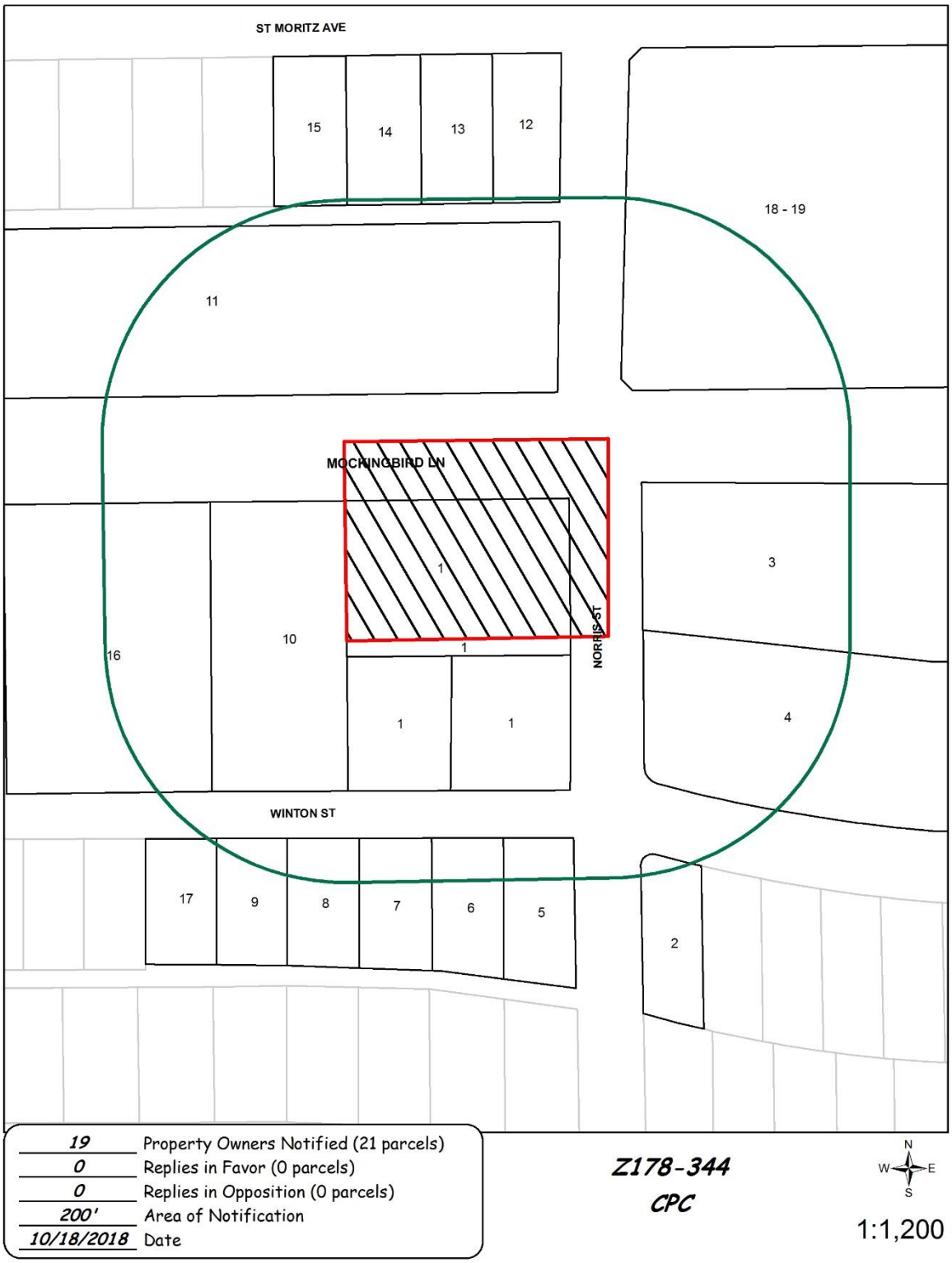
E MOCKINGBIRD LN
MOCKINGBIRD LN
E MOCKINGBIRD LN
LO-1
Church
Z056-157
CR
Z934-115
SUP
1274
Car Wash
Office
Parking
WINTON ST
R-5(A)
SFR
R-7.5(A)
NORRIS ST
1:1,200
ZONING
AND LAND USE
Case no: Z178-344
Date: 10/3/2018


ST MORITZ AVE
15
14
13
12
18 - 19
11
MOCKINGBIRD LN
1
NORRIS ST
3
10
1
16
1
1
4
WINTON ST
17
9
8
7
6
5
2
19 Property Owners Notified (21 parcels)
0 Replies in Favor (0 parcels)
0 Replies in Opposition (0 parcels)
200' Area of Notification
10/18/2018 Date
Z178-344
CPC
N
W
E
S
1:1,200

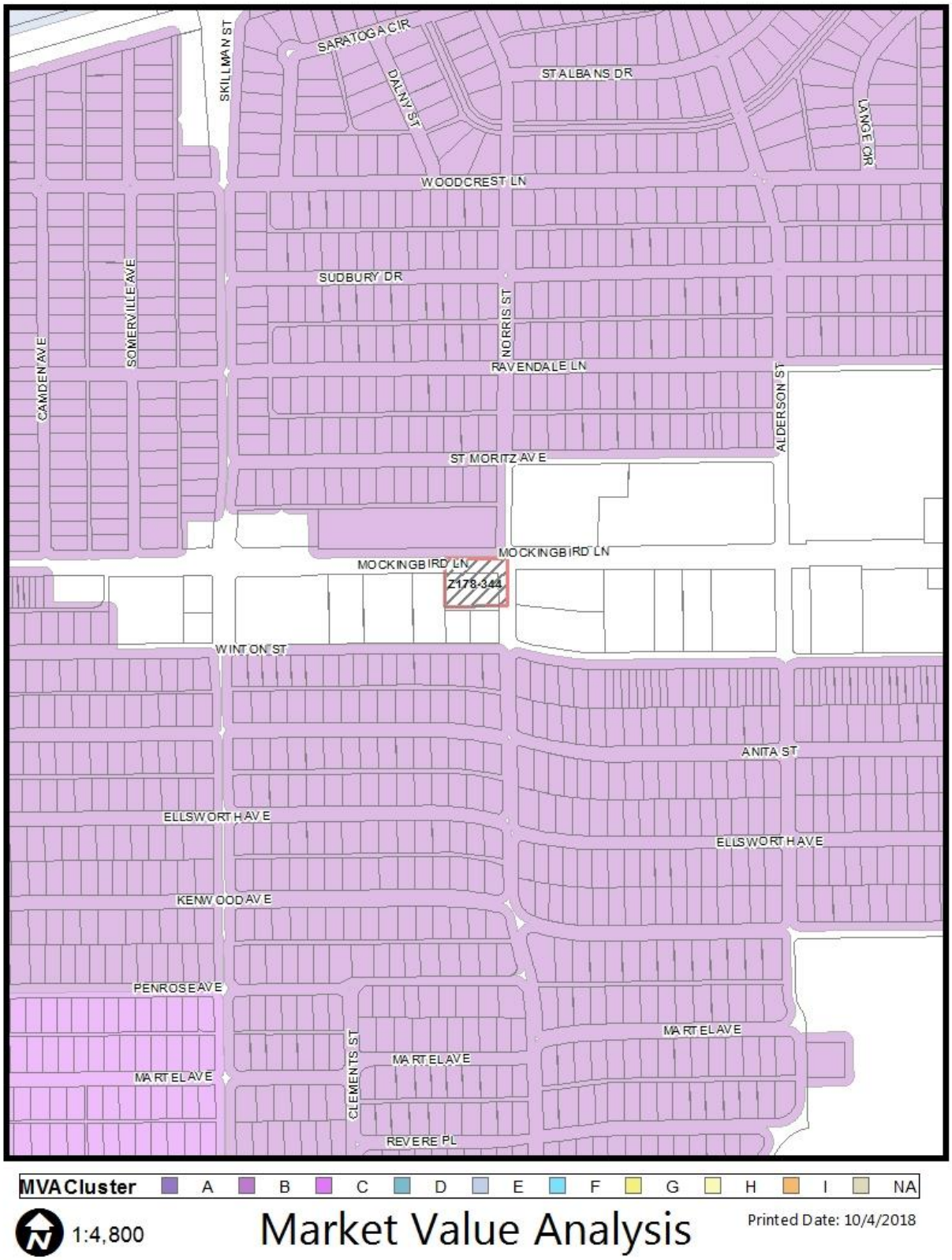
10/17/2018

Reply List of Property Owners

Z178-344

19 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	4115	NORRIS ST	ATR WILSHIRE LLC &
	2	6200	WINTON ST	HALEBIAN CLEO JANE TR
	3	6202	E MOCKINGBIRD LN	FIRST UNITED LUTHERAN
	4	6201	WINTON ST	FIRST UNITED LUTHERAN
	5	6172	WINTON ST	MORRIS JOELLE
	6	6166	WINTON ST	KLOCKENGA JODI
	7	6162	WINTON ST	THOMPSON MARK BRANDON & REBECCA HUMPHRIES
	8	6158	WINTON ST	RIDER CASEY
	9	6152	WINTON ST	MATULICH ROBIN S
	10	6150	E MOCKINGBIRD LN	BAIN-CHRITTON PARTNERSHIP
	11	6151	E MOCKINGBIRD LN	WEHNER JAMES &
	12	6170	ST MORITZ AVE	HALL JEREMY & HOLLY
	13	6164	ST MORITZ AVE	LEDNICKY SCOTT D
	14	6160	ST MORITZ AVE	DEAN REVOCABLE TRUST
	15	6154	ST MORITZ AVE	MARTINI SARAH GRAY
	16	6140	E MOCKINGBIRD LN	BORDERSEN ENTERPRISES INC
	17	6148	WINTON ST	PARNELL SHAUN M
	18	6221	E MOCKINGBIRD LN	ROMAN CATHOLIC DIOCESE DALLAS
	19	6230	E MOCKINGBIRD LN	LUBYS CAFETERIA INC


SARATOGA CIR
SKILLMAN ST
DALNY ST
ST ALBANS DR
LANCE CIR
WOODCREST LN
SUDBURY DR
SOMERVILLE AVE
CAMDEN AVE
NORRIS ST
RAVENDALE LN
ALDERSON ST
ST MORITZ AVE
MOCKINGBIRD LN
MOCKINGBIRD LN
Z178-344
WINTON ST
ANITA ST
ELLSWORTH AVE
ELLSWORTH AVE
KENWOOD AVE
PENROSE AVE
MARTEL AVE
MARTEL AVE
MARTEL AVE
CLEMENTS ST
REVERE PL
MVA Cluster A B C D E F G H I NA
1:4,800
Market Value Analysis
Printed Date: 10/4/2018

Agenda Information Sheet

File #: 18-1370 **Item #:** 95.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 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 an amendment to Tract 1G within Planned Development District No. 751 with existing deed restrictions [Z834-368], on the northeast corner of the westbound service road of Lyndon B. Johnson Freeway (IH-20) and Bainbridge Drive
Recommendation of Staff and CPC: Approval, subject to a revised development/conceptual plan and a revised landscape plan
Z178-346(PD)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL WEDNESDAY, DECEMBER 12, 2018

ACM: Majed Al-Ghafry

FILE NUMBER: Z178-346(PD) **DATE FILED:** August 22, 2018

LOCATION: Northeast corner of the westbound service road of Lyndon B. Johnson Freeway (IH-20) and Bainbridge Drive

COUNCIL DISTRICT: 8 **MAPSCO:** 73 C

SIZE OF REQUEST: ± 2.446 acres **CENSUS TRACT:** 109.02

APPLICANT/OWNER: Rainer Wheatland Acquisitions, LLC

REPRESENTATIVE: Karl Crawley, Masterplan Consultants

REQUEST: An application for an amendment to Tract 1G within Planned Development District No. 751 with existing deed restrictions [Z834-368].

SUMMARY: The purpose of this request is to amend the conceptual plan and development plan to accommodate the addition of an approximately 2,000-square-foot pad site and to amend the detached sign type on the tract. No changes to the existing deed restrictions are being requested with this application.

CPC RECOMMENDATION: **Approval**, subject to a revised development/conceptual plan and a revised landscape plan.

STAFF RECOMMENDATION: **Approval**, subject to a revised development/conceptual plan and a revised landscape plan.

BACKGROUND INFORMATION:

- Planned Development District No. 751 was approved by City Council on August 23, 2006 and permits retail uses.
- PDD No. 751 is comprised of two tracts: Tract 1 and Tract 2. Each tract is further divided into Tracts 1A through 1H and Tracts 2A through 2C.
- The request site contains deed restrictions [Z834-368] that limit the maximum floor area, structure height, and prohibit multifamily uses.
- The request site is developed with a multi-tenant retail project. [Target, Five Below, Conn's Home Plus, Party City, Office Depot, Citi Trends, Wells Fargo, etc.]

Zoning History: There have been no recent zoning requests in the area within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW
Lyndon B. Johnson (IH-20)	Freeway	Variable Width ROW
Bainbridge Drive	Local Collector	64 ft.

Traffic:

The Engineering Division of the Sustainable Development and Construction Department reviewed the proposed request and determined that the request will not have a negative impact on the existing street system.

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 751; Z834-368	Multi-tenant retail
North	PDD No. 751 Tract 1H	Multi-tenant retail
East	PDD No. 751 Tract 1A	Multi-tenant retail
West	MU-3	Church

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 goal and policy 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.

Land Use Compatibility:

The purpose of the requested amendment will permit consideration of the following: 1) allow a multi-tenant sign (U-1) on the site in lieu of the single-tenant sign (S-1) thereby increasing the sign height from 20 feet to 50 feet and the sign area from 48 square feet for one tenant to 418 square feet for a maximum of six tenants; and 2) adding a 2,000-square-foot pad site for a drive-through restaurant thereby reducing the number of off-street parking by 64 spaces and reducing the landscape by 10 parking lot trees.

While both sign types are permitted by right within the PDD, Tract 1G allows a single tenant sign with a maximum height of 20 feet and a maximum sign area of 48 square feet. The applicant seeks to construct a taller sign multi-tenant sign with a greater sign area to provide visibility along IH-20. Additionally, the existing 2.45-acre pad site contains a structure proposed for additional multi-tenant retail uses. The proposed 2,000 square foot pad site will be occupied by a drive-through restaurant use. [Starbucks]

The request site is developed with a multi-tenant retail shopping center and is surrounded by a church use to the west, and a multi-tenant retail development in Tract 1H within PDD No. 751 to the north, and Tract 1F within PDD No. 751 to the east. The site is also separated from another multi-tenant retail development by Lyndon B. Johnson Freeway (IH-20) to the south.

The proposed request is consistent with the underlying zoning as well as being compliant with the existing deed restrictions. Therefore, staff supports the request as the proposed amendment is envisioned to be in scale with the proposed development and compatible with existing uses and signage in the area.

Market Value Analysis:

Market Value Analysis (MVA), 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. The area of request is not within an identifiable MVA category; however, it is in proximity to an “E” MVA cluster to the northwest and an “F” MVA cluster to the north, across Cliff Creek Crossing Drive.

Parking:

PDD No. 751 provides 2,311 off-street parking spaces for the development. Tracts 1 and 2 are considered one lot for off-street parking purposes. While there is a reduction of 64 off-street parking spaces, retail shoppers customarily walk within the shopping center to frequent specific destinations within multi-tenant developments. Therefore, the remaining 2,247 off-street parking spaces will provide sufficient off-street parking to accommodate all uses and satisfy parking for the site.

Landscaping:

Landscaping will be in accordance with the landscape regulations of PDD No. 751; however, the request will not trigger additional landscape requirements.

List of Officers
Rainier Wheatland Acquisitions, LLC

The Rainier Companies

Timothy C. Nichols, Principal
J. Kenneth Dunn, Principal
Daniel S. Lovell, Principal

CPC ACTION:
October 18, 2018

Motion: It was moved to recommend **approval** of an amendment to Tract 1G within Planned Development District No. 751 with existing deed restrictions [Z834-368], subject to a revised development/conceptual plan and landscape plan on the northeast corner of the westbound service road of Lyndon B. Johnson Freeway (IH-20) and Bainbridge Drive.

Maker: Davis
Second: Carpenter
Result: Carried: 12 to 0

For: 12 - West, Rieves, Davis, Shidid*, Carpenter, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

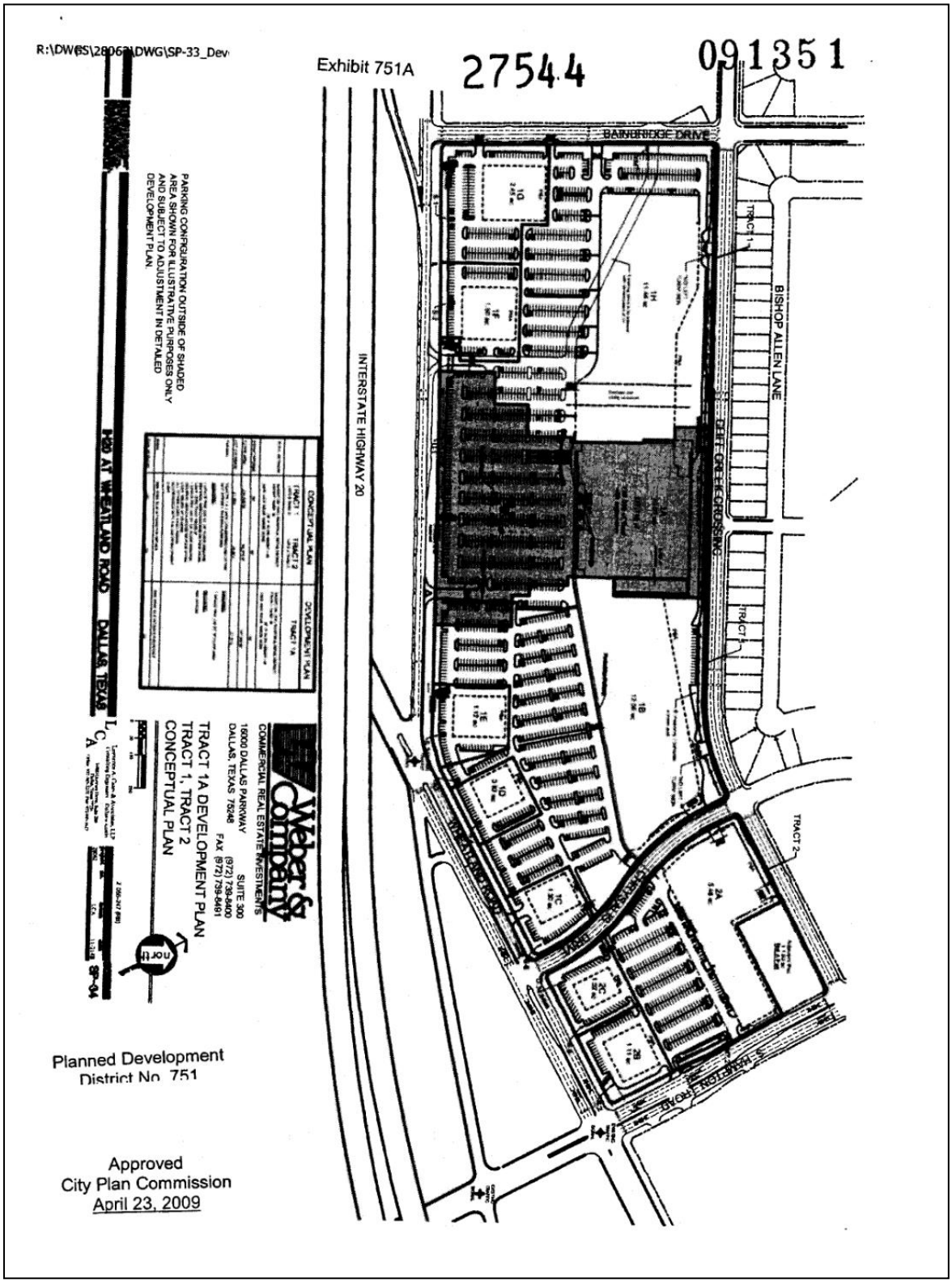
Against: 0
Absent: 1 - Lewis
Vacancy: 2 - District 3, District 7

*out of the room, shown voting in favor

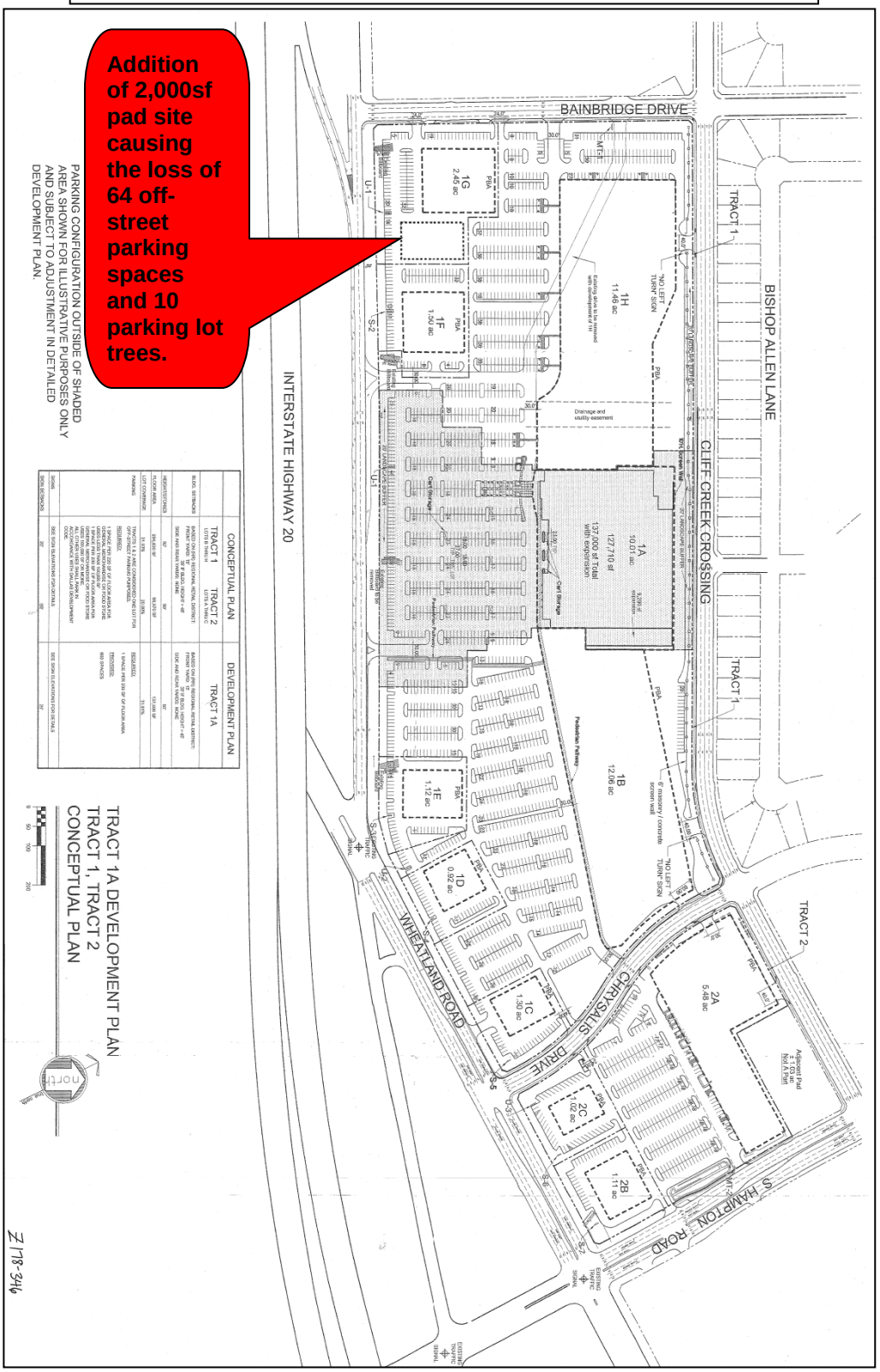
Notices: Area: 500 Mailed: 10
Replies: For: 1 Against: 0

Speakers: None

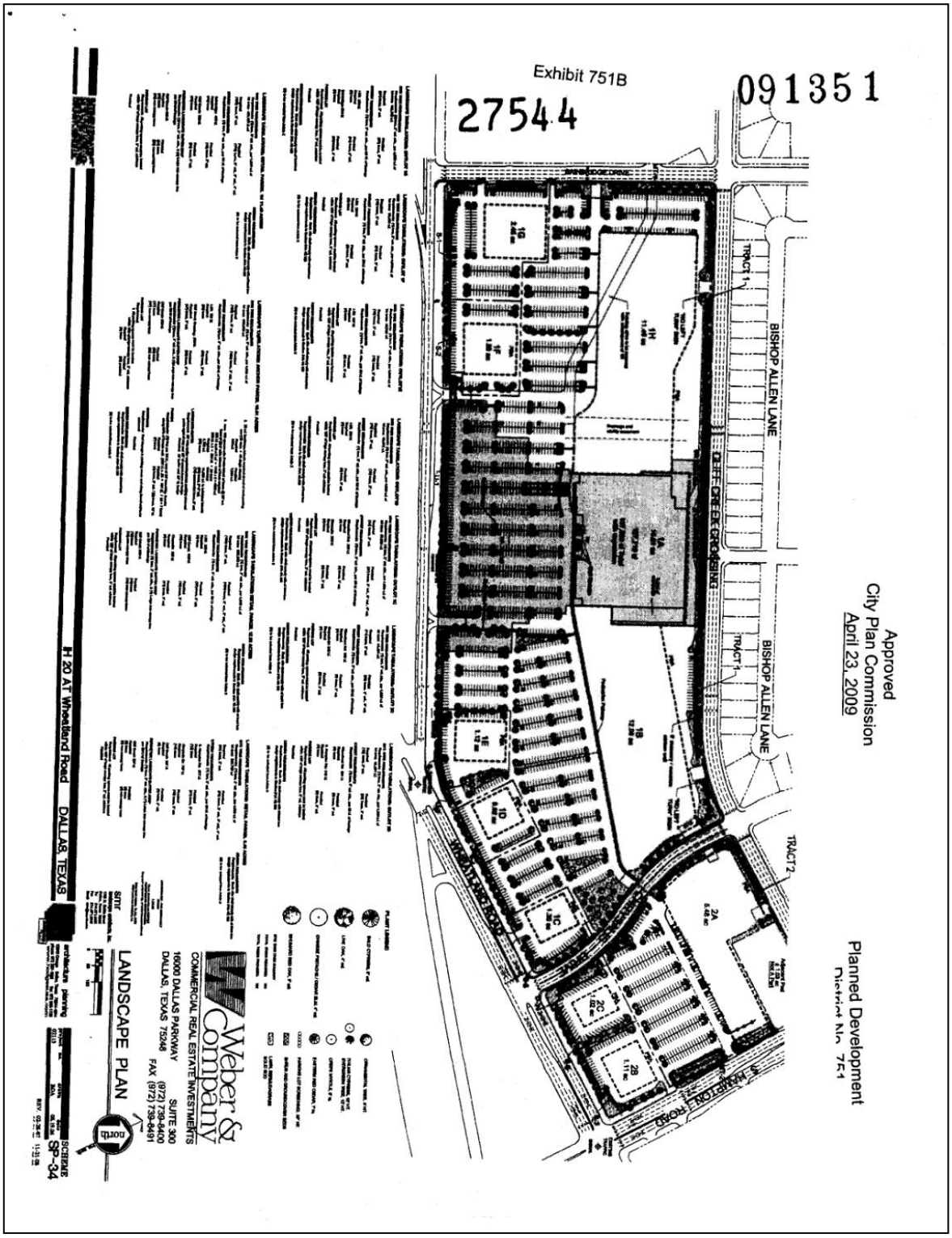
Existing Conceptual/Development Plan



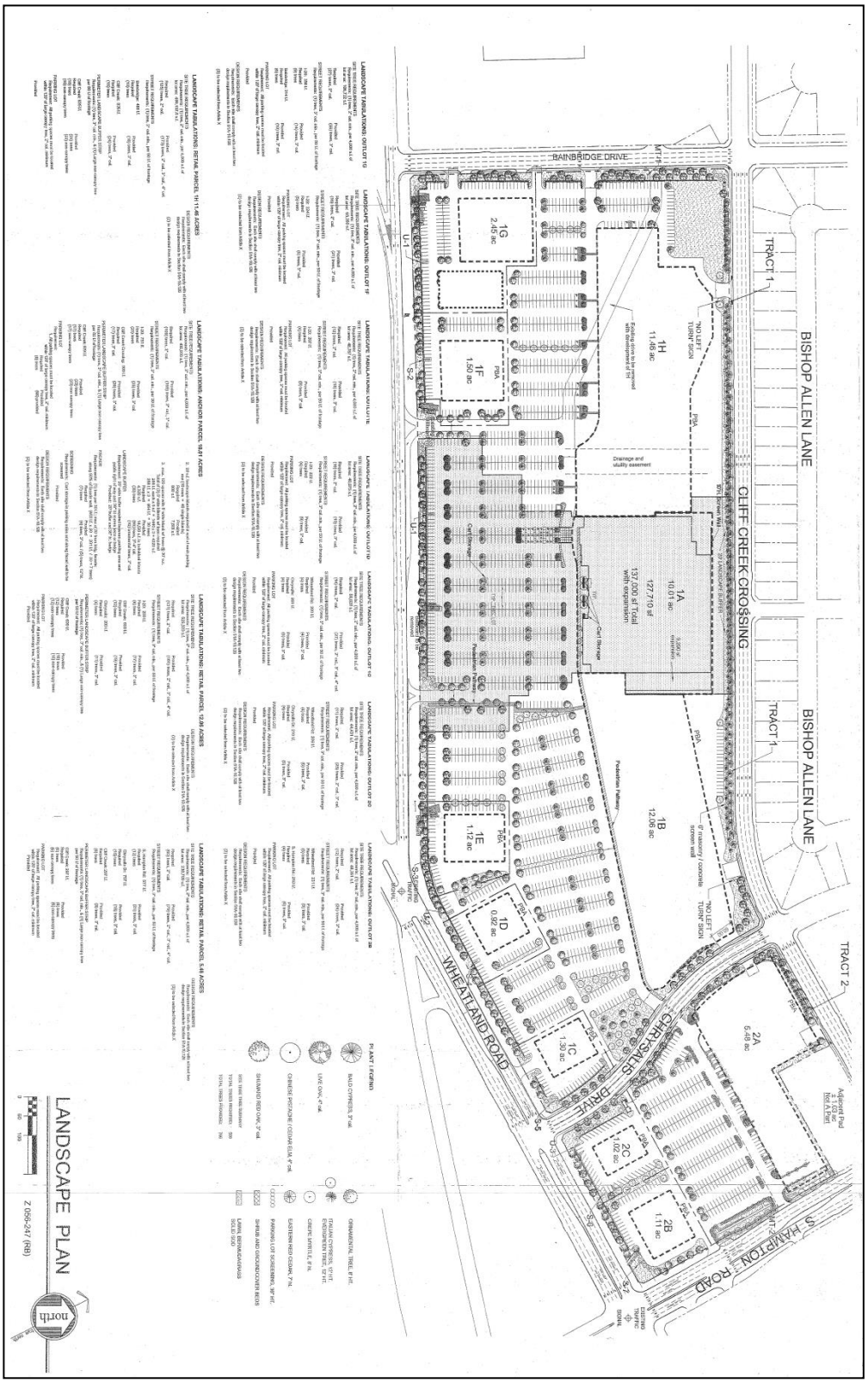
Proposed Conceptual/Development Plan



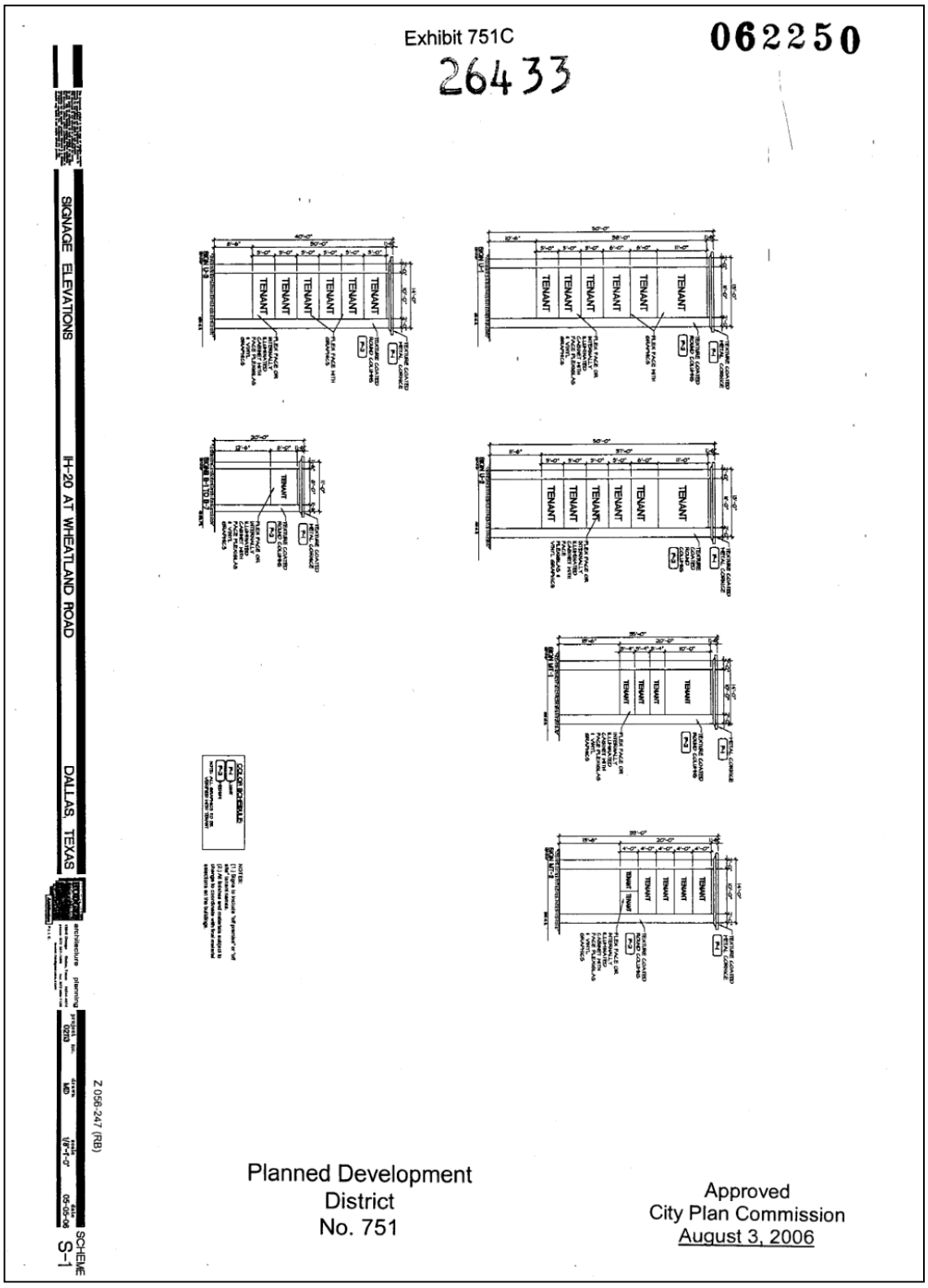
Existing Landscape Plan

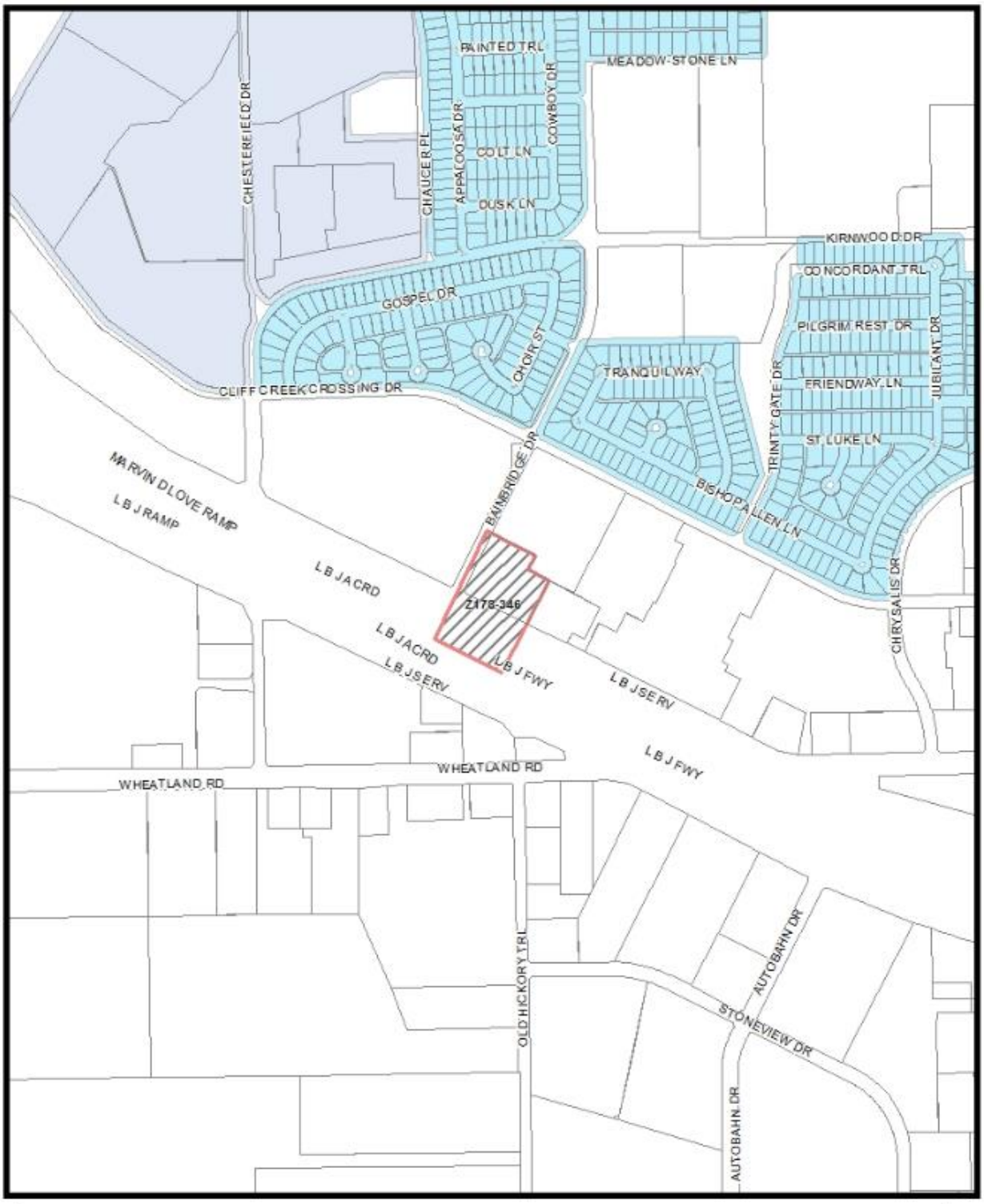


Proposed Landscape Plan



Existing Signage Elevations

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CHESTERFIELD DR
CHAUCER PL
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COWBOY DR
COLT LN
DUSK LN
KIRNWOOD DR
CONCORDANT TRL
GOSPEL DR
CHOIR ST
PILGRIM REST DR
JUBILANT DR
TRANQUIL WAY
FRIENDWAY LN
TRINITY GATE DR
CLIFF CREEK CROSSING DR
ST LUKE LN
MARVIN D LOVE RAMP
LBJ RAMP
BAINBRIDGE DR
BISHOP ALLEN LN
LBJ ACRD
Z178-346
CHRYSALIS DR
LBJ ACRD
LBJ FWY
LBJ SERV
LBJ SERV
LBJ FWY
WHEATLAND RD
WHEATLAND RD
OLD HICKORY TRL
AUTOBAHN DR
STONEVIEW DR
AUTOBAHN DR
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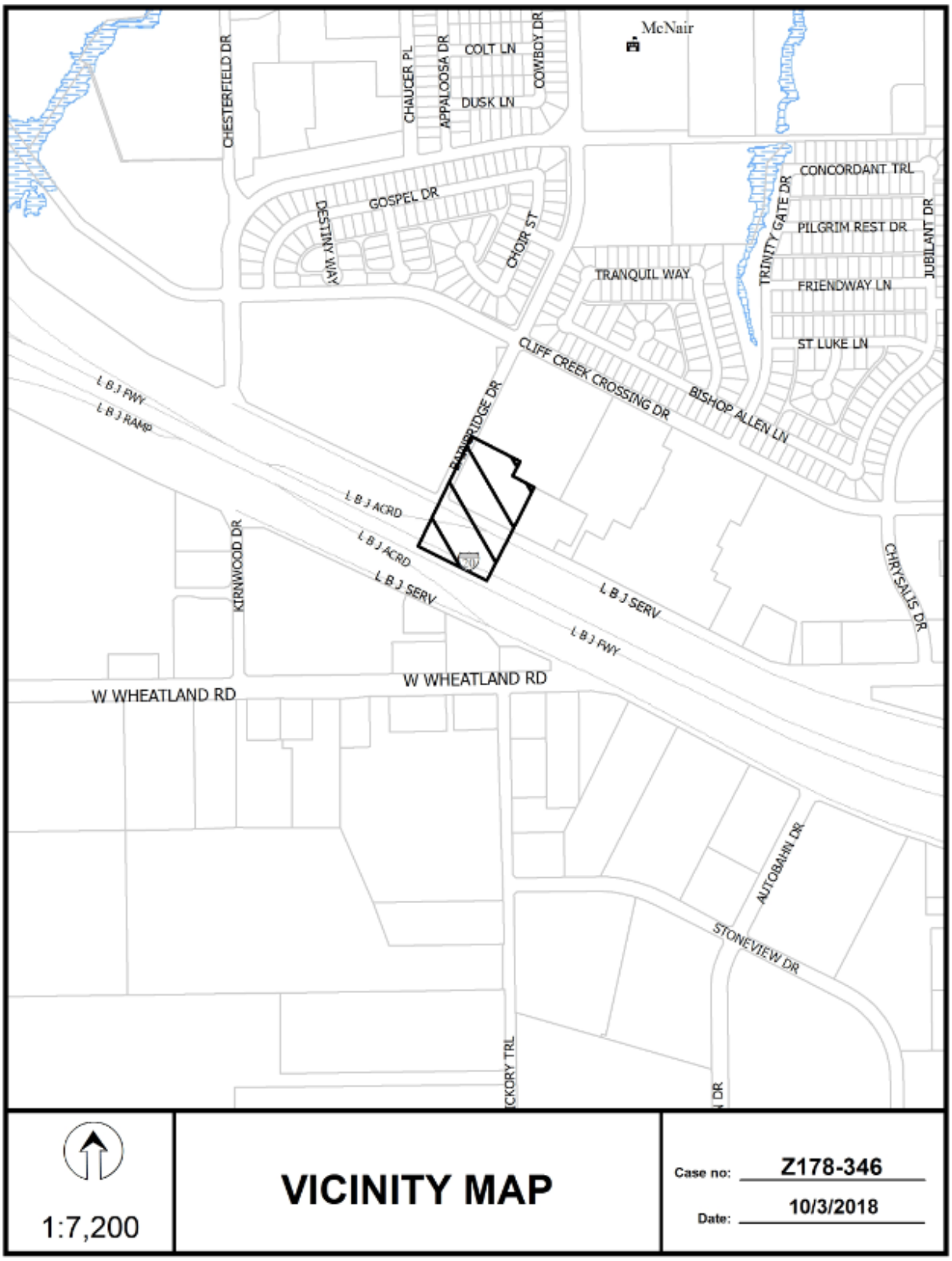
Market Value Analysis
Printed Date: 10/4/2018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TRINITY GATE DR
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VICINITY MAP
Case no: Z178-346
Date: 10/3/2018

GOSPEL DR
CLIFF CREEK CROSSING DR
CHOIR ST
TRANQUIL WAY
HARMONY CREEK RD
PEACEFUL BEND DR
FAITHFUL TRL
BISHOP ALLEN LN
RAINBRIDGE DR
L B J ACRD
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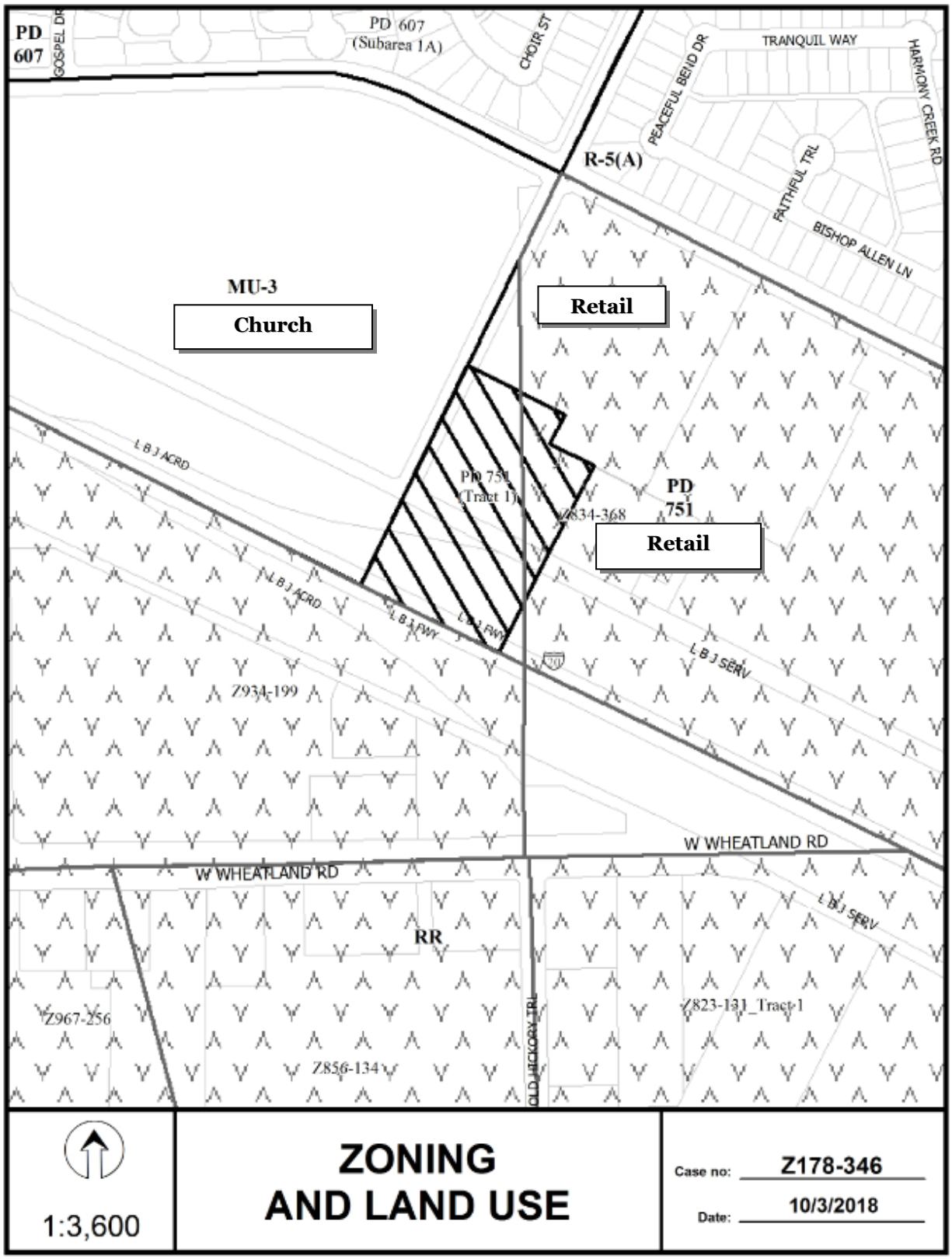
L B J ACRD
L B J FWY
L B J SERV
W WHEATLAND RD
W WHEATLAND RD
L B J SERV
OLD HICKORY TRL
1:3,600
AERIAL MAP
Case no: Z178-346
Date: 10/3/2018


PD 607
PD 607 (Subarea 1A)
GOSPEL DR
CHOIR ST
PEACEFUL BEIND DR
TRANQUIL WAY
HARMONY CREEK RD
FAITHFUL TRL
BISHOP ALLEN LN
R-5(A)
MU-3
Church
Retail
L B J ACRD
PD 751 (Tract 1)
Z834-368
PD 751
Retail
L B J FWY
L B J SERV
Z934-199
W WHEATLAND RD
RR
Z967-256
Z856-134
OLD HICKORY TRL
Z823-131_Tract 1
1:3,600
ZONING AND LAND USE
Case no: Z178-346
Date: 10/3/2018

CPC Responses

10/17/2018

Reply List of Property Owners

Z178-346

10 Property Owners Notified ***1 Property Owner in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	39779	LBJ FWY	RAINIER WHEATLAND ACQUISITIONS LLC
	2	3400	BAINBRIDGE AVE	HAMPTON WHEATLAND LTD
	3	39727	LBJ FWY	FULL GOSPEL HOLY TEMPLE
	4	2827	W WHEATLAND RD	SPRING CREEK BARBEQUE
	5	2727	W WHEATLAND RD	ZAKI NAGI EDWARD & AMANI G
	6	2901	W WHEATLAND RD	HD DEV PPTIES LP
	7	2887	W WHEATLAND RD	COMERICA BANK
	8	39718	LBJ FWY	CFT DEVELOPMENTS LLC
	9	39739	LBJ FWY	TARGET CORP
	10	39769	LBJ FWY	POWELL REAL ESTATE II LLC

Agenda Information Sheet

File #: 18-1371 **Item #:** 96.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 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. 2189 for a recycling buy-back center for the collection of household metals and industrial metals on property zoned an IM Industrial Manufacturing District, on the northeast line of South Barry Avenue, north of South Haskell Avenue
Recommendation of Staff and CPC: Approval for a two-year period, subject to conditions
Z178-356(JM)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, DECEMBER 12, 2018**

ACM: Majed Al-Ghafry

FILE NUMBER:	Z178-356(JM)	**DATE FILED:**	September 5, 2018
LOCATION:	Northeast line of South Barry Avenue, north of South Haskell Avenue		
COUNCIL DISTRICT:	2	**MAPSCO:**	46 M
SIZE OF REQUEST:	Approx. 5.992 acres	**CENSUS TRACT:**	25.00

APPLICANT: Texas Recycling & Surplus, Inc.

OWNER: City Warehouse, L.P.

REPRESENTATIVE: Robert Miklos, PLLC

REQUEST: An application for the renewal of Specific Use Permit No. 2189 for a recycling buy-back center for the collection of household metals and industrial metals on property zoned an IM Industrial Manufacturing District.

SUMMARY: The purpose of this request is to continue the operation of the recycling buy-back center of household metals and industrial metals within a portion of an existing facility [Texas Recycling & Surplus, Inc.].

CPC RECOMMENDATION: **Approval** for a two-year period, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a two-year period, subject to conditions.

BACKGROUND:

- The existing SUP for a recycling buy-back center for the collection of household metals and industrial metals was approved on April 27, 2016, for a one-year period. On February 22, 2017, the City Council renewed the SUP for a two-year period.

- The applicant relocated their operations in August of 2015 to this location. The use is limited to 2,000 square-feet area and is contained inside of a structure. The use operates from 7:00 a.m. to 7:30 p.m., Monday through Friday and 7:00 a.m. to 11:30 a.m., Saturday.

- The applicant is seeking renewal, with no proposed changes to the existing conditions of the SUP.

- The Dallas Police Department finds the facility in compliance with Chapter 40B for operation of a recycling buy-back center.

- The Dallas Development Code states the time period for an SUP for a recycling buy back center for the collection of household metals and industrial metals may not exceed a two-year period.

Zoning History: There have not been any zoning cases in the area over the past five years.

Traffic:

The Engineering Division of the Department of Sustainable Development and Construction has reviewed the request and determined that it will not have a detrimental impact on the surrounding street system.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
South Barry Avenue	Minor Arterial	60 feet	100 feet

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.

ENVIRONMENT ELEMENT

GOAL 6.6 Increase Recycling and Conservation of Renewable Resources

Policy 6.6.1 Increase recycling and composting

Surrounding Land Uses:

	Zoning	Land Use
Site	IM, SUP No. 2189	Industrial, warehouse, and recycling buy-back center
Northeast	IM	Industrial and warehouse
Southeast	CS, IM	Industrial and warehouse
Southwest	MF-2(A)	Multifamily, Single family
Northwest	IM, MF-2(A)	Industrial, warehouse, multifamily, and single family

Land Use Compatibility:

The Development Code requires a Specific Use Permit for a recycling buy-back center for the collection of household and industrial metals; but does not require a Specific Use Permit for recyclable materials such as clothing, aluminum cans, steel cans, glass, paper, and plastic products in the IM District. In addition, the code limits a recycle buy-back center to a maximum of 10,000 square feet of floor area and does not allow other recycling facilities within 1,000 feet. The Code also limits the time period to no more than two years.

The request site is located within an industrial area and is adjacent to several warehouse and industrial uses. Properties that are generally located northeast of South Barry Avenue, east of East Grand Avenue are located within heavily industrial and commercial zoning districts. This area has been zoned for industrial and light commercial uses since the 1970s. The properties to the southwest of South Barry Avenue are developed with a mix of multifamily and single family uses. The proposed use is located in an industrial area and is located on a property that has had industrial uses for over 20 years.

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 use is compatible with the surrounding industrial uses and is separated from nearby residential uses by a major roadway. The use provides a service throughout the area as a place to bring materials that may otherwise not be recycled. The short initial time allowed staff to review the use and determined it was in compliance with the conditions and site plan. The continue short time period allows staff to monitor the effect that this use has in the surrounding area. Furthermore, the requirement of compliance the license issued by the Dallas Police Department will assist in helping to ensure the use is not detrimental to the area.

Landscaping:

The request does not trigger landscape requirements.

Market Value Analysis

Market Value Analysis (MVA), 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. While the subject site is not located within an identified market type category, it is closest to Category H along Barry Avenue.

Parking:

The parking regulations require one space per 500 square feet of floor area for a recycling buy-back center. The building where the use is located is a 2,000 square-feet building. The applicant is providing the required 20 off-street parking spaces for the use.

Police Department:

The Dallas Police Department monitors the facility for compliance with Chapter 40B for operation of a recycling buy-back center. The Dallas Police Department also requires a license for a recycling buy-back center. The applicant's license expires on April 26, 2019. According to DPD, the applicant received one written warning on April 18th, two citations on June 7th, and a second written warning on August 10th. All were for violations of Dallas City Ord. 40-B, but they are now in compliance.

CPC Action
November 1, 2018

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2189 for a recycling buy-back center for the collection of household metals and industrial metals for a two-year period, subject to conditions on property zoned an IM Industrial Manufacturing District, on the northeast line of South Barry Avenue, north of South Haskell Avenue.

Maker: Lewis
Second: Davis
Result: Carried: 13 to 0

For: 13 - West, Rieves, Davis, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Peadon, Murphy*, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 3, District 7

*out of the room, shown voting in favor

Notices: Area: 400 Mailed: 54
Replies: For: 1 Against: 0

Speakers: None

LIST OF OFFICERS
Texas Recycling/Surplus, Inc.

- Joel Litman – CEO
- Craig Litman – CFO

LIST OF OFFICERS
City Warehouse, L.P.

- Holt Lunford – President
- Doug Lueders – Vice President

Z178-356

CPC Recommended SUP Conditions

1. USE: The only use authorized by this specific use permit is a recycling buy-back center for the collection of household metals and industrial metals.

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 (two years from the passage of this ordinance) ~~February 22, 2019.~~

4. FLOOR AREA: A maximum of 2,000 square feet on the location shown in the site plan.

5. HOURS OF OPERATION: The recycling buy-back center may only operate between 7:00 a.m. to 7:30 p.m., Monday through Friday and 7:00 a.m. to 11:30 a.m., Saturday.

6. INGRESS/ EGRESS: Ingress and egress must be provided as shown on the attached site plan. No other ingress or egress is permitted.

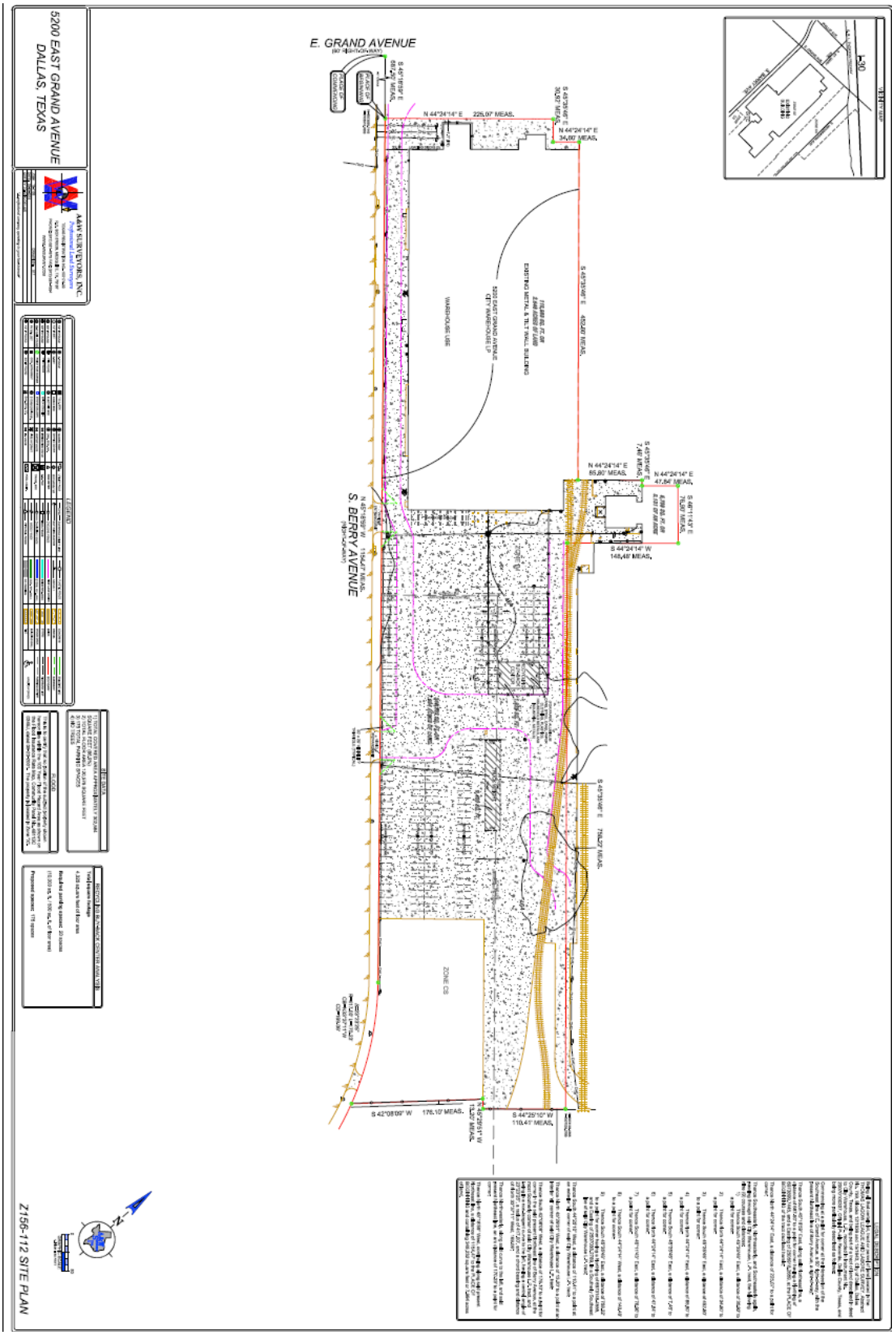
7. LICENSE: The Operator must have a secondary metals recyclers' license in accordance with Chapter 40B of the Dallas City Code.

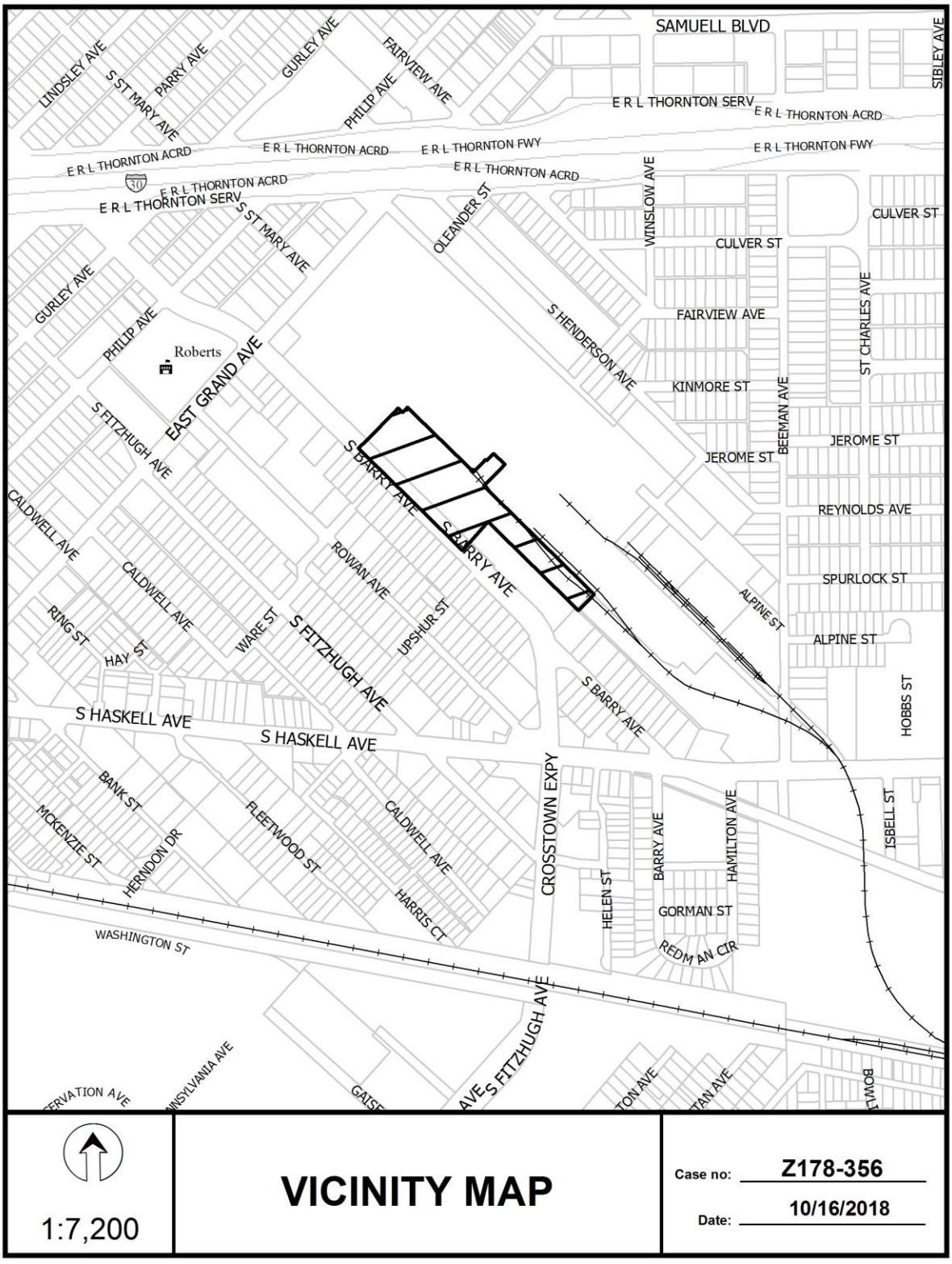
8. OUTSIDE STORAGE: Outside storage is prohibited.

9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

10. 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

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SIBLEY AVE
LINDSLEY AVE
S ST MARY AVE
PARRY AVE
GURLEY AVE
PHILIP AVE
FAIRVIEW AVE
E R L THORNTON SERV
E R L THORNTON ACRD
E R L THORNTON FWY
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E R L THORNTON FWY
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OLEANDER ST
WINSLOW AVE
CULVER ST
CULVER ST
GURLEY AVE
PHILIP AVE
Roberts
EAST GRAND AVE
S HENDERSON AVE
FAIRVIEW AVE
ST CHARLES AVE
KINMORE ST
BEEMAN AVE
JEROME ST
JEROME ST
S FITZHUGH AVE
S BARRY AVE
S BARRY AVE
REYNOLDS AVE
CALDWELL AVE
ROWAN AVE
SPURLOCK ST
ALPINE ST
ALPINE ST
CALDWELL AVE
RING ST
HAY ST
WARE ST
S FITZHUGH AVE
UPSHUR ST
S BARRY AVE
HOBBS ST
S HASKELL AVE
S HASKELL AVE
BANK ST
MCKENZIE ST
HERNDON DR
FLEETWOOD ST
CALDWELL AVE
HARRIS CT
CROSSTOWN EXPY
HELEN ST
BARRY AVE
HAMILTON AVE
ISBELL ST
GORMAN ST
REDMAN CIR
WASHINGTON ST
S FITZHUGH AVE
1:7,200
VICINITY MAP
Case no: Z178-356
Date: 10/16/2018

EAST GRAND AVE
S BARRY AVE
S BARRY AVE
FAIRVIEW AVE
WINSLOW AVE
S HENDERSON AVE
KINMORE ST
WARE ST
ROWAN AVE
UPSHUR ST
CROSSTOWN EXPY
S BARRY AVE
S HASKELL AVE
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DURRETT ST
HELEN ST
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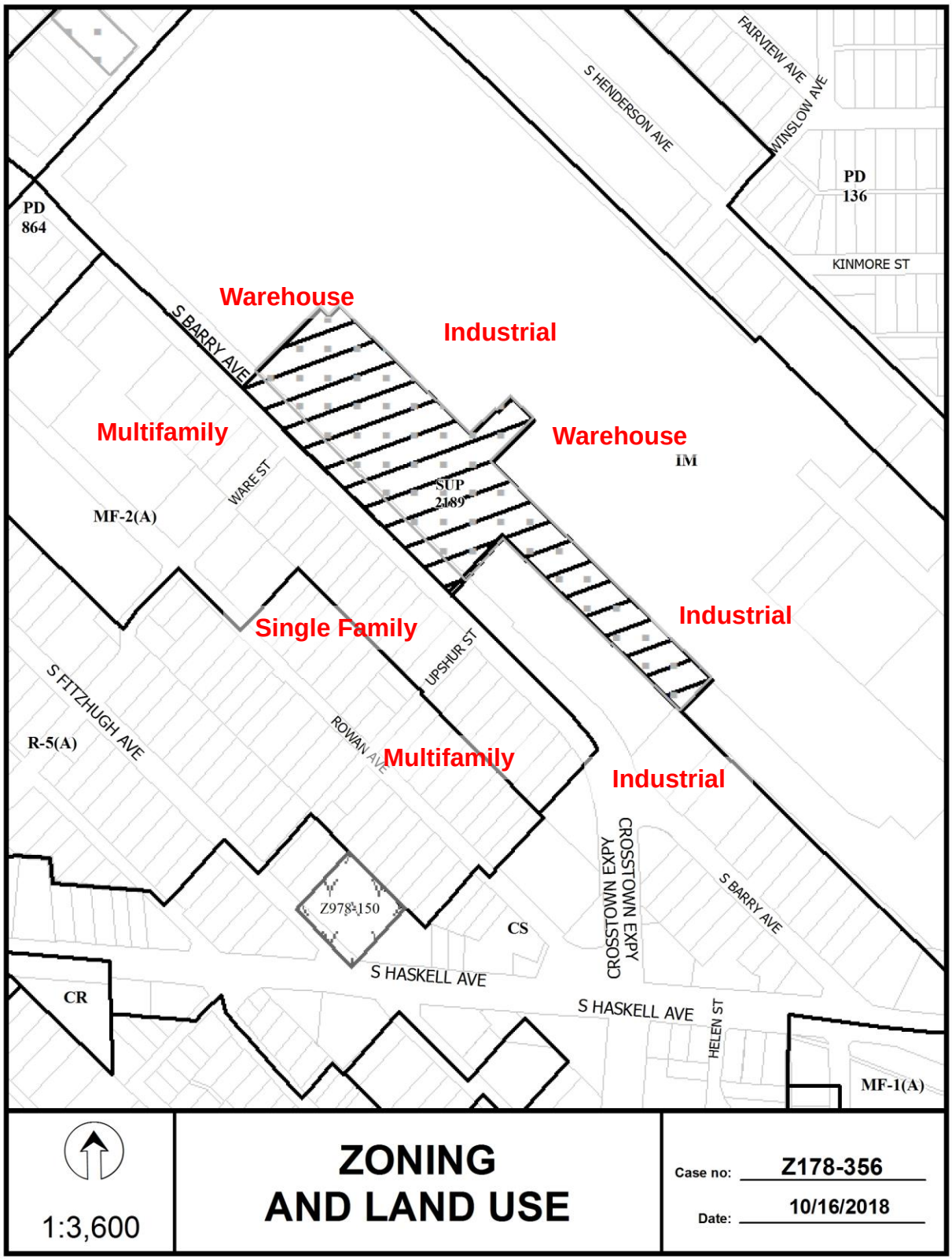
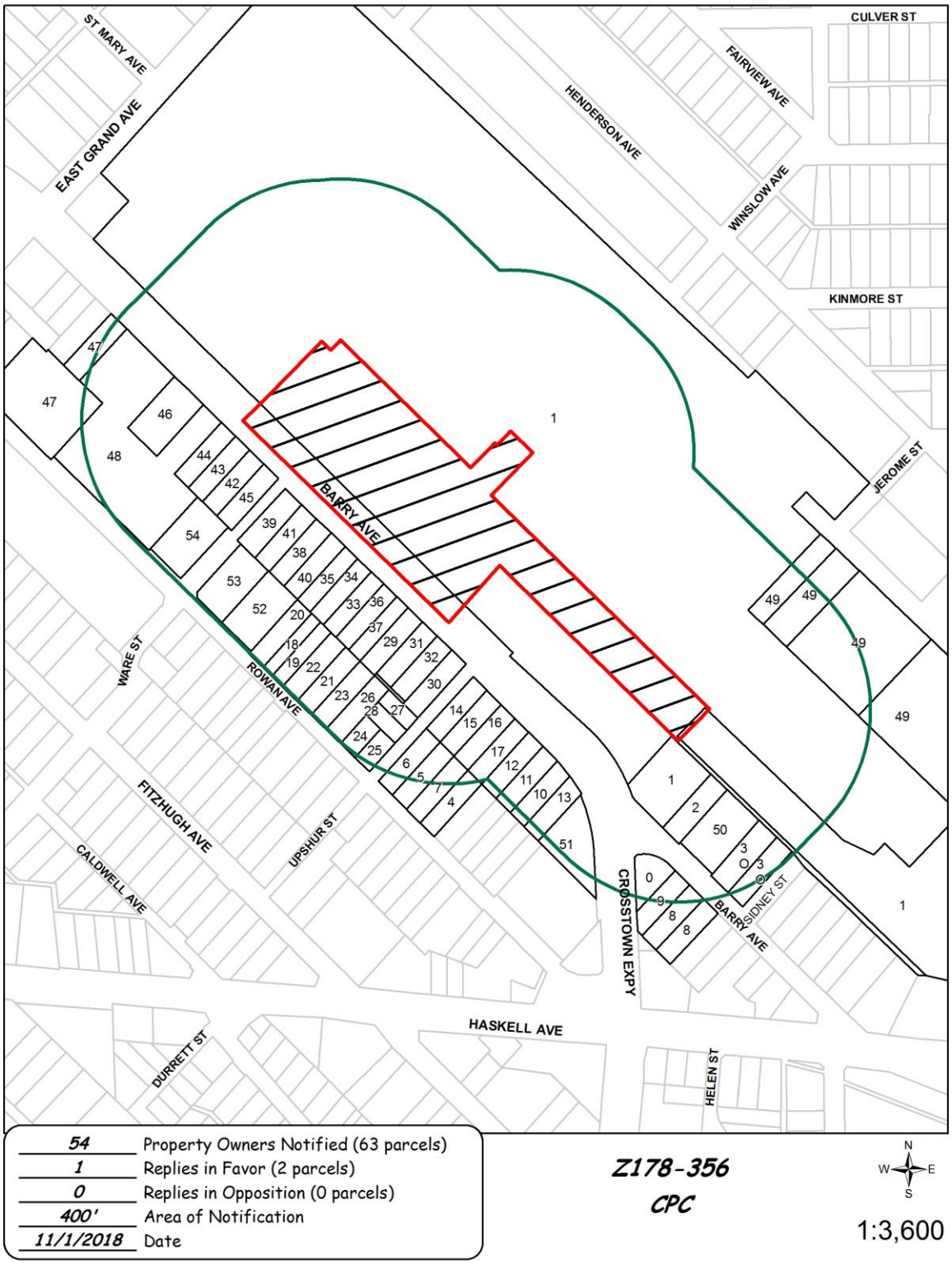
AERIAL MAP
Case no: Z178-356
Date: 10/16/2018


FAIRVIEW AVE
S HENDERSON AVE
WINSLOW AVE
PD 136
KINMORE ST
PD 864
Warehouse
Industrial
S BARRY AVE
Multifamily
Warehouse
IM
WARE ST
SUP 2189
MF-2(A)
Single Family
Industrial
UPSHUR ST
S FITZHUGH AVE
ROWAN AVE
R-5(A)
Multifamily
Industrial
CROSSTOWN EXPY
Z978-150
CS
S BARRY AVE
S HASKELL AVE
CR
S HASKELL AVE
HELEN ST
MF-1(A)
1:3,600
ZONING AND LAND USE
Case no: Z178-356
Date: 10/16/2018

CPC Responses



10/31/2018

Reply List of Property Owners

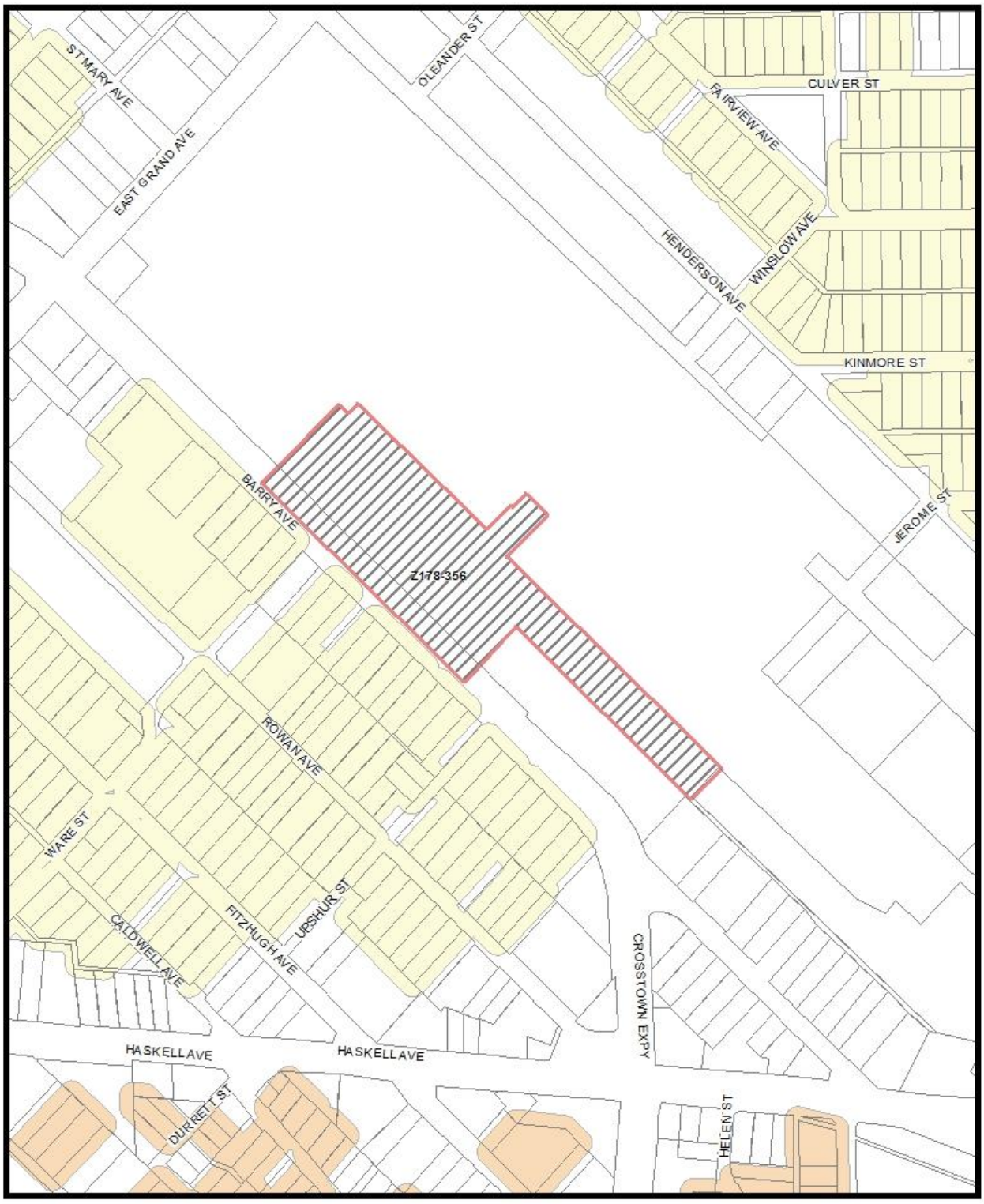
Z178-356

54 Property Owners Notified ***1 Property Owner in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	5001	BEEMAN AVE	CITY WAREHOUSE LP
	2	1616	S BARRY AVE	RAMOS JAIME & JUDITH
O	3	1628	BARRY AVE	BURTON MATT & MARSHA
	4	1512	ROWAN AVE	TAYLOR WILLIAM JR
	5	1510	ROWAN AVE	REYES VICTORIANO GONZALEZ
	6	4910	UPSHUR ST	REIGER ASSOC 90 I LTD
	7	1504	ROWAN AVE	GONZALES VICTORIANO R &
	8	1703	BARRY AVE	EJAZ INVESTMENT GROUP INC
	9	1623	BARRY AVE	NELSON KENNETH
	10	1527	BARRY AVE	VARELA JOSE
	11	1521	BARRY AVE	FAUSTINO ROSANELLY
	12	1519	BARRY AVE	COLLAZO ROBERTO M &
	13	1531	BARRY AVE	JOHNSON VEOLA &
	14	1501	BARRY AVE	PACKER DETROIT MICHIGAN SR
	15	1507	BARRY AVE	GIPSON CHARLES & BARBARA
	16	1511	BARRY AVE	CHAMBLEE ETHEL E
	17	1515	BARRY AVE	JUAREZ OLEGARIO
	18	1422	ROWAN AVE	LINCHON SIE
	19	1424	ROWAN AVE	COLON NOEL &
	20	1426	ROWAN AVE	COLON ALMA
	21	1432	ROWAN AVE	PERRY ARGUSTA
	22	1416	ROWAN AVE	PIZANA JUAN ALEJANDRO &
	23	1434	ROWAN AVE	VILLA JOSE &
	24	1444	ROWAN AVE	GARCIA ANTONIO
	25	1448	ROWAN AVE	PADRON CRUZ M & MARIA ELENA
	26	1440	ROWAN AVE	VILLA JOSE LUIS &

10/31/2018

Reply	*Label #*	*Address*		*Owner*
	27	4913	UPSHUR ST	VILLA GUILLERMO
	28	4911	UPSHUR ST	REED FRANKIE J
	29	1437	BARRY AVE	MARTINEZ MARCIAL & BENITA
	30	1449	BARRY AVE	FLORES MARTIN & YOLANDA
	31	1443	BARRY AVE	MARTINEZ MARCIAL & BENITA
	32	1447	BARRY AVE	VALLES JAVIER H
	33	1427	BARRY AVE	SEATON ELLA MAE ESTATE OF
	34	1431	BARRY AVE	SEATON ELLA M
	35	1419	BARRY AVE	GARCIA JUAN ANTONIO
	36	1423	BARRY AVE	ALAMO CARMELO &
	37	1435	BARRY AVE	GOMEZ ANTONIO & ELVIRA
	38	1411	BARRY AVE	SOLID COOL PROPERTIES LLC
	39	1401	BARRY AVE	OLIVARES MARYBEL PEREZ
	40	1415	BARRY AVE	DE LA GARZA UVALSO
	41	1407	BARRY AVE	OLIVARES MARIANO &
	42	1343	BARRY AVE	JOBE ALINE
	43	1341	BARRY AVE	KAGNEW FASIL
	44	1337	BARRY AVE	ALMEIDA JULISSA
	45	1353	BARRY AVE	HOLLAND GARY
	46	1323	S BARRY AVE	SNOOTY PARROT LLC
	47	1305	N BARRY AVE	ANDREWS VIRGINIA &
	48	1315	S BARRY AVE	CASA GRANDE VILLAS LLC
	49	1745	ALPINE ST	CITY WAREHOUSE LP
	50	1624	S BARRY AVE	BURTON MATT &
	51	4640	CROSSTOWN EXPY	DOMINGUEZ VILIULFO &
	52	1408	ROWAN AVE	UGWUMBA INC
	53	1402	ROWAN AVE	STANTON BRITTA
	54	4901	WARE ST	SKELDALE PROPERTIES INC


ST MARY AVE
EAST GRAND AVE
OLEANDER ST
CULVER ST
FAIRVIEW AVE
HENDERSON AVE
WINSLOW AVE
KINMORE ST
JEROME ST
BARRY AVE
Z178-356
ROWAN AVE
WARE ST
CALDWELL AVE
FITZHUGH AVE
URSHUR ST
HASKELL AVE
HASKELL AVE
DURRETT ST
CROSSTOWN EXPY
HELEN ST
MVACluster A B C D E F G H I NA
1:3,600
Market Value Analysis
Printed Date: 10/16/2018

Agenda Information Sheet

File #: 18-1372 **Item #:** 97.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 11

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 utility or government installation other than listed on property zoned Planned Development District No. 137, on the southwest corner of Interstate Highway 635 (Lyndon B. Johnson Freeway) and Hillcrest Road
Recommendation of Staff and CPC: Approval for a permanent period, subject to site plan and conditions
Z178-362(CY)

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HONORABLE MAYOR & CITY COUNCIL WEDNESDAY, DECEMBER 12, 2018
ACM: Majed Al-Ghafry

FILE NUMBER: Z178-362(CY) **DATE FILED:** September 7, 2018

LOCATION: Southwest corner of Interstate Highway 635 (Lyndon B. Johnson Freeway) and Hillcrest Road.

COUNCIL DISTRICT: 11 **MAPSCO:** 15 V

SIZE OF REQUEST: Approx. 7.8 acres **CENSUS TRACT:** 132.00

OWNER/APPLICANT: 6820 LBJ I, LLC

REPRESENTATIVE: Rob Baldwin

REQUEST: An application for a Specific Use Permit for utility or government installation other than listed on property zoned Planned Development District No. 137.

SUMMARY: The purpose of the request is to allow an existing office building to be used for a utility or government installation other than listed [Dallas County offices and courtrooms].

CPC RECOMMENDATION: **Approval** for a permanent period, subject to site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a permanent period, subject to site plan and conditions.

BACKGROUND INFORMATION:

- The 7.8-acre site is zoned Planned Development District No. 137 and is currently developed with one four-story office building and a four-story parking structure.
- PD No. 137 was established by the Dallas City Council on February 2, 1982 and it comprises approximately 8.035 acres.
- Dallas Central Appraisal District records indicate the office building and the parking structure were constructed in 1983.
- Planned Development District No. 137 allows for O-1 Office District uses (Chapter 51), test kitchen and fitness center uses limited to a maximum total floor area of 316,417 square feet; 3,500 square feet; and 5,000 square feet, respectively.
- The purpose of the request is to occupy the existing office building with a utility or government installation other than listed use. The existing zoning allows this use only with a Specific Use Permit.

Zoning History: There has been one zoning change in the surrounding area in the past five years.

1. **Z134-167** On May 28, 2014, City Council approved SUP 2091 for a business school use on property located on the southeast corner of Interstate Highway 635 (Lyndon B. Johnson Freeway) and Hillcrest Road, east of the area of request.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Interstate Highway 635	Highway	Variable	N/A
Hillcrest Road	Principal Arterial	Variable	100’

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and recommends improvements to the intersection of Hillcrest Road at Hillcrest Plaza as part of the proposed development to adequately serve the proposed court house daily operations. Mitigations include traffic signal detection and an automated pedestrian signal system to enhance signal operations and pedestrian safety.

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:

LAND USE ELEMENT

GOAL 1.4 COORDINATE PLANNING ACTIVITIES TO BALANCE TRANSPORTATION, LAND USE, INFRASTRUCTURE AND THE ENVIRONMENT.

Policy 2.4.2 Coordinate development and planning activities.

URBAN DESIGN

GOAL 5.3 ESTABLISH WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Land Use:

	Zoning	Land Use
Site	PD No. 137	Office Building
North	PD No. 485	IH 365 (LBJ Freeway), Retirement Housing
East	NO(A) with SUP No. 2091 for business school, SUP No. 1892 for restaurant w/o drive-through and SUP 1888 for restaurant w/o drive-through.	Office Building
South	R-1ac(A), PD No.218	Church, Single Family Dwelling
West	NO(A)	Office Building.

Land Use Compatibility:

The approximate 7.8-acre site is zoned Planned Development District No. 137 and is currently developed with a four-story office building and a four-story parking structure that according to the Dallas Central Appraisal district were built in 1983.

Building Inspection records indicate the existing building has been occupied with an office use since 1984.

The purpose of the request is to occupy the building with a utility or government installation other than listed use. This use requires a specific use permit to operate under the existing zoning. The Dallas Development Code, as amended, defines a government installation other than listed as an installation owned or leased by a government agency and that is not specifically covered by the use regulations in this chapter. Typical government installations include city hall, a courthouse, or an elevated water storage reservoir.

The government installation proposed to operate at the subject site will be limited to offices and courtrooms for the Dallas County.

The existing building is currently occupied with an office use that eventually will vacate the building. The applicant plans to initially occupy only a portion of the building (+/- 75 percent of the floor area) but plans to eventually expand until occupying the entire 109,697-square-foot building.

A list of the offices and services related to the government installation use was provided by the applicant and these include: tax office, passport office, constable office, satellite Commissioners office, satellite Treasurers office, juvenile department and a total of three court rooms to include two for justice of the peace and one for truancy.

The area of request is surrounded by two large office campuses, one to the east and the other to the west along the east bound service road of LBJ Freeway, both campuses zoned Neighborhood Office District, additional office uses are to the southeast along Hillcrest Road, in a General Office zoning district. Other uses surrounding the subject site include a church and single-family uses zoned R-1ac(A) and Planned Development District No. 218 respectively, located to the south across Hillcrest Plaza Drive; a public park, an assisted living facility and more single-family uses are located to the northeast and to the north across LBJ Freeway.

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 proposed government installation is not foreseen to have a negative impact in the surrounding zoning and land uses and is considered appropriate in the context of the area that is characterized by office uses found along LBJ freeway with the residential uses located further south but not directly related to the area of request.

Market Value Analysis

Market Value Analysis (MVA), 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. The area of request is not within an identifiable MVA Category; however, it is in proximity to A “B” MVA Cluster to the north, across LBJ Freeway and to the south across Hillcrest Plaza Drive.

Parking:

The Dallas Development Code, as amended, per Sec. 51A-4.212.(11)(ii)(C), establishes that the required off-street parking requirements for a utility or government installation other than listed can be determined by a ratio of a use that the building official determines is the most equivalent to the proposed use in terms of function, or if a specific use permit is required, the off-street parking regulations may be established in the ordinance granting the permit. It also specifies that in such cases, the city council shall consider the degree to which the use would create traffic hazards or congestion given the capacity of nearby streets, the trip generation characteristics of the use, the availability of public transit and the likelihood of its use and the feasibility of traffic mitigation measures.

The proposed site plan depicts the existing building and existing parking structure as well as proposed future development of two additional office buildings and one additional parking structure, this is in compliance with the approved Development Plan for PD No. 137.

According to the site plan, there are 309 spaces being provided in the existing structure; the plan also includes a remark [also noted on the Development Plan] that indicates that a total of 88 additional surface parking stalls are also provided on site with 43 of them remaining after the construction of the future parking structure. This indicates that currently there would be 397 parking spaces available.

At the time of the site visit, it was confirmed that the site contains surface parking in some of the areas where the future development is proposed, a total of 172 spaces are currently being provided on site, which in addition to the 309 spaces in the parking structure will total 481 available spaces for the government installation other than listed.

Considering the operations of the proposed government installation, staff consulted with Building Inspections to determine that a parking ratio of 1 space for every 333 square feet of floor area can satisfy the parking demand for the use. This parking ratio is the ratio used to also determine the parking requirements for office uses. At this ratio, 329 parking spaces will be required for this use occupying the 109,697-square-foot building.

Landscaping:

Pursuant to the Landscape regulations in Planned Development No. 137, landscape must comply with the Development Plan.

PRIOR CPC ACTION- November 1, 2018

Z178-362(CY)

Note: The Commission considered this item individually.

Motion: It was moved to recommend **approval** of a Specific Use Permit for utility or government installation other than listed for a permanent period, subject to site plan and conditions with the following additional provision included in the specific use permit conditions to read as follows: "Prior to the issuance of a certificate of occupancy, for a utility or government installation other than listed, a traffic detection device must be installed and functional at the intersection of Hillcrest Road and Hillcrest Plaza Drive" on property zoned Planned Development District No. 137, on the southwest corner of Interstate Highway 635 (Lyndon B. Johnson Freeway) and Hillcrest Road.

Maker: Schultz
Second: Murphy
Result: Carried: 13 to 0

For: 13 - West, Rieves, Davis, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 3, District 7

Notices: Area: 400 Mailed: 43
Replies: For: 2 Against: 7

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

List of Officers

6820 LBJ I, LLC.

- R. D. Kelly Director
- Steve Perry Director
- Michael Lessel Director
- Michelle Dreyer Director

CPC RECOMMENDED CONDITIONS

1. USE: The only use authorized by this specific use permit is utility or government installation other than listed, limited to government offices and courtrooms.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit has no expiration date.

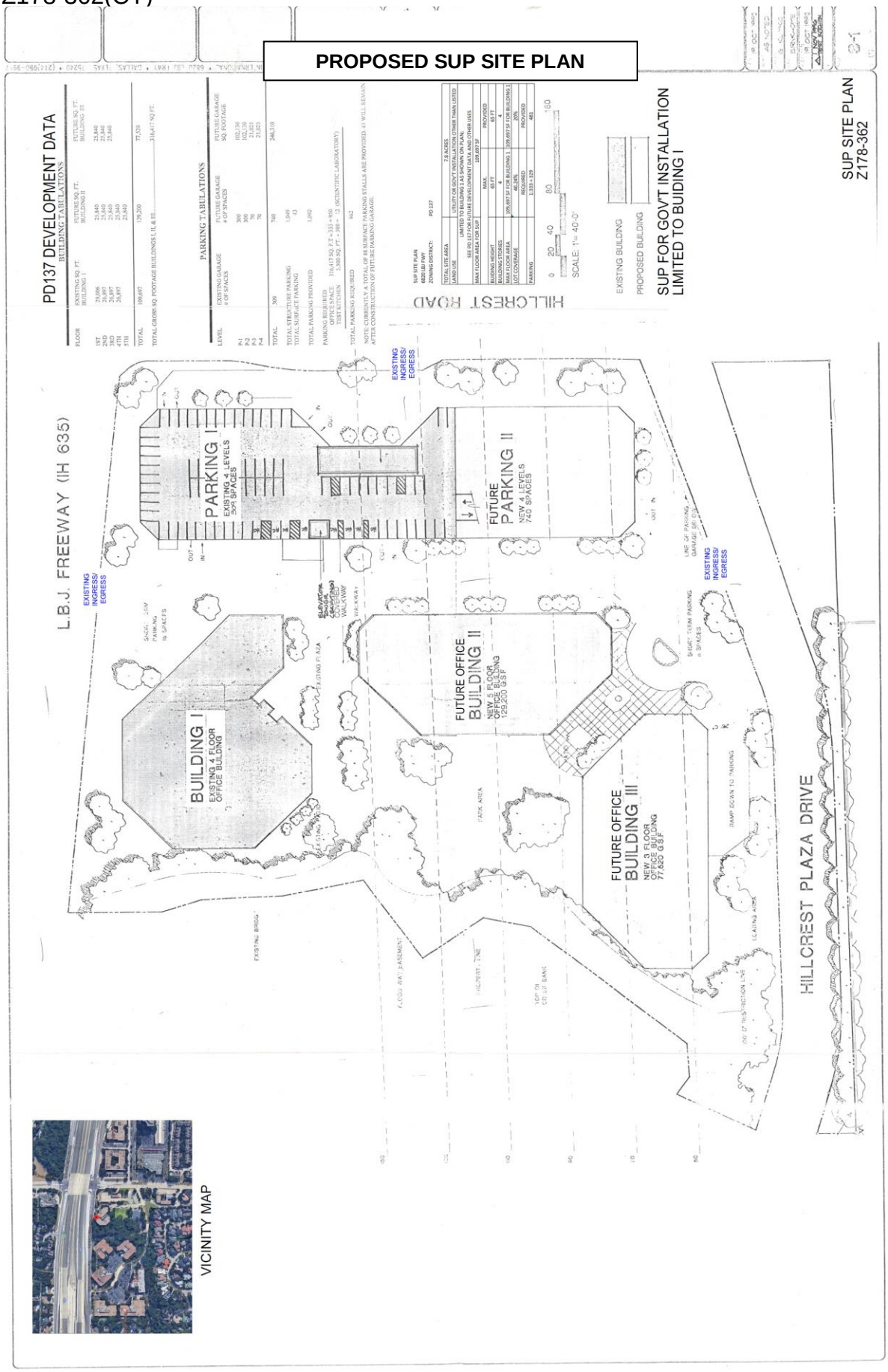
4. FLOOR AREA: Maximum floor area is 109,697 square feet.

5. TRAFFIC CONTROL: Before the issuance of a Certificate of Occupancy for a utility or government installation other than listed, a traffic detection device must be installed and functional at the intersection of Hillcrest Road and Hillcrest Plaza Drive.

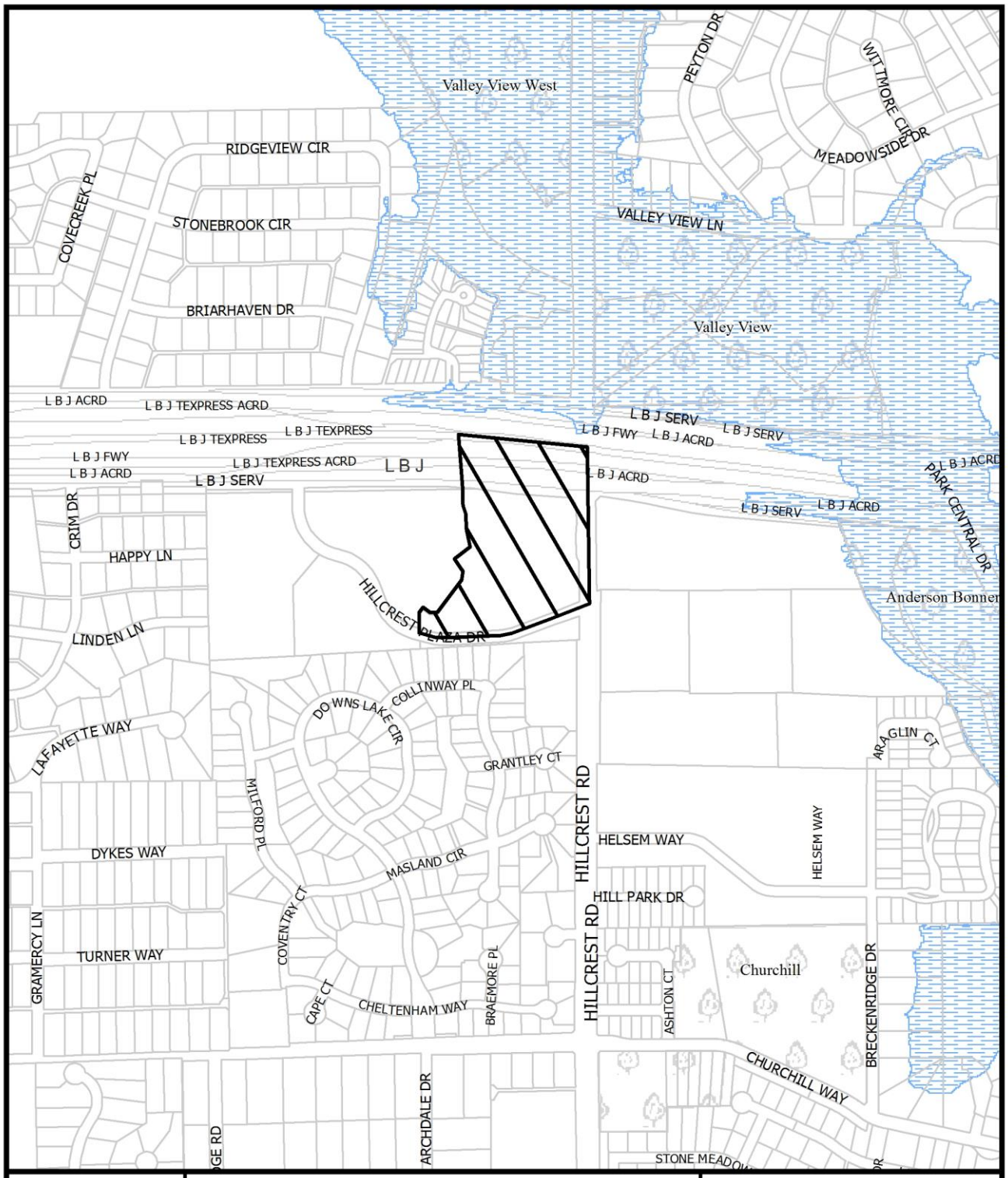
6. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

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 SUP SITE PLAN



VICINITY MAP



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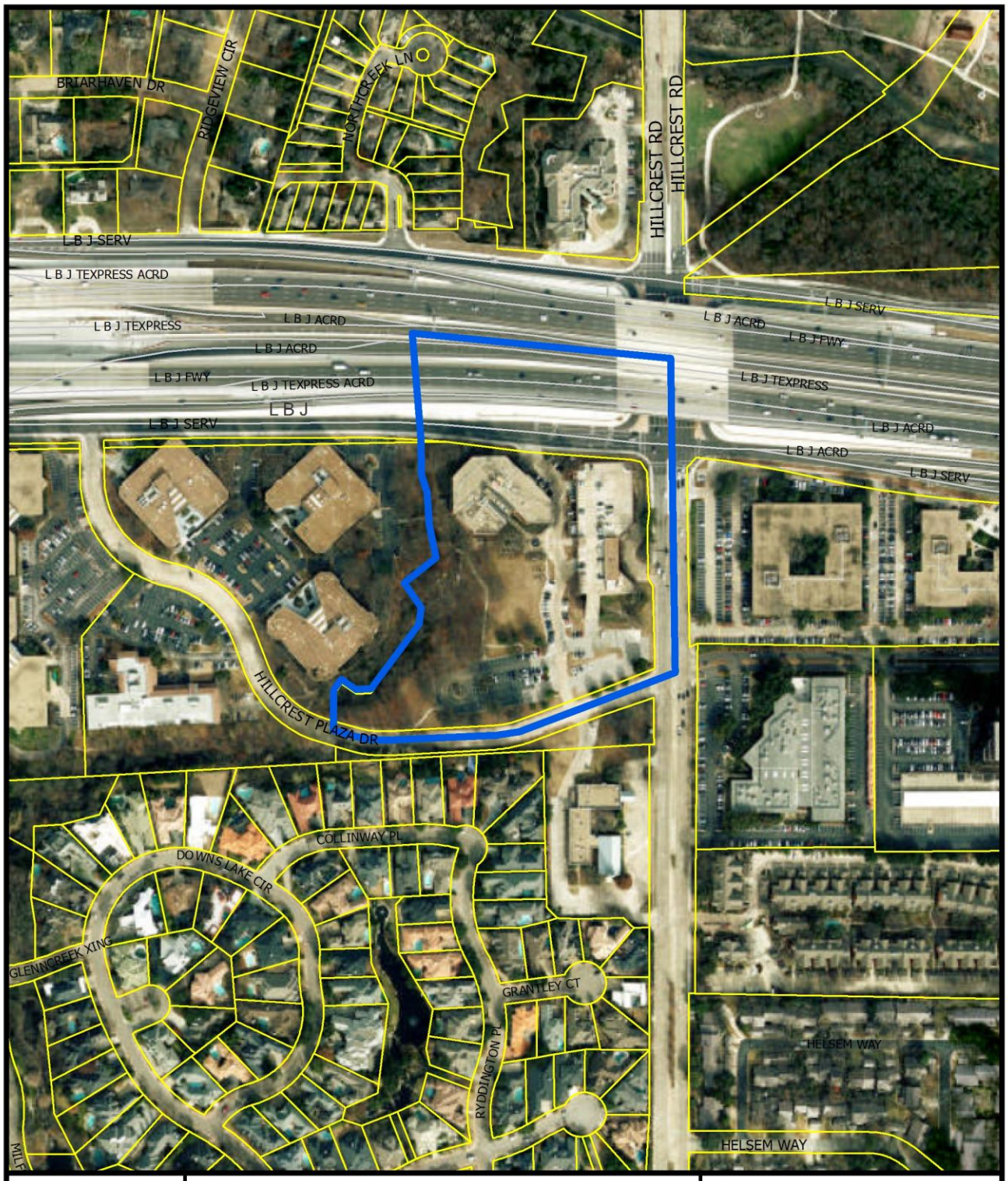
VICINITY MAP

Case no: Z178-362

Date: 10/17/2018



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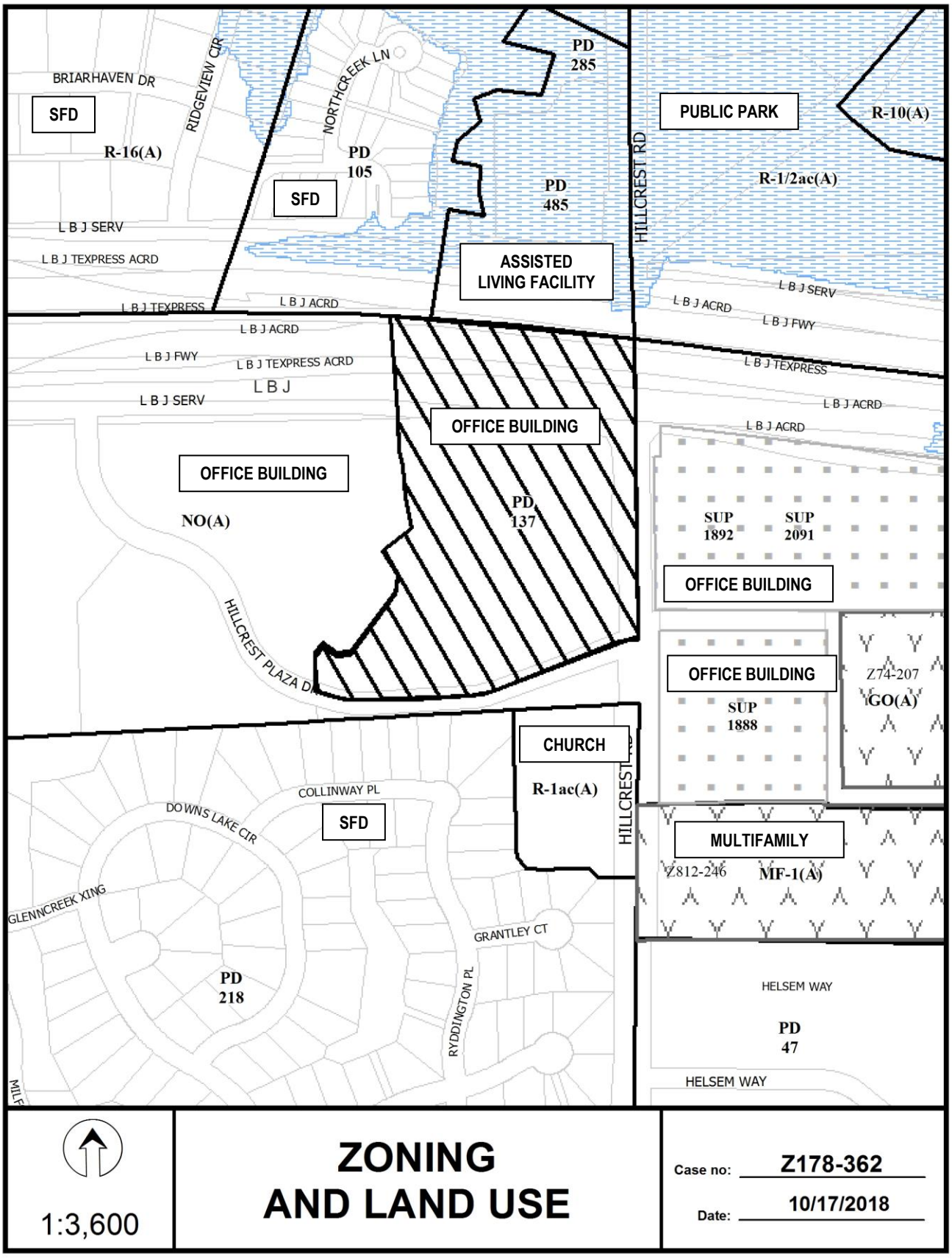
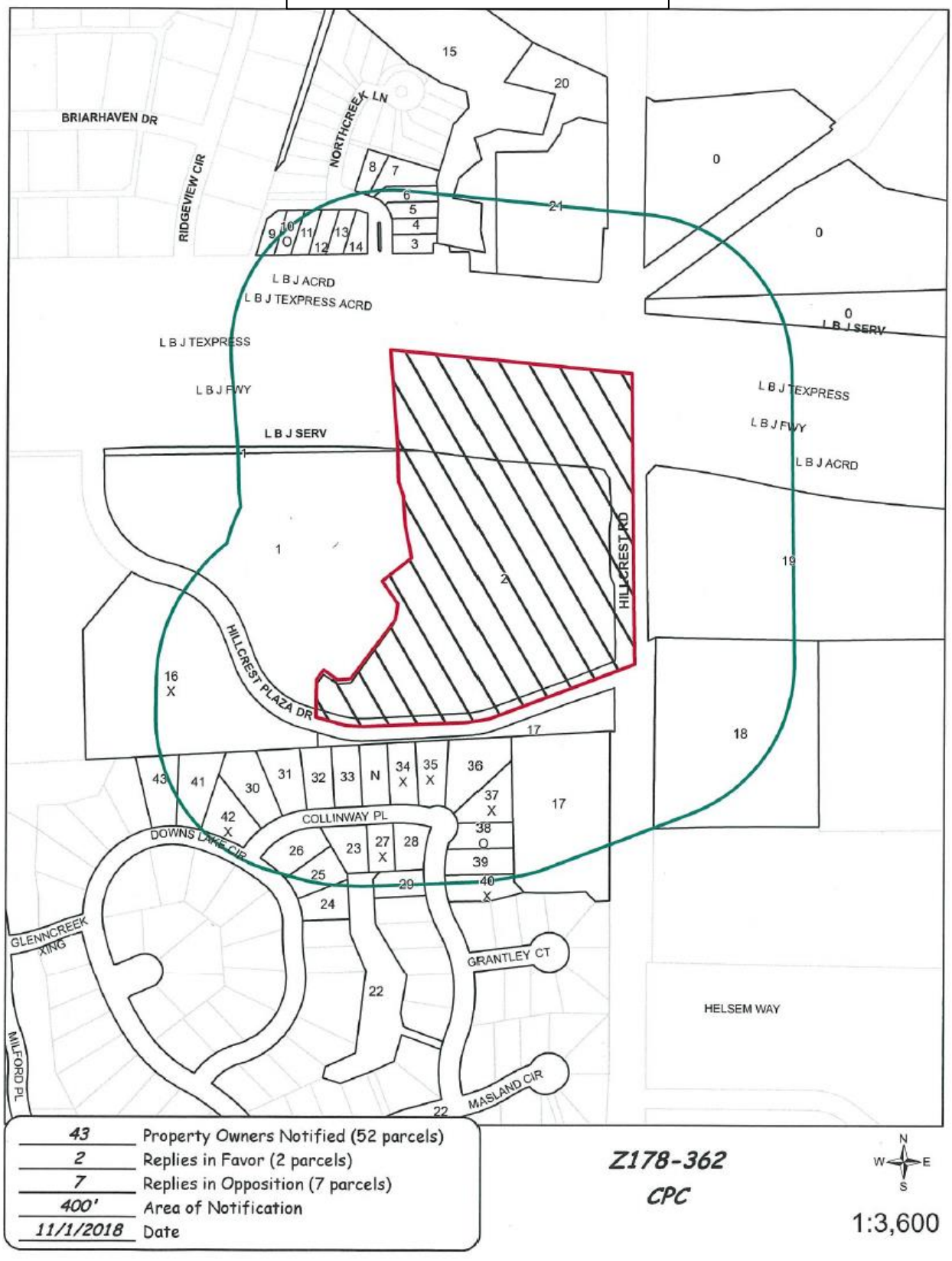
AERIAL MAP

Case no: Z178-362

Date: 10/17/2018


BRIARHAVEN DR
RIDGEVIEW CIR
NORTHCREEK LN
SFD
R-16(A)
PD 105
SFD
PD 285
PD 485
ASSISTED LIVING FACILITY
PUBLIC PARK
R-10(A)
R-1/2ac(A)
HILLCREST RD
L B J SERV
L B J TEXPRESS ACRD
L B J TEXPRESS
L B J ACRD
L B J FWY
L B J
OFFICE BUILDING
OFFICE BUILDING
NO(A)
PD 137
SUP 1892
SUP 2091
OFFICE BUILDING
HILLCREST PLAZA DR
OFFICE BUILDING
SUP 1888
Z74-207
GO(A)
CHURCH
R-1ac(A)
COLLINWAY PL
DOWNS LAKE CIR
SFD
GLENNCREEK XING
GRANTLEY CT
RYDDINGTON PL
PD 218
MULTIFAMILY
Z812-246
MF-1(A)
HELSEM WAY
PD 47
HELSEM WAY
1:3,600
ZONING AND LAND USE
Case no: Z178-362
Date: 10/17/2018

CPC RESPONSES



10/31/2018

Reply List of Property Owners

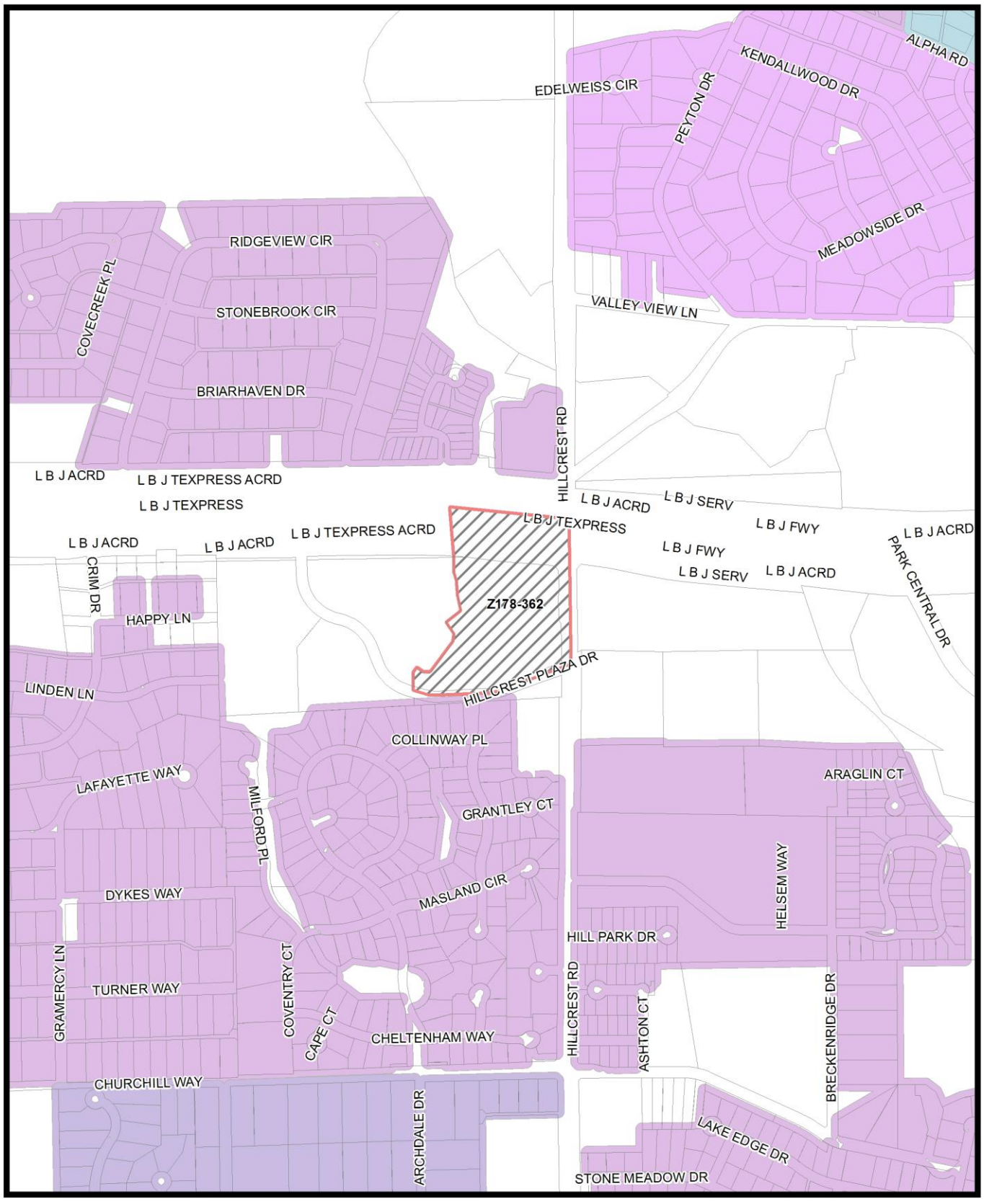
Z178-362

43 Property Owners Notified ***2 Property Owners in Favor*** ***7 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	6700	LBJ FWY	DB TRIPLE DIPPER HQ LLC
	2	6820	LBJ FWY	BRINKER INTERNATIONAL
	3	6706	NORTHCREEK LN	WARD JOHN
	4	6710	NORTHCREEK LN	SIWAN MAHMOUD
	5	6714	NORTHCREEK LN	FULCHER SALLY S
	6	6718	NORTHCREEK LN	TOBEY HARRIET F LF EST
	7	6720	NORTHCREEK LN	ESQUENAZI ABRAHAM
	8	6722	NORTHCREEK LN	NICHOLS JOHN C III
	9	6745	NORTHCREEK LN	POOL NICHOLAS
O	10	6739	NORTHCREEK LN	VALENTINE MARY JEAN
	11	6735	NORTHCREEK LN	HERRMANN THEODORE & CHARLOTTE
	12	6731	NORTHCREEK LN	LANIR DONNA
	13	6727	NORTHCREEK LN	BEDDOW KATHERINE T &
	14	6723	NORTHCREEK LN	ARBELAEZ IGNACIO JR
	15	6800	VALLEY VIEW LN	NORTHWOOD CREEK HMOWNERS
X	16	6750	HILLCREST PLAZA DR	HIBBS FINANCIAL CENTER
	17	6700	LBJ FWY	CORPORATION OF EPISCOPAL
	18	12700	HILLCREST RD	ONE HILLCREST PARTNERS LTD
	19	12800	HILLCREST RD	HARTMAN HILLCREST LLC
	20	13001	HILLCREST RD	SUNRISE HILLCREST SR LIV
	21	13001	HILLCREST RD	SUNRISE HILLCREST SR LIV
	22	6800	CHURCHILL WAY	DOWNS OF HILLCREST
	23	6	COLLINWAY PL	TALLAL JOSEPH J & PEGGY P
	24	51	DOWNS LAKE CIR	PITTMAN HAYDEN R
	25	49	DOWNS LAKE CIR	NAOR DANIEL
	26	47	DOWNS LAKE CIR	BIRK DAVID L & DIANE F

10/31/2018

Reply	*Label #*	*Address*		*Owner*
X	27	10	COLLINWAY PL	WYLL GENE E &
	28	12	COLLINWAY PL	DREYFUSS DEBRA C
	29	3	RYDDINGTON PL	DETHROW ANNE D & BRIAN L
	30	3	COLLINWAY PL	GOLDFARB ELAINE O & BEN A
	31	5	COLLINWAY PL	STRAND JAMES B & LINDA K
	32	7	COLLINWAY PL	EMANUELSON JENNIFER S
	33	9	COLLINWAY PL	HANSON GENE D & JO V
X	34	13	COLLINWAY PL	KANABAR BEEJESH J & JOSHIKA B
X	35	15	COLLINWAY PL	WALLACE CHARLES
	36	17	COLLINWAY PL	EHLERS MELVILLE V &
X	37	2	RYDDINGTON PL	THOMAS BILL E TRUSTEE
O	38	4	RYDDINGTON PL	WELCH TERRENCE S &
	39	6	RYDDINGTON PL	MARGOLIS JANET M
X	40	8	RYDDINGTON PL	RAY CAROLYN W & JODIE N
	41	43	DOWNS LAKE CIR	UNTERBERG MARK P & MADELINE L
X	42	1	COLLINWAY PL	SHAH JAGAT & BHAVNA
	43	41	DOWNS LAKE CIR	GIBSON JACK P &



MVACluster A B C D E F G H I NA

1:7,200

Market Value Analysis

Printed Date: 10/17/2018

Agenda Information Sheet

File #: 18-1373 **Item #:** 98.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 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 a Specific Use Permit for utility or government installation other than listed and for a microwave tower on property zoned Tract 3 within Planned Development District No. 598, on the west side of South Polk Street, between West Wheatland Road and Interstate Highway 20 (Lyndon B. Johnson Freeway)
Recommendation of Staff and CPC: Approval for a permanent period, subject to site plan and conditions
Z178-363(CY)

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HONORABLE MAYOR & CITY COUNCIL WEDNESDAY, DECEMBER 12, 2018
ACM: Majed Al-Ghafry

FILE NUMBER: Z178-363(CY) **DATE FILED:** September 7, 2018

LOCATION: West side of South Polk Street, between West Wheatland Road and Interstate Highway 20 (Lyndon B. Johnson Freeway)

COUNCIL DISTRICT: 8 **MAPSCO:** 74 B

SIZE OF REQUEST: Approx. 11.9 acres **CENSUS TRACT:** 111.01

OWNER/APPLICANT: 8800 S. Polk Partners, Inc.

REPRESENTATIVE: Rob Baldwin

REQUEST: An application for a Specific Use Permit for utility or government installation other than listed and for a microwave tower on property zoned Tract 3 within Planned Development District No. 598.

SUMMARY: The purpose of the request is to develop the site with a utility or government installation other than listed use limited to government offices and courtrooms [Dallas County offices and courtrooms], and a microwave tower to be used exclusively for government communications.

CPC RECOMMENDATION: **Approval** for a permanent period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a permanent period, subject to a site plan and conditions.

BACKGROUND INFORMATION:

- The 11.9-acre area of request is zoned Tract 3 within Planned Development District No. 598, is currently undeveloped and undergoing a platting process (S178-202).
- Planned Development District No. 598 was established by City Council on August 8, 2001 and comprises approximately 213.807 acres divided in five tracts (1A, 1B, 2, 2A and 3).
- The applicant proposes to develop the site with an 85,000-square-foot, two-story building to be used as offices and courtrooms for the Dallas County and a 200-foot tall microwave tower to be used exclusively for government communications.
- Utility or government installation other than listed is allowed by SUP only in Tract 3 of PD No. 598

Zoning History: There have been no zoning changes in the surrounding area in the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
West Wheatland Road	Principal Arterial	100 feet	100 feet
South Polk Street	Major Arterial	100 feet	90 feet

Traffic:

The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and staff recommends the elimination of the easternmost driveway on West Wheatland Road based on findings from the traffic study.

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:

LAND USE ELEMENT

GOAL 1.4 COORDINATE PLANNING ACTIVITIES TO BALANCE TRANSPORTATION, LAND USE, INFRASTRUCTURE AND THE ENVIRONMENT.

Policy 2.4.2 Coordinate development and planning activities.

URBAN DESIGN

GOAL 5.3 ESTABLISH WALK-TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Land Use:

	Zoning	Land Use
Site	PD No. 598 Tract 3	Undeveloped Land
North	PD No. 598 Tract 1B	Church
East	PD No. 598 Tract 3	Undeveloped Land, General Merchandise, Restaurant with drive-in or drive-thru window.
South	Regional Retail	Interstate Highway 20, Undeveloped Land
West	PD No. 598 Tract 3	Undeveloped Land.

Land Use Compatibility:

The approximate 11.9-acre site is zoned Tract 3 within Planned Development District No. 598 and is currently undeveloped.

The purpose of the request is to develop the site with an approximate 85,000-square-foot, two-story building, to be occupied with a utility or government installation other than listed use. The Dallas Development Code, as amended, defines a government installation other than listed as an installation owned or leased by a government agency and that is not specifically covered by the use regulations in this chapter. Typical government installations include city hall, a courthouse, or an elevated water storage reservoir. This use requires a specific use permit to operate under the existing zoning.

The government installation proposed to operate at the subject site will be limited to offices and courtrooms for the Dallas County.
The applicant also proposes to include a 200-foot-tall microwave tower for the use of the government installation as part of this request.

A list of the offices and services related to the government installation use was provided by the applicant and these include: Tax Office, Constable Office, Sheriff Traffic and Dispatch Office, Satellite Commissioners Office, Veterans Affairs Office, and a total of two court rooms for Justice of the Peace.

The property to the northwest of the area of request is zoned MF-2(A) Multifamily district and is developed with a multifamily use; properties to the north and northeast are zoned PD No. 598, Tract 1B and contain church, restaurant without drive-in or drive-through service, general merchandise, personal service and carwash uses; additional multifamily uses are found further to the northeast along West Wheatland Road. The properties to the east and west are zoned Tract 3 within PD No. 598 and are mainly undeveloped except for a general merchandise and a restaurant with drive-in or drive-through service uses located to the east, across South Polk Street. To the south is the service road of Interstate Highway 20 and across from the highway an undeveloped property zoned Regional Retail District.

It is important to note that although the maximum height allowed in Tract 3 of PD No. 598 is 70 feet, the proposed microwave tower use can be approved to exceed that height pursuant to the special height provisions of the Dallas Development Code, as amended, that establish that structures for utility and public service uses and institutional uses may be erected to any height consistent with the Federal Aviation Administration air space limitations, residential proximity slope height restrictions, and the building code [Sec. 51A-4.408(a)(1)].

The residential proximity slope is defined as a plane projected upward and outward from every site of origination. A site of origination for the residential proximity slope is defined in the Dallas Development Code, as any property in **a)** an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF-2(A) OR MF-2(SAH) district or **b)** an identifiable portion of a planned development or conservation district, which portion is restricted to residential uses not exceeding 36 feet in height.

The yard, lot and space regulations in Tract 3 within Planned Development District No. 598, establishes that if any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope (RPS). Provided that the zoning districts surrounding the area of request are non-residential districts nor portion of a planned development district restricted to residential uses not exceeding 36 feet in height, there is no site of origination for RPS for the proposed tower.

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.

In general, the applicant's request is consistent with the general provisions for a Specific Use Permit and is not foreseen to have an adverse impact on the surrounding zoning and land uses. Staff recommends approval for a permanent period subject to a site plan and conditions.

Market Value Analysis

Market Value Analysis (MVA), 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. The area of request is not within an identifiable MVA Category; however, it is in proximity to an "F" MVA Cluster to the northwest, and a "G" MVA Cluster to the northeast across West Wheatland Road.

Parking:

The Dallas Development Code, as amended, per Sec. 51A-4.212. (11)(ii)(C), establishes that the required off-street parking requirements for a utility or government installation other than listed can be determined by a ratio of a use that the Building Official determines is the most equivalent to the proposed use in terms of function, or if a specific use permit is required, the off-street parking regulations may be established in the ordinance granting the permit. It also specifies that in such cases, the city council shall consider the degree to which the use would create traffic hazards or congestion given the capacity of nearby streets, the trip generation characteristics of the use, the availability of public transit and the likelihood of its use and the feasibility of traffic mitigation measures. As depicted in the proposed site plan, 450 off-street parking spaces will be provided; considering the 85,000 square feet of floor area for the use, this is one space per approximately every 189 square feet of floor area.

Considering the operations of the proposed government installation, staff consulted with Building Inspections to determine that a parking ratio of 1 space for every 333 square feet of floor area can satisfy the parking demand for the use. This parking ratio is the ratio used to also determine the parking requirements for office uses. At this ratio, 255 parking spaces will be required for this use occupying the 85,000-square-foot building.

Landscaping:

At the time of development, landscaping must be provided in accordance with Article X of the Dallas Development Code, as amended.

PRIOR CPC ACTION- November 1, 2018

Z178-363(CY)

Motion: It was moved to recommend **approval** of a Specific Use Permit for utility or government installation other than listed and for a microwave tower for a permanent period, subject to site plan and conditions on property zoned Tract III within Planned Development District No. 598, on the west side of South Polk Street, between West Wheatland Road and Interstate Highway 20 (Lyndon B. Johnson Freeway).

Maker: Lewis
Second: Davis
Result: Carried: 13 to 0

For: 13 - West, Rieves, Davis, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Peadon, Murphy*, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 3, District 7

*out of the room, shown voting in favor

Notices: Area: 400 Mailed: 17
Replies: For: 1 Against: 0

Speakers: For: None
For (Did not speak): Darla Shirley, 1121 W. Wheatland Rd., Dallas, TX, 75232
Against: None

List of Officers

8800 S. Polk Partners, Inc.

South Palk Partners, Inc.

- R.D. Kelly Director
- Steve Perry Director
- Michael Lessel Director
- Michelle Dreyer Director

PROPOSED SUP CONDITIONS

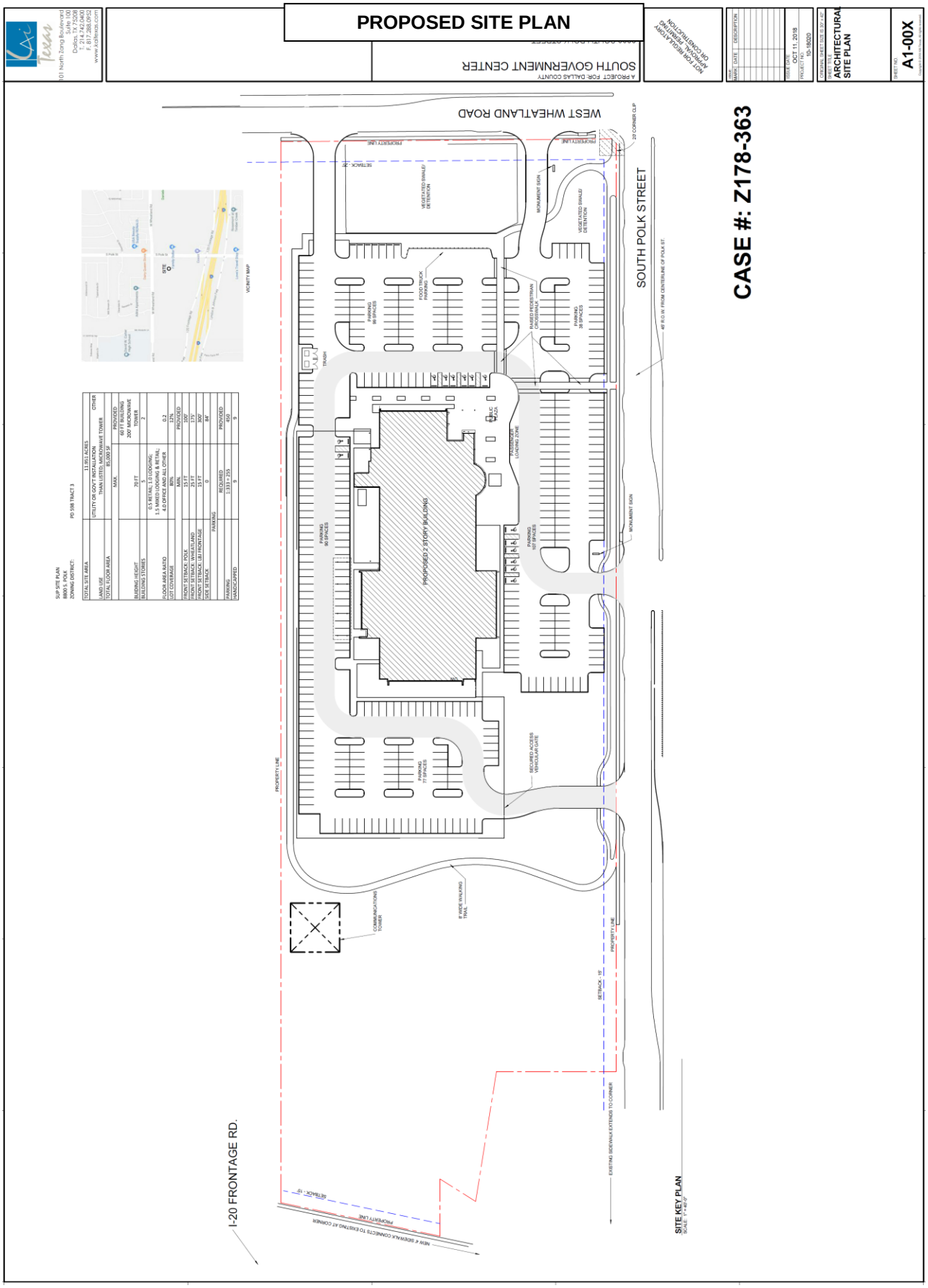
1. USE: The only use authorized by this specific use permit is utility or government installation other than listed, limited to government offices and courtrooms, and microwave tower use.

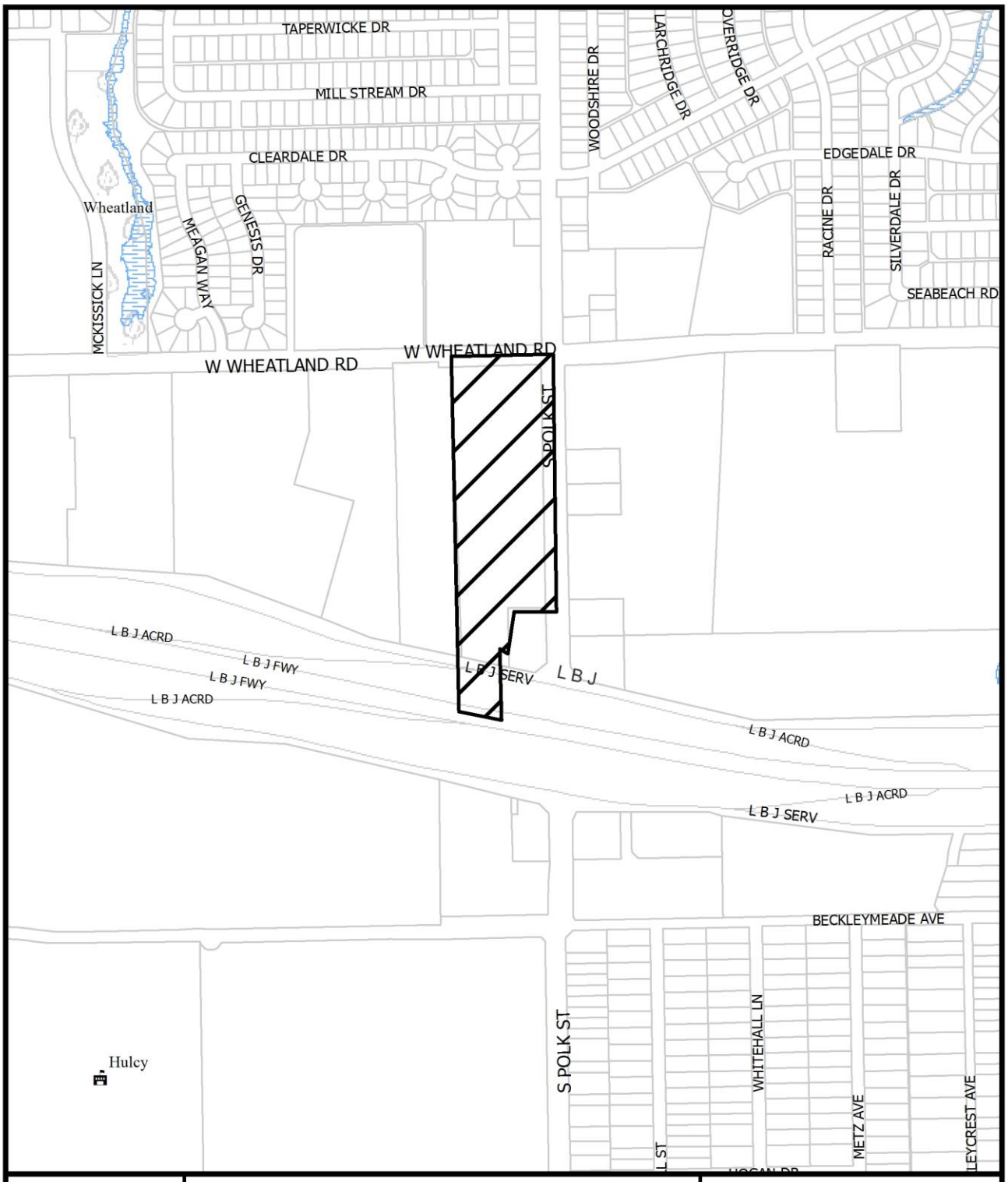
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

3. TIME LIMIT: This specific use permit has no expiration date.

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.


PROPOSED SITE PLAN
SOUTH GOVERNMENT CENTER
A PROJECT FOR DALLAS COUNTY
NOT FOR REGULATORY APPROVAL, PERMITTING OR CONSTRUCTION
ISSUE DATE: OCT 11, 2018
PROJECT No.: 18-19020
SHEET TITLE: ARCHITECTURAL SITE PLAN
SHEET NO.: A1-00X
CASE #: Z178-363
WEST WHEATLAND ROAD
SOUTH POLK STREET
I-20 FRONTAGE RD.
PROPOSED 2 STORY BUILDING
VICINITY MAP
SITE KEY PLAN
SCALE: 1" = 40'-0"
SUP SITE PLAN
8800 S. POLK
ZONING DISTRICT: PD 598 TRACT 3
TOTAL SITE AREA 11.951 ACRES
LAND USE UTILITY OR GOVT INSTALLATION OTHER
TOTAL FLOOR AREA 80,000 SF THAN LISTED; MICROWAVE TOWER
FLOOR AREA RATIO MAX PROVIDED
BUILDING HEIGHT 70 FT 60 FT BUILDING 200 FT MICROWAVE TOWER
BUILDING STORIES 5 2
FLOOR AREA RATIO 0.5 RETAIL, 1.0 LODGING, 1.5 MANUFACTURING & RETAIL, 4.0 OFFICE AND ALL OTHER 0.2
LOT COVERAGE 80% 17%
MIN. REQ. PROVIDED
FRONT SETBACK: POLK 15 FT 100'
FRONT SETBACK: WHEATLAND 15 FT 170'
FRONT SETBACK: I-20 FRONTAGE 15 FT 100'
SIDE SETBACK 0 384'
PARKING REQUIRED PROVIDED
PARKING 313 (1:250) 409
HANDICAPPED 9 9
SETBACK - 15'
SETBACK - 25'
PROPERTY LINE
EXISTING SIDEWALK EXTENDS TO CORNER
NEW 4' SIDEWALK CONNECTS TO EXISTING AT CORNER
8' WIDE WALKING TRAIL
COMMUNICATIONS TOWER
SECURED ACCESS VEHICULAR GATE
PASSENGER LOADING ZONE
MARKED PEDESTRIAN CROSSWALK
FOOD TRUCK PARKING
VEGETATED SWALE/ DETENTION
MONUMENT SIGN
TRASH
PARKING 99 SPACES
PARKING 77 SPACES
PARKING 107 SPACES
PARKING 30 SPACES
40' R.O.W. FROM CENTERLINE OF POLK ST.
20' CORNER CLIP



1:7,200

VICINITY MAP

Case no: Z178-363

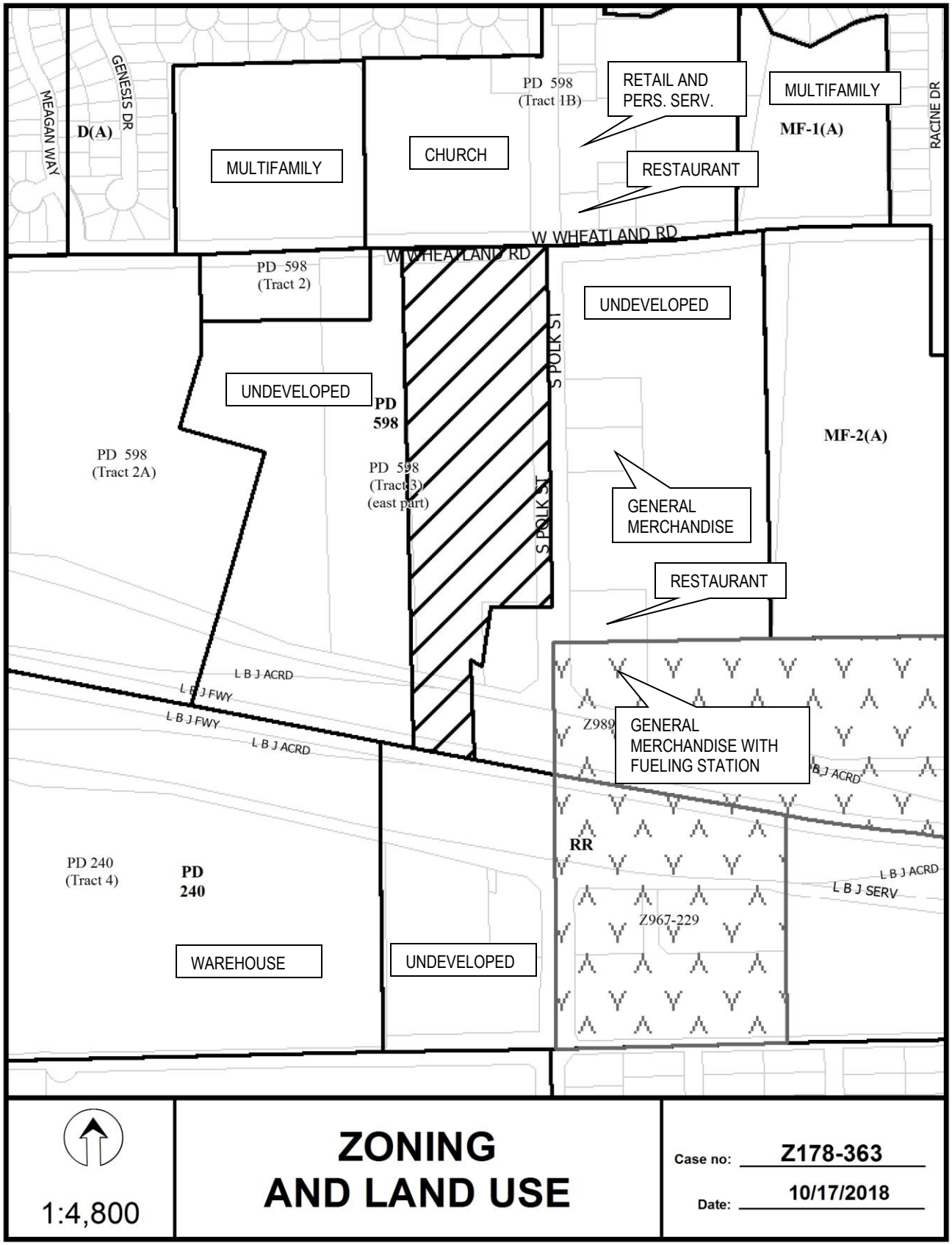
Date: 10/17/2018

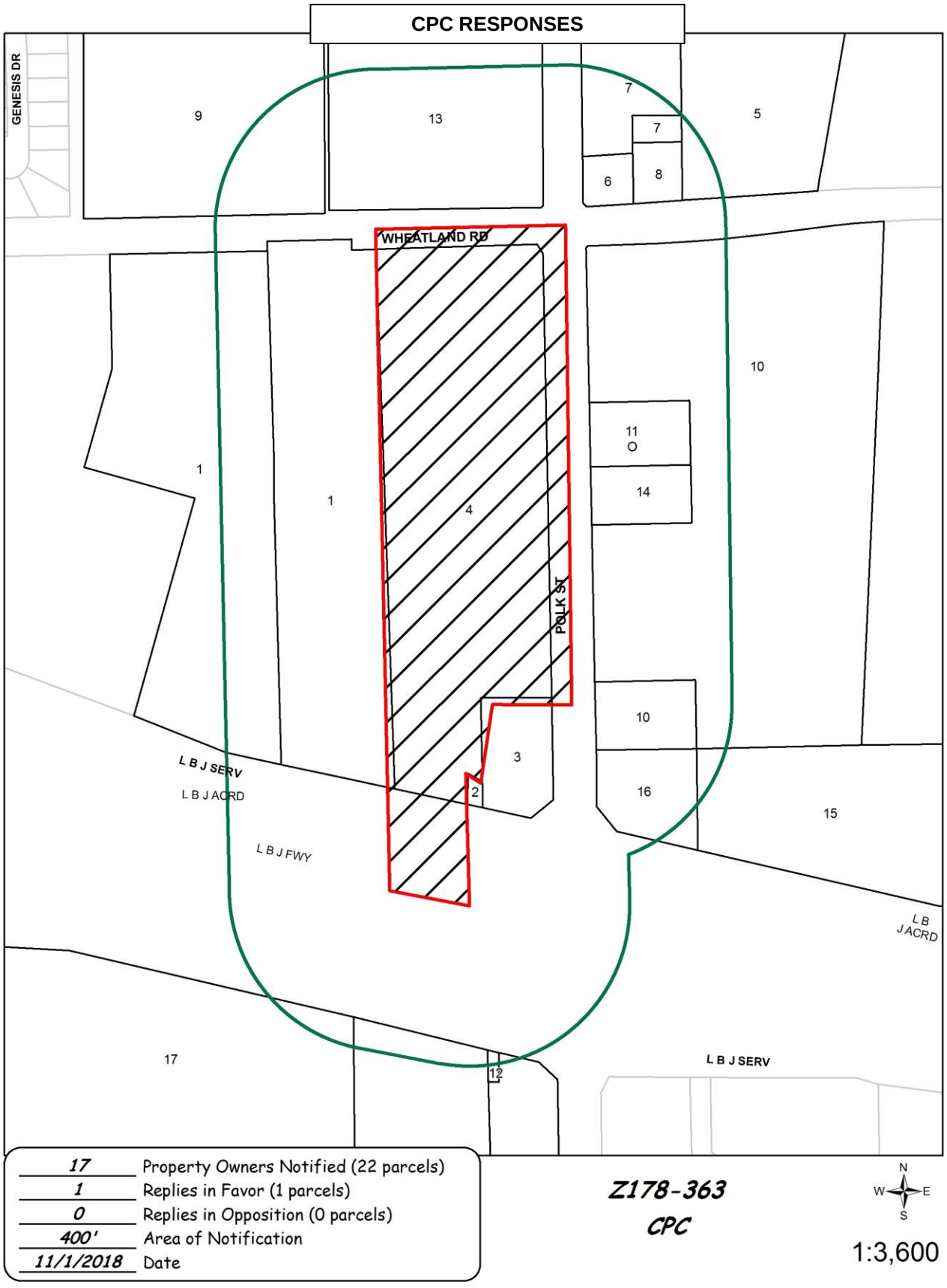
1:4,800

AERIAL MAP

Case no: Z178-363

Date: 10/17/2018


MEAGAN WAY
GENESIS DR
D(A)
MULTIFAMILY
CHURCH
PD 598
(Tract 1B)
RETAIL AND
PERS. SERV.
MULTIFAMILY
MF-1(A)
RACINE DR
RESTAURANT
W WHEATLAND RD
W WHEATLAND RD
PD 598
(Tract 2)
UNDEVELOPED
S POLK ST
UNDEVELOPED
PD
598
PD 598
(Tract 2A)
PD 598
(Tract 3)
(east part)
S POLK ST
MF-2(A)
GENERAL
MERCHANDISE
RESTAURANT
L B J ACRD
L B J FWY
L B J FWY
L B J ACRD
Z989
GENERAL
MERCHANDISE WITH
FUELING STATION
L B J ACRD
RR
PD 240
(Tract 4)
PD
240
L B J ACRD
L B J SERV
Z967-229
WAREHOUSE
UNDEVELOPED
1:4,800
ZONING
AND LAND USE
Case no: Z178-363
Date: 10/17/2018


CPC RESPONSES
GENESIS DR
WHEATLAND RD
POLK ST
L B J SERV
L B J ACRD
L B J FWY
L B J SERV
L B J ACRD
9
13
7
7
5
6
8
10
11
O
14
1
1
4
10
3
2
16
15
17
12
17 Property Owners Notified (22 parcels)
1 Replies in Favor (1 parcels)
0 Replies in Opposition (0 parcels)
400' Area of Notification
11/1/2018 Date
Z178-363
CPC
N
W
E
S
1:3,600

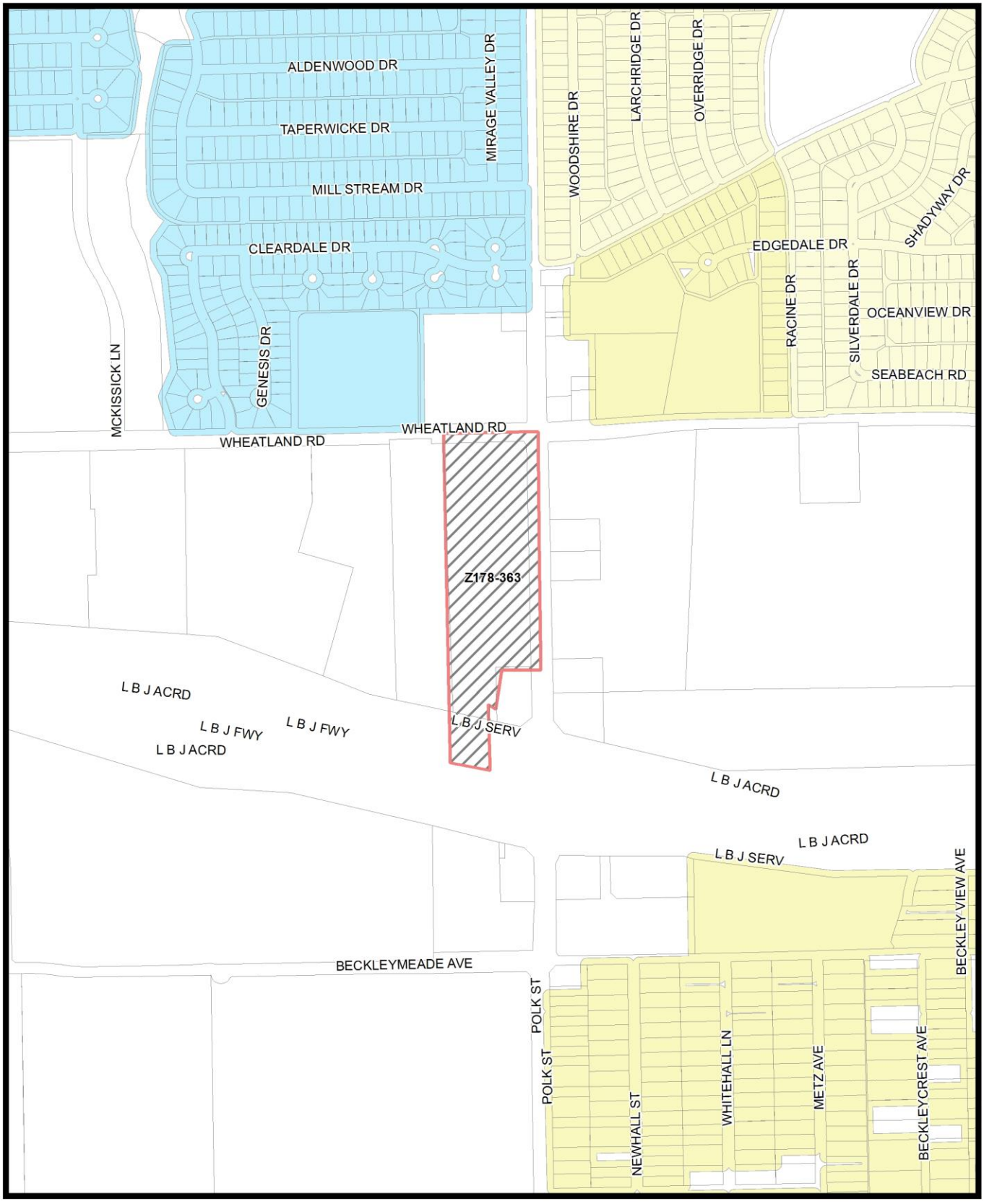
10/31/2018

Reply List of Property Owners

Z178-363

17 Property Owners Notified ***1 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	1150	W WHEATLAND RD	MEF WHEATLAND 20 LTD
	2	8200	S POLK ST	PRESCOTT INTERESTS BILLBOARDS LTD
	3	8800	S POLK ST	SIKKA INVESTMENTS LLC
	4	8800	S POLK ST	TRAYLOR MOTOR HOMES INC
	5	1005	W WHEATLAND RD	IRG WOODSHIRE LLC
	6	8150	S POLK ST	KIM MAN SUNG & CHONG YE
	7	8108	S POLK ST	POLK SOUTH INC
	8	1065	W WHEATLAND RD	LUCKY DUCKY CAR WASH LLC
	9	1301	W WHEATLAND RD	NAPALI FIVE LLC
	10	8602	S POLK ST	ECONO FUEL
O	11	8602	S POLK ST	TRAN HOA DINH
	12	39300	LBJ FWY	BUSBY OUTDOOR LLC
	13	1121	W WHEATLAND RD	CHURCH OF FAITH
	14	8550	S POLK ST	APPLE CARRIE COVE LLC
	15	8500	S POLK ST	TEMPLO BETANIA EVANGELISTIC
	16	8702	S POLK ST	VICTRON STORES LP
	17	39324	LBJ FWY	PR CROW PENN DISTRIBUTION LP



MVACluster A B C D E F G H I NA

1:7,200

Market Value Analysis

Printed Date: 10/17/2018

Agenda Information Sheet

File #: 18-1374 **Item #:** 99.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 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 the renewal of Specific Use Permit No. 2160 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, on property zoned Subarea 7 within Planned Development District No. 366-D-1, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay, on the northwest corner of South Buckner Boulevard and Scyene Road
Recommendation of Staff: Approval for a three-year period, subject to staff's recommended conditions
Recommendation of CPC: Approval for a two-year period, subject to conditions
Z156-305(SM)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, DECEMBER 12, 2018**

ACM: Majed Al-Ghafry

FILE NUMBER:	Z156-305(SM)	**DATE FILED:**	July 12, 2016
LOCATION:	Northwest corner of South Buckner Boulevard and Scyene Road		
COUNCIL DISTRICT:	5	**MAPSCO:**	48 Y
SIZE OF REQUEST:	Approx. 0.203 acres	**CENSUS TRACT:**	85.00

APPLICANT/OWNER: East Bengal Corporation

REQUEST: An application for the renewal of Specific Use Permit No. 2160 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, on property zoned Subarea 7 within Planned Development District No. 366-D-1, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to continue the sale of alcoholic beverages in the existing convenience store [Bengal Food Store].

CPC RECOMMENDATION: **Approval** for a two-year period, subject to conditions.

STAFF RECOMMENDATION: **Approval** for a three-year period, subject to staff's recommended conditions.

BACKGROUND INFORMATION:

- Aerial photography from 1957 shows the site developed with a gas station.
- In February 1992, the request area was included in the establishment of the Buckner Boulevard Special Purpose District.
- In 1998, the existing gas station was demolished and a new gas station was constructed.
- A permit to construct an addition that was not in compliance with the zoning regulations was issued in error in May 2005. Several inspections were conducted until early 2006. However, final inspections were not requested and in 2011, when a new permit was filed, the 2005 permit was revoked.
- On April 19, 2011, a new permit was applied for to finish the work from the 2005 addition permit, but the application was not approved and therefore expired because it did not comply with zoning regulations.
- An application to the Board of Adjustments (BDA101-072) was made June 6, 2011, for the setback and landscaping violations. The application was denied without prejudice on November 14, 2011.
- Specific Use Permit No. 2160 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less was approved on November 10, 2015, and expired on November 10, 2016.
- On April 10, 2017, a permit for the addition was approved but was later cancelled on July 17, 2017 by Building Inspection, who determined a permit was not required.
- Certificate of Occupancy No. 1611171088 was issued on July 24, 2017, when the site passed all inspections.
- The site's Convenience Store Certificate of Registration expired on August 15, 2017.
- On October 30 and December 18, 2017, and on February 20, May 29, July 26, and October 3, 2018, the site failed inspections necessary for compliance with Chapter 12B of the Dallas City Code, Convenience Stores.
- On November 1, 2018, the site passed inspections necessary for compliance with Chapter 12B of the Dallas City Code, Convenience Stores.

Zoning History: There has been no recent zoning changes in the vicinity within the last five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing Dimension
South Buckner Boulevard	Principal Arterial	Standard-6 lanes-Divided, 107 feet R.O.W.
Scyene Road	Community Collector	Standard-4 lanes-Undivided, 60 feet R.O.W.

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 *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.

STAFF ANALYSIS:

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 366 Subarea 1	Retail with gas station
North, West & South	R-7.5(A), SUP 92	Cemetery
East	PDD No. 366 Subarea 6	Restaurant with drive-through service

Land Use Compatibility: The predominate land use that surrounds the request site to the north, west and south is a cemetery. The uses to the east of the request site are primarily retail auto-oriented buildings that line the eastern border of South Buckner Boulevard. A drive through restaurant is located immediately east of the request site. To the northeast and southeast are pawn shops and auto-related uses.

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 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. Because the applicant has struggled to meet the minimum standards to obtain a Convenience Store registration as further discussed below, CPC and staff do not support automatic-renewals at this time.

The general merchandise or food store 3,500 square feet or less 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 August 15, 2017, approximately 11 months 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. The site passed inspections necessary for compliance with Chapter 12B of the Dallas City Code, Convenience Stores.

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 2,112-square-foot convenience store requires 11 parking spaces for a total of 13 spaces for the site. 13 parking spaces are shown on the previously 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, calls, and arrests from the Dallas Police Department for the period between January 1, 2015 to August 1, 2018.

Incident No.	Date	Time	UCR Offense	MO
138082-2018	6/25/2018	18:03	Robbery-Individual	Unknown suspect took comps money by force
076624-2018	4/12/2018	14:15	Assault	Unknown suspect hit comp causing injury
049959-2018	3/9/2018	6:00	Assault	AP kicked comp with her foot causing pain
049959-2018	3/9/2018	6:00	Drunk & Disorderly	AP was under the influence in a public place
011119-2018	1/15/2018	21:20	Not Coded	A/P wants to commit suicide.
281880-2017	12/12/2017	10:00	Criminal Trespass	Criminal Trespass Affidavit
128261-2017	6/7/2017	1:20	Robbery-Business	Suspect entered held witness at gun point demanded prop
121116-2017	5/29/2017	18:45	Miscellaneous	MIR
098173-2017	5/1/2017	15:00	Found	Found property report
214250-2016	9/5/2016	17:07	Accident MV	Unknown suspect was involved in a crash with victim and fled
196484-2016	8/15/2016	14:45	Criminal Trespass	Criminal Trespass Affidavit on file
142190-2016	6/12/2016	15:15	Assault	Suspect choked and hit comp causing pain and impeded breathing.
144000-2015	6/24/2015	1:50	UUMV	*No information provided.*
134227-2015	6/12/2015	20:30	Liquor Offense	*No information provided.*
093782-2015	4/27/2015	5:00	Robbery-Business	*No information provided.*
035839-2015	2/15/2015	3:00	Assault	*No information provided.*

Note: UUMV means unauthorized use of motor vehicle.

Incident No.	Date	Time	Problem	Priority Description
18-1352067	7/26/2018	10:50	58 - Routine Investigation	7 - Unit Initiated
18-1139282	6/25/2018	18:06	20 - Robbery	2 - Urgent
18-0951624	5/29/2018	13:06	58 - Routine Investigation	7 - Unit Initiated
18-0905832	5/22/2018	18:05	40 - Other	3 - General Service
18-0649664	4/14/2018	3:51	20 - Robbery	2 - Urgent
18-0493256	3/21/2018	6:57	21B - Business Hold Up	2 - Urgent
18-0414818	3/9/2018	6:13	40/01 - Other	2 - Urgent
18-0309907	2/20/2018	11:11	58 - Routine Investigation	7 - Unit Initiated
18-0141815	1/23/2018	17:09	32 - Suspicious Person	2 - Urgent
17-2179355	11/16/2017	19:19	6X - Major Dist (Violence)	2 - Urgent
17-2020003	10/23/2017	17:41	6X - Major Dist (Violence)	2 - Urgent
17-1912903	10/7/2017	23:34	6X - Major Dist (Violence)	2 - Urgent
17-1722108	9/9/2017	17:21	PSE/09 - Theft	5 - Expediter
17-1077752	6/7/2017	1:28	20 - Robbery	2 - Urgent
17-1017779	5/29/2017	18:59	07 - Minor Accident	3 - General Service
17-0828201	5/2/2017	19:01	40 - Other	3 - General Service
17-0727415	4/17/2017	17:14	PH - Panhandler	4 - Non Critical
17-0394461	2/28/2017	22:48	04 - 911 Hang Up	2 - Urgent
16-1621023	8/15/2016	15:02	6X - Major Dist (Violence)	2 - Urgent
16-1491430	7/28/2016	20:38	40 - Other	3 - General Service
16-1468157	7/25/2016	16:30	6X - Major Dist (Violence)	2 - Urgent
16-1303250	7/3/2016	7:22	6X - Major Dist (Violence)	2 - Urgent
16-1296821	7/2/2016	12:16	6X - Major Dist (Violence)	2 - Urgent
16-1241019	6/25/2016	3:16	46 - CIT	2 - Urgent
16-1230894	6/23/2016	21:05	6X - Major Dist (Violence)	2 - Urgent

16-1200877	6/19/2016	21:31	7X - Major Accident	2 - Urgent
16-1151966	6/13/2016	13:22	07 - Minor Accident	3 - General Service
16-0635342	4/4/2016	13:05	6X - Major Dist (Violence)	2 - Urgent
15-2573828	12/25/2015	1:40	6X - Major Dist (Violence)	2 - Urgent
15-2051835	10/9/2015	8:49	6X - Major Dist (Violence)	2 - Urgent
15-1985370	9/29/2015	20:11	6X - Major Dist (Violence)	2 - Urgent
15-1809782	9/5/2015	21:09	41/20 - Robbery - In Progress	1 - Emergency
15-1809782	9/5/2015	21:09	41/20 - Robbery - In Progress	1 - Emergency
15-0797585	4/27/2015	5:28	20 - Robbery	2 - Urgent
15-0690903	4/12/2015	16:05	6X - Major Dist (Violence)	2 - Urgent
15-0301296	2/15/2015	3:12	6X - Major Dist (Violence)	2 - Urgent

Charge Description	Arrest No.	Date	Time	Charge	UCR Offense
Public Intoxication	18-007837	3/9/2018	30:00.0	Public Intoxication	Drunk & Disorderly
Assault -Pub Serv (Peace Officer/Judge)	18-007837	3/9/2018	30:00.0	Null	Null
APOWW (Social Services Referral)	18-001758	1/15/2018	05:00.0	APOWW	Not Coded

PRIOR CPC ACTION – August 2, 2018:

Motion: In considering an application for the renewal of Specific Use Permit No. 2160 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, on property zoned Subarea 7 within Planned Development District No. 366–D-1, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay, on property on the northwest corner of South Buckner Boulevard and Scyene Road, it was moved to **hold** this case under advisement until September 6, 2018.

Maker: Shidid
Second: Schultz
Result: Carried: 13 to 0

For: 13 - West, Rieves, Houston, Davis, Shidid, Carpenter, Mack, Jung, Housewright, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Tarpley
Vacancy: 1 - District 8

Notices: Area: 200 Mailed: 9
Replies: For: 0 Against: 0

Speakers: None

PRIOR CPC ACTION – September 6, 2018:

Motion: In considering an application for the renewal of Specific Use Permit No. 2160 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, on property zoned Subarea 7 within Planned Development District No. 366-D-1, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay, on property on the northwest corner of South Buckner Boulevard and Scyene Road, it was moved to **hold** this case under advisement until September 20, 2018.

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

Notices: Area: 200 Mailed: 9
Replies: For: 1 Against: 0

Speakers: None

PRIOR CPC ACTION – September 20, 2018:

Motion: In considering an application for the renewal of Specific Use Permit No. 2160 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, on property zoned Subarea 7 within Planned Development District No. 366-D-1, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay, on property on the northwest corner of South Buckner Boulevard and Scyene Road, it was moved to **hold** this case under advisement until October 4, 2018.

Maker: Shidid
Second: Schultz
Result: Carried: 14 to 0

For: 14 - West, Rieves, Davis, Shidid, Carpenter, Mack, Lewis, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 1 - District 3

Notices: Area: 200 Mailed: 9
Replies: For: 1 Against: 0

Speakers: None

PRIOR CPC ACTION – October 4, 2018:

Motion: In considering an application for the renewal of Specific Use Permit No. 2160 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, on property zoned Subarea 7 within Planned Development District No. 366-D-1, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay, on the northwest corner of South Buckner Boulevard and Scyene Road, it was moved to **hold** this case under advisement until November 1, 2018.

Maker: Shidid
Second: Murphy
Result: Carried: 13 to 0

For: 13 - West, Rieves, Davis, Shidid, Carpenter, Lewis, Jung, Housewright*, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 3, District 7

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 9
Replies: For: 1 Against: 0

Speakers: None

PRIOR CPC ACTION – November 1, 2018:

Motion: It was moved to recommend **approval** of the renewal of Specific Use Permit No. 2160 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a two-year period, subject to staff's recommended conditions on property zoned Subarea 7 within Planned Development District No. 366-D-1, the Buckner Boulevard Special Purpose District with a D-1 Liquor Control Overlay, on the northwest corner of South Buckner Boulevard and Scyene Road.

Maker: Shidid
Second: Murphy
Result: Carried: 13 to 0

For: 13 - West, Rieves, Davis, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley*

Against: 0
Absent: 0
Vacancy: 2 - District 3, District 7

*out of the room, shown voting in favor

Notices: Area: 200 Mailed: 9
Replies: For: 1 Against: 0

Speakers: None

EAST BENGAL CORPORATION DIRECTORS

DIRECTOR **MOHAMMAD HOSSAIN**
3609 UNIVERSITY PARK
IRVING, TEXAS 75062

DIRECTOR **MUHAMMED SULTAN**
1400 HUDSPETH DRIVE
CARROLLTON, TEXAS 75010

DIRECTOR **RAIHANULCHOWDHURY**
1121 EMILY LN
CARROLLTON , TX 75010

CPC Recommended SUP No. 2160 Amendment

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 3,500 square feet or less.

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 [two years from the passage of this ordinance] [~~November 10, 2016.~~]

Staff recommendation:

3. TIME LIMIT: This specific use permit expires on [three years from the passage of this ordinance] [~~November 10, 2016.~~]

Applicant's request:

3. TIME LIMIT: This specific use permit expires on [three 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.) [~~November 10, 2016.~~]

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.

Existing Site Plan (no changes)

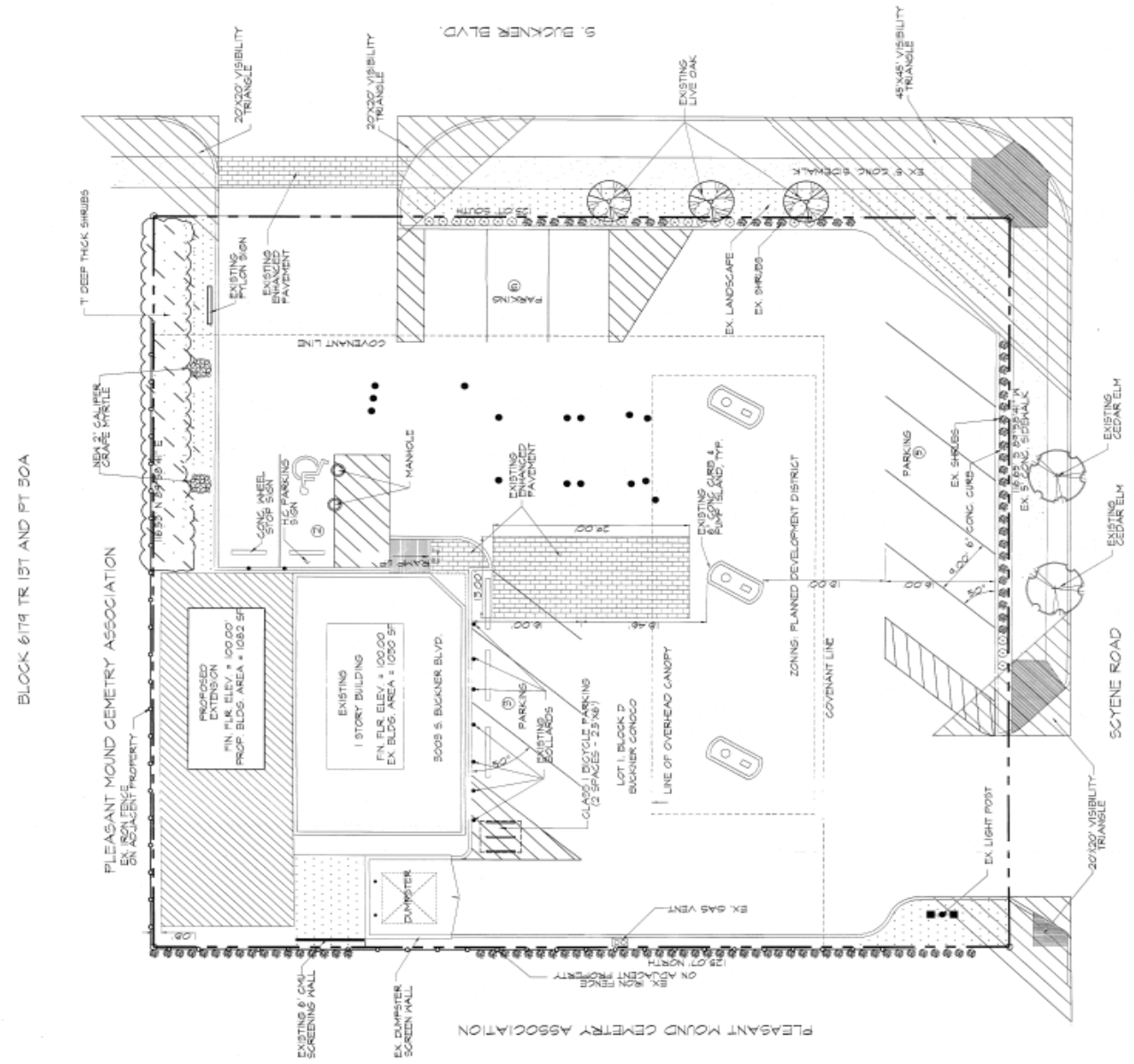
SITE DATA SUMMARY	
OCCUPANCY CLASSIFICATION	GENERAL MERCHANDISE OR FOOD STORE MOTOR VEHICLE FUELING STATION
MAXIMUM LOT COVERAGE	80%
PROPOSED BUILDING AREA	2,112.0 S.F.
MAXIMUM BUILDING HEIGHT	45'
MINIMUM FRONT YARD	15'
MINIMUM SIDE/ REAR YARD	0'
MAXIMUM FLOOR AREA RATIO	0.75
REQUIRED PARKING	13 SPACES
PROVIDED PARKING	
STANDARD	12 SPACES
HANDICAP	1 SPACE
TOTAL	13 SPACES
BICYCLE PARKING REQUIRED	2 SPACES
BICYCLE PARKING PROVIDED	2 SPACES
LANDSCAPING	1332.86 S.F.
MINIMUM SIDEWALK	5'

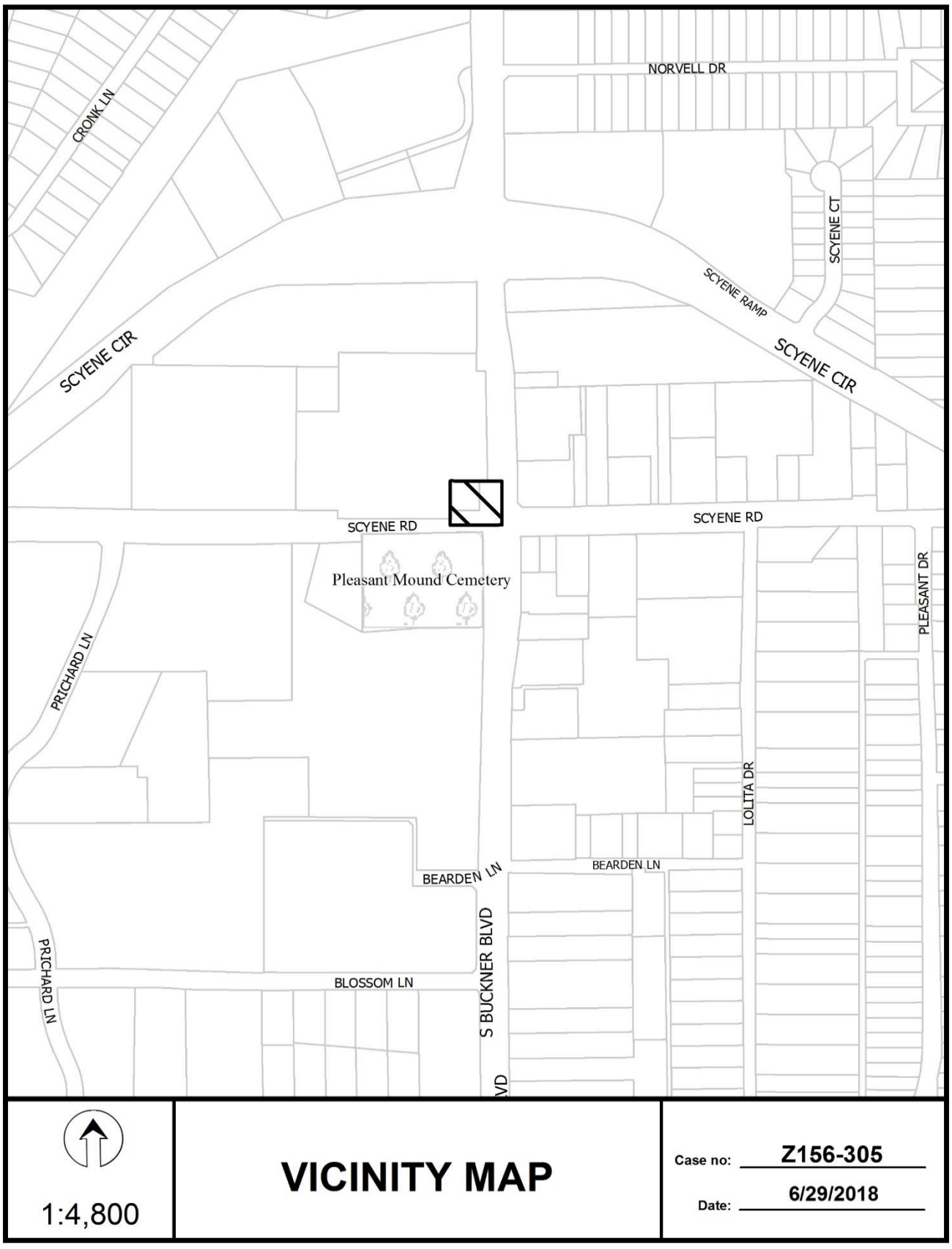
PLANT LIST

EXISTING TREES	QTY.	COMMON NAME
	3	LIVE OAK
	2	CEDAR ELM
	2	CRAPE MYRTLE
TOTAL	7	

EXISTING SHRUBS	QTY.	
	135	SHRUBS
TOTAL	135	

① TILL IN SHRUBS TO PROVIDE CONTINUOUS SCREEN WHERE LARGE SHRUBS ARE PLANTED NO CLOSER THAN 24" ON CENTER (SHRUBS TYPE TO MATCH EXISTING)



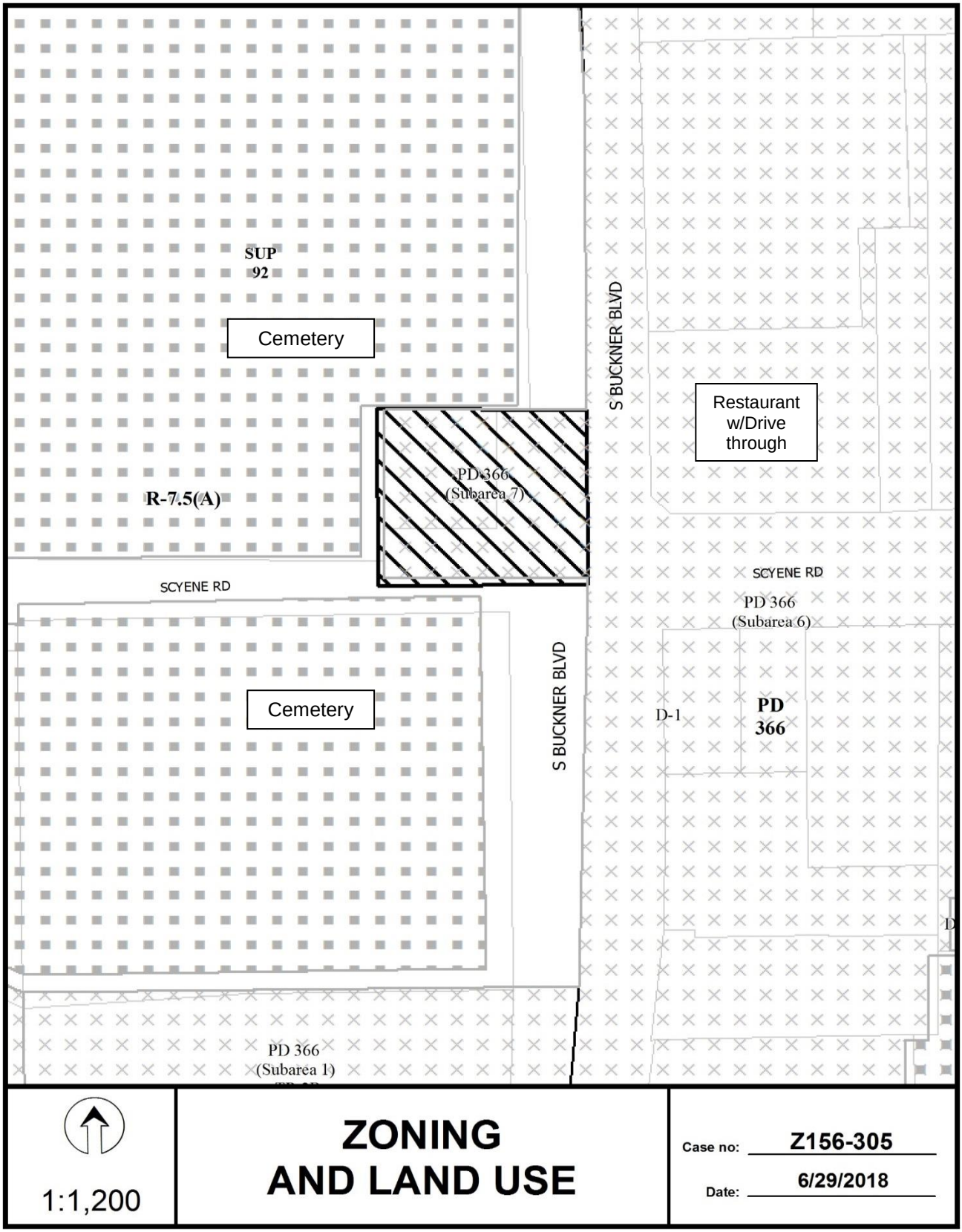

NORVELL DR
CRONK LN
SCYENE CT
SCYENE RAMP
SCYENE CIR
SCYENE CIR
SCYENE RD
SCYENE RD
Pleasant Mound Cemetery
PLEASANT DR
PRICHARD LN
LOLITA DR
BEARDEN LN
BEARDEN LN
S BUCKNER BLVD
PRICHARD LN
BLOSSOM LN
1:4,800
VICINITY MAP
Case no: Z156-305
Date: 6/29/2018

1:1,200

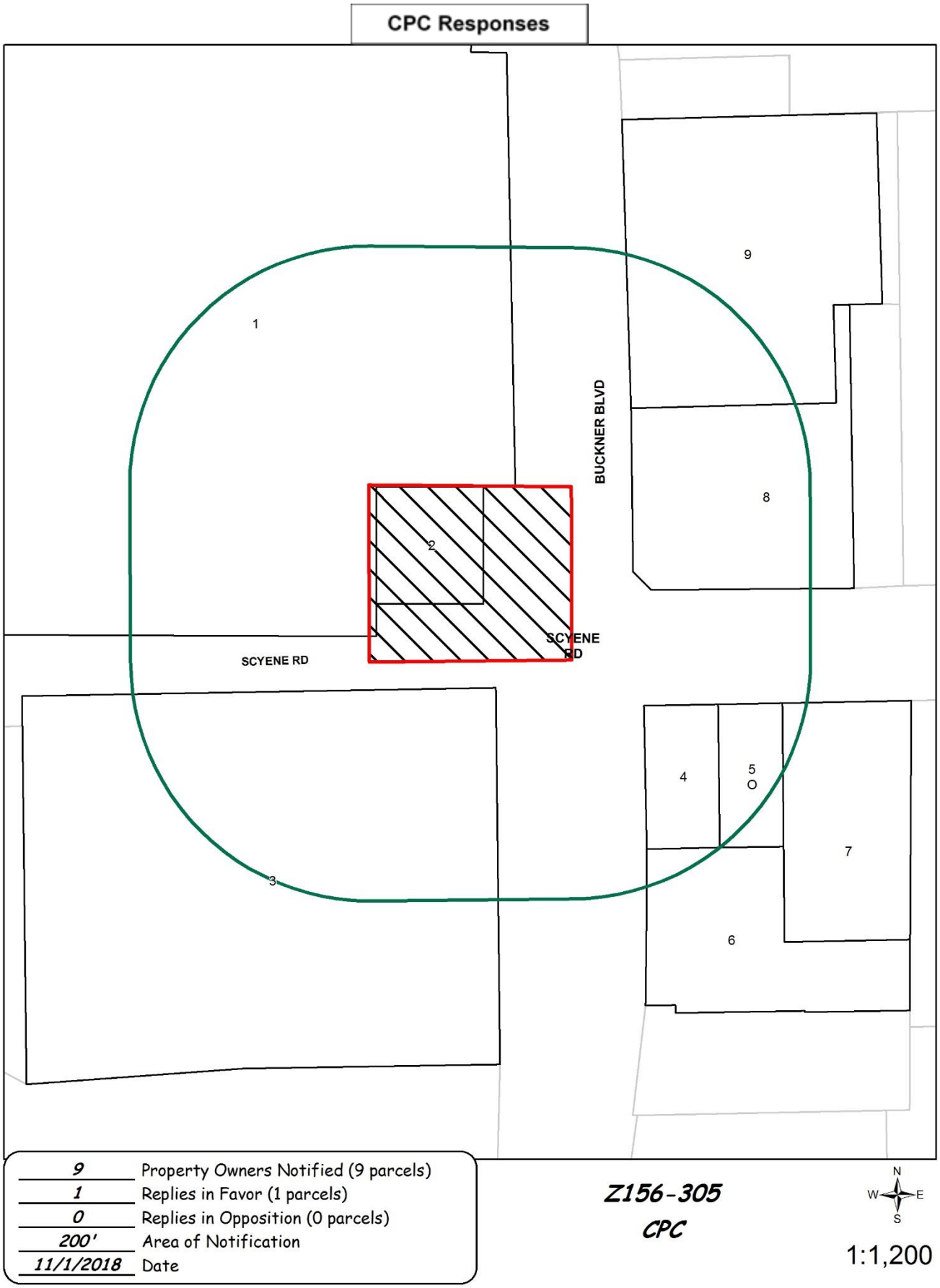
AERIAL MAP

Case no: Z156-305

Date: 6/29/2018


SUP
92
Cemetery
R-7.5(A)
PD 366
(Subarea 7)
SCYENE RD
Cemetery
PD 366
(Subarea 1)
S BUCKNER BLVD
S BUCKNER BLVD
Restaurant
w/Drive
through
SCYENE RD
PD 366
(Subarea 6)
D-1
PD
366
1:1,200
ZONING
AND LAND USE
Case no: Z156-305
Date: 6/29/2018

Z156-305(SM)


CPC Responses
1
2
3
4
5
O
6
7
8
9
BUCKNER BLVD
SCYENE RD
SCYENE RD
9 Property Owners Notified (9 parcels)
1 Replies in Favor (1 parcels)
0 Replies in Opposition (0 parcels)
200' Area of Notification
11/1/2018 Date
Z156-305
CPC
N
W
E
S
1:1,200

10/31/2018

Reply List of Property Owners

Z156-305

9 Property Owners Notified ***1 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	3151	S BUCKNER BLVD	PLEASANT MOUND CEMETERY
	2	3003	S BUCKNER BLVD	EAST BENGAL CORP
	3	8050	SCYENE RD	CEMETERY
	4	2952	S BUCKNER BLVD	MONA & NADA CORPORATION
O	5	8106	SCYENE RD	ZUNIGA CLAUDIA Y
	6	2940	S BUCKNER BLVD	MITCHELL WILLIAM J &
	7	8116	SCYENE RD	LEWIS PAUL C
	8	3004	S BUCKNER BLVD	FIREBRAND PROPERTIES LP
	9	3110	S BUCKNER BLVD	FIRST CASH LTD

Agenda Information Sheet

File #: 18-1375 **Item #:** 100.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 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 a Specific Use Permit for a tower/antenna for cellular communication on property zoned an R-7.5(A) Single Family District and an MF-2(A) Multifamily District, on the south side of West Wheatland Road, east of South Polk Street
Recommendation of Staff: Denial
Recommendation of CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site/elevation plan and conditions
Z178-140(JM)

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, DECEMBER 12, 2018**

ACM: Majed Al-Ghafry

FILE NUMBER:	Z178-140(JM)	**DATE FILED:**	November 22, 2017
LOCATION:	South side of West Wheatland Road, east of South Polk Street		
COUNCIL DISTRICT:	8	**MAPSCO:**	74 B; C
SIZE OF REQUEST:	Approx. 2.617 acres	**CENSUS TRACT:**	110.04

APPLICANT: John Gatz, Eco-Site, LLC

OWNER: Community Bible Church

REPRESENTATIVE: Jon Mitchell, Towersource Inc., LLC

REQUEST: An application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned an R-7.5(A) Single Family District and an MF-2(A) Multifamily District.

SUMMARY: The purpose of this request is to permit the construction of a stealth tower for cellular communication in the form of a bell tower [T-Mobile]. The tower will be a maximum height of 100 feet and will include a five-foot lightning rod for a total height not to exceed 105 feet above ground level.

CPC RECOMMENDATION: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site/elevation plan and conditions.

STAFF RECOMMENDATION: **Denial**

BACKGROUND INFORMATION:

- On October 4, 2018, the City Plan Commission recommended approval of this request for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a revised site plan, revised elevation plan and conditions with the following modifications: 1) require a minimum eight-foot-high vinyl fence and access gate must be provided in the locations shown on the attached site plan, and 2) move the tower/antenna 50 feet east. Revised plans have been provided.

- On June 22, 2017, the City Plan Commission recommended denial of a request for an SUP for a monopole tower for cellular communication up to 75 feet in height. The case was withdrawn, a two-year waiver was submitted on August 17, 2017, and subsequently approved by CPC on September 28, 2017.

- The area of request is approximately 2.61 acres and is developed with a church, while largely undeveloped towards the southern portion of the property.

- The SUP site contains a 2,500-square-foot lease area, located in the southwest quadrant of the church's property, for the proposed stealth tower for cellular communication. The existing church was constructed in February of 1971. The current tenant, Community Bible Church, has had an active Certificate of Occupancy beginning in October of 2012.

- The Specific Use Permit allows this additional use of the property and does not change the existing R-7.5(A) Single Family District zoning. The uses permitted by the present zoning will continue to be allowed.

Zoning History: There has not been any zoning changes request in the area for the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
West Wheatland Road	Principal Arterial	100 ft.	100 ft.

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.

There are no goals or policies supporting or opposing the request.

Land Use:

	Zoning	Land Use
Site	R-7.5(A), MF-2(A)	Church
North	R-7.5(A)	Single Family
South	MF-2(A)	Undeveloped
East	MF-2(A)	Undeveloped
West	R-7.5(A) and MF-2(A)	Undeveloped

Land Use Compatibility:

The request site is adjacent to an undeveloped tract of land to the south, east and west. North of the site, across West Wheatland Road, is developed with single family uses.

The area of request is approximately 2.61 acres and is developed with a church. The SUP site contains a 2,500-square-foot lease area, located in the southwest quadrant of the church's property, for the proposed stealth tower for cellular communication. The stealth tower, in the form of a bell tower, will be a maximum height of 100 feet and will include a five-foot lightning rod for a total height not to exceed 105 feet above ground level. The proposed location of the 105-foot stealth tower is approximately 418 feet south of the single-family zoning district to the north, with the following distances from adjacent multifamily zoned properties: 232 feet to the east, 50 feet to the south, and 55 feet to the west.

The site is located in an MF-2(A) Multifamily District and an R-7.5(A) Single Family District and residential proximity slope (RPS) height restrictions apply. However, the development code allows tower/antennas for cellular communication to exceed RPS with a Specific Use Permit if the City Council determines the criteria of a Specific Use Permit are met. In order to comply with RPS originating from the eastern, southern, and western property lines, the tower would have to be setback 50 feet from the property line where the site is directly adjacent to an MF-2(A) Multifamily District. The RPS that

commences from these sites of origination are at a 1-to-1 slope that terminates at 50 linear feet from the site of origination. Encroachments into RPS are considered for any structure that exceeds 26 feet in height. The new proposed location of the tower complies with the 50-foot minimum setback.

It is important to know that RPS does not originate from within a residentially zoned district, only from outside of the zoning district. RPS does not exist from within, for example, the R-7.5(A) Single Family District. However, if this property were a commercial district, residential proximity slope would originate from the private properties zoned R-7.5(A) across West Wheatland Road and the proposed tower would not encroach into this slope. The distance from the private property lines fronting on West Wheatland Road to the proposed location of the stealth tower is approximately 418 linear feet. This would allow the tower to be constructed to a maximum height of 139 feet before it encroached into the 1-to-3 RPS slope. The proposed tower is detailed to be a maximum height of 105 feet; therefore, if this property were zoned a commercial district the 1-to-3 RPS slope would not hinder the proposed height of this tower. RPS does exist from the adjacent MF-2(A) Multifamily District projecting toward and into the R-7.5(A) Single Family District and vice versa.

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.

Although cellular towers provide improved utility services to surrounding properties, it is staff's position that the location of the proposed tower is inappropriate due to the openness of the site and the potential negative impact that it may have on adjacent developed and undeveloped land surrounding the area of request. Staff considered if any screening elements would buffer the tower and concluded that the buffering elements would be more effective if installed near the street which is outside of the proposed lease area of the cellular tower. The request is inconsistent in scale with surrounding properties. If the Commission would like to approve this case, suggested conditions are attached to this report. The proposed site plan fully complies with the suggested conditions. The plan was amended significantly from the prior submittal and subsequent denial. An eight-foot-tall wooden fence with an eight-foot-tall access gate now surrounds the perimeter of the lease area.

Staff believes that due to the close proximity of existing adjacent cellular towers as shown on the map provided by the applicant (Page 13), direct residential adjacency, and how undeveloped and open this site is, that this area of request is not an ideal location for this proposed development based on land use planning practices. Staff asked the applicant about possible collocation of these carriers to adjacent towers, no additional information was provided to say whether or not this was an option. Staff previously recommended that the tower be moved closer to the rear of the church building to help screen the tower, the applicant did not provide additional information as to why this relocation could not happen, but did move and expand the overall lease area. Staff did recommend a stealth design for the tower instead of the typical cellular tower with various antenna cells. This request was achieved with the newly proposed stealth bell tower design. Staff had previously requested a balloon test. This was completed on July 17, 2018. Photos of different vantage points as they exist, with the balloon test, and in computer simulation of the proposed tower, have been compiled into pages 16-22 of this report.

The request denied by the CPC on June 22, 2017, was for a monopole tower with a maximum height of 100 feet in a location which was noncompliant with RPS as explained above. Additionally, the applicant failed to provide a rationale or evidence of the requirement of the tower to be 100 feet. The request today has addressed the design and location of the tower; yet, propagation maps submitted identified only the extension of service to be provided by the proposed tower, with the cellular antenna mounted at 95 feet with no comparison of lesser heights. Staff requested this information multiple times, but the maps were not provided. With concern over the scale of the structure, and no evidence to support the need for the tower to now have a maximum height of 105 feet instead of the previously requested 75 feet, staff recommends denial of the request.

Development Standards:

DISTRICT	SETBACKS		Lot Area	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
R-7.5(A) Residential	25’	5’/5’	7,500	30’	45% res	Proximity Slope Visual Intrusion	Residential
MF-2(A) Multifamily	15’	0’ single family 5’ duplex 10’ others --- 0’ single family 10’ duplex 15’ others	Single family: 1,000SF Duplex: 3,000SF Multifamily: min. 800SF to 1,200SF	36’	60% res 50% nonres	Proximity Slope Visual Intrusion	Residential, Retail, Institutional

Landscaping:

In general, landscaping must be provided in accordance with the landscaping requirements in Article X, as amended.

Market Value Analysis

Market Value Analysis (MVA), 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. While the subject site is not located within an identified market type category, it is closest to Category NA across West Wheatland Road to the north, and Category H to the northwest.

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. The applicant is providing one space on site.

CPC Action
October 4, 2018

Motion: It was moved to recommend **approval** of a Specific Use Permit for a tower/antenna for cellular communication, subject to a revised site plan, revised elevation plan and conditions with the following modifications: 1) require a minimum eight-foot-high vinyl fence and access gate must be provided in the locations shown on the attached site plan, and 2) move the tower/antenna 50 feet east on property zoned an R-7.5(A) Single Family District and an MF-2(A) Multifamily District, on the south line of West Wheatland Road, east of South Polk Street.

Maker: Lewis
Second: Rieves
Result: Carried: 12 to 1

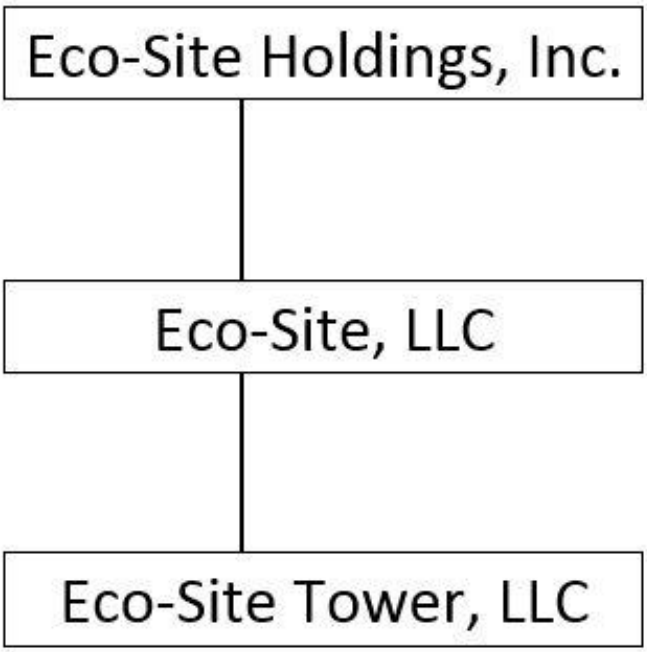
For: 12 - West, Rieves, Davis, Shidid, Lewis, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 1 - Carpenter
Absent: 0
Vacancy: 2 - District 3, District 7

Notices: Area: 500 Mailed: 43
Replies: For: 0 Against: 3

Speakers: For: John Gatz, 309 Bamborough Dr., Anna, TX, 75409
Against: None

LIST OF OFFICERS
Eco-Site, LLC



Board of Directors

Dale Carey
Jerry Nowlin
Barry Boniface
Mark Feidler

Authorized Signatories

Dale Carey, CEO
Robert "Bob" Glosson, President & COO
John "Jack" Barry, CFO
Rich Stern, General Counsel

LIST OF TRUSTEES
Community Bible Church

List of Trustees:

Ruben S. Conner, Jr. - Sr. Pastor
Kent Green - Chairman of the Elder Board
Malcom Coleman - Elder
Louis Robinson - Elder
Randy Hubbard - Elder
Charles Conner - Elder

CPC Recommended
SUP CONDITIONS
Z178-140(JM)

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 10-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 application for automatic renewal is strictly enforced.)

4. **CO-LOCATION:** Any tower/antenna for cellular communication must be constructed to support the antenna arrays for at least two other wireless communication carriers, and the tower/antenna for cellular communication must be made available to other carriers upon reasonable terms.

5. **COMMUNICATION TOWER:** The tower/antenna for cellular communication must be a stealth bell tower (cables, antennas, and other similar equipment must be located within the structure) and must be painted or finished in a neutral color.

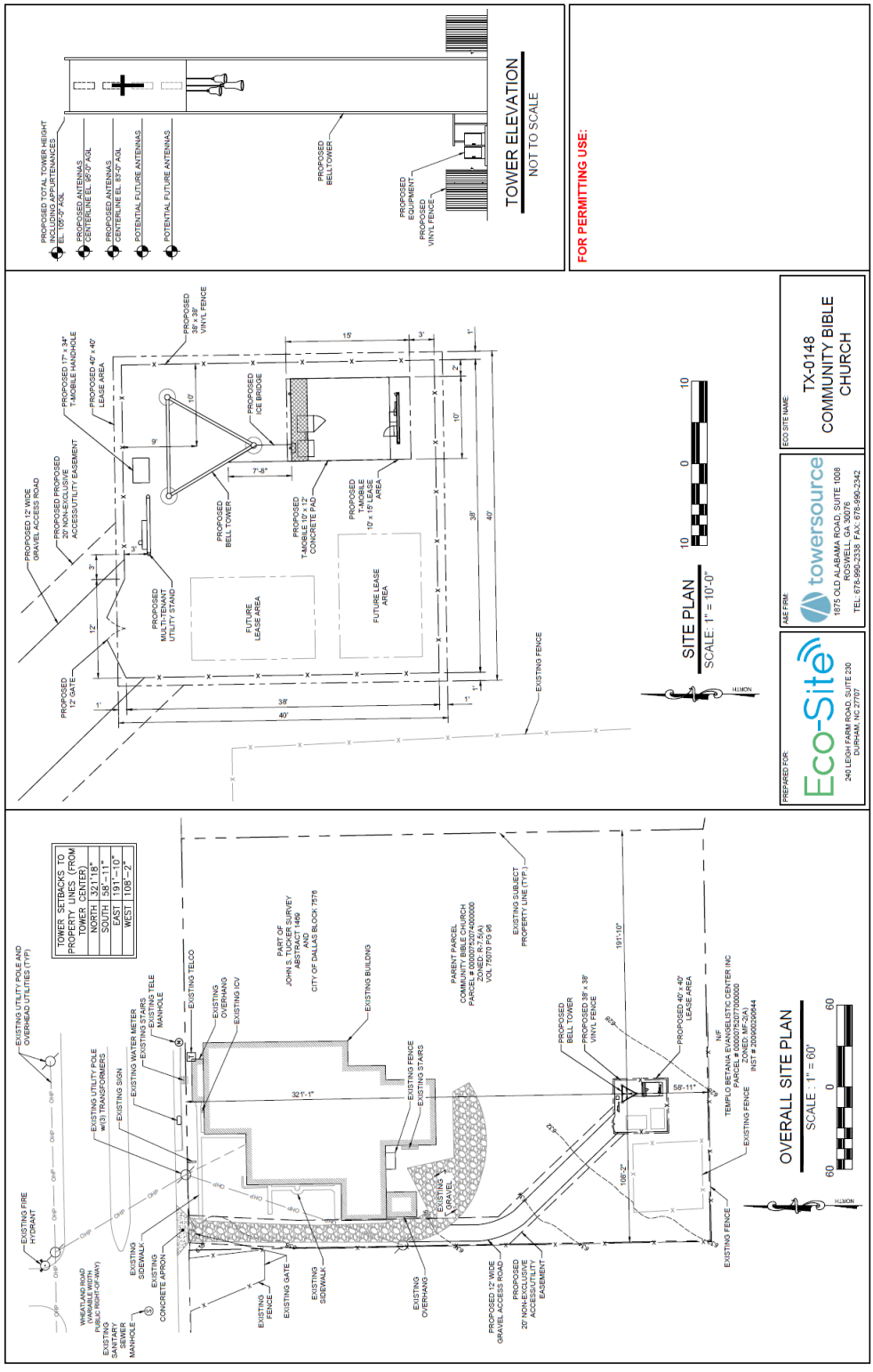
6. **FENCE:** A minimum eight-foot-high vinyl fence and access gate must be provided in the locations shown on the attached site plan.

7. **HEIGHT:** The tower/antenna for cellular communication may not exceed 100 feet in height, with a five-foot lightning rod, for a total height not to exceed 105 feet above ground level.

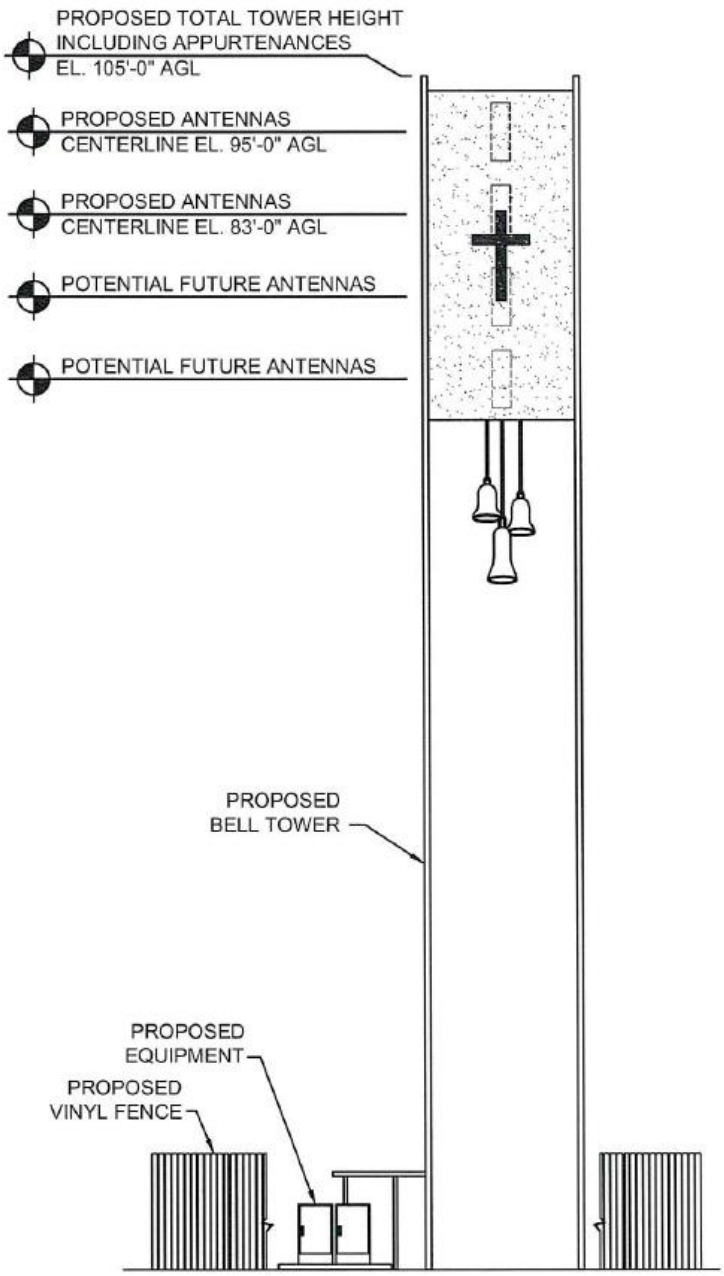
8. **MAINTENANCE:** The Property must be properly maintained in a state of good repair and neat appearance.

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.

PROPOSED
SITE/ELEVATION PLAN



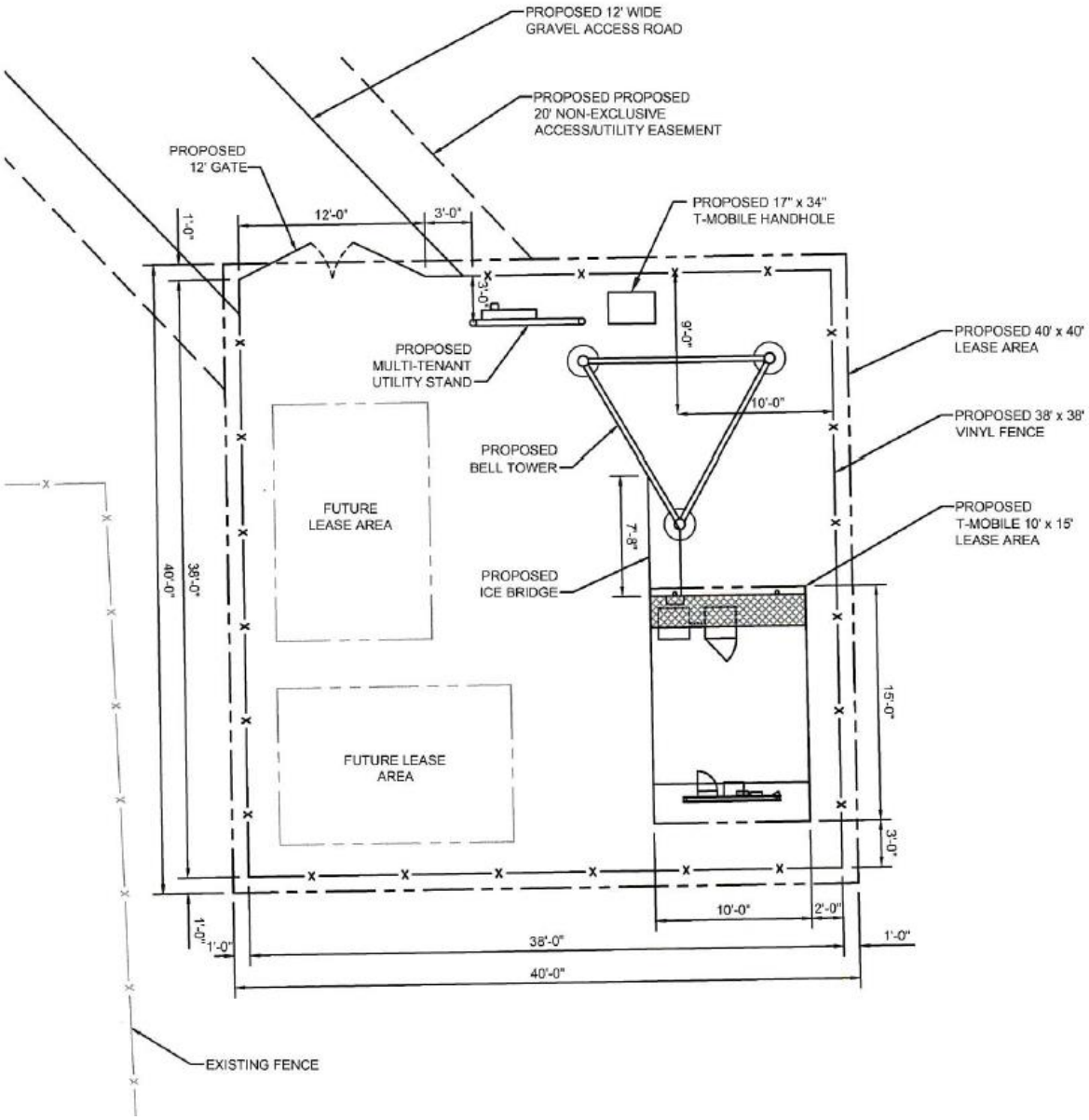
ENLARGED ELEVATION PLAN



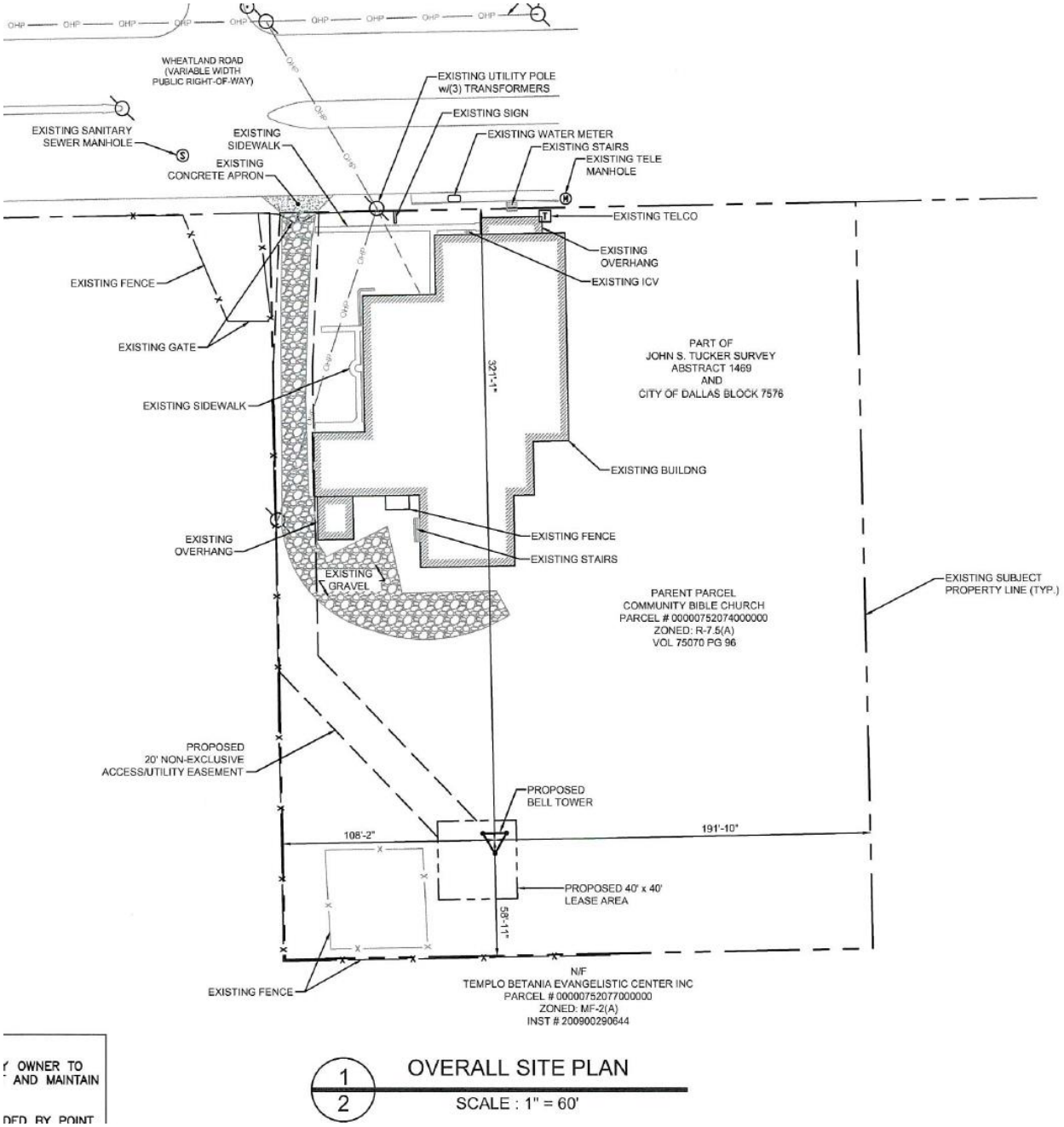
1/6 TOWER ELEVATION

NOT TO SCALE

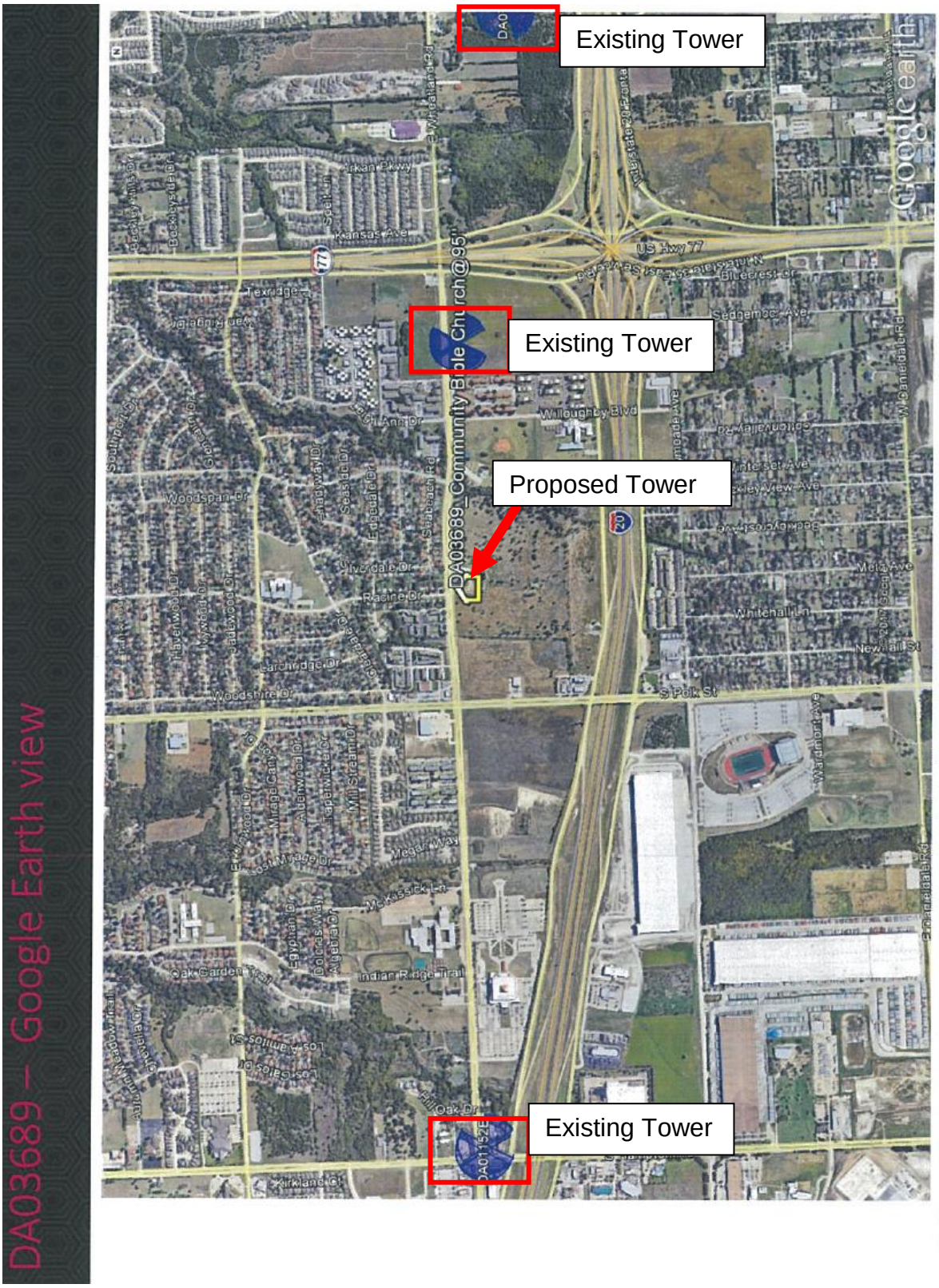
ENLARGED SITE PLAN



ENLARGED OVERALL SITE PLAN



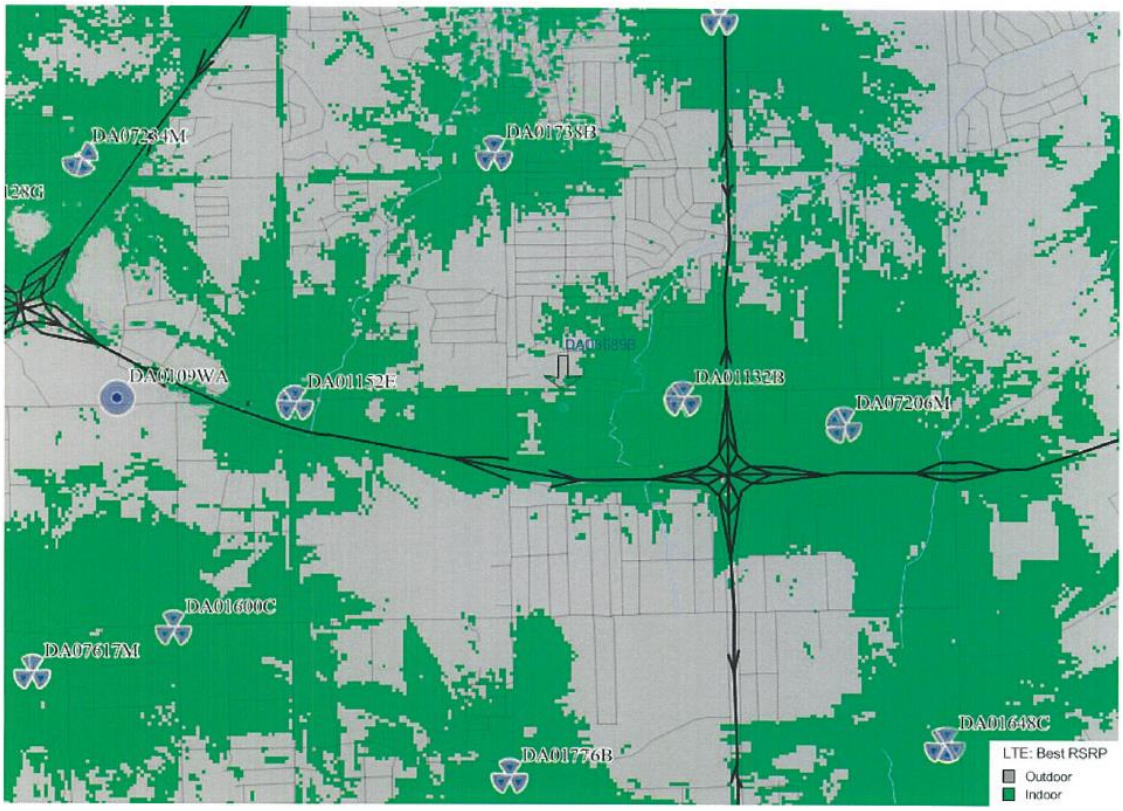
Location of Nearby Towers



Existing Coverage

DA03689 – ACTUAL ZONE COVERAGE (RSRP)

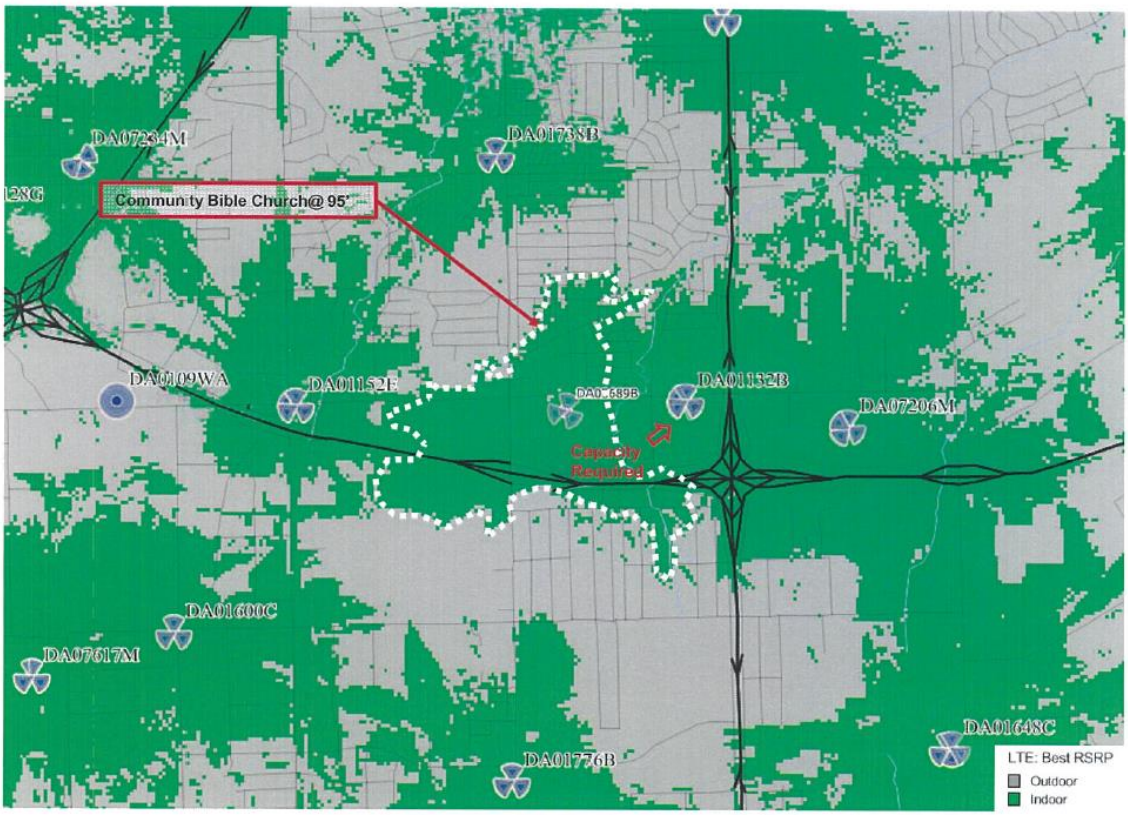
CURRENT RSRP



Proposed Coverage with Antenna Mounted at 95 feet

DA03689B - Community Bible Church– NEW COVERAGE @ 95' (RSRP)

NEW RSRP

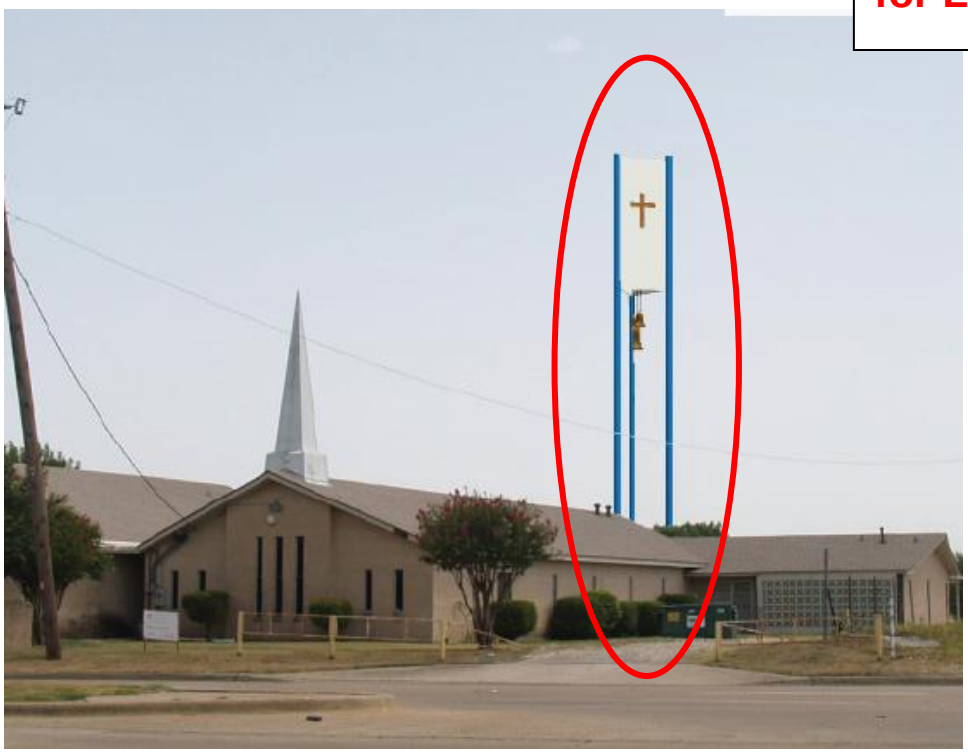


Photo/Simulation Locations

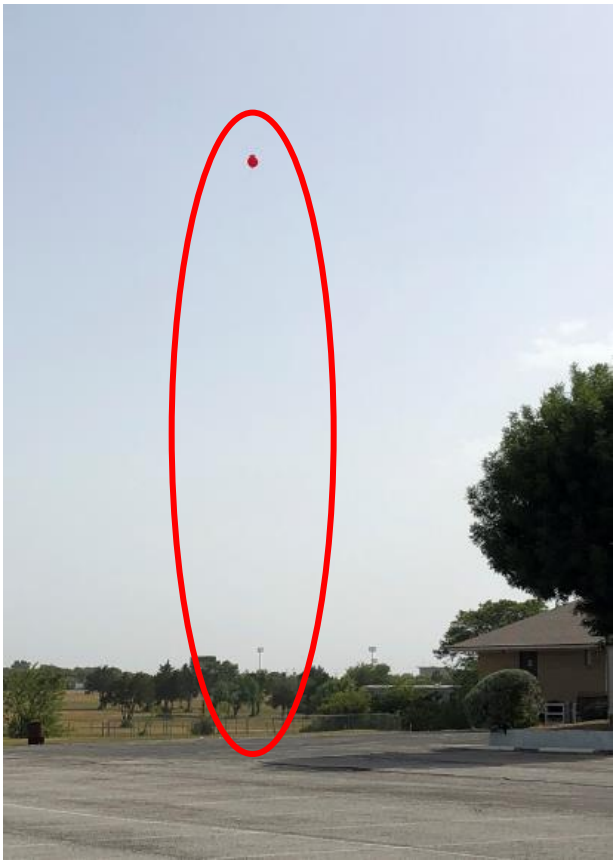
Location 1

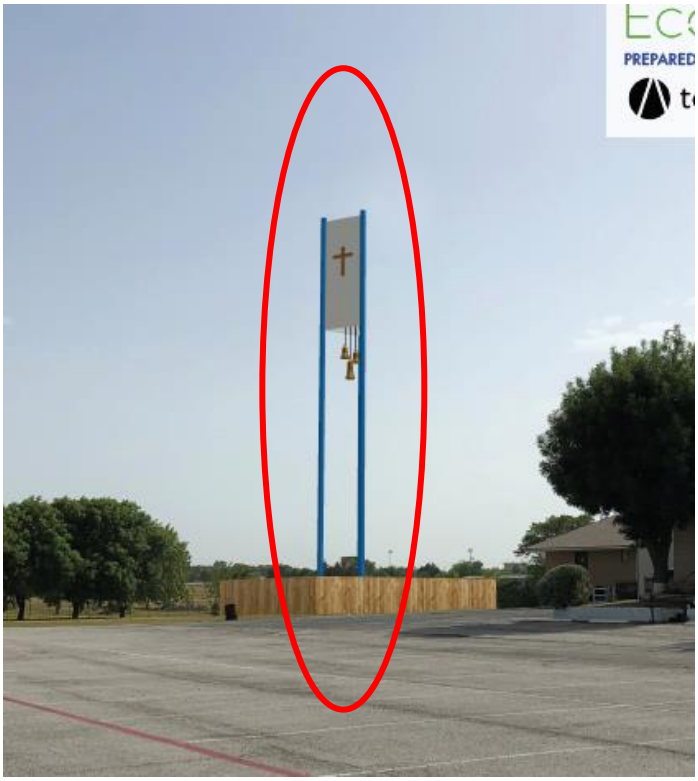
Location 2

No balloon test picture provided for Location 2.



Location 3



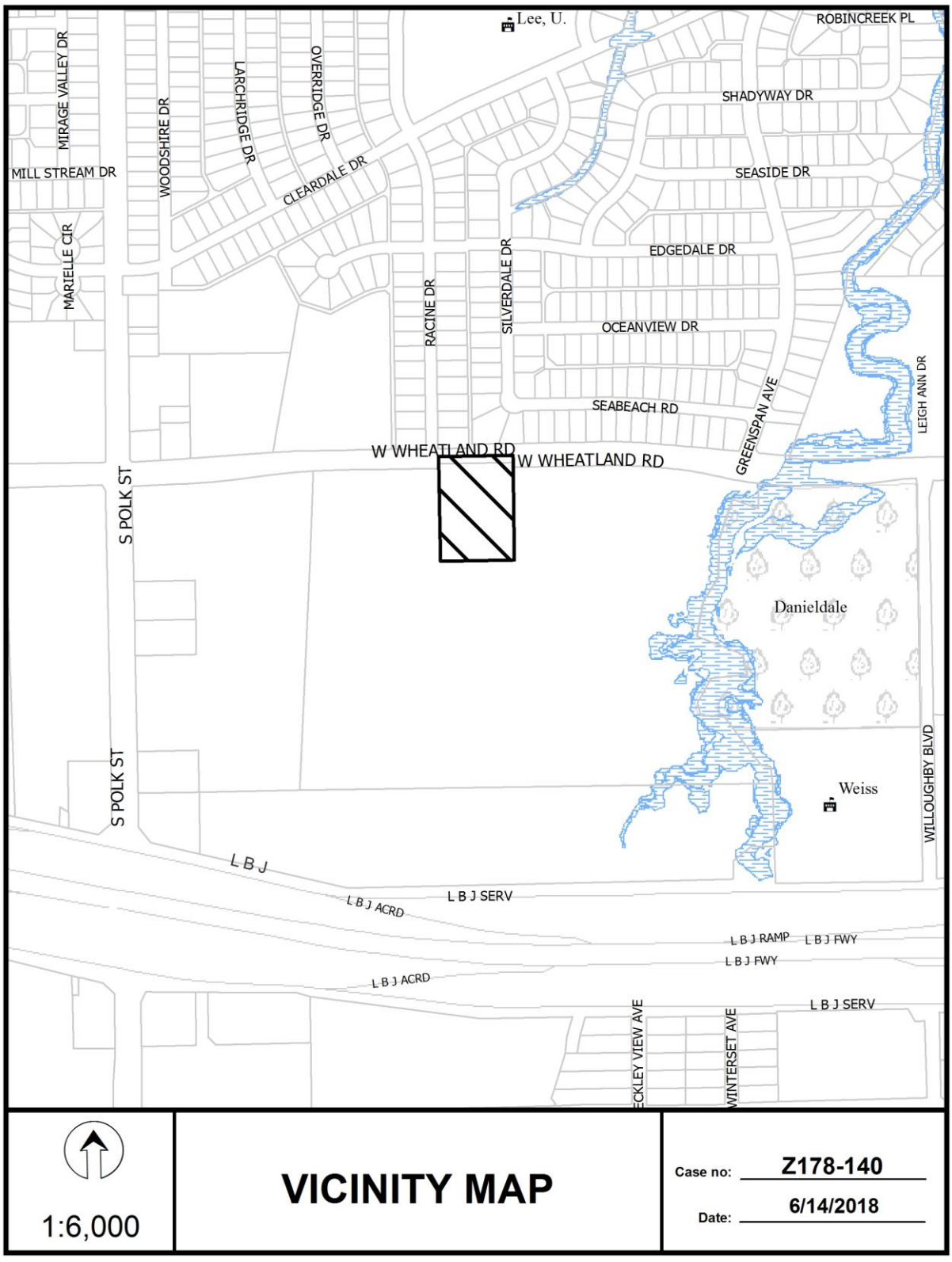


Location 4

Location 5

The balloon test picture doesn't exactly match for Location 5.

Location 6


Lee, U.
ROBINCREEK PL
SHADYWAY DR
SEASIDE DR
EDGEDALE DR
OCEANVIEW DR
SEABEACH RD
GREENSPAN AVE
LEIGH ANN DR
MIRAGE VALLEY DR
MILL STREAM DR
WOODSHIRE DR
LARCHRIDGE DR
OVERRIDGE DR
CLEARDALE DR
MARIELLE CIR
RACINE DR
SILVERDALE DR
W WHEATLAND RD
W WHEATLAND RD
S POLK ST
S POLK ST
Danieldale
Weiss
WILLOUGHBY BLVD
L B J
L B J ACRD
L B J SERV
L B J RAMP
L B J FWY
L B J FWY
L B J ACRD
L B J SERV
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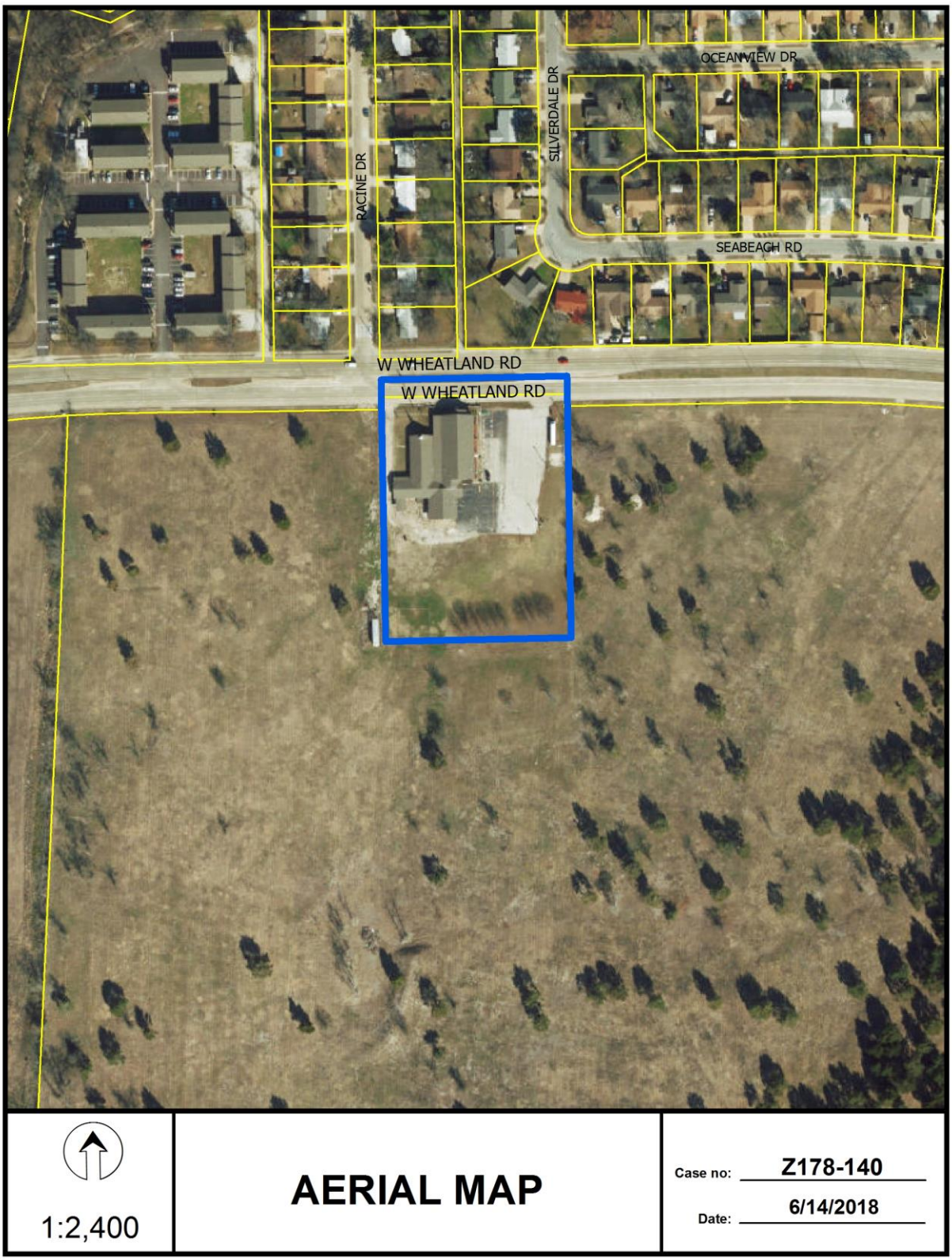
1:6,000
VICINITY MAP
Case no: Z178-140
Date: 6/14/2018


OCEANVIEW DR
SILVERDALE DR
RACINE DR
SEABEACH RD
W WHEATLAND RD
W WHEATLAND RD
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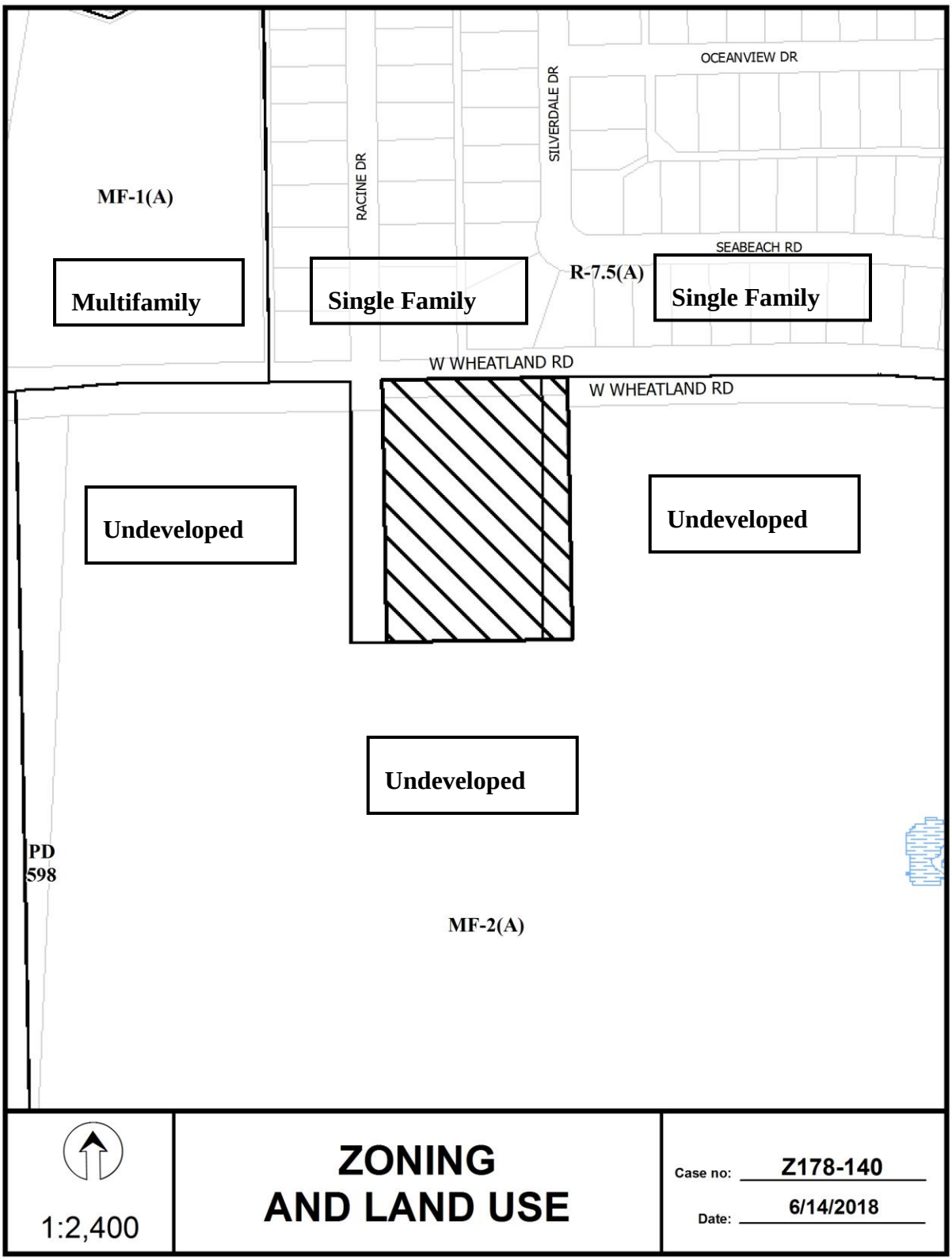
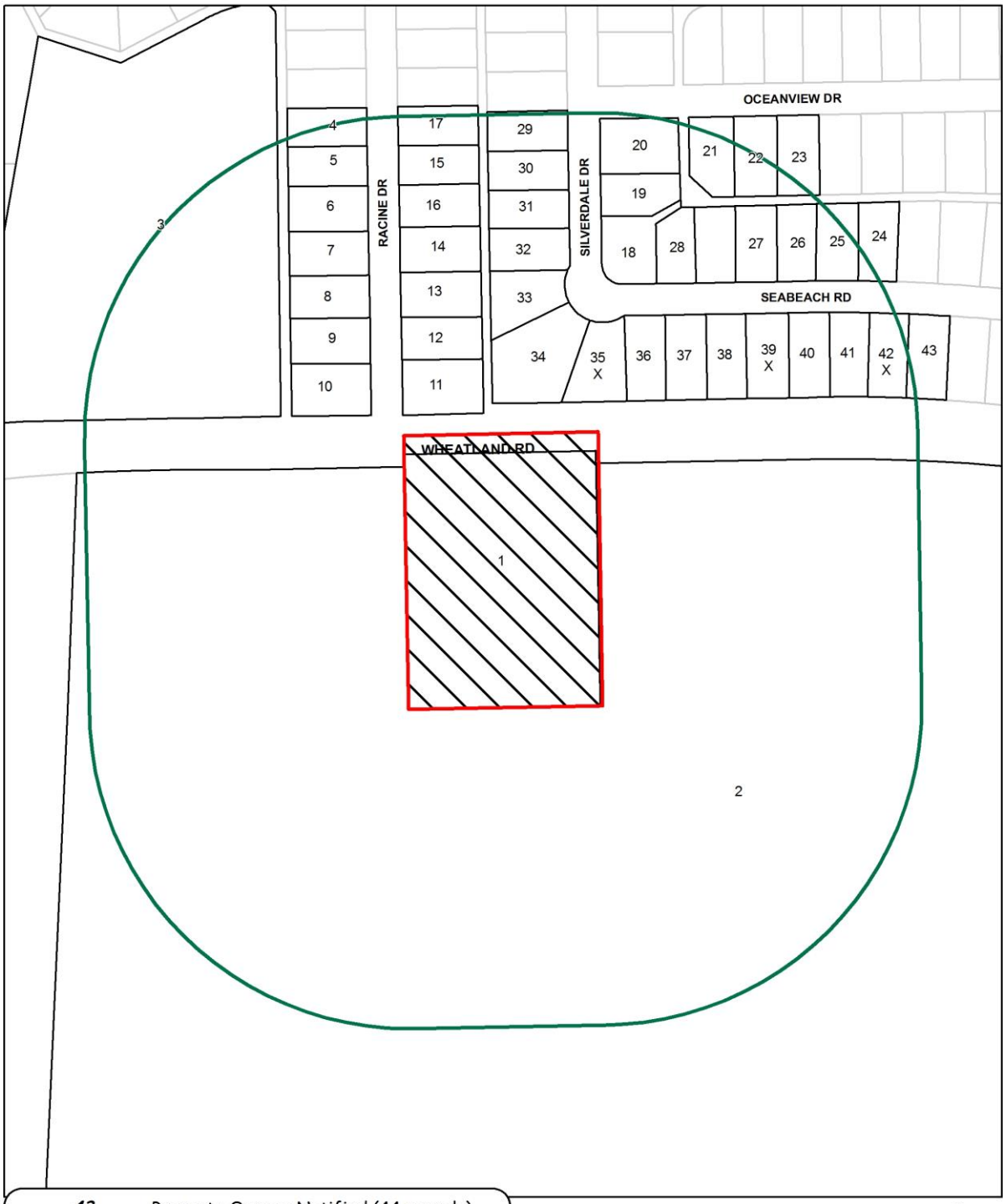
AERIAL MAP
Case no: Z178-140
Date: 6/14/2018


OCEANVIEW DR
SILVERDALE DR
RACINE DR
MF-1(A)
SEABEACH RD
R-7.5(A)
Multifamily
Single Family
Single Family
W WHEATLAND RD
W WHEATLAND RD
Undeveloped
Undeveloped
Undeveloped
PD 598
MF-2(A)
1:2,400
ZONING AND LAND USE
Case no: Z178-140
Date: 6/14/2018

CPC RESPONSES



43	Property Owners Notified (44 parcels)
0	Replies in Favor (0 parcels)
3	Replies in Opposition (3 parcels)
500'	Area of Notification
10/4/2018	Date

Z178-140
CPC

N
W E
S

1:2,400

10/03/2018

Reply List of Property Owners

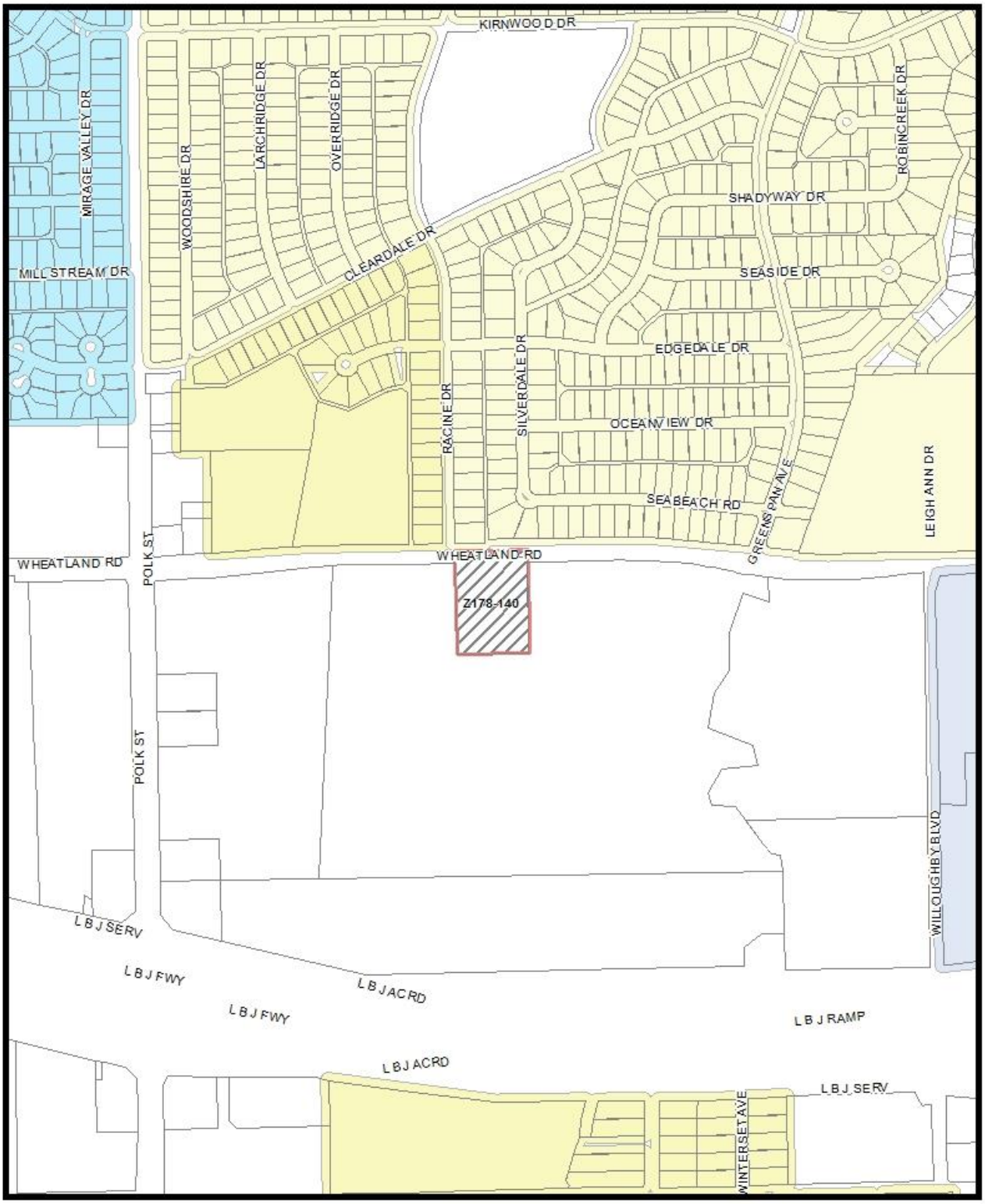
Z178-140

43 Property Owners Notified ***0 Property Owners in Favor*** ***3 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	840	W WHEATLAND RD	COMMUNITY BIBLE CHURCH
	2	900	W WHEATLAND RD	TEMPLO BETANIA EVANGELISTIC
	3	911	W WHEATLAND RD	WHEATLAND GARDENS DALLAS LLC
	4	8029	RACINE DR	WEBB MICHAEL &
	5	8103	RACINE DR	NOBLES N F
	6	8107	RACINE DR	LACROIX JAMES SCOTT
	7	8115	RACINE DR	SAUCEDO JOEL P
	8	8119	RACINE DR	TIPS JOSEPH & KRISTI
	9	8123	RACINE DR	ROSS JAMES E
	10	8131	RACINE DR	RAMOS LEANDRO & ANN
	11	8132	RACINE DR	SAUNDERS ERROL F &
	12	8124	RACINE DR	HAWKINS WARNIE M
	13	8118	RACINE DR	RODRIQUEZ MINERVA
	14	8114	RACINE DR	HALL DAVE JR EST OF
	15	8104	RACINE DR	ROQUE JOSE D &
	16	8108	RACINE DR	GARCIA VERONICA ALVIZO &
	17	8030	RACINE DR	JERMANY SAMUEL P
	18	739	SEABEACH RD	C FITZGERALD HOLDINGS LTD
	19	8112	SILVERDALE DR	TAYLOR DIANE A
	20	8106	SILVERDALE DR	JOHNSON LEE A ESTATE
	21	728	OCEANVIEW DR	PEREZ JESUS URIBE &
	22	724	OCEANVIEW DR	SMITH CLIFTON C
	23	720	OCEANVIEW DR	FRANKLIN TRUST THE
	24	715	SEABEACH RD	WATKINS PEGGY SUE &
	25	719	SEABEACH RD	HARPER ROCHESTER
	26	723	SEABEACH RD	RENTERIA NEREIDA & REY BARRIOS

10/03/2018

Reply	*Label #*	*Address*		*Owner*
	27	727	SEABEACH RD	JONES ROGER A &
	28	735	SEABEACH RD	VALDEZ J GUADALUPE &
	29	8105	SILVERDALE DR	COLE ELMER LEE &
	30	8111	SILVERDALE DR	COTTON MELBA J
	31	8115	SILVERDALE DR	WATKINS JIMMY RAY
	32	8121	SILVERDALE DR	CRAIG THOMASINA EST OF
	33	8125	SILVERDALE DR	ROSASMAGDALENO MIGUEL ANGEL
	34	8131	SILVERDALE DR	GILDON HATTIE FAYE LIVING TRUST
X	35	8135	SILVERDALE DR	TURNER FANNIE
	36	738	SEABEACH RD	STATEN BETTY JEAN &
	37	734	SEABEACH RD	SPEARS CHIQUITA & HARVEY
	38	730	SEABEACH RD	GONZALEZ CESAR
X	39	726	SEABEACH RD	HERRON CHERRIE JEAN
	40	722	SEABEACH RD	DOWDY JEAN
	41	718	SEABEACH RD	ANDREWS BEVERLY GLENN
X	42	712	SEABEACH RD	DAWSON BILLY E &
	43	708	SEABEACH RD	BENNETT THELMA


KIRNWOOD DR
MIRAGE VALLEY DR
WOODSHIRE DR
LARCHRIDGE DR
OVERRIDGE DR
ROBINCREEK DR
SHADYWAY DR
MILL STREAM DR
CLEARDALE DR
SEASIDE DR
EDGEDALE DR
RACINE DR
SILVERDALE DR
OCEANVIEW DR
LEIGH ANN DR
SEABEACH RD
GREENSPAN AVE
WHEATLAND RD
POLK ST
Z178-140
WHEATLAND RD
POLK ST
WILLOUGHBY BLVD
L B J SERV
L B J FWY
L B J FWY
L B J AC RD
L B J RAMP
L B J AC RD
L B J SERV
WINTERSET AVE
MVA Cluster
A
B
C
D
E
F
G
H
I
NA
1:6,000
Market Value Analysis
Printed Date: 10/4/2018

Agenda Information Sheet

File #: 18-1376 **Item #:** 101.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 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 Planned Development Subdistrict for GR General Retail Subdistrict uses on property zoned an MF-2 Multiple Family Subdistrict and an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the north corner of Amelia Street and Maple Avenue

Recommendation of Staff: Approval, subject to a development plan and staff's recommended conditions

Recommendation of CPC: Approval, subject to a development plan and conditions

Z178-282(SM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, DECEMBER 12, 2018**

ACM: Majed Al-Ghafry

FILE NUMBER:	Z178-282(SM)	**DATE FILED:**	June 21, 2018
LOCATION:	North corner of Amelia Street and Maple Avenue		
COUNCIL DISTRICT:	2	**MAPSCO:**	34 U
SIZE OF REQUEST:	Approx. 0.597 acres	**CENSUS TRACT:**	4.04

OWNER / APPLICANT: Amelia B.A. Concepts & Development, LLC; Maple B.A. Concepts & Development, LLC - Bassam Assaad, Manager

REPRESENTATIVE: Robert Reeves & Associates, Inc.

REQUEST: An application for a Planned Development Subdistrict for GR General Retail Subdistrict uses on property zoned an MF-2 Multiple Family Subdistrict and an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District.

SUMMARY: The applicant proposes to develop the request site with a restaurant or retail use with a maximum floor area of 8,000 square feet. The structure will abut Maple Avenue with up to 37 surface parking spaces.

CPC RECOMMENDATION: **Approval**, subject to a development plan and conditions.

STAFF RECOMMENDATION: **Approval**, subject to a development plan and staff's recommended conditions.

BACKGROUND INFORMATION:

- The site consists of two PDD No. 193 Subdistricts, LC and MF-2. The LC Subdistrict property is developed with a vacant dental office and a vacant photofinishing structure; the MF-2 Subdistrict property is undeveloped but was previously occupied by two single family structures.

- In the LC Subdistrict, Dallas Central Appraisal District records show the vacant photofinishing structure was constructed in 1955 and the vacant dental office structure was constructed in 1964.

- In the MF-2 Subdistrict, the demolition of the southernmost single family structure was completed on November 19, 1990 and the demolition of the northernmost single family structure was completed on July 7, 2015.

Zoning History: There has been one recent zoning case in the area within the last five years.

1. **Z145-150**: On April 22, 2015, City Council approved Planned Development Subdistrict No. 115 for LC Light Commercial Subdistrict uses on property zoned an MF-2 Multiple-family Subdistrict and an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the east corner of Amelia Street and Maple Avenue.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Maple Avenue	Collector	60 ft.	60 ft.
Amelia Street	Local	40 ft.	40 ft.

Traffic: The Engineering Division of the Sustainable Development and Construction Department has reviewed the request and determined that the proposed development, subject to staff's recommended conditions, 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 *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 site is identified as an urban neighborhood building block. Urban Neighborhoods, including Oak Lawn, the Grand Avenue area in South Dallas, the area near Jefferson Boulevard and the Vickery Meadow area, are predominately residential but are distinguished from other neighborhoods by the wide variety of housing options they provide and easy access to public transit. Housing choices should include single-family detached dwellings, townhomes and low- to midrise condominiums or apartments. These neighborhoods will have concentrations of shops and offices along key corridors or at key intersections, providing important services and job opportunities within walking distance of residences. These areas may have mixed-use buildings with ground floor shops. Areas currently developed with single-family or duplex uses should generally be maintained unless redevelopment is addressed through an Area Planning process. Urban Neighborhood streets will be very pedestrian friendly, providing excellent connectivity to shopping, schools and other community services. Emphasis should be placed on slowing traffic through use of on-street parking and other similar traffic calming measures. Public investments in these areas will focus on parks, pathways, transit stops, pedestrian-oriented landscaping and road improvements.

The request is consistent with the urban neighborhood building block because it diminishes the potential negative impact that an LC Subdistrict would allow and provides for a limited transition from Maple Avenue into the neighborhood.

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.

URBAN DESIGN

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.

Area Plans:

The Oak Lawn Special Purpose District and the Oak Lawn Plan include the following objectives:

(1) To achieve buildings more urban in form.

(2) To promote and protect an attractive street level pedestrian environment with continuous street frontage activities in retail areas.

(3) To encourage the placement of off-street parking underground or within buildings similar in appearance to non-parking buildings.

(4) To promote development appropriate to the character of nearby neighborhood uses by imposing standards sensitive to scale and adjacency issues.

(5) To use existing zoned development densities as a base from which to plan, while providing bonuses to encourage residential development in commercial areas.

(6) To discourage variances or zoning changes which would erode the quantity or quality of single-family neighborhoods, or would fail to adhere to the standards for multiple-family neighborhoods and commercial areas.

(7) To promote landscape/streetscape quality and appearance.

The applicant's request for a Planned Development Subdistrict will meet objectives 1, 2, 4 and 7. The proposed development will be developed to an appropriate scale that meets the character of the adjacent uses.

The combination of three zoning districts, with varying front yard setbacks on Amelia Street prescribes that new construction be setback a minimum of 25 feet on Amelia Street and 10 feet on Maple Avenue. This creates a suburban-style development pattern that conflicts with the first and second objectives of the Oak Lawn Plan. The request also decreases the development rights and permitted uses of the LC Subdistrict to the GR Subdistrict with additional protections to provide a better transition from a commercial street frontage into a residential area, which conforms to the fourth

objective. Therefore, staff supports the request subject to staff's recommended conditions.

STAFF ANALYSIS

Surrounding Land Uses:

	Zoning	Land Use
Site	PDD No. 193 (LC and MF-2)	Vacant retail, Undeveloped
Northeast	PDD No. 193 (MF-2, R-7.5)	Single family
Southeast	PDS No. 115	General merchandise or food store greater than 3,500 square feet
South	PDD No. 843	General merchandise or food store greater than 3,500 square feet
Southwest	IR	Surface parking lot
Northwest	LC	Multiple Family

Land Use Compatibility:

Maple Avenue is a nonresidential street that provides access to retail-oriented uses and multiple family uses. The site is surrounded by a general merchandise or food store greater than 3,500 square feet to the southeast, across Amelia Street; a grocery store to the south, across the Maple Avenue and Amelia Street intersection; surface parking lots to the southwest, across Maple Avenue; and a multiple family use is located in the LC Subdistrict to the northwest, abutting the site. Single family uses are developed to the lots abutting the site to the northeast and occupy the remainder of the block on Amelia Street.

The request prohibits all uses, except for parking with a solid screening fence, within the area that is currently within an MF-2 Multiple Family Subdistrict. The request also prohibits the following uses that are currently allowed within the LC Light Commercial Subdistrict.

- Alternative financial institution.
- Dance hall
- Drive-in restaurant
- Drive-through restaurant
- All motor vehicle related uses
- Pawn shop
- Short takeoff or landing port
- Heliport [SUP in LC]
- Railroad passenger station
- Technical school
- Commercial cleaning shop
- Commercial laundry or dry cleaning
- Taxidermist
- Custom furniture construction, repair, or upholstery shop
- Job printing, lithographer, printing or blueprinting plant

- Venetian blind or window shade repair, assembly, or sales
- Computer service repair
- Custom commercial engraving
- Design or decorative center
- Warehouse
- Open storage [SUP with visual screening in LC]

Further, the applicant proposes to prohibit bars and restaurants on rooftops and require that uses may not be open to the public between midnight and 6:00 a.m. daily. Staff supports the request because the above restrictions improve the land use compatibility of the site to the surrounding properties.

Development Standards:

DISTRICT	SETBACKS		Density	Height	Lot Coverage	PRIMARY Uses
	Front	Side/ Rear				
MF-2 - Existing Multiple-family Subdistrict	15’	10’ / 15’	No max.	36’	60% res. 50% nonres.	Single family, Multiple-family
LC - Existing Light Commercial Subdistrict	10’	0’	4:1 FAR* =90,556 SF	36’ Single family 240’ non-residential	80%	Commercial, Retail, Office, single family, Multiple-family
PDS – Proposed	10’ Maple; 5’ on Amelia 5’ limited encroachments	0’	8,000 SF retail 4,000 SF restaurant 1,800 SF bar; Otherwise, 4:1 FAR	120’	80%	Retail, Office, Single family, Multiple-family

Market Value Analysis:

Market Value Analysis (MVA), 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. The area of request is partially within an “E” MVA cluster which extends into the neighborhood to the north.

Parking:

The applicant requests a parking reduction for a restaurant without drive-through service. PDD No. 193 requires a parking ratio of one space per 100 square feet of floor

area. The applicant is proposing a parking ratio of one space per 110 square feet of floor area. The number of off-street parking spaces that are required for 4,000 square feet of restaurant, under PDD No. 193 is 40 spaces. The applicant is proposing 37 spaces on site, including 11 compact car spaces. Staff does not support the proposed off-street parking reduction because the applicant did not provide a parking demand study based on actual observations from similar land uses.

Landscaping:

Landscaping of any development will be in accordance with the proposed landscape plan. The applicant has provided a landscape plan in order to reduce the sidewalk width on Amelia Street from the minimum six-foot width for nonresidential subdistrict to a minimum five-foot width for residential districts. Since the remainder of the blockface on Amelia Street is within residential subdistricts, and the proposed sidewalk will be consistent with the remainder of the block, staff supports the request. Otherwise, the applicant has exceeded the minimum landscape requirements of Part I of PDD No. 193 as outlined in the following table.

CITY OF DALLAS LANDSCAPE ORDINANCE COMPLIANCE MANDATORY REQUIREMENTS		
SITE LANDSCAPING AREA	AT LEAST 10% OF LOT MUST BE LANDSCAPED	
	REQUIRED	PROVIDED
	2,264 SF	2,321 SF
	AT LEAST 60% OF FRONT YARD MUST BE LANDSCAPED	
	REQUIRED	PROVIDED
	1,358 SF	1,610 SF
GENERAL PLANTING AREA	AT LEAST 12% OF REQUIRED FRONT YARD MUST BE GENERAL PLANTING AREA	
	REQUIRED	PROVIDED
	178 SF	192 SF
SPECIAL PLANTING AREA	AT LEAST 6% OF REQUIRED FRONT YARD MUST BE SPECIAL PLANTING AREA	
	REQUIRED	PROVIDED
	89 SF	123 SF
STREET TREES	284 FT. OF FRONTAGE @ 1/25 FT	
	REQUIRED	PROVIDED
	11 LARGE CANOPY	9 LARGE CANOPY
SITE TREES	22,638 SQ. FT.	
	REQUIRED	PROVIDED
	6 LARGE CANOPY	15 LARGE CANOPY

PRIOR CPC ACTION – October 18, 2018:

Motion: It was moved to recommend **approval** of a Planned Development Subdistrict for GR General Retail Subdistrict uses, subject to a revised development plan and staff's revised recommended conditions (as briefed) on property zoned an MF-2 Multiple Family Subdistrict and an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the north corner of Amelia Street and Maple Avenue.

Maker: Rieves
Second: Davis
Result: Carried: 12 to 0

For: 12 - West, Rieves, Davis, Shidid, Carpenter, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 1 - Lewis
Absent: 0
Vacancy: 2 - District 3, District 7

Notices: Area: Mailed:
Replies: For: Against:

Speakers: For: Robert Reeves, 900 Jackson St., Dallas, TX, 75202
Against: None

CPC Recommended PD 193 Subdistrict

Division S-_____. PD Subdistrict _____.

SEC. S-_____.101. LEGISLATIVE HISTORY.

PD Subdistrict _____ was established by Ordinance No._____, passed by the Dallas City Council on _____.

SEC. S-_____.102. PROPERTY LOCATION AND SIZE.

PD Subdistrict _____ is established on property located at the north corner of Maple Avenue and Amelia Street. The size of PD Subdistrict _____ is 0.5197 acres.

SEC. S-_____.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51 and Part I of this article apply to this division. If there is a conflict, this division controls. If there is a conflict between Chapter 51 and Part I of this article, Part I of this article controls.

(b) In this division,

(1) ALTERNATIVE FINANCIAL INSTITUTION means a car title loan business or money services business. An alternative financial establishment does not include states or federally chartered banks, community development financial institutions, savings and loans, credit unions, or regulated lenders licensed in accordance with Chapter 342 of the Texas Finance Code. If a regulated lender licensed in accordance with Chapter 342 of the Texas Finance Code also offers services as a credit access business under Chapter 393 of the Texas Finance Code, that business is an alternative financial establishment.

(2) STOOP means a small porch that may include stairs leading to the entrance of a residence.

(3) SUBDISTRICT means a subdistrict of PD 193.

(c) Unless otherwise stated, all references to articles, divisions, or sections in this division are to articles, divisions, or sections in Chapter 51.

(d) This subdistrict is considered to be a nonresidential zoning district.

SEC. S- ____.104. EXHIBITS.

The following exhibits are incorporated into this division:

(1) Exhibit ___A: development plan.

(2) Exhibit ___B: landscape plan.

SEC. S-_____.105. DEVELOPMENT PLAN.

Development and use of the Property must comply with the development plan (Exhibit S-_____). If there is a conflict between the text of this division and the development plan, the text of this division controls.

SEC. S-_____.107. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted in this subdistrict are those main uses permitted in the GR General Retail Subdistrict, subject to the same conditions applicable in the GR General Retail Subdistrict, as set out in Part I of this article. For example, a use permitted in the GR General Retail Subdistrict only by specific use permit (SUP) is permitted in this subdistrict only by SUP; a use subject to development impact review (DIR) in the GR General Retail Subdistrict is subject to DIR in this subdistrict; etc.

(b) The following main uses are prohibited:

-- Alternative financial institution.
-- Dance hall.
-- Drive-in restaurant.
-- Drive-through restaurant.
-- All motor vehicle related uses.
-- Pawn shop.

(c) The only use allowed within 103 feet of the northeast boundary line of the subdistrict is surface parking and a trash enclosure.

(b) Bar, lounge or tavern and restaurant without drive-through service uses are prohibited when located atop a roof.

(c) No use may be open to the public from midnight to 6:00 AM daily.

(d) Outdoor speakers are prohibited.

SEC. S-_____.108. ACCESSORY USES.

As a general rule, an accessory use is permitted in any subdistrict in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51P-193.108. For more information regarding accessory uses, consult Section 51P-193.108.

SEC. S-_____.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 Part I of this article. If there is a conflict between this section and Part I of this article, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the GR General Retail Subdistrict apply.

(b) Front yard. Minimum front yard on Maple Avenue is 10 feet and on Amelia Street is five feet. Stoops, steps, handrails, guardrails, planters, patios, shade structures, transformers and other utility equipment, benches and other pedestrian seating, pots, raised planters, sculptures, and other decorative landscape features may project a maximum of five feet into the required front yard.

(c) Floor area.

(1) The maximum floor area for all retail uses is 8,000 square feet.

(2) The maximum floor area for restaurant without drive-through service uses is 4,000 square feet.

(3) The maximum floor area for bar, lounge, or tavern uses is 1,800 square feet.

(d) Floor Area Ratio. Maximum floor area ratio is 0.8:1.

(e) Height. The maximum structure height is 36 feet.

SEC. S-_____.110. OFF-STREET PARKING AND LOADING.

(a) Except as provided in this Section, Consult Part I of this article for the specific off-street parking and loading requirements for each use.

CPC recommended:

(b) Restaurant without drive-through service requires a minimum of one parking space per 110 square feet.

Staff recommendation:

~~(b) Restaurant without drive-through service requires a minimum of one parking space per 110 square feet.~~

(c) Maximum height of light standards located in the surface parking area shown on Exhibit _____ A is eight feet. All light figures must be designed to direct the light source downward and away from adjoining properties.

SEC. S-_____.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. S-_____.112. LANDSCAPING.

(a) Landscaping must be provided as shown on the landscape plan (Exhibit _____B).

(b) Plant materials must be maintained in a healthy, growing condition.

SEC. S-_____.112. SCREENING.

(a) A minimum eight-foot solid masonry wall is required to screen surface parking along a portion of the northeast boundary of this subdistrict as shown on Exhibit_____ B.

(b) A minimum six-foot solid screening fence is required to screen surface parking along a portion of the northwest boundary of this subdistrict as shown on Exhibit_____ B.

SEC. S-_____.113. SIGNS.

Signs must comply with the provisions for business zoning districts in Article VII.

SEC. S-_____.114. 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.

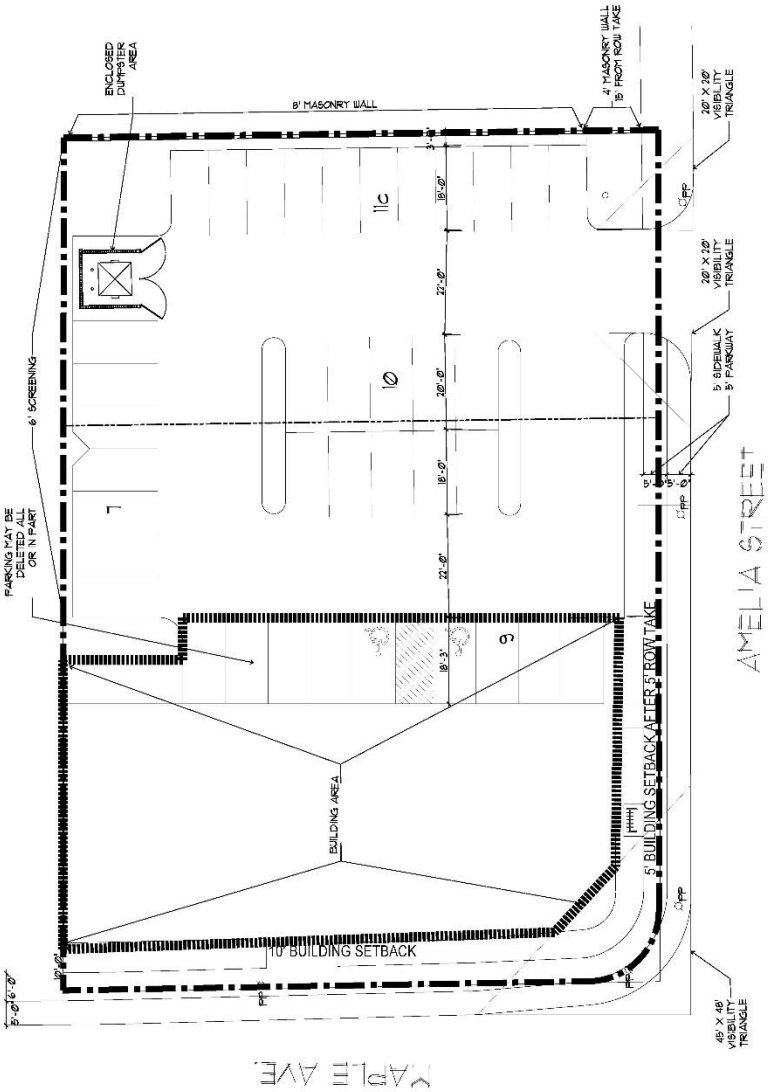
(c) Development and use of the Property must comply with Part I of this article.

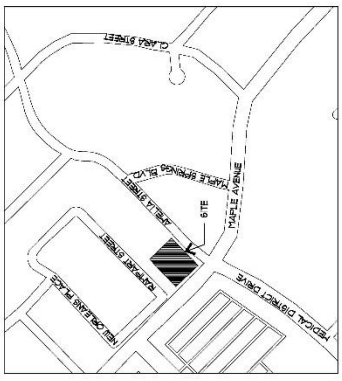
SEC. S-_____.115. COMPLIANCE WITH CONDITIONS.

(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 city.

(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, in this subdistrict until there has been full compliance with this division, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.

PROPOSED DEVELOPMENT PLAN





SITE AREA: .5197 AC.
22,613.13 SQ. FT.

USES:
LIMITED GR SUBDISTRICT USES (refer to ordinance)

FLOOR AREA: PER GR DISTRICT STANDARDS
RESTAURANT: MAX. 4,000 SQ. FT.
RETAIL: MAX. 8,000 SQ. FT.
BAR, LOUNGE, OR TAVERN: MAX. 1,800 SQ. FT.

COVERAGE: 32%

PARKING: PER GR DISTRICT STANDARDS
RESTAURANT: 1/110 SQ. FT.
RETAIL: 1/220 SQ. FT.

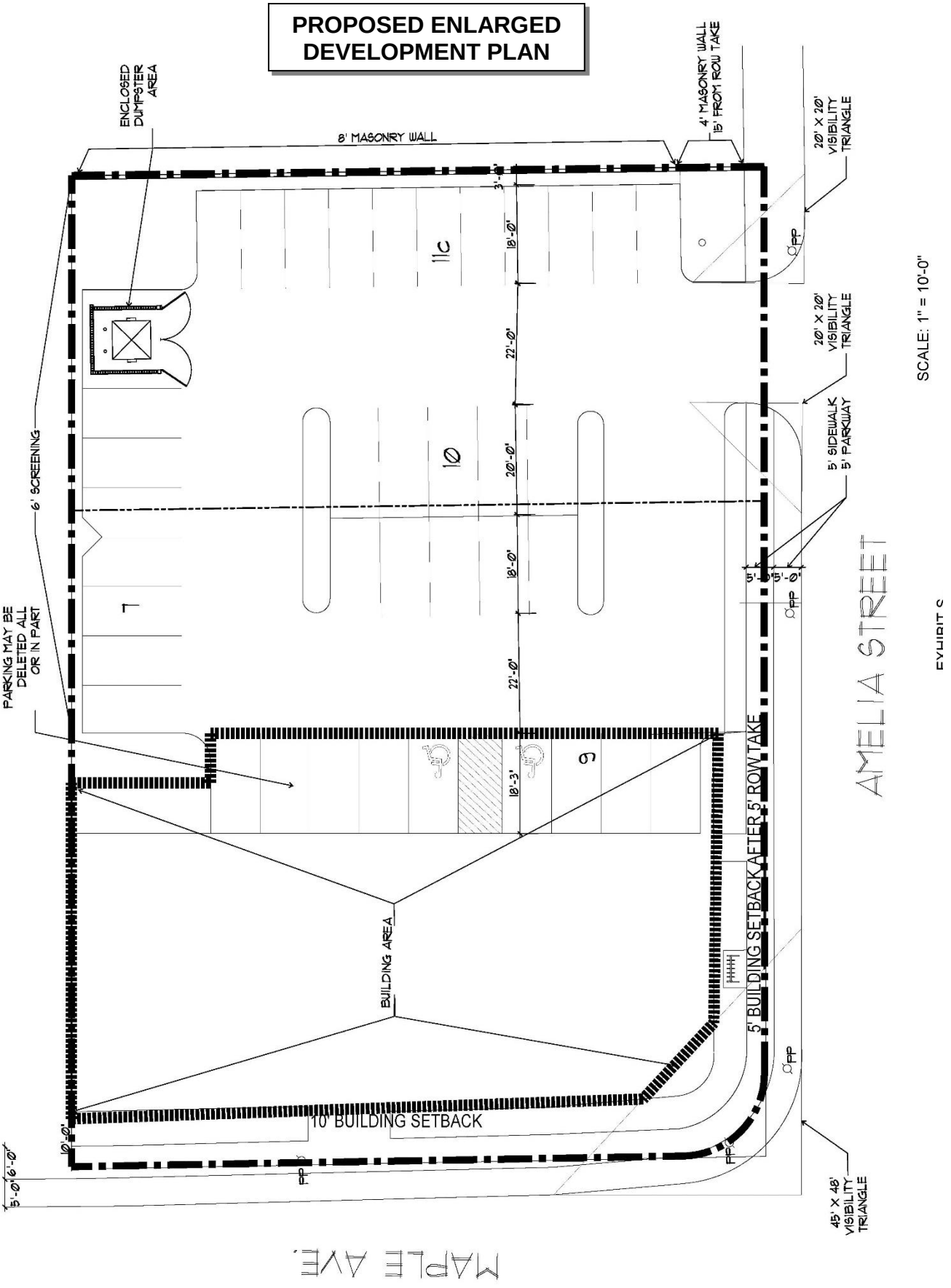
YARDS:
FRONT: 10 FT. ALONG MAPLE AVE.
5 FT. ALONG AMELIA ST. AFTER 5 FT. ROW DEDICATION
SIDE AND REAR: NONE

HEIGHT: 36 FT.

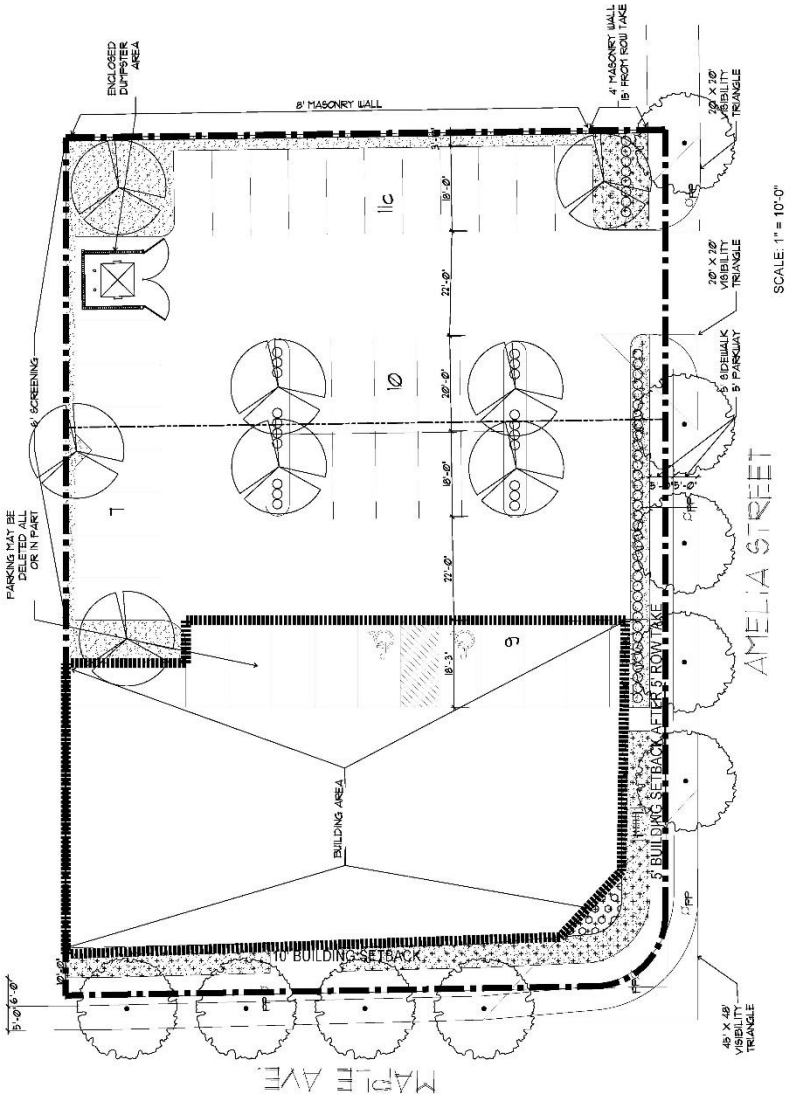
FLOOR AREA RATIO: MAX. 2:1

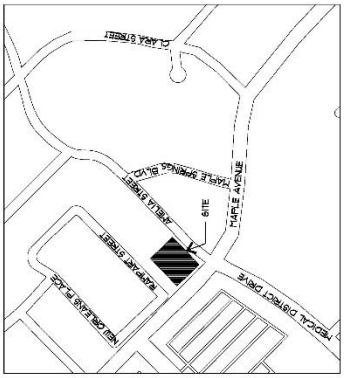
LANDSCAPE: PER LANDSCAPE PLAN

GSO ARCHITECTS
DALLAS, TX (972) 385 9661
www.GSOarchitects.com


PROPOSED ENLARGED DEVELOPMENT PLAN
ENCLOSED DUMPSTER AREA
8' MASONRY WALL
4' MASONRY WALL 15' FROM ROW TAKE
20' X 20' VISIBILITY TRIANGLE
6' SCREENING
PARKING MAY BE DELETED ALL OR IN PART
5' SIDEWALK
5' PARKWAY
AMELIA STREET
SCALE: 1" = 10'-0"
EXHIBIT C
BUILDING AREA
5' BUILDING SETBACK AFTER 5' ROW TAKE
10' BUILDING SETBACK
45' X 45' VISIBILITY TRIANGLE
MAPLE AVE.

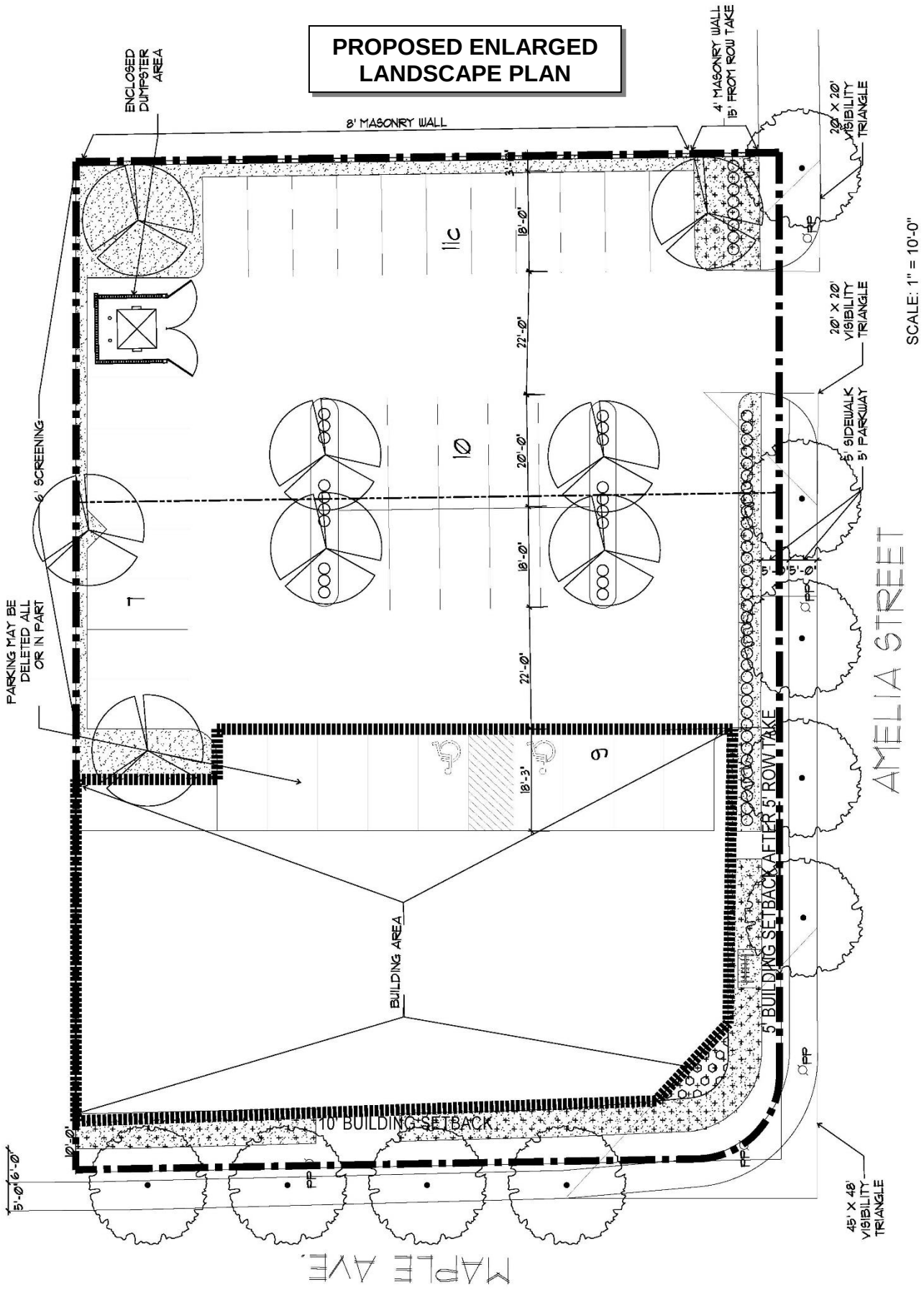
PROPOSED LANDSCAPE PLAN

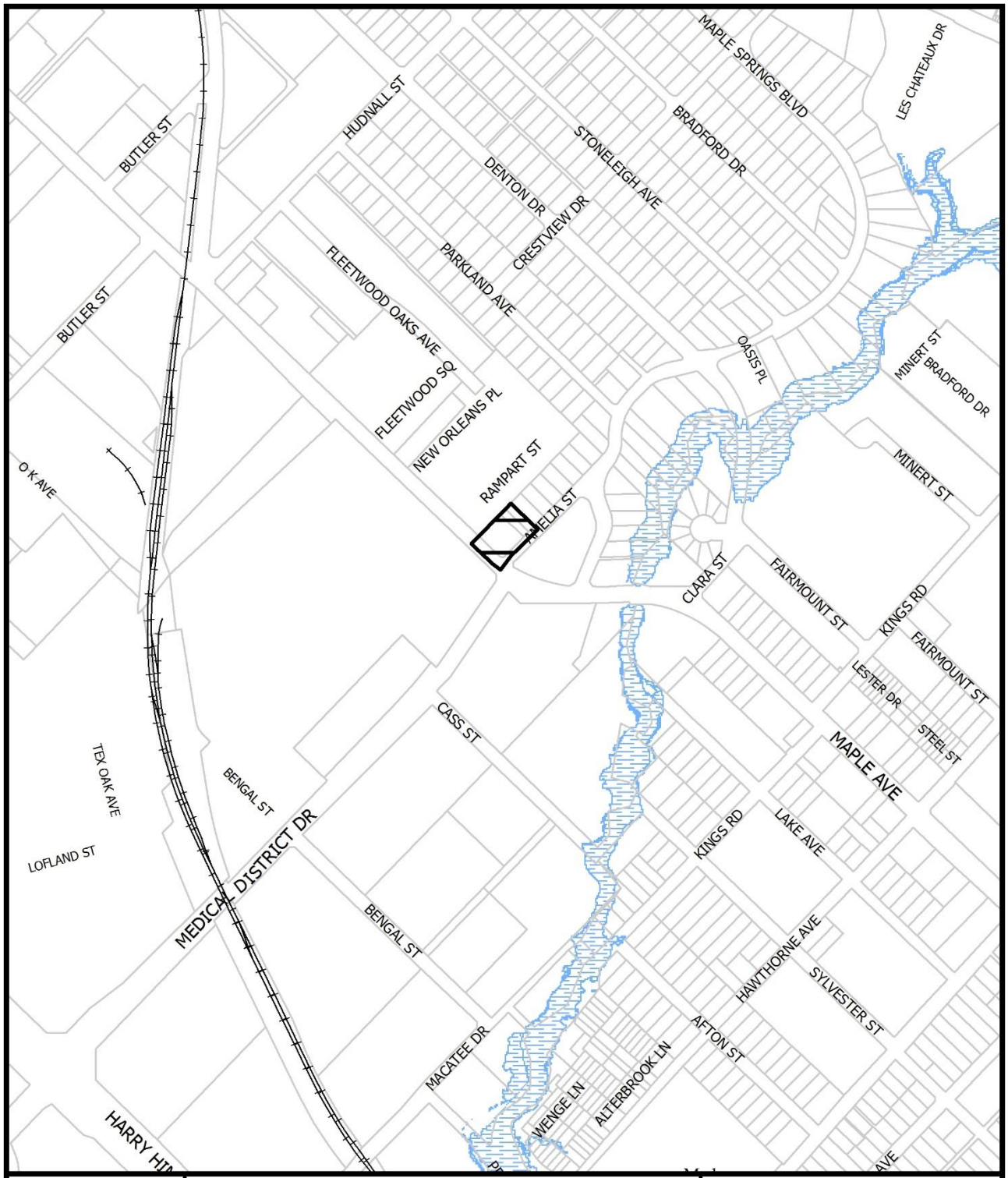




CITY OF DALLAS LANDSCAPE ORDINANCE COMPLIANCE MANDATORY REQUIREMENTS		
SITE LANDSCAPING AREA	AT LEAST 10% OF LOT MUST BE LANDSCAPED	
	REQUIRED	PROVIDED
	2,264 SF	2,321 SF
	AT LEAST 60% OF FRONT YARD MUST BE LANDSCAPED	
	REQUIRED	PROVIDED
	1,358 SF	1,610 SF
GENERAL PLANTING AREA	AT LEAST 12% OF REQUIRED FRONT YARD MUST BE GENERAL PLANTING AREA	
	REQUIRED	PROVIDED
	178 SF	192 SF Ground Cover: Monkey Grass Shrubs: Dwarf Yaupon Holly
SPECIAL PLANTING AREA	AT LEAST 8% OF REQUIRED FRONT YARD MUST BE SPECIAL PLANTING AREA	
	REQUIRED	PROVIDED
	89 SF	123 SF
STREET TREES	284 FT. OF FRONTAGE @ 1/25 FT	
	REQUIRED	PROVIDED
	11 LARGE CANOPY	9 LARGE CANOPY Live Oak Min. 3" Cal., 14' Ht.
SITE TREES	22,638 SQ. FT.	
	REQUIRED	PROVIDED
	6 LARGE CANOPY	15 LARGE CANOPY Live Oak Min. 3" Cal., 14' Ht.

GSD ARCHITECTS
DALLAS, TX 972.365.8601
www.GSDarchitects.com


PROPOSED ENLARGED
LANDSCAPE PLAN
ENCLOSED DUMPSTER AREA
8' MASONRY WALL
4' MASONRY WALL 15' FROM ROW TAKE
20' X 20' VISIBILITY TRIANGLE
20' X 20' VISIBILITY TRIANGLE
6' SCREENING
PARKING MAY BE DELETED ALL OR IN PART
5' SIDEWALK 5' PARKWAY
AMELIA STREET
5' BUILDING SETBACK AFTER 5' ROW TAKE
BUILDING AREA
10' BUILDING SETBACK
45' X 45' VISIBILITY TRIANGLE
MAPLE AVE.
SCALE: 1" = 10'-0"



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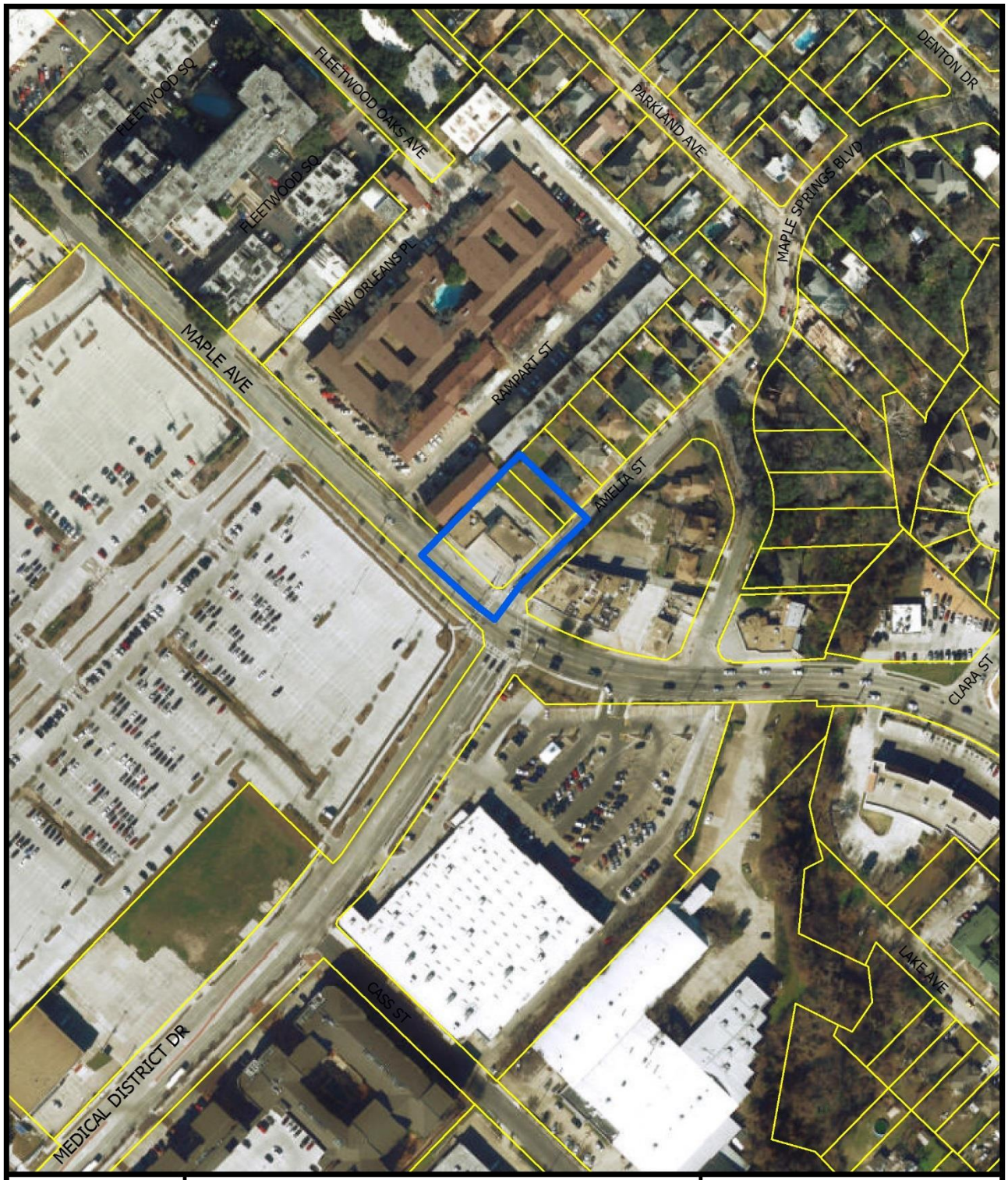
VICINITY MAP

Case no: Z178-282

Date: 10/3/2018



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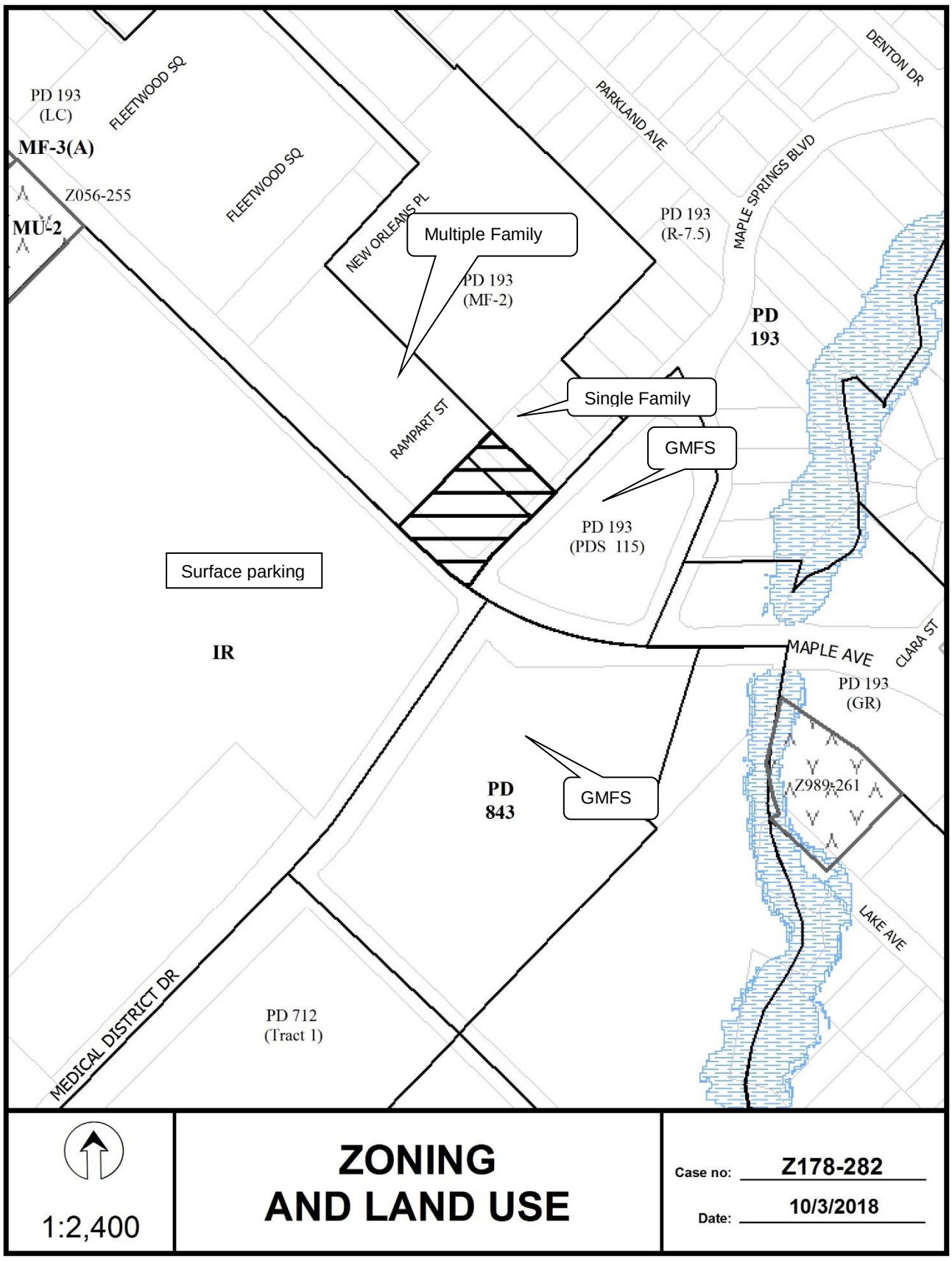
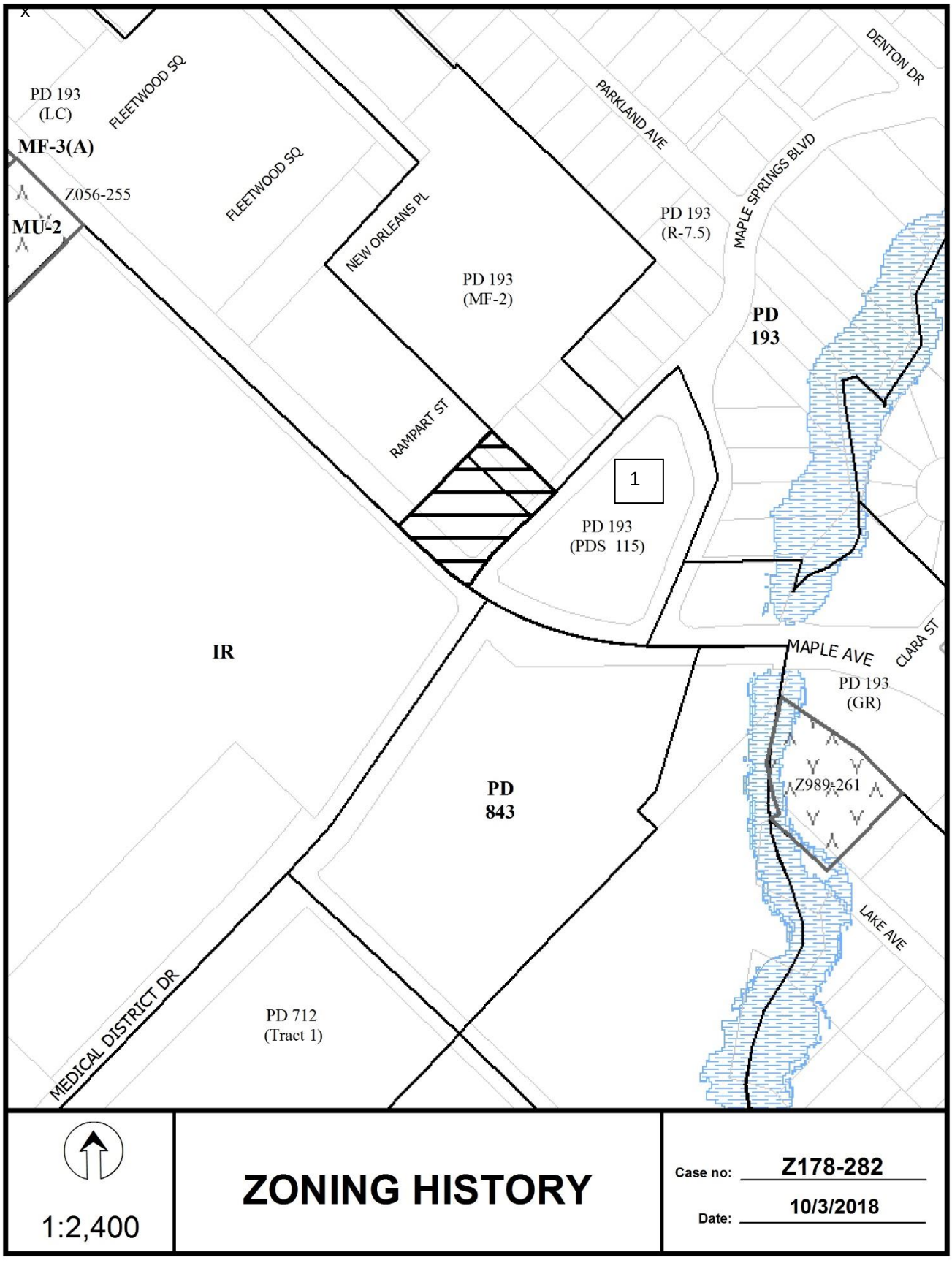
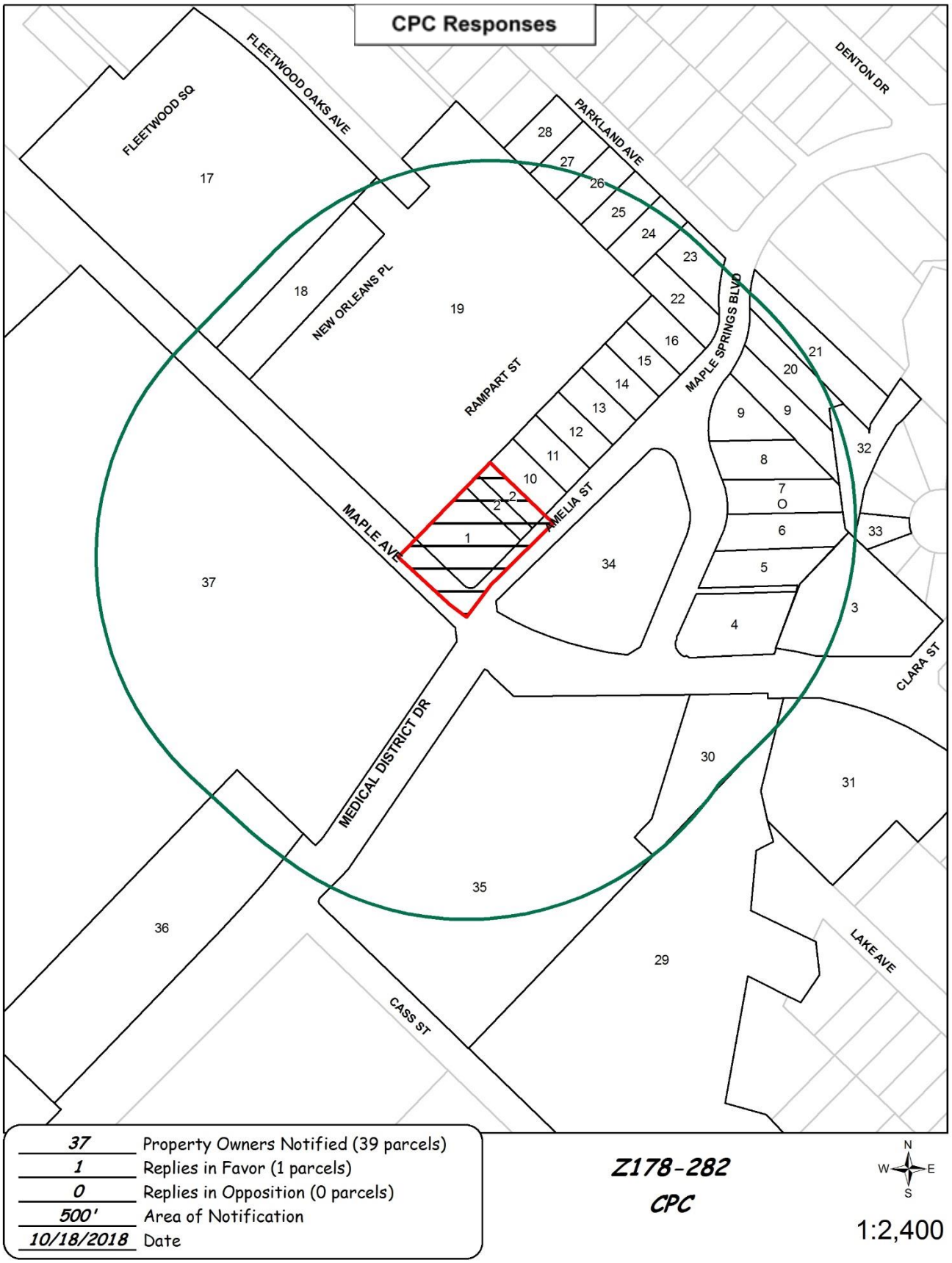
AERIAL MAP

Case no: Z178-282

Date: 10/3/2018


PD 193
(LC)
MF-3(A)
FLEETWOOD SQ
FLEETWOOD SQ
Z056-255
MU-2
NEW ORLEANS PL
Multiple Family
PD 193
(MF-2)
PARKLAND AVE
DENTON DR
PD 193
(R-7.5)
MAPLE SPRINGS BLVD
PD
193
Single Family
GMFS
RAMPART ST
PD 193
(PDS 115)
Surface parking
IR
MAPLE AVE
CIARA ST
PD 193
(GR)
PD
843
GMFS
Z989-261
LAKE AVE
MEDICAL DISTRICT DR
PD 712
(Tract 1)
1:2,400
ZONING
AND LAND USE
Case no: Z178-282
Date: 10/3/2018


PD 193
(LC)
FLEETWOOD SQ
MF-3(A)
Z056-255
MU-2
FLEETWOOD SQ
NEW ORLEANS PL
PD 193
(MF-2)
PARKLAND AVE
DENTON DR
MAPLE SPRINGS BLVD
PD 193
(R-7.5)
PD
193
RAMPART ST
1
PD 193
(PDS 115)
IR
MAPLE AVE
CLARA ST
PD 193
(GR)
Z989-261
PD
843
LAKE AVE
MEDICAL DISTRICT DR
PD 712
(Tract 1)
1:2,400
ZONING HISTORY
Case no: Z178-282
Date: 10/3/2018


CPC Responses
FLEETWOOD SQ
FLEETWOOD OAKS AVE
PARKLAND AVE
DENTON DR
NEW ORLEANS PL
RAMPART ST
MAPLE SPRINGS BLVD
MAPLE AVE
AMELIA ST
CLARA ST
MEDICAL DISTRICT DR
CASS ST
LAKE AVE
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3
32
33
34
37
36
35
30
31
29
37 Property Owners Notified (39 parcels)
1 Replies in Favor (1 parcels)
0 Replies in Opposition (0 parcels)
500' Area of Notification
10/18/2018 Date
Z178-282
CPC
N
W
E
S
1:2,400

10/17/2018

Reply List of Property Owners

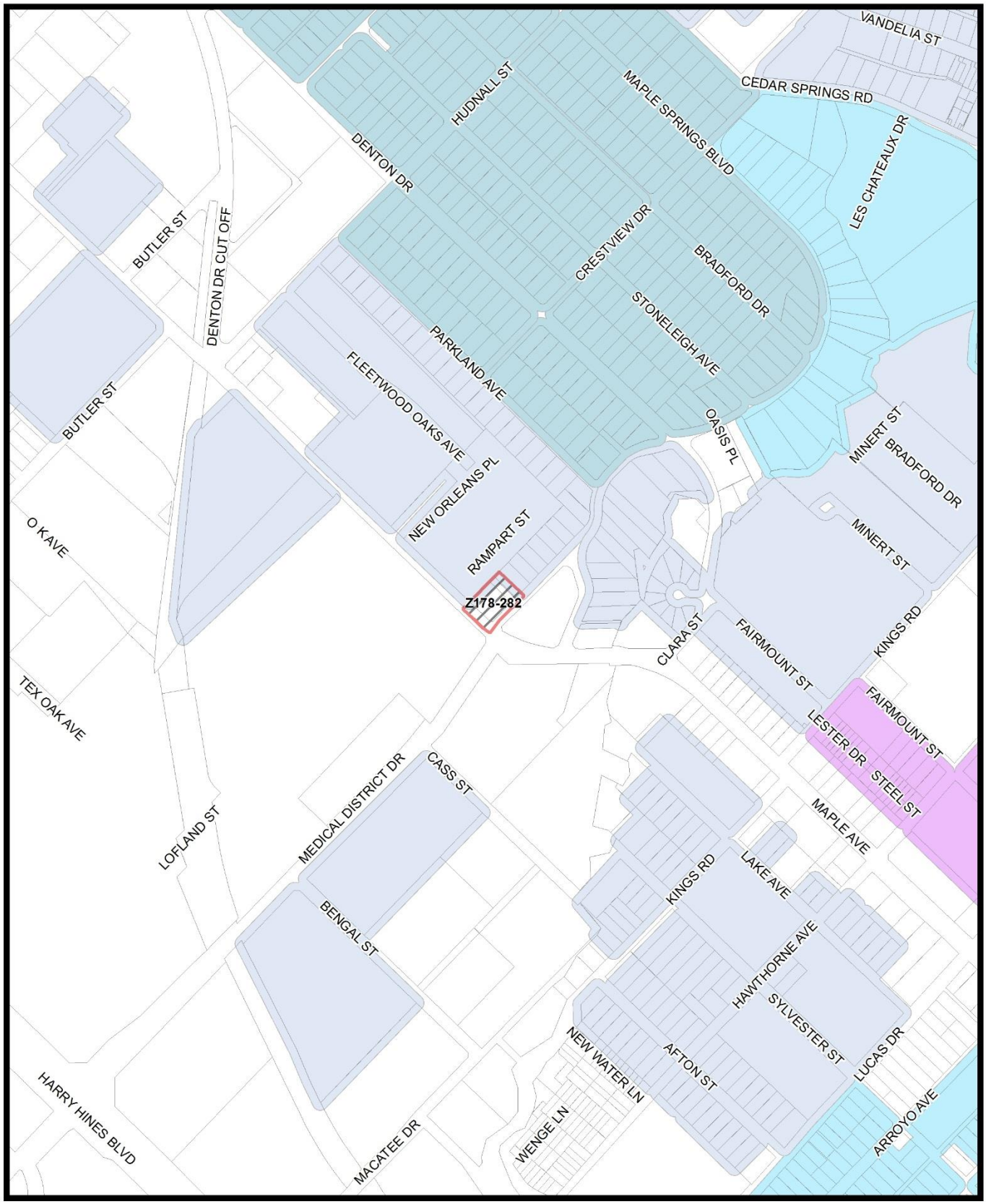
Z178-282

37 Property Owners Notified ***1 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	5000	MAPLE AVE	HUCKABEE PARTNERSHIP, LTD
	2	2511	AMELIA ST	HUCKABEE LOU G
	3	4810	MAPLE AVE	TCG MMB INVESTORS LLC
	4	4906	MAPLE AVE	DREKAJ DAVID
	5	2510	MAPLE SPRINGS BLVD	GONZALES FELIX
	6	2514	MAPLE SPRINGS BLVD	BALDWIN PHILIP M
O	7	2518	MAPLE SPRINGS BLVD	MAHONEY MICHAEL P
	8	2600	MAPLE SPRINGS BLVD	LEVA LON E
	9	2612	MAPLE SPRINGS BLVD	SPARKS GLENN C
	10	2515	AMELIA ST	MONTES DAVID
	11	2521	AMELIA ST	JACINTO GRACIE & MICHAEL
	12	2523	AMELIA ST	AYALA ANTHONY
	13	2527	AMELIA ST	AMARASINGHAM RUBEN &
	14	2603	AMELIA ST	HERNANDEZ EDWARD R
	15	2605	MAPLE SPRINGS BLVD	BLACKBURN JASON T
	16	2611	MAPLE SPRINGS BLVD	TORRES JUANITA SUAREZ
	17	5225	FLEETWOOD OAKS DR	HOCTOR TIC LLC &
	18	5120	MAPLE AVE	QUINTANILLA TECHNOLOGIES INC
	19	5010	MAPLE AVE	SAN CARLOS ASSOC LP
	20	2620	MAPLE SPRINGS BLVD	DRABLOS SCOTT C & KELLY P B
	21	2624	MAPLE SPRINGS BLVD	REDDING CHARLES MICHAEL
	22	2615	MAPLE SPRINGS BLVD	AYALA JOSEFINA L
	23	2619	MAPLE SPRINGS BLVD	DERRY DALE LYNN
	24	5009	PARKLAND AVE	PHILLIPS REBECCA A
	25	5011	PARKLAND AVE	MARTINEZ ELIZABETH TR
	26	5015	PARKLAND AVE	REYES ROBIN

10/17/2018

Reply	*Label #*	*Address*		*Owner*
	27	5103	PARKLAND AVE	STULL DOMINIC
	28	5107	PARKLAND AVE	BOLINDER ERIC
	29	4714	CASS ST	KALOGRIDIS REAL EST LTD
	30	4821	MAPLE AVE	MAGIC CARPET LTD
	31	4807	MAPLE AVE	MAPLE C PARTNERS LTD
	32	4800	FAIRMOUNT ST	MAEDC
	33	4819	FAIRMOUNT ST	MEJIA JUAN FRANCISCO &
	34	2527	MAPLE SPRINGS BLVD	CVS PHARMACY INC
	35	4901	MAPLE AVE	KROGER MANAGEMENT NMTC DALLAS I LLC
	36	2311	MEDICAL DISTRICT DR	KUMIVA GROUP LLC
	37	5101	MAPLE AVE	DALLAS COUNTY HOSPITAL DISTRICT



MVACluster A B C D E F G H I NA

1:6,000

Market Value Analysis

Printed Date: 10/9/2018

Agenda Information Sheet

File #: 18-1377 **Item #:** 102.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 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 D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, on property zoned Subdistrict 2 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D Liquor Control Overlay, on the southwest corner of Bruton Road and South Buckner Boulevard

Recommendation of Staff: Approval of a D-1 Liquor Control Overlay; and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and staff's recommended conditions

Recommendation of CPC: Approval of a D-1 Liquor Control Overlay; and approval of a Specific Use Permit for a three-year period, subject to a site plan and conditions

Z178-318(JM)

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, DECEMBER 12, 2018**

ACM: Majed Al-Ghafry

FILE NUMBER: Z178-318(JM) **DATE FILED:** July 30, 2018

LOCATION: Southwest corner of Bruton Road and South Buckner Boulevard

COUNCIL DISTRICT: 5 **MAPSCO:** 58 C

SIZE OF REQUEST: ±0.957 **CENSUS TRACT:** 91.04

OWNER/APPLICANT: Casa Rock Partners, Ltd.

REPRESENTATIVE: Karl Crawley, Masterplan

REQUEST: An application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, on property zoned Subdistrict 2 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D Liquor Control Overlay.

SUMMARY: The purpose of this request is to allow for the redevelopment of the site with a newly proposed general merchandise or food store with 3,062 square feet of floor area and a fueling station [7-Eleven] to sell alcoholic beverages for off-premise consumption.

CPC RECOMMENDATION: **Approval** of a D-1 Liquor Control Overlay; and **approval** of a Specific Use Permit for a three-year period, subject to a site plan and conditions

STAFF RECOMMENDATION: **Approval** of a D-1 Liquor Control Overlay; and **approval** of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and staff's recommended conditions

BACKGROUND INFORMATION:

- Planned Development District No. 366, the Buckner Boulevard Special Purpose District, was adopted in 1992 and contains nine subareas within approximately 407.945 acres.
- The subject site lies within Subarea 2 of PDD No. 366, which allows the general merchandise or food store less than 3,500 square feet and motor vehicle fueling station uses by right; however, the D Liquor Control Overlay does not allow the sale of alcoholic beverages.
- The property contains less than one acre with two existing buildings and a canopy which are planned for demolition. The purpose of this request is to allow for the redevelopment of the site with a newly proposed general merchandise or food store with 3,062 square feet of floor area and a fueling station [7-Eleven] to sell alcoholic beverages for off-premise consumption.

Zoning History: There have been two zoning changes in the area within the last five years.

1. **Z156-183**: On August 9, 2017, the City Council approved an ordinance granting proper zoning on property zoned Planned Development District No. 366, the Buckner Boulevard Special Purpose District, generally located on both sides of S. Buckner Boulevard from Heinan Drive and Hoyle Avenue on the north to the T. & N.O Railroad on the south.
2. **Z167-192**: On May 18, 2017, the City Plan Commission recommended denial without prejudice of an application for a Planned Development District for NS(A) Neighborhood Service district uses and an auto service center, a motor vehicle fueling station, and a restaurant with drive-in or drive-through service by right, on property zoned an R-7.5(A) Single Family District and Subarea 2 within PDD No. 366, the Buckner Boulevard Special Purpose District, located on the southeast corner of Bruton Road and Shortal Drive and the southwest corner of Bruton Road and South Buckner Boulevard. Application was not appealed. *[This includes the subject site, as well as property zoned an R-7.5(A) District to the west.]*

Thoroughfares/Streets

Thoroughfare/Street	Type	Existing ROW	Proposed ROW
Bruton Road	Principal Arterial	80-90 feet (Variable)	100 feet
S. Buckner Boulevard (Loop 12)	Principal Arterial	Variable	107 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 roadway system.

Surrounding Land Uses

	Zoning	Land Use
Site	Tract 3, Subarea 2, PDD No. 366 w/D Overlay	Personal service and restaurant
North	Tract 3, Subarea 2, PDD No. 366 w/D Overlay	General merchandise or food store 3,500 square feet or less, personal service, and auto service center
East	Tract 3, Subarea 2, PDD No. 366 w/D-1 Overlay, SUP No. 1973	General merchandise or food store 3,500 square feet or less
South	Tract 3, Subarea 2, PDD No. 366 w/D-1 Overlay	Retail, personal service, restaurant with drive-through, vehicle display, sales, or service, and single family
West	R-7.5(A)	Undeveloped

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:

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. 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

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 proposed use complements the neighborhood by adding a convenient option within walking distance from residential properties. Additionally, S. Buckner Boulevard is a retail hub. Such reinvestment in commercial properties benefits the surrounding neighborhood.

Land Use Compatibility

The property contains less than one acre with two existing buildings and a canopy which are planned for demolition. The purpose of this request is to allow for the redevelopment of the site with a newly proposed general merchandise or food store with 3,062 square feet of floor area and a fueling station [7-Eleven] to sell alcoholic beverages for off-premise consumption.

The subject site lies within Subarea 2 of PDD No. 366, which allows the general merchandise or food store less than 3,500 square feet and motor vehicle fueling station uses by right; however, the D Liquor Control Overlay prohibits the sale of alcoholic beverages. The current request would change the overlay to D-1 to allow alcohol related uses by Specific Use Permit.

Surrounding uses include general merchandise or food store 3,500 square feet or less, personal service, and auto service center to the north; general merchandise or food store 3,500 square feet or less to the east; retail, personal service, restaurant with drive-through, vehicle display, sales, and service, and single family to the south; and, undeveloped land to the west.

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 proposed sale of alcoholic beverages in conjunction with a general merchandise or food store is complementary to the area. Having neighborhood establishments with a variety of shopping and dining opportunities add to the quality of life for the neighborhood residents. Staff supports the request for an initial two-year period, with

eligibility for automatic renewals for additional five-year periods. This time period allows for the store to establish a base and operation pattern. Upon renewal, compliance and land use compatibility can be reassessed based on crime statistics and neighborhood opinion from the more established use.

Market Value Analysis

Market Value Analysis (MVA), 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. While the subject site is not located within an identified market type category, it is closest to Category F to the west along Shortal Drive.

Parking

PDD No. 366 refers to the Dallas Development Code for required parking. Off-street parking for a general merchandise or food store 3,500 square feet or less is required at a ratio of one space for each 200 square feet of floor area. The new building is proposed to contain 3,062 square feet of floor area requiring 15 off-street spaces. Additionally, two parking spaces are required for a motor vehicle fueling station requiring a total of 17 off-street parking spaces for the proposed development. The proposed SUP site plan indicates that 17 parking spaces are provided, including one accessible space. This meets the minimum parking requirement.

Loading

The Dallas Development Code requires one loading space for a general merchandise or food store 3,500 square feet or less. A motor vehicle fueling station must provide sufficient space to allow for the unloading of a fuel truck. According to the proposed SUP site plan, one 11-foot by 35-foot loading space is provided.

Landscaping

Landscaping will be required per Article X, as amended.

CPC Action
October 18, 2018

Motion: It was moved to recommend **approval** of a D-1 Liquor Control Overlay and **approval** a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less, for a three-year period, subject to a site plan and conditions on property zoned Subdistrict 2 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District with a D Liquor Control Overlay, on the southwest corner of Bruton Road and South Buckner Boulevard.

Maker: Shidid
Second: Tarpley
Result: Carried: 12 to 0

For: 12 - West, Rieves, Davis, Shidid, Carpenter, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Lewis
Vacancy: 2 - District 3, District 7

Notices: Area: 200 Mailed: 10
Replies: For: 0 Against: 0

Speakers: For: None
For (Did not speak): Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Against: None

LIST OF OWNERS

FILED
In the Office of the
Secretary of State of Texas
MAY 01 1998
Corporations Section

CERTIFICATE OF LIMITED PARTNERSHIP

1 Name of Partnership: **CASA ROCK PARTNERS, LTD.**

2. Address of Principal Office: 9111 East R L. Thornton Freeway
Dallas, Texas 75228

3. Name and Address of Registered Agent:
Larry D. Smith
9111 East R.L. Thornton Freeway
Dallas, Texas 75228

4. General Partner:

Name: **TICAN, Inc.**

Mailing Address: 9111 East R.L. Thornton Freeway
Dallas, Texas 75228

EXECUTED this 1st day of May, 1998.

GENERAL PARTNER:

TICAN, Inc.

By: _____
Larry D. Smith, President

CPC Recommended
SUP CONDITIONS
Z178-318

1. USE: The only use authorized by this specific use permit is for the sale of alcoholic beverages for off-premise consumption in conjunction with a general merchandise or food store 3,500 square feet or less.

2. SITE PLAN: Use and development of the Property must comply with the attached site plan.

CPC's Recommendation

3. TIME LIMIT: This specific use permit expires on (three years from passage of this ordinance).

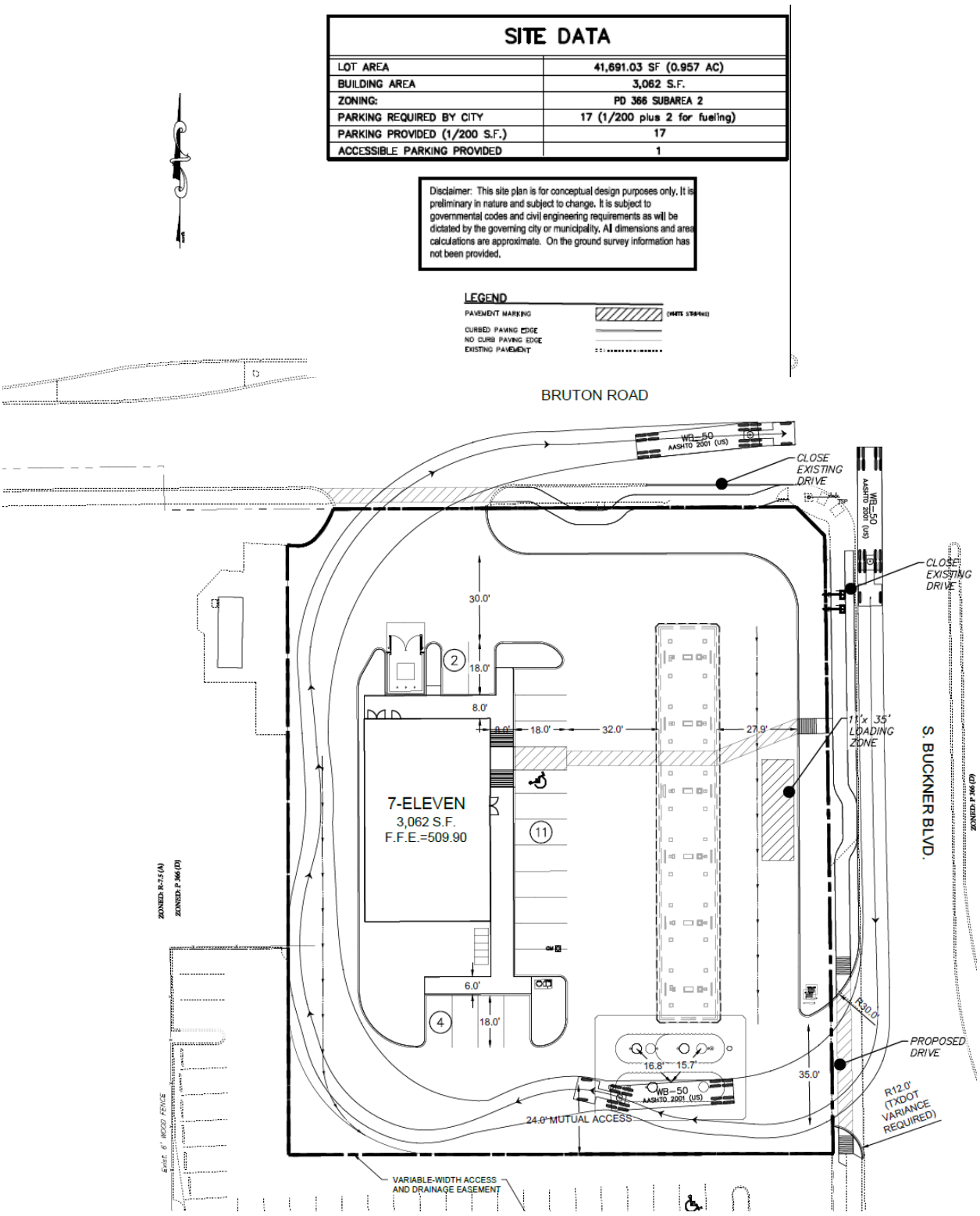
Staff's Recommendation

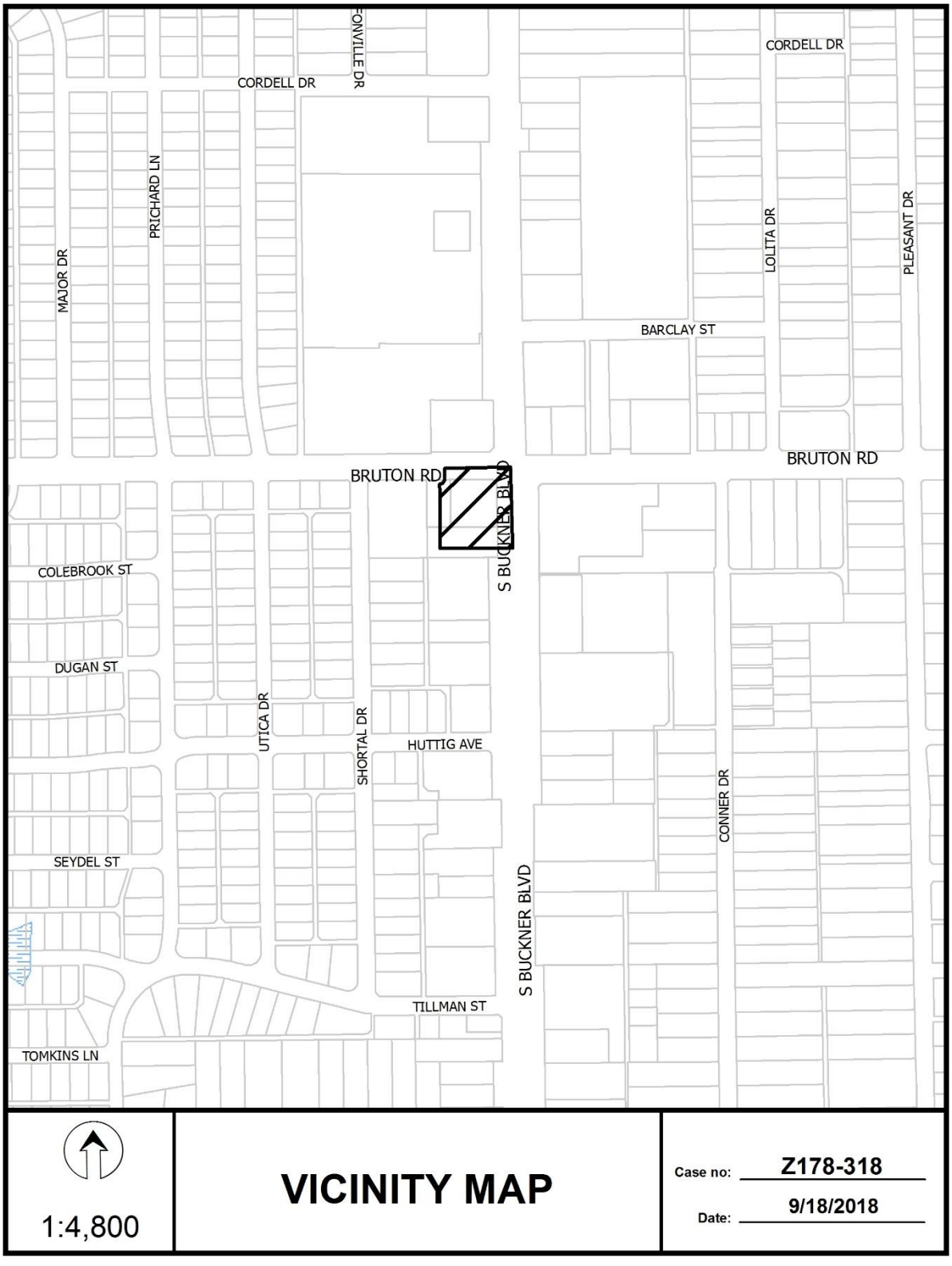
3. TIME LIMIT: This specific use permit expires on (two years from passage of this ordinance), but is eligible for automatic renewal for additional five-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must 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.).

4. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

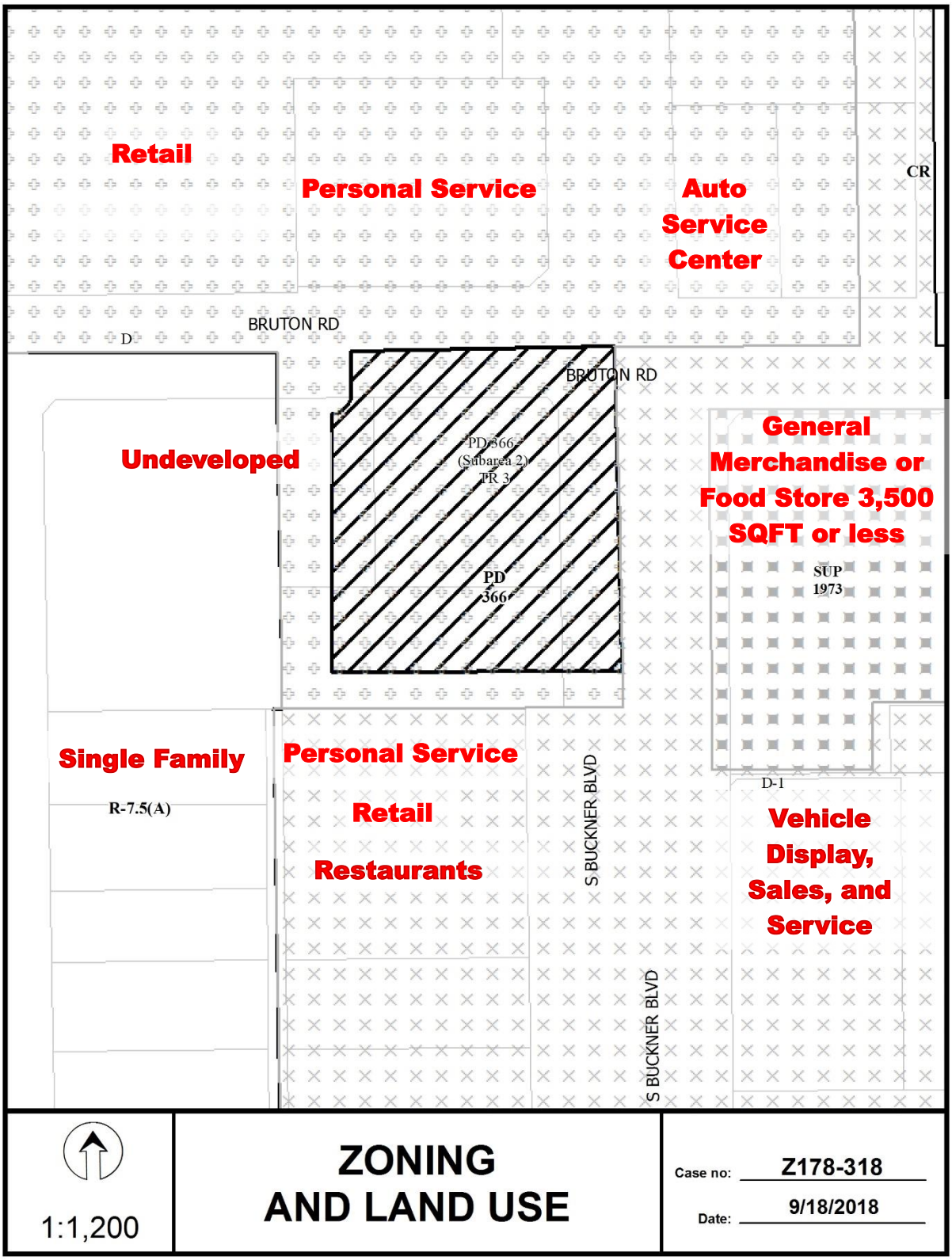
5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

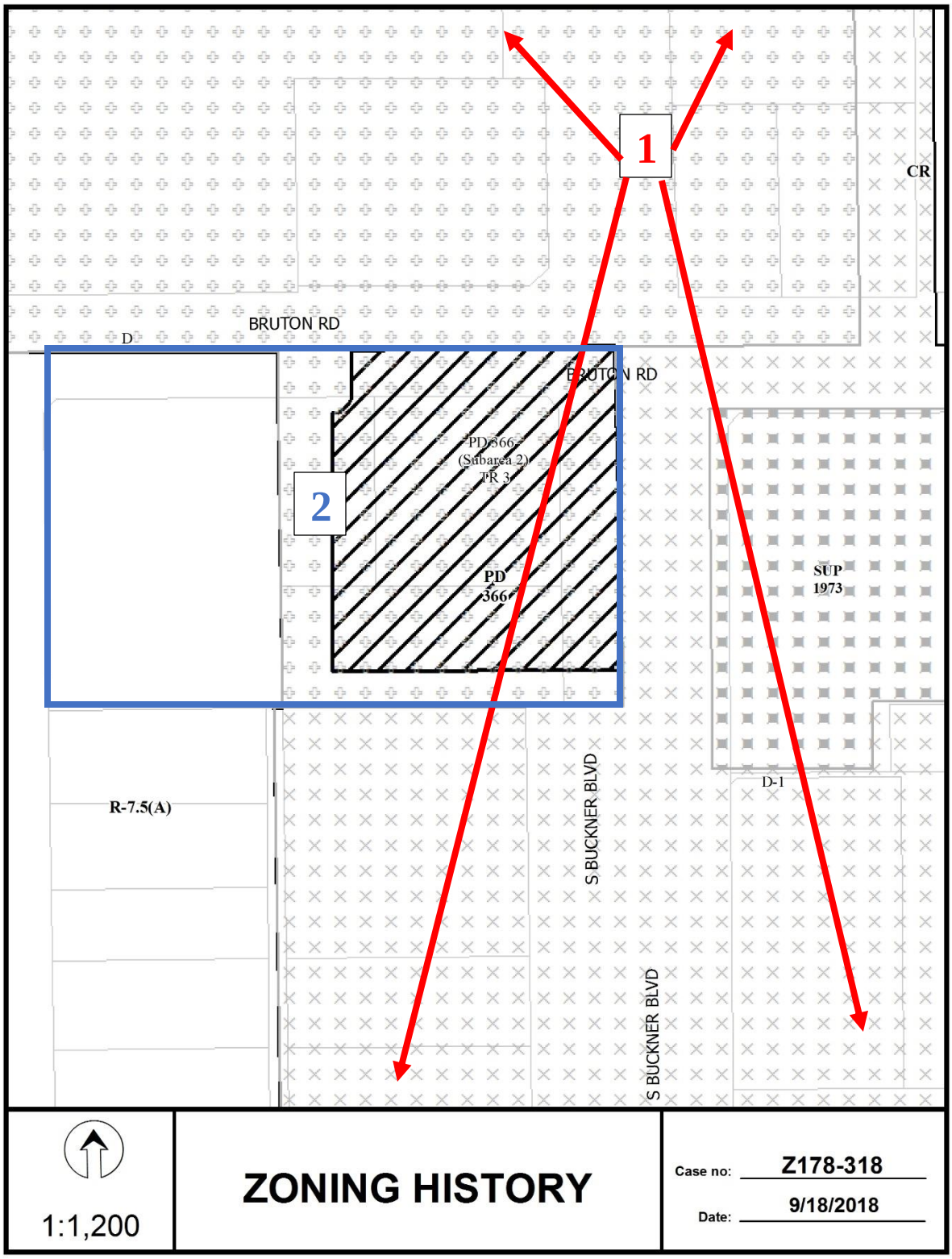
Proposed Site Plan




CORDELL DR
FONVILLE DR
CORDELL DR
PRICHARD LN
MAJOR DR
LOLITA DR
PLEASANT DR
BARCLAY ST
BRUTON RD
BRUTON RD
S BUCKNER BLVD
COLEBROOK ST
DUGAN ST
UTICA DR
SHORTAL DR
HUTTIG AVE
CONNER DR
SEYDEL ST
S BUCKNER BLVD
TILLMAN ST
TOMKINS LN
1:4,800
VICINITY MAP
Case no: Z178-318
Date: 9/18/2018

BRUTON RD
BRUTON RD
S BUCKNER BLVD
S BUCKNER BLVD
1:1,200
AERIAL MAP
Case no: Z178-318
Date: 9/18/2018


Retail
Personal Service
Auto Service Center
CR
BRUTON RD
D
BRUTON RD
Undeveloped
PD 366 (Subarea 2) TR 3
PD 366
General Merchandise or Food Store 3,500 SQFT or less
SUP 1973
Single Family
R-7.5(A)
Personal Service
Retail
Restaurants
S BUCKNER BLVD
S BUCKNER BLVD
D-1
Vehicle Display, Sales, and Service
1:1,200
ZONING AND LAND USE
Case no: Z178-318
Date: 9/18/2018


1
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CR
BRUTON RD
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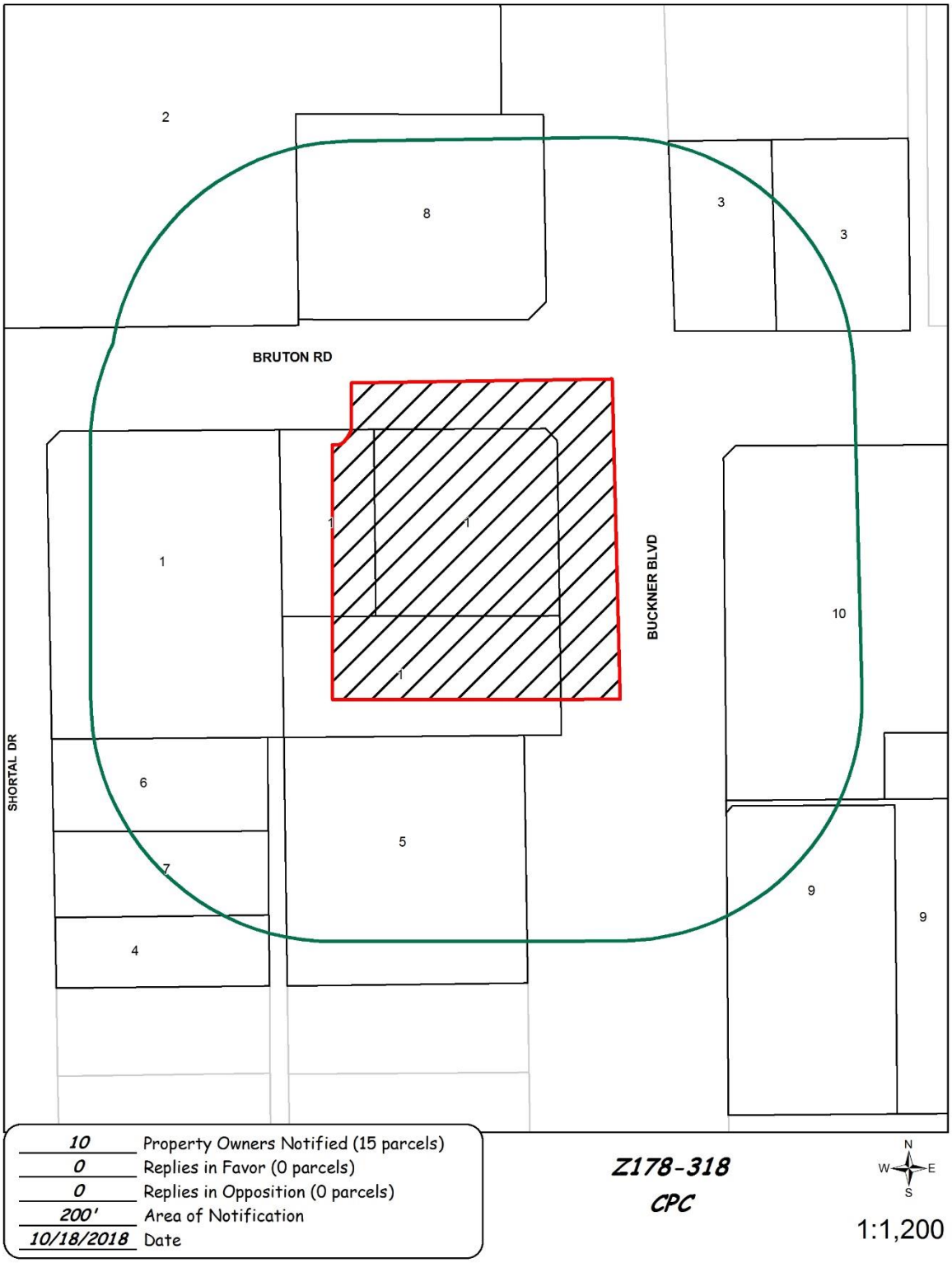
BRUTON RD
PD 366
(Subarea 2)
TR 3
PD
366
SUP
1973
D-1
R-7.5(A)
S BUCKNER BLVD
S BUCKNER BLVD
1:1,200
ZONING HISTORY
Case no: Z178-318
Date: 9/18/2018

CPC Responses



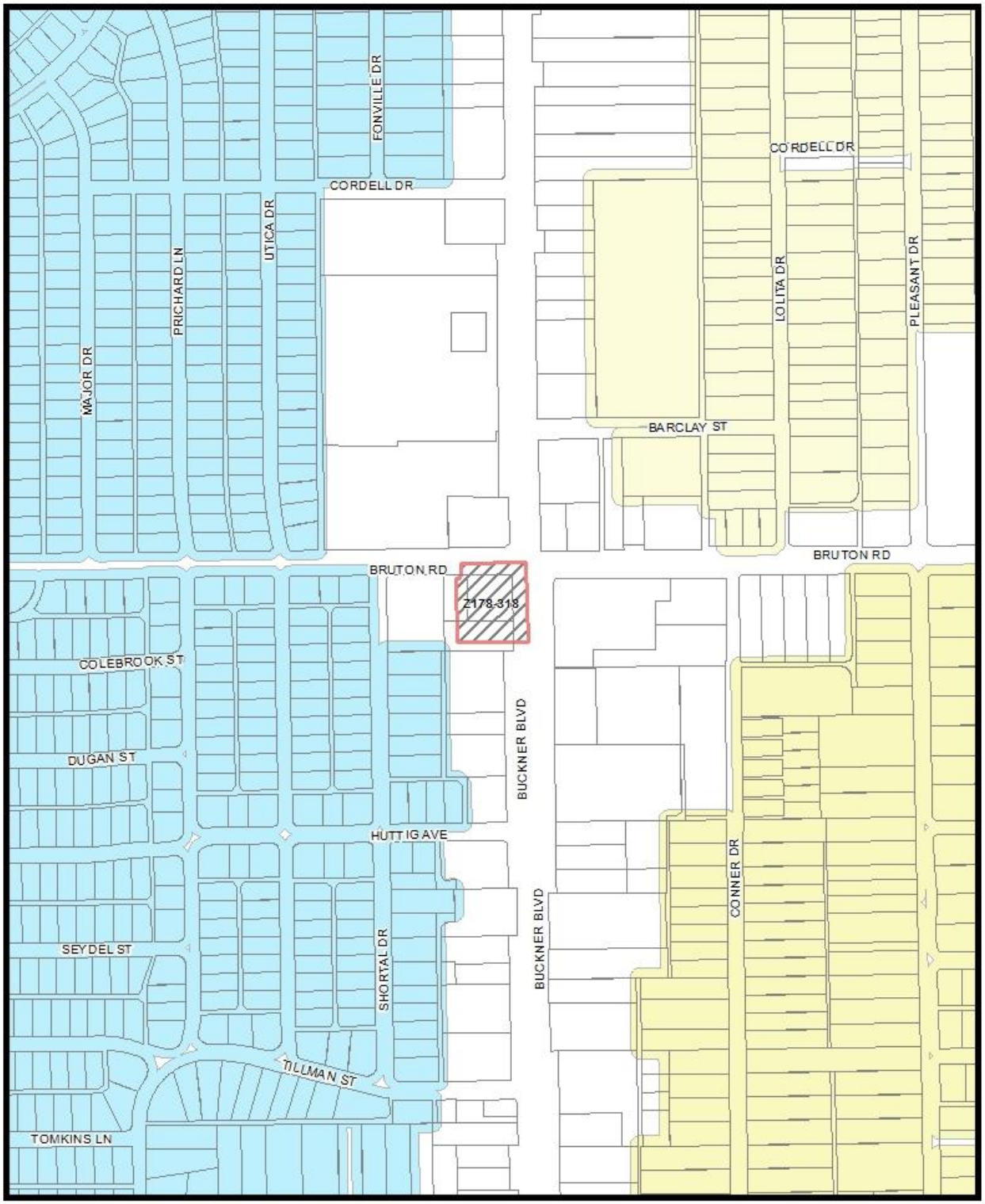
10/17/2018

Reply List of Property Owners

Z178-318

10 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	8040	BRUTON RD	CASA ROCK PARTNERS LTD &
	2	2109	S BUCKNER BLVD	EASTERN COLUMBIA ASSO LLC
	3	2104	S BUCKNER BLVD	BRUTON FAMILY LLC
	4	2030	SHORTAL DR	HALL ROY J
	5	2029	S BUCKNER BLVD	K & O INVESTMENTS INC
	6	2042	SHORTAL DR	HARPER KENNETH L &
	7	2036	SHORTAL DR	GONZALEZ OSCAR & DEIBI
	8	2101	S BUCKNER BLVD	PLS PPTY MGMT OF TX LP
	9	2030	S BUCKNER BLVD	MUELLER PROPERTIES LTD
	10	2050	S BUCKNER BLVD	DABO RE INV 1 LLC


FONVILLE DR
CORDELL DR
CORDELL DR
UTICA DR
PRICHARD LN
MAJOR DR
LOLITA DR
PLEASANT DR
BARCLAY ST
BRUTON RD
BRUTON RD
Z178-318
COLEBROOK ST
DUGAN ST
BUCKNER BLVD
HUTTIG AVE
CONNER DR
BUCKNER BLVD
SEYDEL ST
SHORTAL DR
TILLMAN ST
TOMKINS LN
MVA Cluster A B C D E F G H I NA
1:4,800
Market Value Analysis
Printed Date: 9/18/2018

Agenda Information Sheet

File #: 18-1378 **Item #:** 103.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 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 Specific Use Permit for a tower/antenna for cellular communication on property zoned a CS Commercial Service District, on the northwest corner of Fletcher Street and South Peak Street
Recommendation of Staff: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and staff's recommended conditions
Recommendation of CPC: Approval for a ten-year period, subject to a site plan and conditions
Z178-331(SM)

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, DECEMBER 12, 2018**

ACM: Majed Al-Ghafry

FILE NUMBER: Z178-331(SM) **DATE FILED:** August 10, 2018

LOCATION: Northwest corner of Fletcher Street and South Peak Street

COUNCIL DISTRICT: 2 **MAPSCO:** 46 K

SIZE OF REQUEST: Approx. 17,015 sq. ft. **CENSUS TRACT:** 25.00

APPLICANT: Verizon Wireless

OWNER: J&G Hill Interests, Ltd.

REPRESENTATIVE: Peter Kavanagh, Zone Systems, Inc.

REQUEST: An application for a Specific Use Permit for a tower/antenna for cellular communication on property zoned a CS Commercial Service District.

SUMMARY: The applicant [Verizon Wireless] proposes to construct a monopole tower for cellular communication within a concealment tower with an overall height of 80 feet approximately six feet from the existing adjacent building near Fletcher Street. The approximately 1,025-square-foot wireless lease area is proposed to have access to Fletcher Street and the tower and equipment is proposed to be surrounded by a six-foot-tall wrought-iron fence and a planting strip with six Redtip shrubs between the proposed monopole tower and Fletcher Street.

CPC RECOMMENDATION: **Approval** for a ten-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: **Approval** for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and staff's recommended conditions.

BACKGROUND INFORMATION:

- The wireless lease site is proposed to be located on undeveloped land.
- The proposed monopole tower for cellular communication within a concealment tower complements another site on the southwest side of the Fair Park grounds (Z178-193). This request is similar to the previously approved request because it is similar in design and is proposed to provide additional cellular capacity to the vicinity.

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
South Peak Street	Local	60' ROW
Fletcher Street	Local	50' 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	Zoning	Land Use
Site	CS	Undeveloped
West	CS	Print Shop
North	CS	Print Shop
East	CS	Vehicle Storage Lot and Contractor's Maintenance Yard
South	CS	Animal Clinic and Vehicle Sales

Land Use Compatibility:

The proposed location of the stealth monopole tower is on the westernmost corner of the triangular-shaped undeveloped lot. The approximately 1,045-square-foot triangular wireless lease area is proposed approximately 126 feet southeast of the east corner of Parry Avenue and Fletcher Street and the tower and equipment is proposed to be surrounded by a six-foot-tall wrought-iron fence to match the nearby fences.

The proposed location of the stealth monopole tower is surrounded by a print shop on the north and west, a vehicle storage lot and contractor's maintenance yard on the other side of South Peak Street, and an animal clinic and vehicle sales lot on the other side of Fletcher Street.

Pursuant to Section 51A-4.212(10.1), an SUP is required when the height of a proposed monopole tower exceeds 45 feet in the CS Commercial Service District. 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 45 feet in the CS Commercial Service 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 80-foot tall tower to comply with RPS, it must be placed 240 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 monopole is much further than 240 feet away, 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 monopole 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 three "sectors serve the north 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 monopole tower will add six "sectors" to the southwest side of Fair Park.

Staff supports the request because (1) the proposed monopole is located well below the height 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 monopole 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:

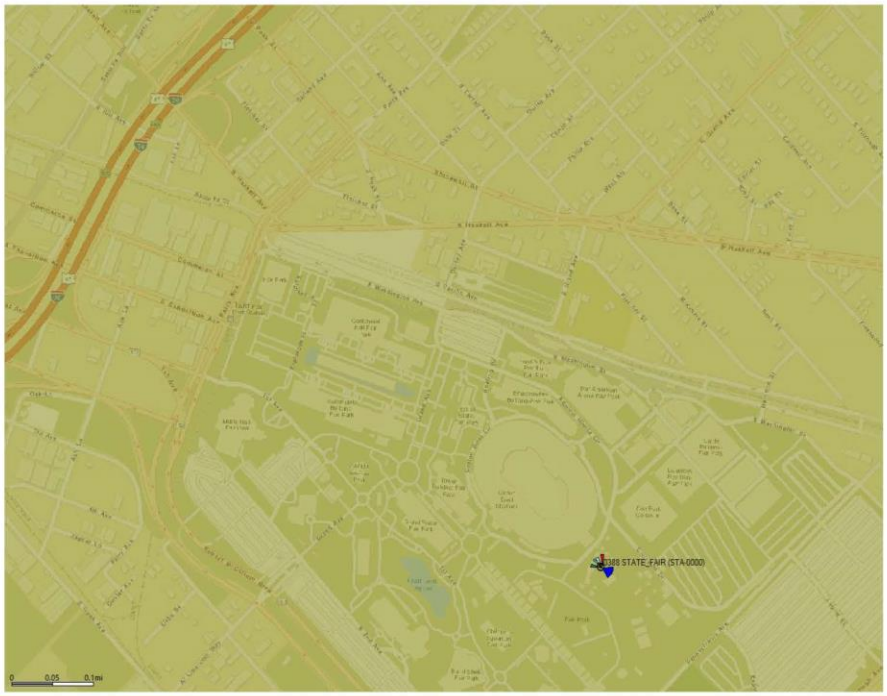
In general, landscaping must be provided in accordance with the landscaping requirements in Article X, as amended. Per the current proposal, the area of request will not be required to provide landscaping because less than 2,000 square feet of non-permeable surface will be installed.

Market Value Analysis:

Market Value Analysis (MVA), 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. The area of request is not within an identifiable MVA category; however, it is in the vicinity of an “H” MVA cluster.

Applicant Coverage Maps

SF_CENTENNIAL – 700MHz RSRP Current



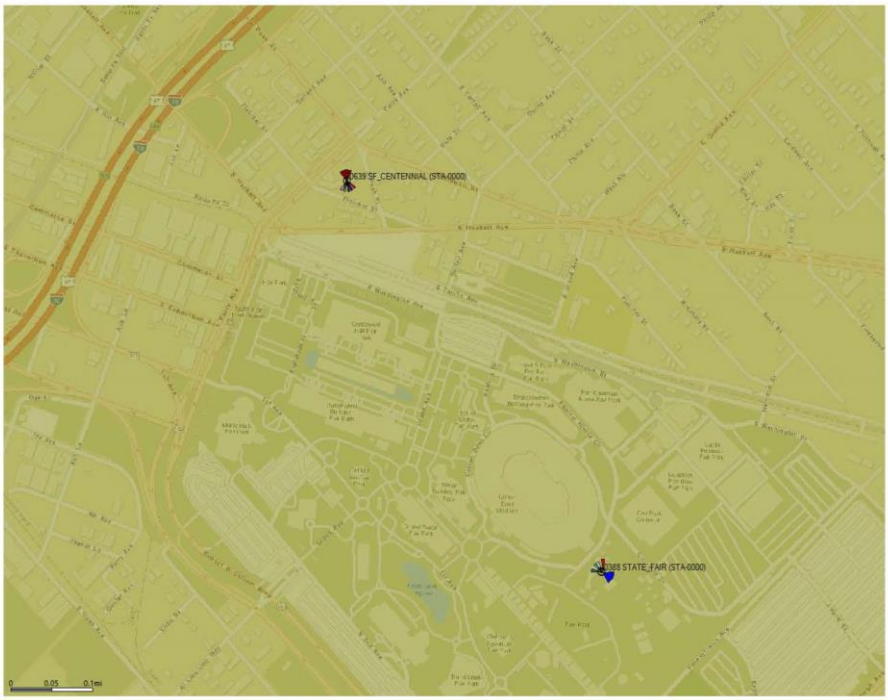
Note: Coverage in the area is mostly adequate. The purpose of the new site SF_CENTENNIAL is to increase capacity.

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.

2

SF_CENTENNIAL – 700MHz RSRP Proposed



Note: Coverage in the area is mostly adequate. The purpose of the new site SF_CENTENNIAL is to increase capacity.

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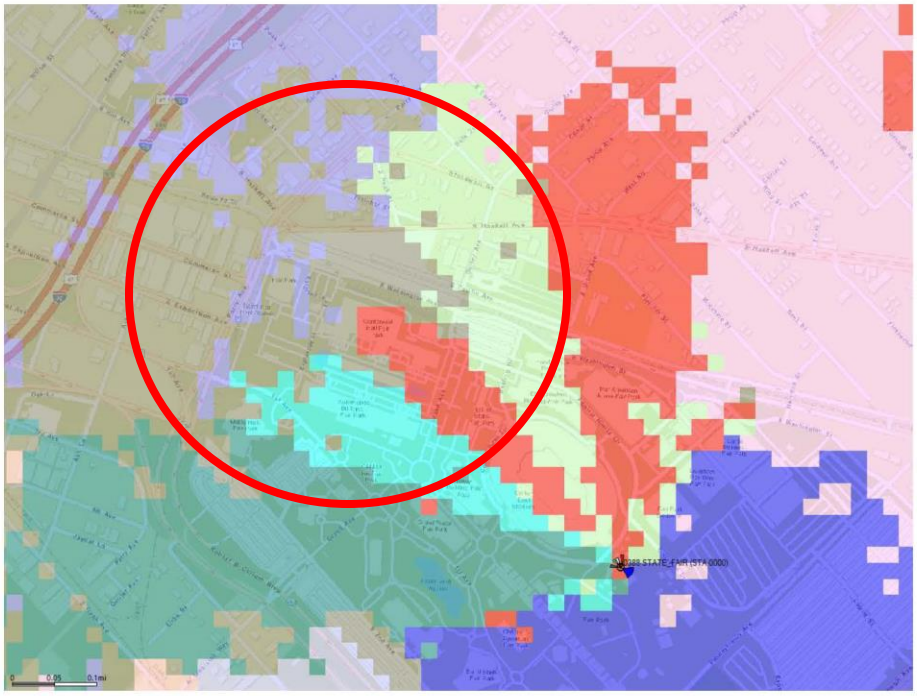
3

SF_CENTENNIAL– Best Server 700 MHz Current



Note: Currently 3 sectors serve the North side of the Fair Park. 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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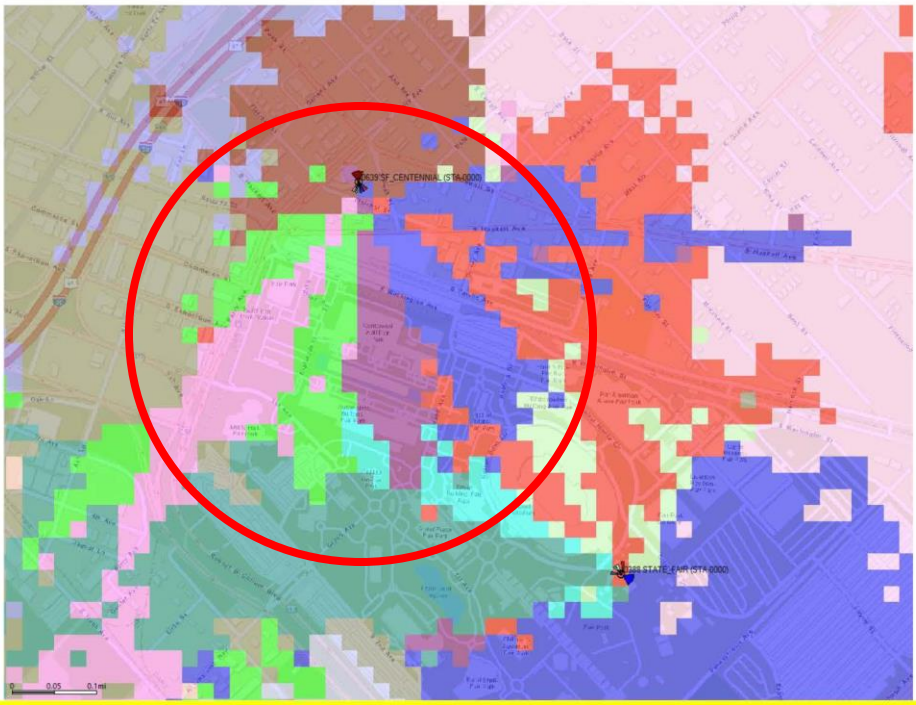
4

SF_CENTENNIAL– Best Server 700 MHz Proposed



Note: SF_CENTENNIAL adds 6 new sectors for a total of 9 sectors to serve the North 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.

verizon

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5

PRIOR CPC ACTION – November 1, 2018:

Motion: It was moved to recommend **approval** of a Specific Use Permit for a tower/antenna for cellular communication for a ten-year period, subject to a site plan and conditions on property zoned a CS Commercial Service District, on the northwest corner of Fletcher Street and South Peak Street.

Maker: Rieves
Second: Housewright
Result: Carried: 11 to 1

For: 11 - West, Rieves, Davis*, Shidid, Carpenter, Lewis, Jung, Housewright, Peadon, Murphy, Tarpley

Against: 1 - Schultz
Absent: 0
Vacancy: 2 - District 3, District 7
Conflict: 1 - Ridley**

*out of the room, shown voting in favor
**out of the room, when vote taken

Notices: Area: 500 Mailed: 53
Replies: For: 1 Against: 0

Speakers: For: Peter Kavanagh, 1620 Handley Dr., Dallas, TX, 75208
Against: None

List of Officers

J&G HILL INERESTS LTD
LIST OF PARTNERS

Jolene Hill

Gregg Hill

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.

CPC Recommended:

3. TIME LIMIT: This specific use permit expires on (ten years from the passage of the ordinance).

Staff recommended:

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 80 feet.

6. LANDSCAPING: Landscaping must be provided as shown on the attached site plan.

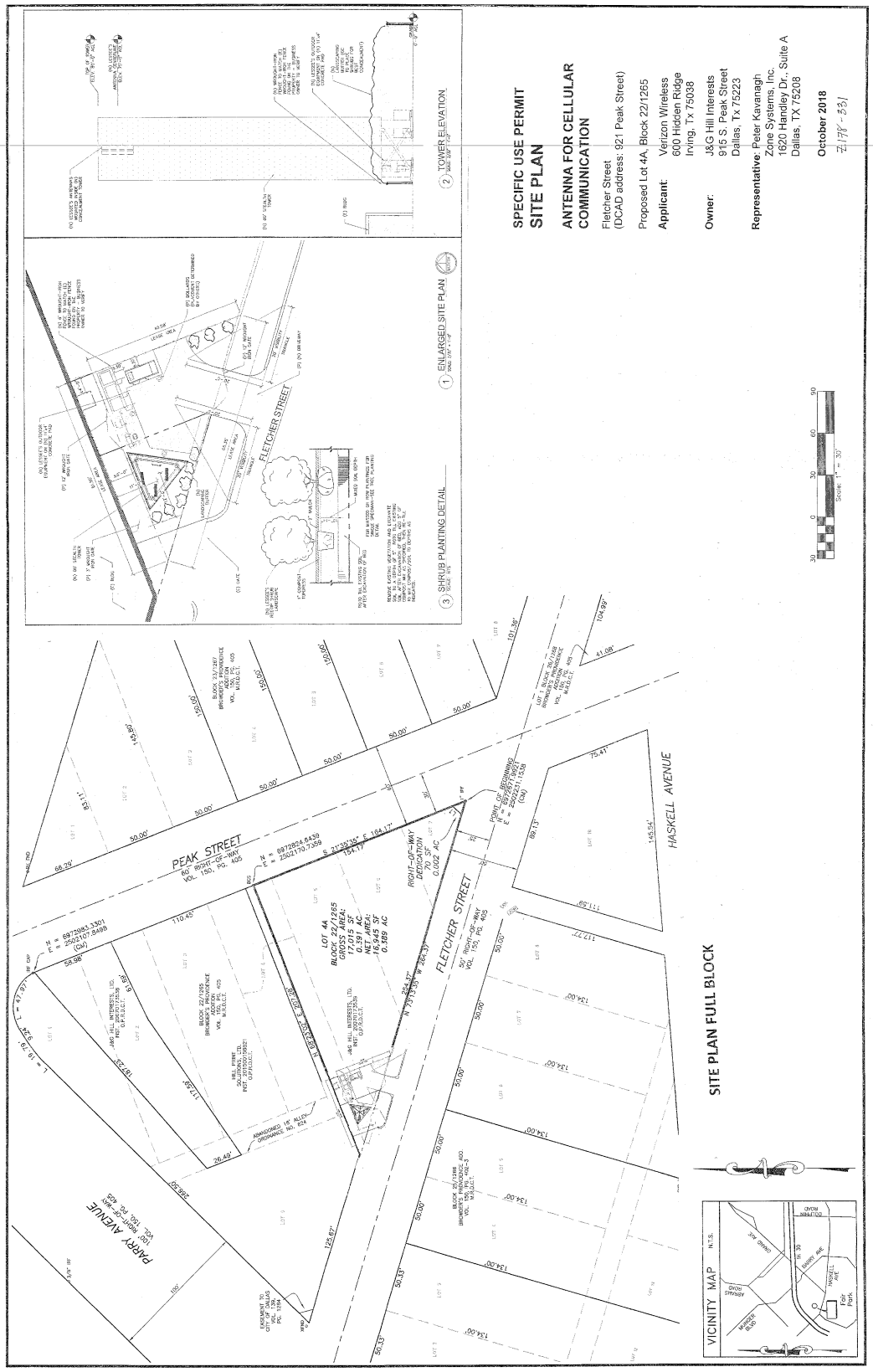
7. SCREENING: The lease area must be screened by a six-foot-tall wrought iron, or similar material, fence and secured by a six-foot-tall access gate in the location shown on the attached site plan.

8. 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.

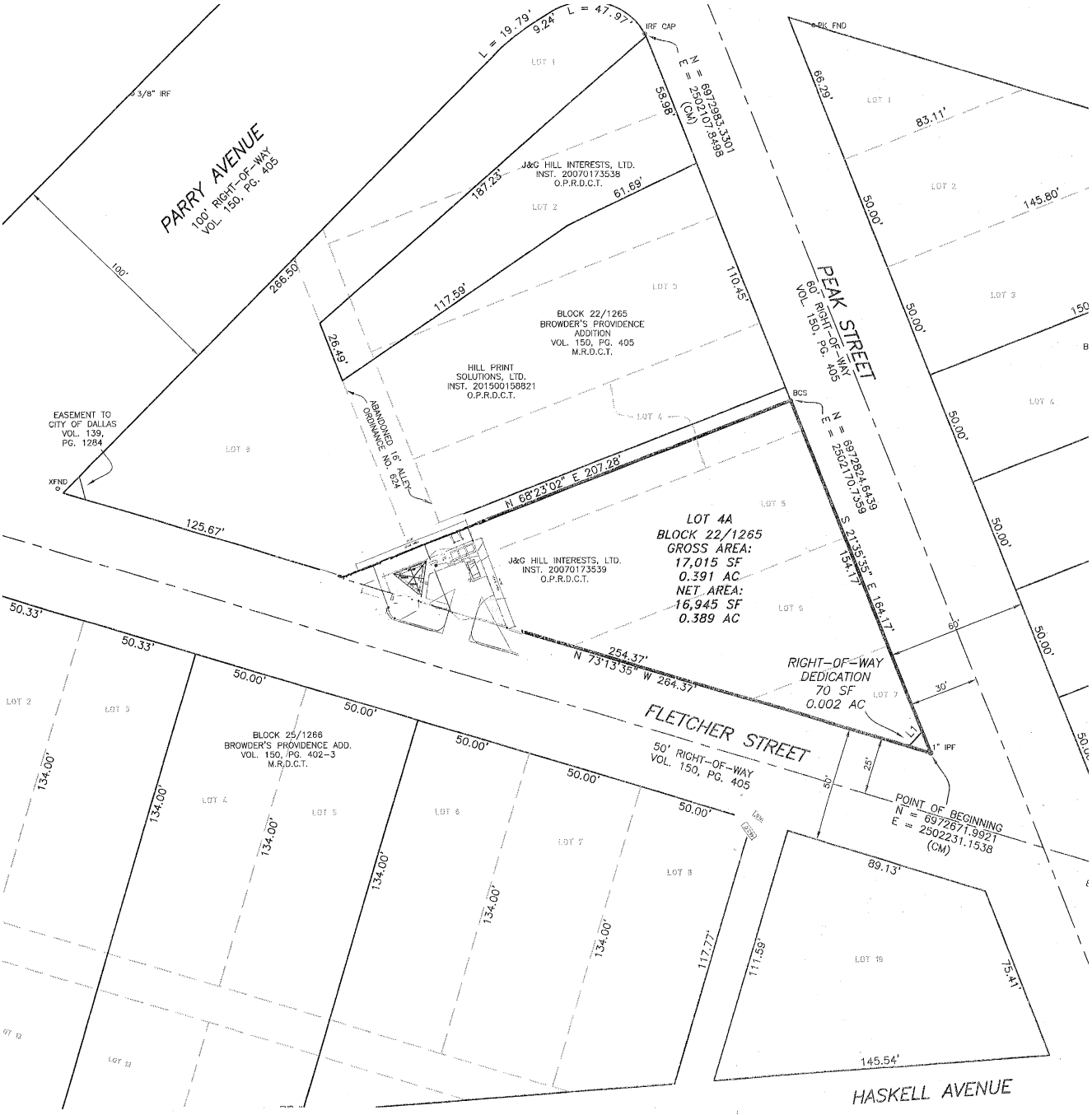
9. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.

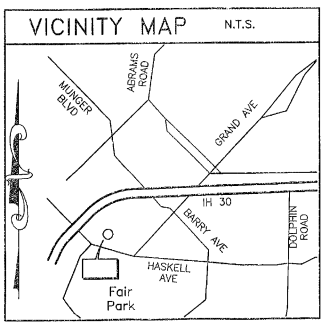
10. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

PROPOSED SITE PLAN



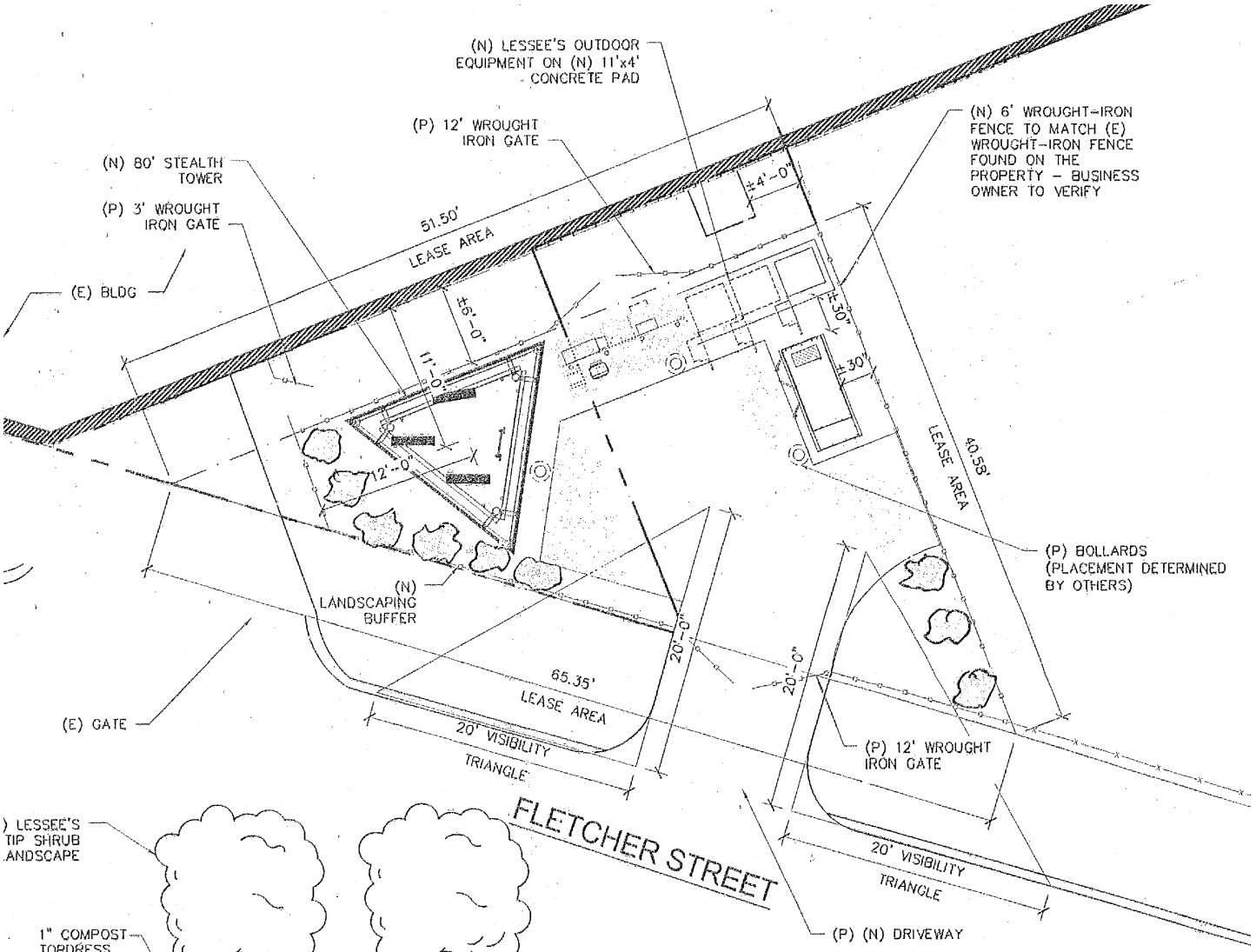
ENLARGED OVERALL SITE PLAN

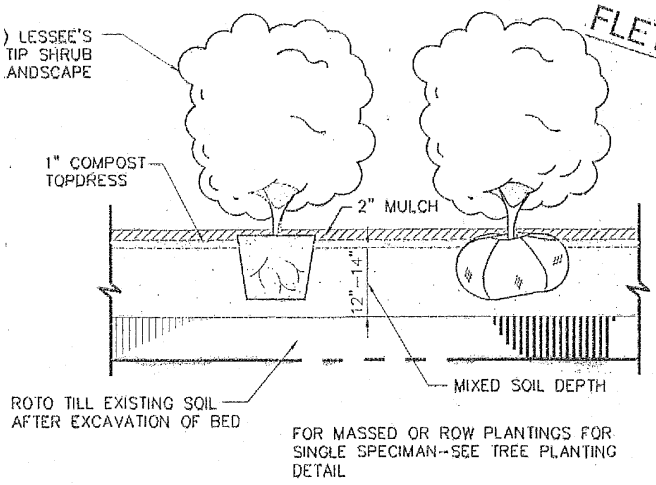




SITE PLAN FULL BLOCK

ENLARGED SITE PLAN





FOR MASSED OR ROW PLANTINGS FOR SINGLE SPECIMAN--SEE TREE PLANTING DETAIL

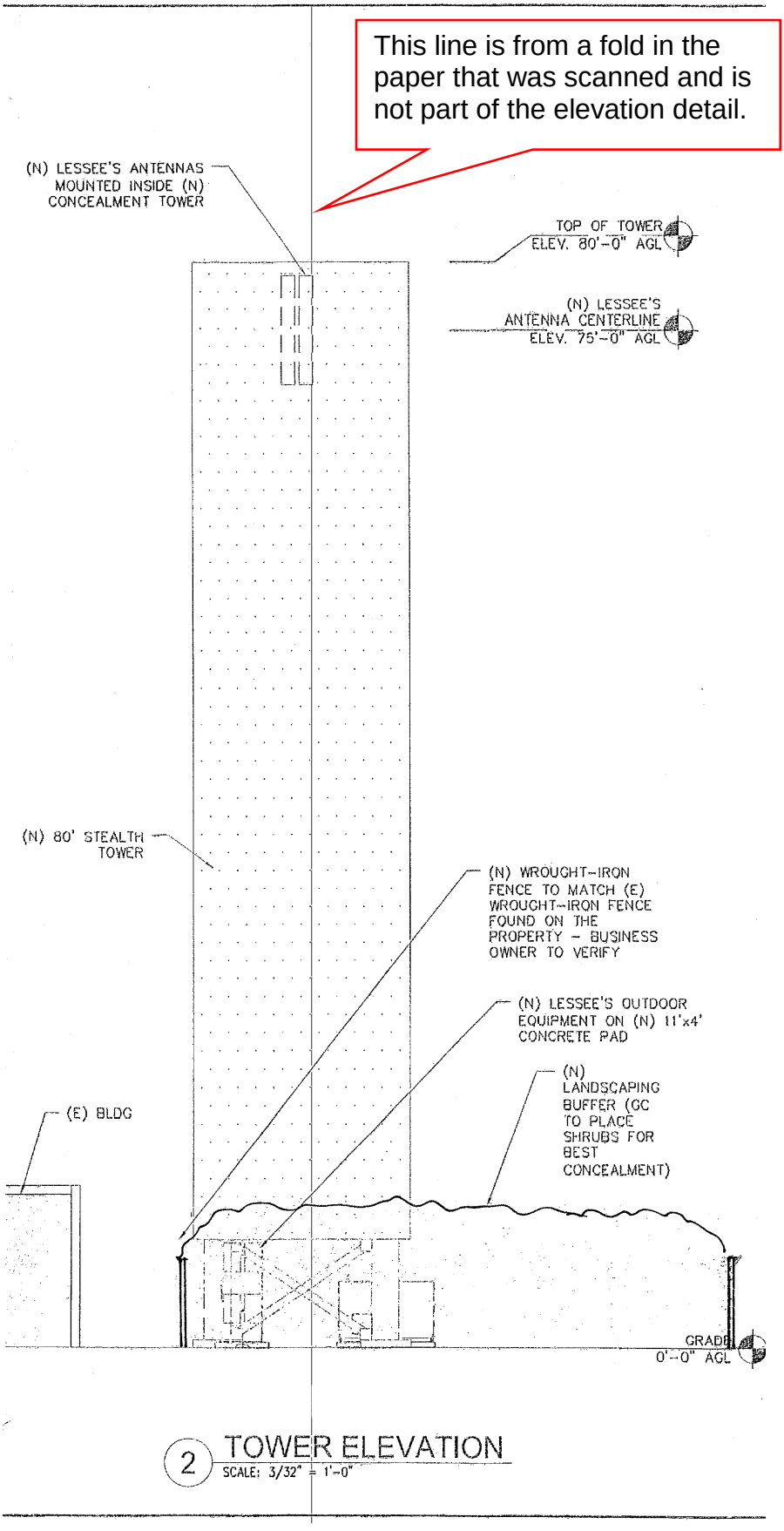
REMOVE EXISTING VEGETATION AND EXCAVATE SOIL TO A DEPTH OF 5". ROTO TILL EXISTING SOIL AFTER EXCAVATION OF BED, ADD 5" OF COMPOST MIX AS SPECIFIED, THEN RE-TILL TO MIX COMPOST/SOIL TO DEPTHS AS INDICATED.

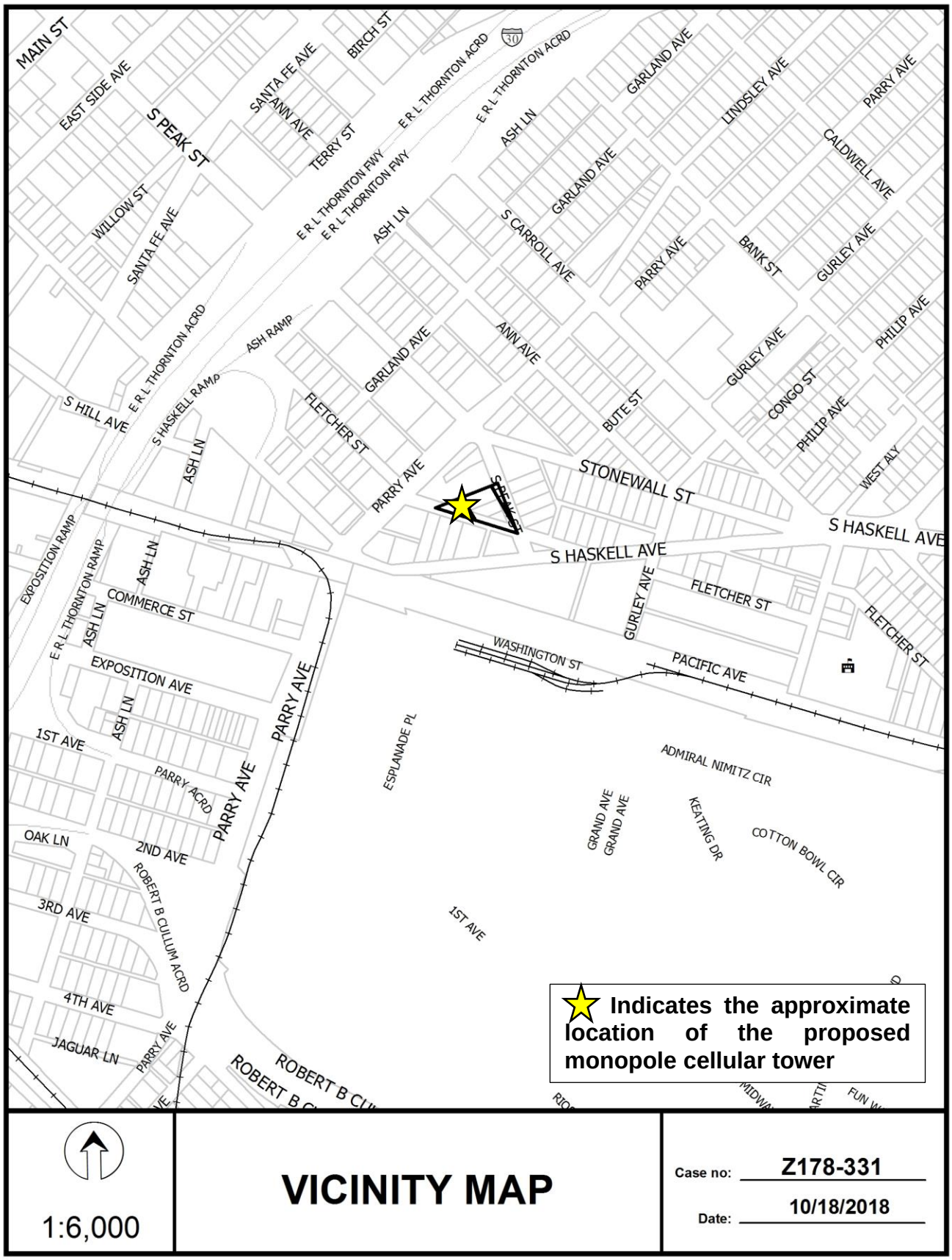
3 SHRUB PLANTING DETAIL
SCALE: NTS

1 ENLARGED SITE PLAN
SCALE: 3/32" = 1'-0"

NORTH

ENLARGED ELEVATION DETAIL



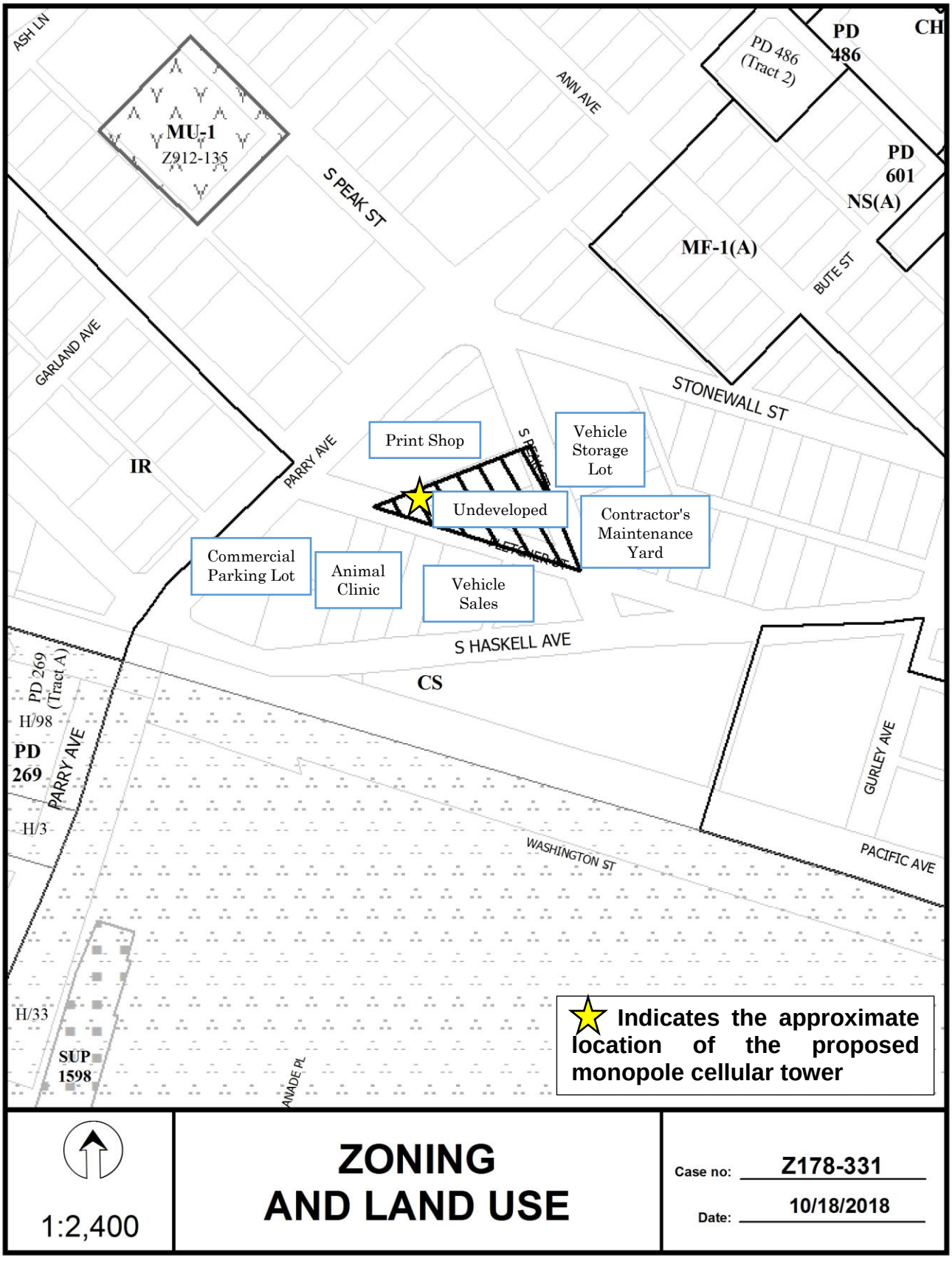

MAIN ST
EAST SIDE AVE
S PEAK ST
SANTA FE AVE
BIRCH ST
ANN AVE
TERRY ST
E R L THORNTON FWY
E R L THORNTON ACRD
ASH LN
GARLAND AVE
LINDSLEY AVE
PARRY AVE
CALDWELL AVE
WILLOW ST
S CARROLL AVE
BANK ST
GURLEY AVE
PHILIP AVE
ASH RAMP
S HILL AVE
S HASKELL RAMP
FLETCHER ST
BUTE ST
CONGO ST
WEST ALY
STONEWALL ST
S HASKELL AVE
EXPOSITION RAMP
COMMERCE ST
EXPOSITION AVE
FLETCHER ST
WASHINGTON ST
PACIFIC AVE
ESPLANADE PL
ADMIRAL NIMITZ CIR
GRAND AVE
KEATING DR
COTTON BOWL CIR
1ST AVE
PARRY ACRD
OAK LN
2ND AVE
3RD AVE
ROBERT B CULLUM ACRD
4TH AVE
JAGUAR LN
ROBERT B CU
Indicates the approximate location of the proposed monopole cellular tower
1:6,000
VICINITY MAP
Case no: Z178-331
Date: 10/18/2018

1:2,400

AERIAL MAP

Case no: Z178-331

Date: 10/18/2018


ASH LN
MU-1
Z912-135
S PEAK ST
ANN AVE
PD 486 (Tract 2)
PD 486
CH
PD 601 NS(A)
MF-1(A)
BUTE ST
GARLAND AVE
STONEWALL ST
IR
PARRY AVE
Print Shop
Vehicle Storage Lot
Undeveloped
Contractor's Maintenance Yard
Commercial Parking Lot
Animal Clinic
Vehicle Sales
S HASKELL AVE
CS
PD 269 (Tract A)
H/98
PD 269
PARRY AVE
H/3
GURLEY AVE
WASHINGTON ST
PACIFIC AVE
H/33
SUP 1598
ANADE PL
Indicates the approximate location of the proposed monopole cellular tower
1:2,400
ZONING AND LAND USE
Case no: Z178-331
Date: 10/18/2018

53	Property Owners Notified (82 parcels)
1	Replies in Favor (1 parcels)
0	Replies in Opposition (0 parcels)
500'	Area of Notification
11/1/2018	Date

Z178-331
CPC

N W E S

1:2,400

10/31/2018

Reply List of Property Owners

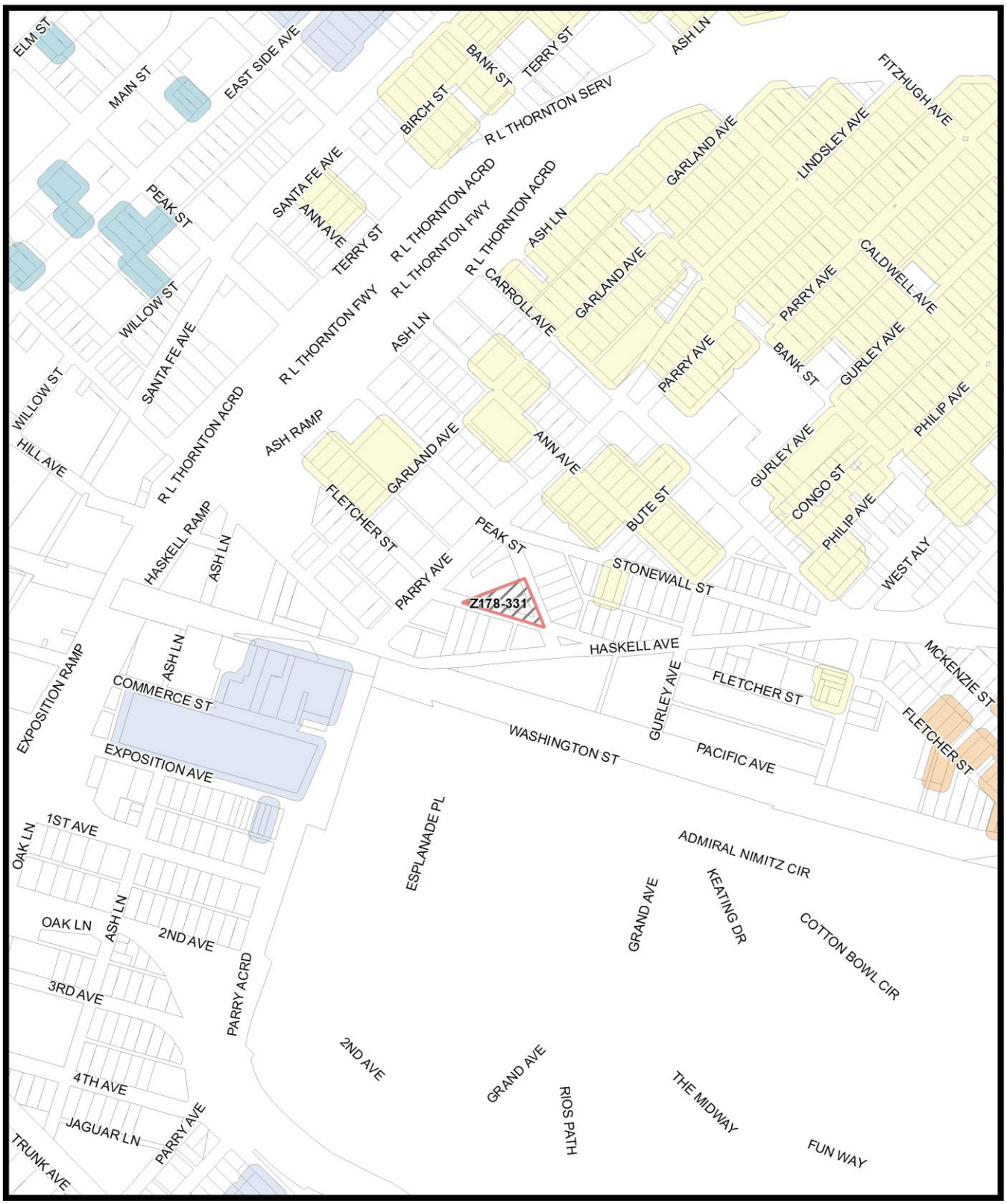
Z178-331

53 Property Owners Notified ***1 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	915	S PEAK ST	HILL PRINT SOLUTIONS LTD
	2	921	S PEAK ST	J & G HILL INTERESTS LTD
	3	821	S HASKELL AVE	DART
	4	4114	GARLAND AVE	HERNANDEZ JORGE L &
	5	803	FLETCHER ST	MATTOX JANICE LEE
	6	800	S HASKELL AVE	TRIPLETT RICK
	7	802	S HASKELL AVE	TRIPLETT RICHARD NEAL
	8	800	S HASKELL AVE	TRIPLETT RICHARD N &
	9	822	S HASKELL AVE	ZOYS INC
	10	805	S PEAK ST	TEMPLO MARANATHA
	11	800	FLETCHER ST	MATTOX JANICE L
	12	815	ANN AVE	LUNA TERESA
	13	808	S PEAK ST	AGRUPPO LLC
	14	810	S PEAK ST	GONZALEZ ALEX
	15	822	S PEAK ST	GONZALEZ ALEX
	16	910	ANN AVE	RUIZ RAQUEL D
	17	922	ANN AVE	VO KEVIN PHU
	18	901	ANN AVE	LUNA TERESA
	19	905	ANN AVE	CASTRO MARTHA ELIZABETH
	20	911	ANN AVE	TORRES MARISOL
	21	915	ANN AVE	SKELDALE PROPERTIES INC
	22	923	ANN AVE	MATA RENE R
	23	1007	ANN AVE	MATA EDGAR
	24	1010	STONEWALL ST	MATA EDGAR
	25	1009	ANN AVE	MATA EDGAR W
O	26	901	S PEAK ST	J & G HILL INTERSTS LTD

10/31/2018

Reply	*Label #*	*Address*		*Owner*
	27	4120	PARRY AVE	PURE ICE & COLD STG CO
	28	924	S HASKELL AVE	VAUGHN RONALD E LLC
	29	917	FLETCHER ST	ZOYS FRANK E
	30	921	S HASKELL AVE	MDJ GENARO SERIES
	31	940	S HASKELL AVE	CASTRO RAY & MARIA
	32	1000	S HASKELL AVE	STATE FAIR OF TEXAS INC
	33	902	S PEAK ST	PRESCOTT INTERESTS B LTD
	34	926	S PEAK ST	RICHERSON JON
	35	928	S PEAK ST	RICHERSON JON LEE
	36	1002	FLETCHER ST	RICHERSON JON L
	37	1001	STONEWALL ST	BLUE SKY MANAGEMENT INCOR
	38	1009	STONEWALL ST	BLUE SKY MANAGEMENT INC
	39	1011	STONEWALL ST	BLUE SKY MANAGMENT INC
	40	1015	STONEWALL ST	GOSPEL SOUL WINNERS
	41	1019	STONEWALL ST	BLUE SKY MGMT INC
	42	1023	STONEWALL ST	BLUE SKY MANAGEMENT LLC
	43	1006	FLETCHER ST	BLUE SKY MANAGEMENT INC
	44	1018	FLETCHER ST	BLUE SKY MANAGMENT INC
	45	1022	S HASKELL AVE	DENNIS RIALS
	46	1024	S HASKELL AVE	DENNIS RIALS
	47	1031	S HASKELL AVE	SUTTON STEELE & STEELE
	48	916	ANN AVE	PARRIS EVELYN
	49	928	ANN AVE	SANCHEZ GRACIELA M
	50	1036	S HASKELL AVE	GARDEA URIEL M
	51	401	S BUCKNER BLVD	DART
	52	555	2ND AVE	DART
	53	3839	S FITZHUGH AVE	MCA PACE AMPHITHEATERS LP



MVACluster A B C D E F G H I NA

1:6,000

Market Value Analysis

Printed Date: 10/19/2018

Agenda Information Sheet

File #: 18-1437 **Item #:** 104.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 10

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding an application for **(1)** an ordinance granting a Planned Development District for R-7.5(A) Single Family District uses on property zoned an NO(A) Neighborhood Office District, a CS Commercial Service District, and an R-7.5(A) Single Family District with Specific Use Permit No. 1781 for a transit passenger station or transfer center on a portion; and **(2)** a resolution terminating the existing deed restrictions, on the south line of Walnut Hill Lane and the west line of White Rock Trail

Recommendation of Staff and CPC: Approval, subject to a conceptual plan, conceptual fence elevation plan, and conditions; and approval of the termination of existing deed restrictions

Z178-238(SM)

Note: This item was considered by the City Council at a public hearing on November 28, 2018, and was held under advisement until December 12, 2018, with the public hearing open

HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, DECEMBER 12, 2018**

ACM: Majed Al-Ghafry

FILE NUMBER: Z178-238(SM) **DATE FILED:** April 16, 2018

LOCATION: South line of Walnut Hill Lane and the west line of White Rock Trail

COUNCIL DISTRICT: 10 **MAPSCO:** 27 P

SIZE OF REQUEST: Approx. 4.593 acres **CENSUS TRACT:** 130.04

OWNER: Richardson ISD

APPLICANT: PSW Real Estate

REPRESENTATIVE: Rob Baldwin

REQUEST: An application for **(1)** a Planned Development District for R-7.5(A) Single Family District uses on property zoned an NO(A) Neighborhood Office District, a CS Commercial Service District, and an R-7.5(A) Single Family District with Specific Use Permit No. 1781 for a transit passenger station or transfer center on a portion and **(2)** the termination of existing deed restrictions.

SUMMARY: The applicant requests to construct 38 single family units that will utilize a shared access drive with one ingress/egress point on White Rock Trail.

CPC RECOMMENDATION: **Approval**, subject to a conceptual plan, conceptual fence elevation plan, and conditions; and **approval** of the termination of existing deed restrictions.

STAFF RECOMMENDATION: **Approval**, subject to a conceptual plan, conceptual fence elevation plan, and conditions; and **approval** of the termination of existing deed restrictions.

BACKGROUND INFORMATION:

- The property was originally zoned an R-7.5 Single Family District.
- Circa 1974, the property was rezoned to a TH-2 Townhouse District.
- On February 22, 1978, the existing volunteered deed restrictions were approved by City Council in conjunction with a request for an Office-1 District.
- In the mid 1980's, the City of Dallas transitioned the Chapter 51 zoning districts to Chapter 51A zoning districts, which prohibited residential uses in nonresidential districts and vice versa. The property transitioned to a NO(A) Neighborhood Office District at this time.
- On April 27, 2017 a demolition permit was completed to remove an existing office building that was originally constructed in 1986, according to permit records.

Zoning History: There have been no recent zoning changes requested in the vicinity in the past five years.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Thoroughfare Dimension; ROW
Walnut Hill Lane	Principal Arterial	Minimum 6-lanes divided; 100 feet
White Rock Trail	Local Street	60 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.

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. Acknowledge the importance of neighborhoods to the city's long-term health and vitality.

GOAL 1.3 PROVIDE EQUITABLE OPPORTUNITIES FOR DALLAS RESIDENTS

Policy 1.3.1 Create housing opportunities throughout Dallas.

ECONOMIC ELEMENT

GOAL 2.5 FOSTER A CITY OF GREAT NEIGHBORHOODS

Policy 2.5.1 Promote strong and distinctive neighborhoods to enhance Dallas' quality of life.

URBAN DESIGN ELEMENT

GOAL 5.1 PROMOTE A SENSE OF PLACE, SAFETY, AND WALKABILITY

Policy 5.5.1 Promote pedestrian-friendly streetscapes.

The proposed development meets the vision of the *forwardDallas! Comprehensive Plan* by providing an additional housing opportunity adjacent to an established residential community. According to the Comprehensive Plan, "objective standards help establish a level playing field and take the guesswork out of the development process for both developers and neighbors." The proposed single family development will provide a streetscape that will accommodate pedestrian use and encourage walkability, thus making it a unique and desirable housing option within the community.

STAFF ANALYSIS:

Surrounding Land Uses:

	Zoning	Land Use
Site	NO(A) with DR No. Z1767-294, CS, R-7.5(A) with SUP No. 1781	Undeveloped Abutting rights-of-way
North	MF-1(A) with DR No. Z756-196 and SUP No. 740	Child-care facility and Private school
East	R-7.5(A)	Single Family
South	CS	Manufacturing and warehouse
West	MF-1(A) and PDD No. 758 Subarea C	DART ROW and Multifamily

Land Use Compatibility:

The applicant proposes to develop the site with a single family residential development consisting of a maximum of 38 dwelling units that utilize a looped shared access easement with an enlarged singular access point on White Rock Trail. The site is currently undeveloped and slopes from the adjacent roadways to the floodplain which is opposite to the abutting the DART light rail line. Surrounding uses to the site include a child-care facility and private school to the north, opposite Walnut Hill Lane; single family neighborhoods to the northeast and east, opposite White Rock Trail; a commercial manufacturing or warehouse development abuts the site to the south; and a DART rail line separates the site from flood plain and multifamily farther west. The site also abuts an improved hike and bike trail that passes beneath the Walnut Hill Lane bridge and leads to the nearby DART Lake Highlands Blue Line Light Rail Station, just northwest to the site.

The applicant plans to develop the site as a shared access development but the proposed planned development district also allows a traditional single family subdivision. The applicant also proposes five-foot sidewalks on White Rock Trail to connect future residents and the community to the existing hike and bike trail that runs adjacent to the site on Walnut Hill Lane. With respect to design standards, the applicant has offered some minimum masonry requirements to allow a variating facade treatment to the proposed single family development.

Staff and CPC recommend approval of the proposed 38-lot, single-family development with R-7.5(A) Single Family District allowed uses because it will be compatible to the uses in the immediate adjacent area. Additionally, the smaller lot sizes and immediate access to retail to the west and a light rail station to the northwest will provide a transitional development to the adjacent land uses and is therefore compatible with surrounding properties.

DISTRICT	SETBACKS		Density	Height	Lot Coverage	Special Standards	PRIMARY Uses
	Front	Side/Rear					
Existing NO(A) Neighborhood Office	15'	20' adjacent to residential OTHER: No Min.	0.5 FAR	30' 2 stories	50%	Proximity Slope Visual Intrusion	Office
Proposed PDD	15' on White Rock Trail, 5' on Walnut Hill	5' for single family; 10'/20' for other uses	Max 38 Units; No max FAR	32'	65% for residential; 25% other		Single family

Deed Restrictions:

The applicant proposes to terminate the existing deed restrictions that were adopted in 1978. The existing deed restrictions allowed the previous development to construct an office building in exchange for:

1) restricting uses to single family and office uses,
2) increasing the setback along White Rock Trail from 15 feet to 31 feet (due to a two-foot street dedication easement in 1989),
3) limiting the maximum height to 12 feet within 150 feet of White Rock Trail and 24 feet otherwise,
4) requiring masonry construction;
5) limiting signs to five feet in height
6) subjective landscaping criteria;
7) limiting light poles to four feet in height; and
8) limiting access from White Rock Trail to one driveway, or two if required by the City of Dallas.

Staff and CPC supports the applicant's request to terminate the existing deed restrictions because of the following:

1) The proposed planned development conditions restore low density residential uses and development to this property and reasonably restrict the proposed development.

2) Staff and CPC do not support an increased setback along White Rock Trail because it would be inconsistent with properties on the east side of White Rock Trail and is not consistent with the zero-foot setback required of the property just south of the request site which is zoned a CS Commercial Service District.

3) Since the CS District to the south allows a maximum of 45 feet in height, with residential proximity slope restrictions, and because the R-7.5(A) Single Family District restricts height to 30 feet, without residential proximity slope restrictions, and because the site slopes downward from residential zoning that lies to the east, staff and CPC can support the applicant's request of a maximum height of 32 feet. Further, since the site slopes down to the west, the least cost-prohibitive way to grade the property for a single family subdivision, shared access or traditional subdivision, is to average the sloping grade by excavating the eastern half of the property by constructing retaining walls to support the grade of White Rock Trail and filling the western half of the property, thus raising it out of the

flood plain. The grading method of averaging of the grade would depress structures by approximately one story and consequently would lower the roof of the structures that abut White Rock Trail. Therefore, the structures that face White Rock Trail would likely appear to be one or two-story structures.

4) The applicant has offered facade conditions to incorporate masonry facades, which staff and CPC support. However, staff and CPC note that 1) if the site is excavated along the rights-of-way and masonry, due to the weight of the material, must be constructed at grade and continue upwards and 2) if a fence is also constructed atop the retaining walls that support the adjacent roadway; staff and CPC question the efficacy and purpose of having masonry facade standards that would likely be obstructed from view by retaining walls and fences.

5) The applicant proposes to be regulated by non-business sign district regulations, which staff and CPC support because it is the standard for signs in all other R-7.5(A) Districts. In non-business sign districts, subdivisions signs are limited to six feet in height and detached signs are limited to 20 square feet in effective area and eight feet in height.

6) Staff and CPC support terminating the existing deed restriction landscaping conditions because it was adopted before the City adopted Article X landscaping regulations.

7) Staff and CPC support terminating the existing deed restriction requirement to limit light poles to four feet in height because Section 51A-4.301(e) makes special provisions for lighting off-street parking areas for all other uses except single family or duplex uses regulations and spillover lighting is regulated in Article VI of the Dallas City Code.

8) Finally, staff and CPC support terminating the final element of the existing deed restriction, which refers to vehicular access because it is proposed to be regulated in the PDD conditions.

Parking:

The request includes two modifications to the requirements in the Dallas Development Code. First, the Dallas Development Code requires just one parking space for single family uses in the R-7.5(A) Single Family District and the applicant requests that a minimum of two are required for single family uses in the proposed PDD regulations, which staff and CPC support. The applicant has also requested to increase the parking requirements of a shared access development to an additional four tenths of a space

per unit whereas code requires an additional one-quarter space per dwelling unit for visitor parking in addition to the two spaces required for each single family unit.

Second, the applicant requests a modification to alter platting and other requirements so that the shared access drive be allowed to dead-end without a turn-around. Staff and CPC do not support this request because it may cause unforeseen complications with utilities or emergency access. Further, staff and CPC do not support this portion of the request because it proposes to leverage zoning regulations to attempt to corrupt regulations that do not pertain to zoning and land use.

Landscaping:

In general, landscaping must be provided in accordance with the landscaping requirements in Article X, as amended. Staff and CPC support the applicant's request for a clarification that the amended Article X landscaping regulations apply to shared access developments and because the amended Article X landscaping regulations for shared access development only specify two variants to minimum landscape area for shared access developments with a maximum of 10 individual lots and shared access developments with a minimum of 11 and a maximum of 36 individual lots whereas the request has a maximum of 38 individual lots, staff and CPC recommend noting the minimum landscape area is 15 percent to clarify the minimum landscape area requirement.

Fences:

Since the site slopes down from the adjacent roadways, the applicant plans to depress the grade adjacent to the roadways and raise the lower areas of the site near the DART light rail line. Therefore, since fencing regulations in single family districts require fences in front yards to be measured from the lowest grade to the top of the fence—which would be measured from the inside of the fence along White Rock Trail—and that front yard fencing must have a minimum openness of 50 percent, the applicant requests relief from these regulations. The applicant proposes to grade and develop the site in a manner in which the lots proposed to front on White Rock Trail will have a depressed "back yard" and second-story bedroom windows are likely to be constructed approximately at the same level as White Rock Trail. The applicant has also offered a conceptual fence elevation and regulations that require the fence to have recesses and masonry materials for portions of the fences. Staff and CPC support the applicant's fencing requests because the modifications will allow future residents some privacy along a busy roadway and because the proposed recesses in the fence will provide travelers on White Rock Trail an improved fence.

Solar Panels:

The applicant also proposes to prohibit solar panels that will be visible from White Rock Trail and Walnut Hill Lane. Because renewable energy is beneficial to the environment and because solar panels are usually placed on southern facing roofs (White Rock Trail and Walnut Hill Lane are located to the east and north, respectively), staff and CPC do not support this condition.

Shared Access:

The applicant also requests two separate but related modifications to shared access regulations. The applicant proposes to reduce the minimum two access point standard to one and to increase the minimum pavement width of the shared access point from 16 feet to 30 feet. Staff and CPC support this request because the modification to increase the pavement width of the singular access point to allow additional vehicular capacity is almost doubled but is not so wide as to make an unsafe driveway width for pedestrian crossings. Additionally, the proposed pavement width minimum also allows room to fine-tune the alignment and geometrics in the subdivision process.

PRIOR CPC ACTION – June 21, 2018:

Motion: In considering an application for 1) a Planned Development District for R-7.5(A) Single Family District uses on property zoned an NO(A) Neighborhood Office District, CS Commercial Service, and R-7.5(A) Single Family District with Specific Use Permit No. 1781 for a transit passenger station or transfer center on a portion, and 2) termination of existing deed restrictions, on the south line of Walnut Hill Lane and the west line of White Rock Trail, it was moved to **hold** this case under advisement until August 2, 2018.

Maker: Housewright
Second: Peadon
Result: Carried: 10 to 0

For: 10 - West, Rieves, Houston, Shidid, Carpenter, Mack, Jung, Housewright, Schultz, Peadon

Against: 0
Absent: 4 - Davis, Ridley, Tarpley, Murphy
Vacancy: 1 - District 8

Notices: Area: 500 Mailed: 59
Replies: For: 4 Against: 14

Speakers: For: None
Against: Richard Duge, 9644 Trailview Dr., Dallas, TX, 75238
Andrew Siegel, 9414 Spring Branch, Dallas, TX, 75238

PRIOR CPC ACTION – August 2, 2018:

Motion: In considering an application for 1) a Planned Development District for R-7.5(A) Single Family District uses on property zoned an NO(A) Neighborhood Office District, CS Commercial Service, and R-7.5(A) Single Family District with Specific Use Permit No. 1781 for a transit passenger station or transfer center on a portion, and 2) termination of existing deed restrictions, on the south line of Walnut Hill Lane and the west line of White Rock Trail, it was moved to **hold** this case under advisement until August 16, 2018.

Maker: Housewright
Second: Rieves
Result: Carried: 13 to 0

For: 13 - West, Rieves, Houston, Davis, Shidid, Carpenter, Mack, Jung, Housewright, Schultz, Peadon, Murphy, Ridley

Against: 0
Absent: 1 - Tarpley
Vacancy: 1 - District 8

Notices: Area: 500 Mailed: 59
Replies: For: 4 Against: 20

Speakers: For: None
For (Did not speak): Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

PRIOR CPC ACTION – August 16, 2018:

Motion: In considering an application for 1) a Planned Development District for R-7.5(A) Single Family District uses on property zoned an NO(A) Neighborhood Office District, CS Commercial Service, and R-7.5(A) Single Family District with Specific Use Permit No. 1781 for a transit passenger station or transfer center on a portion, and 2) termination of existing deed restrictions, on the south line of Walnut Hill Lane and the west line of White Rock Trail, it was moved to **hold** this case under advisement until October 4, 2018.

Maker: Housewright
Second: Carpenter
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

*out of the room, shown voting in favor

Notices: Area: 500 Mailed: 59
Replies: For: 4 Against: 20

Speakers: None

PRIOR CPC ACTION – October 4, 2018:

Motion: It was moved to recommend 1) **approval** of a Planned Development District for R-7.5(A) Single Family District uses, subject to a revised conceptual plan to include a maximum structure height of 32 feet (as briefed), conceptual fence elevation plan, and staff's recommended conditions with the following modifications: 1) Sec.51P-__.110., OFF STREET PARKING AND LOADING. (c), strike the applicant request in regards to turnarounds and follow staff's recommendation, and 2) eliminate restrictions in regard to solar panels on property zoned an NO(A) Neighborhood Office District, CS Commercial Service District, and R-7.5(A) Single Family District with Specific Use Permit No. 1781 for a transit passenger station or transfer center on a portion; and 2) **approval** of the termination of existing deed restrictions, on the south line of Walnut Hill Lane and the west line of White Rock Trail.

Maker: Housewright
Second: Rieves
Result: Carried: 13 to 0

For: 13 - West, Rieves, Davis, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 3, District 7

Notices: Area: 500 Mailed: 59
Replies: For: 4 Against: 20

Speakers: For: Rob Baldwin, 3904 Elm St., Dallas, TX, 75226
Against: None

Officers

PROPOSED TERMINATION OF DEED RESTRICTIONS

III.

The Owner does hereby terminate and release the following restrictions as they apply to the Property, to wit:

"1. The property may be used for the following purposes, as defined in the Comprehensive General Zoning Ordinance of the City of Dallas, and no other:

a. Single family detached houses;
b. Bank or savings and loan office without drive-in windows
c. Medical, dental, or optical clinic;
d. General office.

2. The property shall not be used for the treatment of drug addiction, alcoholism, abnormal behavorism, or mental health oriented practices or physical fitness training, other than incidentially related to the practice of a licensed medical doctor, psychatrist or psychologist.

3. The property shall not be used for any type of retail sales.

4. All buildings shall be set back a minimum of 33 feet from the proprety line along White Rock Trail as it exists on January 25, 1978.

5. No building located within 150 feet of White Rock Trail shall exceed twelve (12) feet in height; no building on the property shall exceed twenty-four (24) feet in height; buildings shall be of masonry construction.

6. Signs visible from White Rock Trail shall not exceed 5 feet in height measured front the top of the sign to ground level. Signs along White Rock Trail shall be limited to the name of the office or medical park, tenant lists, and traffic control signs. Individual office signs shall not be visible from White Rock Trail except door plaques.

7. Landscaping shall be provided in a manner conmensurate with the surrounding single family residential area. Trees existing on the property shall be maintained in their natural state if reasonably possible.

8. Light poles in the parking area shall not exceed 4 feet in height.

9. Any fence located adjacent to and parallel to White Rock Trail shall be of masonry construction.

10. Access to the property from White Rock Trail shall be from a single driveway located as near to Kingsley Road as reasonably possible, unless a second access to White Rock Trail is required by the City of Dallas."

CPC RECOMMENDED PDD CONDITIONS

ARTICLE _____.

PD _____.

SEC. 51P-____.101. LEGISLATIVE HISTORY.

PD ____ was established by Ordinance No._____, passed by the Dallas City Council on _____.

SEC. 51P- ____.102. PROPERTY LOCATION AND SIZE.

PD _____ is established on property located at the southwest corner of Walnut Hill Lane and White Rock Trail. The size of PD _____ is approximately 4.57 acres.

SEC. 51P- ____.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(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 residential zoning district.

SEC. 51P- ____.104. EXHIBITS.

The following exhibits are incorporated into this article:

(1) Exhibit ___A: conceptual plan.

(2) Exhibit B: conceptual fence elevation.

SEC. 51P- ____.104. CONCEPTUAL PLAN.

Development and use of the Property must comply with the conceptual plan (Exhibit ___A). If there is a conflict between the text of this article and the conceptual plan, the text of this article controls.

SEC. 51P- ____.105. DEVELOPMENT PLAN.

(a) Except as provided in this section, 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.

(b) For single family uses, a final plat may serve as the development plan.

SEC. 51P- ____.107. MAIN USES PERMITTED.

The only main uses permitted are those main uses permitted in the R-7.5(A) Single Family District, subject to the same conditions applicable in the R-7.5(A) Single Family District, as set out in Chapter 51A. For example, a use permitted in the R-7.5(A) Single Family 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 R-7.5(A) Single Family District is subject to DIR in this district; etc.

SEC. 51P-____.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.

(b) Accessory community center (private) is permitted by right. When located within a shared access development, an accessory community center (private) does not have to be located on the same lot as the main use.

SEC. 51P-____.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, the yard, lot, and space regulations for the R-7.5(A) Single Family District apply.

(b) Front yard.

(1) Minimum front yard is 15 feet along White Rock Trail. Cantilevered roof eaves, unenclosed porches, stairs, stoops, and awnings may project up to five feet into the White Rock Trail front yard.

(2) Walnut Hill Lane is considered a side yard.

(c) Side and rear yard. For single family structures, minimum side and rear yard is five feet.

(d) Density. Maximum number of dwelling units is 38.

(e) Floor area ratio. No maximum floor area ratio.

(f) Height. Maximum structure height is 32 feet, measured to the midpoint of a sloped roof or to the top of the roof for a flat roof.

(g) Lot coverage. Maximum lot coverage is 65 percent for residential structures. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not. The shared access area may be used to determine lot coverage.

(h) Lot size. No minimum lot size.

SEC. 51P- ____.110. OFF-STREET PARKING AND LOADING.

(a) In general. Except as otherwise stated in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) Single family uses. A minimum of two off-street parking spaces for each dwelling unit must be provided. For a shared access development, guest parking must be provided at a minimum of 0.4 spaces per dwelling unit within a shared access development.

CPC recommendation:

~~(c) Shared access drive. When the property is platted, no form of turnaround, circular or otherwise, is required at terminus of private or shared access drive.~~

Applicant requested:

(c) Shared access drive. When the property is platted, no form of turnaround, circular or otherwise, is required at terminus of private or shared access drive.

SEC. 51P- ____.111. ENVIRONMENTAL PERFORMANCE STANDARDS.

See Article VI.

SEC. 51P-____.112. LANDSCAPING.

(a) Except as provided in this section, landscaping must be provided in accordance with Article X.

(b) For shared access developments with a minimum of 11 and a maximum of 38 individual lots and except as provided in this paragraph, landscaping must be provided in accordance with Article X. Minimum landscape area is 15 percent of the total shared access development area.

(c) Plant materials must be maintained in a healthy, growing condition.

SEC. 51P- ____.114. DESIGN STANDARDS FOR RESIDENTIAL USES.

(a) Sidewalks.

(1) Internal sidewalks. Sidewalks are permitted along the shared access drive. If installed, a sidewalk must be a minimum of four feet wide.

(2) White Rock Trail sidewalks. A minimum five-foot-wide sidewalk must be provided along White Rock Trail.

(b) Single family building materials.

(1) Each individual single family structure must be constructed of a minimum of 25 percent masonry.

(2) For single family structures with frontage on White Rock Trail, the cumulative facade area must be a minimum of 50 percent masonry. For all other single family structures, the cumulative facade area for all single family structures must be a minimum of 50 percent masonry.

(3) For purposes of this subsection, masonry includes brick and stone, but does not include stucco, EFIS, or fiber cement siding. Building facade calculation does not include openings for windows or doors. Cumulative facade area includes the total building facade area of all existing and proposed structures.

(c) Fences along White Rock Trail and Walnut Hill Lane.

(1) Maximum fence height is four feet with maximum five foot columns, measured on the outside of the fence.

(2) In accordance with Exhibit ___B Conceptual Fence Elevation, a minimum of 60 percent of the fencing along White Rock Trail and 65 feet on the north property line west of the intersection of Walnut Hill Lane and White Rock Trail must be solid and constructed of masonry materials. The remaining fence material may be solid and constructed of any combination of masonry or decorative iron materials. A minimum of 20 percent of the fencing along White Rock Trail must provide recesses that are a minimum of six feet in width and minimum three feet of depth.

CPC recommended:

~~(d) Solar panels. Solar panels must not face east or north within 100 feet of Walnut Hill Lane or White Rock Trail.~~

Applicant requested:

(d) Solar panels. Solar panels must not face east or north within 100 feet of Walnut Hill Lane or White Rock Trail.

(e) Single family roof slope. Except as provided in this paragraph, the minimum roof is 2:12. A minimum of half the roof area must maintain a minimum roof slope of 4:12. Membrane roofs and parapets are prohibited.

SEC. 51P- ____.113. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC. 51P- ____.114. ADDITIONAL PROVISIONS.

(a) A shared access development may have one access point for a maximum of 38 lots.

(b) A shared access point must have a minimum pavement width of 30 feet

(c) The Property must be properly maintained in a state of good repair and neat appearance.

(d) 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-____.115. COMPLIANCE WITH CONDITIONS.

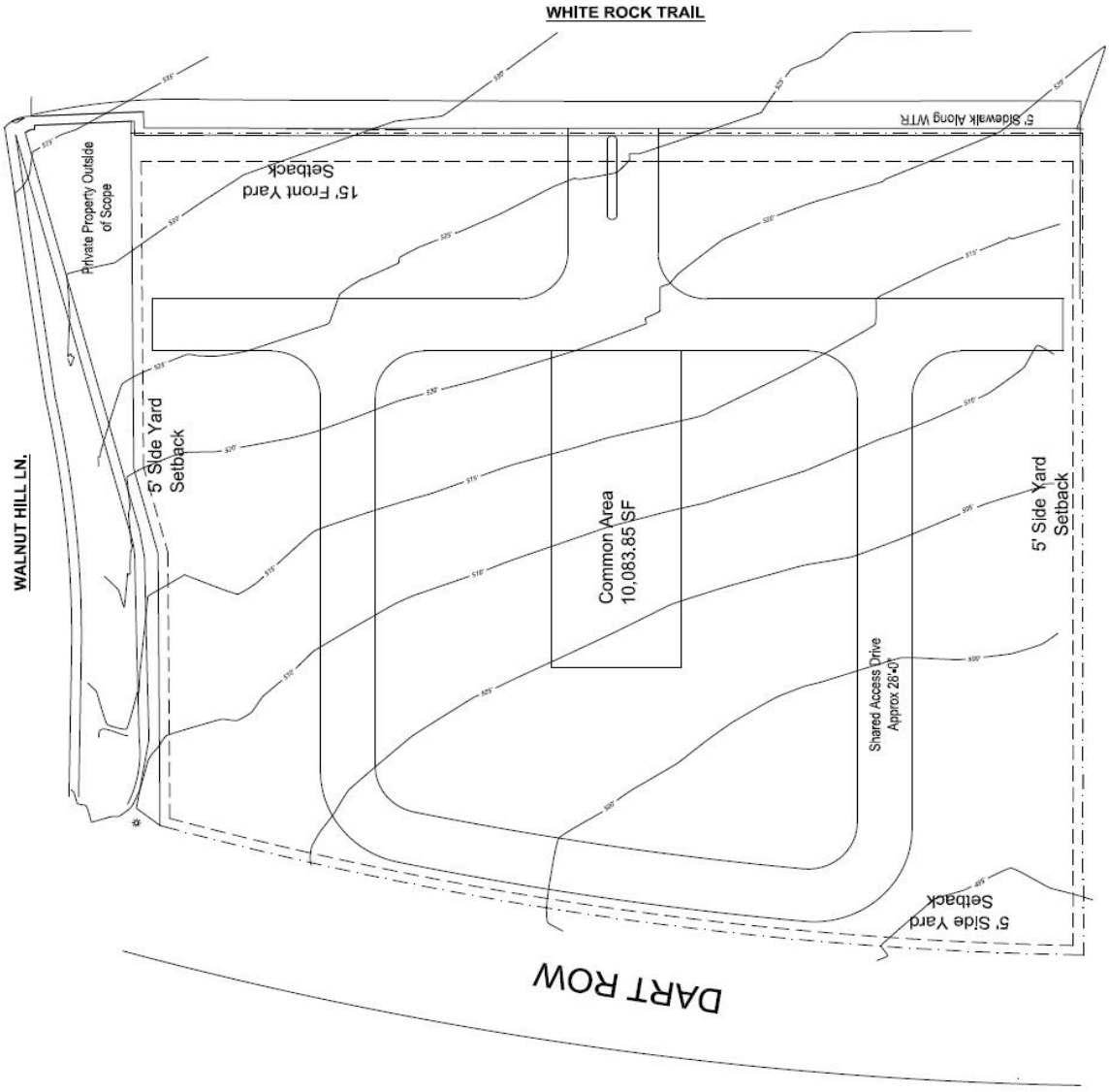
(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(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.

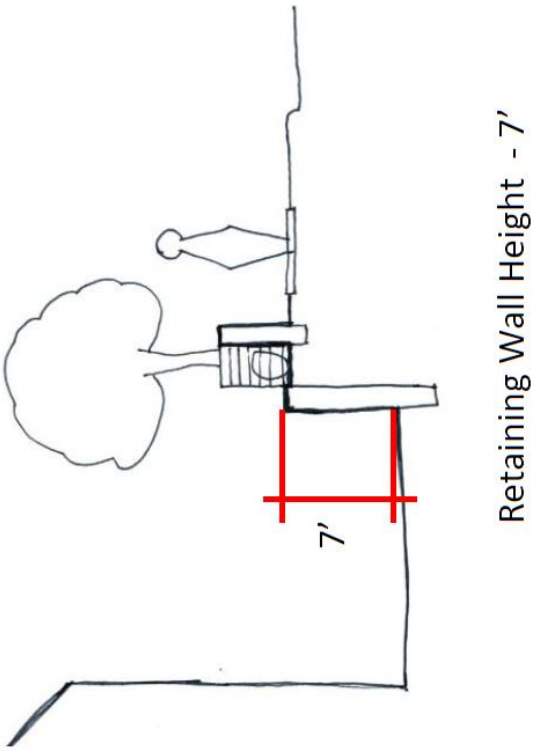
CPC Recommended Conceptual Plan

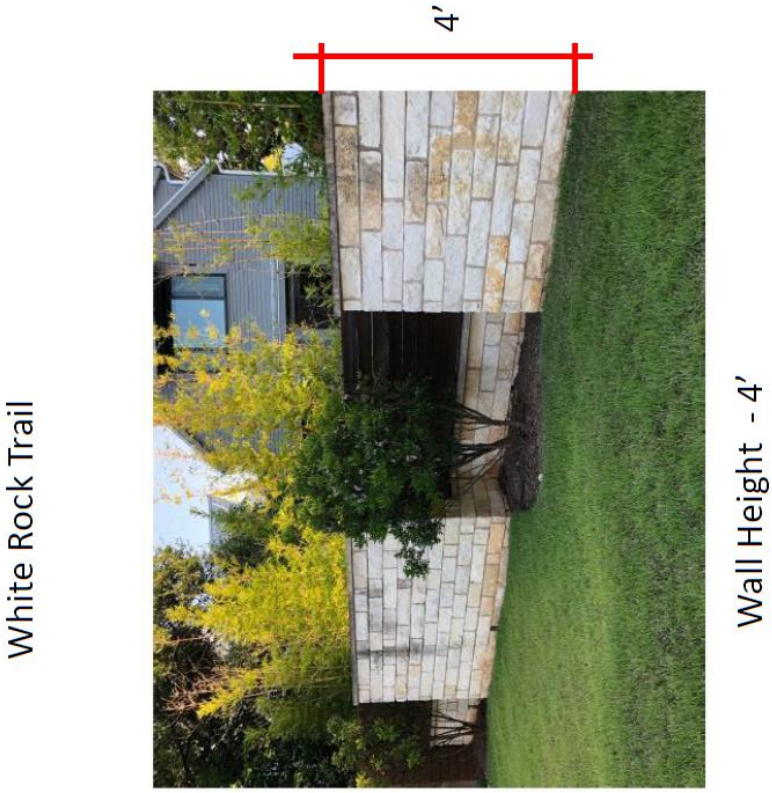
White Rock Trail	
Yard Lot and Space Regulations	
Front Yard	Minimum setback along White Rock Trail is 15';
Side and Rear Yard	Minimum side and rear yard is 5'
Density	Maximum number of dwelling units is 38
Floor Area Ratio	No maximum Floor Area Ratio
Height	Maximum structure height is 32'
Lot Coverage	Maximum Lot Coverage is 65 Percent
Lot Size	No minimum lot size
Off Street Parking and Loading	
Off Street Parking	2 per dwelling unit
Guest Parking	0.4 per unit

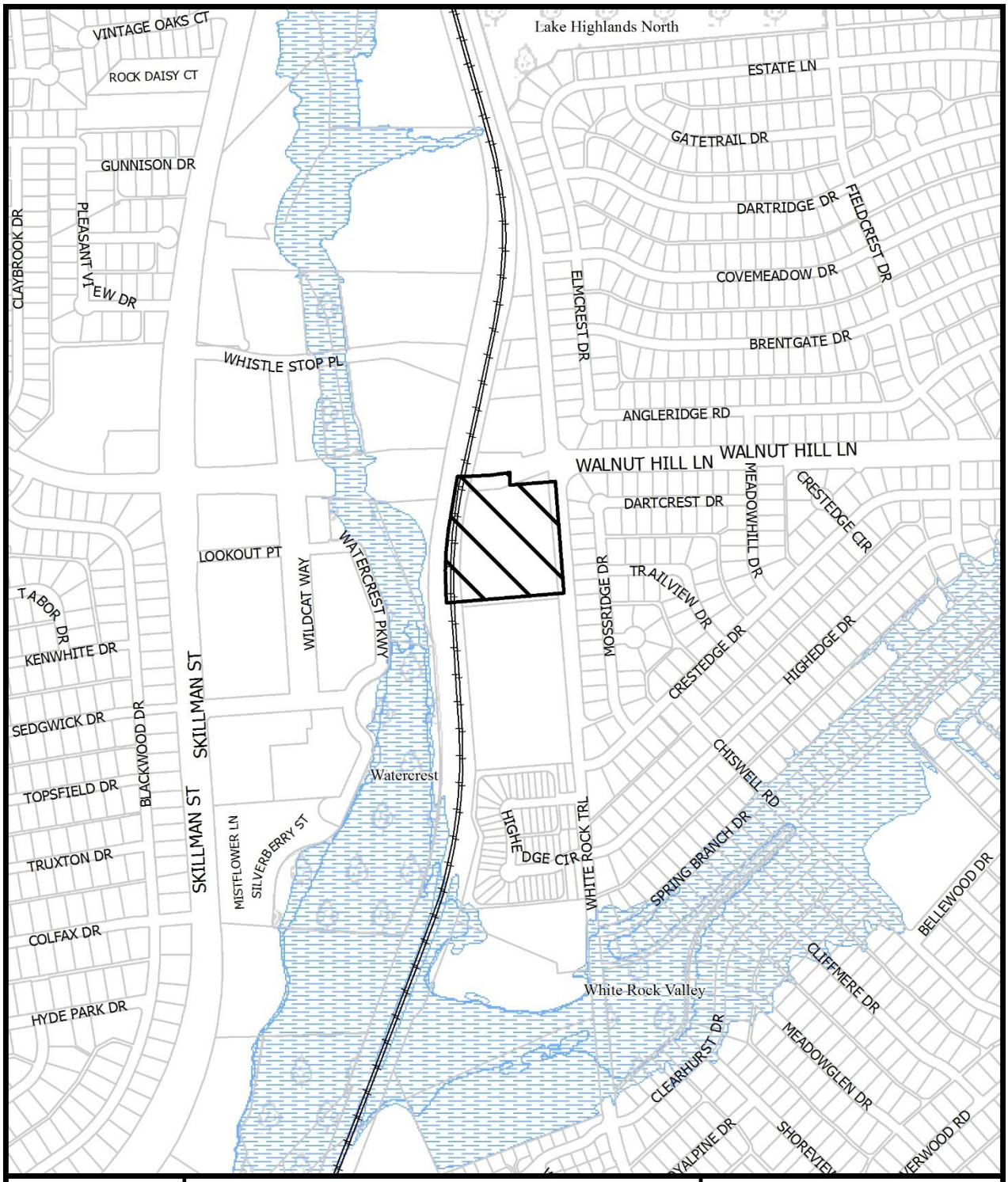
Shared access easement width and alignment to be determined by plat



CPC Recommended Conceptual Fence Elevation







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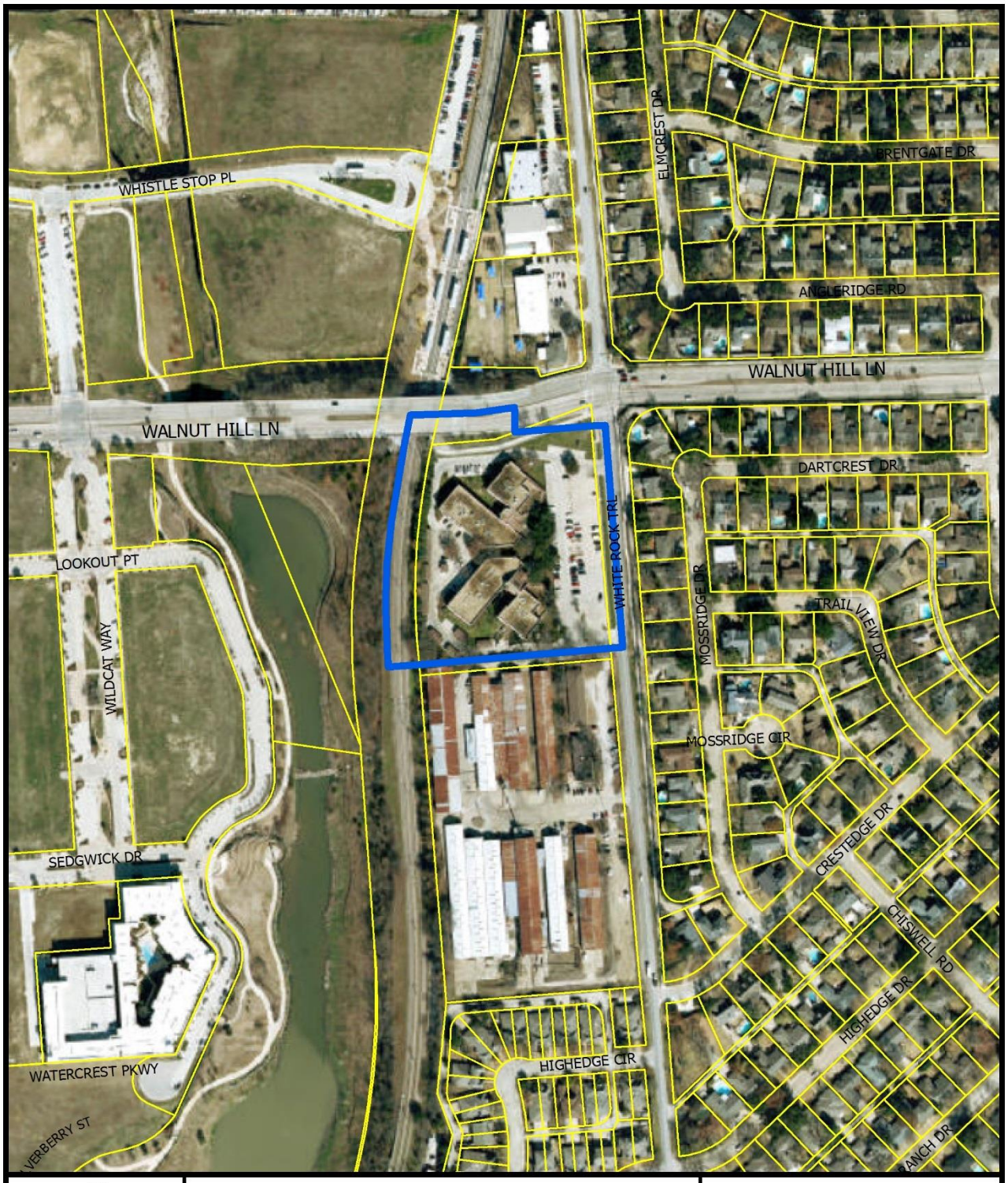
VICINITY MAP

Case no: Z178-238

Date: 6/8/2018



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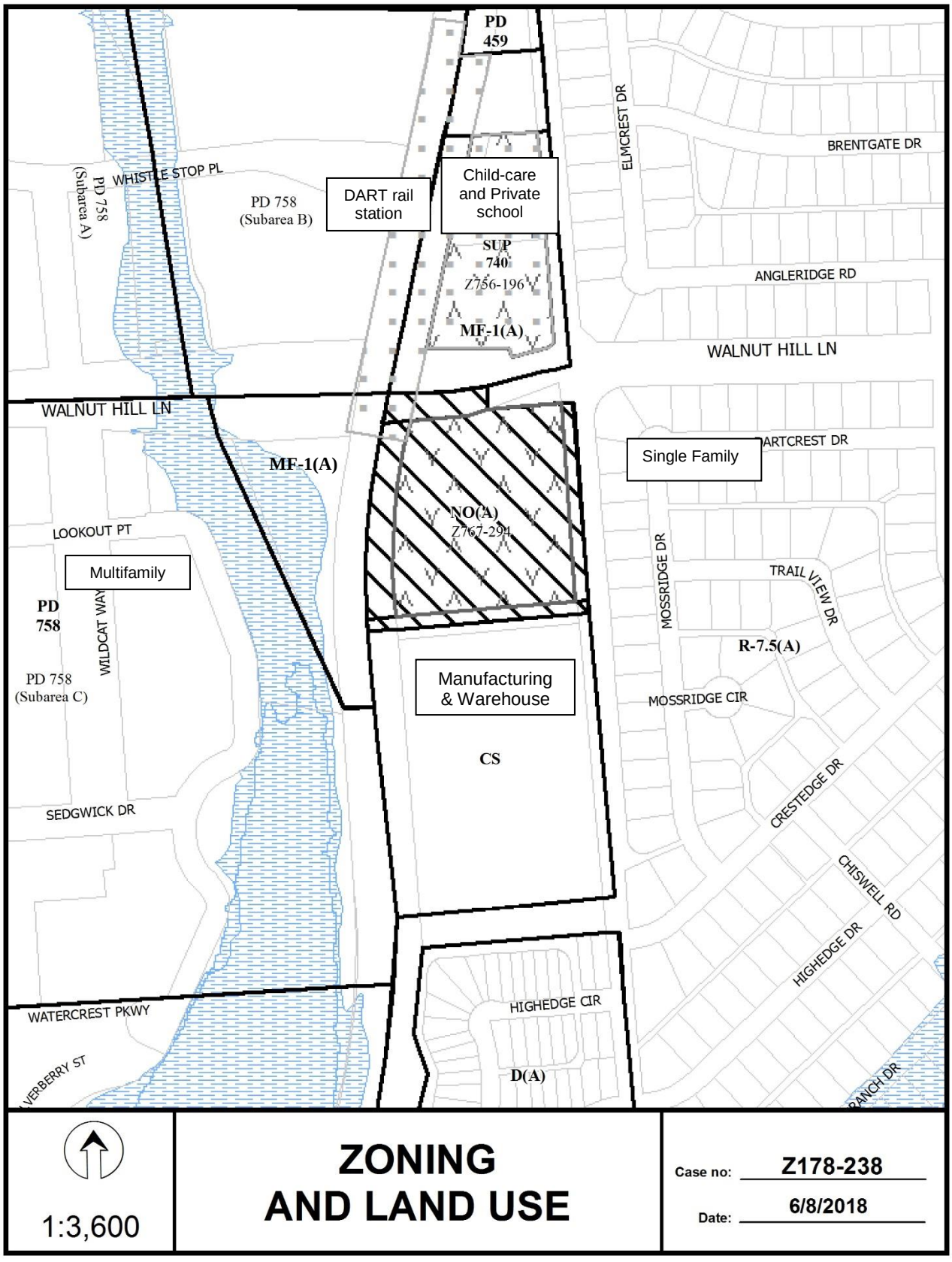
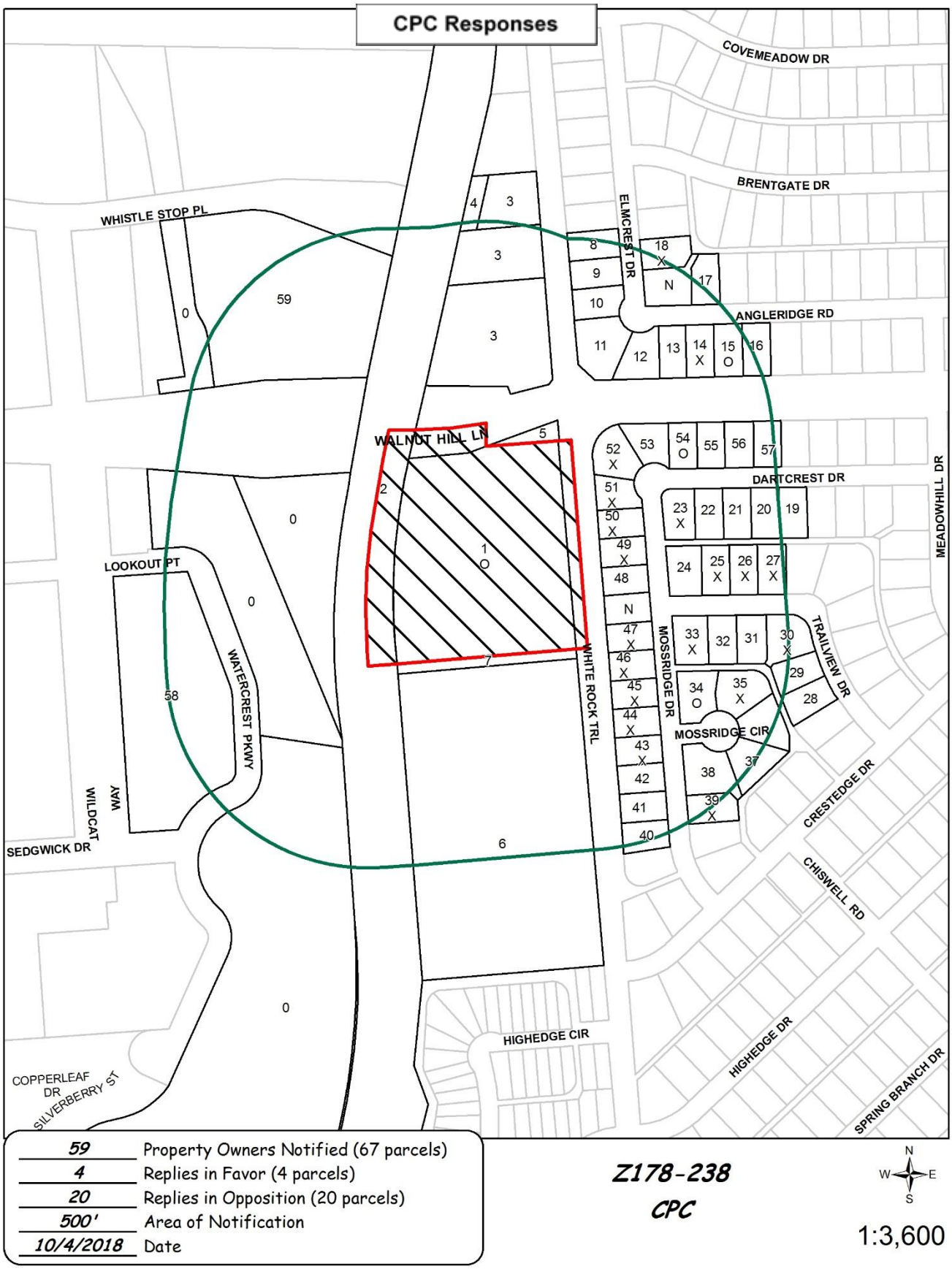
AERIAL MAP

Case no: Z178-238

Date: 6/8/2018


PD 459
ELMCREST DR
BRENTGATE DR
WHISTLE STOP PL
PD 758 (Subarea A)
PD 758 (Subarea B)
DART rail station
Child-care and Private school
SUP 740
Z756-196
MF-1(A)
ANGLERIDGE RD
WALNUT HILL LN
WALNUT HILL LN
MF-1(A)
Single Family
ARTCREST DR
NO(A)
Z767-291
LOOKOUT PT
Multifamily
PD 758
WILDCAT WAY
MOSSRIDGE DR
TRAIL VIEW DR
R-7.5(A)
PD 758 (Subarea C)
Manufacturing & Warehouse
MOSSRIDGE CIR
CS
CRESTEDGE DR
CHISWELL RD
SEDGWICK DR
HIGHEDGE DR
WATERCREST PKWY
HIGHEDGE CIR
VERBERRY ST
D(A)
RANCH DR
1:3,600
ZONING AND LAND USE
Case no: Z178-238
Date: 6/8/2018


CPC Responses
COVEMEADOW DR
BRENTGATE DR
WHISTLE STOP PL
ELMCREST DR
ANGLERIDGE RD
WALNUT HILL LN
DARTCREST DR
MEADOWHILL DR
LOOKOUT PT
WATERCREST PKWY
WHITE ROCK TRL
MOSSRIDGE DR
MOSSRIDGE CIR
TRAILVIEW DR
CRESTEDGE DR
CHISWELL RD
HIGHEDGE CIR
HIGHEDGE DR
SPRING BRANCH DR
WILDCAT WAY
SEDGWICK DR
COPPERLEAF DR
SILVERBERRY ST
59 Property Owners Notified (67 parcels)
4 Replies in Favor (4 parcels)
20 Replies in Opposition (20 parcels)
500' Area of Notification
10/4/2018 Date
Z178-238
CPC
N
W
E
S
1:3,600

10/03/2018

Reply List of Property Owners

Z178-238

59 Property Owners Notified ***4 Property Owners in Favor*** ***20 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
O	1	9601	WHITE ROCK TRL	RICHARDSON ISD
	2	555	2ND AVE	DART
	3	9727	WHITE ROCK TRL	ADAMS JOHN & MARY LP
	4	9735	WHITE ROCK TRL	ADAMS JOHN & MARY LP
	5	9611	WHITE ROCK TRL	ADAMS JOHN B & MARY
	6	9525	WHITE ROCK TRL	PIERCE LARRY ERNEST TR &
	7	9525	WHITE ROCK TRL	PIERCE LARRY ERNEST &
	8	9719	ELMCREST DR	HIGHTOWER B SUE
	9	9715	ELMCREST DR	RACINE RANDY A
	10	9709	ELMCREST DR	DOGGETT SCOTT T & CAROL J
	11	9703	ELMCREST DR	KRAEMER ROBBIE DEE
	12	9406	ANGLERIDGE RD	PRESTON JAMES DARRELL
	13	9412	ANGLERIDGE RD	WALTON MARY L
X	14	9416	ANGLERIDGE RD	BURNS FAMILY REVOCABLE
O	15	9422	ANGLERIDGE RD	MARMION WILLIAM H TR LIFE EST &
	16	9426	ANGLERIDGE RD	WRIGHT JAY & AMY
	17	9417	ANGLERIDGE RD	JACKS NATHAN ANDREW &
X	18	9716	ELMCREST DR	PARRY RAPHAEL P III &
	19	9432	DARTCREST DR	TAYLOR DAVID H & CAROLYN MORGAN
	20	9426	DARTCREST DR	ALLEN JERRY RAY & PATTI A
	21	9420	DARTCREST DR	COLLINS MICHAEL P & BROOKE M
	22	9414	DARTCREST DR	MCILROY KEVIN L & SHARON
X	23	9408	DARTCREST DR	MCCLELLAN MATTHEW J &
	24	9648	TRAILVIEW DR	MORAN MATTHEW W &
X	25	9644	TRAILVIEW DR	DUGE RICHARD W
X	26	9638	TRAILVIEW DR	WOODARD SCOTT & ELIZABETH

10/03/2018

Reply	*Label #*	*Address*		*Owner*
X	27	9634	TRAILVIEW DR	BOWLES BRUCE W
	28	9611	TRAILVIEW DR	CABANISS KEVIN CHARLES &
	29	9615	TRAILVIEW DR	BARTHOLOMEW DWIGHT U &
X	30	9619	TRAILVIEW DR	GOODEN MICHAEL & MARY D
	31	9637	TRAILVIEW DR	HOUCHARD DANIEL P & MAURA E
	32	9643	TRAILVIEW DR	STELTONSWAN ROBERT M &
X	33	9647	TRAILVIEW DR	SAYLES ROBERT L & KIMBERLY
O	34	9538	MOSSRIDGE CIR	HARMAN JAMES A & AMY L
X	35	9534	MOSSRIDGE CIR	EPHRAIM REVOCABLE TRUST
X	36	9530	MOSSRIDGE CIR	JONES MARY LOUISE WHITE
	37	9526	MOSSRIDGE CIR	WILLIAMS MICHAEL LANE &
	38	9522	MOSSRIDGE CIR	DAY CHARLES R & RENEE L
X	39	9516	MOSSRIDGE DR	WILLIAMS C COURTNEY
	40	9511	MOSSRIDGE DR	BAYNE HARRY G
	41	9517	MOSSRIDGE DR	DANGELO ROBERT P & KELLI M
	42	9521	MOSSRIDGE DR	PERSLEY KIMBERLY
X	43	9527	MOSSRIDGE DR	RINEHART JON G & MARY C
X	44	9533	MOSSRIDGE DR	BARFOOT DAVID SCOTT & DEBORAH JT
X	45	9539	MOSSRIDGE DR	HALLERMAN H MARIE
X	46	9543	MOSSRIDGE DR	TAVACKOLI MOHAMMAD & AMANDA
X	47	9547	MOSSRIDGE DR	PLIMPTON ROBERT
	48	9609	MOSSRIDGE DR	QUALIA STUART ISAAC & KATHRYN ANN
X	49	9615	MOSSRIDGE DR	NEWELL BENJAMIN &
X	50	9619	MOSSRIDGE DR	TABAK NAOMI TUCHMAN &
X	51	9623	MOSSRIDGE DR	WEITZEL ROBERT E &
X	52	9627	MOSSRIDGE DR	BALCH CHANDLER & KELSEY
	53	9405	DARTCREST DR	MOORE WALTER D EST OF
O	54	9409	DARTCREST DR	ALFERTIG CHRISTINA L
	55	9415	DARTCREST DR	GREGG BRUCE A & GERRI S
	56	9421	DARTCREST DR	BALUCH HOLDINGS LLC
	57	9427	DARTCREST DR	BERGENDAHL JERI

10/03/2018

Reply	*Label #*	*Address*		*Owner*
	58	9330	LOOKOUT PT	LHTC MF I LP
	59	3	WHISTLE STOP PL	PC LH LAND PARTNERS LP

Agenda Information Sheet

File #: 18-1379 **Item #:** 105.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 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 the creation of a new subdistrict within the Arts District Special Provision Sign District on property zoned Planned Development District No. 145, the Arts District Special Purpose District, in an area generally bounded by Flora Street, Olive Street, Ross Avenue, and North Harwood Street
Recommendation of Staff: Denial
Recommendation of CPC: Approval
SPSD178-003

powered by Legistar™

HONORABLE MAYOR & CITY COUNCIL WEDNESDAY, DECEMBER 12, 2018

ACM: Majed Al-Ghafry

FILE NUMBER: SPSD178-003 **DATE FILED:** July 2, 2018

LOCATION: An area generally bounded by Flora Street, Olive Street, Ross Avenue, and North Harwood Street

COUNCIL DISTRICT: 14 **MAPSCO:** 45 K

SIZE OF REQUEST: Approximately 2.2 acres **CENSUS TRACT:** 17.01

REPRESENTATIVE: Suzan Kedron

APPLICANT: Jackson Walker, LLP

OWNER: Crescent Ross Avenue Investors, LLC

REQUEST: An application to create a new subdistrict within the Arts District Special Provision Sign District on property zoned Planned Development District No. 145, the Arts District Special Purpose District.

SUMMARY: The purpose of this request is to create a new subdistrict that would allow two restaurant/retail identity signs on Ross Avenue, two integrated signs on Ross Avenue, and to amend /modify building identification signs.

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, amended on May 14, 2014, with an amendment pending before City Council on October 24, 2018. Subdistrict B was created on December 13, 2017.

With regard to the creation of Subdistrict A, this subdistrict 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 to Subdistrict A requested "limited" signage intended "to provide the secondary main tenant requisite signage." The amendment included remove the allowance for a tenant identity sign or building identification 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.

An application made to amend Subdistrict A to allow six retaining wall signs that would be integrated onto a retaining wall and only allowed on Ross Avenue was approved by City Plan Commission on September 6, 2018.

The creation of Subdistrict B was made to allow tenant identity signs and an integrated monument sign, which were allowed only Subdistrict A. Subdistrict B created a new sign – restaurant/retail identity sign – in addition to the tenant identity signs.

With regard to this application to create a new subdistrict, the purpose would be to allow two restaurant/retail identity signs on Ross Avenue, two integrated signs on Ross Avenue, and to amend /modify building identification signs.

STAFF ANALYSIS:

Creating this new subdistrict within the Arts District Sign District is viewed by staff as unnecessary as were the creation of Subdistrict A in 2011 and Subdistrict B in 2017. Staff believes treating one single block differently from the remainder of the Arts District could begin to erode the cohesiveness of the district as a whole. Staff states that in this case and well as in both cases prior to this one that a review of the entire SPSD would be preferable to singling out one block at a time, particularly when 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.

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.

Below is a comparison of the two Subdistricts within the Arts SPSD and the requested proposed subdistrict.

Subdistrict A	Subdistrict B	Proposed Subdistrict
One tenant identity sign or building identification sign is permitted per facade. No identification sign on Leonard St. façade.	Two tenant identity or building identification signs on Woodall Rodgers façade. No tenant identity signs on Munger Avenue, Crockett Street, or Pearl Street façades.	
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.	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.	A building identification sign includes a sign that is part of a landscape design that creates a base for the sign in conjunction with a retaining wall or an open space created with the use of water or planting material. A building identification sign may be located within five feet of a public right-of-way. One sign must be located on Ross Avenue a minimum of 10 feet from Olive Street and 290 feet from Harwood Street.
One integrated sign is permitted.	One integrated sign is permitted	Two integrated signs are permitted on Ross Avenue frontage.
Integrated sign may be attached sign or monument sign.	Integrated sign must be a monument sign.	

Subdistrict A	Subdistrict B	Proposed Subdistrict
If attached integrated sign must face Crockett Street.	Integrated sign must be located on Pearl Street a minimum of 15 feet from Woodall Rodgers and 100 feet from Munger Avenue.	One integrated sign must be located on Ross Avenue a minimum ten feet from Olive Street and 260' from N. Harwoood Street; one integrated sign must be located on Ross Avenue a minimum of 280 feet from Olive Street and 20 feet from N. Harwood Street.
If monument integrated sign, may be two sided and must be in building plaza area.	Integrated sign may be located within five feet of a public right-of-way.	Integrated sign may be located within five feet of public right-of-way.
Maximum height of an integrated sign is eight feet from bottom of sign face to top of sign face.	Maximum height of an integrated sign is eight feet from bottom of sign face to top of sign face	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	Maximum effective area of an integrated sign is 175 square feet. Tenant names are limited to 60 square feet effective area.	Maximum effective area for one integrated sign is 40 square feet, and 30 square feet for the other.
	Restaurant/retail identity signs may not be located above 24 feet.	Restaurant/retail identity signs may be located a maximum of 24 feet above grade.
	Two restaurant/retail identity signs on Pearl Street façade and two restaurant/retail identity signs on Woodall Rodgers façade.	Two restaurant/retail identity signs area allowed on the Ross Avenue facade.
	Tenant identity, building identification, and restaurant/retail identity signs combined may not exceed four percent of the façade to which it is affixed.	The maximum effective area for a restaurant/retail identity sign may not exceed 50 square feet.

Subdistrict A	Subdistrict A	Proposed Subdistrict
PROPOSED 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 with integrates sign.		

List of Officers

LIST OF OFFICERS
CRESCENT ROSS AVENUE INVESTORS LLC

Diane A. Russo	President, Secretary, and Treasurer
Scott M. MacDonald	Vice President, Assistant Secretary, and Assistant Treasurer
Cyndi P. Strzyz	Vice President, Assistant Secretary, and Assistant Treasurer
Daniel F. Minkoff	Vice President and Assistant Secretary
Dale Todd	Vice President and Assistant Secretary
Joseph Pistone	Vice President and Assistant Secretary
Sahil Agarwal	Vice President and Assistant Secretary

City Plan Commission Action:
November 1, 2018

Motion: It was moved to recommend **approval** of the creation of a new subdistrict within the Arts District Special Provision Sign District on property zoned Planned Development District No. 145, the Arts District Special Purpose District, in an area generally bounded by Flora Street, Olive Street, Ross Avenue, and North Harwood Street with the following modifications and clarification: 1) SEC. 51A-7.1214.3. SUBDISTRICT C. (b) Restaurant/retail identity signs. (3), strike existing text and substitute with the following: "The maximum effective area for a restaurant/retail identity sign is 50 square feet"; 2) SEC. 51A-7.1214.3. SUBDISTRICT C. (b) Restaurant/retail identity signs. (2), change existing text of the last sentence and substitute with the following: "No illuminated sign or element of a sign may blink, flash, or change its brightness"; 3) SEC. 51A-7.1214.3. SUBDISTRICT C. (d) Integrated sign. (7), change existing language to read as follows: "All integrated signs must have consistent color, materials and fonts."; and 4) clarify maximum effective area for the sign described in (d)(2)(A) is 40 square feet and the maximum effective area for the sign described in (d)(2)(b) is 30 square feet.

Maker: Ridley
Second: Schultz
Result: Carried: 12 to 0

For: 12 - West, Rieves, Davis, Shidid, Carpenter, Lewis, Jung, Schultz, Peadon, Murphy*, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 3, District 7
Conflict: 1 - Housewright**

*out of the room, shown voting in favor
**out of the room, when vote taken

Notices: Area: 200 Mailed: 8
Replies: For: 0 Against: 0

Speakers: For: Ramsey March, 2001 Ross Ave., Dallas, TX, 75225
Lily Weiss, 750 N. St. Paul St., Dallas, TX, 75201
Suzan Kedron, 2323 Ross Ave., Dallas, TX, 75201
Against: None

CPC's Recommended Conditions

(proposed conditions are indicated in red)

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 described in the Exhibit A attached to Ordinance No. 30731, passed by the Dallas City Council on December 13, 2017.

(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, and more particularly described in Exhibit A attached to Ordinance No. 30731, passed by the Dallas City Council on December 13, 2017.

(c) Subdistrict B is hereby created within the Arts District Sign District. For the purposes of this division, Subdistrict B is the area bounded by Woodall Rodgers Freeway to the northwest, Crockett Street to the northeast, Munger Avenue to the southeast, and Pearl Street to the southwest, and more particularly described in the Exhibit A attached to Ordinance No. 30731, passed by the Dallas City Council on December 13, 2017.

~~(c)~~ Subdistrict C is hereby created within the Arts District Sign District. For the purposes of this division, Subdistrict C is the area bounded by Flora Street to the northwest, Olive Street to the northeast, Ross Avenue to the southeast, and North Harwood Street to the southwest, and more particularly described in Exhibit A attached to Ordinance No. , passed by the Dallas City Council on .

(d) 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). (Ord. Nos. 20345; 28471; 30731)

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, Concer 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 Ordinance No. 20345, passed by the Dallas City Council on June 14, 1989.

(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.

(8) CANOPY means a permanent non-fabric architectural element projecting from the face of a building.

(9) 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.

(10) 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.

(11) CHARACTER means a symbol, as a letter or number, that represents information.

(12) CONSTRUCTION BARRICADE SIGN means a sign that is affixed to a construction barricade.

(13) 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.

(14) 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.

(15) CULTURAL INSTITUTION IDENTIFICATION 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.

(16) DETACHED PREMISE SIGN means a sign that is both a detached sign and a premise sign as defined in Section 51A-7.102.

(17) FLAT ATTACHED SIGN means an attached sign projecting four inches or less from a building.

(18) FLORA STREET FRONTAGE AREA means the "Flora Street Frontage Area" as defined in the Arts District PD ordinance (Ordinance No. 17710, as amended).

(19) FREESTANDING IDENTIFICATION 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.

(20) GENERIC RETAIL IDENTIFICATION SIGN means a sign identifying a type or category of retail establishment without identifying a specific establishment.

(21) 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.

(22) 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.

(23) INTEGRATED SIGN means a premise sign within Subdistrict A~~, or~~ Subdistrict B, or Subdistrict C that is integrated into the design of the building and may be a monument sign.

(24) KIOSK means a small structure with one or more open sides used to display artwork or temporary signs.

(25) 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.

(26) 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.

(27) PLAQUE means a permanent tablet, the contents of which are either commemorative or identifying.

(28) PREMISE means the entire Arts District Sign District land area as defined in 51A-7.1201(a).

(29) PRIVATE SIGNS means those signs that are not “public signs” as defined in this section.

(30) PROJECTING ATTACHED SIGN means an attached sign projecting more than four inches from a building.

(31) PROMOTIONAL SIGN means a sign that promotes a cultural event or activity.

(32) PUBLIC SIGNS means governmental traffic signs, institutional movement control signs, generic retail identification signs, promotional signs, or plaques as defined in this section.

(33) RESTAURANT/RETAIL IDENTITY SIGN means an attached premise sign located on a building in Subdistrict B or Subdistrict C that has a restaurant, retail, or personal service tenant.

(34) 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).

(35) SIGN HARDWARE means the structural support system for a sign, including the fastening devices that secure a sign to a building facade or pole.

(36) 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.

(37) TENANT IDENTITY SIGN means an attached premise sign within Subdistrict A or Subdistrict B located on a building that is primarily used for office uses that identifies a specific office tenant.

(38) THIS DISTRICT means the Arts District Sign District.

(39) 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. (Ord. Nos. 20345; 26768; 28071; 28471; 30731)

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. (Ord. Nos. 20345; 20927; 25047; 28073)

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, ~~and~~ Subdistrict B, and Subdistrict C, 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. (Ord. Nos. 20345; 28471; 30731)

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. (Ord. 28071)

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. (Ord. 20345).

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, ~~and~~ Subdistrict B, and Subdistrict C. 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. For the regulations governing tenant identity and restaurant/retail identity signs within Subdistrict B, see Section 51A-7.1214.2. For the regulations governing restaurant/retail identity signs within Subdistrict C, see Section 51A-7.1214.3.

(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.

(1)

(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 façade	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, ~~and~~ Subdistrict B, and Subdistrict C. 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. For the regulations governing integrated signs within Subdistrict B, see section 51A-7.1214.2. For the regulations governing integrated signs within Subdistrict C, see Section 51A-7.1214.3.

(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.

(Ord. Nos. 20345; 26768; 28071; 28471; 30731)

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. (Ord. 20345)

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 structure's 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. (Ord. 26768)

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. (Ord. 28071)

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. (Ord. Nos. 28071; 28553)

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. (Ord. 28071)

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. (Ord. Nos. 28071; 28553)

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. (Ord. Nos. 28471; 29339)

SEC. 51A-7.1214.2. SUBDISTRICT B.

(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) Number.

(A) Two tenant identity signs or building identification signs are permitted on the Woodall Rodgers Freeway façade and must be located at or above the third story.

(B) Tenant identity signs are prohibited on the Munger Avenue and Crockett Street facades.

(2) Composition and illumination. 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.

(3) Color. All tenant identity signs and building identification signs must be the same white and silver color.

(4) Façade coverage. Tenant identity signs and building identification signs may not exceed four percent of the façade to which it is affixed.

(c) Restaurant/retail identity signs.

(1) Two restaurant/retail identity signs are allowed on the Pearl Street façade and two restaurant/retail signs are allowed on the Woodall Rodgers Freeway façade.

(2) Restaurant/retail 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.

(3) All restaurant/retail signs must be the same white and silver color.

(4) Restaurant/retail identity signs may not exceed four percent of the façade to which it is affixed.

(5) Restaurant/retail identity signs may be located a maximum of 24 feet above grade.

(d) Integrated sign.

(1) Only one integrated sign is permitted.

(2) This sign must be a monument sign.

(3) This sign may be located at the building line.

(4) This sign may be located within five feet of a public right of-way. This sign must be located on Pearl Street a minimum of 15 feet from Woodall Rodgers Freeway and 100 feet from Munger Avenue.

(5) The maximum height for the sign is eight feet measured from the bottom of the sign face to the top of the sign face.

(6) The maximum effective area for the sign is 175 square feet. Tenant names are limited to a maximum effective area of 60 square feet. The portion of the sign that contains the address and that does not contain tenant names must have a clear or transparent appearance.

(7) All elements of an integrated sign must be a consistent color and materials to the building. (Ord. 30731)

SEC. 51A-7.1214.3. SUBDISTRICT C.

(a) In general. Except as provided in this division, the provisions of the Arts District Sign District apply in this subdistrict.

(b) Restaurant/retail identity signs.

(1) Two restaurant/retail identity signs are allowed on the Ross Avenue façade.

(2) Restaurant/retail 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 blink, flash, or change its brightness.

(3) The maximum effective area for a restaurant/retail identity sign is 50 square feet.

(4) Restaurant/retail identity signs may be located a maximum of 24 feet above grade.

(5) Restaurant/retail identity signs may be located on or behind glass facades.

(c) Building identification sign.

(1) In this subdistrict, a building identification sign includes a sign that is part of a landscape design that creates a base for the sign in conjunction with a retaining wall or an open space created with the use of water or planting material. A building identification sign may be located within five feet of a public right-of-way. One sign must be located on Ross Avenue a minimum of ten feet from Olive Street and 290 feet from North Harwood Street.

(2) The maximum effective area for a building identification sign is 40 square feet.

(d) Integrated sign.

(1) A maximum of two integrated signs are permitted on the Ross Avenue frontage.

(2) An integrated sign may be located within five feet of a public right-of-way.

(A) One sign must be located on Ross Avenue a minimum of ten feet from Olive Street and 260 feet from North Harwood Street.

(B) One sign must be located on Ross Avenue a minimum of 280 feet from Olive Street and 20 feet from North Harwood Street.

(3) A single contiguous sign, able to be viewed from more than one street, is considered one integrated sign.

(4) The maximum height for an integrated sign is eight feet measured from the bottom of the sign face to the top of the sign face.

(5) The maximum effective area for the sign described in (d)(2)(A) is 40 square feet. The maximum effective area for the sign described in (d)(2)(B) is 30 square feet.

(6) The characters on an integrated sign must be a minimum of four inches in height.

(7) All integrated signs must have consistent color, materials, and fonts.

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. (Ord. 28071)

Applicant's renderings

Applicant's renderings

Applicant's renderings

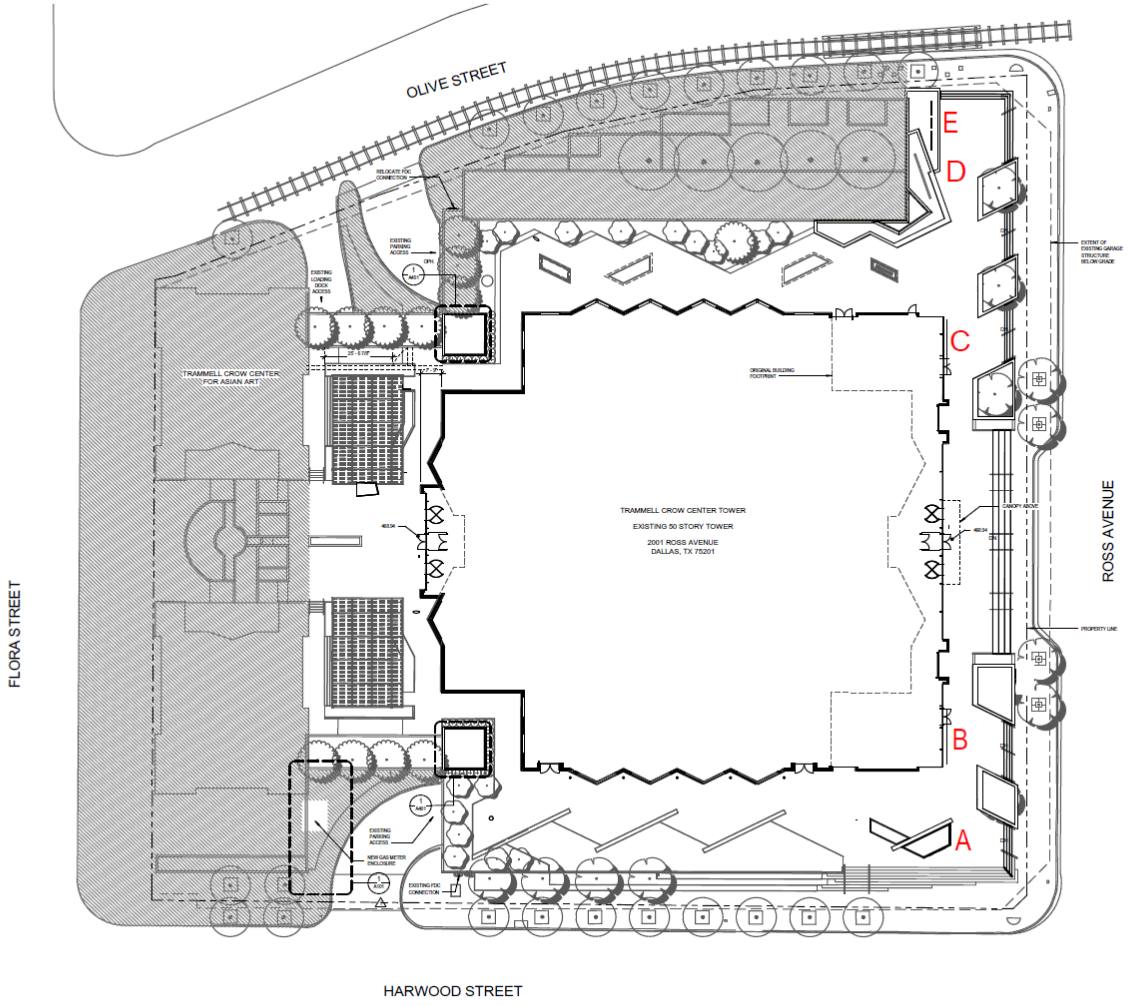
EXTERIOR BUILDING SIGNAGE *ROSS ELEVATION*

TRAMMELL CROW CENTER J.P.Morgan Asset Management STREAM REALTY h+k

SPSD178-003

Applicant's site plan

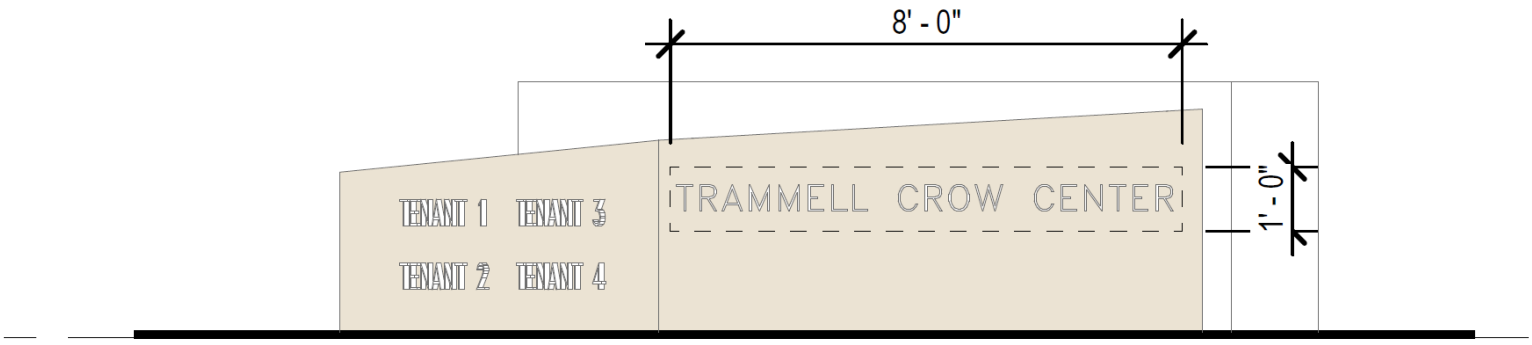
EXTERIOR BUILDING SIGNAGE *SITE PLAN*



SPSD178-003

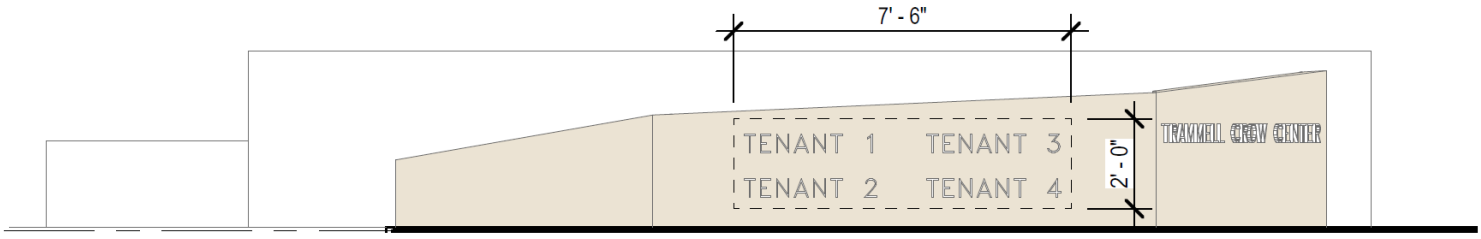
Applicant's renderings

A / *ROSS/HARWOOD INTEGRATED SIGN (VIEW FROM ROSS)*



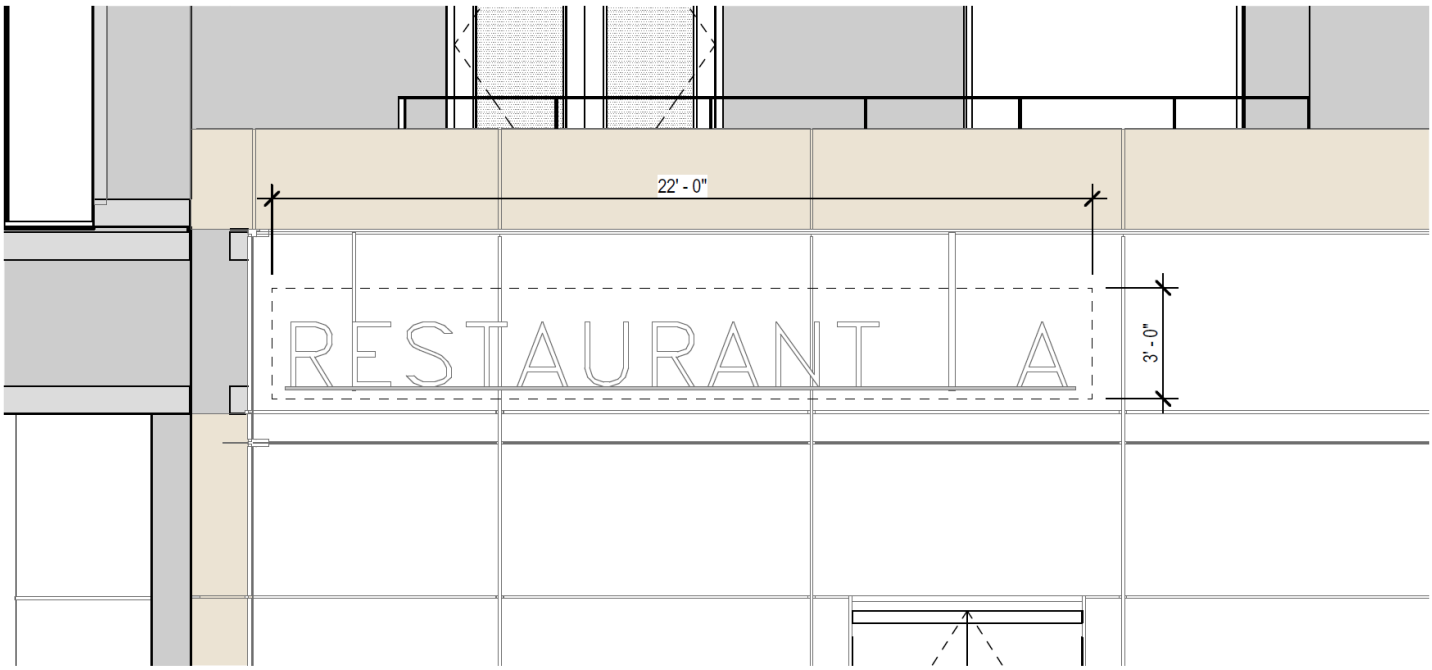
Applicant's renderings

A / *ROSS/HARWOOD INTEGRATED SIGN (VIEW FROM HARWOOD)*



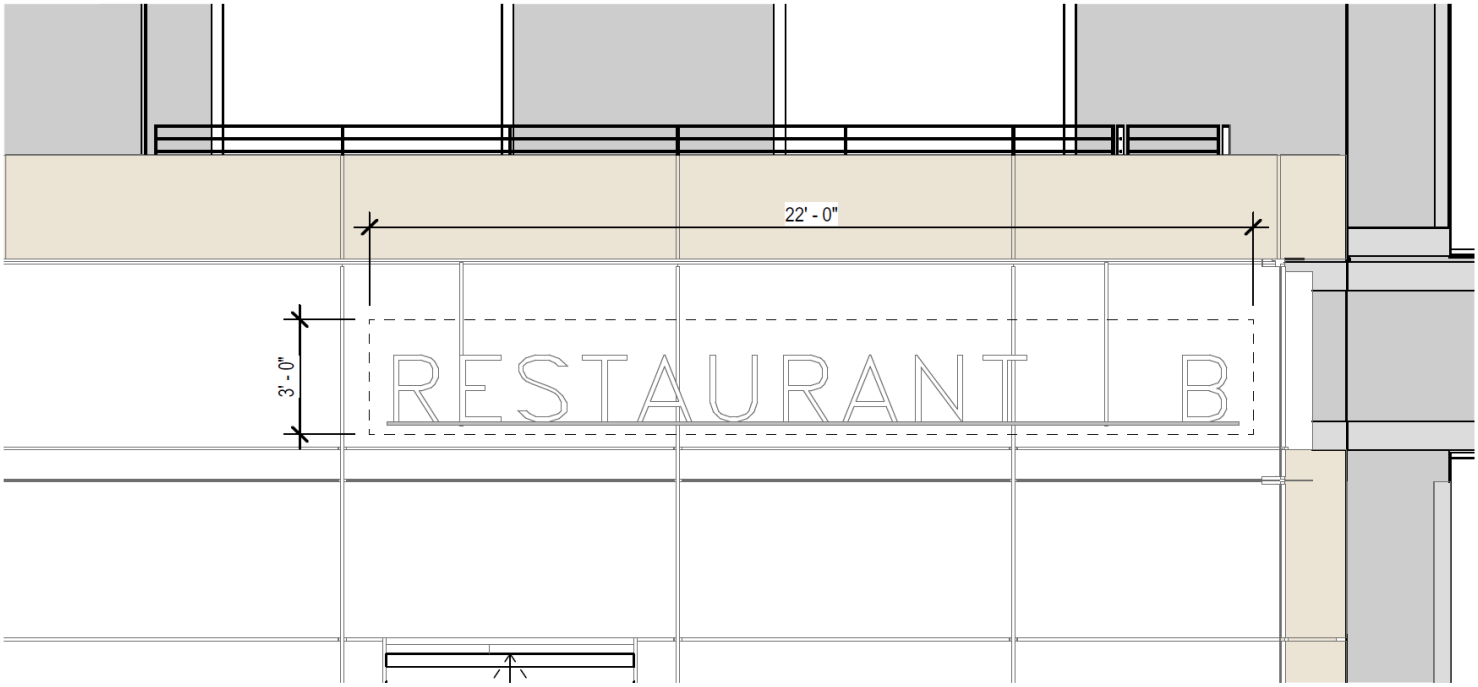
Applicant's renderings

B / *RESTAURANT/RETAIL IDENTITY SIGN*



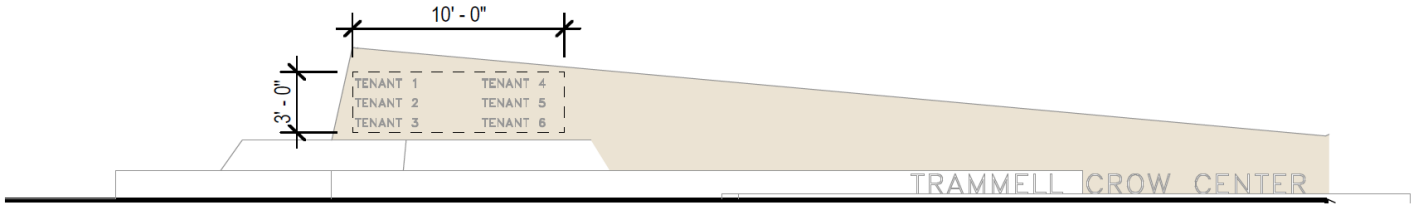
Applicant's renderings

C / *RESTAURANT/RETAIL IDENTITY SIGN*

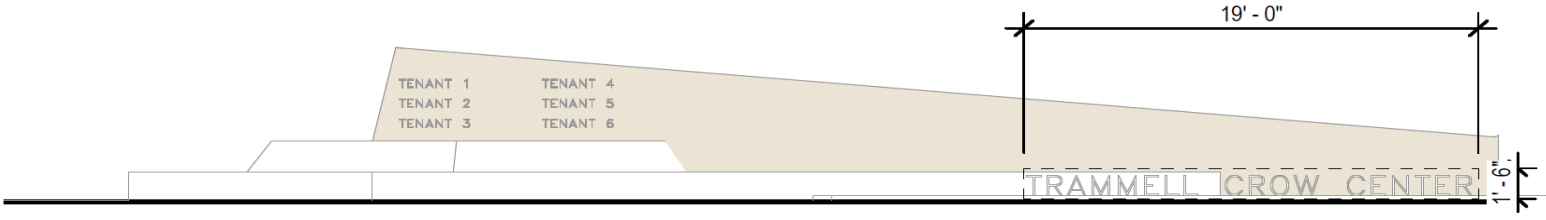


Applicant's renderings

D / *ROSS/OLIVE INTEGRATED SIGN*

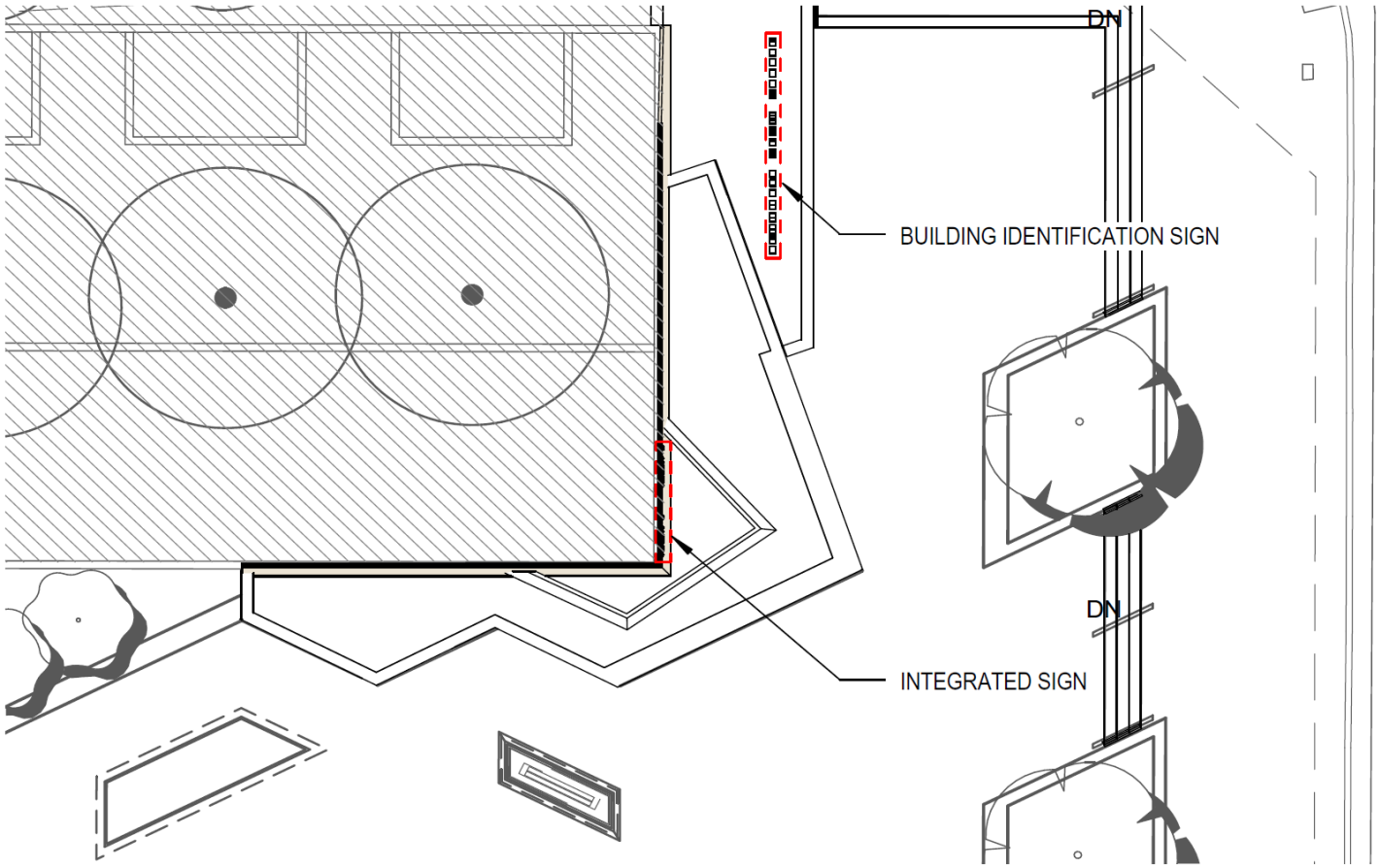


E / *ROSS/OLIVE BUILDING IDENTIFICATION SIGN*



Applicant's site plan

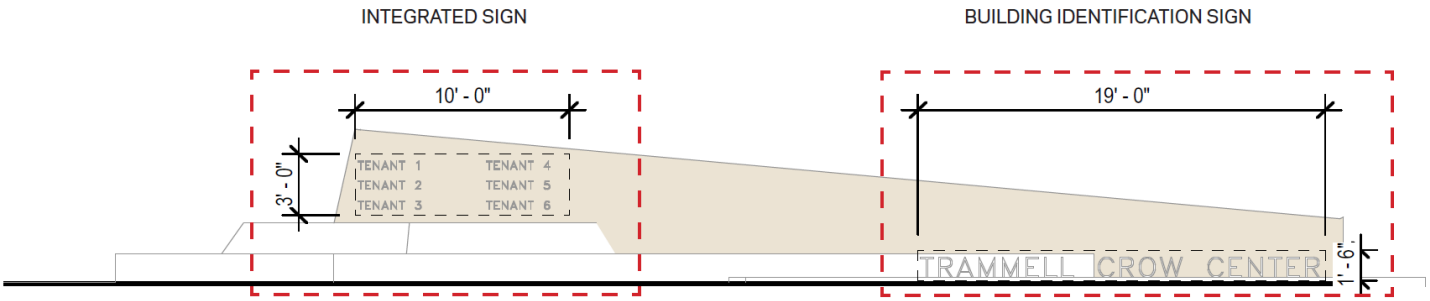
ROSS/OLIVE INTEGRATED SIGN AND BUILDING IDENTIFICATION SIGN



TRAMMELL CROW CENTER J.P.Morgan Asset Management

Applicant's renderings

ROSS/OLIVE INTEGRATED SIGN AND BUILDING IDENTIFICATION SIGN

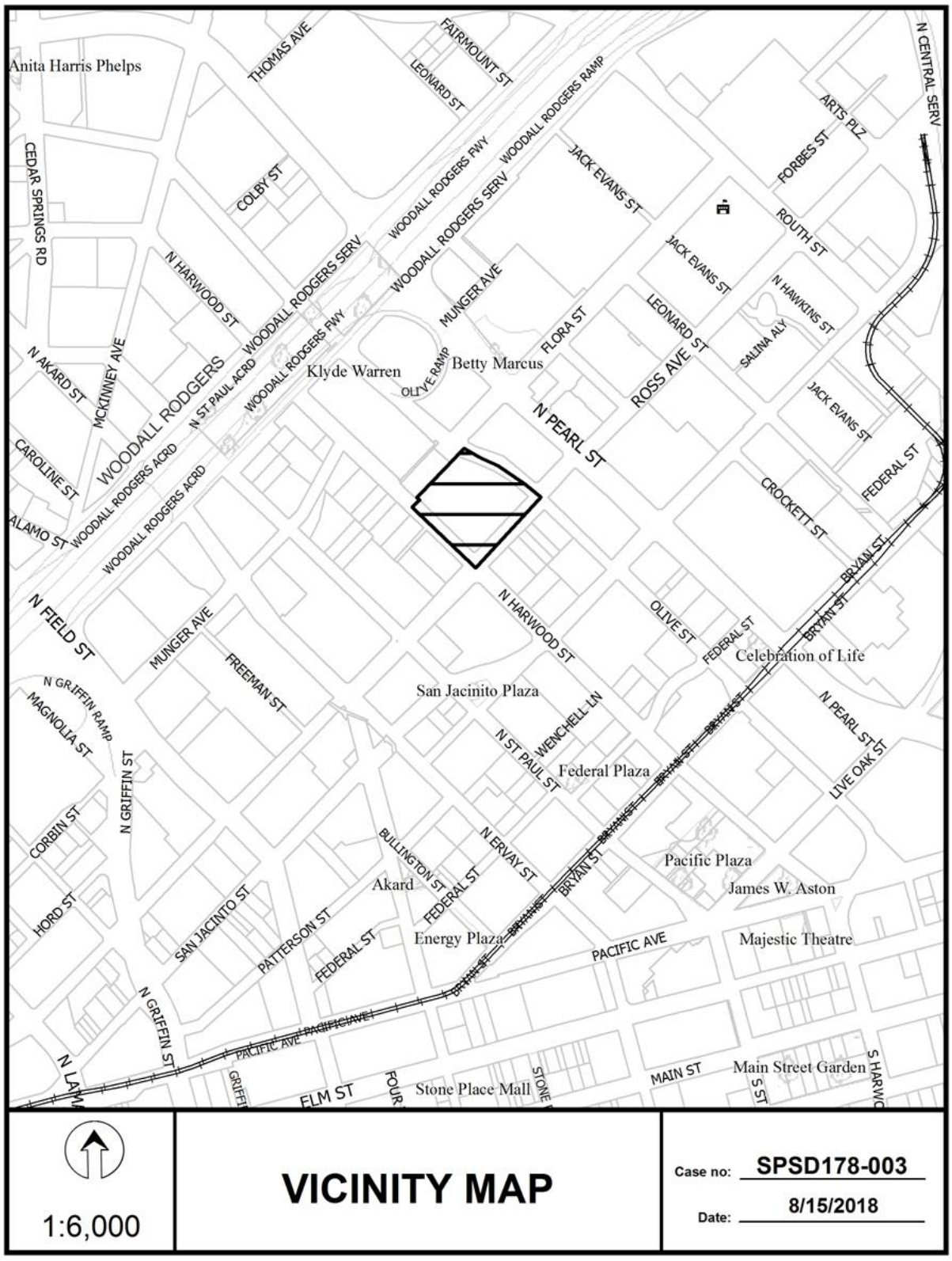


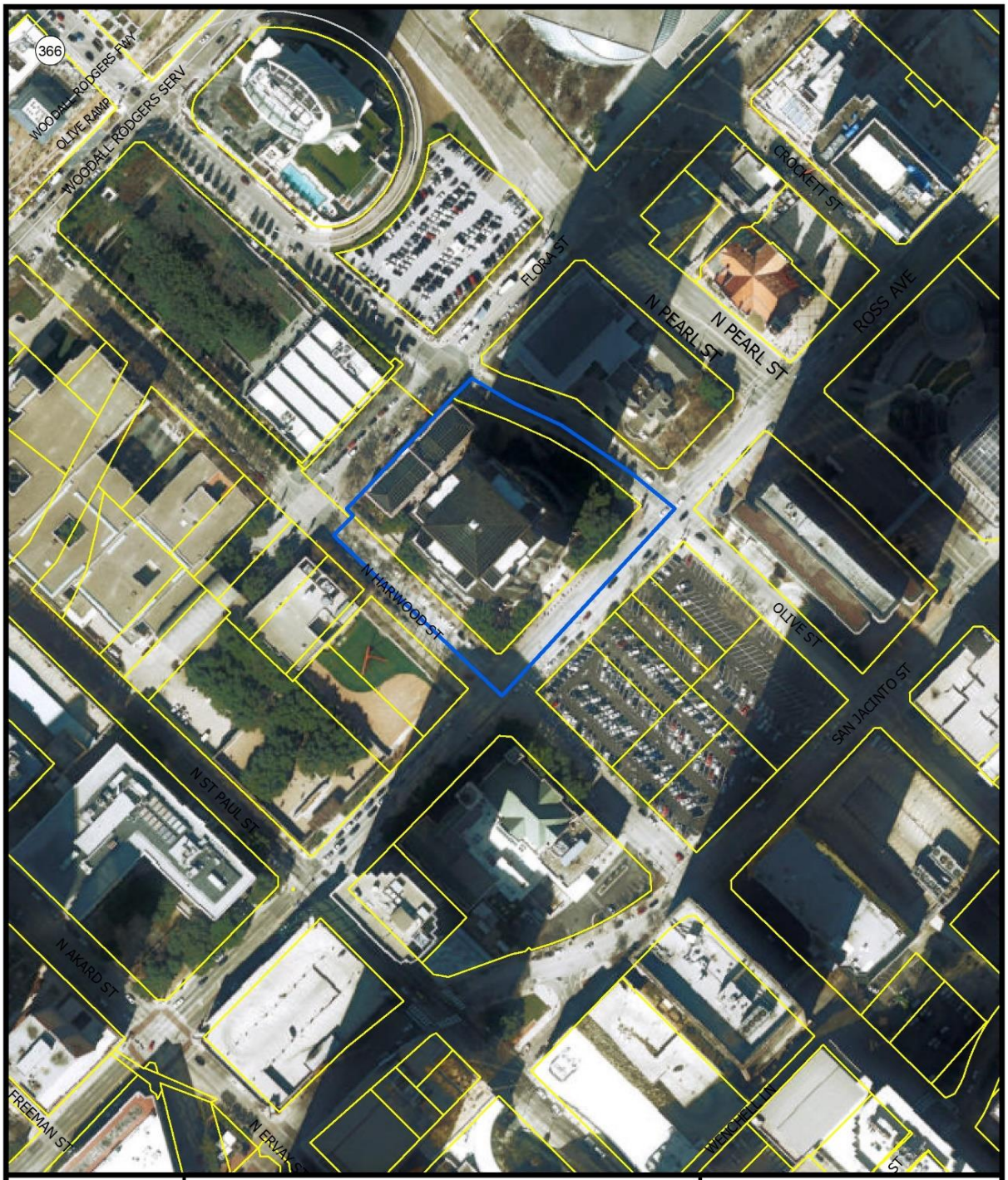
Applicant's renderings

EXTERIOR BUILDING SIGNAGE *RENDERINGS*

Applicant's renderings

EXTERIOR BUILDING SIGNAGE *RENDERINGS*


Anita Harris Phelps
THOMAS AVE
FAIRMOUNT ST
LEONARD ST
WOODALL RODGERS RAMP
N CENTRAL SERV
ARTS PLZ
FORBES ST
CEDAR SPRINGS RD
COLBY ST
WOODALL RODGERS FWY
WOODALL RODGERS SERV
JACK EVANS ST
ROUTH ST
N HARWOOD ST
MUNGER AVE
FLORA ST
LEONARD ST
N HAWKINS ST
SALINA ALY
N AKARD ST
MCKINNEY AVE
WOODALL RODGERS
N ST PAUL ACRD
Klyde Warren
Betty Marcus
OLIVE RAMP
ROSS AVE
N PEARL ST
CAROLINE ST
ALAMO ST
WOODALL RODGERS ACRD
CROCKETT ST
FEDERAL ST
BRYAN ST
N FIELD ST
OLIVE ST
Celebration of Life
FREEMAN ST
San Jacinito Plaza
N GRIFFIN RAMP
MAGNOLIA ST
WENCHELL LN
N ST PAUL ST
Federal Plaza
LIVE OAK ST
N GRIFFIN ST
CORBIN ST
BULLINGTON ST
N ERVAY ST
Pacific Plaza
Akard
James W. Aston
HORD ST
SAN JACINTO ST
PATTERSON ST
Energy Plaza
PACIFIC AVE
Majestic Theatre
PACIFIC AVE
ELM ST
Stone Place Mall
MAIN ST
Main Street Garden
1:6,000
VICINITY MAP
Case no: SPSD178-003
Date: 8/15/2018



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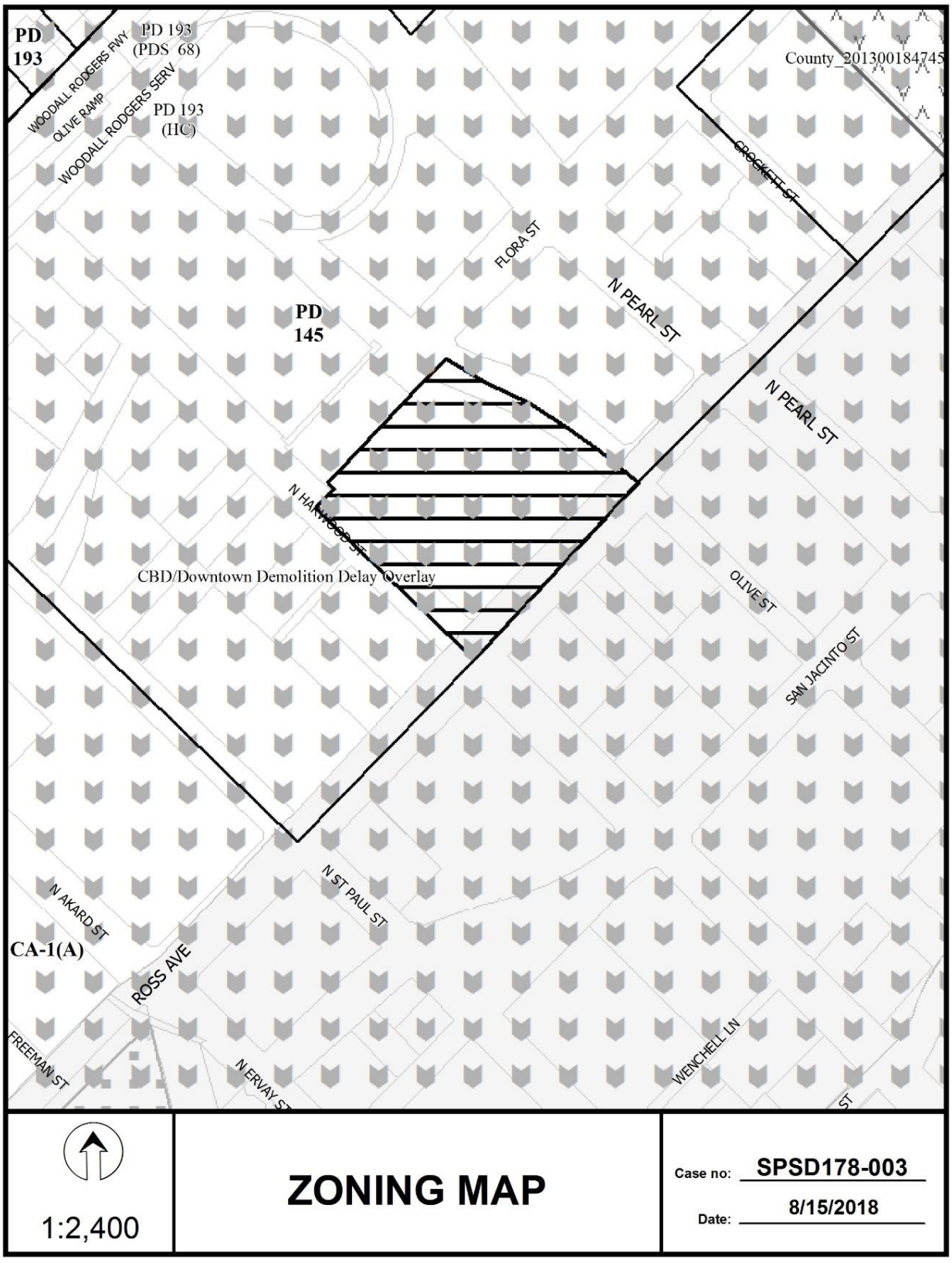
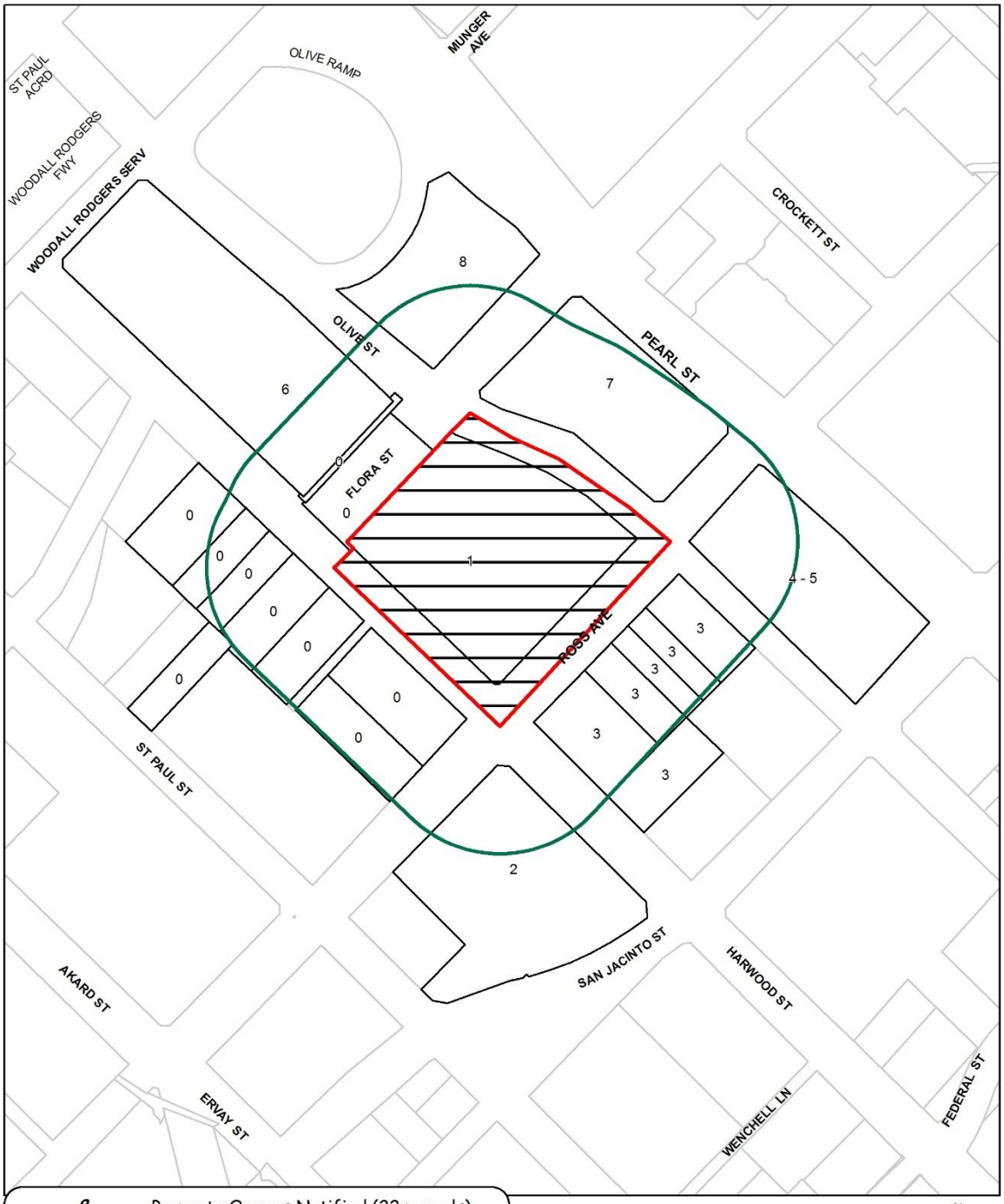
AERIAL MAP

Case no: SPSD178-003

Date: 8/15/2018


PD 193
PD 193 (PDS 68)
WOODALL RODGERS FWY
OLIVE RAMP
WOODALL RODGERS SERV
PD 193 (IIC)
County_201300184745
CROCKETT ST
FLORA ST
N PEARL ST
PD 145
N PEARL ST
N HARWOOD ST
CBD/Downtown Demolition Delay Overlay
OLIVE ST
SAN JACINTO ST
N ST PAUL ST
N AKARD ST
CA-1(A)
ROSS AVE
FREEMAN ST
N ERVAY ST
WENCHELL LN
1:2,400
ZONING MAP
Case no: SPSD178-003
Date: 8/15/2018

CPC Responses



8	Property Owners Notified (22 parcels)
0	Replies in Favor (0 parcels)
0	Replies in Opposition (0 parcels)
200'	Area of Notification
11/1/2018	Date

SPSD178-003
CPC

N W E S

1:2,400

10/31/2018

Reply List of Property Owners

SPSD178-003

8 Property Owners Notified ***0 Property Owners in Favor*** ***0 Property Owners Opposed***

Reply	*Label #*	*Address*		*Owner*
	1	2001	ROSS AVE	CRESCENT ROSS AVE INVESTORS LLC
	2	1925	SAN JACINTO ST	FIRST UNITED METHODIST
	3	2020	ROSS AVE	2000 ROSS AVENUE LP
	4	801	PEARL ST	DALLAS 2100 ROSS LP
	5	2002	ROSS AVE	DALLAS 2100 ROSS LP
	6	2021	FLORA ST	NASHER FOUNDATION THE
	7	2101	ROSS AVE	DALLAS BAR FOUNDATION
	8	901	PEARL ST	ARTS DISTRICT PPTIES LTD &
	A1	1928	ROSS AVE	FIRST UNITED METHODIST
	A2	2100	ROSS AVE	DALLAS 2100 ROSS LP

Agenda Information Sheet

File #: 18-1380 **Item #:** 106.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Department of Sustainable Development and Construction

EXECUTIVE: Majed Al-Ghafry

SUBJECT

A public hearing to receive comments regarding consideration of amendments to Chapter 51 and Chapter 51A of the Dallas Development Code to create regulations for mixed income housing development bonuses and an ordinance granting the amendments
Recommendation of Staff: Approval of Economic Development and Housing Committee recommendations
Recommendation of CPC: Approval
DCA 156-008

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HONORABLE MAYOR & CITY COUNCIL **WEDNESDAY, DECEMBER 12, 2018**

ACM: Majed Al-Ghafry

FILE NUMBER: DCA 156-008 **DATE INITIATED:** December 1, 2015

TOPIC: Mixed Income Housing Development Bonuses

CITY COUNCIL DISTRICTS: All **CENSUS TRACTS:** All

PROPOSAL: Consideration of amending Chapter 51 and Chapter 51A of the Dallas Development Code to create regulations for mixed income housing development bonuses.

SUMMARY: The amendment proposes to encourage the development of mixed-income housing in Multifamily and Mixed Use Districts by offering development bonuses in return for providing a percentage of units to be reserved for families within certain income bands.

CPC RECOMMENDATION: **Approval**

STAFF RECOMMENDATION: **Approval** of Economic Development and Housing Committee recommendations

BACKGROUND

- In June 2006, City Council adopted the *forwardDallas*! comprehensive plan calling for a better connection between jobs and housing; a range of housing options through zoning regulations; and mixed-use development, especially around transit stations.
- On October 7, 2015, City Council adopted the Neighborhood Plus Plan, which called for 1) raising the quality of rental property through better design standards; 2) expanding affordable housing options and encouraging the distribution of affordable housing throughout the city and region; and 3) developing, adopting and implementing an incentive zoning policy to increase development rights through zoning changes and to allow density bonuses in proportion to the number of affordable residential units provided.
- On August 1, 2016, Housing Committee requested staff to initiate the development of a mixed income housing development bonus proposal.
- Between October 2016 and March 2017, staff met with other City departments; housing advocacy groups including the Inclusive Communities Project, Habitat for Humanity, and Opportunity Dallas; and members of the development community, including The Real Estate Council (TREC), the Urban Land Institute (ULI), and individual developers.
- The Zoning Ordinance Advisory Committee (ZOAC) considered this amendment at six public meetings between June 22 and September 28, 2017.
- On January 17, 2018, the Department of Housing and Neighborhood Revitalization briefed City Council on the Market Value Analysis.
- On May 9, 2018, City Council approved the Comprehensive Housing Policy with broad goals to create and maintain housing throughout Dallas, promote greater fair housing choices, and overcome patterns of segregation and concentrations of poverty.
- On August 10, 2018, staff met with the Development Process Committee of the City's Housing Policy Task Force.
- After approval of the Comprehensive Housing Policy, Zoning Ordinance Advisory Committee (ZOAC) considered this amendment at 6 additional public meetings between June 7 and September 6, 2018, and on September 20, 2018 recommended the proposal move to City Plan Commission.
- On September 20, 2018, the City Plan Commission received an initial briefing on the proposal and on October 4, 2018 recommended approval of the amendment.
- On November 5, 2018, the Economic Development and Housing Committee voted to forward the proposal to Council with an amendment to set the rental affordability period at 20 years instead of the City Plan Commission proposed recommendation of 15 years.

The proposed amendment to Chapters 51 and 51A is one prong of a two-pronged approach. The second prong includes amendments to Chapter 20A, "Fair Housing" of the Dallas Development Code, creating regulations for the compliance and implementation portion, which will be managed by the Department of Housing and Neighborhood Revitalization and the Office of Equity and Human Rights.

GENERAL INFORMATION/STAFF ANALYSIS

Affirmatively Further Fair Housing

The city is charged with making meaningful progress toward three goals to affirmatively further fair housing:

- Address significant disparities in housing need and access to opportunity;
- Replace segregated living patterns with truly integrated and balanced living patterns;
- Transform racially and ethnically concentrated areas of poverty into areas of opportunity.

The mixed income housing development bonus code amendment provides opportunities through zoning to increase the supply of mixed income housing throughout the city, with a focus on reducing discrimination based on source of income, providing additional housing opportunities in areas of strength within the city, and incentivizing market-rate housing in historically segregated and disinvested areas of the city.

Comprehensive Housing Policy

The Housing Policy directs the creation of a mixed income development bonus (formerly "voluntary inclusionary zoning") code amendment to:

- Incentivize rental units using by-right development bonuses
- Create mixed-income housing in multi-family and mixed-use districts
- Be available throughout the city in multifamily and mixed-use zoning districts
- Include design principles to encourage walkability, reduce the need for parking, and require open space.

Summary of Issues: High rent, lack of supply, and rent burden

While the area median income has remained essentially flat for the past 10 years, average rents as reported by MPF Research in the Dallas area have risen from $850 a month in 2012 to more than $1,100 a month in 2017.

Additionally, despite the number of rental housing units currently under construction, occupancy for rental units has hovered around 95 percent (essentially full) since mid-2013, meaning that the city has a continuing housing shortage. Overall, the Housing Policy states that the city is short 20,000 housing units, including both owner-occupied and rental units.

These elements mean that as of the 2016 American Community Survey (ACS), 19,463 households in Dallas earned $35,000 - $75,000 and still paid more than 30 percent of their income in rent. Overall, nearly 130,000 households in the city are rent burdened.

Likewise, the 2016 ACS also reports that 49,055 households could afford higher-quality units if the supply existed. If these families move to higher-quality units, they make those newly vacated, less-expensive units available to others.

This proposal:

- Encourages higher-density new development, leading to increased supply, and
- Reserves some of those new units directly for households in certain income bands.

PROPOSAL:

Development bonuses under this proposal are voluntary. If a developer does not want to take advantage of the bonus, he or she can utilize the existing zoning without the bonus or apply for a zoning change.

This proposal has four key elements:

1) Provide greater access to affordable housing throughout the city by differentiating the provision of reserved units based on the property's MVA category.
2) Adjust by-right development regulations in multifamily and mixed-use zoning districts to allow for additional building envelope in return for a certain percentage of units to be reserved for households below particular income levels.
3) Include design standards to encourage walkability and community gathering space.
4) Require compliance with residential proximity slopes.

Income levels served vary by MVA category

Mixed income development bonuses would apply in MF-1(A), MF-2(A), and MF-3(A) Multifamily districts and MU-1, MU-2, and MU-3 Mixed Use districts. Together, these districts represent approximately 15,000 acres across the city.

The development bonus and number of reserved units would vary by the City's Market Value Analysis (MVA) category. Properties in A, B, and C categories would serve lower income levels than properties in G, H, and I categories, with the percent of reserved units depending on the amount of the bonus requested and the income ranges depending on the on MVA category.

- A, B, C:
  - 5% of units at 51%-60% Area Median Family Income (AMFI),
  - 5% of units at 51%-60% AMFI & 5% at 61-80% AMFI, or
  - 5% of units at 51%-60% AMFI & 5% at 61-80% AMFI & 5% at 81-100% AMFI
- D, E, F:
  - 5% of units at 61%-80% AMFI,
  - 10% of units at 61%-80% AMFI, or
  - 10% of units at 61%-80% AMFI & 5% at 81-100% AMFI
- G, H, I:
  - 5% of units at 81-100% AMFI

For example, a development on property in category A that wanted the maximum bonus would be required to reserve 15 percent of the total units, with 5 percent of units at 51 percent-60 percent AMFI, 5 percent at 61-80 percent AMFI, and 5 percent at 81-100 percent AMFI. Likewise, a property in category E that wanted the maximum bonus would reserve 15 percent of the total units, with 10 percent of units at 61 percent-80 percent AMFI and 5 percent at 81-100 percent AMFI. Properties in G, H, I categories are required to reserve 5 percent of the units at 81-100 percent AMFI if they take advantage of the bonus.

In all of the eligible districts, a higher development bonus requires more reserved units, and properties in stronger markets require lower income bands.

Bonuses vary by type of zoning district
In multifamily districts, the bonuses vary based on what change in regulation would be most likely to incentivize development.

- In MF-1(A) and MF-2(A) Multifamily districts, the percentage of reserved units required increases with height and lot coverage.
- In MF-3(A) Multifamily districts, the percentage of reserved units required increases with height, lot coverage, and density.

In mixed use districts, the bonuses vary based on what change in regulation would be most likely to incentivize development.

- In MU-1 and MU-2 Mixed Use districts, the percentage of reserved units increases with increases in density. Also, existing floor area ratios (FAR) would apply to non-residential use only.
- In MU-3 Mixed Use districts the percentage of reserved units increases with a small increase in FAR and a small increase in lot coverage.

In all districts:

- Building heights are subject to applicable residential proximity slopes.
- Setbacks are maintained.
- Parking is reduced to 1¼ space per unit (versus 1 space per bedroom in Chapter 51A) and at least 15 percent must be available for guest parking.
- Increased design standards as described below.
- Reserved unit set-aside ranges from 5 percent to 15 percent of units.

Additional regulation
After the recommendation from CPC, it was determined that a development could take advantage of the bonus to create mixed income housing and instead provide 100 percent of its units for households within a particular income band, potentially concentrating poverty.

After conferring with multiple departments, additional regulations are proposed:

- Set a maximum of 50 percent of units in each development that may be reserved for households at or below 80 percent of Area Median Family Income.
- Maximum percentage of reserved units could be waived for developments that are enrolled in a program administered by the Department of Housing and Neighborhood Revitalization and authorized by the City Council that furthers the public purposes of the City's housing policy and affirmatively furthers fair housing.

The Council’s Economic Development and Housing Committee was briefed on this additional regulation.

Transit proximity
Developments with proximity to transit receive an additional parking reduction and additional lot coverage. The parking requirement for these developments is one parking space per unit versus one space per bedroom in Chapter 51A and 85 percent lot coverage versus 60 percent to 80 percent lot coverage in Chapter 51A.

Transit proximity defined as ½ mile radius from a transit station and includes trolley stops, train stations, transfer centers, transfer locations, and transit centers and any transit stop with a climate-controlled waiting area. Eligible transit service includes Dallas Area Rapid Transit, TRE, high speed rail, and trolley service.

Reserved units
To implement elements of fair housing requirements, reserved units must:

- Be provided on-site.
- Be dispersed throughout the residential floor area of each building.
- Be dispersed throughout all residential portions of the building site, may not be clustered in one building or a limited number of buildings and may float within each dwelling unit type.
- Be of comparable finish-out and materials as the market rate dwelling units and must be equally available to eligible households or voucher holders as other market rate dwelling unit tenants.
- With minor exceptions, be dispersed pro-rata among the unit types so that not all the affordable units are the same unit type.

Additionally, eligible households must be provided similar access to common areas and parking locations

Proposed development bonus details for each zoning district:

MF-1(A) and MF-2(A) Districts								
	Current	**Category A, B, C**			**Category D, E, F**			**Cat. G, H, I**
		5% at 51%-60%	**5% at 51-60% & 5% at 61-80%**	**5% at 51-60% & 5% at 61-80% & 5% at 81-100%**	**5% at 61-80%**	**10% at 61-80%**	**10% at 61-80% & 5% at 81-100%**	**5% at 80-100%**
Setbacks	10-15'	no changes						
Density/acre	none	no change						
Floor area ratio	none	no change						
Height	36'	51'	66'	85'	51'	66'	85'	85'
Max stories	no max	no changes						
Lot coverage	60%	80%	80%	85%	80%	80%	85%	85%
Min lot area /unit	varies	remove requirements						
Res. Proximity Slope	required	no changes						
Parking	1 per bdrm.	1 1/4 space per unit. Of the required parking, at least 15 percent must be available for guest parking. No additional parking is required for accessory uses that are limited principally to residents.						
Transit Oriented Development		Max lot coverage of 85%. One parking space per unit. Of the required parking, at least 15 percent must be available for guest parking.						

MF-3(A) Districts								
	Current	**Category A, B, C**			**Category D, E, F**			**Cat. G, H, I**
		5% at 51%-60%	**5% at 51-60% & 5% at 61-80%**	**5% at 51-60% & 5% at 61-80% & 5% at 81-100%**	**5% at 61-80%**	**10% at 61-80%**	**10% at 61-80% & 5% at 81-100%**	**5% at 80-100%**
Setbacks	10-20 setbacks, Urban form: 20', Tower spacing: 30'							
Density/acre	90	100	120	150	100	120	150	150
Floor area ratio	2.0	maintain requirements; apply to non-residential uses only						
Height	90'	90	105	120	90	105	120	120
Max stories	no max	no changes						
Lot coverage	60%	80%	80%	85%	80%	80%	85%	85%
Min lot area /unit	varies	remove requirements						
Res. Proximity Slope	required	no changes						
Parking	1 per bdrm.*	1 1/4 space per unit. Of the required parking, at least fifteen percent must be available for guest parking. No additional parking is required for accessory uses that are limited principally to residents.						
Transit Oriented Development		For MF-3, max lot coverage of 85%. One parking space per unit. Of the required parking, at least fifteen percent must be available for guest parking.						

MU-1 District								
	Current	**Category A, B, C**			**Category D, E, F**			**Cat. G, H, I**
		5% at 51%-60%	**5% at 51-60% & 5% at 61-80%**	**5% at 51-60% & 5% at 61-80% & 5% at 81-100%**	**5% at 61-80%**	**10% at 61-80%**	**10% at 61-80% & 5% at 81-100%**	**5% at 80-100%**
Setbacks	0-20'	no changes						
Density/acre	15-25	current + 65= 80 to 90	current + 80= 95 to 105	current + 105= 120 to 130	current + 65= 80 to 90	current + 80= 95 to 105	current + 105= 120 to 130	current + 105= 120 to 130
Floor area ratio	0.8-1.1	maintain requirements; apply to non-residential uses only						
Height	80-120	no change						
Max stories	7-9	no change						
Lot coverage	80%	no change						
Min lot area /unit	n/a	no change						
Res. Proximity Slope	required	no changes						
Parking	1 per bdrm.	1 1/4 space per unit. Of the required parking, at least 15 percent must be available for guest parking. No additional parking is required for accessory uses that are limited principally to residents.						
Transit Oriented Development		For MU-1, additional 15 units/acre on density and max lot coverage of 85%. One parking space per unit. Of the required parking, at least 15 percent must be available for guest parking.						

MU-2 District								
	Current	**Category A, B, C**			**Category D, E, F**			**Cat. G, H, I**
		5% at 51%-60%	**5% at 51-60% & 5% at 61-80%**	**5% at 51-60% & 5% at 61-80% & 5% at 81-100%**	**5% at 61-80%**	**10% at 61-80%**	**10% at 61-80% & 5% at 81-100%**	**5% at 80-100%**
Setbacks	0-20'	no changes						
Density/acre	50-100	current + 40 = 90-140	current + 60 = 110-160	current + 80 = 130-180	current + 35 = 85-135	current + 55 = 105-155	current + 75 = 125-175	current + 75 = 125-175
Floor area ratio	1.6-2.25	maintain requirements; apply to non-residential uses only						
Height	135-180	no change						
Max stories	10-14	no change						
Lot coverage	80%	no change						
Min lot area /unit	n/a	no change						
Res. Proximity Slope	required	no changes						
Parking	1 per bdrm.	1 1/4 space per unit. Of the required parking, at least 15 percent must be available for guest parking. No additional parking is required for accessory uses that are limited principally to residents.						
Transit Oriented Development		For MU-2, additional 15 units on density and max lot coverage of 85%. One parking space per unit. Of the required parking, at least 15 percent must be available for guest parking.						

MU-3 District								
	Current	**Category A, B, C**			**Category D, E, F**			**Cat. G, H, I**
		5% at 51%-60%	**5% at 51-60% & 5% at 61-80%**	**5% at 51-60% & 5% at 61-80% & 5% at 81-100%**	**5% at 61-80%**	**10% at 61-80%**	**10% at 61-80% & 5% at 81-100%**	**5% at 80-100%**
Setbacks	0-20	no change						
Density/acre	none	No max unit density						
Floor area ratio	3.2-4.5	+0.5	+1	+1.5	+0.5	+1	+1.5	+1.5
Height	270	no change						
Max stories	20	no change						
Lot coverage	80%	80%	85%	85%	80%	85%	85%	85%
Min lot area /unit	none	no change						
Res. Proximity Slope	required	no changes						
Parking	1 per bdrm.*	Residential uses: 1 1/4 space per unit. Of the required parking, at least fifteen percent must be available for guest parking. No additional parking is required for accessory uses that are limited principally to residents. All other uses parked per code.						
Transit Oriented Development		For MU-3, additional 1 FAR and max lot coverage of 90%. One parking space per unit. Of the required parking, at least fifteen percent must be available for guest parking.						
Notes:		Additional FAR is added to the residential FAR only						

Design standards

Additional design standards can reduce auto dependency, reduce the need for parking, encourage alternative modes of transit, and improve transit accessibility, particularly for transit-dependent residents. Some design goals:

- Minimal surface parking, mostly in side/rear of lot
- Ground-floor entrances open directly to sidewalk or open space
- Wide sidewalks and pedestrian lighting
- Parking structures wrapped by other uses or similar in materials to main building
- Only short fences with pedestrian gates allowed between the front of the building and the street.

Developments seeking a bonus must provide a minimum of 10 percent of the property as open space. This open space is intended to provide active and passive recreation (such as playgrounds), to provide landscaping area, or to enable groundwater recharge, for example. Landscape areas that fulfill Article X may also fulfill these requirements if all conditions are met, and it may be provided at or below grade or aboveground. However, private balconies, sidewalks, parking spaces, parking lots, and drive aisles are not considered open space, and the open space is not intended to be used for parking or driving.

Specific requirements

- Additional provisions for yard, lot, and space regulations:
    - Encroachments allowed
        - Seat walls, retaining walls, stoops, porches, steps, unenclosed balconies, ramps, handrails, safety railings, and benches all not exceeding four feet in height and extending a maximum of five feet into the required front, side, and rear yards.
        - Landscape planters, sculptures, and awnings
        - Maximum four-foot-high fence or hand rail in the front yard.
    - Open space
        - At least ten percent of the building site must be must be reserved as open space for activity such as active or passive recreation, playground activity, groundwater recharge, or landscaping.
            - Open space may be at or below grade or aboveground, such as an outside roof deck, rooftop garden, playground area, pool area, patio, or similar type of outside common area.
            - Open spaces shall be maintained at no public expense.
            - Landscape areas that fulfill Article X may also fulfill these requirements if all conditions are met
        - Private balconies, sidewalks, parking spaces, parking lots, and drive aisles and areas primarily intended for vehicular use are not considered open space
    - Height
        - Residential proximity slope remains applicable
        - Elements such as railings, parapet walls, and trellises may project through the slope less than 4 feet.

- Off-street parking and loading
    - Surface parking
        - Surface parking is prohibited between the street-facing façade and the property line. For buildings with more than one street frontage, only two street frontages are subject to this requirement.
        - For buildings fronting on a thoroughfare, surface parking is prohibited in the setback
        - A maximum of 15 percent of the total on-site parking may be provided as surface parking in a side yard.
    - Parking structures.
        - The ground-level, street-facing facades of all aboveground multi-story parking structures must have a use other than parking or have a facade that is similar in materials and appearance to the facade of the main structure the parking serves.
    - Assigned parking spaces allotted for reserved units must be dispersed and distributed amongst all other assigned parking for similar units.
    - Commercial Loading
        - Service entries, loading areas and loading docks should be screened and located away from the facade facing the front yard.
    - Passenger loading
        - Each building site must provide at least one off-street or on-street passenger loading space.
        - On-street passenger loading zones, if provided, must be constructed in compliance with Architectural Barrier Act accessibility standards and must be approved by the director.
- Urban design and structure facade standards
    - A minimum of 60 percent of the street-level dwelling units adjacent to a street in each building must have individual entries that access the street with an improved path connecting to the sidewalk. For at-grade open space, a minimum of 60 percent of the open-space fronting dwelling units in each building must have individual entries that access the open space.
    - Street-fronting and open-space fronting facades must have at least one window and at least one common primary entrance facing the street.
    - No more than 25 continuous linear feet of street-fronting façade may lack a transparent surface.
    - Individual entries may be gated, and private front yards may be separated from the public space with a maximum four-foot high fence.
    - Non-required fencing along a street or trail must be a minimum of 50 percent open and allow visibility between three and six feet above grade.
- Street and sidewalk standards
    - Sidewalks and buffers
        - A sidewalk with a minimum average width of six feet must be provided along all street frontages. All sidewalks must be clear and unobstructed for a minimum of five feet in width within the required area. If the building official determines that the location of a local utility or protected

tree, as defined in Article X, would prevent a five-foot minimum width, the sidewalk may be reduced to four feet in width in that location.
    - Sidewalks must be located in an area parallel to and within two feet to 15 feet of the back of the projected street curb.
- Pedestrian lighting must be provided along the sidewalks to provide minimum required lighting measured in footcandles.
- Exterior lighting sources, if used, must be oriented down and onto the property they light and generally away from adjacent residential properties.

Implementation

Procedures

- Developer meets with the City's Department of Housing and Neighborhood Revitalization to request an MVA category verification letter and can also request information about compliance requirements for this program.
    - An MVA Verification Letter is a letter from the Department of Housing and Neighborhood Revitalization verifying which MVA category the parcel proposed for development is located in based on the council-approved MVA map. The MVA category determines the bonuses that the development may utilize in return for a specified number of reserved units. The MVA Verification Letter will be valid for the number of months specified in Chapter 20A.
- Developer begins the permit application process.
- The restrictive covenant process begins, including review by the Sustainable Development and Construction Department, the Department of Housing and Neighborhood Revitalization, and the City Attorney's Office.
- Prior to the issuance of a building permit, developer submits an official copy of the executed and filed restrictive covenant.
- Sustainable Development and Construction Department regularly sends to Housing and Neighborhood Revitalization Department a report of the building permits issued under the mixed income housing development bonus.
- Developer begins construction.
- Prior to beginning leasing, developer begins compliance process, including marketing the property according to fair housing rules, reserving units, etc.
- Developer completes construction and submits documentation for a final certificate of occupancy. City reviews for compliance with all aspects of the permit and, if complete, issues final CO.
- Developer (and all subsequent owners) submits compliance paperwork regularly during period of compliance. Requirements stay with the development, not the ownership.
- Ongoing compliance is monitored by the Housing and Neighborhood Revitalization Department and the Office of Equity and Human Rights.
- Developer (and all subsequent owners) may not discriminate on the basis of source of income.
    - This non-discrimination provision provides housing opportunities for households with rental assistance or vouchers, as applicable.

Program Operation

- Term of affordability will be 15 years (CPC recommendation) or 20 years (Economic Development and Housing Committee recommendation).
    - The CPC recommendation of 15 years was based on common maintenance and investment cycles for apartment systems such as HVAC systems and roofing. Staff supports the Committee's recommendation of 20 years given that this time period provides a longer period of affordability without having a deleterious effect on re-investment in these proposed developments.
- Term of affordability, required number of affordable units, required income bands and other program requirements will be stated in a restrictive covenant that the owner must file in the real property records of the county in which the property is located.

Compliance and Operation of the Housing Program

Regulations regarding income bands, affordable rents, certification of families, leasing and lease termination procedures, and compliance and oversight will be placed in Dallas City Code Chapter 20A - Fair Housing.

CPC ACTION

October 4, 2018

Motion: It was moved to recommend **approval** of amending Chapters 51 and 51A of the Dallas Development Code to create regulations for mixed income housing development bonuses with the following change: For planned development district that are not currently subject to RPS this bonus would only be allowed, subject to RPS.

Maker: Shidid
Second: Murphy
Result: Carried: 13 to 0

For: 13 - West, Rieves, Davis, Shidid, Carpenter, Lewis, Jung, Housewright, Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 0
Vacancy: 2 - District 3, District 7

Speakers: For: Jennifer Rangel, 3301 Elm St., Dallas, TX, 75226
Against: None
Staff: Bert Vandenberg, Assistant City Attorney, City of Dallas

11-12-18

ORDINANCE NO. _____

An ordinance amending Chapter 51, "Dallas Development Code: Ordinance No. 10962, as amended," and Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code by amending Section _____; providing (description of amendment); providing a penalty not to exceed $2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

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

SECTION 1. That Subsection (a), "General Provisions," of Section 51-4.404, "Minimum Lot Area for Residential Use," of Division 51-4.400, "Yard, Lot, and Space Regulations," of Article IV, "Zoning Regulations," of Chapter 51, "Dallas Development Code: Ordinance No. 10962, as amended," of the Dallas City Code is amended to read as follows:

"(a) General provisions.

(1) A person shall not reduce a lot below the minimum area requirements of this section, unless:

(A) the lot is replatted for a community unit development; or

(B) the city or other governmental agency reduces the lot size by widening an abutting street. In this situation the minimum lot area is computed on the basis of the original lot size before the street widening.

(2) The area requirements in a planned development district are controlled by the planned development district regulations.

(3) The minimum lot area for residential use does not apply for a development using a mixed income development bonus in Division 51-4.900."

SECTION 2. That Subsection (c), "Schedule of Maximum Lot Coverage," of Section 51-4.407, "Maximum Lot Coverage," of Division 51-4.400, "Yard, Lot, and Space Regulations," of Article IV, "Zoning Regulations," of Chapter 51, "Dallas Development Code: Ordinance No. 10962, as amended," of the Dallas City Code is amended to read as follows:

"(c) Schedule of maximum lot coverage.

(1) Except as provided in this section, a person shall not erect, alter, or convert any structure or part of a structure to cover a greater percentage of a lot than is allowed in Section 51-4.410.

(2) The maximum lot coverage for MF-1, MF-2, and MF-3 Multiple-Family Districts may be altered by the use of a mixed income development bonus in Division 51-4.900 and the following:

(A) In an MF-1 Multiple-Family District, lot coverage may vary as allowed in Section 51A-4.116(a)(4)(I).

(B) In an MF-2 Multiple-Family District, lot coverage may vary as allowed in Section 51A-4.116(b)(4)(I).

(C) In an MF-3 Multiple-Family District, lot coverage may vary as allowed in Section 51A-4.116(c)(4)(I)."

SECTION 3. That Subsection (b), "Schedule of Maximum Building Heights," of Section 51-4.408, "Maximum Building Height," of Division 51-4.400, "Yard, Lot, and Space Regulations," of Article IV, "Zoning Regulations," of Chapter 51, "Dallas Development Code: Ordinance No. 10962, as amended," of the Dallas City Code is amended to read as follows:

"(b) Schedule of maximum building heights.

(1) Except as provided in this section, a person shall not erect, alter, or convert any structure or part of a structure to exceed the maximum height standards in Section 51-4.410.

(2) The maximum building height for MF-1 and MF-2 Multiple-Family Districts may be altered by the use of a mixed income development bonus in Division 51-4.900 and the following:

(A) In an MF-1 Multiple-Family District, maximum building height may vary as allowed in Section 51A-4.116(a)(4)(I).

(B) In an MF-2 Multiple-Family District, maximum building height may vary as allowed in Section 51A-4.116(b)(4)(I)."

SECTION 4. That Subsection (a), "General Provisions," of Section 51-4.409, "Maximum Floor Area Ratio," of Division 51-4.400, "Yard, Lot, and Space Regulations," of Article IV, "Zoning Regulations," of Chapter 51, "Dallas Development Code: Ordinance No. 10962, as amended," of the Dallas City Code is amended to read as follows:

"(a) General provisions.

(1) Reserved.

(2) A basement is not counted in the computation of floor area ratio.

(3) The maximum floor area ratio requirements in a planned development district are controlled by the planned development district regulations. The maximum floor area ratio in a matrix district is established by the city council at the time the district is created.

(4) Reserved.

(5) The maximum floor area ratio in the CA-1-CP and CA-1-SP districts may be increased to 24 to 1 by the use of the building setback bonus provisions in the front yard regulations.

(6) In an SC district, the maximum floor area ratio for office uses, as defined in Section 51-4.210(1), is .75 to 1, and the maximum floor area ratio for all uses combined is 1 to 1.

(7) In an I-2 district, a specific use permit is required to authorize a floor area ratio greater than 4:1.

(8) For a development in an MF-3 Multiple-Family District that is using a mixed income development bonus in Division 51-4.900, the maximum floor area ratio includes non-residential uses only."

SECTION 5. That Article IV, "Zoning Regulations," of Chapter 51, "Dallas Development Code: Ordinance No. 10962, as amended," of the Dallas City Code is amended by adding a new Division 51-4.900, "Mixed Income Housing," to read as follows:

"**Division 51-4.900.**

Mixed Income Housing.

This section incorporates by reference the language of Division 51A-4.1100 of Chapter 51A of the Dallas Development Code, as amended."

SECTION 6. That Paragraph (4), "Yard, Lot, and Space Regulations," of Subsection (a), "MF-1(A) and MF-1(SAH) Districts," of Section 51A-4.116, "Multifamily Districts," of Division 51A-4.110, "Residential District Regulations," of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended read as follows:

"(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

Except as provided in this paragraph, the following yard, lot, and space regulations apply:

(A) Front yard. Minimum front yard is 15 feet.

(B) Side and rear yard.

(i) No minimum side and rear yard for single family structures.

(ii) Minimum side yard for duplex structures is five feet.

(iii) Minimum side yard for other permitted structures is 10 feet.

(iv) Minimum rear yard for duplex structures is 10 feet.

(v) Minimum rear yard for other permitted structures is 15 feet. A minimum rear yard of 10 feet may be provided when a building site backs upon an MF, MF(A), O-1, O-2, NO, NO(A), LO, LO(A), MO, MO(A), GO, GO(A), NS, NS(A), SC, CR, RR, GR, LC, HC, CS, CA-1, CA-1(A), CA-2, CA-2(A), I-1, I-2, I-3, LI, IR, IM, mixed use, or multiple commercial district.

(C) Dwelling unit density.

(i) MF-1(A) district. No maximum dwelling unit density.

(ii) MF-1(SAH) district. Maximum dwelling unit density varies depending on whether a density bonus is obtained in accordance with Division 51A-4.900 as follows:

MAXIMUM DWELLING UNIT DENSITY (dwelling units per net acre)	
Percentage of SAH Units Provided	**Dwelling Units Permitted**
0%	15
5%	16
10%	17
15%	20
20%	30

(D) Floor area ratio. No maximum floor area ratio.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope originating in an R, R(A), D, D(A), TH, or TH(A) district. (See Section 51A-4.412.) Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 36 feet.

(F) Lot coverage.

(i) Maximum lot coverage is:

(aa) 60 percent for residential structures; and

(bb) 25 percent for nonresidential structures.

(ii) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size.

(i) Minimum lot area per dwelling unit is as follows:

TYPE OF STRUCTURE	**MINIMUM LOT AREA PER DWELLING UNIT**
Single family	3,000 sq. ft.
Duplex	3,000 sq. ft.
Multifamily:	
No separate bedroom	1,000 sq. ft.
One bedroom	1,400 sq. ft.
Two bedrooms	1,800 sq. ft.
More than two bedrooms (Add this amount for each bedroom over two)	200 sq. ft.

(ii) Repealed by Ord. 20441.

(iii) Repealed by Ord. 20441.

(H) Stories. No maximum number of stories.

(I) Development bonuses for mixed income housing. In an MF-1(A) district, lot coverage, lot size per bedroom, and height may vary depending on whether a development bonus is obtained in accordance with Division 51A-4.1100 as follows:

(i) Height and lot coverage bonuses.

	Set aside minimums (% of total residential units reserved in each income band, adjusted annually)	Maximum Height	Maximum Lot coverage (residential)
MVA Categories A, B, C	5% at Income band 3;	51 ft.	80%
	5% at Income band 3; and 5% at Income band 2	66 ft.	80%
	5% at Income band 3; 5% at Income band 2; and 5% at Income band 1	85 ft.	85%
MVA Categories D, E, F	5% at Income band 2; and	51 ft.	80%
	10% at Income band 2;	66 ft.	80%
	10% at Income band 2; and 5% at Income band 1	85 ft.	85%
MVA Categories G, H, I	5% at Income band 1	85 ft.	85%

(ii) Residential proximity slope. In addition to the items listed in Section 51A-4.408(a)(2)(A), the following additional items may project through the residential proximity slope to a height not to exceed the maximum structure height, or four feet above the slope, whichever is less:

(aa) railings;

(bb) parapet walls;

(cc) trellises; and

(dd) structures such as wind barriers, wing walls, and patio dividing walls.

(iii) No minimum lot area per dwelling unit. No minimum lot area per dwelling unit is required for qualifying developments.

(iv) Developments with transit proximity. For a development with transit proximity as defined in Section 51A-4.1102, maximum lot coverage is 85 percent."

SECTION 7. That Paragraph (4), "Yard, Lot, and Space Regulations," of Subsection (b), "MF-2(A) and MF-2(SAH) Districts," of Section 51A-4.116, "Multifamily Districts," of Division 51A-4.110, "Residential District Regulations," of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

Except as provided in this paragraph, the following yard, lot, and space regulations apply:

(A) Front yard. Minimum front yard is 15 feet.

(B) Side and rear yard.

(i) No minimum side and rear yard for single family structures.

(ii) Minimum side yard for duplex structures is five feet.

(iii) Minimum side yard for other permitted structures is 10 feet.

(iv) Minimum rear yard for duplex structures is 10 feet.

(v) Minimum rear yard for other permitted structures is 15 feet. A minimum rear yard of 10 feet may be provided when a building site backs upon an MF, MF(A), O-1, O-2, NO, NO(A), LO, LO(A), MO, MO(A), GO, GO(A), NS, NS(A), SC, CR, RR, GR, LC, HC, CS, CA-1, CA-1(A), CA-2, CA-2(A), I-1, I-2, I-3, LI, IR, IM, mixed use, or multiple commercial district.

(C) Dwelling unit density.

(i) MF-2(A) district. No maximum dwelling unit density.

(ii) MF-2(SAH) district. Maximum dwelling unit density varies depending on whether a density bonus is obtained in accordance with Division 51A-4.900 as follows:

MAXIMUM DWELLING UNIT DENSITY (dwelling units per net acre)	
Percentage of SAH Units Provided	**Dwelling Units Permitted**
0%	20
5%	22
10%	24
15%	30
20%	40

(D) Floor area ratio. No maximum floor area ratio.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope originating in an R, R(A), D, D(A), TH, or TH(A) district. (See Section 51A-4.412.) Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 36 feet.

(F) Lot coverage.

(i) Maximum lot coverage is:

(aa) 60 percent for residential structures; and

(bb) 50 percent for nonresidential structures.

(ii) Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size.

(i) Minimum lot area per dwelling unit is as follows:

TYPE OF STRUCTURE	**MINIMUM LOT AREA PER DWELLING UNIT**
Single family	1,000 sq. ft.
Duplex	3,000 sq. ft.
Multifamily:	
No separate bedroom	800 sq. ft.
One bedroom	1,000 sq. ft.
Two bedrooms	1,200 sq. ft.
More than two bedrooms (Add this amount for each bedroom over two)	150 sq. ft.

(ii) Repealed by Ord. 20441.

(iii) Repealed by Ord. 20441.

(H) Stories. No maximum number of stories.

(I) Development bonuses for mixed income housing. In an MF-2(A) district, lot coverage, lot size per bedroom, and height may vary depending on whether a development bonus is obtained in accordance with Division 51A-4.1100 as follows:

(i) Height and lot coverage bonuses.

	Set aside minimums (% of total residential units reserved in each income band, adjusted annually)	Maximum Height	Maximum Lot coverage (residential)
MVA Categories A, B, C	5% at Income band 3	51 ft.	80%
	5% at Income band 3; and 5% at Income band 2	66 ft.	80%
	5% at Income band 3; 5% at Income band 2; and 5% at Income band 1	85 ft.	85%
MVA Categories D, E, F	5% at Income band 2; and	51 ft.	80%
	10% at Income band 2	66 ft.	80%
	10% at Income band 2; and 5% at Income band 1	85 ft.	85%
MVA Categories G, H, I	5% at Income band 1	85 ft.	85%

(ii) Residential proximity slope. In addition to the items listed in Section 51A-4.408(a)(2)(A), the following additional items may project through the residential proximity slope to a height not to exceed the maximum structure height, or four feet above the slope, whichever is less:

(aa) railings;

(bb) parapet walls;

(cc) trellises; and

(dd) structures such as wind barriers, wing walls, and patio dividing walls.

(iii) No minimum lot area per dwelling unit. No minimum lot area per dwelling unit is required for qualifying developments,

(iv) Developments with transit proximity. For a development with transit proximity as defined in Section 51A-4.1102, maximum lot coverage is 85 percent."

SECTION 8. That Paragraph (4), "Yard, Lot, and Space Regulations," of Subsection (c), "MF-3(A) Districts," of Section 51A-4.116, "Multifamily Districts," of Division 51A-4.110, "Residential District Regulations," of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

Except as provided in this paragraph, the following yard, lot, and space regulations apply:

(A) Front yard.

(i) In general. Minimum front yard is 15 feet.

(ii) Urban form setback. An additional 20-foot front yard setback is required for that portion of a structure over 45 feet in height.

(B) Side and rear yard.

(i) In general. Minimum side and rear yard is:

(aa) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF-1, MF-1(A), MF-1(SAH), MF-2, MF- 2(A), or MF-2(SAH) district; and

(bb) 10 feet in all other cases.

(ii) Tower spacing. An additional side and rear yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure over 45 feet in height, up to a total setback of 30 feet. This subparagraph does not require a total side or rear yard setback greater than 30 feet.

(C) Dwelling unit density. Maximum dwelling unit density is 90 dwelling units per net acre.

(D) Floor area ratio. Maximum floor area ratio is 2.0.

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope originating in an R, R(A), D, D(A), TH, or TH(A) district. (See Section 51A-4.412.) Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 90 feet.

(F) Lot coverage. Maximum lot coverage is 60 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size.

(i) Minimum lot size for residential use is 6,000 square feet.

(ii) Minimum lot area per dwelling unit is as follows:

TYPE OF STRUCTURE	**MINIMUM LOT AREA PER DWELLING UNIT**
Multifamily:	
No separate bedroom	450 sq. ft.
One bedroom	500 sq. ft.
Two bedrooms	550 sq. ft.
More than two bedrooms (Add this amount for each bedroom over two)	50 sq. ft.

(H) Stories. No maximum number of stories.

(I) Development bonuses for mixed income housing. In an MF-3(A) district, lot coverage, lot size per bedroom, and height may vary depending on whether a development bonus is obtained in accordance with Division 51A-4.1100 as follows:

(i) Height and lot coverage bonuses.

	Set aside minimums (% of total residential units reserved in each income band, adjusted annually)	Maximum Unit Density per Acre	Maximum Height	Maximum Lot coverage (residential)
MVA Categories A, B, C	5% at Income band 3	100	90 ft.	80%
	5% at Income band 3 and 5% at Income band 2	120	105 ft.	80%
	5% at Income band 3 and 5% at Income band 2 and 5% at Income band 1	150	120 ft.	85%
MVA Categories D, E, F	5% at Income band 2	100	90 ft.	80%
	10% at Income band 2	120	105 ft.	80%
	10% at Income band 2 and 5% at Income band 1	150	120 ft.	85%
MVA Categories G, H, I	5% at Income band 1	150	120 ft.	85%

(ii) Residential proximity slope. In addition to the items listed in Section 51A-4.408(a)(2)(A), the following additional items may project through the residential proximity slope to a height not to exceed the maximum structure height, or four feet above the slope, whichever is less:

(aa) railings;

(bb) parapet walls;

(cc) trellises; and

(dd) structures such as wind barriers, wing walls, and patio dividing walls.

(iii) No minimum lot area per dwelling unit. No minimum lot area per dwelling unit is required for qualifying developments.

(iv) Floor area ratio. Maximum floor area ratio includes non-residential uses only.

(v) Developments with transit proximity. For developments with transit proximity as defined in Section 51A-4.1102, maximum lot coverage is 85 percent."

SECTION 9. That Paragraph (4), "Yard, Lot, and Space Regulations," of Subsection (d), "MU-1 and MU-1(SAH) Districts," of Section 51A-4.125, "Mixed Use Districts," of Division 51A-4.120, "Nonresidential District Regulations," of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

Except as provided in this paragraph, the following yard, lot, and space regulations apply:

(A) Front yard.

(i) In general. Minimum front yard is 15 feet.

(ii) Urban form setback. An additional 20-foot front yard setback is required for that portion of a structure above 45 feet in height.

(B) Side and rear yard.

(i) In general. Minimum side and rear yard is:

(aa) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(bb) no minimum in all other cases.

(ii) Tower spacing. An additional side and rear yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure above 45 feet in height, up to a total setback of 30 feet. This subparagraph does not require a total side or rear yard setback greater than 30 feet.

(C) Dwelling unit density.

(i) MU-1 district. Maximum dwelling unit density varies depending on whether the development is a "mixed use project" as follows:

MAXIMUM DWELLING UNIT DENSITY (dwelling units per net acre)		
Base (No MUP)	**MUP with Mix of 2 Categories**	**MUP with Mix of 3 or More Categories**
15	20	25

(ii) MU-1(SAH) district. Maximum dwelling unit density varies depending on whether a density bonus is obtained in accordance with Division 51A-4.900 and the development is a "mixed use project" as follows:

MAXIMUM DWELLING UNIT DENSITY (dwelling units per net acre)			
Percentage of SAH Units Provided	**Base (No MUP)**	**MUP with Mix of 2 Categories**	**MUP with Mix of 3 or More Categories**
0%	10	15	20
20%	15	20	25

(D) Floor area ratio. Maximum floor area ratio (FAR) varies depending on whether the development is a "mixed use project" as follows:

[Note: The first column is the base FAR, which applies when there is no MUP. The second column (MUP=2/no Res) is the FAR for an MUP with a mix of two use categories when neither category is "residential." The third column (MUP=2/with Res) is the FAR for an MUP with a mix of "residential" plus one other use category. The fourth column (MUP=3/no Res) is the FAR for an MUP with a mix of three or more use categories, none of which is "residential." The fifth column (MUP=3/with Res) is the FAR for an MUP with a mix of "residential" plus two or more other use categories.]

MAXIMUM FLOOR AREA RATIO					
Use Categories	**Base (no MUP)**	**MUP=2 (no Res)**	**MUP=2 (with Res)**	**MUP=3 (no Res)**	**MUP=3 (with Res)**
Lodging	0.8	0.85	0.9	0.85	0.95
Office	0.8	0.85	0.9	0.85	0.95
Residential	0.8	---	0.95	---	0.95
Retail and personal service	0.4	0.5	0.5	0.6	0.6
TOTAL DEVELOPMENT	0.8	0.9	1.0	1.0	1.1

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height varies depending on whether the development is a "mixed use project" as follows:

[Note: The first column is the base height, which applies when there is no MUP. The second column (MUP/No Retail) is the height for an MUP with a mix of two use categories when neither category is "retail and personal service." The third column (MUP/with Retail) is the height for an MUP with a mix of "retail and personal service" plus one or more other use categories.]

MAXIMUM STRUCTURE HEIGHT (in feet)		
Base (No MUP)	**MUP with Mix (No Retail)**	**MUP (with Retail)**
80	90	120

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories.

(i) Maximum number of stories above grade is:

(aa) seven when the maximum structure height is 90 feet; and

(bb) nine when the maximum structure height is 120 feet.

(ii) Parking garages are exempt from this requirement, but must comply with the height regulations of Subparagraph (E).

(I) Development bonuses for mixed income housing. In an MU-1 district, certain regulations vary depending on whether a development bonus is obtained in accordance with Division 51A-4.1100 as follows:

(i) Maximum dwelling unit density bonuses.

	Set aside minimums (% of total residential units reserved in each income band, adjusted annually)	Additional Maximum Unit Density: 51A-4.125(d)(4)(C), plus:
MVA Category A, B, C	5% at Income band 3	65 per acre
	5% at Income band 3; and 5% at Income band 2	80 per acre
	5% at Income band 3; 5% at Income band 2; and 5% at Income band 1	105 per acre
MVA Category D, E, F	5% at Income band 2	65 per acre
	10% at Income band 2;	80 per acre
	10% at Income band 2; and 5% at Income band 1	105 per acre
MVA Categories G, H, I	5% at Income band 1	105 per acre

(ii) Residential proximity slope. In addition to the items listed in Section 51A-4.408(a)(2)(A), the following additional items may project through the residential proximity slope to a height not to exceed the maximum structure height, or four feet above the slope, whichever is less:

(aa) railings;

(bb) parapet walls;

(cc) trellises; and

(dd) structures such as wind barriers, wing walls, and patio dividing walls.

(iii) Floor area ratio. In calculating the maximum floor area ratios in Subparagraph (D), residential uses are not included.

(iv) Developments with transit proximity. For developments with transit proximity as defined in Section 51A-4.1102, an additional bonus of 15 dwelling units is allowed and the maximum lot coverage is 85 percent."

SECTION 10. That Paragraph (4), "Yard, Lot, and Space Regulations," of Subsection (e), "MU-2 and MU-2(SAH) Districts," of Section 51A-4.125, "Mixed Use Districts," of Division 51A-4.120, "Nonresidential District Regulations," of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

Except as provided in this paragraph, the following yard, lot, and space regulations apply.

(A) Front yard.

(i) In general. Minimum front yard is 15 feet.

(ii) Urban form setback. An additional 20-foot front yard setback is required for that portion of a structure above 45 feet in height.

(B) Side and rear yard.

(i) In general. Minimum side and rear yard is:

(aa) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(bb) no minimum in all other cases.

(ii) Tower spacing. An additional side and rear yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure above 45 feet in height up to a total setback of 30 feet. This subparagraph does not require a total side or rear yard setback greater than 30 feet.

(C) Dwelling unit density.

(i) MU-2 district. Maximum dwelling unit density varies depending on whether the development is a "mixed use project" as follows:

MAXIMUM DWELLING UNIT DENSITY (dwelling units per net acre)		
Base (No MUP)	**MUP with Mix of 2 Categories**	**MUP with Mix of 3 or More Categories**
50	75	100

(ii) MU-2(SAH) district. Maximum dwelling unit density varies depending on whether a density bonus is obtained in accordance with Division 51A-4.900 and whether the development is a "mixed use project" as follows:

MAXIMUM DWELLING UNIT DENSITY (dwelling units per net acre)			
Percentage of SAH Units Provided	**Base (No MUP)**	**MUP with Mix of 2 Categories**	**MUP with Mix of 3 or More Categories**
0%	30	45	60
5%	33	50	65
10%	37	55	70
15%	42	60	75
20%	50	75	100

(D) Floor area ratio. Maximum floor area ratio (FAR) varies depending on whether the development is a "mixed use project" as follows:

[Note: The first column is the base FAR, which applies when there is no MUP. The second column (MUP=2/no Res) is the FAR for an MUP with a mix of two use categories when neither category is "residential." The third column (MUP=2/with Res) is the FAR for an MUP with a mix of "residential" plus one other use category. The fourth column (MUP=3/no Res) is the FAR for an MUP with a mix of three or more use categories, none of which is "residential." The fifth column (MUP=3/with Res) is the FAR for an MUP with a mix of "residential" plus two or more other use categories.]

MAXIMUM FLOOR AREA RATIO					
Use Categories	**Base (no MUP)**	**MUP=2 (no Res)**	**MUP=2 (with Res)**	**MUP=3 (no Res)**	**MUP=3 (with Res)**
Lodging	1.6	1.7	1.8	1.8	1.9
Office	1.6	1.7	1.8	1.8	1.9
Residential	1.6	--	1.8	--	1.9
Retail and personal service	0.6	0.7	0.7	0.8	0.8
TOTAL DEVELOPMENT	1.6	1.8	2.0	2.0	2.25

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height varies depending on whether the development is a "mixed use project" as follows:

[Note: The first column is the base height, which applies when there is no MUP. The second column (MUP/no Retail) is the height for an MUP with a mix of two use categories when neither category is[÷] retail and personal service." The third column (MUP/with Retail) is the height for an MUP with a mix of "retail and personal service" plus one or more other use categories.]

MAXIMUM STRUCTURE HEIGHT (in feet)		
Base (No MUP)	**MUP (No Retail)**	**MUP with Retail**
135	135	180

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories.

(i) Maximum number of stories above grade is:

(aa) 10 when the maximum structure height is 135 feet; and

(bb) 14 when the maximum structure height is 180 feet.

(ii) Parking garages are exempt from this requirement, but must comply with the height regulations of Subparagraph (E).

(I) Development bonuses for mixed income housing. In an MU-2 district, certain regulations vary depending on whether a development bonus is obtained in accordance with Division 51A-4.1100 as follows:

(i) Maximum dwelling unit density bonuses.

	Set aside minimums (% of total residential units reserved in each income band, adjusted annually)	Additional Maximum Unit Density: 51A-4.125(e)(4)(C), plus:
MVA Categories A, B, C	5% at Income band 3	40 per acre
	5% at Income band 3; and 5% at Income band 2	60 per acre
	5% at Income band 3; 5% at Income band 2; and 5% at Income band 1	80 per acre
MVA Categories D, E, F	5% at Income band 2	35 per acre
	10% at Income band 2;	55 per acre
	10% at Income band 2; and 5% at Income band 1	75 per acre
MVA Categories G, H, I	5% at Income band 1	75 per acre

(ii) Residential proximity slope. In addition to the items listed in Section 51A-4.408(a)(2)(A), the following additional items may project through the residential proximity slope to a height not to exceed the maximum structure height, or four feet above the slope, whichever is less:

(aa) railings;

(bb) parapet walls;

(cc) trellises; and

(dd) structures such as wind barriers, wing walls, and patio dividing walls.

(iii) Floor area ratio. In calculating the maximum floor area ratios in Subparagraph (D), residential uses are not included.

(iv) Developments with transit proximity. For developments with transit proximity as defined in Section 51A-4.1102, an additional bonus of 15 dwelling units is allowed and the maximum lot coverage is 85 percent."

SECTION 11. That Paragraph (4), "Yard, Lot, and Space Regulations," of Subsection (f), "MU-3 and MU-3(SAH) Districts," of Section 51A-4.125, "Mixed Use Districts," of Division 51A-4.120, "Nonresidential District Regulation" of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended by adding a new Subparagraph (I) to read as follows:

"(4) Yard, lot, and space regulations. (Note: The yard, lot, and space regulations in this subsection must be read together with the yard, lot, and space regulations contained in Division 51A-4.400. In the event of a conflict between this subsection and Division 51A-4.400, Division 51A-4.400 controls.)

Except as provided in this paragraph, the following yard, lot, and space regulations apply:

(A) Front yard.

(i) In general. Minimum front yard is 15 feet.

(ii) Urban form setback. An additional 20-foot front yard setback is required for that portion of a structure above 45 feet in height.

(B) Side and rear yard.

(i) In general. Minimum side and rear yard is:

(aa) 20 feet where adjacent to or directly across an alley from an R, R(A), D, D(A), TH, TH(A), CH, MF, or MF(A) district; and

(bb) no minimum in all other cases.

(ii) Tower spacing. An additional side and rear yard setback of one foot for each two feet in height above 45 feet is required for that portion of a structure above 45 feet in height up to a total setback of 30 feet. This subparagraph does not require a total side or rear yard setback greater than 30 feet.

(C) Dwelling unit density.

(i) MU-3 district. No maximum dwelling unit density.

(ii) MU-3(SAH) district. Maximum dwelling unit density varies depending on whether a density bonus is obtained in accordance with Division 51A-4.900 and whether the development is a "mixed use project" as follows:

MAXIMUM DWELLING UNIT DENSITY (dwelling units per net acre)			
Percentage of SAH Units Provided	**Base (No MUP)**	**MUP with Mix of 2 Categories**	**MUP with Mix of 3 Categories**
0%	50	50	50
5%	53	55	55
10%	57	60	60
15%	62	65	65
20%	NO MAXIMUM		

(D) Floor area ratio. Maximum floor area ratio (FAR) varies depending on whether the development is a "mixed use project" as follows:

[Note: The first column is the base FAR, which applies when there is no MUP. The second column (MUP=2/no Res) is the FAR for an MUP with a mix of two use categories when neither category is "residential." The third column (MUP=2/with Res) is the FAR for an MUP with a mix of "residential" plus one other use category. The fourth column (MUP=3/no Res) is the FAR for an MUP with a mix of three or more use categories, none of which is "residential." The fifth column (MUP=3/with Res) is the FAR for an MUP with a mix of "residential" plus two or more other use categories.]

MAXIMUM FLOOR AREA RATIO					
Use Categories	Base (no MUP)	MUP=2 (no Res)	MUP=2 (with Res)	MUP=3 (no Res)	MUP=3 (with Res)
Lodging	3.2	3.4	3.6	3.6	3.8
Office	3.2	3.4	3.6	3.6	3.8
Residential	3.2	--	3.8	--	3.8
Retail and personal service	2.0	2.6	3.0	3.2	3.75
TOTAL DEVELOPMENT	3.2	3.6	4.0	4.0	4.5

(E) Height.

(i) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Exception: Except for chimneys, structures listed in Section 51A-4.408(a)(2) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(ii) Maximum height. Unless further restricted under Subparagraph (i), maximum structure height is 270 feet.

(F) Lot coverage. Maximum lot coverage is 80 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

(G) Lot size. No minimum lot size.

(H) Stories. Maximum number of stories above grade is 20. Parking garages are exempt from this requirement, but must comply with the height regulations of Subparagraph (E).

(I) Development bonuses for mixed income housing. In an MU-3 district, certain regulations vary depending on whether a development bonus is obtained in accordance with Division 51A-4.1100 as follows:

(i) Maximum development bonuses.

	Set aside minimums (% of total residential units reserved in each income band, adjusted annually)	Floor Area Ratio: 51A-4.125(f)(4)(D), plus:	Maximum Lot coverage (residential)
MVA Categories A, B, C	5% at Income band 3;	0.5	80%
	5% at Income band 3; and 5% at Income band 2	1.0	85%
	5% at Income band 3; 5% at Income band 2; and 5% at Income band 1	1.5	85%
MVA Categories D, E, F	5% at Income band 2;	0.5	80%
	10% at Income band 2	1.0	85%
	10% at Income band 2; and 5% at Income band 1	1.5	85%
MVA Categories G, H, I	5% at Income band 1	1.5	85%

(ii) Residential proximity slope. In addition to the items listed in Section 51A-4.408(a)(2)(A), the following additional items may project through the residential proximity slope to a height not to exceed the maximum structure height, or four feet above the slope, whichever is less:

(aa) railings;

(bb) parapet walls;

(cc) trellises; and

(dd) structures such as wind barriers, wing walls, and patio dividing walls.

(iii) Floor area ratio. The floor area ratio bonuses in this paragraph are limited to residential uses only.

(iv) Developments with transit proximity. For developments with transit proximity as defined in Section 51A-4.1102, the maximum floor area ratio is increased by 1.0 above the FAR allowed in this section (for example: if the allowed FAR for a mixed use project is 4.0 and a development bonus of 1.5 is utilized, this transit proximity bonus allows an FAR of 6.5) and the maximum lot coverage is 90 percent."

SECTION 12. That Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended by adding a new Division 51A-4.1100, "Mixed Income Housing," to read as follows:

"**Division 51A-4.1100. Mixed Income Housing.**

SEC. 51A-4.1101. PURPOSE.

This division is adopted to implement the provisions and goals of the comprehensive housing policy, affirmatively further fair housing, create and maintain available and affordable housing throughout Dallas, promote greater fair housing choices, and overcome patterns of segregation and concentrations of poverty.

SEC. 51A-4.1102. APPLICABILITY.

(a) In general. Development bonuses apply to qualifying developments located in:

(1) MF-1(A), MF-2(A), and MF-3(A) Multifamily Districts;

(2) MU-1, MU-2, and MU-3 Mixed Use Districts;

(3) MF-1(A), MF-2(A), MF-3(A) Multifamily Districts that have public deed restrictions only limiting allowed uses;

(4) MU-1, MU-2, and MU-3 Mixed Use Districts that have deed restrictions that only limit the allowed uses; and

(5) planned development districts that reference compliance with this division or planned development districts that default to MF-1(A), MF-2(A), MF-3(A), MU-1, MU-2, and MU-3 Districts as base zoning and only alter the allowed uses.

(b) Market value analysis. Specific development bonus applicability is further determined based on the location of the development in a specific market value analysis category.

(c) Residential uses. To be eligible for development bonuses under this division, developments must include multifamily or retirement housing uses.

SEC. 51A-4.1103. DEFINITIONS AND INTERPRETATIONS.

(a) Definitions. In this division:

(1) AFFORDABLE RENTAL RATE means a tenant rent payment less an allowance for utilities that does not exceed 30 percent of the eligible household's adjusted income.

(2) 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.

(3) AREA MEDIAN FAMILY INCOME ("AMFI") means the median income for the Dallas Area Standard Metropolitan Statistical Area, adjusted for family size, as determined annually by the Department of Housing and Urban Development.

(4) ELIGIBLE HOUSEHOLDS means households with an adjusted income within the required income band, families with rental assistance, or voucher holders, regardless of adjusted income.

(5) INCOME means income as defined by 24 CFR §5.609.

(6) INCOME BAND means the range of household incomes between a pre-determined upper limit and a pre-determined lower limit generally stated in terms of a percentage of area median family income adjusted for family size (income bands descriptions are located in Chapter 20A).

(7) MARKET VALUE ANALYSIS ("MVA") means the official study that was commissioned by and prepared for the City of Dallas to assist residents and policy-makers in understanding the elements of their local residential real estate markets.

(8) MIXED INCOME RESTRICTIVE COVENANT means a covenant running with the land that meets the requirements of this division and Chapter 20A.

(9) OWNER means the entity or person using the development bonus as well as all other owners or operators of the development during the rental affordability period.

(10) PASSENGER LOADING ZONE means a space that is reserved for the exclusive use of vehicles during the loading or unloading of passengers. A passenger loading zone is not a taxicab stand for purposes of Section 28-101, "Restricted Use of Bus Stops and Taxicab Stands."

(11) PEDESTRIAN SCALE LIGHTING means lighting that emanates from a source that is no more than 14 feet above the grade of the sidewalk or an equivalent pedestrian light fixture approved by the director of transportation.

City Plan Commission recommended:

(12) RENTAL AFFORDABILITY PERIOD means the 15 year period that the reserved units may only be leased to and occupied by eligible households or voucher holders.

Economic Development and Housing Committee recommended:

(12) RENTAL AFFORDABILITY PERIOD means the 20 year period that the reserved units may only be leased to and occupied by eligible households or voucher holders.

(13) RESERVED DWELLING UNIT means the rental units within a development available to be occupied or currently occupied by eligible families or voucher holders and are leased at affordable rents set according to this division.

(14) STOOP means a small porch leading to the entrance of a residence.

(15) TRANSIT PROXIMITY means development within one-half mile of a transit station, including trolley stops, train stations, transfer centers, transfer locations, transit centers, and any transit stop with a climate-controlled waiting area. Transit agencies served include Dallas Area Rapid Transit, Trinity Railway Express, and trolley service.

(16) VOUCHER HOLDER means a holder of a housing voucher, including vouchers directly or indirectly funded by the federal government.

(b) Interpretations. For uses or terms found in Chapter 51 the regulations in Section 51A-4.702(a)(6)(C) apply in this division.

SEC. 51A-4.1104. DEVELOPMENT BONUS PERIOD.

(a) Any development bonus provided in this division is only applicable to structures built during the rental affordability period or according to the terms of the mixed income restrictive covenant.

(b) Structures built during the term of the mixed income restrictive covenant may retain their bonuses until they are destroyed by an intentional act of the owner.

(c) Structures built during the term of the mixed income restrictive covenant may retain their bonuses and be rebuilt if they are destroyed by other than an intentional act of the owner, or owner's agent, if the development continues to meet the requirements of this division.

SEC. 51A-4.1105. PROCEDURES TO OBTAIN A DEVELOPMENT BONUS.

(a) In general.

(1) The owner must comply with the requirements of Chapter 20A, as amended.

(2) Owners must obtain a certified verification of the building site's MVA category before applying for a permit for construction in accordance with this division.

(b) Market value analysis verification. A person seeking a development bonus shall obtain a market value analysis category verification from the director of housing and neighborhood revitalization.

(c) Building permit application. An application for a building permit using a development bonus must include the following:

(1) the date, names, addresses, and telephone numbers of the applicant and all property owners;

(2) the legal description, the current zoning classification, the market value analysis category, and the census tract of the building site for which the development bonus is requested;

(3) the total number of dwelling units proposed, the number of reserved dwelling units provided, and the number of reserved dwelling units required as a result of receiving the development bonus;

(4) the total number of one-bedroom dwelling units, two-bedroom dwelling units, etc. being proposed;

(5) a certified copy of the market value analysis verification from the Director of Housing and Neighborhood Revitalization; and

(6) any other reasonable and pertinent information that the building official determines to be necessary for review.

(d) Building permit issuance. Before the issuance of a building permit, the mixed income restrictive covenant must be recorded in the county in which the building site is located, and an official copy of the executed and recorded mixed income restrictive covenant must be submitted to the building official.

City Plan Commission recommendation:

(e) Minimum units required.

(1) A development using a development bonus in this division must provide a minimum of one reserved dwelling unit regardless of the percentage of total units required.

(2) Fractions of a required unit will be rounded up to the next whole number.

Staff and Economic Development and Housing Committee recommendation:

(e) Minimum and maximum units required.

(1) A development using a development bonus in this division must provide a minimum of one reserved dwelling unit regardless of the percentage of total units required.

(2) Fractions of a required unit will be rounded up to the next whole number.

(3) A development using a development bonus in this division shall reserve no more than 50 percent of the dwelling units in each development for households at or below 80 percent of Area Median Family Income. This maximum percentage of reserved units may be waived for developments that are enrolled in a program administered by the Department of Housing and Neighborhood Revitalization and authorized by the City Council that furthers the public purposes of the City's housing policy and affirmatively furthers fair housing.

(f) Phasing.

(1) To obtain a development bonus for a phased development, a project plan must be submitted to the building official with the initial building permit application.

(2) For a phased development:

(A) the first phase must independently qualify for the development bonus; and

(B) each subsequent phase combined with all previous phases already completed or under construction must also qualify for the development bonus.

(3) A project taking advantage of a development bonus may consist of two or more building sites if they are developed under a project plan. The project plan must be:

(A) signed by all property owners; and

(B) approved by the building official.

(g) Certificate of occupancy. Before the issuance of a final certificate of occupancy for a multifamily or retirement housing use, the owner must submit to the building official any additional information needed to ensure compliance with the terms of the building permit and the mixed income restrictive covenant, including:

(1) The approved affirmative fair housing marketing plan.

(2) A letter from the Director of Housing and Neighborhood Revitalization certifying that the development complies with the mixed income restrictive covenant.

SEC. 51A-4.1106. DEVELOPMENT REQUIREMENTS.

(a) Unless otherwise applicable, all reserved dwelling units must be provided on the same building site as the market rate units.

(b) Reserved dwelling units must be dispersed throughout the residential floor area of each building.

(c) Reserved dwelling units must not be segregated or concentrated in any one floor or area of any buildings but must be dispersed throughout all residential buildings.

(d) Reserved dwelling units may float within each dwelling unit type.

(e) Reserved dwelling units must be of comparable finish-out and materials as the market rate dwelling units and must be equally available to eligible families or voucher holders as other market rate dwelling unit tenants.

(f) Except as provided in Section 20A-27(g), reserved dwelling units must be dispersed substantially pro-rata among the total unit types so that not all the reserved dwelling units are efficiency or one-bedroom units. For example, if 10 percent of the total dwelling units are reserved 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 reserved units.

(1) A maximum 10 percent of the total units may be specialty units including club suites and penthouse suites and are not required to be part of the dispersal of reserved dwelling units by type; however, the overall 10 percent requirement is calculated based on the total number of all units.

(2) In determining the required number of reserved dwelling units, fractional units are counted to the nearest whole number, with one-half counted as an additional unit, but a minimum of one unit is required.

SEC. 51A-4.1107. DESIGN STANDARDS.

(a) In general.

(1) To obtain a development bonus under this division, a qualifying development must meet the requirements of this section, where applicable.

(2) Except as provided in this section, the board of adjustment may not grant a variance or special exception to the standards in this section.

(b) Yard, lot, and space standards.

(1) Encroachments. The following additional items are permitted to be located within the required front, side, and rear yards:

(A) Seat walls, retaining walls, stoops, porches, steps, unenclosed balconies, ramps, handrails, safety railings, and benches all not exceeding four feet in height and extending a maximum of five feet into the required minimum yards.

(B) Landscape planters.

(C) Sculptures.

(D) Awnings

(2) Front yard fences. A maximum four-foot-high fence is allowed in a front yard. A maximum four-foot-high handrail may be located on retaining walls in a front yard.

(3) Height. Maximum height is controlled by the development bonus provisions and must comply with residential proximity slope regulations if applicable.

(c) Off-street parking and loading.

(1) In general. Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(2) Multifamily parking. Except as provided in this paragraph, one and one-quarter space per dwelling unit is required.

(A) At least 15 percent of the required parking must be available for guest parking.

(B) For developments with transit proximity, one space per dwelling unit is required. At least 15 percent of the required parking must be available for guest parking.

(3) Retirement housing.

(A) One space per dwelling unit is required.

(B) The density limits in Section 51A-4.209(b)(5.2)(E)(ii) do not apply.

(4) Parking locations.

(A) In general. Surface parking is prohibited between the street-facing facade and the property line. For buildings with more than one street frontage, only two street frontages are subject to this requirement.

(B) Thoroughfare frontage. For buildings fronting on a thoroughfare, surface parking is prohibited within the setback.

(C) Surface parking. A maximum of 15 percent of the total on-site parking may be provided as surface parking in a side yard.

(D) Parking structures. That portion of the ground-level floor facing the street of any multi-floor parking facility must have an active use other than parking, with a minimum depth of 25 feet, or must have an exterior facade that is similar in materials, architecture, and appearance to the facade of the main structure. Exterior parking structure facade openings must provide solid screening a minimum 42 inches from the floor level within the parking structure to screen vehicles and vehicle headlights.

(E) Assigned parking. For assigned parking spaces, those spaces allotted for reserved dwelling units must be dispersed and distributed amongst all other assigned parking for similar units.

(5) Passenger loading.

(A) Each building site must provide at least one off-street or on-street passenger loading space. The board of adjustment may grant a variance to this subparagraph.

(B) On-street passenger loading zones, if provided, must be constructed in compliance with Architectural Barrier Act accessibility standards and must be approved by the director and by the director of public works.

(6) Screening of off-street loading spaces and service areas. Screening must be at least six feet in height measured from the horizontal plane passing through the nearest point of the off-street loading space and may be provided by using any of the methods described in Section 51A-4.602(b)(3), except that screening around service areas for trash collection must be screened by a masonry wall with a solid gate.

(d) Street and open space frontages.

(1) Frontages. All street-fronting facades and open-space fronting facades must have at least one window and at least one common primary entrance facing the street or open space at street-level. A transparent surface is required for every 25 linear feet of continuous street-fronting and open-space-fronting facade.

(2) Individual entries. A minimum of 60 percent of the street-level dwelling units adjacent to a street in each building must have individual entries that access the street with an improved path connecting to the sidewalk. For at-grade open space, a minimum of 60 percent of the open-space fronting dwelling units in each building must have individual entries that access the open space.

(e) Sidewalk, lighting, and driveway standards.

(1) Sidewalks.

(A) A sidewalk with a minimum average width of six feet must be provided along all street frontages.

(i) Except as provided in this subsection, all sidewalks must be clear and unobstructed for a minimum of five feet in width.

(ii) Tree grates do not count toward the minimum unobstructed sidewalk width.

(iii) If the building official determines that the location of a local utility or protected tree, as defined in Article X, would prevent a five-foot minimum width, the sidewalk may be reduced to four feet in width in that location.

(B) Sidewalks must be located in an area parallel to and between two feet and 15 feet of the back of the projected street curb.

(2) Lighting.

(A) Special lighting requirement. Exterior lighting sources, if used, must be oriented down and onto the property they light and generally away from adjacent residential properties.

(B) Pedestrian scale lighting. For a development greater than 20,000 square feet of floor area, pedestrian scale lighting that provides a minimum maintained average illumination level of 1.5 foot candles must be provided along public sidewalks and adjacent to public streets. The design and placement of both the standards and fixtures must be approved by the director of transportation. Unless otherwise provided, the property owner is responsible for the cost of installation, operation, and maintenance of the lighting.

(f) Open space requirements.

(1) At least 10 percent of the building site must be reserved as open space for activity such as active or passive recreation, playground activity, groundwater recharge, or landscaping.

(A) No structures except for architectural elements; playground equipment; structures that are not fully enclosed such as colonnades, pergolas, and gazebos; and ordinary projections of window sills, bay windows, belt courses, cornices, eaves, and other architectural features are allowed.

(B) Open space may contain primarily grass, vegetation, or open water; be primarily used as a ground-water recharge area; or contain pedestrian amenities such as fountains, benches, paths, or shade structures.

(C) Open space may also be provided at or below grade or aboveground by an outside roof deck, rooftop garden, playground area, pool area, patio, or similar type of outside common area.

(D) Private balconies, sidewalks, parking spaces, parking lots, drive aisles, and areas primarily intended for vehicular use are not considered open space and do not count towards the open space requirement.

(E) Except for emergency vehicles, on-site open space cannot be parked or driven upon.

(F) Open spaces must be properly maintained in a state of good repair and neat appearance, and plant materials must be maintained in a healthy, growing condition.

(2) Landscape areas that fulfill the requirements of Article X may also fulfill these requirements if all conditions of this section and Article X are met.

(g) Non-required fences. Unless a use specifically requires screening, all fences for uses along a street or trail must have a surface area that is a minimum of 50 percent open, allowing visibility between three feet and six feet above grade. The exception for multifamily uses in Section 51A-4.602(a)(2) which provides that a fence exceeding four feet above grade may be erected in a front yard in multifamily districts is not applicable.

SEC. 51A-4.1108 BOARD OF ADJUSTMENT VARIANCES.

A development that is eligible to receive the bonuses in this division must either use the bonuses or go to the board of adjustment to seek a variance but may not do both for the same yard, lot, and space regulations."

SECTION 13. That adjustments will be made to the section references in this ordinance for codification purposes only. A Dallas Development Code section reference containing the symbol "[A]," for example, "Section 51[A]-_____," means that the letter "A" will appear in the Chapter 51A version only, and will not appear in the Chapter 51 version.

SECTION 14. That the director of sustainable development and construction shall revise the use charts to reflect the change in use regulations made by this ordinance, and shall provide these charts for publication in the Dallas Development Code

SECTION 15. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $2,000.

SECTION 16. That Chapters 51 and 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 17. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 18. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 19. 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

Passed_____

Agenda Information Sheet

File #: 18-1078 **Item #:** 107.

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: December 12, 2018

COUNCIL DISTRICT(S): 10

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 0.1 acres of the current 0.80 acres of land located at 9400 Lyndon B. Johnson Freeway, within the floodplain of Jackson Branch, Fill Permit 17-09 - Financing: No cost consideration to the City

BACKGROUND

The property owner at 9400 Lyndon B. Johnson Freeway along Jackson Branch has applied for a fill permit to remove the 100-year floodplain from approximately 0.1 acres of the current 0.8 acres of floodplain on this property.

A neighborhood meeting was held at the Lake Highlands Recreation Center on December 13, 2017. Attendees included the property owner and engineers and five city staff members. Eight citizens from the area attended. 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 in order 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

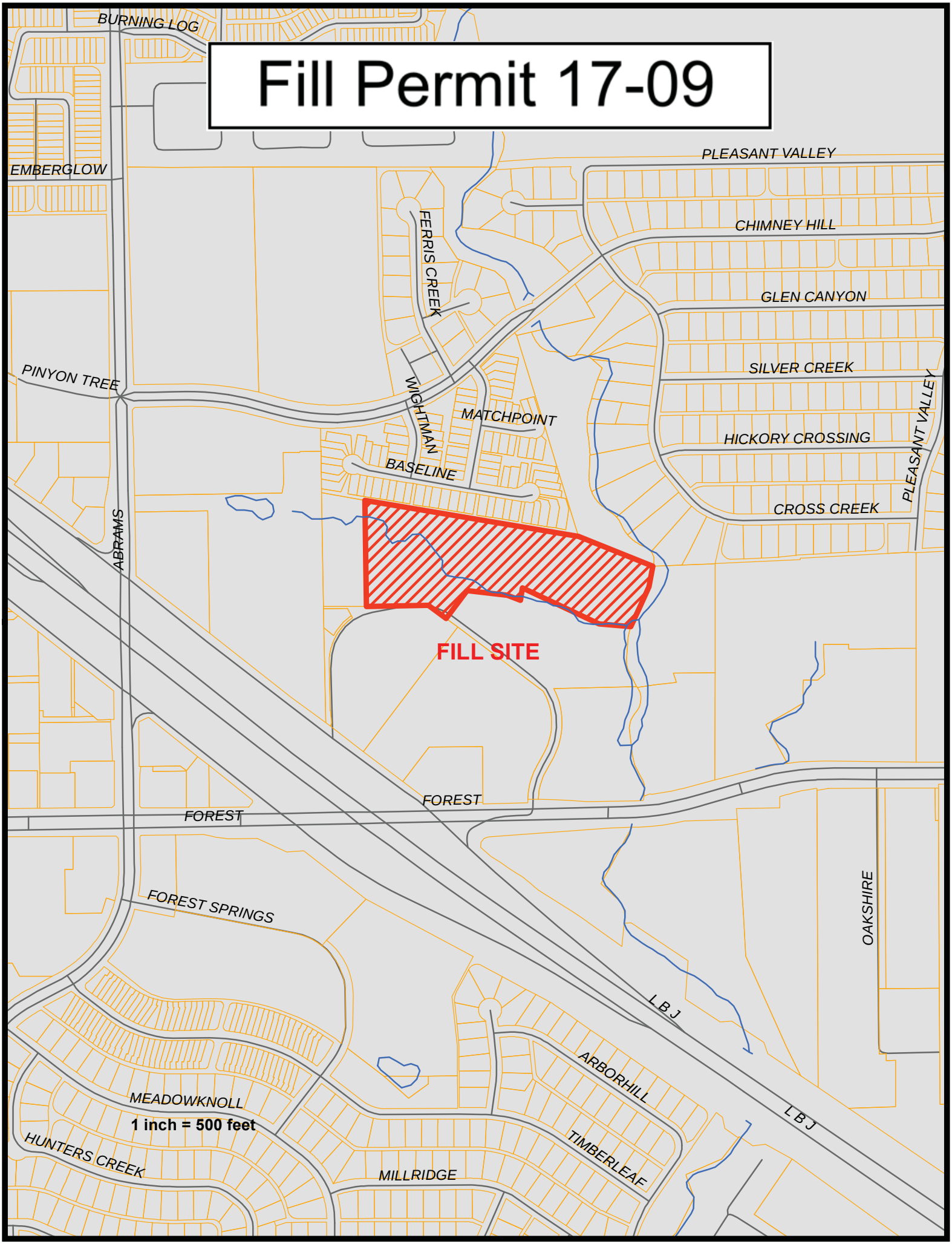
Urban Edge Developers, LTD. (Diane Cheatham)
P.O. Box 191166
Dallas, Texas 75219

ENGINEER

Ben A. McWhorter, P.E., CFM
Cardinal Strategies Engineering Services, LLC
1401 N. Central Expressway, Suite 200
Richardson, Texas 75080

MAP

Attached


Fill Permit 17-09
BURNING LOG
EMBERGLOW
PLEASANT VALLEY
FERRIS CREEK
CHIMNEY HILL
GLEN CANYON
PINYON TREE
SILVER CREEK
WIGHTMAN
MATCHPOINT
HICKORY CROSSING
BASELINE
PLEASANT VALLEY
CROSS CREEK
ABRAMS
FILL SITE
FOREST
FOREST
FOREST SPRINGS
OAKSHIRE
L B J
ARBORHILL
L B J
MEADOWKNOLL
1 inch = 500 feet
TIMBERLEAF
HUNTERS CREEK
MILLRIDGE